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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 DULCE YANELI
RAMOS IN SUPPORT OF PLAINTIFFS'
MOTION FOR A PRELIMINARY
INJUNCTION**

Declaration of Dulce Yaneli Ramos

I, Dulce Yanelis Ramos, upon my personal knowledge, hereby declare as follows:

1. I am a United States citizen. I was born in Fort Lauderdale, Florida on [REDACTED]
[REDACTED]
2. I currently live in Fort Myers, Florida, with my husband, John Doe, and our two small children, ages [REDACTED]
3. My children and I have subsidized Florida Blue insurance through the Affordable Care Act.
4. My husband is the main provider for our home. He works in construction as a foreman.
5. My husband does not currently qualify for health insurance, as he does not have a social security number.
6. I work as an office assistant for the same construction company my husband works for.
7. Our annual household income is about \$50,000.
8. I filed an I-130, Immigrant Petition for Alien Relative, on behalf of my husband on June 26, 2017.
9. The petition was approved on February 20, 2018.
10. Once the petition was approved, my husband filed an I-601A provisional waiver, which, if approved, would forgive his unlawful presence in the United States and allow him to obtain lawful permanent residence status at the U.S. Consulate in Guatemala.
11. Fortunately, USCIS approved his waiver was approved on January 17, 2019.

12. We were in the process of gathering all the documents required by the consulate when we received news of the October 4 Presidential Proclamation detailing the ban on foreign nationals entering the United States unless they can prove that they will be covered by approved health insurance within 30 days of the person's entry into the United States, or unless the person possesses the financial resources to pay for reasonably foreseeable medical costs.
13. My husband's current employer can only afford to open their insurance enrollment period in the month of September, which means that it would nearly impossible for my husband to be able to prove that he will be enrolled in health insurance within 30 days of arriving in the United States as a lawful permanent resident.
14. For him to be able to prove this his interview at the consulate would have to be scheduled for August or very early in September, a date the foreign national does not get to choose.
15. We live pay check to pay check, so we cannot afford private, unsubsidized health insurance for my husband.
16. My husband and I are really concerned about his immigrant visa being denied at the interview for his lack of evidence of insurance coverage. If that happens, the already approved I-601A provisional waiver would be automatically revoked, and he would need to file a new waiver.

17. I have looked at the approved insurance plans under the Proclamation and my husband and I would not be able to obtain any approved plans within 30 days of his entry because we live check-to-check. The approved plans would cost us at least \$300 a month, just for my husband, and we cannot afford that.
18. I understand the new waiver would take years to be processed by USCIS.
19. We do not have years to wait.
20. We have 2 (almost 3) children to raise and support.
21. If my husband is not allowed to return to the U.S., our family would lose our main financial and emotional provider.
22. Even if the new waiver is eventually approved, we would not be able to afford health insurance for him, as it's uncertain whether his current employer would keep his position open for him for years, and our family depends on my husband's income to survive, which we will not have if he has to stay in Guatemala indefinitely.
23. His job is not one that can be done "remotely" or "online." He is a foreman; that is his trade.
24. I understand that under the new Proclamation, it's very likely that I could be indefinitely separated from my husband.
25. When I learned that our separation could be prolonged indefinitely, I felt demobilized and heartbroken. We have young children that adore and need their father. This separation would destroy them.
26. This has caused me and my family considerable anxiety and stress.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed in Fort Myers, Florida.



Dulce Yaneli Ramos

10/29/2019