

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

J.G.G., *et al.*,

Petitioner,

v.

DONALD J. TRUMP, *et al.*,

Respondents.

No. 1:25-cv-766 (JEB)

Declaration Of Marco Rubio

SUPPLEMENTAL DECLARATION OF SECRETARY OF STATE MARCO RUBIO

I, Marco Rubio, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury as follows:

1. I am the Secretary of State of the United States and head of the United States Department of State, an Executive Department of the United States. A description of my role and duties, the basis for my knowledge about facts and policies relevant to this lawsuit, and of the Court's orders in this suit, are set forth in my Declaration of March 24, 2025. ECF No. 56-2. I am aware that the Court has held that the 137 class members in this case are entitled to pursue their due process claims through habeas corpus proceedings and has ordered Defendants to present a proposal to facilitate willing class members' filing of habeas claims.

2. On July 18, 2025, El Salvador, in its sovereign discretion, released 252 Venezuelan nationals, including the 137 class members, and the Maduro regime transferred them to Venezuela, their home country. We understood at the time that the regime released these individuals. Given the passage of time, the U.S. government does not know—nor does it have

any way of knowing—the whereabouts of class members, including whether anyone has departed Venezuela or whether the regime subsequently took anyone back into custody.

3. On January 3, 2026, the United States successfully carried out a surgical law enforcement operation against Nicolás Maduro and his wife Cilia Flores and transported them to New York to stand trial on narco-terrorism conspiracy and other charges. In the wake of this operation, the situation in Venezuela remains fluid. The United States remains involved to see changes in Venezuela that are beneficial to the United States and that it also expects will be beneficial for the people of Venezuela, who have suffered tremendously. These efforts entail ongoing, intensive, and extraordinarily delicate engagement with elements within the regime of Maduro’s successor, so-called Acting President Delcy Rodríguez.

4. In my considered judgment as the Nation’s chief diplomat, I assess that introducing the matter of the disposition of the 137 class members into these discussions at this time would risk material damage to U.S. foreign policy interests in Venezuela. This assessment holds true whether the proposal is to transport class members to a U.S. jurisdiction or to arrange remote hearings from Venezuela. Remote hearings also present a serious risk of intentional interference by anti-American elements in Venezuela that would undermine the interests of justice.

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

Executed this 12th day of January 2026.

/s/ Marco Rubio

Marco Rubio
Secretary of State