

1 STEPHANIE M. HINDS (CABN 154284)  
Acting United States Attorney  
2 SARA WINSLOW (DCBN 457643)  
Chief, Civil Division  
3 VALERIE E. SMITH (NYBN 5112164)  
Assistant United States Attorney

4 450 Golden Gate Avenue, Box 36055  
5 San Francisco, California 94102-3495  
6 TELEPHONE: (415) 436-6985  
7 FAX: (415) 436-6748  
EMAIL: Valerie.Smith2@usdoj.gov

8 Attorneys for Defendants

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION  
12

13 JACOB, et al.,  
14 Plaintiffs,  
15 v.  
16 BIDEN, et al.,  
17 Defendants.  
18

Case No. 21-cv-00261-EMC

**DEFENDANTS' BIWEEKLY  
STATUS REPORT**

19 Defendants respectfully submit the following status update report as directed by the Court's May 20  
20 Minute Order (ECF No. 85). For ease of reference, Defendants have reproduced herein the charts included  
21 in the April 30 Amended Status Update (ECF No. 74), May 13 Second Biweekly Status Report (ECF No.  
22 77), and May 18 Final Biweekly Status Report (ECF No. 79). Information not previously reported in ECF  
23 Nos. 74, 77, and 79 is highlighted in bold, as are any updates to previously-reported information. Both  
24 charts demonstrate that Defendants continue to process and adjudicate immediate relative, family  
25 preference, and DV-2021 applications in ever-increasing numbers as posts' capacity allows without regard  
26 to the now revoked Presidential Proclamation 10014.  
27  
28

1 **I. Immediate Relative and Family-Based Immigrant Visas**

2 The final two weeks of data submitted in this report demonstrate that Defendants issued family  
 3 preference visas in numbers that approach the same level of issuances in IR1/2 cases; in the final week of  
 4 the report, Defendants issued 2064 family preference visas and 2112 IR1/2 visas, a difference of only  
 5 2.32%. Furthermore, when comparing the number of issuances in visa categories that were previously  
 6 subject to Proclamation 10014 (IR-5 and family preference) to the number of issuance in categories that  
 7 were exempt from Proclamation 10014 (IR1/2 and CR1/2), Defendants actually issued a higher number  
 8 of visas in categories that were previously subject to Proclamation 10014: in the final week of the report,  
 9 Defendants issued 3,682 visas in categories previously subject to Proclamation 10014 (IR-5 and family  
 10 preference issues) and only 2,350 visas in categories that had been exempt from the now-revoked  
 11 Proclamation (IR1/2 and CR1/2).

12

<u>Week</u>	<u>IR1/2 and CR1/2 Issuances</u>	<u>IR5 Issuances</u>	<u>Family Preference Issuances</u>	<u>Total IV Adjudications</u>
2/26 – 3/4	IR1/2: 2,484 CR1/2: 742	134	207	7,171
3/5- 3/11	IR1/2: 2,501 CR1/2: 745	154	296	7,479
3/12 – 3/18	IR1/2: 2,422 CR1/2: 669	199	667	7,830
3/19 - 3/25	IR1/2: 2,396 CR1/2: 676	374	822	8,367
3/26 – 4/1	IR1/2: 2,060 CR1/2: 417	544	904	7,899
4/2 – 4/8	IR1/2: 1,676 CR1/2: 448	1,031	1,154	8,181
4/9 – 4/15	IR1/2: 1,796 CR1/2: 384	1,261	1,455	9,376

28

1	4/16 – 4/22	IR1/2: 1,692 CR1/2: 344	1,438	1,834	10,339
2					
3	4/23 – 4/29	IR1/2: 2,107 CR1/2: 290	1,322	2,155	11,029
4					
5	4/30 – 5/6	IR1/2: 1,907 CR1/2: 276	1,398	1,625	10,048
6					
7	5/6 – 5/13	IR1/2: 1602 CR1/2: 232	1570	1381	9471
8	<b>5/14 – 5/20</b>	<b>IR1/2: 2163 CR1/2: 293</b>	<b>1581</b>	<b>1949</b>	<b>11,971</b>
9	<b>5/21 – 5/27</b>	<b>IR1/2: 2112 CR1/2: 238</b>	<b>1618</b>	<b>2064</b>	<b>11,999</b>

## II. Diversity Visa 2021

As with immediate relative and family preference immigrant visa categories, the following chart demonstrates that Defendants continue to process DV-2021 cases in ever-increasing numbers as post capacity permits without regard to Proclamation 10014. The final two weeks of data show the highest weekly totals of DV-2021 issuances since the revocation of Proclamation 10014 that rendered Plaintiffs' claim moot. While not required by the Court's April 15 Minute Order, Defendants report that as of June 1, 2021, a total of 14,321 cases, representing 29,830 applicants, have been determined to be documentarily qualified.

<u>Week</u>	<u>DV-2021 Issuances</u>	<u>DV2021 Cases Scheduled for Interview</u>	<u>Total DV2021 Cases Scheduled for Interview since Feb. 24, 2021 (Cumulative)</u>
2/26 – 3/4	0	19 cases/21 applicants	19 cases / 21 applicants
3/5- 3/11	0	760 cases/1212 applicants	779 cases/1233 applicants
3/12 – 3/18	10	26 cases/57 applicants	805 cases/1290 applicants
3/19 - 3/25	7	399 cases/686 applicants	1204 cases/1976 applicants
3/26 – 4/1	44	161 cases/256 applicants	1365 cases/2232 applicants

1	4/2 – 4/8	103	70 cases/136 applicants	1435 cases/2368 applicants
2				
3	4/9 – 4/15	148	56 cases / 95 applicants	1491 cases / 2463 applicants
4				
5	4/16 – 4/22	135	71 cases / 150 applicants	1562 cases / 2613 applicants
6	4/23 – 4/29	113	6 cases / 11 applicants	1568 cases / 2624 applicants
7	4/30 – 5/6	128	1013 cases / 1892 applicants	<b>2579 cases / 4512 applicants</b>
8				
9	5/7 – 5/13	75	50 cases / 73 applicants	<b>2629 cases / 4585 applicants</b>
10				
11	<b>5/14 – 5/20</b>	<b>498</b>	<b>96 cases/ 171 applicants</b>	<b>2727 cases/ 4760 applicants</b>
12				
13	<b>5/21 – 5/27</b>	<b>222</b>	<b>90 cases/ 211 applicants</b>	<b>2817 cases/ 4,971 applicants</b>
14				

### III. Additional Information Relevant to Ongoing Processing of Immigrant Visas

Defendants' ability to further expand immigrant visa processing remains hampered by the ongoing pandemic; indeed, such capacity may fluctuate depending on the conditions and restrictions at each post as successive waves of the COVID-19 infection surge and wane. For example, as of June 1, 2021, the U.S. Embassy in Manila is limited by host country government-imposed restrictions and may only operate at 50% capacity during a recently announced "General Community Quarantine with Restrictions" that will last through June 15. *See* <https://ph.usembassy.gov/health-alert-quarantine-update-june-1-30-2021/> (announcing that the Manila area is subject to the General Community Quarantine); *see also* <https://www.covid19.gov.ph/security/gcq> (Philippine government website delineating restrictions and limitations of General Community Quarantine with Restrictions, including 50% capacity operational limitations on accredited diplomatic missions). More severe restrictions have been imposed in other parts of the country and may limit visa applicants' ability to travel to Manila. While the statistics provided in this report demonstrate that Defendants are processing and adjudicating immigrant visas in all categories

1 without regard to the now-revoked Proclamation 10014, and are doing so in ever-increasing numbers,  
2 Defendants' ability to further expand visa processing operations must be viewed in the context of the  
3 ongoing pandemic and the need to comply with host country restrictions while simultaneously protecting  
4 the health and safety of Defendants' staff and the general public.

5  
6 DATED: June 1, 2021

Respectfully submitted,

7 STEPHANIE M. HINDS  
8 Acting United States Attorney

9 */s/ Valerie E. Smith*  
10 VALERIE E. SMITH  
11 Assistant United States Attorney  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28