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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

JOHN DOE #1; JUAN RAMON MORALES;
JANE DOE #2; JANE DOE #3; IRIS
ANGELINA CASTRO; BLAKE DOE;
BRENDA VILLARRUEL; and LATINO
NETWORK,

Plaintiffs,

v.

DONALD TRUMP, in his official capacity as
President of the United States; U.S.
DEPARTMENT OF HOMELAND
SECURITY; KEVIN MCALEENAN, in his
official capacity as Acting Secretary of the
Department of Homeland Security; U.S.
DEPARTMENT OF HEALTH AND
HUMAN SERVICES; ALEX M. AZAR II, in
his official capacity as Secretary of the
Department of Health and Human Services;
U.S. DEPARTMENT OF STATE;
MICHAEL POMPEO, in his official capacity
as Secretary of State; and UNITED STATES
OF AMERICA,

Defendants.

Case No.: 3:19-cv-01743-SB

**DECLARATION OF STEPHEN
MANNING IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION AND
MOTION FOR CLASS CERTIFICATION**

I, Stephen Manning, declare as follows:

1. I am an attorney at Innovation Law Lab and am counsel for Plaintiffs.
2. I make this declaration based on upon my person knowledge, information and belief.
3. Attached hereto as Exhibit 1 is a true and correct copy of Presidential Proclamation No. 9945, 84 Fed. Reg. 53991, entitled “Presidential Proclamation on the Suspension of Entry of Immigrants Who Will Financially Burden the United States Healthcare System,” as issued on October 4, 2019, available at <https://www.whitehouse.gov/presidential-actions/presidential-proclamation-suspension-entry-immigrants-will-financially-burden-united-states-healthcare-system/> (last visited 10/28/2019).
4. Attached hereto as Exhibit 2 is a true and correct copy of the U.S. Department of State notice, entitled “Presidential Proclamation on Health Care,” available at <https://travel.state.gov/content/travel/en/us-visas/immigrate/Presidential-Proclamation-on-Health-Care.html> (last visited 10/24/2019).
5. Attached hereto as Exhibit 3 is a true and correct copy of the AIDS United Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0200>.
6. Attached hereto as Exhibit 4 is a true and correct copy of the American Medical Association Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0211>.

7. Attached hereto as Exhibit 5 is a true and correct copy of Asian & Pacific Islander American Health Forum Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0238>.

8. Attached hereto as Exhibit 6 is a true and correct copy of the Center for Elder Law and Justice Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0191>.

9. Attached hereto as Exhibit 7 is a true and correct copy of the Children's HealthWatch Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0177>.

10. Attached hereto as Exhibit 8 is a true and correct copy of the Consortium for Citizens with Disabilities Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0205>.

11. Attached hereto as Exhibit 9 is a true and correct copy of the Covered California Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0241>.

12. Attached hereto as Exhibit 10 is a true and correct copy of the DC Health Benefit Exchange Authority Comment Letter on Immigrant Health Insurance Coverage, as submitted to

the U.S. Department of State on October 31, 2019, available at

<https://www.regulations.gov/document?D=DOS-2019-0039-0246>.

13. Attached hereto as Exhibit 11 is a true and correct copy of Disability Rights California Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at

<https://www.regulations.gov/document?D=DOS-2019-0039-0224>.

14. Attached hereto as Exhibit 12 is a true and correct copy of the Latino Network Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0262>.

15. Attached hereto as Exhibit 13 is a true and correct copy of The Legal Aid Society Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0258>.

16. Attached hereto as Exhibit 14 is a true and correct copy of the Massachusetts Commonwealth Health Insurance Connector Authority Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0223>.

17. Attached hereto as Exhibit 15 is a true and correct copy of the MNsure Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0231>.

18. Attached hereto as Exhibit 16 is a true and correct copy of the National Association of Pediatric Nurse Practitioners Comment Letter on Immigrant Health Insurance

Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0229>.

19. Attached hereto as Exhibit 17 is a true and correct copy of the National Disability Rights Network Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0212>.

20. Attached hereto as Exhibit 18 is a true and correct copy of the National Health Law Program Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0232>.

21. Attached hereto as Exhibit 19 is a true and correct copy of the National Immigration Law Center Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0261>.

22. Attached hereto as Exhibit 20 is a true and correct copy of Oregon Department of Consumer and Business Services Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0237>.

23. Attached hereto as Exhibit 21 is a true and correct copy of the Oregon Primary Care Association Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0189>.

24. Attached hereto as Exhibit 22 is a true and correct copy of The American Occupational Therapy Association, Inc. Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0227>.

25. Attached hereto as Exhibit 23 is a true and correct copy of the Virginia Garcia Memorial Health Center Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019, available at <https://www.regulations.gov/document?D=DOS-2019-0039-0268>.

26. Attached hereto as Exhibit 24 is a true and correct copy of the American Immigration Lawyers Association Comment Letter on Immigrant Health Insurance Coverage, as submitted to the U.S. Department of State on October 31, 2019.

27. Attached hereto as Exhibit 25 is a true and correct copy of the Medicaid and CHIP Payment and Access Commission paper, entitled “Report to Congress on Medicaid and CHIP – March 2018,” available at <https://www.macpac.gov/wp-content/uploads/2018/03/Report-to-Congress-on-Medicaid-and-CHIP-March-2018.pdf>.

28. Attached hereto as Exhibit 26 is a true and correct copy of the U.S. Department of State Emergency Notice of Information Collection, 84 Fed. Reg. 58199, entitled “Notice of Information Collection Under OMB Emergency Review: Immigrant Health Insurance Coverage,” as issued on October 30, 2019, available at <https://www.federalregister.gov/documents/2019/10/30/2019-23639/notice-of-information-collection-under-omb-emergency-review-immigrant-health-insurance-coverage>.

29. Attached hereto as Exhibit 27 is a true and correct copy of the Notice of Office of Management and Budget Action, as issued on November 1, 2019, available at https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201910-1405-001#.

30. Attached hereto as Exhibit 28 is a true and correct copy of the U.S. Department of State “Response to public comments received in response to the notice of request for emergency OMB review and approval of the DS-5541, Immigrant Health Insurance Coverage,” as submitted on November 1, 2019, available at https://www.reginfo.gov/public/do/PRAViewDocument?ref_nbr=201910-1405-001.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

EXECUTED this 8th day of November, 2019 at Portland, Oregon.

s/Stephen W Manning
Stephen W Manning, OSB No. 013373