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Immigrant Families, Workers, Legal Assistance Groups Update Complaint in *CLINIC v. Rubio* to Challenge Expanded State Department Policies Blocking Immigrant Visas Around the World

(NEW YORK, NY) — A group of United States citizens petitioning for their immigrant family members, together with working people stranded abroad and nonprofit organizations today filed an updated complaint in *CLINIC v. Rubio* challenging the State Department's "public charge" global visa-processing regime.

The complaint argues the State Department's scheme is designed to impose significant new burdens on people applying for an immigrant visa, and to refuse applicants or to place them in indefinite administrative limbo, rather than processing them in accordance with the law. The "public charge" directives create new inadmissibility standards and add overwhelming layers of additional screening and centralized review that threaten to bring immigrant visa processing worldwide to a standstill, even for applicants who have already completed every lawful step.

The amended complaint builds on the original lawsuit filed on Feb. 2 that challenged the State Department's discriminatory "public charge" ban on immigrant visa processing for people from 75 countries. The 75-country ban was declared unlawful and struck down by a federal court in August, and plaintiffs are continuing to push the government to follow the court's orders, as many plaintiffs remain in administrative limbo. One plaintiff, an architect from Colombia whose visa application was approved under a national interest waiver – recognizing that her work would benefit the U.S.– was subsequently refused a visa under the 75-country visa ban. After the court struck down the ban, she was required to sit for a re-interview under the new public charge rules. Despite no indication that she was ineligible, the embassy informed her without explanation that her case was being returned to U.S. Citizenship and Immigration Services with a request to revoke her approved petition.

The amended complaint includes new individual plaintiffs, including those who were informed their visas were approved, only for those approvals to be reversed and to be placed back into administrative processing. The plaintiffs are suffering from ongoing family separation, missed work opportunities in the U.S., or are otherwise harmed by the indefinite delay in visa processing. They include parents with newborn babies separated from each other during their child's birth, people who have spent thousands of dollars in the visa application process without a resolution in sight, and those suffering serious health consequences as a result of the toll the process has taken on them and their families.

Attorneys representing the plaintiffs said in a joint statement: "Instead of processing immigrant visas case-by-case as Congress intended, the State Department has invented a sweeping, arbitrary scheme that buries people in paperwork and is ultimately designed to increase the likelihood of visa refusals and limit legal

immigration by any means. Our plaintiffs, along with many others around the world, have been left waiting indefinitely for decisions on their cases, even after following every required step. Just like the 75-country ban, this visa gambit is against the law, and we're pursuing justice for everyone harmed."

Plaintiffs in the case include Catholic Legal Immigration Network, Inc. (CLINIC); African Communities Together; and individuals harmed by the ban. Plaintiffs are represented by the National Immigration Law Center, Democracy Forward, The Legal Aid Society, the Western Center on Law & Poverty, the Center for Constitutional Rights, and Colombo & Hurd, which filed the lawsuit in the U.S. District Court for the Southern District of New York.

The defendants are U.S. Department of State Secretary Marco Rubio and the U.S. Department of State.

Read the amended complaint and previous court documents.

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