

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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**DOMINGO ARREGUIN GOMEZ, et al.,**

**Plaintiffs,**

**v.**

**DONALD J. TRUMP, et al.,**

**Defendants.**

)  
) **DEFENDANTS' SUPPLEMENTAL**  
) **REPORT ON GOOD FAITH**  
) **EFFORTS TO IMPLEMENT THE**  
) **PRELIMINARY INJUNCTION**  
)

) Case No. 20-cv-01419 (APM)  
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**MOHAMMED ABDULAZIZ**

**ABDUL MOHAMMED, et al.,**

**Plaintiffs,**

**v.**

**MICHAEL R. POMPEO, et al.,**

**Defendants.**

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)  
) **Case No. 20-cv-01856 (APM)**  
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)

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**AFSIN AKER, et al.,**

**Plaintiffs,**

**v.**

**DONALD J. TRUMP, et al.,**

**Defendants.**

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) **Case No. 20-CV-01926 (APM)**  
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<b>CLAUDINE NGUM FONJONG, et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
<b>v.</b>	)	
	)	Case No. 20-cv-02128 (APM)
<b>DONALD J. TRUMP, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	
	)	
	)	
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<b>CHANDAN PANDA, et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	Case No. 20-cv-01907 (APM)
	)	
<b>CHAD F. WOLF, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	
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At a telephonic hearing regarding the Court’s authority to grant equitable relief on September 28, 2020, this Court ordered Defendants to provide an update in connection to Defendants’ report regarding the State Department’s good faith efforts to implement the preliminary injunction (ECF No. 136). *See* Minute Order, September 28, 2020. Specifically, the Court ordered Defendants to provide data for the issuances of IR-1 and IR-2 immigrant visas for Fiscal Years 2019 and 2020 (“FY2019” and “FY2020” respectively), including projections for the remainder of FY2020, similar to the data provided by Defendants for F-1 and F2A visas in its original report regarding the State Department’s good faith efforts to implement the preliminary injunction. *See* ECF No. 136 at 7-8. Accordingly, the Government hereby reports this data.

In FY2019, the Department issued a total of 59,011 immediate relative visas to the spouses of U.S. citizens (IR-1 visas) and 32,407 immediate relative visas to the children of U.S. citizens (IR-2 visas). Declaration of Charles Oppenheim, (“Oppenheim Decl.”) ¶ 3. In comparison, including projections from September 28 - September 30, in FY2020, the Department expects to issue a total of up to 38,278 IR-1 visas and up to 19,022 IR-2 visas. *Id.* ¶ 4. This represents a decrease of 35.13 percent in IR-1 visas and a decrease of 41.3 percent in IR-2 visas in FY2020 as compared to the previous fiscal year.

To demonstrate the specific impacts of COVID-19 on the Department’s operations, these statistics are further broken down for both FY2019 and 2020 for the period from October 1, the beginning of the fiscal year, to March 20, when the Department in 2020 suspended routine visas services worldwide in response to the COVID-19 pandemic, and the period from March 21 to the end of the fiscal year. These statistics show that from October 1, 2019, to March 20, 2020, the Department issued 30,938 IR-1 visas and 15,070 IR-2 visas, an increase of 10.18 percent and a decrease of 9.98 percent respectively, from the same period the previous year. *Id.* ¶ 6. In contrast, from March 21, 2020, to September 30, 2020, including actual issuance data through September 27 and State’s best estimates of maximum visa issuance through September 28 through September 30, the Department expects to issue up to 7,426 IR-1 visas and 4,168 IR-2 visas, a decrease of 76.06 and 73.58 percent from the same period during the prior fiscal year. *Id.* ¶ 8.

Furthermore, the Department has provided statistics on IR visa issuances from the beginning of the phased resumption of routine visa services worldwide on July 15, 2020 to the end of FY2020. These statistics show that from July 15, 2020 to September 30, 2020, the Department expects to issue a total of 5,476 IR-1 visas and 3,019 IR-2 visas, a decrease of 54.43 and 49.54 percent from the same period during the prior fiscal year. *Id.* ¶ 12.

September 29, 2020

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*/s/ Christopher Lyerla* \_\_\_\_\_

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 29, 2020, I electronically filed the foregoing document with the Clerk of the United States District Court for the District of Columbia by using the CM/ECF system. Counsel in the case are registered CM/ECF users and service will be accomplished by the CM/ECF system.

*/s/ Christopher Lyerla*

Trial Attorney

**DECLARATION OF CHARLES OPPENHEIM**

I, Charles Oppenheim, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am employed by the U.S. Department of State in Office of Domestic Operations of the Visa Office within the Bureau of Consular Affairs. I am the Chief of the Immigrant Visa Control and Reporting division, which is responsible for official visa statistics and directs the allocation of visa numbers. In that capacity, I have knowledge regarding the Department of State's visa statistics regarding the number of visa applications issued and refused.
2. All the statistical information reported in the following paragraphs is accurate for the period indicated. However, because the status of a visa adjudication can change over time, data reflected in one period may appear inconsistent with data reflecting adjudication outcomes in another period. For example, an immigrant visa applicant may have been refused prior to March 20, and then issued after March 20. That adjudication would appear as a refusal in reporting period prior to March 20, but as an issuance from the date of issuance onward. If the reporting period includes the date of issuance, then that case would be reflected only as one issuance and not as a refusal. However, if a visa applicant was issued a visa in the period prior to March 20, was unable to use it due to the pandemic, and was issued again after March 20, that would appear as an issuance in the reporting periods prior to and after March 20, but only as one issuance for a reporting period that covers both issuances.
3. From October 1, 2018, through September 30, 2019, the Department issued 59,011 immediate relative visas to spouses of U.S. citizens (IR-1 visas) and 32,407 immediate relative visas to children of U.S. citizens (IR-2 visas).
4. From October 1, 2019, through September 27, 2020, the Department issued 37,634 IR-1 visas and 18,705 IR-2 visas. Based on the number of IR-1 and IR-2 visas issued to date and those currently scheduled until September 30, 2020, I estimate that the Department of State will issue up to 201 additional IR-1 visas and 99 additional IR-2 visas, or approximately a total of 38,278 IR-1 visas and 19,022 IR-2 visas for Fiscal Year 2020.
5. From October 1, 2018, through March 20, 2019, the Department issued 28,080 IR-1 visas and 16,740 IR-2 visas.
6. From October 1, 2019, through March 20, 2020, the Department issued 30,938 IR-1 visas and 15,070 IR-2 visas. This reflects an increase of 10.18 percent in IR-1 visa issuance and a decrease of 9.98 percent in IR-2 visa issuance from this same period in Fiscal Year 2019.
7. From March 21, 2019 through September 30, 2019, the Department issued 31,023 IR-1 visas and 15,774 IR-2 visas.

8. From March 21, 2020, through September 27, 2020, the Department issued 7,225 IR-1 visas and 4,069 IR-2 visas. This reflects a decrease in Fiscal Year 2020 of 76.71 percent in IR-1 visa issuance and a decrease of 74.20 percent in IR-2 visa issuance from this same period in Fiscal Year 2019 through September 27, 2020 based on actual issuance data. Including estimated visa usage through the end of Fiscal Year 2020, which would include 201 additional IR-1 visa issuances and 99 additional IR-2 issuances, for a total of 7,426 IR-1 visa issuances and 4,168 IR-2 visa issuances for this period, this represents a 76.06 percent decrease in IR-1 visa issuance and a decrease of 73.58 percent in IR-2 issuance during this same period compared to Fiscal Year 2019.
9. From July 15, 2019, through September 4, 2019, the Department issued 8,141 IR-1 visas and 4,010 IR-2 visas.
10. From July 15, 2020, through September 4, 2020, the Department issued 3,558 IR-1 visas and 1,964 IR-2 visas. This reflects a decrease of 56.3 percent in IR-1 visa issuance and a decrease of 51.02 percent in IR-2 visa issuance from this same period in Fiscal Year 2019.
11. From July 15, 2019, through September 30, 2019, the Department issued 12,017 IR-1 visas and 5,983 IR-2 visas.
12. From July 15, 2020, through September 27, 2020, the Department issued 5,275 IR-1 visas and 2,920 IR-2 visas. The Department estimates that visa issuances between September 28-30, 2020, could bring this total up to 5,476 IR-1 visas and 3,019 IR-2 visas. Based on actual issuances to date and the Department's best estimates, this reflects a decrease in Fiscal Year 2020 of 54.43 percent in IR-1 visa issuances and a decrease of 49.54 percent in IR-2 visa issuances from this same period in Fiscal Year 2019.

I declare under the penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge.

September 29, 2020

/s/ Charles Oppenheim  
Charles Oppenheim, Chief  
Immigrant Visa Control and Reporting Division  
Bureau of Consular Affairs, Visa Office  
United States Department of State