

This public resource tracks legal challenges to Trump administration actions. If you think we are missing anything, you can email us at lte@justsecurity.org. Special thanks to Just Security Student Staff Editors Anna Braverman, Isaac Buck, Rick Da, Charlotte Kahan, and Jeremy Venook, and to Matthew Fouracre and Nour Soubani. The Tracker is part of the Collection: Just Security's Coverage of the Trump Administration's Executive Actions. The Tracker was first published on Jan. 29, 2025 and is continually updated. Last updated April 4, 2025.

Total number of cases tracked: 167 (including 5 closed cases)

Immigration and Citizenship

Executive Action: Alien Enemies Act removals (Presidential Proclamation 10903)

J.G.G. v. Trump (D.D.C)

Case No. 1:25-cv-00766

(D.C. Cir No. 25-5067)

Petition (Mar. 15, 2025)- Motion for TRO (Mar. 15, 2025)

Overview: President Trump issued a presidential proclamation purporting to invoke the Alien Enemies Act to allow for summary removal of alleged members of the Venezuelan Tren de Aragua (TdA) gang. The White House publicly released the proclamation on the afternoon of Mar. 15. Plaintiffs filed a class action lawsuit arguing the 1798 statute does not apply to these circumstances, and the judge provisionally agreed issuing a temporary block to any removals until further hearings. The Court of Appeals upheld the judge's ruling on appeal. The district court issued two Temporary Restraining Orders (TROs) against the government on Mar. 15 that have been extended through Apr. 12.

Summary: On Mar. 14, President Trump signed a Proclamation purporting to invoke the authority of the Alien Enemies Act to summarily deport Venezuelan nationals alleged to be members of the Tren de Aragua (TdA) gang. In the early hours of Saturday, Mar. 15, five Venezuelan nationals in U.S. immigration custody brought a proposed class action lawsuit challenging the government's action on the ground that the Alien Enemies Act does not provide authority for such removals; that the removals would be in violation of immigration statutes governing deportation proceedings and the Administrative Procedure Act, in addition to a violation of habeas corpus. The Plaintiffs submitted an emergency application for a temporary restraining order asking the court to block any removals from the United States. In an emergency hearing on Mar. 15, Chief Judge James Boasberg, first ruling from the bench, certified a class of "all noncitizens in U.S. custody who are subject to the Mar. 15, 2025 Presidential Proclamation," and granted the request for a temporary restraining order to block removals of any class members from the United States.

Update 1: The same day, Mar. 15, the government submitted a notice of appeal to the D.C. Circuit. The judge issued a verbal order, in a ruling from the bench, and a written TRO that evening.

Update 2: On Mar. 17, Defendants moved to vacate the TRO.

Update 3: On Mar. 18, Chief Judge James Boasberg issued a minute order requiring Defendants to submit a declaration explaining what time the flights that left U.S. airspace prior to the filing of the TRO departed and landed, when the individuals aboard left U.S. custody, and the number of people aboard subject to the President's Proclamation.

Update 4: On Mar. 19, Defendants filed a motion to stay Chief Judge Boasberg's March 18th minute order, arguing that they required more time to invoke the state secrets privilege, avoid disclosure of sensitive information, and prevent harm to foreign relations.

Update 5: On Mar. 19, Chief Judge Boasberg issued an order permitting Defendants an additional day to respond to the Mar. 18 Order, but expressing skepticism about their stated intention to invoke the state-secrets doctrine.

Update 6: On Mar. 19, Plaintiffs filed a motion in opposition to Defendants' motion to vacate the TRO.

Update 7: On Mar. 20, Chief Judge Boasberg issued an order requiring Defendants to show cause for its failure to comply with the TRO, and it also granted Defendants' delay to invoke the state-secrets privilege.

Update 8: On Mar. 24, Chief Judge Boasberg issued a memorandum opinion granting Plaintiffs' TRO.

Update 9: On Mar. 25, Defendants filed a notice invoking the state-secrets privilege in response to the Mar. 18 minute order.

Update 10: On Mar. 26, Plaintiffs filed a Notice that they intended to file a new Motion for Preliminary Injunction on Friday, Mar. 28, to incorporate "additional factual material so that there is a more complete record. That same day, the D.C. Circuit. in a 2-1 decision, denied Defendants' motion to stay the TRO.

Update 11: On Mar. 27, the Plaintiffs filed a motion to extend the TROs set to expire on Mar. 29 for 14 days to Apr. 12, claiming that good cause exists to extend the TROs.

Update 12: On Mar. 28, the Defendants appealed to the Supreme Court asking to vacate the district court's order and to issue an administrative stay.

Update 13: On Mar. 28, the Defendants filed an opposition to the motion to extend the TRO, claiming that the Court lacks jurisdiction over the Plaintiffs' claims and that the Plaintiffs have failed to show a likelihood of success on the merits. That same day, the Court ordered the extension of the TROs until Apr. 12.

Update 14: On Mar. 28, Plaintiffs submitted a motion and memorandum for a preliminary injunction with exhibits including an "Alien Enemy Validation Guide," allegedly used by the government.

Update 15: On Mar. 31, the Plaintiffs filed a response to the Defendants' invocation of the state secrets privilege, claiming that the Court already has the information it needs to conclude that its Mar. 15 oral and written TROs were violated, and that the Plaintiffs are unaware of any case in which the state secrets privilege has been invoked to withhold evidence from a court seeking to enforce its own orders.

Update 16: On Mar. 31, the Plaintiffs filed a reply to the Defendants' response to an order to show cause, claiming that the Defendants violated the Court's orders to return to the U.S. all airplanes that were going to take off or were in the air with persons potentially subject to the Alien Enemies Act. 2025-03-31

Executive Action: Removal to El Salvador/Fear of Persecution

Abrego Garcia v. Noem (D. Md.)

Case No. 8:25-cv-00951 Complaint

2025-03-24

Overview: Kilmar Armando Abrego Garcia (Abrego Garcia) and his family sued several government officials alleging his Mar. 15 deportation to El Salvador without judicial proceedings was in violation of the Administrative Procedure Act, the Withholding of Removal Statute, and the Fifth Amendment of the United States Constitution. Plaintiffs allege the Department of Homeland Security (DHS) and ICE paid the government of El Salvador to incarcerate 261 U.S. noncitizens, including Abrego Garcia, who were deported on Mar. 15. Abrego Garcia and his family request that the government's actions be declared a violation of the Fifth Amendment and that the Court order the government to work with the government of El Salvador to return Abrego Garcia to U.S. custody. At the heart of his claim is that he was under court protection barring his removal to El Salvador, and the government has acknowledged his removal was an "administrative error."

Case Summary: On Mar. 15, the U.S. government deported 261 noncitizens to El Salvador. Among those removed was Plaintiff Kilmar Armando Abrego Garcia (Abrego

Garcia), who had been granted immigration relief in 2019 through withholding of removal to El Salvador on the ground that he had a well-grounded fear of persecution. Plaintiffs include Abrego Garcia, his U.S. citizen wife, and his child. Plaintiffs allege the Department of Homeland Security (DHS) and ICE provided substantial financial compensation to the Government of El Salvador to incarcerate Abrego Garcia and the other noncitizens deported with him. Plaintiffs contend that the removal of Abrego Garcia to El Salvador constitutes a violation of the Administrative Procedure Act, the Withholding of Removal Statute, and the procedural and substantive due process rights safeguarded under the Fifth Amendment. Accordingly, plaintiffs seek a judicial declaration affirming that the removal of Abrego Garcia was unconstitutional. They further request that the court direct the defendants to cease compensating El Salvador for the detention of Abrego Garcia and order the defendants to formally request the release of Abrego Garcia to U.S. custody, and take all reasonable measures to facilitate his return to the United States in the event El Salvador fails to comply. Plaintiffs immediately filed an emergency motion seeking a temporary restraining order (TRO) urging the court to immediately prohibit the defendants from continuing payments to the Government of El Salvador for Abrego Garcia's detention and to require the defendants to initiate efforts to secure his return to U.S. custody.

Update 1: On Mar. 25, Judge Paula Xinis denied Plaintiffs' emergency motion for a TRO. On that same day, Plaintiffs filed a second motion for a TRO against the Defendants requesting injunctive relief in the form of a court order preventing Defendants from continuing to financially support El Salvador's detention of Abrego Garcia and ordering Defendants to request the return of Abrego Garcia to U.S. custody.

Update 2: On Mar. 28, Plaintiffs filed a supplemental memorandum in support of the requested injunctive relief.

Update 3: On Mar. 31, Defendants filed their opposition to Plaintiffs' emergency motion for a TRO. The Defendants state it was an "administrative error" to have removed Abrego Garcia to El Salvador, but oppose the relief that Plaintiffs request. 2025-03-31 Executive Action: Birthright Citizenship (Executive Order 14160)
New Hampshire Indonesian Community Support v. Donald J. Trump (D.N.H.)

Case No. 1:25-cv-38

Complaint

2025-01-20

Overview: An organization with noncitizen members whose unborn children stand to have their citizenship revoked under President Donald Trump's Executive Order ("EO") ending birthright citizenship sued Trump alleging the EO is unconstitutional. A federal court temporarily blocked the EO while the lawsuit is pending on the basis that it likely violates the Fourteenth Amendment.

Case Summary: Trump's executive order seeks to revoke birthright citizenship for the children of undocumented immigrants on the basis that people in the United States illegally are not "subject to the jurisdiction thereof." The ACLU sued the Trump administration on behalf of individuals in New Hampshire who would have their children's citizenship revoked. The ACLU argues that the plain text of the 14th Amendment, as confirmed in *U.S. v. Wong Kim Ark* (1898), explicitly grants birthright citizenship for all people born in the United States.

Update 1: On Feb. 10, 2025, Judge Joseph N. Laplante issued a preliminary injunction.
2025-02-10

O. Doe; Brazilian Worker Center, Inc; La Colaborativa v. Donald J. Trump et al (D. Mass.)

Case No. 1:25-cv-10135-LTS

Complaint

2025-01-20

Overview: A group of noncitizen pregnant women with Temporary Protected Status whose unborn children stand to have their citizenship revoked under President Donald Trump's Executive Order ("EO") ending birthright citizenship sued Trump alleging the EO is unconstitutional. A federal court temporarily blocked the EO while the lawsuit is pending on the basis that it likely violates the Fourteenth Amendment. Trump has appealed the court's decision.

Case Summary: Trump's executive order seeks to revoke birthright citizenship for the children of undocumented immigrants on the basis that people in the United States illegally are not "subject to the jurisdiction thereof." A group of pregnant women whose children would not receive citizenship sued; the plaintiff identified as "O. Doe" lives in Massachusetts and has temporary protected status in the United States. The suit argues that the plain text of the 14th Amendment, as confirmed in *U.S. v. Wong Kim Ark* (1898), explicitly grants birthright citizenship for all people born in the United States.

Update 1: On Feb. 13, Judge Leo T. Sorokin issued an opinion granting a preliminary injunction enjoining the government from implementing and enforcing Executive Order No. 14,160, "Protecting the Meaning and Value of American Citizenship," against plaintiff O. Doe, or any member of La Colaborativa or Brazilian Worker Center.

Update 2: On Feb. 19, Defendants submitted a notice of appeal to the First Circuit.
2025-02-19

State of New Jersey et al v. Donald J. Trump et al (D. Mass.)

Case No. 1:25-cv-10139

Complaint

2025-01-21

Overview: A broad coalition of states sued President Donald Trump alleging his Executive Order (“EO”) revoking birthright citizenship for children of undocumented immigrants and others is unconstitutional. A federal court temporarily blocked the EO while the lawsuit is pending on the basis that it likely violates the Fourteenth Amendment; and the Fourth Circuit denied the defendants’ motion for a stay. The government appealed to the Supreme Court.

Case Summary: Trump’s executive order seeks to revoke birthright citizenship for the children of undocumented immigrants on the basis that people in the United States illegally are not “subject to the jurisdiction thereof.” The attorneys general of 22 states, the District of Columbia, and the City of San Francisco sued to protect residents who would lose their citizenship under the executive order. The suit argues that the plain text of the 14th Amendment, as confirmed in *U.S. v. Wong Kim Ark* (1898), explicitly grants birthright citizenship for all people born in the United States.

Update 1: On Feb. 13, Judge Leo T. Sorokin issued an opinion granting a preliminary injunction enjoining the government from implementing and enforcing Executive Order No. 14,160, “Protecting the Meaning and Value of American Citizenship.”

Update 2: On Feb. 19, the Defendants submitted a notice of appeal to the First Circuit, and a motion to stay the district court order on appeal.

Update 3: On Feb. 26, Judge Sorokin denied defendants’ motion to stay the preliminary injunction pending resolution of their appeal.

Update 4: On March 11, the First Circuit denied the government’s motion for a stay.

Update 5: On Mar. 13, the Defendants appealed to the U.S. Supreme Court for a partial stay of the district court’s injunction. 2025-03-13

Casa v. Donald Trump (D. Md.)

Case No. 8:25-cv-00201-DLB

Complaint

2025-01-21

Overview: CASA and Asylum Seeker Advocacy Project (two immigrant rights organizations) and a group of noncitizen pregnant women whose unborn children stand to have their citizenship revoked under President Donald Trump’s Executive Order (“EO”) ending birthright citizenship sued Trump alleging the EO is unconstitutional. A federal court temporarily blocked the EO while the lawsuit is pending on the basis that it

likely violates the Fourteenth Amendment. The Fourth Circuit denied an appeal from the government, and the government then appealed to the Supreme Court.

Case Summary: Trump's executive order seeks to revoke birthright citizenship for the children of undocumented immigrants on the basis that people in the United States illegally are not "subject to the jurisdiction thereof." The plaintiffs, including immigrant rights organizations CASA and ASAP, as well as individual immigrant parents, argue that the Executive Order violates the Fourteenth Amendment and federal statute 8 U.S.C. § 1401(a), both of which guarantee citizenship to all persons born in the U.S. The complaint asserts that the executive order exceeds presidential authority and causes irreparable harm by stripping constitutionally protected rights from children born to immigrants (e.g., the right to remain in the United States, access public benefits, and participate fully in civic life) and destabilizes their families, potentially leaving children stateless and separating them from their parents.

Update 1: On Feb. 5, 2025, Judge Deborah Boardman issued an opinion granting the plaintiffs' motion for a preliminary nationwide injunction blocking implementation of the birthright citizenship Executive Order.

Update 2: On Feb. 13, the Defendants submitted a notice of appeal to the Fourth Circuit.

Update 3: On Feb. 28, the Fourth Circuit denied Defendants' request for a partial stay of the district court's injunction.

Update 4: On Mar. 13, the Defendants appealed to the U.S. Supreme Court for a partial stay of the district court's injunction. 2025-03-13

Franco Aleman et al. v. Trump et al. (W.D. Wash.)

Case No. 2:25-cv-00163-JCC

Complaint

2025-01-24

Overview: A group of noncitizen pregnant women whose unborn children stand to have their citizenship revoked under President Trump's Executive Order ("EO") ending birthright citizenship sued Trump alleging the EO is unconstitutional. The case was consolidated with State of Washington et al v. Donald J. Trump, combining efforts to block the order on constitutional grounds.

Case Summary: Plaintiffs are non-citizen pregnant women whose due dates are after the implementation date of the Executive Order eliminating birthright citizenship. Plaintiffs bring this suit as a class action on behalf of all others similarly situated. They allege that the EO is a violation of the Fourteenth Amendment and seek an injunction to enjoin Defendants from enforcing the EO.

Update 1: On Jan. 27, State of Washington et al v. Donald J. Trump (complaint) was consolidated with this case. 2025-01-27

State of Washington et al v. Donald J. Trump et al (W.D. Wash.)

Case No. 2:25-cv-00127-JCC

Complaint

2025-01-21

Overview: The states of Washington, Arizona, Illinois and Oregon sued to block President Donald Trump's Executive Order ("EO") revoking birthright citizenship for children of undocumented immigrants and those with temporary visas, alleging that the EO is unconstitutional. A federal court temporarily blocked the EO while the lawsuit is pending on the basis that it likely violates the Fourteenth Amendment. Trump has appealed the court's decision. The Fourth Circuit denied the appeal, and the government then appealed to the Supreme Court.

Case Summary: Trump's executive order seeks to revoke birthright citizenship for the children of undocumented immigrants on the basis that people in the United States illegally are not "subject to the jurisdiction thereof." Four states sued to protect residents who would lose their citizenship under the executive order. The suit argues that the plain text of the 14th Amendment, as confirmed in U.S. v. Wong Kim Ark (1898), explicitly grants birthright citizenship for all people born in the United States.

Update 1: On Jan. 23, 2025, Judge John Coughenour of the Western District of Washington issued a temporary restraining order against the Executive Order.

Update 2: On Jan. 27, Franco Aleman v. Trump (complaint) was consolidated with this case.

Update 3: On Feb. 6, Judge Coughenour issued an opinion granting the plaintiffs' motion for a preliminary injunction enjoining implementation of the Executive Order.

Update 4: On Feb. 6, defendants appealed to the Ninth Circuit Court (case no. 25-807).

Update 5: On Feb. 12, defendants made an emergency motion to stay the district court's injunction

Update 6: On Feb. 19, the Ninth Circuit issued an order denying the government's emergency motion to stay the district court's injunction and leaving the existing briefing schedule unchanged.

Update 7: On Mar. 13, the Defendants appealed to the U.S. Supreme Court for a partial stay of the district court's injunction. 2025-03-13

OCA—Asian Pacific American Advocates v. Marco Rubio et al (D.D.C.)

Case No. 1:25-cv-00287

Complaint

2025-01-30

Overview: Asian Pacific American Advocates (a non profit organization) sued to block President Donald Trump's Executive Order ("EO") revoking birthright citizenship for children of undocumented immigrants and those with temporary visas, alleging that the EO is unconstitutional. The lawsuit argues that the EO violates the Constitution, federal statutes, and the Administrative Procedure Act.

Case Summary: Trump's executive order seeks to revoke birthright citizenship for the children of undocumented immigrants and for the children of parents on lawful temporary visas on the basis that they are not "subject to the jurisdiction" of the United States. OCA sued Marco Rubio and the heads of other departments and agencies on behalf of at least two pregnant women expected to give birth to children denied citizenship by the order. Both women reside in the United States on lawful, temporary, nonimmigrant visas. OCA argues that the order violates the plain text of the Fourteenth Amendment, statutes (8 U.S.C. § 1401 et seq.), and the Administrative Procedure Act, 5 U.S.C. § 706(2). The suit identifies an injured "subclass" of "Targeted Children" denied the privileges and public benefits afforded to U.S. citizens, seeking declaratory and injunctive relief. 2025-01-31

County of Santa Clara v. Trump, et al (N.D. Cal.)

Case No. 5:25-cv-00981

Complaint

2025-01-30

Overview: The County of Santa Clara sued to block President Donald Trump's Executive Order ("EO") revoking birthright citizenship for children of undocumented immigrants and those with temporary visas. The lawsuit argues that the EO violates the Constitution, federal statutes, and the Administrative Procedure Act.

Case Summary: Trump's executive order seeks to revoke birthright citizenship for the children of undocumented immigrants and for the children of parents on lawful temporary visas on the basis that they are not "subject to the jurisdiction" of the United States. The County of Santa Clara sued to protect residents who would lose their citizenship or whose U.S.-born children will not receive citizenship and to prevent administrative burdens and loss of tax revenues associated with that prospective loss of citizenship. Santa Clara argues that the order violates the plain text of the Fourteenth

Amendment, statutes (8 U.S.C. § 1401 et seq.), and the Administrative Procedure Act, 5 U.S.C. § 706(2), and seeks declaratory and injunctive relief.

Update 1: On Feb. 5, Santa Clara County filed a motion for a preliminary injunction to prohibit Defendants from implementing or enforcing the birthright citizenship EO on the basis that the EO violates the Citizenship Clause of the Fourteenth Amendment, the constitutional Separation of Powers, and the Immigration and Nationality Act.

Update 2: On Feb. 14, Defendants filed an opposition to Santa Clara County's motion for a preliminary injunction on the basis that Santa Clara County does not reach threshold grounds and is unlikely to succeed on the merits, and injunctive relief is not in the public interest.

Update 3: On Feb. 19, Santa Clara County filed a reply in support of its motion for a preliminary injunction.

Update 4: On Feb. 21, Judge Eumi Lee ruled that both parties file Orders to Show Cause to explain why this case should not be stayed pending the Ninth Circuit's decision in *Washington v. Trump*. The hearing on the motion for preliminary injunction was also vacated and both parties filed OSCs on Feb. 28. 2025-02-28

Le v. Trump (C.D. Cal.)

Case No. 8:25-cv-00104

Complaint (under seal per Privacy Act)

2025-01-20

Overview: A birthright citizenship case under seal. This case has been stayed while a related case, *Washington v. Trump*, continues to be litigated.

Case Summary: A birthright citizenship case under seal.

On Jan. 24, 2025, Judge Maame Ewusi-Mensah Frimpong, upon joint agreement by the parties, held briefing in abeyance pending the TRO and preliminary injunction litigation in *Washington v. Trump*. 2025-01-24

New York Immigration Coalition v. Trump et al. (S.D.N.Y.)

Case No. 1:25-cv-01309

Complaint

2025-02-13

Overview: A New York-based coalition of immigrant and refugee organizations and a pregnant noncitizen woman sued to block President Donald Trump's Executive Order ("EO") revoking birthright citizenship for children of undocumented immigrants and those with temporary visas. The lawsuit argues that the EO violates the Constitution and the Immigration and Naturalization Act.

Case Summary: Plaintiffs are a nonprofit organization as well as a Venezuelan national, J.V., who has Temporary Protected Status and a pending asylum petition. She is five months pregnant. Plaintiffs allege that the EO violates 8 U.S.C. § 1401(a) and the Citizenship and Equal Protection Clauses of the Fourteenth Amendment. Plaintiffs also seek a permanent injunction against enforcement of the EO.

Update 1: On Mar. 21, 2025, plaintiffs filed a motion, along with a memorandum of law, seeking a preliminary injunction against enforcement of the Executive Order. 2025-03-21

Executive Action: Immigration policy — punishment of sanctuary cities and states (Executive Order 14159) (DOJ “Sanctuary Jurisdiction Directives” (Feb. 5, 2025))

Organized Communities Against Deportations et al v. Benjamine Huffman (Acting Secretary of Homeland Security) et al (N.D. Ill.)

Case No. 25-cv-868

CASE CLOSED

Complaint

2025-01-25

Overview: Immigrant advocacy organizations in Chicago filed a lawsuit against Acting Attorney General Benjamine Huffman, challenging policy guidance targeting Sanctuary City policies and related immigration raids. The lawsuit seeks to block the implementation of this guidance on the basis that it violates the Constitution and the Administrative Procedure Act.

Case Summary: Acting Attorney General Benjamine Huffman issued policy guidance that, among other immigration-related policies, instructs the Civil Division of the Department of Justice “to identify state and local laws, policies, and activities that are inconsistent with Executive Branch immigration initiatives and, where appropriate, to take legal action to challenge such laws.” The plaintiffs, Chicago-based immigrant-advocacy organizations, allege that the guidance, and subsequent raids “specifically for the purpose of ending the Plaintiffs’ Sanctuary City advocacy and movement building,” violate the Administrative Procedure Act and the First Amendment. The lawsuit seeks an injunction against the Department of Justice’s guidance.

Update 1: On Jan. 29, Plaintiffs requested the Court’s permission to withdraw their pending motions for a Temporary Restraining Order and Preliminary Injunction. Plaintiffs noted its motions were to prevent federal officials from threatening or executing unlawful Chicago-based immigration raids. In light of Defendants’ launching such raid, Plaintiffs note the relief to which they may be entitled has changed.

Update 2: On Feb. 26, Plaintiffs voluntarily dismissed their claims without prejudice, citing this action as “no longer the appropriate forum to seek relief.” The judge dismissed the case without prejudice. 2025-02-26

City and County of San Francisco v. Donald J. Trump, et al (N.D. Cal.)

Case No. 3:25-cv-01350

Complaint

2025-02-07

Overview: Several cities and counties sued President Donald Trump and his administration challenging an Executive Order (“EO”) and a Department of Justice (“DOJ”) memo that, together, would withhold federal funds from Sanctuary Cities. The lawsuit argues that the Trump administration should be blocked from implementing the EO because both the EO and the DOJ memo violate multiple Constitutional provisions and the Administrative Procedure Act.

Case Summary: Trump’s executive order directed the Departments of Justice and Homeland Security to withhold federal funds from sanctuary cities, which the Department of Justice implemented through a Feb. 5, 2025 “Sanctuary Jurisdiction Directives” memorandum. The plaintiffs include various cities and counties. They sued on the grounds that the executive order and DOJ memo violate the Tenth Amendment’s reservation of unenumerated power to the states, separation of powers, the spending clause, the Fifth Amendment’s due process clause, and the Administrative Procedure Act. The lawsuit seeks a declaration that the executive order is unconstitutional and a permanent injunction on any effort to enforce the provisions withholding funding. 2025-02-07

City of Chelsea v. Trump (D. Mass.)

Case No. 1:25-cv-10442

Complaint

2025-02-23

Case Summary: Trump’s executive order directed the Departments of Justice and Homeland Security to withhold federal funds from sanctuary cities, which the Department of Justice implemented through a Feb. 5, 2025 “Sanctuary Jurisdiction Directives” memorandum. Plaintiffs, two Massachusetts cities that identify as a “sanctuary city” and a “welcoming community,” allege that the executive order and DOJ memo violate the Tenth Amendment’s reservation of unenumerated power to the states, separation of powers, the spending clause, the Fifth Amendment’s due process clause, and the Administrative Procedure Act. They seek declaratory judgment that the executive order and DOJ memo are statutorily unlawful and unconstitutional and that the cities are not criminally liable under the policies, and preliminary and permanent injunctions against implementation of the executive order and DOJ memo. 2025-02-23

Executive Action: Immigration Policy – “Expedited Removal” (Executive Order 14159)

Make the Road New York et al v. Kristi Noem (Acting Secretary of Homeland Security)
et al (D.D.C.)

Case No. 1:25-cv-00190

Complaint

2025-01-22

Overview: Make the Road New York (a grassroots immigrant-led organization in New York State) challenged the Trump administration's expedited deportation of certain immigrants without a court hearing, arguing that the new rule should be declared unconstitutional and vacated and its implementation blocked because it violates the Constitution, immigration law, and administrative procedures.

Case Summary: Trump’s executive order directed the Department of Homeland Security to expand the use of expedited removal under the Immigration and Nationality Act (INA) to include noncitizens located anywhere in the U.S. who cannot prove they have been continuously present for more than two years. The plaintiff, Make the Road New York (MRNY), argues the rule violates the Fifth Amendment’s Due Process Clause, the INA, and the Administrative Procedure Act (APA) by subjecting individuals to summary deportation without adequate procedural safeguards. The suit claims the rule is arbitrary, exceeds statutory authority, and disregards legal and constitutional protections against wrongful removal.

Update 1: On Mar. 22, Plaintiff amended the complaint to include Mary and her son John as plaintiffs who were removed to Mexico following their expedited removal orders under the new rule expanding expedited removal. Plaintiffs allege the rule illegally authorizes expedited removal for noncitizens who filed affirmative applications for asylum as well. 2025-03-22

Executive Action: Immigration Policy – Discontinuation of CBP One app (Executive Order 14165)

Las Americas Immigrant Advocacy Center et al v. U.S. Department of Homeland Security (D.D.C.)

Case No. 1:24-cv-01702

Motion for TRO: 1:24-cv-01702-RC - Dkt. No. 71

Complaint

Motion for TRO (underlying case filed June 12, 2024)

2025-01-23

Overview: Las Americas Immigrant Advocacy Center (a non-profit organization based in Texas) and the ACLU initially sued the Biden administration to challenge a rule limiting asylum access, including in relation to the CBP One app that was used to

schedule appointments to request asylum. After the Trump administration's directive to shut down the CBP One app, Plaintiffs filed a motion to temporarily block this action; the court denied the motion on February 6, 2025.

Case Summary: The Trump administration executive order directs the Department of Homeland Security to cease operation of the CBP One app, which was created by the Biden administration to enable asylum seekers to schedule appointments to request asylum. The Las Americas Immigrant Advocacy Center and the ACLU had previously sued to challenge a Biden administration rule that limited asylum access to those presenting at a port of entry or falling under another narrow exception. In response, the government argued that the CBP One app remained as a pathway by which asylum-seekers could request appointments. In light of the discontinuation of the CBP One app, Las Americas, et al, filed a motion for a temporary restraining order and requested an immediate status conference and leave to file supplemental briefings to address the government's position.

Update 1: On Feb. 6, the court denied the motion for a temporary restraining order on the basis that the court lacked authority to order the government to parole noncitizens into the United States, determining that this power is wielded exclusively at the discretion of the Secretary of Homeland Security. 2025-02-06

Executive Action: Access of Lawyers to Immigrants in Detention (Executive Order 14159)

Amica Center for Immigrant Rights et al. v. U.S. Department of Justice (D.D.C.)

Case No. 1:25-cv-00298

Complaint

2025-01-31

Overview: Nine immigrant advocacy organizations filed a lawsuit against the Department of Justice, challenging the stop-work order that halted funding for legal resource programs for unrepresented immigrants facing deportation. The lawsuit seeks to temporarily block the order on the basis that it violates the Constitution and the Administrative Procedure Act.

Case Summary: In 2024, Congress appropriated funds for two immigration programs, the Legal Orientation Program (LOP) and Immigration Court Helpdesk (ICH). On Jan. 22, 2025, the Department of Justice Executive Office for Immigration Review (EOIR) issued a stop-work order that halted funding for four programs providing legal resources to unrepresented people facing deportation. The EOIR action was taken purportedly to "audit" the programs pursuant to the Trump administration executive order. Nine advocacy and immigrant legal services organizations sued, arguing that terminating funding for the programs is arbitrary and capricious, an abuse of discretion, or otherwise

not in accordance with the law under the Administrative Procedure Act (APA); violates the Appropriations Clause in the case of the LOP and ICH; and violates the First Amendment by denying the plaintiffs access to courthouses and immigration detention centers. The suit seeks a temporary restraining order and preliminary injunction and to enjoin the government from stopping the programs, refusing to spend appropriated funds, preventing the plaintiffs from accessing immigration courts houses and detention centers, and removing materials and posters the plaintiffs have posted in those locations.
2025-01-31

Executive Action: DHS Revocation of Temporary Protected Status (TPS) (vacatur of Venezuelan TPS; termination of Venezuelan TPS)

National TPS Alliance et al. v. Noem (N.D. Cal.)

Case No. 25-cv-1766

Complaint

2025-02-19

Overview: The National TPS Alliance (an organization representing individuals with Temporary Protected Status (TPS) in the U.S.) and individuals from Venezuela who have TPS challenged the Trump administration's decision to terminate TPS for Venezuelans in the U.S., arguing that the action was unlawful and motivated by racial bias.

Case Summary: On Jan. 17, 2025, near the end of President Joe Biden's term, DHS Secretary Mayorkas extended the designation of Temporary Protected Status (TPS) for Venezuelans living in the United States. On Jan. 28, President Trump's newly-confirmed DHS Secretary Kristi Noem vacated that extension, and days later she terminated TPS for Venezuelans who had first registered for protected status in 2023. Plaintiffs allege that DHS lacks authority to "vacate" a prior TPS extension, but even if it did have such authority, the Secretary's justifications are "arbitrary and capricious, contrary to law, pretextual, and inexplicably deviate from past practice in violation of the Administrative Procedure Act." Citing Secretary Noem's references to Venezuelan TPS holders as "dirtbags," Plaintiffs also allege that the Secretary's actions were motivated at least partly by racial animus, in violation of the Fifth Amendment. Plaintiffs request that the court declare unlawful and set aside DHS's vacatur and termination orders and reinstate the prior TPS extension.

Update 1: On Feb. 20, the Plaintiffs filed a motion to postpone the effective date of DHS's vacatur and termination orders. The Plaintiffs argued they are likely to succeed on the merits because Secretary Kristi Noem lacked the authority to vacate the extension, the vacatur was arbitrary and capricious, and the government was motivated by racial animus. They also argued that they face a risk of irreparable harm and that, on

balance, the Plaintiffs and the public interest would be more harmed by the absence of a stay than the Defendants would be by the imposition of one.

Update 2: On Mar. 3, the Defendants filed a reply to the Plaintiffs' motion to postpone the effective date. The Defendants argued that the court lacks jurisdiction to review Secretary Noem's actions or to provide the Plaintiffs' requested relief. They also argue that even if the court has jurisdiction, the Plaintiffs' claims fail on the merits.

Update 3: On Mar. 7, the Plaintiffs filed a reply in support of their motion to postpone the effective date of DHS's orders.

Update 4: On Mar. 20, the Plaintiffs filed an amended complaint adding claims against Secretary Noem's decision to reduce the 2024 TPS extension for Haiti to 12 months, and asking the court to declare that the 18-month TPS extension remains in effect.

Additionally, the court held a hearing on plaintiffs' motion to postpone the effective date of the Venezuela TPS claim on March 24 and a decision is forthcoming.

Update 5: On Mar. 31, Judge Edward Chen granted plaintiffs motion (in a 78-page court order) to postpone the termination of temporary protected status for Venezuelan nationals. 2025-03-31

Casa, Inc. and Make the Road New York v. Noem (D. Md.)

Case No. 8:25-cv-00525

Complaint

2025-02-20

Overview: CASA and Make the Road New York (two nonprofit organizations) challenged the Trump administration's decision to terminate Temporary Protected Status for Venezuelans in the U.S., arguing that the action was unlawful and motivated by racial bias.

Case Summary: On Jan. 17, 2025, near the end of President Joe Biden's term, DHS Secretary Mayorkas extended the designation of Temporary Protected Status (TPS) for Venezuelans living in the United States. On Jan. 28, President Trump's newly-confirmed DHS Secretary Kristi Noem vacated that extension, and days later she terminated TPS for Venezuelans who had first registered for protected status in 2023.

Plaintiffs allege that Secretary Noem, in bypassing the standard process for conducting TPS reviews, violated the Administrative Procedure Act. Citing Secretary Noem's references to Venezuelan TPS holders as "dirtbags" and statements by President Trump, Plaintiffs also allege that Defendants' vacatur and termination of TPS designation was motivated by discriminatory intent and racial animus, in violation of the Fifth Amendment. Plaintiffs request that the court declare unlawful and set aside DHS's vacatur and termination orders and reinstate the prior TPS extension. 2025-02-20

Haitian Americans United Inc. v. Trump (D. Mass.)

Case No. 1:25-cv-10498

Complaint

2025-03-03

Case Summary: On Jan. 17, 2025, near the end of President Joe Biden’s term, DHS Secretary Mayorkas extended the designation of Temporary Protected Status (TPS) for Venezuelans living in the United States. On Jan. 28, President Trump’s newly-confirmed DHS Secretary Kristi Noem vacated that extension, and days later she terminated TPS for Venezuelans who had first registered for protected status in 2023. Additionally, on Feb. 20, Secretary Noem announced a “partial vacatur” of the previous administration’s extension of TPS status for Haitian nationals. Plaintiffs allege that Secretary Noem, in bypassing the standard process for conducting TPS reviews, violated the Administrative Procedure Act as arbitrary and capricious toward both the Venezuelan and Haitian migrants. Citing Secretary Noem’s references to Venezuelan TPS holders as “dirtbags” and President Trump’s stigmatization of Haitians, Plaintiffs also allege that Defendants’ vacatur and termination of TPS designation was motivated by discriminatory intent and racial animus, in violation of the Fifth Amendment. Plaintiffs request that the court declare unlawful and stop enforcement of the Haitian and Venezuelan vacatur and termination orders. 2025-03-03

Executive Action: Immigration Policy – Termination of categorical parole programs (Executive Order 14165)

Doe v. Noem (D. Mass.)

Case No. 1:25-cv-10495

Complaint

2025-02-28

Overview: A group of noncitizens applying for immigration status in the United States (along with related interest groups) have filed a class action lawsuit alleging that President Donald Trump’s Executive Order ending certain immigration programs and benefits is unlawful. This group has requested that the court block the EO on the basis that it violates federal law and the Constitution’s Due Process Clause.

Case Summary: The Trump administration executive order directs the Department of Homeland Security to terminate all categorical parole programs contrary to the president’s executive orders. In effect, this ended the following programs: Uniting for Ukraine (U4U), Parole Processes for Cuba, Haiti, Nicaragua, and Venezuela (CHNV), and Operation Allies Welcome (OAW). Subsequently, on Feb. 14, Acting Deputy Director of USCIS Andrew Davidson issued a memorandum (not yet made public) to various USCIS directorates and program officers directing them not to adjudicate immigration benefit requests filed by noncitizens who are or were paroled into the United States under: U4U; CHNV; family reunification parole processes created in 2023

for nationals of Colombia, Ecuador, El Salvador, Guatemala, and Honduras; a family reunification parole processes for Haitians that was created in 2014 and expanded in 2023; and a family reunification parole process for Cubans that was created in 2007 and expanded in 2023.

Plaintiffs in this class action contend that both Executive Order 14165 and the Davidson memo violate the Administrative Procedure Act and the Due Process Clause of the Fifth Amendment to the U.S. Constitution. As such, Plaintiffs request an injunction in order to restore the status quo ante.

Update 1: On Mar. 17, Plaintiffs filed an amended complaint to include: additional plaintiffs; family members of affected individuals as part of the class; additional immigration parole programs; and a request that the court set aside DHS' suspension of the adjudication of requests for parole, re-parole, and other immigration benefits. Plaintiffs also filed a motion on Mar. 17 requesting a preliminary injunction and administrative stay against DHS' indefinite moratorium on adjudicating immigration benefit applications, on the basis that Plaintiffs would succeed on their Administrative Procedure Act and Immigration and Nationality Act claims and that Plaintiffs would suffer irreparable injury.

Update 2: On Mar. 21, DHS filed an opposition to Plaintiffs' motion for a preliminary injunction. Plaintiffs filed a motion for class certification for the class action on the same day, defining the class as all individuals with pending applications to sponsor someone for humanitarian parole processes, as well as all individuals, who have received humanitarian parole through already established processes, with pending applications for additional immigration benefit. 2025-03-21

Executive Action: Proclamation Prohibiting Non-Citizens from Invoking Asylum Provisions" (Proclamation 10888)

Refugee and Immigrant Center for Education and Legal Services v. Noem (D.D.C.)

Case No. 1:25-cv-00306

Complaint

2025-02-03

Overview: Three nonprofit organizations challenged a proclamation by President Donald Trump that disallows immigrants from remaining in the U.S. while pursuing asylum claims. The lawsuit argues that the proclamation violates multiple laws and Constitutional provisions. After the Trump administration agreed not to use the proclamation to deport individual asylum-seekers during the litigation, a federal judge denied the emergency motion to pause the implementation of the proclamation.

Case Summary: Trump's proclamation bars immigrants who arrive after the date of the proclamation from invoking provisions of the Immigration and Nationality Act that

would permit them to remain in the United States while pursuing asylum claims. The plaintiffs, three nonprofit organizations in Texas and Arizona providing legal services and assistance to undocumented individuals or asylum seekers, argue that the order violates the following statutory and constitutional provisions:

1. the Asylum Statute in the INA, 8 U.S.C. § 1158(a)(1) (by barring noncitizens from applying for asylum in direct contradiction to congressional protections);
2. the Withholding of Removal Statute, 8 U.S.C. § 1231(b)(3) (by preventing noncitizens from seeking protection from persecution based on race, religion, nationality, membership in a particular social group, or political opinion);
3. the Foreign Affairs Reform and Restructuring Act (FARRA), 8 U.S.C. § 1231, and the Convention Against Torture (CAT) (by depriving noncitizens of a meaningful opportunity to present CAT claims and shielding them from potential torture);
4. the Trafficking Victims Protection Reauthorization Act (TVPRA), 8 U.S.C. § 1232(a)(5)(D) (by denying unaccompanied children from non-contiguous countries their statutory right to regular removal proceedings);
5. the INA's procedural protections for removal, 8 U.S.C. §§ 1101, 1229a, 1225(b) (by overriding mandated removal proceedings and eliminating procedural protections, including credible fear screenings);
6. the Administrative Procedure Act (APA), 5 U.S.C. § 706(2)(A) (by implementing policies that are arbitrary, capricious, and contrary to law) and § 706(2)(D) (by failing to follow the required rulemaking process before enacting sweeping changes to statutory protections); and
7. the constitutional separation of powers (by exceeding presidential authority and unlawfully overriding congressionally enacted immigration protections).

The Plaintiffs seek a declaratory judgment that the proclamation is unlawful and an injunction stopping its implementation.

Update 1: On Feb. 19, Plaintiffs filed an emergency motion to stay removal of individual plaintiff non-citizens who are currently detained by the Defendants and could be imminently deported under the proclamation. On Feb. 20, Judge Moss issued an administrative stay in the case until 12 pm on Feb. 24 to allow the government time to gather information to respond, and time for expedited briefing. The court further ordered the Defendants to respond to Plaintiffs' emergency motion for a stay of removal by Feb. 21.

Update 2: On Feb. 22, Judge Moss denied as moot the emergency motion to stay removal of individual asylum-seekers because the government agreed not to use President Trump's January 2025 border proclamation to remove them during the litigation. The court ordered that the government must provide at least seven days' notice before removing any of the plaintiffs during the case and vacated the scheduled hearing.

Update 3: On Mar. 24, the Trump administration filed a motion for summary judgment, asserting, among other things, that plaintiffs lack standing, that presidential decisions are not reviewable under the APA, and that the "[t]he determination that the United States is facing an invasion is an unreviewable political question." 2025-03-24

Executive Action: Migrant Transfers to Guantanamo (Presidential Memorandum)

Perez Parra v. Castro (D. N.M.)

Case No. 1:24-cv-00912-KG-KRS/Dkt. No. 43

CASE CLOSED

Complaint

2025-02-09

Overview: Three Venezuelan men sued the U.S. government to temporarily block their transfer to Guantánamo Bay on the basis that they were already in proceedings contesting their detention. A federal judge granted the temporary restraining order. Subsequently, the three men were deported to Venezuela and the case was dismissed.

Case Summary: Trump's Presidential Memorandum orders the Secretary of Defense and the Secretary of Homeland Security to prepare the Migrant Operations Center at Naval Station Guantanamo Bay to function at full capacity as a detention center for undocumented migrants. Three Venezuelan men, already part of an existing habeas lawsuit from September 2024 in the District Court of New Mexico, sought to block the administration from transferring them to the Guantanamo facility. Based on their similarities to those previously relocated, the men anticipated being moved as well. The challenge is specific to three specific individuals, under the All Writs Act to preserve the ongoing jurisdiction of the court, and does not seek to block other transfers. On Feb. 9, Chief District Judge Kenneth J. Gonzales granted a temporary restraining order, barring the U.S. government from transferring the three men.

Update 1: On Feb. 13, Judge Gonzales issued a 1-page Memorandum Opinion and Order noting that the Defendants had filed a Notice that all three petitioners were removed to Venezuela on Feb. 10; and vacated the upcoming status conference.

Update 2: On Feb. 14, the docket reflected a Notice of voluntary dismissal of the case by the three petitioners. 2025-02-14

Las Americas Immigrant Advocacy Center v. Noem (D.D.C.)

Case No. 1:25-cv-00418

Complaint

2025-02-12

Overview: A coalition of immigrant advocacy groups, on behalf of families of four Venezuelan nationals believed to have been transferred to Guantánamo Bay, filed a lawsuit challenging President Donald Trump's order to transfer undocumented migrants to Guantánamo Bay. Plaintiffs argue that the U.S. government's actions violate the Constitution and immigration law and ask the court to allow detainees to have access to lawyers and to have their locations disclosed.

Case Summary: Trump's Presidential Memorandum orders the Secretary of Defense and the Secretary of Homeland Security to prepare the Migrant Operations Center at Naval Station Guantánamo Bay to function at full capacity as a detention center for undocumented migrants. Plaintiffs are suing on behalf of the families of four Venezuelan nationals who are believed to have been transferred to Guantánamo. Plaintiffs allege the government's action violates habeas corpus rights, Fifth Amendment Due Process rights, and the Immigration and Naturalization Act's guarantee of the right to counsel. Plaintiffs further allege that the government's alleged restriction of information in and out of Guantánamo violates both the plaintiffs' and the detainees' First Amendment rights. They seek court orders declaring that the government's actions violate those rights, permitting access to lawyers, requiring the government to identify the location of detainees held at Guantánamo, requiring the government to provide 72-hours notice prior to any transfer to a foreign jurisdiction, and requiring the government to provide 72-hours notice prior to any transfer of additional noncitizens to Guantánamo.

Update 1: On Feb. 20, the government filed a notice that DHS had removed the immigration detainees from Guantánamo, which the government asserted "eliminates any need for temporary injunctive relief." Just prior, it filed its Opposition to the Motion for Temporary Restraining Order arguing, among other things, that the Plaintiffs (family members of individuals who had been held at Guantánamo, and advocacy organizations) lacked standing because they were not themselves detained, that the District Court lacked statutory authority to require the government to provide notice before transferring individuals into or out of Guantánamo, and denying the validity of Plaintiffs' constitutional claims.

Update 2: On Feb. 21, Plaintiffs filed a Reply reasserting their request for a TRO to prevent the government from sending more detainees to Guantánamo.

Update 3: On Feb. 24, Plaintiffs filed a Reply explaining that in spite of the administration's Feb. 20 notice that all immigrant detainees had been transferred off Guantánamo and the TRO was moot, they had learned via social media that another group of immigrants was being sent to Guantánamo. The Reply adds further factual allegations and legal arguments that immigrant detainees are prevented from having real meaningful access to legal representation. These include that (1) the government and guards at the detention camp do not allow detainees to make phone calls, including by saying "this is a terrorist prison and there is no capacity to make calls" and by limiting available phones and times such that most people cannot use them; (2) unrepresented detainees transferred to Guantanamo do not have access to a legal directory, know your rights briefings, or practical means to meet counsel; and (3) retained counsel face numerous obstacles to representing their clients, including that only five detainees can make phone calls each day, there are no means for attorneys to initiate contact with their clients, and there is no way to transfer or sign paperwork other than the government's announced policy to "generally follow the procedures used in the habeas litigation involving law of war detainees," and to transfer mail to detainees from Washington, D.C. on a weekly basis.

Plaintiffs argue that these restrictions violate detainees' First and Fifth Amendment rights, as well as their statutory right to counsel under the Immigration and Nationality Act, as well as the plaintiff advocacy organizations' First Amendment rights.

Update 4: On March 19, the Defendants submitted a notice agreeing to notification before any plaintiffs would be transferred to Guantanamo. 2025-03-19

Espinoza Escalona v. Noem (D.D.C.)

Case No. 1:25-cv-00604

Complaint

2025-03-01

Overview: Ten noncitizens in immigration custody in U.S. detention centers sued the Trump Administration over the president's Executive Order to transfer undocumented migrants to Guantánamo Bay. These noncitizens argue that the U.S. government's actions violate the Constitution and immigration law and ask the court to prevent them and other noncitizens from being transferred to Guantánamo Bay, and if they are transferred, to return them to immigration facilities in the U.S.

Case Summary: Trump's Presidential Memorandum orders the Secretary of Defense and the Secretary of Homeland Security to prepare the Migrant Operations Center at Naval Station Guantánamo Bay to function at full capacity as a detention center for undocumented migrants. Plaintiffs, ten noncitizens in immigration custody in the United States, allege they will be imminently transferred to facilities at Guantánamo. They filed suit, arguing that under the Immigration and Nationality Act, Guantánamo is in Cuba, and therefore transfer would constitute (1) unlawful removal; and (2) unlawful

detention. They also argue removal would be (3) an arbitrary and capricious abuse of discretion under the Administrative Procedure Act; (4) a violation of Fifth Amendment Due Process; and (5) a violation of the right to habeas corpus. They seek a declaratory judgment that transfer to and detention in Guantánamo is unlawful and unconstitutional; that the memorandum be vacated; a grant of a writ of habeas corpus to enjoin defendants from transferring plaintiffs to Guantánamo, or if they have been transferred and detained, return to facilities in the United States; and an injunction on future transfers. The same day, Plaintiffs also filed an emergency motion to stay transfer of plaintiffs.

Update 1: On March 19, the Defendants submitted a notice agreeing to notification before any plaintiffs would be transferred to Guantanamo. 2025-03-19

Executive Action: Suspension of the U.S. Refugee Admissions Program (Executive Order No. 14163) and Refugee Funding Suspension (Dept of State Notice)

Pacito v. Trump (W.D. Wash)

(2:25-cv-255)

Complaint

2025-02-10

Overview: Ten plaintiffs, including refugees, U.S. citizens, and resettlement organizations, challenged President Donald Trump’s Executive Order (“EO”) and the State Department’s January 24, 2025 notice that indefinitely suspend refugee admissions and cut federal funding for resettlement programs. The lawsuit argues that these actions violate the Refugee Act, the Administrative Procedure Act, and Constitutional due process rights. A federal judge has issued a nationwide preliminary injunction barring implementation of the EO and the notice.

Case Summary: On Jan. 20, 2025, President Trump issued an executive order indefinitely suspending refugee admissions and processing. The State Department issued a Jan. 24 notice suspending federal funding for resettlement programs. Ten plaintiffs — individual refugees, U.S. citizens, and resettlement organizations (HIAS, Church World Service, and Lutheran Community Services Northwest) — filed a proposed class action seeking injunctions to block implementation of the orders, declaratory judgments that the actions are unlawful, maintenance of refugee processing and resettlement services consistent with the status quo, and confirmation of compliance with such remedies if granted. The lawsuit alleges that the orders have left approved refugees stranded internationally, denied recent arrivals statutorily-mandated support services, and forced layoffs at resettlement institutions.

The complaint asserts that the executive orders violate the Refugee Act’s comprehensive statutory scheme for refugee policy, are arbitrary and capricious under the Administrative Procedure Act for circumventing notice-and-comment requirements and failing to establish a reasoned basis for the change in policy, and breach agency regulations at 8 C.F.R. § 207.7 governing the Follow-to-Join process in violation of the

Accardi doctrine requiring government officials to follow the agency's own rules and procedures. The lawsuit further argues that the orders violate the Fifth Amendment due process rights of U.S. citizens petitioning for family reunification, and violate fundamental separation of powers principles by attempting to redistribute or withhold congressionally appropriated funds to achieve policy objectives.

Update 1: Judge Jamal Whitehead, ruling from the bench, issued a preliminary injunction barring implementation of the executive order.

Update 1: On Feb. 25, Judge Jamal Whitehead, ruling from the bench, issued a preliminary injunction barring implementation of the executive order.

Update 2: On Feb. 28, Judge Whitehead issued a written opinion granting the nationwide preliminary injunction.

Update 3: On Mar. 3, the government submitted a notice of appeal to the Ninth Circuit.

Update 4: On Mar. 5, Plaintiffs filed an amended complaint. Citing continued steps by the administration to dismantle resettlement programs after Judge Whitehead's preliminary injunction, including the termination of cooperative agreements implementing the resettlement programs, the amended complaint also requests a TRO and preliminary injunction against implementation of the EO. The plaintiffs also submitted a motion for a preliminary injunction on the basis of this amended complaint.

Update 5: On Mar. 24, the court granted a second preliminary injunction on the basis of Plaintiffs' amended complaint.

Update 6: On Mar. 25, the Trump administration filed a notice that it was appealing the preliminary injunction to the Ninth Circuit. 2025-03-25

United States Conference of Catholic Bishops v. Department of State et al. (D.D.C.)

Case No. 1:25-cv-00465

Complaint

2025-02-18

Overview: The United States Conference of Catholic Bishops ("USCCB"), whose members are the active Cardinals, Archbishops, and Bishops of the Catholic Church in the U.S. and which provides refugee-resettlement services, sued the Trump administration over its suspension of refugee admissions and funding for resettlement programs. USCCB argues the Trump administration's actions are illegal under the Administrative Procedure Act and seeks to prohibit the U.S. government from implementing the suspension. A federal judge refused to immediately stop the U.S.

government's actions but agreed to speed up the process for deciding whether to block them.

Case Summary: On Jan. 20, 2025, President Trump issued an executive order indefinitely suspending refugee admissions and processing. The State Department issued a Jan. 24 notice suspending federal funding for resettlement programs. Plaintiff, the United States Conference of Catholic Bishops (USCCB), is part of a public-private partnership with the federal government through the U.S. Refugee Admissions Program, and was providing transitional resettlement services to more than 6,700 refugees when the State Department suspended funding. USCCB brought suit, arguing the government policy suspending funds for the Refugee Admissions Program is unlawful under the Administrative Procedure Act because it (1) violates the Immigration and Naturalization Act, the Refugee Act of 1980, and the Impoundment Control Act; (2) is an arbitrary and capricious abuse of discretion; and (3) is a substantive rule promulgated without required notice-and-comment rulemaking. They seek a declaratory judgment that the suspension is unlawful, and temporary, preliminary, and permanent injunctions prohibiting the government from implementing the suspension and requiring the government to make reimbursements pursuant to the terms of its cooperative agreements.

Update 1: On Feb 20, 2025, Judge Trevor N. McFadden denied the request for a temporary restraining order, but ordered an expedited briefing schedule for the preliminary injunction motion.

Update 2: On Feb. 24, Plaintiffs filed a supplemental memorandum in support of the motion for a preliminary injunction.

Update 3: On Mar. 3, Plaintiffs filed an amended complaint, an amended motion for a preliminary injunction, and a memorandum in support of that motion; and Judge McFadden ruled that the prior motions for a preliminary injunction are moot in light of the new motion. The amended complaint and the amended motion for a preliminary injunction are in response to new developments in the case, e.g., on Feb. 27, the State Department terminated the cooperative agreements with USCCB for refugee resettlement. This termination changed the nature of the dispute from a suspension of funding to a complete cancellation of the contracts.

Update 4: On Mar. 5, the government filed in opposition to the motion for a preliminary injunction and the following day, on Mar. 6, the plaintiffs filed a reply.

Update 5: On Mar. 11, Judge McFadden denied Plaintiffs' motion for an emergency preliminary injunction.

Update 6: On Mar. 12, Plaintiffs submitted a notice of appeal to the DC Circuit. 2025-03-12

Executive Action: Funding Freeze for Immigration Services (Executive Order 14159)
(Sec. of Homeland Security Memorandum Directive Jan. 28, 2025)

Solutions In Hometown Connections v. Noem (D. Md.)

Case No. 8:25-cv-00885

Complaint

2025-03-17

Overview: A group of nonprofit organizations are challenging the DHS's indefinite freeze of grant funding which supports immigration-related work. They argue that the freeze, implemented in response to an executive order from President Trump, violates the Constitution, immigration law, and administrative procedures. They seek declaratory and injunctive relief to lift the freeze, restore their funding, and prevent further harm to their operations.

Case Summary: Plaintiffs, a group of nonprofit organizations, are challenging actions taken by the Department of Homeland Security (DHS) to indefinitely freeze grants for nonprofits that help prepare lawful permanent residents for citizenship. They argue that the freeze, implemented by DHS Secretary Kristi Noem, via a memorandum directive, in response to an executive order from President Donald Trump, is arbitrary and capricious, and has caused significant harm to their operations, including layoffs and program cuts. They argue that the funding freeze violates the Administrative Procedure Act, the Homeland Security Act, and Due Process under the Fifth Amendment. They seek declaratory and injunctive relief to lift the freeze, restore their funding, and prevent further harm.

Update 1: On Mar. 25, Plaintiffs submitted a motion for a temporary restraining order and preliminary injunction. 2025-03-25

Executive Action: Contract Termination for Services to Unaccompanied Minors

Community Legal Services in East Palo Alto v. United States Department of Health and Human Services (N.D. Ca.)

Case No. 3:25-cv-02847

Complaint

2025-03-26

Overview: On Mar. 21, 2025, the U.S. Department of the Interior (DOI) terminated the funding through which the Department of Health and Human Services' (HHS) Office of Refugee Resettlement (ORR) had funded legal representation services for unaccompanied immigrant children and ordered nonprofits that had received such

funding to stop their ongoing funded representations for unaccompanied children. Numerous immigration nonprofits brought a suit against DOI, HHS, and ORR, to block this cessation of funding. On Apr. 1, the Court issued an order blocking Defendants from withdrawing the services or funds provided by ORR through Apr. 16.

Case Summary: On Mar. 21, 2025, the U.S. Department of the Interior (DOI) sent a notice (the “Cancellation Order”) terminating the funding through which the Department of Health and Human Services’ (HHS) Office of Refugee Resettlement (ORR) had provided funding for counsel for unaccompanied immigrant children and ordering nonprofits that had received such funding to “immediately stop work” on their ongoing funded representations for unaccompanied children. Plaintiffs are numerous nonprofits that have received funding from HHS and ORR to provide legal representation and other legal services to unaccompanied children. They have filed suit against Defendants HHS, ORR, and DOI, seeking to enjoin Defendants from ceasing to fund counsel for unaccompanied children. Plaintiffs argue that Defendants’ actions are arbitrary and capricious and violate the Administrative Procedure Act (including conduct not in accordance with law appropriating funds by the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008; and, via the Accardi doctrine, violating the internal 2024 Unaccompanied Children Program Foundational Rule; and “arbitrary and capricious” conduct).

Update 1: On Mar. 27, Plaintiffs filed a motion for a temporary restraining order (TRO), seeking to block Defendants from ceasing funding for direct legal representation services for unaccompanied immigrant children. On Mar. 31, Defendants filed an opposition to the motion for a TRO.

Update 2: On Apr. 1, the Court granted Plaintiffs’ motion for a TRO and enjoined Defendants from cutting off access to congressionally appropriated funding (particularly for direct legal representation services for unaccompanied immigrant children) through Apr. 16. 2025-04-01

Executive Action: IRS Data Sharing for Immigration Enforcement Purposes (Executive Order 14165) (Executive Order 14159) (Executive Order 14158)

Centro de Trabajadores Unidos v. Bessent (D.D.C.)

Case No. 1:25-cv-00677

Complaint

2025-03-07

Overview: Nonprofits Centro de Trabajadores Unidos and Immigrant Solidarity DuPage, representing immigrant workers in the Chicago area, have brought a suit against Secretary of the Treasury Scott Bessent, the Internal Revenue Service (IRS), and Commissioner of Internal Revenue Melanie Krause, seeking to block the disclosure of

personal information of taxpayers and other confidential tax records to the Department of Homeland Security (DHS) for immigration enforcement purposes. A federal judge has declined the request for a temporary block while the case proceeds, on the basis that no information has yet been shared with DHS.

Case Summary: Plaintiffs allege that the Trump administration “has begun taking steps to collect information about individuals for potential immigration enforcement” by seeking access to data associated with individual taxpayer identification numbers (ITINs). The IRS assigns ITINs to individuals who lack social security numbers (i.e., noncitizens) so that such individuals can file tax returns and pay federal income taxes as required by law. Plaintiffs assert that granting immigration enforcement agencies access to the sensitive data of individuals who file using ITINs would “expose millions of taxpayers to the administration’s aggressive immigration enforcement tactics.” Plaintiffs claim the government’s actions are ultra vires and violate the Administrative Procedure Act by running afoul of the IRS statute requiring confidentiality of tax return information.

They seek declaratory and injunctive relief to prevent Defendants from providing ITIN applications to DHS, ICE, the President, or any others, unless such disclosure is specifically permitted by law.

Update 1: On Mar. 14, Plaintiffs filed a motion requesting a temporary restraining order (TRO).

Update 2: On Mar. 17, Defendants filed a response to Plaintiffs’ motion for a TRO, which included a Motion to Dismiss.

Update 3: On Mar. 18, Plaintiffs filed a reply in support of their motion for a TRO.

Update 4: On Mar. 20, following a hearing the day prior, Judge Dabney Friedrich denied Plaintiffs’ motion for a TRO for failure to demonstrate standing, likelihood of success on the merits, or irreparable harm.

Update 5: On Mar. 26, Plaintiffs filed an amended complaint, adding new plaintiffs—Somos un Pueblo (“Somos”) and Inclusive Action for the City (“IAC”)—to the complaint; alleging additional harms to Somos’s members, IAC’s business, and arbitrary and capricious action by Treasury Defendants; and requesting additional relief to enjoin DHS Defendants from inspecting information about Plaintiffs’ members without a court order.

Update 6: On Mar. 31, Plaintiffs filed a motion for a preliminary injunction requesting that the court block Defendants from disclosing, inspecting, or using tax return information for immigration enforcement purposes except as expressly authorized by the Internal Revenue Code (IRC). 2025-03-31

Executive Action: Habeas Corpus and Removal of Protestors (Protecting the United States from Foreign Terrorists and Other National Security and Public Safety Threats Executive Order 14161) (Additional Measures to Combat Anti-Semitism (Executive Order 1488))

Mahmoud Khalil v. William P. Joyce et al. (D.N.J.)

Case no. 2:25-cv-01963

(formerly S.D.N.Y. Case No. 1:25-cv-01935)

Habeas petition

2025-03-09

Overview: A green card holder and recent graduate of Columbia University involved in pro-Palestinian protests has sued the Immigration and Customs Enforcement (ICE) and other government officials, challenging his detention and attempted deportation by ICE agents as a violation of his constitutional rights, including the First and Fifth amendment. On Mar. 12, ICE asked the court to dismiss the case or transfer the case to Louisiana. On the same day, the court made all court files available online. The judge also ordered that Khalil be granted at least one privileged attorney-client call on Mar. 12 and at least one such call on Mar. 13.

Case Summary: On Mar. 8, 2025, Immigration and Customs Enforcement (ICE) agents detained Mahmoud Khalil, a Palestinian activist and lawful U.S. permanent resident (a green card holder). Khalil is a recent graduate of Columbia University, where he played a prominent role in organizing pro-Palestinian demonstrations against Israel's military actions in Gaza. (See also Declaration by Khalil's attorney) The habeas petition alleges, "At the time this proceeding was initiated, [Khalil] was detained at 26 Federal Plaza in New York, New York."

The government moved Khalil to a detention facility in Louisiana, away from his New York home and his wife, who is eight months pregnant and a U.S. citizen. His legal team filed a habeas corpus petition challenging the legality of his detention and deportation efforts. Khalil's legal team also moved to compel the government to return him to the Southern District of New York (SDNY). On Mar. 10, SDNY federal judge Jesse Furman temporarily blocked his removal from the United States pending further judicial review, which he extended after an emergency conference hearing on Mar. 12.

Update 1: On Mar. 12, the government submitted an declaration from ICE Acting Field Office Director of the NYC office which stated: "At the time Khalil filed a petition for a writ of habeas corpus in the Southern District of New York, he was detained at Elizabeth Detention Facility in Newark, New Jersey." The government filed a motion to dismiss or transfer the case to the Western District of Louisiana.

Update 2: On Mar. 12, Judge Jesse Furman issued an order lifting restrictions on remote access to electronic files, making all prior and future filings publicly available unless redacted or sealed. The judge also ordered that Khalil be granted at least one privileged attorney-client call on Mar. 12 and at least one such call on Mar. 13.

Update 3: On Mar. 14, Petitioner Mahmoud Khalil filed his opposition to the government's motion to dismiss or transfer the case. The filing argues that, if the court concludes it is not the proper venue for Khalil's claims, the petition should be transferred to the District of New Jersey (not the Western District of Louisiana, as requested by the government) based on the immediate custodian rule.

Update 4: On Mar. 15, Petitioner Mahmoud Khalil moved for his release. On Mar. 17, Khalil moved for a preliminary injunction: "(1) ordering the release of Mr. Khalil for the pendency of this litigation; (2) enjoining Respondent Rubio's determination that the INA's 'Foreign Policy Ground' applies to him for the pendency of this litigation; and (3) enjoining Respondents from enforcing their Policy of arresting, detaining, and removing noncitizens who engage in constitutionally protected expressive activity in the United States in support of Palestinian rights or critical of Israel for the pendency of this litigation."

Update 5: On Mar. 19, Judge Furman denied the government's motion to dismiss the Petition, but granted the government's motion to transfer the case, albeit to the District of New Jersey, not to the Western District of Louisiana. The case is now before Judge Michael Farbiarz.

Update 6: On Apr. 1, Judge Michael Farbiarz issued an order and opinion holding the court has habeas jurisdiction over the case, and soliciting the parties' views on appealability of the order. 2025-04-01

Chung v. Trump (S.D.N.Y.)

Case No. 1:25-cv-02412

Complaint and Habeas Petition

2025-03-24

Overview: Yunseo Chung, a lawful permanent resident in the U.S. and a Columbia University student who participated in protests on campus related to the war in Gaza, has sued President Donald Trump, Secretary of State Marco Rubio, and other government officials, challenging attempts to detain her under a State Department policy inspired by a recent Executive Order as a violation of her constitutional rights, including the First and Fifth amendment. The judge has temporarily blocked the government from detaining Chung or transferring her from the area of the court's jurisdiction.

Case Summary: On January 29, 2025, President Donald Trump signed Executive Order 14188 (“EO”) declaring that the Administration would prioritize investigating “post October 7, 2023 campus anti-Semitism.” An accompanying White House fact sheet explained “Immediate action will be taken by the Department of Justice to protect law and order, quell pro-Hamas vandalism and intimidation, and investigate and punish anti-Jewish racism in leftist, anti-American colleges and universities” and that the EO “demands the removal of resident aliens who violate our laws.” Following this EO, the Department of State adopted a Policy under which Secretary of State Marco Rubio would be empowered to determine whether a noncitizen’s activities had “potentially serious adverse foreign policy consequences for the United States” and to permit the Department of Homeland Security to seek to detain and deport such a person. On Mar. 8, an Immigration and Customs Enforcement (ICE) official signed an administrative arrest warrant for Yunseo Chung, a Columbia University student and lawful U.S. permanent resident who was identified as a pro-Palestinian protestor who attended a student sit-in demonstration at Columbia on Mar. 5. Chung has not yet been detained and has proactively filed a petition for habeas corpus asking the Court to block Trump, Rubio, and other government officials from taking enforcement action against her, including detaining her or removing her from the U.S., until a court has heard her case. She also requested that the Court vacate and set aside as unlawful Defendants’ policy of targeting noncitizens for removal on the basis that the policy violates the First and Fifth Amendments.

Update 1: On Mar. 24, Judge Naomi Reice Buchwald granted a temporary restraining order.

Update 2: On Mar. 28, Defendants submitted a notice of appeal to the Ninth Circuit.
2025-03-28

Taal v. Trump (N.D.N.Y.)

Case No. 3:25-cv-00335

CASE CLOSED

Complaint

2025-03-15

Overview: Momodou Taal, a noncitizen lawfully residing in the U.S., and certain other citizens and noncitizens sued the Department of Homeland Security and President Donald Trump seeking to block parts of two Executive Orders being used by immigration enforcement authorities to detain noncitizens for participating in protest activities on college campuses. The Plaintiffs argue that the EOs violate constitutional rights of free speech and due process and have asked the court to temporarily block the EOs to prevent visa revocations, detentions, and deportations while the case proceeds.

Case Summary: On Jan. 20, President Donald Trump issued an Executive Order (EO) directing federal agencies to enhance immigration screening and vetting procedures to prevent the entry of individuals who may pose a terrorist, national security, or public safety threat to the U.S. On Jan. 29, Trump issued an EO directing federal resources and civil rights enforcement authorities to combat antisemitism on higher education campuses. On March 14, 2025, the State Department notified ICE that it had revoked the F-1 student visa of a noncitizen lawfully residing in the U.S. named Momodou Taal. On Mar. 15, Plaintiffs, Momodou Taal and other citizens and noncitizens lawfully residing in the United States, filed suit against Trump, the Department of Homeland Security (DHS), and Secretary of DHS Kristi Noem to preliminarily and permanently enjoin DHS from enforcing parts of the EOs on the grounds that they violate the First and Fifth Amendments. Plaintiffs also filed a motion requesting a TRO and preliminary injunction, seeking to temporarily block Defendants from detaining and deporting Taal and similarly situated individuals while the case proceeds.

Update 1: On Mar. 22, the Government filed an opposition to Plaintiffs' request for a TRO and preliminary injunction.

Update 2: On Mar. 27, Judge Elizabeth Coombe denied the motion for a temporary restraining order. Coombe held that the Plaintiffs did not satisfy the high burden for a temporary restraining order. "To the extent a violation of Taal's First Amendment rights subjected him to the commencement of removal proceedings, Plaintiffs have not shown that this claim is within the jurisdiction of the Court," Coombe also wrote. The court recognized that same day the Plaintiffs had simultaneously submitted an amended complaint and asked for further briefing on the effect of the judgment. Plaintiffs also submitted a new motion for a temporary restraining order, and the judge set an expedited briefing schedule in response.

Update 3: On Mar. 31, the Plaintiff submitted a notice of voluntary dismissal of the case without prejudice. Taal reportedly decided to leave the United States. 2025-03-31

Vizguerra-Ramirez v. Choate et al (D. Colorado)

Case No. 25-cv-00881-NYW

Habeas petition (under seal)

2025-03-18

Overview: Jeanette Vizguerra-Ramirez, a Mexican citizen, has challenged her detention by government officials, asserting that it is unlawful and unconstitutional. On Mar. 21, Judge Wang ordered that Vizguerra-Ramirez should not be removed from the U.S. until the Court makes a final decision.

Case Summary: On Mar. 17, Jeanette Vizguerra-Ramirez, a citizen of Mexico, was detained by agents of United States Immigration and Custom Enforcement (ICE). On

Mar. 18, she filed a petition for writ of habeas corpus, asserting that her detention is unlawful because she has not been placed in removal proceedings or subject to a valid, reinstated prior order of removal. She has asked the Court to release her immediately and declare that her detention is unlawful and unconstitutional under the Fifth Amendment.

Update 1: On Mar. 21, Judge Nina Wang ordered that Vizguerra-Ramirez should not be removed from the U.S. unless either the district court or court of appeals vacate the order. 2025-03-21

Ozturk v. Hyde (D. Mass)

Case no. 1:25-cv-10695

Habeas petition (Mar. 25, 2025) (under seal)

Amended habeas petition (Mar. 28, 2025)

2025-03-25

Overview: Rumeysa Ozturk, a Turkish citizen and PhD student at Tufts, has challenged her detention by government officials. On Mar. 25, Judge Talwani ordered that Ozturk not be removed from the District of Massachusetts without 48-hours notice.

Case Summary: On Mar. 25, Rumeysa Ozturk, a citizen of Turkey and PhD student at Tufts University, was detained by agents of the U.S. Department of Homeland Security (DHS). The same day, she filed a petition for a writ of habeas corpus, which is under seal.

Update 1: On Mar. 28, Ozturk, now also represented by the ACLU and CLEAR, filed an amended petition for habeas relief. 2025-03-28

American Association of University Professors v. Rubio (D. Mass.)

Case No. 1:25-cv-10685

Complaint

2025-03-25

Overview: Several academic groups have sued to block President Donald Trump, the Department of Homeland Security and others from implementing a deportation policy of allegedly targeting noncitizen students and faculty members who attend pro-Palestinian protests with large-scale arrests, detentions and deportations. The academic groups argue that these actions violate the First and Fifth Amendment and Administrative Procedure Act.

Case Summary: On Jan. 20, President Trump issued an Executive Order (EO) directing federal agencies to enhance immigration screening and vetting procedures to prevent the entry of individuals who may pose a terrorist, national security, or public safety threat to the United States. On Jan. 29, the president issued an EO directing federal resources and

civil rights enforcement authorities to combat antisemitism on higher education campuses.

On Mar. 25, Plaintiffs, the American Association of University Professors and other academic groups, filed suit against Trump, the Department of State, the Department of Homeland Security (DHS) and others, alleging that to implement these EOs, Defendants have engaged in an "ideological-deportation policy" against noncitizen students and faculty who participate in pro-Palestinian protests. Plaintiffs allege that the deportation policy creates a "climate of repression and fear on university campuses" and prevents U.S. citizen members of the academic groups from hearing from and associating with noncitizen students and colleagues, as well as making it more difficult for members to collaborate with noncitizen students and colleagues. The academic groups allege that the policy violates the First Amendment because it "entails the arrest, detention, and deportation of noncitizen students and faculty on the basis of, or in retaliation for, their political viewpoints" and is "not narrowly tailored to any compelling governmental interest." According to the academic groups, the policy also violates the Fifth Amendment and the Administrative Procedure Act (as "arbitrary and capricious" conduct). They ask the court to block the agencies from further implementing the policy.

Update 1: On Apr. 1, 2025, Plaintiffs filed a motion for preliminary injunction and expedited briefing, asking the court to stop the agencies from implementing or enforcing the policy. 2025-04-01

Gunaydin v. Trump (D. Minn.)

Case No. 0:25-CV-01151

Habeas petition (under seal)

2025-03-25

Overview: Doğukan Günaydin, a citizen of Turkey, was reportedly arrested on Mar. 27 by federal officers and had his student visa revoked. The government allegedly cited an old DUI case as the reason for the revocation. Günaydin has filed a petition of habeas corpus challenging his arrest and continued detention.

Case Summary: On Mar. 27, Doğukan Günaydin, a citizen of Turkey in the United States under a student visa, was reportedly arrested outside of his home by plainclothes federal officers. He filed a petition of habeas corpus on Mar. 30 arguing that his arrest was improper because his visa was canceled hours after his arrest and on the ground that it violated his constitutional due process rights. The Department of Homeland Security has stated that Günaydin's visa was revoked because of a DUI case from 2023. 2025-03-25

Executive Action: Deportation to a Third Country/Torture Prohibition (ICE Email Directive on Expedited Removal and Nondetained Docket. Feb. 18, 2025)

D.V.D. v. U.S. Department of Homeland Security (D. Mass.)

Case No. 1:25-cv-10676

First Circuit Case No. 25-1311

Complaint

2025-03-23

Overview: A group of noncitizens sued the U.S. Department of Homeland Security (DHS) to challenge its practice of deporting noncitizens to a country that is not their country or origin or citizenship (i.e., a “third country”) without first providing them with notice or opportunity to contest. Plaintiffs claim that DHS’s practice violates multiple statutes and the Constitution. Plaintiffs asked the court to at least temporarily block deportations on an emergency basis while the case proceeds. On Mar. 28, a federal judge agreed to temporarily block this practice.

Case Summary: On Feb. 18, 2025, the U.S. Department of Homeland Security (DHS) issued a policy directive instructing officers to review all cases of individuals previously released from immigration detention for re-detention and removal to a “third country” (i.e., a country that differs from their countries of origin and/or citizenship). A class of noncitizens with final removal orders has sued DHS challenging the practice of deporting individuals to a third country without providing notice or opportunity to contest. Plaintiffs claim that DHS’s practice violates the Administrative Procedure Act, the Immigration and Nationality Act, the Foreign Affairs Reform and Restructuring Act of 1998, the Due Process Clause of the Fifth Amendment, and the Convention Against Torture as implemented in domestic law. Plaintiffs seek a declaratory judgment stating that DHS’s practice is unlawful and violates their statutory, regulatory, and constitutional rights; seek to enjoin Defendants from failing to provide written notice and a meaningful opportunity to present a fear-based claim; and to order Defendants to return class members that have been removed to a third country.

Update 1: On Mar. 23, the same day the complaint was filed, Plaintiffs also filed a motion for an emergency temporary restraining order (TRO) and preliminary injunction and stay of administrative action.

Update 2: On Mar. 25, Defendants filed an opposition to Plaintiffs’ motion for an emergency TRO and preliminary injunction and stay of administrative action.

Update 3: On Mar. 28, Judge Brian Murphy granted Plaintiff’s motion for a TRO, blocking Defendants from removing individuals subject to a final order of removal from the United States to a third country, unless Defendants can show that they were provided written notice and a meaningful opportunity to present a fear-based claim.

Update 4: On Mar. 28, the Defendants submitted a notice of appeal to the First Circuit.

Update 5: On Mar. 29, Defendants filed a Motion for partial stay of the TRO pending appeal, arguing a nationwide injunction of this kind is unlawful and improper. Judge Murphy denied this motion on the same day, citing the memorandum supporting granting of Plaintiffs' motion for TRO. 2025-03-29

Structure of Government/Personnel Executive Action: Reinstatement of Schedule F for Policy/Career Employees (Executive Order 14171)

National Treasury Employees Union v. Donald J. Trump et al (D.D.C.)

Case No. 1:25-cv-00170

Complaint

2025-01-20

Overview: National Treasury Employees Union ("NTEU"), a labor union that represents federal government employees in 37 agencies and departments, sued the Trump administration to block the implementation of President Donald Trump's Executive Order ("EO") that would authorize the Director of the Office of Personnel Management to reclassify members of the civil service and enable the Trump administration to terminate them at will. NTEU argues the EO violates civil servant protection laws.

Case Summary: Trump's executive order authorizes the Director of the Office of Personnel Management to reclassify thousands of members of the civil service and strip them of their civil-service protections, enabling the president or heads of agencies to fire them at will. The National Treasury Employees Union sued to block implementation of the order on behalf of the union's members. The lawsuit argues that the executive order violates laws Congress passed to provide civil-service protections to the vast majority of civil servants, with only limited exceptions for Senate-confirmed political appointees. 2025-01-31

Government Accountability Project v. Office of Personnel Management (D.D.C.)

Case No. 1:25-cv-00347

Complaint (Feb. 6, 2025)

2025-02-06

Overview: A group of non-profit organizations who represent the interests of federal employees sued President Donald Trump and the U.S. Office of Personnel Management ("OPM") alleging Trump's Executive Order and OPM's related guidance that took away protections for thousands of career government workers. The non-profits argue that the EO and OPM guidance violate the Administrative Procedure Act and the Civil Service Reform Act.

Case Summary: On Jan. 27, Director of the Office of Personnel Management (OPM) Charles Ezell issued Guidance implementing the president's executive order, which aims to reclassify thousands of members of the civil service and strip them of their civil-

service protections, enabling the president or heads of agencies to fire them at will. Plaintiffs—independent nonprofits representing whistleblowers, federal employees, retirees and their survivors—allege that the OPM Guidance did not go through proper procedure under the Administrative Procedure Act, violates the Civil Service Reform Act’s protections for career employees, and violates civil servants’ Fifth Amendment Due Process rights. They seek a declaratory judgment that the executive order and the OPM Guidance are unlawful and an injunction enjoining the administration from implementing the executive order and the OPM Guidance. 2025-02-06

Public Employees for Environmental Responsibility v. Donald Trump et al (D. Md.)

Case No. 8:25-cv-00260-PX

Complaint

2025-01-28

Overview: Non-profit organization Public Employees for Environmental Responsibility (“PEER”) challenged President Donald Trump’s Executive (“EO”) that would authorize the Director of the Office of Personnel Management to reclassify members of the civil service and enable the Trump administration to terminate them at will. The lawsuit seeks to block the EO’s implementation and argues that the EO violates the Administrative Procedure Act and deprives civil servants of their rights under the Constitution and the Civil Service Reform Act.

Case Summary: Trump’s executive order authorizes the Director of the Office of Personnel Management to reclassify thousands of members of the civil service and strip them of their civil-service protections, enabling the president or heads of agencies to fire them at will. PEER, represented by Citizens for Responsibility and Ethics in Washington and Democracy Forward, sued to enjoin implementation of the executive order. The lawsuit argues that the executive order violates the Administrative Procedure Act and deprives civil servants of due process by stripping them of protections guaranteed under the Civil Service Reform Act of 1978. 2025-01-31

American Federation of Government Employees, AFL-CIO and American Federation of State, County And Municipal Employees, AFL-CIO v. Donald Trump et al (D.D.C.)

Case No. 1:25-cv-00264

Complaint

2025-01-29

Overview: Two major labor unions, representing over two million federal employees, sued President Donald Trump to block an Executive Order (“EO”) that changes workers’ job category, removing protections against being fired. The unions argue that the EO violates the Administrative Procedure Act (APA).

Case Summary: On Jan. 27, Director of the Office of Personnel Management (OPM) Charles Ezell issued guidance implementing the president’s executive order, which aims

to reclassify thousands of members of the civil service and strip them of their civil-service protections, enabling the president or heads of agencies to fire them at will. The AFGE and AFSCME – labor organizations representing federal, state and local employees – assert that the Trump administration failed to follow proper notice-and-comment procedures under the Administrative Procedural Act in issuing the order, which renders “inoperative or without effect” existing regulations, 5 C.F.R. 210.102(b)(3), 5 C.F.R. 210.102(b)(4), and 5 C.F.R. § 302.601-603. The plaintiffs sued, seeking a declaratory judgment to that effect, as well as an injunction enjoining the Defendants from enforcing the order without first complying with the APA’s notice-and-comment requirements. 2025-01-31

Executive Action: Establishment of “Department of Government Efficiency” (DOGE) (Executive Order 14158 and Executive Order 14219)

Public Citizen Inc et al v. Donald J. Trump and Office of Management and Budget (D.D.C.)

Case No. 1:25-cv-00164

CASE CLOSED

Complaint

2025-01-20

Overview: Two advocacy organizations sued President Donald Trump and the U.S. Office of Management and Budget, arguing that Trump’s Executive Order (“EO”) creating the Department of Government Efficiency violates the Federal Advisory Committee Act by delegating regulatory and monetary power to unelected citizens without public oversight. Two other cases, *Lentini v. Department of Government Efficiency* and *American Public Health Association v. Office of Budget and Management*, have now been consolidated under this case.

Case Summary: Trump’s executive order renames the U.S. Digital Service as the U.S. DOGE Service (Department of Government Efficiency) and reestablishes the office under the Executive Office of the President. Two advocacy organizations and the American Federation of Government Employees sued, arguing that the order violates the Federal Advisory Committee Act, which bars the delegation of decision-making authority to private citizens without public access. The suit asks the court to enjoin the operation of DOGE unless and until it complies with the FACA’s requirements.

Update 1: On Feb. 18, 2025, Judge Jia M. Cobb (D.D.C.) granted defendants’ motion to consolidate two cases with this case. Parties in *Lentini v. Department of Government Efficiency* (complaint), and *American Public Health Association v. Office of Budget and Management* (complaint) must make all future filings in this case.

Update 2: On Mar. 3, 2025, Public Citizen Plaintiffs dismissed their action without prejudice. The Lentini Plaintiffs in *Lentini v. Department of Government Efficiency and American Public Health Association* Plaintiffs remain in *American Public Health Association v. Office of Budget and Management*. 2025-03-03

Jerald Lentini, Joshua Erlich, and National Security Counselors v. Department of Government Efficiency, Office of Management and Budget, Office of Personnel Management, Executive Office of the President, Elon Musk, Vivek Ramaswamy, Russell Vought, Scott Kuper, and Donald Trump (D.D.C.)

Case No. 1:25-cv-00166

Complaint

2025-01-20

Overview: National Security Counselors (a public advocacy organization) and two individuals challenged President Donald Trump’s Executive Order (“EO”) establishing the Department of Government Efficiency (DOGE), arguing that DOGE violates the Federal Advisory Committee Act (FACA) by delegating regulatory and monetary power to unelected citizens without public oversight. This case was consolidated under *Public Citizen, Inc v. Trump*.

Case Summary: Trump’s executive order renames the U.S. Digital Service as the U.S. DOGE Service (Department of Government Efficiency) and reestablishes the office under the Executive Office of the President. The advocacy organization National Security Counselors, Inc., sued, arguing that the order violates the Federal Advisory Committee Act, which bars the delegation of decision-making authority to private citizens without public access. The suit asks the court to enjoin the operation of DOGE unless and until it complies with the FACA’s requirements.

Update 1: On Feb. 18, 2025, Judge Jia M. Cobb (D.D.C) granted defendants’ motion in *Public Citizen, Inc. v. Trump* to consolidate three cases. Parties in *Lentini v. Department of Government Efficiency and American Public Health Association v. Office of Budget and Management* must make all future filings in *Public Citizen*.

Update 2: On Mar. 22, Plaintiffs submitted a notice of new evidence containing a filing from Musk’s private attorneys in a Delaware lawsuit describing his government position. 2025-02-18

American Public Health Association et al v. Office of Management and Budget, Acting Director of the Office of Management and Budget, and the Department of Government Efficiency (D.D.C.)

Case No. 1:25-cv-00167

Complaint

2025-01-20

Overview: Several public interest advocacy organizations challenged President Donald Trump's Executive Order (EO) that established the Department of Government Efficiency (DOGE). The lawsuit argues that DOGE violates the Federal Advisory Committee Act by delegating regulatory and monetary power to unelected citizens without public oversight. This case was consolidated under *Public Citizen, Inc v. Trump*.

Case Summary: Trump's executive order renames the U.S. Digital Service as the U.S. DOGE Service (Department of Government Efficiency) and reestablishes the office under the Executive Office of the President. Several advocacy organizations sued, arguing that the order violates the Federal Advisory Committee Act, which bars the delegation of decision-making authority to private citizens without public access. The suit asks the court to enjoin the operation of DOGE unless and until it complies with the FACA's requirements.

Update 1: On Feb. 18, 2025, Judge Jia M. Cobb (D.D.C) granted defendants' motion in *Public Citizen, Inc. v. Trump* to consolidate three cases. Parties in *Lentini v. Department of Government Efficiency* and *American Public Health Association v. Office of Budget and Management* must make all future filings in *Public Citizen*. 2025-02-18

Center for Biological Diversity v. Office of Management and Budget (D.D.C.)

Case No. 1:25-cv-00165

Complaint

2025-01-20

Overview: The Center for Biological Diversity sued the Office of Management and Budget (OMB) under the Freedom of Information Act demanding records related to communications between OMB and the Department of Government Efficiency ("DOGE"), alleging the requested information is important to the public interest.

Case Summary: Trump's executive order renames the U.S. Digital Service as the U.S. DOGE Service (Department of Government Efficiency) and reestablishes the office under the Executive Office of the President. The Center for Biological Diversity sued the Office of Management and Budget under the Freedom of Information Act, demanding records related to communications between OMB and DOGE's leadership or those acting on its behalf.

Update 1: On Feb. 27, 2025, plaintiffs filed an amended complaint. The new complaint added defendants, including DOGE, Elon Musk, and Amy Gleason. It also included a new second claim, with plaintiffs arguing DOGE's alleged failures to comply with FOIA's affirmative disclosure obligations violate the Administrative Procedure Act. 2025-02-27

J. Does 1-26 v. Musk (D. Md)

Case 8:25-cv-00462-TDC

Complaint

2025-02-13

Overview: Twenty-six current and former employees of the U.S. Agency for International Development (“USAID”) sued Elon Musk and the Department of Government Efficiency (“DOGE”) alleging that Musk's appointment to his role as head of DOGE violates the Constitution’s Appointments Clause and requesting that the court prevent Musk and DOGE from taking further action until this legal question is resolved. On March 18, the Court ordered DOGE to halt its dismantling of USAID and to obtain express authorization from USAID officials for all future actions taken related to USAID. On March 21, Musk and DOGE appealed this decision.

Case Summary: Trump’s executive order renames the U.S. Digital Service as the U.S. DOGE Service (Department of Government Efficiency) and reestablishes the office under the Executive Office of the President. Twenty-six current and former USAID employees or contractors filed a lawsuit claiming that Elon Musk’s constitutional authority to exercise significant government powers as the head of DOGE without Senate confirmation violates the Appointments Clause. The complaint alleges that Musk and the DOGE staff are exercising “significant authority” by controlling agency operations, making personnel decisions, and directing federal spending, all powers the plaintiffs claim can be wielded only by properly appointed officers of the United States. The lawsuit argues that Musk is functioning as a principal officer while evading the constitutional requirement for Senate confirmation. The plaintiffs also claim that Musk’s actions would be unconstitutional even if he were considered merely an inferior officer, as Congress has not authorized the President to directly appoint anyone to his position. The plaintiffs also argue that DOGE’s structure violates separation of powers by creating a “shadow chain of command” that undermines Congress’s power to create agencies and their authorities through statute, confirm appointed officers, and conduct oversight. The suit asks the court to declare Musk and DOGE to be acting unlawfully, enjoin Musk and DOGE from exercising government authority unless appointed by proper process, and set aside their actions taken to date.

Update 1: On Feb. 18, Plaintiffs filed a motion for a preliminary injunction.

Update 2: On Feb. 24, Defendants filed a motion in response to the request for a preliminary injunction; to which the Plaintiffs replied on Feb. 26.

Update 3: On Mar. 18, the Court granted in part and denied in part the Plaintiffs’ motion for a preliminary injunction, finding that the Plaintiffs demonstrated a likelihood of success on the merits and risk of irreparable harm. The Court ordered DOGE to reinstate access to email, payments, security notifications, and other electronic systems. The Court did not enjoin Defendants from carrying out mass personnel and contract

terminations but did enjoin them from taking further action in a number of categories such as additional personnel and contract terminations and closures of offices.

Update 4: On Mar. 19, Defendants filed a motion for clarification or modification of the preliminary injunction order issued by the Court on Mar. 18, claiming Jeremy Lewin should not be bound by the preliminary injunction because he is no longer the DOGE Team Lead at USAID.

Update 5: On Mar. 20, the court denied Defendant's motion for clarification or modification of the preliminary injunction order, confirming Lewin is bound by the preliminary injunction.

Update 6: On Mar. 21, Defendants appealed the Court's preliminary injunction and denial of Defendants' motion for clarification or modification to the Fourth Circuit.

Update 7: On Mar. 25, the Court ordered that the district court's preliminary injunction be stayed until the close of business on Thurs., Mar. 27.

Update 8: On Mar. 28, the Fourth Circuit granted the Defendants' motion for a stay pending appeal. 2025-03-28

New Mexico et al. v. Musk (D.D.C.)

Case No. 1:25-cv-00429

Complaint

2025-02-13

Overview: Fourteen states sued Elon Musk and the Department of Government Efficiency ("DOGE") alleging that Musk's appointment to his role as head of DOGE violates the Constitution's Appointments Clause and requesting that the court prevent Musk and DOGE from taking further action until this legal question is resolved. A federal court denied the request to temporarily block further actions by Musk and DOGE but acknowledged potential constitutional issues with Musk's appointment and ordered Musk and DOGE to provide documents and information requested by the states.

Case Summary: Trump's executive order renames the U.S. Digital Service as the U.S. DOGE Service (Department of Government Efficiency) and reestablishes the office under the Executive Office of the President. Fourteen states filed a lawsuit claiming that Elon Musk's constitutional authority to exercise significant government powers as the head of DOGE without Senate confirmation violates the Appointments Clause. The complaint alleges that Musk and the DOGE staff are exercising "significant authority" by controlling agency operations, making personnel decisions, and directing federal spending, all powers they claim can only be wielded by properly appointed officers of the United States. The suit asks the court to declare Musk and DOGE to be acting

unlawfully, impose a temporary restraining order barring Musk and DOGE from exercising government authority (including a specific list of official actions) while awaiting preliminary and permanent injunctions to the same effect, and set aside their actions taken to date.

Update 1: On Feb. 17, the government submitted a declaration by Joshua Fisher, Director of the Office of Administration, stating that Musk is not the head of DOGE nor an employee of DOGE.

Update 2: On Feb 18, Judge Tanya Chutkan denied the Plaintiffs' request for a temporary restraining order but also indicated a potentially favorable view of the Plaintiffs' argument on the merits (pp. 8-9).

Update 3: On Feb. 24, plaintiff states filed a motion for expedited discovery relating to an upcoming motion for a preliminary injunction. Defendants filed a memorandum in opposition on Feb 28. Plaintiffs filed a reply on Mar. 3. Plaintiffs' expedited discovery motion seeks "to confirm public reporting about Defendants' conduct, show Defendants' future plans, and illustrate the nature and scope of the unconstitutional and unlawful authority that Defendants are exercising and will continue to imminently exercise." The document requests and interrogatories generally concern DOGE's and Musk's conduct in four areas: (1) eliminating or reducing the size of federal agencies; (2) terminating or placing federal employees on leave; (3) cancelling, freezing, or pausing federal contracts, grants, or other federal funding; and (4) obtaining access, using, or making changes to federal databases or data management systems.

Update 4: On Mar 7, defendants filed a motion to dismiss arguing plaintiffs lack Article III standing and have failed to state a claim upon which relief can be granted.

Update 5: On Mar. 12, Judge Tanya Chutkan granted Plaintiffs' motion for expedited discovery and ordered Elon Musk and DOGE to produce the requested documents and respond to the interrogatories and requests for admissions in Plaintiffs' discovery requests. 2025-03-12

Japanese American Citizens League v. Musk (D.D.C)

Case No. 1:25-cv-00643

Complaint

2025-03-05

Overview: A group of nonprofits filed a lawsuit against the Department of Government Efficiency (DOGE), Elon Musk, and others, seeking to block and/or reverse actions by DOGE to cut federal funding and terminate federal employees on the basis that DOGE and Musk do not have legal authority to take these actions.

Case Summary: Plaintiffs are four nonprofit organizations – the Japanese American Citizens League, Organization of Chinese Americans–Asian Pacific American Advocates, Sierra Club, and Union of Concerned Scientists – bringing suit against Elon Musk, DOGE, Amy Gleason, and several executive agencies and their heads. Plaintiffs allege that they are harmed by DOGE’s cutting of federal funding and firing of federal employees, including in the work of the National Park Service and historic sites. Plaintiffs allege that Musk and DOGE are acting in an ultra vires manner “to dramatically alter the federal budget, slash federal spending, reduce the federal workforce, and dismantle disfavored agencies.” Plaintiffs also allege that Defendants have acted in violation of the separation of powers “by directing and causing the termination of grants and contracts under previously appropriated federal funds; terminating federal workers funded by congressional appropriations; reducing the size of the federal workforce; working to abolish federal departments and agencies including the U.S. Department of Education, an executive department created by federal statute; and refusing to spend money appropriated by Congress.” Finally, Plaintiffs allege that Defendants have violated the Appointments Clause and the Administrative Procedure Act. They seek declaratory and injunctive relief holding that Musk, DOGE, and Gleason have no legal authority to take a wide array of actions and that those actions have no legal effect.

Update 1: This case has been consolidated with case 25-cv-00429-TSC pursuant to a Minute Order issued on March 20, 2025. From that date forward, all pleadings shall be filed only in the lead case, 25-cv-00429-TSC. 2025-03-20

Center for Biological Diversity v. U.S. Department of Interior (D.D.C)

Case No. 1:25-cv-00612

Complaint

2025-03-03

Overview: On Jan. 20, 2025, President Trump signed Executive Orders 14158, renaming the U.S. Digital Service as the U.S. DOGE Service (Department of Government Efficiency). On Feb. 19, Trump signed Executive Order 14219 directing the rescission of regulations in which “agency heads shall, in coordination with their DOGE Team Leads and the Director of the Office of Management and Budget, initiate a process to review all regulations.”

Case Summary: On Jan. 20, 2025, President Trump signed Executive Orders 14158, renaming the U.S. Digital Service as the U.S. DOGE Service (Department of Government Efficiency). On Feb. 19, Trump signed Executive Order 14219 directing the rescission of regulations in which “agency heads shall, in coordination with their DOGE Team Leads and the Director of the Office of Management and Budget, initiate a process to review all regulations.”

Plaintiffs, a nonprofit organization focused on habitat preservation for endangered species, alleges that DOGE and the Department of Interior have violated the Administrative Procedures Act by failing to follow Federal Advisory Committee Act (FACA) requirements for disclosure and public access to advisory committee meetings. They seek declaratory judgment that DOGE and its sub-teams are subject to the FACA and have violated the APA and FACA, an injunction stopping Department of Interior employees from meeting with or relying on work by DOGE employees, and an order of mandamus requiring compliance with the FACA. 2025-03-03
Executive Action: Solicitation of information from career employees

Jane Does 1-2 v. Office of Personnel Management (D.D.C.)

Case No. 1:25-cv-00234

Complaint

2025-01-27

Overview: Two federal employees brought a class action lawsuit against the Office of Personnel Management (“OPM”) alleging that OPM used an unauthorized email system to collect data on all civilian federal workers without conducting a required privacy assessment. A federal court denied the request to halt OPM’s actions and OPM has since moved to dismiss the case.

Case Summary: The Office of Personnel Management announced it was testing a new system to email all civilian federal employees from a single email address, HR@opm.gov. Individuals claiming to be OPM employees subsequently posted online that the emails were being stored on an unsecure server at OPM. Plaintiffs, employees of executive-branch agencies who received “test” emails from HR@opm.gov requesting information, sued. The lawsuit alleges that the new procedure violates the E-Government Act of 2002 and asks the court to require the Office of Personnel Management to conduct a Privacy Impact Assessment before collecting any data from employees, as required under the law.

Update 1 and 2: On Feb. 4, 2025, the plaintiffs requested a temporary restraining order. On Feb. 6, Judge Randolph D. Moss denied the TRO request and said an opinion will follow.

Update 3: On Feb. 11, OPM moved to dismiss the Complaint on the grounds that Plaintiffs lack Article III standing and failed to state a claim upon which relief can be granted.

Update 4: On Feb. 17, 2025, in a Memorandum Opinion and Order, Judge Moss denied plaintiffs’ most recent motion for a TRO on the ground that they had not shown they were likely to have standing or face irreparable injury without emergency relief.

Update 5: On Mar. 5, plaintiffs filed a memorandum in opposition to defendant's motion to dismiss. Defendants filed a reply on Mar. 7. 2025-03-07

Executive Action: Disclosure of personal and financial records to DOGE

Alliance for Retired Americans v. Scott Bessent et al (D.D.C.)

Case No. 1:25-cv-00313

Complaint

2025-02-03

Overview: A group of labor unions representing federal employees sued Secretary of the Treasury Scott Bessent and others alleging that individuals affiliated with the Department of Government Efficiency ("DOGE") were granted unauthorized access to sensitive Treasury Department records in violation of the Privacy Act and the IRS Code. Both parties agreed to an order limiting access to Treasury payment records to specific individuals with "read-only" access.

Case Summary: The complaint alleges that the Treasury Department granted DOGE-affiliated individuals access to sensitive personal and financial information maintained by the Treasury Department. The plaintiffs sued on behalf of members whose records may have been transmitted from the Treasury Department to DOGE employees, thus allegedly depriving the members of privacy. The lawsuit seeks an injunction and declaratory relief, as well as a temporary restraining order, for alleged violations of the Administrative Procedure Act and actions in excess of legal authority under the Privacy Act.

Update 1: On Feb. 6, 2025, the parties in the suit mutually proposed an order that Judge Colleen Kollar-Kotelly adopted. It limits access to Treasury Department payment records and systems to two (Musk-affiliated) Special Government Employees in the Department ("read-only" access), other employees who need to access the record to perform their duties, or individuals who are already entitled to access the records under statute.

Update 2: On Feb. 20, the court issued an order accepting an unopposed motion to modify the Feb. 6 order.

Update 3: On Feb. 25, following a hearing the previous day, the court ordered "that Defendants shall file the administrative record underlying the decisions challenged in this case on or before March 10, 2025."

Update 4: On Mar. 7, Judge Colleen Kollar-Kotelly denied plaintiffs' motion for a preliminary injunction on the grounds that plaintiffs have not cleared the "high standard" of showing a likelihood of an irreparable injury that is "beyond remediation." She noted,

“If Plaintiffs could show that Defendants imminently planned to make their private information public or to share that information with individuals outside the federal government with no obligation to maintain its confidentiality, the Court would not hesitate to find a likelihood of irreparable harm.” 2025-03-07

New York et al v. Donald J. Trump (S.D.N.Y.)

Case No. 1:25-cv-01144-JAV

Complaint

2025-02-07

Overview: Nineteen state attorneys general sued President Donald Trump and Secretary of the Treasury Scott Bessent alleging that individuals affiliated with the Department of Government Efficiency (“DOGE”) were granted unauthorized access to sensitive Treasury Department records in violation of the Administrative Procedure Act, the Privacy Act, and other ethics statutes. A federal court temporarily blocked DOGE’s access to certain payment records maintained by the Treasury Department containing sensitive data while the case proceeds, citing potential violations of federal law.

Case Summary: The complaint alleges that the Treasury Department granted DOGE-affiliated individuals access to sensitive personal and financial information maintained by the Treasury Department. The plaintiffs, attorneys general of 19 states, sued on the ground that the policy of giving expanded access to political appointees and “special government employees” to Treasury’s Bureau of Fiscal Services violated the Administrative Procedure Act (APA). The plaintiffs claim the policy violates the APA by exceeding authority conferred by statute for the unauthorized purpose of impeding payments and accessing private information; for failure to conduct a privacy impact statement; for violation of the Privacy Act; and for violating ethics statutes on conflicts of interest. The plaintiffs also assert the policy usurps congressional authority and is ultra virus.

The plaintiffs requested an emergency temporary restraining order, as well as preliminary and permanent injunction to bar access to political appointees, special government employees, and government employees detailed from other agencies as well as to any person who has not received a background check, security clearance, and information security training.

Update 1: The case is before Judge Jeannette A. Vargas. On Feb. 8, 2025, after midnight, Judge Paul A. Engelmayer issued an emergency temporary restraining order until Judge Vargas holds a hearing on Feb. 14. Judge Engelmayer’s order prohibits access to the Treasury Department’s systems and also requires prohibited persons to immediately destroy any material already downloaded from the Treasury Department’s systems.

Update 2: On Feb. 21, Judge Vargas granted a limited preliminary injunction, enjoining the Treasury Department from granting access to DOGE-affiliated individuals to any

payment record, payment systems, or any other data systems maintained by the Treasury Department containing personally identifiable information and/or confidential financial information of payees. The court noted that “a real possibility exists that sensitive information has already been shared outside of the Treasury Department, in potential violation of federal law.” The court ordered the Treasury Department to submit a report by March 24 including several forms of information and certifications including “the vetting and security clearances processes that members of the Treasury DOGE Team have undergone;” “setting forth the legal authority pursuant to which each DOGE Team member was employed by or detailed to the Treasury Department;” and “explaining the reporting chains that govern the relationship between the DOGE Team members, USDS/DOGE, and Treasury leadership.”

Update 3: On Mar. 7, plaintiffs filed a motion for reconsideration to the court’s Feb. 21 ruling that states’ interests do not fall within personal identifying information (PII) protections of the Privacy Act of 1973 and E-Government Act of 2002. 2025-03-07

AFL-CIO v. Dep’t of Labor (D.D.C.)

Case No. 1:25-cv-00339

Complaint

2025-02-05

Overview: A coalition of labor unions sued the Department of Labor (“DOL”), the Department of Government Efficiency (“DOGE”), and others seeking to block DOGE’s access to internal DOL information systems on the basis that such access violates the Administrative Procedure Act, the Privacy Act, the Economy Act, and other federal laws. A federal court denied requests to temporarily block DOGE’s access while the case proceeds, but indicated further analysis was needed in particular on the Economy Act claims.

Case Summary: On Feb. 5, 2025, DOGE sought access to internal information systems at the Department of Labor. Plaintiffs sued, arguing DOGE’s attempt to direct the agency and access internal information systems are an unlawful exercise of power beyond its authority; and unlawful under the Administrative Procedure Act as a prohibited personnel practice, violation of the Confidential Information Protection and Statistical Efficiency Act, violation of the Privacy Act, rulemaking without proper procedure, and arbitrary and capricious abuse of discretion. They seek temporary, preliminary, and permanent injunctive relief to prevent the Department of Labor from granting access to DOGE, from taking adverse action against employees who refuse to cooperate with DOGE, and from providing any person with non-public Department of Labor information regarding that person’s business interests or direct competitors. On the same day as the complaint was filed, judge John Bates issued an Order which stated, “Defendants represented to the Court that DOL [Department of Labor] will not allow

DOGE access to any DOL data until after this Court rules on the TRO motion on Friday.”

Update 1: On Feb. 7, Judge Bates denied the petition for a temporary restraining order on the ground that the plaintiffs lacked standing.

Update 2: On Feb. 12, Plaintiffs submitted a renewed request for a TRO enjoining agency defendants from granting members of DOGE access to their systems of records, except as consistent with applicable federal law.

Update 3: On Feb. 14, Judge Bates denied the renewed request for a TRO, but added, “On the Economy Act question, which is the most important for this denial of a TRO, the Court will benefit from further briefing and analysis on a motion for preliminary injunction.”

Update 4: On Feb. 27, Judge Bates ordered limited expedited discovery in the case in the form of answers to written interrogatories, production of documents, and the deposition of four individuals (one each from the Consumer Financial Protection Bureau and the Departments of Labor, Health and Human Services, and DOGE), to last no more than eight hours in aggregate.

Update 5: On Feb. 28, defendants filed a motion to dismiss for lack of subject matter jurisdiction and failure to state a claim upon which relief can be granted. Plaintiffs filed a memorandum in opposition on Mar. 7. 2025-02-28

University of California Student Ass’n v. Carter et al
Case No. 1:25-cv-00354
Complaint
2025-02-07

Overview: The University of California Student Association sued the Department of Education seeking to block the Department of Government Efficiency’s (“DOGE’s”) access to sensitive information systems containing student data on the basis that such access violates the Administrative Procedure Act, the Privacy Act, and the Internal Revenue Code. A federal court denied the request to temporarily block DOGE’s access while the case proceeds.

Case Summary: On Feb. 3, 2025, reportedly 20 people affiliated with DOGE were working with the Department of Education, some of whom obtained access to sensitive internal information systems, including systems related to federal student aid. Plaintiffs sued, arguing DOGE’s access is unlawful under the Administrative Procedure Act in that it is contrary to law in violation of the Privacy Act and Internal Revenue Code; arbitrary and capricious; and in excess of statutory authority. They seek a declaratory judgment

that DOGE officials are not authorized to access Department of Education records that contain personal information, and temporary, preliminary, or permanent injunctive relief preventing the Department of Education from continuing to provide access to DOGE, ensuring there is no further dissemination of data, and requiring recovery of unlawfully transferred information.

Update 1: On Feb. 10, Plaintiff moved for a TRO, requesting Defendants be enjoined from disclosing information about individuals to individuals affiliated with DOGE, and required to retrieve and safeguard any such information that has already been obtained by and shared or transferred by DOGE or individuals associated with it.

Update 2: On Feb. 17, Judge Randolph Moss denied the TRO on the grounds that mere “access” to data by government employees who are not formally authorized to view it, without more, does not create an irreparable injury. He wrote that courts find dissemination of information to be an irreparable injury where highly sensitive information will be made public or is given to someone with no obligation to keep it confidential. He also wrote that irreparable harm was not present because plaintiffs would have a private right of action and money damages for certain unauthorized disclosures.

Update 3: On Mar. 4, plaintiffs filed a motion for expedited discovery. 2025-03-04

National Treasury Employees Union v. Russell Vought (D.D.C.)

Case No. 1:25-cv-00380

Complaint

2025-02-09

Overview: The National Treasury Employees Union sued Acting Director of the Consumer Financial Protection Bureau (“CFPB”) Russell Vought seeking to block the Department of Government Efficiency’s (“DOGE’s”) access to sensitive information systems with CFPB employee records on the basis that the CFPB's decision to grant DOGE-affiliated individuals access to employee information and non-classified systems violated the Privacy Act and CFPB regulations.

Case Summary: DOGE “special government employee” entered CFPB. On February 7, 2025, Chris Young, Nikhil Rajpul, and Gavin Kliger—none of whom is or has been a CFPB employee—were added to CFPB’s staff and email directories as “senior advisers.” Russell Vought, as Acting Director of CFPB, instructed CFPB staffers to grant this DOGE team access to all non-classified systems. Plaintiffs maintain that CFPB has a statutory obligation to protect its employee information under both the Privacy Act and CFPB regulations (5 C.F.R. Part 1070). Plaintiffs claim that CFPB violated that obligation by granting DOGE access to employee information without satisfying an exception in the Privacy Act. Plaintiffs seek a judgment declaring that CFPB violated the

law by granting DOGE access to CFPB systems, that CFPB's disclosure of employee information to DOGE is unlawful, and request an injunction to prevent CFPB from disclosing employee records to DOGE. 2025-02-09

American Federation of Teachers et al v. Bessent et al (D. Md.)

Case No. 8:25-cv-00430

Complaint

2025-02-10

Overview: The American Federation of Teachers and other plaintiffs sued the Treasury, Office of Personnel Management ("OPM"), and the Department of Education ("DOE"), challenging the agencies' disclosure of sensitive personal information to Department of Government Efficiency ("DOGE") employees. The plaintiffs argue that the disclosure violates federal law and goes beyond the agencies' scope of authority. They have asked the court to declare the disclosure unlawful, to temporarily and permanently stop the agencies from further sharing information, and to require the agencies retrieve the information disclosed. The court has stopped DOE and OPM from disclosing information with DOGE, while Treasury has also been stopped from disclosure by a separate but related case.

Case Summary: The complaint alleges that the Treasury Department, Office of Personnel Management, and Department of Education have provided DOGE "special government employees" with access to information systems that contain records of private citizens' sensitive personal information (including Social Security numbers, financial records, and more). Plaintiffs sued, arguing DOGE access is unlawful under the Administrative Procedure Act as (1) not in accordance with the Privacy Act; (2) an arbitrary and capricious abuse of discretion; and (3) in excess of statutory authority. They seek a declaratory judgment that disclosing records to DOGE is unlawful and temporary, preliminary, or permanent injunctive relief to bar defendants from allowing DOGE to access sensitive information; ensure there is no further unauthorized disclosure; ensure records improperly disseminated are retrieved or destroyed; and ensure future disclosures will only occur in accordance with the Privacy Act.

Update 1: On Feb. 12, Plaintiffs moved for a TRO enjoining Defendants from providing DOGE access to their records systems and ordering any records housed outside government information systems be retrieved or destroyed.

Update 2: On Feb. 24, the court granted a TRO enjoining the Department of Education and Office of Personnel Management from disclosing sensitive information to any DOGE affiliates. The court denied the motion for a TRO against Treasury officials on the basis that a preliminary injunction against Treasury has already been granted in a related case.

Update 3: On Feb. 27, Judge Deborah Boardman ordered the government to produce the administrative record by Mar. 7.

Update 4: On Mar. 7 the government submitted records from OPM, the Department of the Treasury, and the Department of Education.

Update 5: On Mar. 8, Plaintiffs filed a motion to convert the temporary restraining order into a preliminary injunction and to schedule discovery in the case.

Update 6: On Mar. 8, Plaintiffs moved for a preliminary injunction to prevent Defendants from disclosing personally identifiable information to DOGE or its affiliates.

Update 7: On Mar. 24, Judge Deborah L. Boardman granted the Plaintiffs' motion for a preliminary injunction order. The Defendants immediately filed a notice of appeal and a motion to stay the injunction during the appeal. 2025-03-24

Electronic Privacy Information Center v. U.S. Office of Personnel Management
(E.D.V.A.)

Case No. 1:25-cv-00255

Complaint

2025-02-10

Overview: The Electronic Privacy Information Center ("EPIC") and a federal employee sued the Office of Personnel Management ("OPM") and the Treasury Department, challenging the agencies' disclosure of sensitive personal information to Department of Government Efficiency ("DOGE") employees. The plaintiffs argue that the disclosure violates federal law, violates their constitutional rights, puts them at risk of identity theft, and goes beyond the agencies' scope of authority. They have asked the court to declare the disclosures unlawful and stop the agencies from sharing and accessing the information. The court denied their request to block DOGE's access because the possible scenarios for harm were too speculative.

Case Summary: The complaint alleges that the Treasury Department granted DOGE-affiliated individuals access to sensitive personal and financial information maintained by the Treasury Department. The plaintiffs, Electronic Privacy Information Center (EPIC) and Doe 1 (a federal employee), sued, claiming that the transmission of these records violated the plaintiffs' right to privacy and puts plaintiffs at risk of identity theft and financial crimes. Plaintiffs also argue that the transmission of these records was not compliant with the Federal Information Security Modernization Act (FISMA) and other privacy and security requirements. The lawsuit seeks injunctive and declaratory relief curing the release of information and halting further sharing by OPM and Treasury, alleging violations of the Administrative Procedure Act, Privacy Act, the Fifth

Amendment, 26 U.S.C. § 6103, and actions beyond the scope of authority—primarily by the DOGE defendants. Doe 1 also seeks an award of statutory and punitive damages.

Update 1: On Feb. 12, Plaintiffs moved for a TRO to enjoin Treasury and OPM defendants from providing DOGE access to information systems, to enjoin DOGE defendants from accessing information systems, and to require status reports.

Update 2: On Feb. 21, Judge Rossie D. Alston, Jr. issued a Memorandum Opinion and Order converting the motion for a TRO to a motion for a preliminary injunction, and denying the motion. Judge Alston wrote, “Plaintiffs’ fears of future harm are much too speculative and would require the Court to make several leaps in reasoning in order to warrant injunctive relief” based on the record before the court. The judge stated: “Although the Court is denying injunctive relief based on the current record, Plaintiffs are permitted to take necessary action to protect their rights if, in the future, they experience harm that is more concrete and immediate, including if Plaintiffs are able to provide evidence that unauthorized personnel accessed the BFS and/or EHRI systems.”

2025-02-21

American Federation of Government Employees, et al. v. Office of Personnel Management et al (S.D.N.Y)

Case No. 1:25-cv-01237

Complaint

2025-02-11

Overview: The American Federation of Government Employees and other plaintiffs sued the Office of Personnel Management (“OPM”), challenging the agencies’ alleging unlawful disclosure of sensitive personal information to Department of Government Efficiency (DOGE) employees. The plaintiffs argue that the disclosure violates federal laws and goes beyond the agencies’ scope of authority. They have asked the court to declare the disclosure unlawful, stop the agencies from further sharing information, and require the agencies retrieve and destroy the information disclosed.

Case Summary: Plaintiffs allege the Office of Personnel Management (OPM) has given DOGE access to OPM information systems that contain sensitive personal and employment records of government employees (including Social Security numbers, demographic information, job performance information, health records, and more). Plaintiffs, current and former federal employees and unions representing them, sued, arguing OPM’s disclosure of this information to DOGE violates the Privacy Act and the Administrative Procedure Act; and that DOGE’s actions are ultra vires. They seek a declaratory judgment that the government’s actions are unlawful; temporary, preliminary, or permanent injunctive relief; and an order for the impoundment and destruction of copies of improperly disclosed personal information.

Update 1: On Feb. 14, plaintiffs filed a motion for a temporary restraining order. On Feb. 19, defendants filed a memorandum in opposition. On Feb. 23, in light of a TRO issued by the District of Maryland in *Am. Fed. of Teachers v. Bessent*, plaintiffs joined defendants in requesting that their motion for a TRO be converted to a motion for a preliminary injunction.

Update 2: On Feb. 27, plaintiffs filed a motion for expedited discovery. Defendants filed a memorandum in opposition on Mar. 4. Plaintiffs filed a reply on Mar. 6. Judge Cote granted the motion in part on Mar. 7.

Update 3: On Mar. 24, plaintiffs filed a memorandum opposing the government's motion to dismiss. 2025-03-24

Nemeth-Greenleaf, et al. v. Office of Personnel Management, et al. (D.D.C.)

Case No. 1:25-cv-00407

Complaint

2025-02-11

Overview: Federal employees have sued the Office of Personnel Management ("OPM") and the Treasury, challenging the agencies' disclosure of personal, health, and financial information to the Department of Government Efficiency's ("DOGE") employees. The plaintiffs argue the disclosure violates federal laws. They have asked the court to stop further disclosure and compensation for harm.

Case Summary: Plaintiffs are federal employees from various government departments who filed suit as a proposed class action. They allege that DOGE workers unlawfully accessed their private information from OPM and the Treasury Department. They argue that Defendants are engaged in an "unlawful ongoing, systemic, and continuous disclosure of personal, health, and financial information" to Elon Musk and DOGE in violation of the Privacy Act, 5 U.S.C. § 552a. They seek injunctive relief and damages.

2025-02-11

Gribbon et al. v. Musk (D.D.C.)

Case No. 1:25-cv-00422

Complaint

2025-02-12

Overview: Six individuals sued Elon Musk, the Office of Personnel Management ("OPM"), and the Treasury for sharing personal information. The plaintiffs argue that by sharing their private information, Musk and the agencies violated federal laws. The plaintiffs have asked the court to declare Musk and the agencies' actions unlawful, stop them from further sharing the plaintiffs' information, and require them to provide lifetime identity theft and fraud protection services.

Case Summary: Plaintiffs filed a proposed class action lawsuit. They are recipients of federal benefits, student loans, or have filed tax return information with the federal government. The complaint alleges that “Defendants [are] liable for their willful failure to ensure the security of Plaintiffs’ and Class members’” private information. Plaintiffs allege Defendant Elon Musk violated the Computer Fraud and Abuse Act and that Defendants OPM and Treasury violated the Privacy Act of 1974. Plaintiffs are suing for injunctive relief and monetary damages “resulting from Defendants’ unlawful ongoing, systematic, and continuous disclosure of personal and financial information.” 2025-02-12

Center for Taxpayer Rights v. IRS (D.D.C)

Case 1:25-cv-00457

Complaint

2025-02-17

Overview: Several organizations, on behalf of taxpayers, sued the Internal Revenue Service (“IRS”) and the Treasury, challenging the access to private tax information the agencies gave to the Department of Government Efficiency’s (“DOGE”). The plaintiffs argue that by allowing DOGE’s access, the agencies violated multiple federal laws and exceeded their scope of authority. The plaintiffs have asked the court to declare the access unlawful, stop DOGE’s access, and require the return or deletion of the shared information.

Case Summary: Plaintiffs filed a lawsuit challenging the U.S. Department of Government Efficiency’s access to information from the Internal Revenue Service. Plaintiffs are organizations that represent low-income taxpayers, immigrants, domestic abuse survivors, small businesses, and public and private sector employees. They allege that by allowing DOGE to access private citizens’ tax information, the IRS has violated the Federal Information Security Act, the Privacy Act, and the Administrative Procedure Act. Plaintiffs also allege that DOGE has engaged in “ultra vires” actions by “directing and controlling the use and administration of Defendant IRS’ systems.” They seek declaratory and injunctive relief to stop allegedly “wrongful provision of access, inspection, and disclosure of return information and other personal information in the IRS system to members of DOGE.” They also seek other forms of relief such as ordering Defendants to disgorge all unlawfully obtained information. 2025-02-17

American Federation of State, County and Municipal Employees, AFL-CIO v. Social Security Administration (D. Md.)

Case No. 1:25-cv-00596

Complaint

2025-02-21

Overview: Three labor unions sued the Social Security Administration (“SSA”) and the Department of Government Efficiency (“DOGE”), challenging the access to sensitive

personal data of millions of Americans which SSA gave to DOGE. The unions argue that the access violates multiple federal laws and the Constitution. The unions have asked the court to declare DOGE's access to SSA data unlawful, require DOGE return to delete the data, and stop any further sharing of information and access.

Case Summary: Plaintiffs filed a lawsuit challenging the U.S. Department of Government Efficiency's access to Social Security Administration data and systems. They allege that allowing DOGE to access private citizens' sensitive data violates several laws, including the Internal Revenue Code, the Privacy Act, the Federal Information Systems Modernization Act, the E-Government Act, and the Administrative Procedure Act. They further allege that Acting SSA Commissioner Leland Dudek's exercise of significant authority without nomination or confirmation violates the Appointments Clause of the U.S. Constitution. Plaintiffs ask the court to declare DOGE's access to SSA data and systems unlawful, order DOGE to disgorge or delete any unlawfully obtained data, and prohibit any further efforts by either DOGE or SSA to enable DOGE to access SSA data or systems.

Update 1: On Mar. 7, the plaintiffs filed an amended complaint.

Update 2: On Mar. 7, the plaintiffs filed a motion for a temporary restraining order, preliminary injunction, and/or stay.

Update 3: On Mar. 20, Judge Ellen Lipton Hollander granted a temporary restraining order.

Update 4: On Mar. 21, Judge Ellen Lipton Hollander issued two Letters to Counsel clarifying the scope of the temporary restraining order in the face of reporting that Acting SSA Commissioner Dudek claimed that the TRO required terminating all SSA employees' access to SSA systems. The first letter clarifies that the TRO applies only to the 10 DOGE employees the government said were "assigned to SSA to further the DOGE agenda." The second letter clarifies that other SSA employees are not subject to the TRO, and that SSA may "provide access to redacted or anonymized data or records to the DOGE Team, subject to proper training and the like," as well as non-anonymized data "subject to certain conditions."

Update 5: On Mar. 24, Defendants filed a notice to appeal the TRO. 2025-03-24

Executive Action: "Fork Directive" deferred resignation offer to federal employees (OPM Directive)

American Federation of Gov't Employees, AFL-CIO v. Ezell (D. Mass)
Case No. 1:25-cv-10276
Complaint

2025-02-04

Overview: Multiple labor unions sued the Office of Personnel Management (“OPM”), challenging the legality of the "deferred resignation" offer program. The offer, sent to nearly all federal employees, gives them the option to receive compensation until September 30, 2025 if they resign by February 6, 2025, where the unions say the implied alternative is earlier termination. The unions argue that the program violates the Constitution and federal laws. The unions have asked the court to declare the program unlawful, void the program, and immediately and permanently suspend the February 6 deadline. The court initially suspended the deadline until the court heard arguments from both sides; however, shortly after, the court removed the suspension and denied the unions’ requests on the basis that they had not followed correct procedures in filing the suit.

Case Summary: On January 28, 2025, the Office of Personnel Management sent an email to career federal employees presenting what it described as a deferred resignation program, an offer to receive compensation until September 30, 2025 if they resign now (“Fork Directive” email). A deadline for the offer was set for February 6, 2025. Plaintiffs filed suit, arguing the directive violates the Administrative Procedure Act (APA) because it is “arbitrary and capricious” and not in accordance with the Antideficiency Act. They seek a declaratory judgment that the directive violates the APA and that the directive be vacated; they also seek an preliminary and permanent injunction of the February 6, 2025 deadline and an order that OPM submit for court approval a corrected communication for all employees who received the directive.

Update 1: On Feb. 5, 2025, the plaintiffs requested a temporary restraining order and that within 24 hours of the TRO, the Government provide written notice of the TRO to all federal employees who have received the directive.

Update 2: On Feb. 6, 2025, Judge George O’Toole issued an order to pause the program and extend the deadline until Monday when a hearing is scheduled.

Update 3: On Feb. 10, 2025, Judge O’Toole ordered that the stay of the Feb. 6 deadline will remain in effect “pending the completion of briefing and oral argument on the issues.” Defendants notified the Court of their compliance with the order.

Update 4: On Feb. 12, 2025, Judge O’Toole dissolved the TRO and denied further preliminary injunctive relief, finding that the plaintiffs lacked Article III standing and that the court lacked subject matter jurisdiction over the claims asserted. 2025-02-12

Executive Action: Removal of independent agency leaders

Gwynne A. Wilcox v. Donald J. Trump et al (D.C. Cir.)

Case No. 25-5057 Court below: D.D.C.

Case No. 1:25-cv-00334

Complaint

2025-02-05

Overview: Gwynne Wilcox (a member of the National Labor Relations Board) sued President Donald Trump challenging her removal from the National Labor Relations Board as a violation of the National Labor Relations Act, claiming that Trump did not meet the standard required for Wilcox's removal under federal law and that Wilcox was not given notice and a hearing to contest her removal. Judge Beryl Howell ruled in favor of Wilcox, holding she was unlawfully removed from office. The Trump administration appealed and the case is now being heard in the U.S. Court of Appeals for the D.C. Circuit.

Case Summary: This case challenges President Trump's removal of Gwynne A. Wilcox from her position on the National Labor Relations Board. The suit alleges the removal is in violation of the National Labor Relations Act (29 U.S.C. § 151 et seq.), which allows the president to remove Board members only in cases of neglect of duty or malfeasance and only after notice and hearing. The Plaintiff is seeking relief under the Declaratory Judgement Act, 28 U.S.C. §§ 2201 and 2202, to establish that she remains a rightful member of the Board and that the President lacks authority to remove her. She also seeks an injunction against the Chairman of the National Labor Relations Board, who oversaw the termination.

Update 1: On Feb. 10, Plaintiff moved for expedited summary judgment.

Update 2: On Feb. 21, the government filed a cross-motion for summary judgment, arguing statutory restrictions protecting NLRB members unconstitutionally conflict with the President's Article II powers.

Update 3: On Mar. 6, Judge Beryl Howell granted the plaintiff's motion for summary judgment, and denied the defendant's cross motion for summary judgment. The court issued a declaratory judgment that Wilcox's firing was unlawful and that she remains a member of the NLRB; the court further ordered that Wilcox be allowed to continue to serve in office unless removed for cause under the NLRA, and enjoined defendants from removing Wilcox or impeding her from executing her duties.

Update 4: On Mar. 7, defendants appealed to the D.C. Circuit (Case No. 25-5057) and requested the district court issue a stay pending appeal. On Mar. 8, Judge Howell denied the motion to stay.

Update 5: On Mar. 10, the government filed an emergency motion with the D.C. Circuit to stay the district court's judgment pending appeal. On Mar. 11, Wilcox filed her response. On Mar. 13, the government filed a reply.

Update 6: On Mar. 28, the District Circuit, in a 2-1 decision, granted the Defendants' motion to stay the district court decision pending appeal.

Update 7: On Mar. 28, as well the Plaintiff submitted a notice of intent to petition for an en banc hearing, and to stay the order.2025-03-28

Cathy A. Harris v. Bessent et al (D.C. Cir.)

Case No. 25-5037 Court Below: D.D.C.

Case No. 1:25-cv-00412

Complaint

2025-02-11

Overview: Cathy A. Harris, a member of the Merit Systems Protection Board ("MSPB"), sued President Donald Trump for firing her from the MSPB without cause in violation of the Administrative Procedure Act. Harris asked the court to allow her to continue in her position while the lawsuit proceeds and to declare her removal unlawful. A federal court agreed Harris could remain in her role while the case is pending, ruling that Trump likely did not meet the standard required for her removal under applicable law. Trump appealed this ruling.

Case Summary: Plaintiff Cathy A. Harris challenges her removal from the Merit Systems Protection Board (MSPB), an independent federal agency. Plaintiff alleges that she received a one-sentence email from Trent Morse, Deputy Assistant to the President and Deputy Director of the White House Presidential Personnel Office, stating that Plaintiff had been terminated, effective immediately. Plaintiff, whose term on the MSPB was set to expire in 2028, alleges that she was unlawfully removed from her position without justification, despite the statutory requirement that MSPB members may only be removed for "inefficiency, neglect of duty, or malfeasance in office." She alleges the action was ultra vires and violated the Administrative Procedure Act. She seeks a declaratory judgment and injunction as well as an emergency temporary restraining order to reinstate her position on the MSPB.

Update 1: On Feb. 11, Plaintiff moved for a temporary restraining order declaring that her removal is unlawful and that she is a member of the MSPB, and enjoining obstructing her access to the office.

Update 2: On Feb. 18, Judge Rudolph Contreras granted the temporary restraining order and ordered that Harris continue to serve as Chair of the MSPB until the court rules on a preliminary injunction.

Update 3: On Mar. 4, Judge Contreras granted the plaintiff's motion for summary judgment. The court issued a declaratory judgment that Harris remains a member of the MSPB and that she may be removed by the President prior to the expiration of her term only for inefficiency, neglect of duty, or malfeasance in office. The court also enjoined defendants from removing Harris from office without cause.

Update 4: On Mar. 4, the government appealed to the D.C. Circuit and moved that the district court stay its order pending appeal.

Update 5: On Mar. 5, the district court denied the government's motion to stay its order pending appeal.

Update 6: On Mar. 6, the government filed an emergency motion with the D.C. Circuit to stay the district court's judgment pending appeal. On Mar. 10, Harris filed her response. On Mar. 12, the government filed a reply.

Update 7: On Mar. 28, the District Circuit, in a 2-1 decision, granted the Defendants' motion to stay the district court decision pending appeal.

Update 8: On Mar. 28, as well the Plaintiff submitted a notice of intent to petition for an en banc hearing, and to stay the order.2025-03-28

Grundmann v. Trump et al. (D.D.C)

Case No. 1:25-cv-00425

Complaint

2025-02-13 Overview: Susan Grundmann (former Chair of the Federal Labor Relations Authority) sued President Donald Trump challenging her removal from the National Labor Relations Authority as a violation of the Federal Service Labor-Management Relations Statute, claiming that Trump did not meet the standard required for Grundmann's removal under federal law and that Grundmann was not given notice and a hearing to contest her removal. A federal judge has ruled that her removal was unlawful and ordered her to be reinstated.

Case Summary: On Feb, 10, 2025, White House official Trent Morse sent a two-sentence email to Susan Grundmann stating that her position on the Federal Labor Relations Authority (FLRA), an independent agency, "is terminated, effective immediately."

Plaintiff Susan Grundmann challenges her removal from the FLRA. Plaintiff was Chair of the FLRA when she received the email from Morse, Deputy Director of the White House Office of Presidential Personnel. Plaintiff alleges she was improperly removed in violation of the Federal Service Labor-Management Relations Statute (5 U.S.C. § 7104),

which states that “Members of the Authority...may be removed by the President only upon notice and hearing and only for inefficiency, neglect of duty, or malfeasance in office.” Plaintiff seeks declaratory relief and an injunction ordering her reinstatement.

Update 1: On Feb. 14, Plaintiff filed a motion for preliminary injunction and summary judgment.

Update 2: On Feb. 25, defendants filed a cross motion for summary judgement and memorandum in opposition to the motion for a preliminary injunction

Update 3: On Mar. 12, Judge Sparkle Sooknanan granted Plaintiff’s motion for summary judgment, holding that her termination was unlawful and granting a permanent injunction reinstating her authority. 2025-03-12

Dellinger v. Bessent (D.D.C.)

Case No. 1:25-cv-00385-ABJ

CASE CLOSED

Complaint

2025-02-10

Overview: Hampton Dellinger, Special Counsel of the U.S. Office of Special Counsel, sued President Donald Trump for firing him without cause in violation of a statute saying he may only be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A federal judge allowed him to resume his position while the case proceeded through the courts. The Supreme Court rejected the government’s appeal of this decision on February 21. On March 5, 2025, the DC Circuit Court issued a 3-0 decision that effectively removed Dellinger from his position as Special Counsel of the U.S. Office of Special Counsel, and the following day Dellinger dropped his case.

Case Summary: Plaintiff Hampton Dellinger has been the Special Counsel in the Office of the Special Counsel (OSC) since Mar. 6, 2024, when he was nominated by the President and confirmed by the Senate for a five-year term. The OSC is an independent federal agency founded by Congress as part of the Civil Service Reform Act of 1978. Its primary function is to protect federal employees and others who come forward as whistleblowers. Once confirmed, the Special Counsel serves a five-year term and “may be removed by the President only for inefficiency, neglect of duty, or malfeasance in office.” On Feb. 7, 2025, Dellinger received a two-sentence email from Sergio Gor, informing Dellinger that he was terminated, effective immediately, and stating no cause for such termination. Dellinger is suing under six different counts and seeks a declaratory judgment that President Trump’s decision to fire him was unlawful, that the Special Counsel may only be removed for cause; and seeks an order that Dellinger may not be removed and is entitled to backpay. As precedent for the constitutionality of the statutory for-cause protection, Dellinger cites to Humphrey’s Executor.

Update 1: On Feb. 10, 2025, Judge Amy Berman Jackson issued an administrative stay on Dellinger's termination through midnight on February 13, 2025, while the parties submit their briefs.

Update 2: On Feb. 11, 2025, defendants appealed to the D.C. Circuit (case no. 25-5025), making an emergency motion to stay the district court's administrative stay.

Update 3: On Feb. 12, 2025, the D.C. Circuit dismissed the appeal for lack of jurisdiction.

Update 4: On Feb. 12, 2025, Judge Amy Berman Jackson of the D.C. District Court granted a temporary restraining order, ordering that Dellinger shall continue to serve as Special Counsel and prohibiting defendants from denying him the resources and materials of his office.

Update 5: On Feb. 13, Defendants filed an appeal to the D.C. Circuit (case no. 25-5028). In the District Court, their motion for a stay pending appeal was denied.

Update 6: On Feb. 15, the D.C. Circuit rejected the Defendant's appeal in a 2-1 opinion.

Update 7: The Government petitioned the U.S. Supreme Court asking the Justices to freeze and vacate the district court order that had temporarily reinstated Dellinger.

Update 8: On Feb. 21, the Supreme Court rejected (7-2) the Government's petition on the ground that a TRO was not properly subject to appeal at this stage.

Update 9: On Feb. 26, Judge Jackson extended the TRO ordering that Dellinger remain as Special Counsel for an additional three days until she "complete[s] the written opinion on the consolidated motion for preliminary injunction and cross motions for summary judgment" (indicating she will rule on that day, Mar. 1).

Update 10: On Mar. 1, Judge Jackson issued an Opinion and Order in favor of the Plaintiff. The Defendants immediately appealed to the DC Circuit.

Update 11: On Mar. 5, the DC Circuit in a 3-0 decision put a halt to the district court order pending the appeal. "This order gives effect to the removal of [Dellinger] from his position as Special Counsel of the U.S. Office of Special Counsel," the DC Circuit wrote.

Update 12: On Mar. 6, Dellinger announced that he was dropping his case.

Final Update: CASE CLOSED 2025-03-05

LeBlanc & Felten v. United States Privacy and Civil Liberties Oversight Board (D.D.C.)
Case No. 1:25-cv-00542
Complaint
2025-02-24

Overview: After all three Democratic members of the Privacy and Civil Liberties Oversight Board (“PCLOB”) were removed by the PCLOB, two of them sued to challenge their removal. By law, the PCLOB is required to have members from both Democrat and Republican parties. The plaintiffs argue that they were dismissed unlawfully on the basis of their political affiliation and not for good cause. They have asked the court to declare that the Board does not have the authority to remove them purely for political reasons, and to void the removals as unlawful. They have also asked the court to require the PCLOB (aside from the President) to reinstate and stop the PCLOB (aside from the President) from future removals not based on good cause.

Case Summary: On Jan, 27, 2025, the U.S. Privacy and Civil Liberties Oversight Board (PCLOB) purported to remove Plaintiffs, two Senate-confirmed members of the Board. Plaintiffs represent two out of three Democratic members of the Board, which is required by statute to have Democratic and Republican members. Plaintiffs allege that the text, structure, and function of the 9/11 Commission Act bars removal of PCLOB members without good cause. They also assert that by removing Board members solely on the basis of their political affiliation, defendants have acted “not in accordance with law.” They seek a declaration that the Defendants “have no authority” to remove Plaintiffs from the Board based on their political affiliation and for the court to “hold unlawful and set aside the purported removals.” They also seek an injunction prohibiting defendants (other than the President) from removing them from their positions without good cause and enjoin defendants (other than the President) to restore them to those positions. 2025-02-24

Aviel v. Gor et al (D.D.C.)
Case No. 1:25-cv-00778
Complaint
2025-03-17

Overview: On Mar. 17, the President and CEO of the Inter-American Foundation (IAF) sued several federal officials and the Department of Government Efficiency (DOGE) involved in her purported termination from her position at the IAF. She has asked the court to order that she cannot be removed from her role on the basis that her removal violates the Administrative Procedure Act, the Inter-American Foundation Act, and the Constitution. 2025-03-17

Slaughter and Bedoya v. Trump (D.D.C.)
Case No. 1:25-cv-00909

Complaint

2025-03-27

Overview: Rebecca Slaughter and Alvaro Bedoya, two Democratic Commissioners of the Federal Trade Commission (FTC) who were recently terminated by President Trump, have sued Trump and the Republican Commissioners and Executive Director of the FTC alleging that their removal was unconstitutional and unlawful because it was not the result of “inefficiency, neglect of duty, or malfeasance in office.” They have also asked the court to order the Republican Commissioners and Executive Director to treat them as FTC Commissioners.

Case Summary: On Mar. 18, Rebecca Slaughter and Alvaro Bedoya, two Democratic Commissioners of the Federal Trade Commission (FTC), received a message from President Donald Trump announcing they were being removed from their positions as FTC Commissioners effective immediately on the basis that their “continued service on the FTC is inconsistent with [Trump’s] Administration's priorities.”

Slaughter and Bedoya have sued Trump, as well as the Republican Commissioners of the FTC, Andrew Ferguson and Melissa Holyoak, and the FTC’s Executive Director, David Robbins, on the basis that such a removal violates the FTC Act, the Administrative Procedure Act, and the separation of powers doctrine. Plaintiffs are asking the court to declare Trump’s termination unlawful because it was not undertaken based on “inefficiency, neglect of duty, or malfeasance in office” and to enter an injunction against Ferguson, Holyoak, and Robbins ordering them to treat plaintiffs as FTC Commissioners. 2025-03-27

Executive Action: Dismantling of USAID (Executive Order 14169) (State Dept stop-work order)

American Foreign Service Association v. Trump (D.D.C.)

Case No. 1:25-cv-00352

Complaint

2025-02-06

Overview: Two unions sued the Trump administration, challenging its efforts to dismantle the United States Agency for International Development (“USAID”). The unions argue that the efforts are unconstitutional, violate federal law, and exceed the scope of agency authority. The unions have asked the court to declare the administration’s actions unlawful and unconstitutional, and immediately stop the administration’s efforts by appointing an independent administrator, restoring funding, and voiding the suspension of employees. The court initially stopped the administration from suspending employees but did not restore funding; however, on February 21, 2025, the court reversed its earlier temporary restrictions on the administration, on the basis that the dispute could be resolved outside of the court. On March 10, 2025, the unions filed a new motion arguing that the court should have jurisdiction to decide this dispute.

Case Summary: On Jan. 20, 2025, the Trump administration issued an executive order including a 90-day pause in “foreign development assistance,” and the Secretary of State then issued stop-work orders for United States Agency for International Development (USAID) foreign assistance grants. Later, Secretary of State Rubio was named as acting USAID Administrator and USAID contractors were laid off or furloughed. On Feb. 3, Elon Musk posted that he had spent the previous weekend “feeding USAID to the woodchipper,” and USAID headquarters in Washington, D.C. was closed. On Feb. 4, a message was posted on the USAID website that all directly-hired USAID staff would be placed on administrative leave as of 11:59pm EST on Friday, Feb. 7, 2025. Plaintiffs sued, arguing executive actions either to dissolve USAID or merge it with the State Department are unconstitutional violations of the separation of powers and the Take Care Clause; and unlawful under of the Administrative Procedure Act by exceeding statutory authority, violating the Further Consolidated Appropriations Act, and involving arbitrary and capricious abuses of discretion. Plaintiffs seek a declaratory judgment that the administration’s actions are unlawful and unconstitutional; a temporary restraining order and preliminary injunction directing the administration to halt efforts to shut down the agency, including by appointing an independent administrator, restoring grant funding, recalling furloughs, and halting efforts to place more employees on administrative leave, among other actions. Plaintiffs also seek court supervision, and a permanent injunction barring the administration from taking action to dissolve USAID absent congressional authorization.

Update 1: On Feb. 7, Judge Carl J. Nichols issued a temporary restraining order preventing USAID from placing employees on administrative leave or evacuating them. He rejected the plaintiffs’ request for a restraining order on the funding freeze on the ground that the plaintiffs (USAID employees) could not show sufficient harm to themselves.

Update 2: On Feb. 13, the court extended the TRO until Friday, Feb. 21, at 11:59 PM. Judge Nichols also amended the TRO’s statement to clarify that no USAID employees can be involuntarily evacuated from their host countries while the TRO remains in place.

Update 3: On Feb. 14, the Government submitted a declaration by Pete Marocco, who performs the duties and functions of both Deputy Administrators of USAID; the declaration responds to the court’s questions about government actions to protect USAID employees abroad subject to administrative leave or in the event of employees staying voluntarily beyond the time of an evacuation.

Update 4: On Feb. 21, Judge Nichols issued an Order and Memorandum Opinion rejecting the preliminary injunction and dissolving the TRO. His reasoning included that plaintiffs do not face irreparable harm after a series of concessions from Deputy

Administrator Morocco, and that they could pursue remedies with administrative bodies governing disputes between the federal government and civil servants.

Update 5: On Mar. 10, Plaintiffs moved for summary judgment, arguing that the court (not administrative bodies) has jurisdiction over the claim, and that Defendants' actions violate both the Constitution and the Administrative Procedure Act.

Update 6: On Mar. 11, Plaintiffs moved for a temporary restraining order alleging potential destruction of documents, including a copy of an internal email from Acting Executive Secretary of USAID Erica Carr to staff.

Update 7: On Mar. 12, the Defendants responded to the Mar. 11 motion for a temporary restraining order and included an affidavit by Carr. The defendants stated that the instruction to destroy documents "had nothing to do with this litigation," was done to clear space formerly occupied by USAID, and were copies "where the originally classified document is retained by another government agency and for which there is no need for USAID to retain a copy."

Update 8: On Mar. 14, the Plaintiffs dropped their Mar. 11 motion on destruction of documents based on the Defendants' assurances. 2025-03-14

AIDS Vaccine Advocacy Coalition v. United States Department of State (D.D.C.)

Case No. 1:25-cv-00400

Complaint

2025-02-10

Overview: Two nonprofit organizations sued the Trump administration over the suspension of United States Agency for International Development ("USAID") funding. The organizations argue that the suspensions have harmed their work and employees, exceed the President's scope of authority, and violate the Constitution. The organizations have asked the court to declare the suspension unlawful, immediately reinstate funding, and stop enforcement of the suspension. The court stopped the enforcement of a blanket suspension of funding but did not stop the underlying Executive Order (EO 14169) which affects employment and contracts. The organizations subsequently argued that the administration failed to comply with the order, to which the court ordered enforcement on the administration but did not expressly acknowledge any noncompliance. The Trump administration appealed this case up to the US Supreme Court. On March 5, 2025, the Supreme Court decided that the administration must continue to pay already appropriated foreign assistance funds.

Case Summary: On Jan. 20, 2025, the Trump administration issued an executive order including a 90-day pause in "foreign development assistance," and the Secretary of State

then issued stop-work orders for United States Agency for International Development (USAID) foreign assistance grants.

Plaintiffs, AIDS Vaccine Advocacy Coalition (AVAC) and Journalism Development Network (JDN), sued for declaratory and injunctive relief to stop the implementation of the Executive Order and the stop-work order. Plaintiffs are two nonprofit organizations that receive federal grants from USAID to support their work. Both AVAC's and JDN's funding was appropriated by Congress through the Further Consolidated Appropriations Act. Plaintiffs allege the Executive Order and stop-work order have been detrimental to their work, forcing them to lay off staff, slashing their budgets, and impacting their ability to carry out their missions. They allege the President acted ultra vires and usurped legislative authority. They also allege the President has violated the Take Care Clause. Plaintiffs' claims against the State Department, USAID, Secretary of State Marc Rubio, Office of Management and Budget (OMB), and OMB Director Vought are that the stop-work orders are arbitrary and capricious in violation of the Administrative Procedure Act, the Anti-Deficiency Act (as an "unlawful reserve"), and the Impoundment Control Act. Plaintiffs seek a declaration from the court that the suspension of foreign aid is unlawful, an injunction stopping defendants from enforcing the Executive Order, and an order to immediately reinstate foreign assistance funding.

Update 1: On Feb. 12, Plaintiffs moved for a TRO enjoining Defendants from enforcing the Executive Order and State Department policy, enjoining stop-work orders, and reinstating foreign assistance funding and administration.

Update 2: On Feb. 13, the court granted a TRO in this case and *Global Health Council v. Trump* on narrower terms than originally requested. The order enjoins implementation on the blanket suspension of foreign aid funding, but does not enjoin enforcement or implementation of Executive Order 14169, individual personnel decisions, or termination of individual contracts.

Update 3: On Feb. 19, Plaintiffs filed an emergency motion for contempt seeking to enforce the Feb. 13 TRO against Defendants and hold them in civil contempt. Plaintiffs allege that Defendants' purported compliance with the TRO "strains credulity" and that Defendants have continued to suspend funding and enforce stop-work orders in violation of the court's orders.

Update 4: On Feb. 20, the court granted in part plaintiffs' motion for enforcement of the court's TRO "to the extent Defendants have not complied with the terms of the TRO," but did not make a finding of contempt, citing "Defendants' explicit recognition that 'prompt compliance with the order' is required." The granted motion applies to this case and *Global Health Council v. Trump*.

Update 5: On Feb. 24, plaintiffs in *Global Health Council v. Trump* filed an emergency renewed motion to enforce the TRO. The court held a hearing the following day and, on

Feb. 25, granted the motion for a proposed order requiring the Administration pay all invoices and letter of credit drawdown requests for work completed prior to the TRO, as well as reimbursements on grants and assistance agreements by 11:59 pm on Wednesday, Feb. 26. The court further mandated that the Administration take no actions to impede and must ensure the prompt payment of appropriated foreign assistance funds going forward. The court also reportedly ordered the government to provide the court, by Feb. 26 at noon, with all internal directives to agency employees concerning compliance with the TRO.

Update 6: On Feb. 25, the Government submitted a notice of its decision to appeal the court's decision to the DC Circuit, and a motion to stay the court's order pending appeal.

Update 7: On Feb. 26, the district court rejected and the D.C. Circuit dismissed the Government's motion for a stay.

Update 8: On Feb. 26, the Government filed an application with the U.S. Supreme Court (while the decision before the D.C. Circuit was still pending) to vacate the district court's TRO and grant an immediate administrative stay. That evening, Chief Justice Roberts granted an administrative stay and ordered a response by the plaintiffs by Feb. 28 at 12:p.m. EST.

Update 9: On Feb. 28, the Plaintiffs filed its opposition to the application.

Update 10: On Mar. 5, the Supreme Court rejected the Defendants' petition in a 5-4 decision.

Update 11: On Mar. 6, Judge Amir H. Ali ruled from the bench that the government must make outstanding balances to the Plaintiffs by Mar. 10; but did not resolve the payments for foreign aid recipients other than the Plaintiffs, which total near \$2 billion.

Update 12: On Mar. 10, Judge Ali granted in part and denied in part the motion for a preliminary injunction. The judge ordered the government to pay nearly \$2 billion in foreign assistance for work performed before Feb. 13, but he did not reject the State Department's review and termination of thousands of foreign aid contracts for work after that date. He ruled that the plaintiffs were not likely to succeed on the claim that the latter actions flowed from the original government directives in violation of the law.
2025-03-10

Global Health Council v. Trump (D.D.C.)

Case No. 1:25-cv-00402

Complaint

2025-02-11

Overview: A group of organizations sued the Trump administration for defunding the United States Agency for International Development (“USAID”), laying off employees, and attempting to dismantle the agency. The group argues that these actions violated the Constitution and federal laws, and exceeded the authority of the agencies and the President. The group has asked the court to void all actions taken by the administration, and stop the administration from implementing the underlying Executive Order (EO 14169). The Trump administration appealed this case up to the US Supreme Court. On March 5, 2025, the Supreme Court decided that the administration must continue to pay already appropriated foreign assistance funds.

Case Summary: A group of for-profit and nonprofit organizations that contract with USAID sued the Trump administration over its recent actions to defund USAID, lay off or furlough employees, and transfer the Agency to be under the State Department. Plaintiffs provide a detailed chronology of the actions, memoranda, and statements that the Administration has issued. In addition to imperiling future projects by freezing future funds, plaintiffs also allege that there is money unpaid for services already performed. (\$3,376,832 for Democracy International, approximately \$120 million for DAI, \$103.6 million for Chemonics, and tens of millions for SBAIC’s members.) Plaintiffs allege that neither the President, nor the Secretary of State, nor the USAID Administrator have the authority to unilaterally withhold already-appropriated funds, citing the Constitution and statutory law prohibiting the unilateral withholding: the Impoundment Control Act and the Anti-Deficiency Act. Plaintiffs also claim violations of the Administrative Procedure Act; that the Executive’s actions were arbitrary and capricious, and contrary to statutory and constitutional law. Plaintiffs ask the court to vacate and set aside all of the defendants’ actions to implement Executive Order 14169 and seek injunctions to prevent defendants from continuing to implement EO 14169 and from “dismantling USAID.”

Update 1: On Feb. 11, Plaintiffs moved for a TRO enjoining implementation of the Executive Order and State Department Memorandum.

Update 2: On Feb. 13, the court granted a TRO in this case and AIDS Vaccine Advocacy Coalition v. United States Department of State on narrower terms than originally requested. The order enjoins implementation on the blanket suspension of foreign aid funding, but does not enjoin enforcement or implementation of Executive Order 14169, individual personnel decisions, or termination of individual contracts.

Update 3: On Feb. 20, the court granted in part plaintiffs’ motion for enforcement of the court’s TRO “to the extent Defendants have not complied with the terms of the TRO,” but did not make a finding of contempt, citing “Defendants’ explicit recognition that ‘prompt compliance with the order’ is required.” The granted motion applies to this case and AIDS Vaccine Advocacy Coalition v. United States Department of State.

Update 4: On Feb. 24, plaintiffs filed an emergency renewed motion to enforce the TRO. The court held a hearing the following day and, on Feb. 25, granted the motion for a proposed order requiring the Administration pay all invoices and letter of credit drawdown requests for work completed prior to the TRO, as well as reimbursements on grants and assistance agreements by 11:59 pm on Wednesday, Feb. 26. The court further mandated that the Administration take no actions to impede and must ensure the prompt payment of appropriated foreign assistance funds going forward. The court also reportedly ordered the government to provide the court, by Feb. 26 at noon, with all internal directives to agency employees concerning compliance with the TRO.

Update 5: On Feb. 25, the Government submitted a notice of its decision to appeal the court's decision to the DC Circuit, and a motion to stay the court's order pending appeal.

Update 6: On Feb. 26, the district court rejected and the D.C. Circuit dismissed the Government's motion for a stay.

Update 7: On Feb. 26, the Government filed an application with the U.S. Supreme Court (while the decision before the D.C. Circuit was still pending) to vacate the district court's TRO and grant an immediate administrative stay. That evening, Chief Justice Roberts granted an administrative stay and ordered a response by the plaintiffs by Feb. 28 at 12:p.m. EST.

Update 8: On Feb. 28, the Plaintiffs filed its opposition to the application.

Update 9: On Mar. 5, the Supreme Court rejected the Defendants' petition in a 5-4 decision.

Update 10: On Mar. 6, Judge Amir H. Ali ruled from the bench that the government must make outstanding balances to the Plaintiffs by Mar. 10; but did not resolve the payments for foreign aid recipients other than the Plaintiffs, which total near \$2 billion.

Update 11: On Mar. 10, Judge Ali granted in part and denied in part the motion for a preliminary injunction. The judge ordered the government to pay nearly \$2 billion in foreign assistance for work performed before Feb. 13, but he did not reject the State Department's review and termination of thousands of foreign aid contracts for work after that date. He ruled that the plaintiffs were not likely to succeed on the claim that the latter actions flowed from the original government directives in violation of the law.

2025-03-10

Personal Services Contractor Association v. Trump et al (D.D.C.)
Case No. 1:25-cv-00469
Complaint

2025-02-18

Overview: The Personal Services Contractor Association, representing contractors from the US Agency for International Development (“USAID”), challenged President Donald Trump’s Executive Order that suspended U.S. foreign aid and began dismantling USAID. They seek both an immediate temporary restraining order and a permanent injunction to prevent USAID's dismantling and the freezing of congressionally appropriated foreign assistance funds. On Mar. 6, a federal judge denied the contractors’ request for the temporary restraining order.

Case Summary: On Jan. 20, 2025, the Trump administration issued an executive order including a 90-day pause in “foreign development assistance,” and the Secretary of State then issued stop-work orders for United States Agency for International Development (USAID) foreign assistance grants.

The Personal Services Contractor Association filed suit on Feb. 18, 2025, challenging Executive Order 14169 and subsequent actions that effectively suspended U.S. foreign aid and began dismantling USAID. The plaintiffs, representing USAID contractors, allege these actions have caused severe disruption, including contractors being locked out of facilities and email, facing eviction overseas, losing access to healthcare, and being unable to carry out humanitarian aid work. The plaintiffs bring four causes of action: (1) violation of separation of powers against Trump, (2) violation of the Take Care Clause against Trump, (3) violation of the Administrative Procedure Act (APA) for arbitrary and capricious actions against all defendants except Trump, and (4) violation of the APA for actions not in accordance with law (including under the Impoundment Act and Anti-Deficiency Act) against all defendants except Trump. The plaintiffs seek both immediate temporary relief (to restore USAID contractors to their pre-January 20 employment status and work conditions) and permanent injunctive relief to prevent USAID's dismantling, its absorption into the State Department, and the freezing of congressionally-appropriated foreign assistance funds without congressional approval. They also request ongoing compliance monitoring through regular status reports.

Update 1: On Feb. 19, Plaintiffs submitted a motion for a temporary restraining order, including 13 Declarations as Exhibits.

Update 2: On Mar. 6, Judge Carl Nichols ruled from the bench denying the contractors' request for the temporary restraining order. Judge Nichols said the complaints should be adjudicated by the board of contract appeals or the U.S. Court of Federal Claims. The judge also said the plaintiffs had not established that they would suffer irreparable harm or that a TRO was in the public interest. 2025-03-06

Executive Action: Denial of State Department Funds

National Endowment for Democracy v. United States (D.D.C.)

Case No. 1:25-cv-00648

Complaint

2025-03-05

Overview: The National Endowment for Democracy (NED), a nonprofit organization focused on protecting democratic institutions, filed a lawsuit alleging that the administration withheld funds given to the NED by Congress. The NED asked the court to temporarily block the Executive Branch from further withholding funds while the case is pending, but this request has been put on hold as of Mar. 11 because the NED is in the process of receiving the federal funds in question.

Case Summary: The National Endowment for Democracy (NED) filed suit challenging the Executive Branch's withholding of funds appropriated to the Endowment by Congress. The NED was established by the National Endowment for Democracy Act of 1983. In the Act, Congress specified that the NED would be funded by annual congressional appropriations, which would then be disbursed to the Endowment via grants from the Department of State. The statute also prescribes that the Endowment must withdraw funds from an account held by the Department of Treasury on an as-needed basis.

The complaint alleges that for the past month, “the Executive Branch has denied the Endowment access to its congressionally appropriated funds—something that has never occurred before in the Endowment’s forty-two-year existence.” As a result, the Endowment claims it is “experiencing a devastating cash flow crisis that jeopardizes its ability to fulfill its mission and its very existence, as well as that of its core institutes and grantees.” The complaint alleges that the Executive Branch is obligated by the NED Act to grant the funds appropriated by Congress, and by not doing so, it is acting “contrary to law and in excess of statutory authority because the statutory scheme creates a mandatory, non-discretionary duty for Defendants to make available, obligate, and disburse the Endowment’s congressionally appropriated funds.” The complaint argues that the administration’s actions constitute an “unlawful impoundment” in violation of the Administrative Procedure Act, the All Writs Act, the Presentment Clause, the Appropriations Clause, the Take Care Clause, and the Separation of Powers. Plaintiffs seek declaratory and injunctive relief, a temporary restraining order and preliminary injunction barring Defendants from impounding the Endowment’s funds.

Update 1: On Mar. 6, plaintiffs filed a motion for a temporary restraining order. 2025-03-06

Dismantling the U.S. African Development Foundation (Executive Order 14127)

Brehm v. Marocco (D.D.C.)

Case No. 1:25-cv-00660

Complaint

2025-03-06

Overview: Ward Brehm, a U.S. African Development Foundation (USADF) Board member filed a lawsuit against Pete Marocco (recently appointed acting Chair of the USADF Board), DOGE, and President Donald Trump, alleging Trump's Executive Order eliminating certain government offices, including USADF, was unlawful. Brehm asked the court to temporarily block his own removal and Marocco's appointment while the case proceeds and/or to block the EO in its entirety. While the federal judge agreed to block Brehm's removal and Marocco's appointment on an immediate and short-term basis on March 6, on March 11, that same judge did not agree to further temporarily block the actions while the case proceeds from there.

Case Summary: On Feb. 19, President Trump issued Executive Order 14127, which directed that "non-statutory components and functions" of four government entities, including the U.S. African Development Foundation (USADF), "be eliminated," among other actions. On Feb. 21, DOGE allegedly demanded access to USADF information systems, and USADF staff informed them of legal requirements that DOGE employees would have to satisfy before access was provided. On Feb. 24, Ward Brehm, a member of the USADF Board, allegedly received notice from the White House Presidential Personnel Office (PPO) that he had been terminated. On Feb. 28, USADF management allegedly received a letter from PPO appointing Pete Marocco as acting Chair of the Board of USADF. On Mar. 3, previously appointed members of the Board allegedly held an emergency meeting and determined that Marocco's appointment was unlawful. On Mar. 5, Brehm allegedly informed DOGE that Marocco did not hold a position with USADF and instructed USADF staff to deny him access to its offices. On Mar. 6, Brehm in his personal and official capacity, filed suit against Marocco, DOGE, and President Trump, arguing the defendants actions are (1) an ultra vires violation of the African Development Foundation Act as Marocco was neither nominated to the Board nor confirmed by the Senate; (2) an ultra vires violation of the separation of powers; (3) a violation of the APA as not in accordance with the law and in excess of statutory authority. Brehm seeks a declaratory judgment that he is the President of USADF and Marocco's appointment was unlawful; preliminary and permanent injunctive relief; and, in the alternative, a writ of mandamus prohibiting his removal by any entity other than the Board. The same day, plaintiff filed a motion for a temporary restraining order.

Update 1: On Mar. 6, Judge Richard J. Leon issued an administrative stay prohibiting Brehm from being removed from office and Marocco from being appointed to the Board.

Update 2: On Mar. 11, Judge Leon issued a Memorandum Order denying the TRO request. "The heart of the problem is that Brehm has not identified any cognizable irreparable harm to himself as opposed to potential harm to the agency and its partners," Judge Leon wrote (emphasis in original). As an aside, Judge Leon wrote that "Brehm

raise[sic] a colorable Appointment Clause claim,” that the Vacancy Act does not permit the appointment of Marocco and “[t]he Court has not found—nor has the Government identified—any other statute that provides President Trump with the authority to appoint Marocco as the Acting Chairman of the Board.”

Update 3: On Mar. 21, the Plaintiff submitted a motion for summary judgment and for a preliminary injunction. 2025-03-21

Executive Action: Dismantling of Consumer Financial Protection Bureau

National Treasury Employees Union v. Russell Vought (D.D.C.)

Case No. 1:25-cv-00381

Complaint (Feb. 6, 2025)

Amended Complaint (Feb. 13, 2025)

2025-02-09

Overview: National Treasury Employees Union, representing employees across 37 federal agencies and departments including the Consumer Financial Protection Bureau (“CFPB”), challenged the Trump Administration's efforts to shut down the CFPB and requested a temporary restraining order against the CFPB and Acting Director Russell Vought. A federal judge ordered the Administration to stop deleting and removing records, terminating employees without cause, or disbursing funds except for operating expenses, while the case proceeds. The government appealed this order.

Case Summary: The Consumer Financial Protection Bureau (CFPB) was created by Congress in the aftermath of the 2007–2008 great recession, to support and protect American consumers in the financial marketplace. On Feb. 7, 2025, Elon Musk posted “CFPB RIP” with a tombstone emoji on his X account. On Feb. 8, Russell Vought, the Acting Director of the CFPB, posted on X that he had notified the Federal Reserve that CFPB would not take “its next draw of unappropriated funding because it is not ‘reasonably necessary’ to carry out its duties.” In an email to CFPB employees, Vought directed the CFPB workforce to “cease all supervision and examination activity,” “cease all stakeholder engagement,” pause all pending investigations, not issue any public communications, and pause “enforcement actions.” He also notified the CFPB workforce that the Washington headquarters would be closed for the coming week. Plaintiffs allege that preventing CFPB from drawing down more funding and ordering a halt on enforcement activities constitutes an unlawful attempt to thwart Congress’s decision to create CFPB, which would be a violation of the separation of powers. They seek a declaratory judgment that Vought’s directives are unlawful and an injunction that prevents him from further attempts to dismantle CFPB’s supervision and enforcement work

Update 1: On Feb. 13, Plaintiffs moved for an administrative stay and TRO enjoining defendants from taking action to terminate CFPB staff, requiring that cease work directives be lifted, and enjoining further efforts to suspend operations at CFPB.

Update 2: On Feb. 14, 2025, the court ordered that the defendants not delete, destroy, remove, or impair records; terminate any employee other than for cause or issue any notice of reduction-in-force to any CFPB employee; or disburse any funds, except to satisfy CFPB's operating obligations, pending the resolution of plaintiffs' motion for a TRO. The order also reclassified plaintiffs' motion for a TRO as a motion for a preliminary injunction.

Update 3: On Feb. 24, the government filed a memorandum in opposition to the plaintiff's motion for a TRO and preliminary injunction.

Update 4: On Mar. 12, both parties filed a joint notice agreeing to extend the contract termination agreement until Mar. 28 or until the court rules on Plaintiffs' preliminary injunction, whichever comes first. The CFPB agreed to continue to freeze all termination actions regarding contracts during this period.

Update 5: On Mar. 28, Judge Amy Berman Jackson granted a preliminary injunction.

Update 6: On Mar. 29, the government appealed Judge Jackson's preliminary injunction order to the D.C. Circuit. 2025-03-29

Mayor and City Council of Baltimore et al. v. CFPB (D. Md.)

Case No. 1:25-cv-00458-ABA

Complaint

2025-02-12

Overview: The Mayor and City Council of Baltimore, along with nonprofit Economic Action Maryland Fund, sued the Consumer Financial Protection Bureau ("CFPB") and Acting Director Russell Vought challenging their actions to defund and halt operations at the CFPB. A federal judge ordered the Administration to stop transferring or relinquishing control of reserve funds, returning any reserve funds to the Federal Reserve or the Department of Treasury, or otherwise reducing funds except for operating expenses while the case proceeds.

Case Summary: On Feb. 7, 2025, President Trump named OMB Director Russell Vought as the Acting Director of the Consumer Financial Protection Bureau (CFPB). On Feb. 8, Vought instructed CFPB employees to stop performing any work tasks and notified the Federal Reserve Board of Governors that he was requesting \$0 for the third quarter of fiscal year 2025. Plaintiffs allege that these and other statements and actions by Vought, President Trump, and Elon Musk indicate that the CFPB will be deprived of operating

funds and will be unable to perform its statutorily mandated functions. Plaintiffs allege that the Baltimore City Law Department has an active account with the CFPB and uses the CFPB customer complaint database and attends trainings put on by the CFPB. Plaintiffs also claim injury because their constituents will be deprived of the CFPB's enforcement actions against predatory business practices. The second plaintiff, Economic Action Maryland Fund, is a direct services nonprofit that operates in Maryland. For part of its work, the organization relies on the CFPB complaint databases and other resources CFPB publishes under the Home Mortgage Disclosure Act. Plaintiffs claim that defendants' actions violate the Administrative Procedure Act (including that Vought's actions allegedly violate the statutory requirement for the Director to request transfer of an amount "reasonably necessary to carry out the authorities of the Bureau under Federal consumer financial law." Plaintiffs seek a declaratory judgment saying as much, as well as an injunction that would prevent defendants from defunding CFPB.

Update 1: On Feb. 12, Plaintiffs moved for a TRO enjoining defendants from defunding the CFPB, to which the government responded in opposition on Feb. 20.

Update 2: On Feb. 25, Judge Matthew J. Maddox issued an order that prevented the defunding of CFPB, and on Feb. 28, the judge issued an order extending that directive for another 14 days. 2025-02-28

Dismantling/Restructuring of the Department of Education (Executive Order of Mar. 20, 2025)

State of New York v. McMahon (D.Mass)
Case No. 1:25-cv-10601
Complaint
2025-03-13

Overview: Twenty states and the District of Columbia requested the court to halt the announced Department of Education (DOE) and the Trump administration's planned Reduction in Force (RIF) of half of the remaining employees of the DOE and closure of the DOE. The states based their claims on violations of the constitutional separation of powers and the Executive's duty of care to execute laws, and as arbitrary and capricious under the Administrative Procedure Act.

Case Summary: On March 13, the Attorneys General of twenty states and the District of Columbia sued the DOE and the Trump administration to halt a planned Reduction in Force (RIF), which would reduce DOE's staff of 4,133 by approximately 1,378. The RIF is itself only an announced "first step" in a "total shutdown" by Secretary of Education Linda McMahon, the complaint alleges. The suit points to statutory authority that

mandates DOE functions under the 1979 Department of Education Organizing Act and other Acts including the Elementary and Secondary Education Act (1965) and Individuals with Disabilities Education Act (1975), and other education, disability, and civil rights laws. It states the Secretary of DOE is only authorized to reorganize by “allocat[ing] or reallocat[ing] functions among the officers of the Department” or modifying “organizational entities within the Department as may be necessary or appropriate,” 20 U.S.C. § 3473(a). Under counts alleging constitutional violations, ultra vires (acts outside of statutory authority), and violations of the Administrative Procedure Act, the states move the Court to vacate efforts to “dismantle” the DOE, to declare them illegal, and to enjoin the RIF.

Update 1: On Mar. 24, Plaintiffs submitted a motion for a preliminary injunction. 2025-03-24

Carter v. Department of Education (D.D.C.)

Case No. 1:25-cv-00744

Complaint

2025-03-14

Overview: Two parents and the Council of Parent Attorneys and Advocates have sued the U.S. Department of Education (DOE), Secretary of Education Linda McMahon, and Acting Assistant Secretary for Civil Rights Craig Trainor, challenging their alleged reduction of staffing at the Department’s Office of Civil Rights (OCR) and the OCR’s freezing of investigations into complaints alleging race- and sex-based discrimination. Plaintiffs allege that these actions have inhibited OCR’s ability to process and investigate complaints from the public.

Case Summary: Shortly after President Donald Trump’s inauguration, the DOE allegedly froze all investigations with OCR, which is responsible for processing and investigating civil rights complaints by the public. On Mar. 6, 2025, Secretary of Education Linda McMahon ended this “pause” on OCR complaint processing, but has since allegedly closed seven of twelve regional OCR offices and laid off many of the employees at the remaining offices. Plaintiffs, two parents and the Council of Parent Attorneys and Advocates, Inc., filed suit, alleging that the Trump administration’s actions violate the Administrative Procedure Act (as arbitrary and capricious and not in accordance with congressional statutes including the Impoundment Act), exceed Defendants’ lawful authority, and violate the Equal Protection guarantee under the Due Process Clause of the Fifth Amendment. Plaintiffs seek a declaratory judgment that Defendants’ actions are unlawful and injunctive relief to restore OCR’s complaint processing capacities. 2025-03-14

Somerville Public Schools v. Trump (D. Mass.)

Case No. 1:25-cv-10677

Complaint

2025-03-24

Overview: Public school districts in Massachusetts and unions representing their employees have sued President Trump, Secretary of Education Linda McMahon, and the U.S. Department of Education, challenging a reduction in force that Trump has characterized as a step toward closing the Department of Education without Congressional action.

Case Summary: On Mar. 11, Secretary of Education Linda McMahon initiated a reduction in force eliminating the positions of roughly 2,000 employees, or almost half of the Department of Education's workforce. On Mar. 20, President Trump issued an Executive Order ordering McMahon to "take all necessary steps to facilitate the closure of the Department of Education."

Plaintiffs, including public school districts that rely on Department of Education funding and unions representing employees in those school districts, sued, alleging that Congress has exclusive authority to create or eliminate government agencies such that the government's actions violate the Separation of Powers and are Ultra Vires. The Plaintiffs also allege that the government's actions violate various prohibitions contained in the Administrative Procedure Act (including "arbitrary and capricious conduct;" excess of government authority; and action not in accordance with law). Plaintiffs seek declaratory judgment that Trump and McMahon's actions are unlawful and preliminary and permanent injunctions against the reduction in force and further efforts to dismantle the Department of Education. 2025-03-24

Executive Action: Actions Toward US Institute of Peace

US Institute of Peace v. Jackson (D.D.C.)

Case No. 1:25-cv-00804

Complaint

2025-03-18

Overview: On Mar. 18, the United States Institute of Peace ("USIP"), an independent nonprofit corporation, and several of its Board members filed suit against several officials and entities within the federal government. The Plaintiffs argue that President Trump's removal of the Board members without following the process mandated by the congressional statute that created and governs USIP is unlawful. They also challenge as unlawful the decision by ex officio Board members Marco Rubio, Pete Hegseth, and Vice Admiral Peter A. Garvin to fire USIP's President and appoint a new President. Finally they challenge the forcible takeover of USIP's headquarters by members of the Department of Government Efficiency. On Mar. 19, the Court denied Plaintiffs' motion for a Temporary Restraining Order.

Case Summary: On Feb. 19, President Trump issued an Executive Order (“EO”) mandating the reduction of the size of the federal government. The EO named the USIP, an independent nonprofit corporation created by Congress, as one of the entities covered by the EO. Since the EO was issued, all of USIP’s Board members were fired by President Trump. Several members of Trump’s cabinet who served as ex officio Board members fired USIP’s President and appointed a new President. Members of the Department of Government Efficiency (DOGE), with the help of law enforcement, physically trespassed onto USIP’s headquarters and forcibly took over the building. USIP, along with several Board members, filed suit against numerous Defendants, including President Trump, DOGE, and the ex officio Board members. The Plaintiffs argue that since Congress created USIP as an independent non-profit corporation outside of the Executive Branch, the President has no authority to take action towards USIP not permitted by the statute. They also argue that since the statute outlines the process through which Board members and the President may be removed and because that process was not followed, the removals are unlawful and without legal effect. The Plaintiffs seek preliminary and permanent injunctions ordering that the Board members and President cannot be removed or be treated as having been removed unless the Defendants follow the statutorily required procedure. They also seek injunctions prohibiting trespass against USIP’s real and personal property and prohibiting Defendants from exercising any access or control over USIP’s offices, computer systems, or records. Finally, the Plaintiffs request that the Court declare that the Board Member Plaintiffs remain members of the Board, the President remains in his position, and the President appointed by the ex officio Board members has not been lawfully appointed to any position in USIP.

Update 1: On Mar. 19, the Court denied the Plaintiffs’ motion for a Temporary Restraining Order (TRO). The Court said the Plaintiffs did not make a sufficient showing of a likelihood of success on the merits or irreparable harm. 2025-03-19

Executive Action: Termination of Inspectors General

Storch et al. v. Hegseth et al. (D.D.C.)

Case No. 1:25-cv-00415

Complaint

2025-02-12

Overview: Eight Inspectors General of federal departments and agencies sued the Trump Administration alleging their removal from positions as Inspectors General violated the Inspector General Act and asking the court to allow them to continue in their roles while the case proceeds. A federal judge reportedly told the Inspectors General to withdraw their request to continue in their roles while the case proceeds.

Case Summary: On Jan. 24, 2025, the White House sent two-sentence emails to several Inspectors General (IGs) of federal departments and agencies informing them that they had been terminated from their positions. Plaintiffs, eight IGs, subsequently lost access to their government email accounts and computer systems, and were barred from entering their offices, among other actions. They filed suit, arguing their removal violates the Inspector General Act, which requires Congressional notification 30 days before an IG is removed and substantive, case-specific rationale for removal. The suit also argues defendants' actions are ultra vires; and that plaintiffs are entitled to a writ of mandamus compelling defendants not to obstruct them in the exercise of their duties. They seek a declaratory judgment that the termination emails are legally ineffective and that plaintiffs remain lawful IGs in their agencies; and an injunction to prevent defendants from taking action to prevent plaintiffs from carrying out their duties as IGs.

Update 1: On Feb. 14, the judge reportedly told lawyers representing the fired inspectors general to withdraw their motion for a temporary restraining order. 2025-02-14

Executive Action: Large-scale reductions in force (Executive Order 14210)

National Treasury Employees Union v. Donald Trump (D.D.C.)

Case No. 1:25-cv-00420

Complaint

2025-02-12

Overview: Multiple unions have challenged President Donald Trump's executive order (EO) to reduce the federal workforce by stripping thousands of civil service members of their employment protections, allowing them to be fired without cause. The unions argue that mass firings, the "deferred resignation" program, and preparations for large-scale reductions in force ("RIFs") violate the Constitution and federal law. The unions have asked the court to declare these actions unlawful and stop agencies from implementing the RIFs and deferred resignation program.

Case Summary: On Feb. 11, 2025, President Trump issued an executive order instructing agency heads to "undertake preparations to initiate large-scale reductions in force (RIFs)." Plaintiffs allege that the executive order, along with the Office of Personnel Management's "deferred resignation program," violates separation of powers principles by undermining Congress's authority, and the Administrative Procedure Act by imposing RIFs contrary to regulations. They seek a declaration that mass firings and the deferred resignation program are unlawful, along with injunctions to prevent agency heads from implementing RIFs and OPM from extending, expanding, or replicating its deferred resignation program.

Update 1: On Feb. 14, plaintiffs filed a motion for a temporary restraining order.

Update 2: On Feb. 17, plaintiffs filed an amended complaint.

Update 3: On Feb. 20, Judge Christopher R. Cooper denied the motion for a temporary restraining order and preliminary injunction, ruling that the court lacked subject matter jurisdiction and claims must first be brought before the Federal Labor Relations Authority. 2025-02-20

Maryland et al. v. U.S. Department of Agriculture et al. (D. Md.)
Case No. 1:25-cv-00748-ABA
Complaint
2025-03-06

Overview: Plaintiff states have challenged President Donald Trump’s executive order (“EO”) instructing federal government agency heads to prepare to initiate large-scale reductions in their workforces (RIF). The Plaintiffs claim that the EO violates the Administrative Procedure Act and the regulatory requirements for initiating that type of workforce reduction. They seek the Defendant federal agencies to stop firing probationary employees, reinstate any employees who were fired as part of the mass terminations after President Trump’s second inauguration, not fire any employees pursuant to a RIF before reinstating the allegedly unlawfully terminated employees, and conduct any future RIFs lawfully.

Case Summary: On Feb. 11, 2025, President Trump issued an executive order instructing agency heads to “undertake preparations to initiate large-scale reductions in force (RIFs).” Plaintiff States allege that Defendant agencies violated the Administrative Procedure Act by not abiding by the necessary statutory and regulatory requirements for RIF procedures including a required 60-day notice to states and employees; and on ground that the procedures adopted were arbitrary and capricious. They seek declaratory and injunctive relief requiring the Defendant agencies to 1) cease the RIFs of probationary employees; 2) reinstate any employees who were fired as part of the mass terminations that followed President Trump’s second inauguration; 3) refrain from separating any employees pursuant to a RIF prior to reinstatement of the unlawfully terminated employees; and 4) conduct any future RIFs in accordance with applicable law, including providing advance notice to States

Update 1: On Mar. 7, plaintiffs filed a motion for a temporary restraining order.

Update 2: On Mar. 13, the district court granted plaintiffs’ motion for a temporary restraining order. Judge James Kelleher Bredar wrote that the government said “it dismissed each one of these thousands of probationary employees for ‘performance’ or other individualized reasons. On the record before the Court, this isn't true. There were no individualized assessments of employees. They were all just fired. Collectively.”

Update 3: On Mar. 14, the government filed a notice that it was appealing the TRO to the Fourth Circuit Court of Appeals.

Update 4: On Mar. 20, Plaintiffs filed a motion requesting that the court stay all purported terminations against probationary employees, reinstate all affected employees, and impose a preliminary injunction prohibiting any further reductions in force without following relevant legal requirements.

Update 5: On Mar. 21, plaintiffs moved to extend the TRO pending consideration of their motion for a stay and preliminary injunction.

Update 6: On Mar. 21, the Fourth Circuit Court of Appeals denied the government's motion for an administrative stay or a stay pending the resolution of an appeal.

Update 7: On Mar. 24, the government filed a motion opposing the plaintiffs' motion for a stay and preliminary injunction.

Update 8: On Mar. 26, Judge Bedar held a hearing on the motion for preliminary injunction.

Update 9: On Mar. 26, Judge Bedar ordered the parties to provide additional briefing on the implications of an injunction that was not national in scope by 10 am on Mar. 27.

Update 10: On Mar. 26, the Court extended the TRO that was set to expire on Mar. 27 to expire on Apr. 1 at 8 pm EDT instead.

Update 11: On Mar. 27, the Defendants filed a supplemental briefing pursuant to the Court's Mar. 26 order, arguing that any preliminary injunction should only apply to affected employees who worked in a Plaintiff State at the time of their removal. 2025-03-27

Executive Action: Termination of probationary employees

American Federation Of Government Employees, AFL-CIO v. Office of Personnel Management and Ezell (N.D. Cal.)

Case No. 3:25-cv-01780

(Ninth Circuit Case No. 25-1677)

Complaint (Feb. 19, 2025);

Amended Complaint (Feb. 23, 2025)

2025-02-19

Overview: A group of labor and nonprofit organizations are challenging the Office of Personnel Management's ("OPM") order to terminate federal employees en masse. The

organizations argue that the terminations have falsely cited performance reasons and violate the Constitution and federal law. The organizations also argue that the OPM has violated federal law by sending emails to employees requesting weekly updates on their work; Elon Musk further stated that failure to comply would be considered a resignation. The organizations have asked the court to declare the mass termination unlawful, void the mass termination order, and rescind unlawful terminations made so far. A federal judge has temporarily blocked the mass termination order and ordered the firings to be stopped and rescinded. The government has appealed for the Supreme Court to remove that temporary block.

Case Summary: On Feb. 13, 2025, the Office of Personnel Management and Acting Director Charles Ezell ordered federal agencies to terminate tens of thousands of probationary employees en masse. Probationary employees are members of the competitive service in their first year of employment or of the excepted service in their first two years of employment, and may also include long-time federal workers who have recently been employed in a new position or a new agency. Among the factual claims, Plaintiffs allege that Defendants sent agencies “standardized notices of termination, drafted by OPM, that falsely state that the terminations are for performance reasons.” Plaintiffs allege that the mass termination violates multiple requirements under the Administrative Procedure Act and separation of powers principles by overriding Congressional statutes authorizing and regulating agency hiring and firing. They seek a declaration that the mass termination is unlawful and a preliminary or permanent injunction setting aside OPM’s order, ceasing terminations pursuant to the order, and rescinding any prior unlawful terminations.

Update 1: On Feb. 23, Plaintiffs filed an amended complaint alleging that OPM further violated the APA by sending emails to government employees requesting updates on their week-to-week accomplishments and Musk’s stating that “[f]ailure to respond will be taken as a resignation.”

Update 2: On Feb. 27, Judge William Alsup reportedly ruled from the bench that OPM had no legal authority to issue directives for other agencies to fire probationary employees. Alsup noted that, due to jurisdictional issues, his order applies only to employees at six agencies (the National Park Service, National Science Foundation, Small Business Administration, Bureau of Land Management, and Department of Veterans Affairs, and Department of Defense), and that he could not directly order agencies to cease the firings. As for other agencies not covered, Alsup said, “I am going to count on the government to do the right thing, and to go a little bit further than I have ordered, and to let some of these agencies know what I have ruled.”

Update 3: On Feb. 28, Judge Alsup issued an Opinion and a written Order for a TRO. The Order states that OPM’s memos directing the termination of probationary workers

were “unlawful, invalid, and must be stopped and rescinded,” and that OPM must provide written notice of the order to the six agencies.

Update 4: On Mar. 13, Judge Alsup held a preliminary injunction hearing and, in ruling from the bench, granted and extended the TRO. Alsup directed counsel to file briefs by Mar. 21.

Update 5: On Mar. 13, the Defendants submitted a notice of appeal to the Ninth Circuit.

Update 6: On Mar. 17, the Ninth Circuit denied the government’s request for an administrative stay.

Update 7: On Mar. 24, the government filed an application requesting that the U.S. Supreme Court immediately stay the Northern District of California’s preliminary injunction.

Update 8: On Mar. 24, Judge Alsup issued two orders on the case. In one order, Alsup concluded that the district court does have subject-matter jurisdiction in the case, and therefore reversed the part of his earlier TRO ruling denying relief to plaintiffs. In the second, he ordered the government to show cause that relief should not be extended to plaintiffs by Mar. 28.

Update 9: On Mar. 26, the Ninth Circuit denied Defendants’ emergency motion to stay the preliminary injunction.

Update 10: On Mar. 26, Plaintiffs filed a motion to compel compliance with the preliminary injunction or hold Defendants in contempt, arguing that Defendants have failed to reinstate terminated employees and notify them of the unlawful terminations as ordered by the court on Feb. 27.

Update 11: On Mar. 27, one Plaintiff – the State of Washington – filed a motion for preliminary injunction, requesting that the court extend prior relief awarded to the class of Plaintiffs to itself, require Defendants to reinstate terminated probationary employees, and order Defendants to cease unlawful terminations. 2025-03-27

Executive Action: Assertion of Executive Control of Independent Agencies (Executive Order 14215)

Democratic National Committee v. Trump (D.D.C.)

Case No. 1:25-cv-00587

Complaint

2025-02-28

Overview: Three national committees of the Democratic Party sued President Donald Trump over his Executive Order (EO) asserting presidential control over independent regulatory agencies, specifically the Federal Election Commission. The committees argue that the EO violates the Federal Election Campaign Act and ask the court to block the EO from being enforced.

Case Summary: On Feb. 18, 2025, President Trump issued an executive order asserting that the Constitution vests all executive authority in the President, arguing that independent regulatory agencies exercise executive functions, and declaring the administration's policy that such agencies fall under the supervision and control of the President. Such supervision and control requires independent agencies to abide by the President and Attorney General's interpretations of the law. Plaintiffs, three national committees of the Democratic Party, filed suit as to how the order applies to the Federal Election Commission, an independent regulatory agency. They ask the court under the judicial review provisions of the Federal Election Campaign Act (FECA) to construe as constitutional the provisions of the Act that vest members of the Commission with authority to interpret it (rather than the President); and they argue the order violates the FECA. They seek declaratory judgment that the FECA is constitutional and that the executive order is unlawful as applied to the FEC; and they seek preliminary and permanent injunctive relief.

Update 1: On Mar. 11, plaintiffs filed a motion for a preliminary injunction, along with a memorandum reasserting that the EO violates FECA and that plaintiffs will suffer irreparable harm absent an injunction.

Update 2: On Mar. 14, Trump and Attorney General Pam Bondi, in their capacities as defendants, filed a motion to dismiss. In an accompanying memorandum, they assert that plaintiffs lack standing to sue and failed to properly state a claim and that the court lacks subject-matter jurisdiction to hear the case.

Update 3: On Mar. 21, the FEC and its individual commissioners, in their capacities as defendants, filed a motion to dismiss. In an accompanying memorandum, they assert various deficiencies in plaintiffs' suit, including failure to state a claim and lack of standing, ripeness, and subject-matter jurisdiction.

Update 4: On Mar. 25, Trump and Bondi, in their capacities as defendants, filed a memorandum opposing plaintiffs' motion for a PI, asserting that plaintiffs' claim lacks standing and ripeness and that plaintiffs have failed to establish imminent irreparable harm.

Update 5: On Mar. 25, the FEC and its individual commissioners, in their capacities as defendants, filed a memorandum opposing plaintiffs' motion for a PI, asserting that plaintiffs' alleged injuries are speculative and therefore neither imminent nor irreparable.

Update 6: On April 1, plaintiffs filed a reply in support of their motion for PI reiterating their position that the EO violates FECA and is causing irreparable harm. 2025-04-01

Executive Action: Disclosure of civil servant personnel records

Comans v. Department of Homeland Security (D.D.C.)

Case No. 1:25-cv-00624

Complaint

2025-03-04

Case Summary: On Feb. 11, 2025, plaintiff Mary Comans, a member of the Senior Executive Service serving as the CFO of FEMA, was fired. Her firing was announced in a Department of Homeland Security press release, which stated, "DHS will not sit idly and allow deep state activists to undermine the will and safety of the American people." Comans filed a complaint alleging that the actions of the administration violated the Privacy Act by (1) unlawfully disseminating protected information; (2) failing to collect information directly from Comans resulting in adverse determinations concerning her rights; (3) failing to accurately maintain her records; and (4) failure to make reasonable efforts to ensure her records are accurate. She seeks declaratory judgments that defendants' actions were unlawful and monetary damages. 2025-03-01

Executive Action: Layoffs within Bureau of Indian Education

Pueblo of Isleta v. Secretary of the Department of the Interior (D.D.C.)

Case No. 1:25-cv-00696

Complaint

2025-03-07

Overview: Three tribal nations and five Native American students are challenging recent actions by the Bureau of Indian Education ("BIE"), overseen by the Department of the Interior. The BIE implemented layoffs that resulted in degraded educational services at federally funded schools. The lawsuit argues that these actions violated the Administrative Procedure Act, federal laws requiring tribal consultation, and Native students' rights to quality education and safe school environments.

Case Summary: The BIE, overseen by the Department of the Interior, implemented layoffs (referred to as "Reductions in Force" or "RIF"s) and restructured its operations, resulting in degraded educational services at federally funded schools, including Isleta Elementary School and Haskell Indian Nations University.

The plaintiffs, three tribal nations (Pueblo of Isleta, Prairie Band Potawatomi Nation, and Cheyenne and Arapaho Tribes) and five Native American students sued the Department of the Interior and argued that these actions were arbitrary, capricious, and an abuse of agency discretion under the Administrative Procedure Act and violated federal laws requiring tribal consultation under 25 U.S.C. §§ 2003 and 2011. The plaintiffs seek a preliminary injunction to stop further staff reductions and restructuring, as well as a permanent injunction to ensure compliance with tribal consultation requirements and protect educational services for Native students. 2025-03-05

Executive Action: Rescission of Collective Bargaining (Sec. Noem Memorandum Feb. 27, 2025) (DHS Statement Mar. 7, 2025) (Executive Order of Mar. 27, 2025)\

American Federation of Government Employees AFL-CIO v. Noem (W.D. Wa.)

Case No. 2:25-cv-00451

Complaint

2025-03-13

Overview: A coalition of unions challenges the actions of Secretary of Homeland Security Kristi Noem, the Department of Homeland Security (DHS), the Transportation Security Administration (TSA), and TSA Senior Official Adam Stahl. The unions allege that the Defendants engaged in an unlawful and unilateral termination of a negotiated union contract that protects approximately 47,000 Transportation Security Officers (TSOs).

Case Summary: On Mar. 7, DHS announced it was “ending collective bargaining for the Transportation Security Administration's (TSA) Transportation Security Officers.” The action was taken pursuant to Sec. Noem’s memorandum of Feb. 27, 2025. On Mar. 13, 2025, a coalition of unions, including the AFGE, AFGE TSA Local 1121, the Communications Workers of America (“CWA”), and the Association of Flight Attendants-CWA (“AFA-CWA”) sued the Noem, the DHS, the TSA, and Stahl. The plaintiffs argue that the Trump administration’s termination of a negotiated union contract that protects approximately 47,000 TSOs (1) constitute unconstitutional retaliation against AFGE for exercising its right to advocate for federal workers, (2) violate Fifth Amendment due process, and (3) violate the Administrative Procedure Act. The plaintiffs seek immediate injunctive relief to prevent the administration from rescinding the existing contract, eliminating union representation, and stripping workers of their bargaining rights. 2025-03-13

National Treasury Employees Union v Trump (D.D.C.)

Case No. 1:25-cv-00935

Complaint

2025-03-31

Overview: National Treasury Employees Union (NTEU), a labor union that represents federal government employees, sued the Trump Administration alleging President Trump's Executive Order that terminates certain federal employees' collective bargaining agreements, including 12 such agreements negotiated by NTEU, is unlawful. NTEU has asked the court to block termination of these agreements.

Case Summary: On Mar. 27, President Trump issued an Executive Order (EO) that terminated certain federal employees' collective bargaining agreements, including nearly one dozen agreements negotiated by National Treasury Employees Union (NTEU), a labor union representing federal workers.

NTEU is bringing this suit against the President and the heads of certain NTEU-represented agencies, claiming that the EO will drastically reduce the number of employees it represents, diminishing the dues NTEU can collect and its influence at the bargaining table. NTEU alleges that the EO is unlawful and ultra vires on the ground that it conflicts with federal statutes (including on collective bargaining, 5 U.S.C. § 7103(b)(1)), and violates NTEU's First Amendment rights. NTEU asks the court to declare that the EO and the Office of Personnel Management (OPM) Guidance on the EO are unlawful and to enjoin all defendants other than Trump from implementing the EO and the OPM guidance on the EO. 2025-03-31

Government Grants, Loans and Assistance Executive Action: "Temporary Pause" of grants, loans, and assistance programs

National Council of Nonprofits v. Office of Management and Budget (D.D.C.)

Case No. 1:25-cv-00239-LLA

Complaint

2025-01-28

Overview: Small business and nonprofit recipients of federal funds sued the Office of Management and Budget ("OMB"), challenging their memo requiring every federal agency to pause any activities related to President Donald Trump's executive orders ("EOs"). The plaintiffs argue that OMB's memo violates the Constitution and federal law, and exceeds the scope of its authority. The plaintiffs have asked the court to declare the memo unlawful and unconstitutional, and stop the OMB from implementing or enforcing its memo. After the court temporarily stopped OMB from implementing the memo, OMB rescinded its memo but issued a statement that the underlying EOs on freezing federal funding was still in effect and would be implemented. The court subsequently issued a temporary block on OMB from implementing the funding freeze. On February 11, the plaintiffs requested the block be extended for the duration of the lawsuit and on February 25, the court granted the plaintiffs' request.

Case Summary: The Acting Director of the Office of Management and Budget issued a memorandum purported to "require every federal agency to temporarily pause" any

agency activities “that may be implicated by [President Trump’s] executive orders.” The plaintiff organizations, represented by Democracy Forward, are small businesses and nonprofits that receive federal funds. The suit sought a temporary restraining order to allow the Court “an opportunity to more fully consider the illegality of OMB’s actions,” alleging violations of the Administrative Procedure Act and the First Amendment.

Update 1: On Jan. 28, 2025, Judge Loren AliKhan of the District Court for the District of Columbia issued a temporary restraining order against the OMB policy to allow arguments from the plaintiffs and the government.

Update 2: On Jan. 29, 2025, the Government submitted a Notice that the OMB had rescinded the challenged memo. On the same day, the White House Press Secretary stated, “This is not a rescission of the federal funding freeze. It is simply a rescission of the OMB memo. Why? To end any confusion created by the court's injunction. The President's EO's on federal funding remain in full force and effect, and will be rigorously implemented.”

Update 3: On Feb. 3, 2025, Judge Alikhan issued a temporary restraining order blocking the OMB from implementing its funding freeze, finding that the Plaintiffs are likely to succeed in their claim that the directive was arbitrary and capricious under the APA, and that the post-complaint rescission of the memorandum was “disingenuous” and still causing irreparable injury. The order directed the OMB to release the frozen funds, notify agencies of this TRO, and file a status report on compliance by Feb. 7, 2025.

Update 4: On Feb. 11, Plaintiffs moved for a preliminary injunction to enjoin the Trump Administration from reinstating the funding freeze. The Government filed a memorandum in opposition to the motion, and plaintiffs replied. The hearing was held on Feb. 20.

Update 5: On Feb. 25, the court issued a memorandum opinion and granted the plaintiff’s motion for a preliminary injunction, enjoining the Trump administration from implementing, giving effect to, or reinstating under a different name the blanket freeze on disbursement of Federal funds. 2025-02-25

New York et al v. Donald J. Trump et al (D.R.I.)

Case No. 1:25-cv-00039

(First Circuit Case No. 25-1236)

Complaint

2025-01-28

Overview: The attorneys general of 22 states and the District of Columbia sued the federal Office of Management and Budget (OMB), challenging its directive to pause federal funding as a violation of the Administrative Procedure Act and the First

Amendment. While the OMB later rescinded the memo referred to in the states' complaint, the federal courts since then have ruled that the Trump Administration should release the funding freeze and the First Circuit of Appeals issued a voluntary dismissal of the Trump Administration's appeal of the Rhode Island District Court's ruling.

Case Summary: The Acting Director of the Office of Management and Budget issued a memorandum purported to "require every federal agency to temporarily pause" any agency activities "that may be implicated by [President Trump's] executive orders." The attorneys general of 22 states and the District of Columbia filed a lawsuit seeking preliminary and permanent injunctions against enforcement of the policy. The suit alleges that the policy violates the Administrative Procedure Act and the First Amendment.

Update 1: On Jan. 28, responding to *National Council of Nonprofits v. Office of Management and Budget*, Judge Loren AliKhan of the District Court for the District of Columbia issued a temporary restraining order against the OMB policy to allow arguments from the plaintiffs and the government.

Update 2: On Jan. 29, the Government submitted a Notice that the OMB had rescinded the challenged memo. On the same day, the White House Press Secretary stated, "This is not a rescission of the federal funding freeze. It is simply a rescission of the OMB memo. Why? To end any confusion created by the court's injunction. The President's EO's on federal funding remain in full force and effect, and will be rigorously implemented."

Update 3: On January 31, Judge McConnell issued a temporary restraining order against the OMB policy to allow the states to file their motion for a preliminary injunction. Judge McConnell's order notes that the case is not moot because "the alleged rescission of the OMB Directive was in name only and may have been issued simply to defeat the jurisdiction of the courts." The judge also wrote, "the States are likely to succeed on the merits of some, if not all, their claims."

Update 4: On Feb. 10, Judge McConnell granted Plaintiffs' motion to enforce the temporary restraining order. Judge McConnell noted the Plaintiff States presented evidence suggesting that Defendants "have continued to improperly freeze federal funds and refused to resume disbursement of appropriated federal funds" (citing three exhibits). Judge McConnell emphasized that this is a violation of the TRO and ordered Defendants to immediately restore frozen funding.

Update 5: On Feb. 14, the First Circuit issued a voluntary dismissal of defendants' motion to appeal the decision.

Update 6: On Mar. 6, Judge McConnell granted the plaintiffs' motion for a preliminary injunction. Defendants were enjoined from in any way impeding the disbursement of appropriated federal funds to the states.

Update 7: On Mar. 10, the defendants filed a notice of appeal of the preliminary injunction.

Update 8: On Mar. 24, the plaintiffs filed a renewed second motion to enforce the Court's preliminary injunction order entered on Mar. 6 as it pertains to the freezing of FEMA funds, claiming that the plaintiff states have continued to experience significant obstacles to accessing federal funds despite the Court's order.

Update 9: On Mar. 26, the First Circuit denied defendants' motion for a stay pending the appeal of the district court's preliminary injunction order. The First Circuit noted defendants did not meet their burden of proof in their motion.

Update 10: On Mar. 27, defendants filed their opposition to plaintiffs' renewed second motion to enforce the Court's preliminary injunction order on Mar. 6 as it pertains to the freezing of FEMA funds. Defendants argue the manual review process delaying the payment of FEMA funds is not equivalent to a pause or freeze of funds and is accordingly compliant with the district court's preliminary injunction order.

Update 11: On Mar. 31, plaintiffs filed their reply in support of renewed second motion to enforce the preliminary injunction, offering new facts regarding FEMA's manual review of grant programs and requesting that FEMA be ordered to halt its funding freeze. 2025-03-31

Shapiro et al. v. Department of Interior et al. (E.D. Pa.)

Case No. 2:25-cv-00763

Complaint

2025-02-13

Overview: Pennsylvania Governor Josh Shapiro and several Pennsylvania state departments sued the Trump Administration over a funding freeze implicating billions in already committed federal funds. The lawsuit alleges violations of the Administrative Procedure Act and the Constitution, seeking to restore the suspended funding.

Case Summary: The Plaintiffs—Governor Josh Shapiro of Pennsylvania and four Pennsylvania governmental departments—allege that five Executive Orders and a subsequent OMB Directive froze funds already appropriated to various departments and projects in Pennsylvania. The complaint describes five different communications from EPA, HHS, and DOE after the Jan. 27 OMB Directive. None of these communications identified specific programs or funds that would be terminated, and none cited any legal

authority. Much of this funding was appropriated under either the Infrastructure Investment and Jobs Act (IIJA) or the Inflation Reduction Act (IRA). The plaintiffs allege that, in total, the funding freeze jeopardizes at least \$5.5 billion that had been committed to Pennsylvania, and over \$1 billion of which had already been obligated. The plaintiffs note the ongoing litigation on the funding freeze, but they claim that, despite the court action – Jan. 31 TRO (D.R.I.), the Feb. 3 TRO (D.D.C.), the Feb. 7 motion to enforce the TRO (D.R.I.), and the Feb. 11 denial of the defendants’ motion for an administrative stay (1st Cir.) – as of Feb. 13, over \$1.2 billion in grant funding is suspended and more than \$900 million is marked as requiring further federal review before being approved. Plaintiffs claim that defendants’ actions violate the Administrative Procedure Act because they are contrary to law (contrary to the IRA and the IIJA) and are arbitrary and capricious. Plaintiffs also claim that defendants’ actions are unconstitutional, violating both the Take Care Clause and the Spending Clause. Plaintiffs seek a declaratory judgment that defendants’ actions are illegal and seek an injunction to prevent defendants from freezing or interfering with congressionally appropriated funds. 2025-02-13

Catholic Charities Diocese of Fort Worth, Inc. v. DHHS (D.D.C.)

Case No. 1:25-cv-00605

Complaint

2025-03-03

Case Summary: On Jan. 27, 2025, the Acting Director of the Office of Management and Budget issued a memorandum purported to “require every federal agency to temporarily pause all activities related to obligation or disbursement of all Federal financial assistance.” Despite the purported rescission of the memo days later, and temporary restraining orders requiring agencies to disburse funding, as of Mar. 3, 2025, federal funding apparently remained frozen.

Plaintiffs, who receive federal funding through the Department of Health and Human Services’ Office of Refugee Resettlement, allege that the funding freeze violates the Constitution’s Spending Clause, the Administrative Procedure Act, the Impoundment Control Act, and the Refugee Act of 1980. They seek declaratory judgment that the spending freeze violates statutory law and the Constitution and temporary, preliminary, and permanent injunctions against enforcement of any funding freeze against the plaintiffs. 2025-03-03

Corporation for Public Broadcasting v. Federal Emergency Management Agency (D.D.C.)

Case No. 1:25-cv-00740

Complaint

2025-03-13

Overview: The Corporation for Public Broadcasting (CPB), a DC-based nonprofit that manages the federal government’s investment in public broadcasting, brought a suit

against the FEMA for placing a hold on congressionally appropriated funds intended for the national emergency weather alert system. The nonprofit is seeking to block the hold and to prevent FEMA from interfering with any grant payments. On Mar. 17, a federal judge denied the nonprofit's request for a temporary block while the case proceeds.

Case Summary: On Feb. 19, 2025, FEMA placed a hold on grant funds that are due and owed under a grant awarded by the U.S. Department of Homeland Security (DHS) and FEMA to the Plaintiff relating to the Next Generation Warning System (NGWS) for the nation's emergency alert system. FEMA has not identified any reason for this hold. Plaintiff claims that FEMA's failure to allow CPB to submit reimbursements and receive payments owed to 42 sub-awardee public media stations, which have committed funds to purchase critical equipment for NGWS program upgrades and enhancements, is arbitrary and unlawful. Plaintiffs bring the suit under the Administrative Procedure Act arguing the government conduct is arbitrary and capricious, and they seek a TRO and preliminary injunction.

Update 1: Plaintiff filed a motion for a TRO on Mar. 13, 2025. Defendants filed a memorandum in opposition to the TRO on Mar. 15, and Plaintiff filed a reply on Mar. 16.

Update 2: On Mar. 17, 2025, Judge Timothy Kelly denied Plaintiff's motion for a TRO.
2025-03-13

Executive Action: Denial of federal grants

City of New York v. Trump et al. (S.D.N.Y.)
Case No. 1:25-cv-01510
Complaint
2025-02-21

Overview: New York City sued the Trump Administration after the Federal Emergency Management Agency ("FEMA") unexpectedly clawed back \$80 million in previously approved migrant housing funds. The City argues that the action violates federal rules and terms and conditions, and severely harms the City. The City has asked the court to declare that FEMA's actions were unlawful and require FEMA return the funds to the City.

Case Summary: On Feb. 11, 2025, FEMA clawed back \$80 million that it had disbursed to New York City one week earlier. The funds had previously been approved by FEMA as reimbursement under the Shelter and Services Programs (SSP) to offset the City's costs of providing housing and services for noncitizen migrants. Plaintiff alleges that FEMA had "reviewed and approved the City's request [for funds], and issued payment, [and yet] Defendants grabbed the money back without any administrative process

whatsoever.” The complaint alleges that Defendants attempted to cloak their actions “with a veneer of administrative process,” including by issuing a “noncompliance” letter to the City’s Office of Management and Budget with “Findings” that SSP funds were being used for “illegal activities.” Plaintiff alleges that the noncompliance letter was pretextual and that Defendants’ “real intent ... is to withhold the funds permanently because they oppose the purposes for which the funds were appropriated, awarded, approved, and paid.” Plaintiff sues for injunctive relief to compel Defendants to return the funds to the City. Plaintiff also seeks a declaration that Defendants’ actions are arbitrary and capricious, in excess of authority, and without observance of lawful procedures. In the interim, Plaintiff seeks a temporary restraining order and preliminary injunction ordering Defendants to return certain funds and to enjoin Defendants from taking further relevant grant money from the City.

Update 1: On Feb. 28, Defendants filed a memorandum of law in opposition to Plaintiff’s motion for preliminary injunction and temporary restraining order.

Update 2: On Mar. 3, Plaintiffs filed a reply memorandum of law in further support of the motion for preliminary injunction and temporary restraining order.

Update 3: On Mar. 20, Plaintiff filed an amended complaint (redline here). 2025-02-20

Climate United Fund v. Citibank (D.D.C.)

Case No. 1:24-cv-00698

Complaint

2025-03-08 Overview: : Climate United Fund, a nonprofit with grant funding from the Environmental Protection Agency (EPA), has brought a suit against the EPA and Citibank for the withholding of grant funds. The EPA ordered Citibank to freeze the funds, and Citibank is now withholding the funds, effectively terminating Climate United Fund’s grant. A federal judge has temporarily granted a limited block preventing the EPA and Citibank from implementing the grant termination and transferring the funds elsewhere.

Case Summary: Plaintiff Climate United Fund has brought suit against the EPA and Citibank for the withholding of its grant funding obtained from the EPA in 2024 through the National Clean Investment Fund (NCIF), a program under the Greenhouse Gas Reduction Fund (GGRF). The grant requires Climate United’s grant funds to be held at Citibank under a Financial Agent Agreement (FAA) between Citibank and the U.S. Treasury Department, and an Account Control Agreement (ACA) between Citibank, Climate

United, and EPA that sets forth the specific details for EPA to exercise “control” as a secured party. On Feb. 12, 2025, EPA Administrator Lee Zeldin made a public statement announcing EPA’s goal of taking back grant funds disbursed to Climate United Fund and

other recipients pursuant to the Inflation Reduction Act. The EPA and Zeldin then started to take multiple actions designed to suspend or terminate Climate United's grant. Citibank is now refusing to honor Climate United's disbursement requests despite contractual obligation to do so, citing the need for further direction from the EPA before disbursing any grant funds. Climate United Fund has been forced to defer compensation for some employees and will shortly run out of funds to pay operating expenses. Plaintiff seeks declaratory and injunctive relief to order Citibank to disburse funds, enjoin the EPA and Zeldin from impeding Citibank from disbursing funds, and enjoin the EPA and Zeldin from unlawfully suspending or terminating Climate United's grant award.

Update 1: On Mar. 10, Plaintiff filed a motion requesting a temporary restraining order ("TRO"). On Mar. 12, both Citibank and the EPA filed motions in opposition to the TRO.

Update 2: On Mar. 11, the EPA terminated Climate United Fund's grant. On Mar. 17, Plaintiff filed an amended complaint to include the unlawful termination of the grant.

Update 3: On Mar. 18, Judge Tanya Chutkan granted in part and denied in part Plaintiff's motion for a TRO, enjoining the EPA and Citibank from implementing the grant termination and transferring the funds elsewhere. 2025-03-18

Massachusetts Fair Housing Center v. Department of Housing and Urban Development (D. Mass)

Case No. 3:25-cv-30041

Complaint

2025-02-19

Overview:: A group of non-profit fair housing organizations brought a lawsuit against the Department of Housing and Urban Development (HUD) for the termination of Fair Housing Initiative Program (FHIP) grant funds. At the direction of the Department of Government Efficiency (DOGE), HUD terminated the funds without notice. The fair housing organizations asked the court to permanently or at least temporarily reinstate the terminated FHIP grants and prevent further terminations. On Mar. 26, the court temporarily reinstated the relevant FHIP grants and temporarily blocked further terminations.

Case Summary: At the direction of the Department of Government Efficiency (DOGE) under Executive Order (EO) 14158, the Department of Housing and Urban Development (HUD) terminated 78 Fair Housing Initiative Program (FHIP) grants on February 27, 2025. The Plaintiffs to this class action are several non-profit fair housing organizations whose FHIP grants were terminated. FHIP grants are congressionally-appropriated funds, and the termination of the FHIP grants impacts the fair housing initiatives in 33 states and has resulted in the halt of programming to groups protected by the Fair

Housing Act (FHA). HUD terminated these grants on the basis that they “no longer effectuate[] the program goals or agency priorities,” which Plaintiffs allege constitutes an arbitrary, capricious, and unlawful action by HUD and an ultra vires action by DOGE. Plaintiffs are seeking injunctive relief to reinstate the terminated grants.

Update 1: On Mar. 13, the same day the complaint was filed, plaintiffs filed an emergency motion for a temporary restraining order (TRO).

Update 2: On Mar. 21, defendants filed an opposition to plaintiffs’ emergency motion for a TRO.

Update 3: On Mar. 24, plaintiffs filed a reply in support of its emergency motion for a TRO updating its motion to seek preliminary relief against the HUD defendants only.

Update 4: On Mar. 26, following a hearing the day prior, the court granted the motion for an emergency TRO to temporarily enjoin the HUD defendants from terminating relevant FHIP grants and to reinstate those already terminated. 2025-03-26

American Public Health Association v. National Institutes of Health (D. Mass.)

Case No. 1:25-cv-10787

Complaint

2025-04-02

Overview:: In February 2025 the U.S. Department of Health and Human Services (HHS) terminated various grants for biomedical and behavioural research at the National Institutes of Health (NIH) and ceased considering certain categories of pending grant applications. On April 2, a group of leading health research organisations and research scientists sued the NIH; Jay Bhattacharya, the Director of the NIH; HHS; and Robert F. Kennedy, Secretary of HHS alleging that these terminations are unlawful under the Administrative Procedure Act (APA) and for the court to halt the government’s actions.

Case Summary: After President Trump issued Executive Orders 14151 and 14173, directing that federal funds should not be used to promote “gender ideology” or DEI, the NIH issued a series of documents articulating areas of research that “no longer effectuate[] agency priorities” (the “Directives”) and labelling certain topics of research, including DEI, transgender issues, vaccine hesitancy, and Covid, as forbidden topics. The NIH have allegedly subsequently terminated at least 678 research projects on a wide range of public health issues. Plaintiffs consist of four researchers who have either lost funding for grants or have had an application for a grant not considered, as well as the American Public Health Association (APHA), whose members have had grants canceled and whose journal is funded by the NIH; the United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) which represents many academic workers and graduate students who have had grants terminated, and Ibis Reproductive

Health, which also had a grant terminated. The complaint alleges that the NIH violated the APA in several ways: the terminations are “arbitrary and capricious”; were not in accordance with law, in particular 2 C.F.R. §200.340 (b) (2020), as they include no evidence as to why the grants were terminated; exceeded statutory authority as the congressional mandates specifically encourage studies involving diverse populations; and violated constitutional rights because of their failure to properly consider applications. Plaintiffs also allege that the vagueness of the criteria used for the terminations violates Fifth Amendment due process protections. Plaintiffs seek to have the terminations declared unlawful and both temporary and permanently enjoined, order NIH to restore grant awards, and order them to review all properly submitted applications. 2025-04-02

Executive Action: Reduction of indirect cost reimbursement rate for research institutions (NIH Guidance)

Commonwealth of Massachusetts v. National Institutes of Health (D. Mass.)

Case No. 1:25-cv-10338

Complaint

2025-02-10

Overview: 22 state governments sued the National Institute of Health (“NIH”), challenging NIH’s new policy that caps the amount of reimbursements available in medical research grants. The governments argue that the policy violates federal law and exceeds NIH’s authority. The governments have requested the court declare the policy unlawful and immediately and permanently block implementation of the policy. The court granted their request and has blocked the policy from implementation nationwide, and required reporting by NIH to ensure compliance.

Case Summary: The National Institutes of Health’s guidance imposes an across-the-board 15 percent reimbursement rate for “indirect costs” of medical research, which research institutions have historically negotiated on an individual basis. Plaintiffs, 22 state governments whose public research institutions will face hardship under the policy, allege that the policy violates the Administrative Procedure Act – including as an “arbitrary and capricious” change that failed to weigh reliance interests and that involves a reversal of fact-finding and as an action in excess the NIH’s statutory authority and in violation of Congress’s express directives in appropriating NIH funding. They seek declaratory judgment and a temporary restraining order and preliminary and permanent injunctions against implementing the policy in the plaintiff states. On Feb. 10, 2025, Judge Angel Kelley granted the plaintiffs emergency motion for a temporary restraining order and imposed a regular reporting requirement on the part of the administration to confirm compliance.

Update 1: On Mar. 5, 2025: Judge Kelley issued a nationwide preliminary injunction prohibiting implementation of the NIH Guidance “in any form with respect to institutions nationwide.” 2025-03-01

Association of American Universities, et al. v. Department of Health and Human Services, et al. (D. Mass.)

Case No. 1:25-cv-10346

Complaint

2025-02-10

Overview: Multiple academic institutions sued the Department of Health and Human Services (“DHHS”) and the National Institute of Health (“NIH”), challenging a new NIH policy that caps the amount of reimbursements available in medical research grants. The institutions argue that the policy violates the constitution and federal law, and exceeds NIH's authority. The institutions have asked the courts to declare the policy unlawful and to stop implementation of the policy. The court has their request and has blocked the policy from implementation nationwide.

Case Summary: National Institutes of Health (NIH) guidance imposes an across-the-board 15 percent reimbursement rate for “indirect costs” of medical research, which research institutions have historically negotiated on an individual basis. Plaintiffs, including associations representing universities and college and individual universities, allege the reduction in indirect cost rate to 15% will have immediate destructive effects on NIH-funded research. They sued, arguing the policy is unlawful under of the Administrative Procedure Act in that it (1) is contrary to law in that it departs from the Continuing Appropriations Act of 2024; (2) is contrary to law as it violates the Constitution’s Appropriation Clause; (3) is contrary to law as it departs from negotiated cost rates provided by 45 C.F.R. 75.414 and NIH Grants Policy Statement; (4) is an arbitrary and capricious abuse of discretion; (5) is contrary to law as it departs from HHS cost recovery regulations and policy guidance; (6) fails to observe required notice-and-comment procedures; (7) is contrary to law violates the Public Health Service Act; and (8) is in excess of statutory authority as a retroactive action. Plaintiffs seek a declaratory judgment that the policy is unlawful and preliminary and permanent injunctive relief. Later on Feb. 10, Plaintiffs filed a motion for a Temporary Restraining Order to prohibit Defendants from implementing the policy.

Update 1: On Mar. 5, 2025: Judge Kelley issued a nationwide preliminary injunction prohibiting implementation of the NIH Guidance “in any form with respect to institutions nationwide.” 2025-03-05

Association of American Medical Colleges v. National Institutes of Health (D. Mass.)

Case No. 1:25-cv-10340

Complaint

2025-02-10

Overview: Multiple nonprofit organizations sued the Department of Health and Human Services (“DHHS”) and the National Institute of Health (“NIH”), challenging a new NIH policy that caps the amount of reimbursements available in medical research grants. The organizations argue that the policy violates federal law, and exceeds NIH's authority. The organizations have asked the courts to stop implementation of the policy; the court has their request and has blocked the policy from implementation nationwide.

Case Summary: The National Institutes of Health’s guidance imposes an across-the-board 15 percent reimbursement rate for “indirect costs” of medical research, which research institutions have historically negotiated on an individual basis. Plaintiffs, including associations representing universities, hospitals, and health systems across the country, allege that the Rate Change Notice is invalid under the Administrative Procedure Act (“APA”) and seek to enjoin any actions taken to implement its directives. They argue that the Rate Change Notice is contrary to Health and Human Services’s (HHS) existing regulations and the 2024 Further Consolidated Appropriations Act. Moreover, they contend that it is arbitrary and capricious and failed to undergo required notice and comment rulemaking.

On Feb. 10, 2025, Judge Angel Kelley issued a nationwide temporary restraining order against the NIH policy.

Update 1: On Mar. 5, 2025: Judge Kelley issued a nationwide preliminary injunction prohibiting implementation of the NIH Guidance “in any form with respect to institutions nationwide.” 2025-03-05

Executive Action: Actions Toward Columbia University (Executive Order 14188) (Pause or Termination of Grants and Letter of demands)

American Association of University Professors v. United States Department of Justice (S.D.N.Y.)

Case No. 1:25-cv-02429

(Second Circuit Case No. 25-5072)

Complaint

2025-03-25

Overview: The American Association of University Professors and the American Federation of Teachers, two unions representing teachers and professors, have sued the U.S. Department of Justice, the U.S. Department of Education and other federal agencies asking the court to temporarily and/or permanently block the Trump Administration’s termination of federal funding to Columbia University and imposition of certain demands on the university on the basis that these actions violate the Civil Rights Act of 1964, the Administrative Procedure Act, and the Constitution.

Case Summary: On Jan. 29, President Trump signed an Executive Order titled “Additional Measures to Combat Anti-Semitism.” On Feb. 3, a task force was formed by the Department of Justice (DOJ) to carry out the mandate of the EO, and on that same day, the Department of Education (DOE) announced a Title VI investigation into Columbia University, which was followed by a review and termination of the university’s federal contracts and grants for approximately \$400M as well as a Mar. 13 letter to the university demanding certain structural changes. Plaintiffs, the American Association of University Professors and the American Federation of Teachers, brought a suit against the DOJ, DOE, and multiple other federal agencies and their respective officers arguing that the Trump Administration’s actions violate the Civil Rights Act of 1964; the Administrative Procedure Act; the First Amendment, the Fifth Amendment Due Process Clause, the Tenth Amendment anti-commandeering doctrine, and the Spending Clause of the Constitution, as well as separation of powers and ultra vires doctrines. Plaintiffs ask the court to declare unlawful the termination of funding to Columbia University and the demands made in the Mar. 13 letter. Plaintiffs also request a preliminary and permanent injunction requiring the Defendants to reinstate all federal grants and contracts and not withhold such funds in the future, and enjoining Defendants from enforcing the demands in the March 13 letter. Plaintiffs are also requesting compensatory and nominal damages.

2025-03-25

Executive Action: Unleashing American Energy (Exec. Order No. 14154) Ending Radical and Wasteful Government DEI Programs and Preferencing (Executive Order 14151); Implementing the President’s “Department of Government Efficiency” Cost Efficiency Initiative (Executive Order 14222)

Woonasquatucket River Watershed Council v. Department of Agriculture (D. R.I.)

Case No. 1:25-cv-00097

Complaint (Mar. 13, 2025)

Amended Complaint (Mar. 17, 2025)

2025-03-13

Overview: Multiple nonprofits sued multiple federal agencies, including the Department of Agriculture, Department of Energy, Department of the Interior, and the Environmental Protection Agency, among others, to challenge an Executive Order requiring a pause of funding appropriated through the Inflation Reduction Act of 2022 (IRA) or the Infrastructure Investment and Jobs Act (IIJA). The lawsuit argues that the wholesale freeze of funding violates federal law, and the nonprofits ask the court to bar the agencies from continuing to pause funding and to disburse funding that was previously frozen.

Case Summary: President Donald Trump’s Executive Order 14154 mandates that all agencies immediately pause the disbursement of funds appropriated through the

Inflation Reduction Act of 2022 (IRA) or the Infrastructure Investment and Jobs Act (IIJA) that pertain to policies outlined in Section 2 of the EO, which relate to climate change, infrastructure improvement, and public health protection. The EO requires agencies to seek the approval of both the Director of the Office of Management and Budget (OMB) and the Assistant to the President for Economic Policy, who must review and ensure disbursements are consistent with EO's policies, prior to disbursing funds. OMB issued a memo to that effect. The six Plaintiffs are three nonprofits with environmental and conservation missions, one conservation district, one nonprofit community development corporation, and a network of nonprofit organizations. They are suing the Department of Agriculture, the Department of Energy, the Department of the Interior, and the Department of Housing and Urban Development, and their respective Secretaries. They are also suing the Environmental Protection Agency and its Administrator, the Office of Management and Budget and its Director, and the Director of the National Economic Council.

Following the Executive Order and the OMB memo, the named federal agencies paused all funding appropriated by the IRA and IIJA. The plaintiffs argue that this "freeze first, ask questions later" approach violates the Administrative Procedure Act because it (1) is arbitrary, capricious, or an abuse of discretion; (2) exceeds statutory authority; and (3) is contrary to the law. The Plaintiffs seek to have the OMB Memo held unlawful to the extent that it directs agencies to freeze all funds authorized by the IRA and IIJA. They also request a stay preventing the federal agencies from continuing the freeze and requiring them to disburse the funds previously frozen.

Update 1: On Mar. 17, the plaintiffs filed a motion for a preliminary injunction, claiming that they are highly likely to show that the defendants' actions violate the Administrative Procedure Act and that the defendants' actions, if not enjoined, will continue to cause serious and irreparable harms to the plaintiffs.

Update 2: On Mar. 27, the defendants filed a memorandum in opposition to the plaintiffs' motion for preliminary injunction. They claim that plaintiffs' claims are not properly before the court, there are no cognizable Administrative Procedure Act claims, and that the plaintiffs' claims fail on the merits, so the motion for preliminary injunction should be denied.

Update 2: On Mar. 31, the plaintiffs filed a reply in support of their motion for a preliminary injunction, claiming that the plaintiffs have shown that they are likely to succeed on the merits on each of their three claims, that they have put forward evidence of ongoing irreparable harm, and that the public interest favors immediate relief. 2025-03-31

Sustainability Institute v. Trump (D.S.C.)
Case No. 2:25-cv-02152-RMG
Complaint

2025-03-19

Overview: A group of nonprofit organizations and municipalities challenged executive orders that froze congressionally appropriated funds for environmental, agricultural, and infrastructure projects. They seek restoration of the frozen funds, an injunction against further interference, and a declaration that the funding freeze is unlawful.

Case Summary: On Jan. 20 and Feb. 26, 2025, President Donald Trump signed three executive orders that froze or terminated congressionally appropriated funds under the Inflation Reduction Act and the Infrastructure Investment and Jobs Act. Plaintiffs, a group of nonprofit organizations and municipalities, filed suit against President Trump and various federal agencies, alleging that the executive orders unlawfully violate the First Amendment, the Administrative Procedure Act, and other constitutional and statutory provisions by preventing the disbursement of funds for environmental, agricultural, and infrastructure projects. Further, they argue that the administration's actions have caused significant financial harm, disrupted community projects, and undermined congressional intent. Plaintiffs seek declaratory relief asserting that the funding freeze is unlawful, injunctions to prevent further interference with grant disbursements, and the restoration of previously frozen funds. 2025-03-19

California Infrastructure and Economic Development v. Citibank and EPA (D.D.C.)

Case No. 1:25-cv-00820

Complaint

2025-03-19

Overview: A group of banks that provide financial services to pollution-reduction projects in four states have sued Citibank and the Environmental Protection Agency. They argue that the agency unlawfully froze \$20 billion in Greenhouse Gas Reduction Fund and that CitiBank stopped honoring its contracts with the banks for pollution-related projects. They seek restoration of access to the funds, an injunction against further interference, and a declaration that the freeze is unlawful.

Case Summary: On Jan. 20, 2025, President Donald Trump issued an executive order to freeze or terminate congressionally appropriated funds under the Inflation Reduction Act and the Infrastructure Investment and Jobs Act. Plaintiffs, four "green" banks that provide financial services to pollution-reducing projects, filed suit against Citibank and the Environmental Protection Agency (EPA), alleging that the EPA unlawfully blocked access to \$20 billion in Greenhouse Gas Reduction Fund grants. Further, the plaintiffs allege that, due to the EPA's pressure, Citibank is no longer honoring contracts with the Plaintiffs meant for pollution-reduction projects. They argue that these actions violate the Administrative Procedure Act, the Impoundment Control Act, and constitutional separation of powers under the Spending Clause and the Tenth Amendment. They seek declaratory relief affirming the freeze as unlawful, injunctions to restore access to funds

and prevent further interference, and contractual relief compelling Citibank to release the funds. 2025-03-19

Butterbee Farm v. United States Department of Agriculture (D.D.C.)

Case No. 1:25-cv-00737

Complaint

2025-03-13

Overview: Several farms and environmental organizations sued the United States Department of Agriculture (USDA), the Office of Management and Budget (OMB), and President Donald Trump in relation to Trump's executive order directing the unlawful freezing of congressionally-approved Inflation Reduction Act (IRA) grant funds. They seek restoration of access to the funds, an injunction against further interference, and a declaration that the freeze is unlawful.

Case Summary: On Jan. 20, President Trump issued an executive order to freeze or terminate congressionally appropriated funds under the Inflation Reduction Act (IRA). Plaintiffs include IRA grant recipient farms and non-profit organizations dedicated to advancing environmental issues. Following the EO, the Office of Management and Budget (OMB) directed government agencies to temporarily pause all activities related to the disbursement of all federal financial assistance. Despite OMB rescinding this direction, the United States Department of Agriculture (USDA) allegedly continues to withhold funds from Plaintiffs.

While courts have issued temporary restraining orders and preliminary injunctions to Defendants regarding the frozen funds, Plaintiffs have yet to receive their grants. This freeze of funds allegedly continues to impact Plaintiffs' ability to operate their respective businesses and organizations. Plaintiffs allege this freeze of funds violates the Administrative Procedure Act (contrary to law as an unlawful impoundment; and "arbitrary and capricious" conduct), the constitutional separation of powers under the Spending Clause, and the Take Care Clause of the Constitution. They seek declaratory relief stating the freeze is unlawful, and injunctions to restore access to funds and prevent any further interference. 2025-03-13

Executive Action: Continuing the Reduction of the Federal Bureaucracy (Executive Order 14238)

RFE/RL, Inc. v. Lake (D.D.C.)

Case No. 1:25-cv-00799

Complaint

2025-03-18

Overview: On Mar. 14, President Trump passed an Executive Order (EO) that eliminated non-mandatory functions and sections of seven federal agencies and required them to reduce mandatory functions and personnel to the legal minimum, which includes the

United States Agency for Global Media (USAGM). The plaintiff is Radio Free Europe/Radio Liberty (RFE/RL), a nonprofit news organization that is funded by Congress with grants distributed through USAGM. RFE/RL has brought a suit against USAGM to block it from withholding the congressional funds and to require it to disburse the funds. On Mar. 24, USAGM began to disburse a portion of the funds for the period of Mar. 1-14, 2025. USAGM has since withdrawn its letter withholding the grant funds from RFE/RL, but RFE/RL alleges that USAGM has yet to fully disburse those funds.

Case Summary: On Mar. 14, President Trump passed an Executive Order (EO) that eliminated non-mandatory functions and sections of seven federal agencies and required them to reduce mandatory functions and personnel to the legal minimum, with the agencies being the Federal Mediation and Conciliation Service, the United States Agency for Global Media (USAGM), the Woodrow Wilson International Center for Scholars in the Smithsonian Institution, the Institute of Museum and Library Services, the United States Interagency Council on Homelessness, the Community Development Financial Institutions Fund, and the Minority Business Development Agency. Plaintiff Radio Free Europe/Radio Liberty (“RFE/RL”) is a private, nonprofit news organization funded by congressionally appropriated funds distributed by USAGM. On Mar. 15, Kari Lake, a Senior Advisor to the Acting Chief Executive Officer of USAGM, purported to terminate RFE/RL’s grant agreement on the basis of the Mar. 14 EO. USAGM has informed RFE/RL that it will not disburse to RFE/RL its congressionally appropriated funds for Mar. 1, 2025, through Sep. 30, 2025. Defendants are USAGM, Kari Lake, and Victor Morales, Acting Chief Executive Officer of USAGM. Plaintiff requests that the court find USAGM’s impoundment of RFE/RL’s congressionally appropriated funds and termination of RFE/RL’s grant agreement to be unlawful, to obligate USAGM to disburse to RFE/RL the appropriations of ~\$7.5 million covering Mar. 1-14, 2025, and ~\$70 million covering Mar. 15-Sep. 30, 2025, and to issue a permanent injunction. Plaintiff’s counts include an alleged violation of the Administrative Procedure Act (for “arbitrary and capricious” action and action in violation of statutory non-discretionary duty); the Presentment, Spending, and Take Care Clauses; and the separation of powers.

Update 1: On Mar. 19, Plaintiff filed a motion requesting a TRO and preliminary injunction on the grounds of irreparable harm to Plaintiff’s operations, employee safety, and reputation, and the likelihood that Plaintiff will succeed on its Administrative Procedure Act and constitutional claims. On Mar. 21, the Government filed an opposition to Plaintiffs’ request for a TRO and preliminary injunction. On Mar. 23, Plaintiff filed a further reply in support of its request for a TRO and preliminary injunction.

Update 2: On Mar. 24, USAGM filed a motion stating that it is taking the administrative steps to disburse \$7,464,559, the amount sought by Plaintiff for work completed during the period from Mar. 1-14, 2025.

Update 3: On Mar. 25, Judge Royce Lamberth granted a temporary restraining order.

Update 4: On Mar. 26, the Defendants' submitted a Notice of Withdrawal of Grant Termination. The notice states, "Plaintiff has secured the primary relief—withdrawing the termination of its grant agreement—that it requested in the complaint. Now that Plaintiff has received that relief, Defendants' position is that this matter is now moot."

Update 5: On Mar. 28, Plaintiff submitted a response to Defendants' Mar. 26 Notice, asserting the case is not moot in light of Defendants' withdrawal of the termination of the grant agreement because Plaintiff's complaint seeks the additional relief of the full disbursement of the grant funds that have yet to be addressed by Defendants. Plaintiff also reiterated their request that the Court grant its preliminary injunction motion.

Update 6: On Mar. 31, Plaintiff reaffirmed its request that the court enter a further TRO allowing Plaintiff to continue its operations without the requirement to "recover" and "promptly refund[] to USAGM" the funds spent in April because Defendants have yet to approve Plaintiff's April 2025 financial plan. 2025-03-31

Open Technology Fund v. Kari Lake (D.D.C.)

Case No. 1:25-cv-00840

Complaint

2025-03-20

Overview: Open Technology Fund (OTF), a non-profit technology organization that receives federal funding, sued the United States Agency for Global Media (USAGM) and others alleging USAGM's termination of OTF funding following a Trump Administration executive order is unconstitutional, violates the Administrative Procedure Act, and violates Grant Agreements between OTF and USAGM. OTF has asked the court to block USAGM from withholding funds permanently or temporarily while the case proceeds.

Case Summary: On Mar. 14, President Donald Trump signed an Executive Order that eliminated non-mandatory functions and sections of seven federal agencies, including the United States Agency for Global Media (USAGM), and required them to reduce mandatory functions and personnel to the legal minimum.

Plaintiff is Open Technology Fund (OTF), a non-profit organization with the goal of advancing global internet freedom that is funded by Congress with grants distributed through USAGM. On Mar. 15, Kari Lake, a Senior Advisor to the Acting Chief Executive Officer of USAGM, purported to terminate OTF's grant agreement on the basis of the Mar. 14 EO. OTF has sued USAGM, the Office of Management and Budget,

Victor Morales (Acting Chief Executive Officer of USAGM), and Kari Lake (senior advisor to Lake) alleging this grant termination was unlawful under the constitution, the Administrative Procedure Act and other laws.

Plaintiff asked the court to declare the grant termination unlawful and requested an emergency temporary restraining order and preliminary injunction on withholding of these funds while the case proceeds, as well as a permanent injunction.

Update 1: On Mar. 20, Plaintiff filed a motion requesting a TRO to prevent withholding of funds on the grounds of irreparable harm to Plaintiff's operations and the likelihood that Plaintiff will succeed on its Administrative Procedure Act and constitutional claims.

Update 2: On Mar. 24, Defendants filed a motion in opposition to the TRO request, arguing that the Plaintiff failed to show jurisdiction and likelihood of irreparable harm.

Update 3: On Mar. 26, Plaintiff filed a response opposing Defendants' motion in opposition of a TRO, again arguing that it will suffer irreparable harm and public interest favors granting the TRO. 2025-03-26

Widakuswara v. Kari Lake (S.D.N.Y.)

Case No. 1:25-cv-02390

Complaint

2025-03-21

Overview: On Mar. 14, President Trump signed an Executive Order that eliminated non-mandatory functions and sections of seven federal agencies, including the U.S. Agency for Global Media (USAGM), and required them to reduce mandatory functions and personnel to the legal minimum. Voice of America (VOA) is a media outlet under USAGM. VOA journalists, Reporters without Borders, and numerous unions brought a suit against USAGM to block the dismantling of USAGM.

Case Summary: On Mar. 14, President Trump signed an Executive Order that eliminated non-mandatory functions and sections of seven federal agencies, including the U.S. Agency for Global Media (USAGM), and required them to reduce mandatory functions and personnel to the legal minimum. Voice of America (VOA) is a government-funded media outlet under the USAGM. VOA journalists, a director at USAGM, Reporters without Borders, and numerous unions representing federal employees, journalists, and foreign service workers brought a suit against Kari Lake, Senior Advisor to the Acting CEO of USAGM, Victor Morales, Acting CEO of USAGM, and USAGM for the dismantling of USAGM. The Plaintiffs argue that the government's conduct violates the First Amendment, the Administrative Procedure Act (as "arbitrary and capricious" action, not in accordance with law, and unreasonably withholding agency action), the Statutory Firewall law, and the Appointments Clause. Plaintiffs seek declaratory relief and a preliminary and permanent injunction to return USAGM and its employees,

contractors, and grantees to their prior status and to restore all programming and grant funding.

Update 1: On Mar. 24, Plaintiffs filed a motion requesting a TRO and a preliminary injunction, on the basis that Plaintiffs will suffer irreparable harm and are likely to succeed on their Administrative Procedure Act, separation of powers, and constitutional claims.

Update 2: On Mar. 25, Plaintiffs renewed their request for an immediate TRO in response to statements by Defendant Lake indicating an intent to proceed with the dismantling of VOA.

Update 3: On Mar. 26, Plaintiffs reiterated their request for emergency relief in response to notice of USAGM's intent to terminate multiple broadcasting positions. On that same day, Defendants requested the case be transferred to the U.S. District Court for the District of Columbia.

Update 4: On Mar. 27, Defendants filed a memorandum in opposition to Plaintiffs' motion for a TRO, claiming that the Plaintiffs have not demonstrated irreparable harm nor established that they are likely to succeed on the merits of their First Amendment claims.

Update 5: On Mar. 28, Judge J. Paul Oetken granted a temporary restraining order.
2025-03-28

Abramowitz v. Lake (D.D.C.)
Case No. 1:25-cv-00887
Complaint
2025-03-26

Overview: On Mar. 14, President Trump signed an Executive Order that eliminated non-mandatory functions and sections of seven federal agencies, including the U.S. Agency for Global Media (USAGM), and required them to reduce mandatory functions and personnel to the legal minimum. Voice of America (VOA) is a media outlet under USAGM. The current director of VOA and three VOA journalists brought a suit against USAGM to permanently or at least temporarily block the dismantling of VOA and restore the jobs of all employees placed on administrative leave so that VOA's broadcasting activities can resume.

Case Summary: On Mar. 14, President Donald Trump signed an Executive Order that eliminated non-mandatory functions and sections of seven federal agencies, including the U.S. Agency for Global Media (USAGM), and required them to reduce mandatory functions and personnel to the legal minimum. Voice of America (VOA) is a

government-funded media outlet under the USAGM. Michael Abramowitz, the current director of VOA, and three VOA journalists, including two whose visas depend on their employment with VOA, sued Kari Lake (Senior Advisor to the Acting CEO of USAGM), Victor Morales (Acting CEO of USAGM), and USAGM alleging that the dismantling of USAGM was unlawful. Specifically, plaintiffs argue that the defendants' conduct violates the Administrative Procedure Act, the separation of powers clause of the Constitution, the Take Care Clause of the Constitution, and exceeds their statutory and constitutional authority. Plaintiffs seek a temporary restraining order and a preliminary and permanent injunction to permanently or at least temporarily enjoin defendants from terminating VOA employees and dismantling VOA and to restore the jobs of all employees placed on administrative leave so that VOA's broadcasting activities can resume.

Update 1: On March 28, Defendants filed their opposition to plaintiff's motion for preliminary relief, opposing plaintiff's motion for a temporary restraining order (TRO) or preliminary injunction. Defendants argued that Plaintiffs have not met the burden required to justify a TRO or preliminary injunction, and that the court should require Plaintiffs to post a bond commensurate with the scope of any temporary order (which Defendants suggested should be in excess of \$15 million in this case).

Update 2: On April 1, 2025, Defendants filed an opposition to Plaintiff's proposed schedule and motion to stay proceedings. Defendants moved to stay all proceedings pending the outcome of plaintiff's motion for preliminary injunction in *Widakuswara v. Lake*, Civ. A. No. 25-2390 (S.D.N.Y. Mar. 2025), where a temporary restraining order was filed on March 28, 2025. Defendants argued that the relief sought in *Widakuswara* "largely provides the relief sought in this action." In the alternative, Defendants requested the court provide three weeks for Defendants to file their opposition to Plaintiff's motion for a preliminary injunction. 2025-04-01

Executive Action: Termination of public health grants

State of Colorado v. U.S. Department of Health and Human Services (D .R.I.)

Case No. 1:25-cv-00121

Complaint

2025-04-01

Overview: Numerous states and state officials have challenged the U.S. Department of Health and Human Services's (HHS) Mar. 24, 2025 termination of \$11 billion in public health funding. The states allege terminating this funding violates the Administrative Procedure Act and have asked the court to vacate and enjoin the funding terminations.

Case Summary: Beginning on Mar. 24, 2025, the U.S. Department of Health and Human Services (HHS) terminated \$11 billion in public health funding on the ground that the

funds were no longer necessary because they were appropriated under various laws responding to the Covid-19 pandemic. Plaintiffs are 20 states, the District of Columbia, and two Democratic governors. They assert that Congress appropriated these funds to strengthen public health programs and that the funds were not limited to addressing the Covid-19 pandemic, and that Congress and HHS continued to make these funds available even after the end of the public health emergency was declared in May 2023. Plaintiffs allege that these terminations of funding are arbitrary and capricious and contrary to law in violation of the Administrative Procedure Act (as “arbitrary and capricious” conduct and contrary to law, for example, by allegedly unlawfully applying the “for cause” provisions of 42 U.S.C. § 300x-55). They request that the Court declare the terminations unlawful and enjoin Defendants from implementing and enforcing the terminations.

Update 1: On Apr. 1, 2025, Plaintiffs filed a motion for a temporary restraining order (TRO) to block Defendants from implementing and enforcing the public health terminations. 2025-04-01

Civil Liberties and Civil Rights, Executive Action: Housing of transgender inmates (Executive Order 14168)

Maria Moe v. Donald Trump, et al (D. Mass.)
Case No. 1:25-cv-10195-GAO
Complaint
2025-01-26

Overview: A transgender woman in federal prison sued to block the implementation of an executive order (“EO”) by the Trump Administration which mandates the Bureau of Prisons (“BOP”) to transfer her to a men's prison facility and end her gender-affirming care. She argues that the EO violates her constitutional rights and federal law, and exceeds BOP’s scope of authority. She has asked the court to stop the EO’s implementation. The court granted her request and has temporarily stopped the EO, requiring prison officials to maintain her medical care and to not transfer her. The case has since been transferred to the court local to where the woman is currently in custody.

Case Summary: Trump’s Executive Order mandates that federal inmates be housed according to sex defined as “immutable biological classification,” regardless of gender identity, and directs the Bureau of Prisons not to expend federal funds on gender-affirming care. The plaintiff, Maria Moe, is a transgender female federal inmate who was placed in a Special Housing Unit to await transfer to a men’s facility. The suit seeks to enjoin the Executive Order on the basis that it violates the 5th Amendment by discriminating against transgender individuals on the basis of sex and gender identity; the 8th Amendment by subjecting Moe to risk to life and dignity; the Rehabilitation Act

by failing to accommodate Moe's gender dysphoria; and the Administrative Procedure Act by doing so in an arbitrary and capricious manner.

Update 1: On Jan. 26, the judge reportedly issued a temporary restraining order requiring prison officials to maintain Moe's medical care and not to transfer her from the general population of the women's facility.

Update 2: On Feb. 7, the judge issued an order transferring the case "to the United States District Court for the district in which [Moe] is currently confined" and terminating proceedings in the District of Massachusetts. The order does not identify the District, noting that "[t]he parties are familiar with the proper district based on the sealed documents previously filed in this matter." 2025-02-07

Doe v. McHenry (D.D.C.)
Case No. 1:25-cv-00286-RCL
Complaint
2025-01-30

Overview: Three transgender women in federal prison sued to block the implementation of an executive order ("EO") by the Trump Administration which mandates the Bureau of Prisons ("BOP") to transfer them to a men's prison facility and end their gender-affirming care. They argue that the EO violates her constitutional rights and federal law, and exceeds BOP's scope of authority. They have asked the court to immediately and permanently stop the EO's implementation and require BOP to maintain their current housing and medical treatment. The court granted their request and has temporarily stopped the EO, requiring prison officials to maintain their medical care and to not transfer them.

Case Summary: Trump's Executive Order mandates that federal inmates be housed according to sex defined as "immutable biological classification," regardless of gender identity, and directs the Bureau of Prisons not to expend federal funds on gender-affirming care. The plaintiffs are three transgender women federal inmates, have been diagnosed with gender dysphoria, and are housed in female facilities. All have been informed that they will be transferred imminently to men's facilities. The suit seeks a declaratory judgement that the executive order violates the plaintiffs' rights under the 5th Amendment by discriminating on the basis of sex; the 8th Amendment by failure to protect through exposing plaintiffs to risk of serious harm and by cruel and unusual punishment by refusing necessary medical care; the Rehabilitation Act by failing to accommodate plaintiffs' gender dysphoria and disability discrimination; and the Administrative Procedure Act by doing so in an arbitrary and capricious manner. The complaint seeks a preliminary and permanent injunction prohibiting the government from carrying out the executive order and requiring it to maintain the plaintiffs' housing and medical treatment consistent with the status quo prior to the order.

Update 1: On Feb. 4, 2025, Judge Royce Lamberth issued a temporary restraining order and enjoined the government blocking it from transferring the plaintiffs or from discontinuing the plaintiffs' medical care.

Update 2: On Feb. 18, Judge Lamberth granted the preliminary injunction, enjoining implementation Section 4(a) and 4(c) of the Executive Order against plaintiffs.

Update 3: On Feb. 21, Plaintiffs filed a memorandum and motion for a TRO and expanded the preliminary injunction to cover all Plaintiffs in the First Amendment Complaint.

Update 4: On Feb. 24, Judge Lamberth issued an Order granting the request for an expanded preliminary injunction covering the additional plaintiffs.

Update 5: On Mar. 14, Plaintiffs filed an amended complaint to add Plaintiffs Rachel and Ellen Doe, who were already transferred to male facilities. On the same day, Plaintiffs Rachel and Ellen Doe filed a motion for a further TRO. On Mar. 18, Plaintiffs filed a motion to convert their pending motion for a further TRO to a motion for a preliminary injunction and TRO.

Update 6: On Mar. 19, Judge Royce Lamberth granted Plaintiffs Rachel and Ellen Doe's motion for a preliminary injunction. 2025-03-19

Jones v. Trump (D.D.C)

Case No. 1:25-cv-00401

Complaint (Feb. 10, 2025)

Amended Complaint (Feb. 28, 2025)

2025-02-10

Overview: A transgender woman in federal prison sued to block the implementation of an executive order ("EO") by the Trump Administration which mandates the Bureau of Prisons ("BOP") to transfer her to a men's prison facility and end her gender-affirming care. She argues that the EO violates her constitutional rights and federal law, and exceeds BOP's scope of authority. She has asked the court to declare the EO unlawful and immediately stop the EO's implementation. The court granted her request and has immediately stopped the EO, requiring prison officials to maintain her medical care and to not transfer her. Four additional women were added as plaintiffs to the suit and the court granted that their block of the EO also apply to the new plaintiffs.

Case Summary: Trump's Executive Order 14168 mandates that federal inmates be housed according to sex defined as "immutable biological classification," regardless of

gender identity, and directs the Bureau of Prisons not to expend federal funds on gender-affirming care.

Plaintiff is a transgender woman who had previously been transferred from a women's to a men's unit of a BOP facility. She has since been transferred back, but she "now fears at any moment she will again be transferred to a men's prison pursuant to Executive Order 14166[sic]." Plaintiff alleges that she is unsafe in any men's prison, and she is also at imminent risk of losing access to medical care to treat her gender dysphoria. She brings claims alleging violations of the Fifth Amendment, Eighth Amendment, Rehabilitation Act, and Administrative Procedure Act, and she seeks declaratory and injunctive relief to enjoin enforcement of the EO.

Update 1: Feb. 21, Plaintiff filed a motion for a TRO and preliminary injunction on an emergency basis to stop Defendants from enforcing two sections of Executive Order 14168: Section 4(a), which requires inmate segregation based on biological sex, and Section 4(c), which bars federal prisons from providing medical care that would align inmates' physical characteristics with their gender identity.

Update 2: On Feb. 24, the court granted plaintiff's motion for a TRO and Preliminary Injunction, stopping the Administration from enforcing Sections 4(a) and 4(c) of Executive Order 14168 and maintaining Plaintiff's housing and medical treatment.

Update 3: On Feb. 28, four additional Plaintiffs were added through an Amended Complaint, and they submitted a motion for a TRO and preliminary injunction.

Update 4: On Mar. 3, the court granted Plaintiffs' motion to extend the TRO and preliminary injunction to the new plaintiffs added by the amended complaint. 2025-03-03

Kingdom v. Trump (D.D.C)

Case No. 1:25-cv-00691

Complaint

2025-03-07

Overview: One transgender woman and two transgender men, all currently in Federal Bureau of Prisons ("BOP") custody and diagnosed with gender dysphoria, brought a class action lawsuit against President Donald Trump's Executive Order 14168 ("EO"), which bans gender-affirming care for transgender individuals in federal prison custody. The plaintiffs seek to represent all current and future BOP inmates diagnosed with gender dysphoria who are receiving or would receive gender-affirming care if not for the EO. The lawsuit argues that the EO violates the Constitution, the Rehabilitation Act of 1973, and Administrative Procedure Act. Plaintiffs have asked the court to block BOP from enforcing the EO while litigation proceeds.

Case Summary: Trump's Executive Order 14168 ("EO"), issued on January 20, 2025, mandates that federal inmates be housed according to sex defined as "immutable biological classification," regardless of gender identity, and directs the Bureau of Prisons not to expend federal funds on gender-affirming care.

Plaintiffs, three transgender individuals currently incarcerated in federal prisons who are diagnosed with gender dysphoria, brought the lawsuit to represent all current and future federal inmates diagnosed with gender dysphoria who are impacted by the executive order's ban on gender-affirming care.

The lawsuit argues that the EO violates their constitutional rights under the Eighth Amendment (protection against cruel and unusual punishment), Equal Protection Clause, Rehabilitation Act, and Administrative Procedure Act.

Update 1: On Mar. 17, Plaintiffs filed a motion for a preliminary injunction, to stay agency action, and for provisional class certification for the purpose of emergency relief.

Update 2: On Mar. 28, Defendants filed a response to Plaintiffs' Mar. 17 motions, requesting that the court deny Plaintiffs' motions for a preliminary injunction and class certification. 2025-03-28

Executive Action: Ban on transgender individuals serving in the military (Executive Order 14183)

Nicolas Talbott, et al. v. Donald Trump, et al. (D.D.C.)

Case No. 1:25-cv-00240

Complaint

2025-01-28

Overview: A group of transgender service members and prospective enlistees challenged the Trump administration's executive orders ("EOs") banning transgender individuals from enlisting and serving in the military. They argue that the ban is unconstitutional and has asked the court to stop implementation of the EO. The court has ordered that the government notify both the court and the plaintiffs of policies or guidance for implementing the EO, at which point the court will consider the plaintiffs' request. In response, the government submitted to the court a memo on implementing the EO, to which the plaintiffs have renewed their request. On Mar. 18, the court preliminarily blocked the military ban.

Case Summary: On January 27, 2025, the Trump administration issued an executive order banning transgender individuals from serving in the military. The order rescinds prior policy allowing transgender individuals to serve openly if they meet military standards. This order categorically prohibits both enlistment and continued service, deeming transgender individuals incompatible with military standards of "troop readiness, lethality, cohesion, honesty, humility, uniformity, and integrity." The plaintiffs

are a group of active duty transgender service members and prospective or current enlistees. They argue that the categorical exclusion of this class of individuals from military service violates equal protection under the Fifth Amendment's Due Process Clause because the policy is arbitrary and lacks a legitimate government interest.

Update 1: On Feb. 3, Plaintiffs moved for a preliminary injunction against implementation of the Executive Order.

Update 2: On Feb. 4, Plaintiffs moved for a TRO against implementation of the Executive Order.

Update 3: On Feb. 5, the court ordered the Government to notify plaintiffs and the court of any Department of Defense policy or guidance implementing the Executive Order. If any such action is taken, the court will entertain Plaintiffs' motion for a TRO.

Update 4: In response to the Court's order to update any policies or guidance implementing Executive Order 14168 ("Defending Women from Gender Extremism...") or Executive Order 14183 ("Prioritizing Military..."), the government filed a memorandum for Senior Pentagon Leadership Commanders of the Combatant Commands Defense Agency and DoD Field Activity Directors, released on February 26, 2025, Subject: Additional Guidance on Prioritizing Military Excellence and Readiness. The Memorandum requires updating of military guidance as it relates to transgender service members and provides a new policy, "Service Members and Applicants for Military Service who Have a Current Diagnosis or History of, or Exhibit Symptoms Consistent with, Gender Dysphoria." The new policy states that "Service members who have a current diagnosis or history of, or exhibit symptoms consistent with, gender dysphoria will be processed for separation from military service," and orders that "steps to identify Service members who have a current diagnosis or history of, or exhibit symptoms consistent with, gender dysphoria within 30 days of this memorandum." It also states that "history of cross-sex hormone therapy or sex reassignment or genital reconstruction surgery as treatment for gender dysphoria or in pursuit of a sex transition, is disqualifying," including already-extended offers of admission to military academies, and applies restrictions on individuals post-separation benefits eligibility.

While waivers are available, the applicant "must be willing and able to adhere to all applicable standards, including the standards associated with the applicant's sex."

Update 5: On Mar. 18, Judge Ana Reyes granted Plaintiff's request for a preliminary injunction, extending to all transgender service members facing the same irreparable harm. The Court stays its Order until Mar. 21, 2025, to provide Defendants time to consider filing an emergency stay with the D.C. Circuit.

Update 6: On Mar. 24, Plaintiffs amended the complaint to include additional plaintiffs. Plaintiffs Jamie Hash, Vera Wolf, Hunter Marquez, Ashley Davis, and Samuel Ahearn also filed a motion requesting a TRO to block enforcement of the EO and Department of Defense memoranda and preserve the status quo, on the basis that Plaintiffs are likely to succeed on their Fifth Amendment claim and likely to face irreparable harm. The motion states: “In light of this Court’s March 18, 2025, order granting a nationwide preliminary injunction of the Military Ban, ECF No. 88, which the Court administratively stayed pending Defendants’ Motions, see Minute Order (Mar. 21, 2025), this Court should temporarily restrain enforcement of the Military Ban with respect to these specific adverse actions toward Moving Plaintiffs until it resolves Defendants’ Motions on the merits.”

Update 7: On Mar. 26, Defendants filed a notice of appeal to the D.C. Circuit appealing Judge Reyes’ Mar. 18 order renewing the preliminary injunction. 2025-03-26

Shilling v. Trump (W.D. Wash.)
Case No. 2:25-cv-00241
D.C. Circuit Case No. 25-2039
Complaint
2025-02-06

Overview: A group of transgender service members and prospective enlistees challenged the Trump administration’s executive orders (“EOs”) banning transgender individuals from enlisting and serving in the military. They argue that the ban is unconstitutional and has asked the court to declare the EO unconstitutional and stop implementation of the EO. The judge has temporarily blocked the administration policy, and the court of appeals has rejected an appeal of this decision.

Case Summary: On Jan. 27, 2025, the Trump administration issued an executive order banning transgender individuals from serving in the military. The order rescinds prior policy allowing transgender individuals to serve openly if they meet military standards. Plaintiffs, including active and prospective trans service members and an organization representing transgender military members, argue that the ban violates the equal protection and due process guarantees of the Fifth Amendment and the free speech guarantee of the First Amendment. They seek declaratory judgment and a permanent injunction against enforcement of the executive order.

Update 1: On Feb. 19, Plaintiffs filed motion for a preliminary injunction to stop the enforcement of the executive order as to Plaintiffs and other current and aspiring transgender servicemembers.

Update 2: On Mar. 4, Plaintiffs submitted an amended complaint.

Update 3: On Mar. 4: Plaintiffs submitted a supplemental brief in support of the motion for a preliminary injunction; the government responded with a brief in opposition to a preliminary injunction on Mar. 14; to which the Plaintiffs replied on Mar. 19.

Update 4: On Mar. 27, Judge Benjamin Settle granted a preliminary injunction. He wrote, “The government has in turn provided no evidence supporting the conclusion that military readiness, unit cohesion, lethality, or any of the other touchstone phrases long used to exclude various groups from service have in fact been adversely impacted by open transgender service under the Austin Policy. The Court can only find that there is none.” “The government’s arguments are not persuasive, and it is not an especially close question on this record,” Settle stated.

Update 5: On Mar. 28, the government appealed the Court’s order granting the preliminary injunction to the Ninth Circuit.

On that same day, Trump was dismissed as a defendant in this case.

Update 6: On Mar. 31, the Ninth Circuit denied the request for a stay. 2025-03-31

Ireland v. Hegseth (D. N.J.)

Case no. 1:25-cv-01918

Complaint

2025-03-17

Overview: Two transgender U.S. Air Force service members have brought a suit seeking to block the Trump administration’s Executive Orders (EOs) banning transgender individuals from enlisting and serving in the military. They argue that the EOs violate their constitutional right to equal treatment. On Mar. 24, a federal judge temporarily blocked implementation of the EOs, finding that they unambiguously violated constitutional protections.

Case Summary: On Jan. 20 and 27, 2025, President Donald Trump issued EOs reversing the existing policy of the United States Armed Forces by banning transgender people from military service. Plaintiffs Master Sergeant Logan Ireland and Staff Sergeant Nicholas Bear Bade are transgender men who have served as members of the United States Air Force for years. Both Plaintiffs have been placed on administrative absence and have been informed that they only can continue to serve if they do so in their birth sex (i.e., as women). It is not possible for either Plaintiff to serve as a woman because they have medically transitioned and live as men. Plaintiffs believe that involuntary administrative separation proceedings will be initiated against them because of their transgender status by Mar. 26, 2025, given the Trump administration’s EO implementation timeline. Plaintiffs seek declaratory and permanent injunctive relief against the implementation of the EOs and related memoranda, on the basis that they have a constitutional right under the Due Process Clause of the Fifth Amendment to not be separated from military service based on their transgender status.

Update 1: On Mar. 18, Plaintiffs filed a request for a TRO on the grounds of irreparable harm and that Plaintiffs would win on the merits of their Equal Protection claim.

Update 2: On Mar. 20, the Government filed an opposition to Plaintiffs' request for a TRO. On Mar. 21, Plaintiffs filed a further reply in support of their request for a TRO.

Update 3: On Mar. 24, Judge Christine O'Hearn granted Plaintiffs' request for a 14-day TRO, finding that the EOs present a clear violation of constitutional rights and that attempting to exhaust administrative procedures would be inadequate to address irreparable injury to the Plaintiffs. 2025-03-24

Executive Action: Ban on gender affirming care for individuals under the age of 19
(Executive Order 14168; Executive Order 14187)

PFLAG, Inc. v. Trump (D. Md.)
Case No. 8:25-cv-00337-BAH
Complaint
2025-02-04

Overview: Two nonprofit organizations representing LGBTQ interests and their members sued the Trump administration, challenging an executive order ("EO") which restricts gender-affirming care for individuals under 19, ended government-provided medical insurance coverage for gender-affirming care, and stops federal funding to institutions which promote "gender ideology." The plaintiffs argue that the EO exceeds the President's authority and violates multiple constitutional rights including the right to free speech. The plaintiffs have asked the court to declare the EO unconstitutional and unlawful, and stop the implementation of the EO. On March 4, a federal judge preliminarily blocked enforcement of the EO while the case proceeds. The Trump administration appealed this decision to the Fourth Circuit Court of Appeals on Mar. 21. Meanwhile, the plaintiffs asserted that the government had acted in violation of the judge's order blocking the enforcement of the EO by sending notices which allegedly renewed previous threats to withhold federal funds. The judge disagreed, explaining the current structure of the notices merely advises the agencies that the funding of grants may change in the future.

Case Summary: On January 20, 2025, the Trump administration issued an executive order prohibiting the federal government from expending federal funds to promote "gender ideology," the idea that gender identity can differ from biological sex. On January 28, 2025, the Trump administration issued an executive order directing the federal government to bar medical institutes that receive research and education grants, including medical schools and hospitals, from administering gender affirming care to individuals under the age of 19. The order also ended coverage for gender affirming care

in government-provided medical benefits, and ordered the Office of Management and Budget to instruct private health insurers that government employee plans were barred from covering such care. Finally, the order directs the Department of Justice to prioritize enforcement against female genital mutilation and develop legislation for a private right of action against medical professionals performing gender-affirming procedures, pursuant to an older statute against female genital mutilation. PFLAG and other plaintiffs filed suit, arguing the orders constitute unconstitutional presidential action in excess of Article II authority; discriminate on the basis of sex and disability in violation of statutes; violate the Fifth Amendment's equal protection and substantive due process guarantees; and abridge the First Amendment's free speech clause. Plaintiffs seek to have the orders declared unconstitutional and unlawful, and asking for temporary, preliminary, and permanent injunctive relief.

Update 1: On Feb. 5, Plaintiffs moved for a TRO against implementation of the Executive Order.

Update 2: On Feb 13, Judge Brendan Abell Hurson issued a two-week TRO, blocking enforcement of the Executive Order.

Update 3: On Feb. 18, Plaintiffs moved for a preliminary injunction to block enforcement of the Executive Order.

Update 4: On Feb. 26, Plaintiffs moved to extend the TRO. Judge Hurson extended the TRO until March 5, 2025.

Update 5: On Mar. 4, Judge Brendan Hurson granted Plaintiff's motion for a preliminary injunction and enjoined Defendants from conditioning, withholding, or terminating federal funding based on the fact that a healthcare entity or professional provides gender-affirming medical care to a patient under age 19.

Update 6: On Mar. 7, plaintiffs filed an emergency motion for enforcement of the preliminary injunction, asserting that the government violated the injunction by issuing notices renewing threats to withhold federal funds from organizations providing gender-affirming care.

Update 7: On Mar. 10, the government filed a memorandum opposing plaintiffs' emergency motion, asserting that the government's actions "do not violate this Court's preliminary injunction" because they do not directly "condition, withhold, or terminate" aid under the enjoined provisions. In response, plaintiffs filed a memorandum asserting that the government's notices "are overt threats by Defendants that federal funding recipients risk losing their federal funding if they provide gender affirming medical care to a patient under the age of nineteen."

Update 8: On Mar. 21, the government filed notice that it was appealing the Mar. 4 preliminary injunction in the case to the Fourth Circuit.

Update 9: On Mar. 28, the District Court denied plaintiffs' emergency motion for enforcement of the preliminary injunction. The Court explained that the government's notices presently do not violate the preliminary injunction order because they merely advise the agencies that grant funding could change in the future. 2025-03-28

State of Washington et al. v. Donald J. Trump et al. (W.D. Wash)

Case No. 2:25-cv-00244

Complaint (Feb. 7, 2025);

Amended Complaint (Feb. 19, 2025)

2025-02-07

Overview: Three states and three physicians sued the Trump administration, challenging an executive order ("EO") which restricts gender-affirming care for individuals under 19 and ended government-provided insurance coverage for such care. The plaintiffs argue that the EO violates the Constitution, federal law, and states' powers. The plaintiffs have asked the court to immediately block implementation of the EO. The court granted their request and blocked the EO, but has permitted the Attorney General to prosecute medical professionals who perform gender-affirming procedures, as "female genital mutilation."

Case Summary: On Jan. 28, 2025, the Trump administration issued an executive order directing the federal government to bar medical institutes that receive research and education grants, including medical schools and hospitals, from administering gender affirming care to individuals under the age of 19. The order also ended coverage for gender affirming care in government-provided medical benefits, and ordered the Office of Management and Budget to instruct private health insurers that government employee plans were barred from covering such care. Finally, the order directs the Department of Justice to prioritize enforcement against female genital mutilation and develop legislation for a private right of action against medical professionals performing gender-affirming procedures, pursuant to an older statute against female genital mutilation. Three states and three physicians filed suit, arguing that Executive Order 14187 violates Fifth Amendment equal protection by creating classifications and facially discriminating on the basis of transgender status and sex without sufficient government interest. Plaintiffs also allege that the order violates separation of powers by imposing conditions on the receipt of funding by the plaintiff states' medical institutions, whereas Congress never authorized such a provision and explicitly barred medical institutions from denying individuals access to federally funded services based on gender dysphoria under 29 U.S.C. § 794. Finally, the plaintiffs allege that the order violates the Tenth Amendment by regulating and threatening criminal prosecution against certain

consensual medical practices, thus unlawfully intruding on the states' traditional police powers over local public health.

Update 1: On Feb. 7, Plaintiffs moved for a TRO against implementation of the Executive Order.

Update 2: On Feb. 14, Judge Lauren King issued a two-week TRO, blocking enforcement of Section 4 and Section 8(a) of Executive Order 14187 within Plaintiff States; on Feb. 16, the court issued an Opinion in the matter.

Update 3: On Feb. 19, Plaintiffs filed an amended complaint adding the State of Colorado as a plaintiff and a Fifth Amendment Due Process claim for vagueness. Plaintiffs moved separately for a preliminary injunction against enforcement of the Executive Order, to which the government responded in opposition on Feb. 28.

Updated 4: On Feb. 28, Judge Lauren King issued an order granting the motion for a preliminary injunction, with one exception. The one exception involved Section 8(a) of the EO directing the Attorney General to prioritize "enforcement of protections against female genital mutilation"; but the court found "no credible threat of prosecution" for the plaintiffs.

Update 5: On Mar. 6, plaintiffs filed a motion for the court to hold defendants in contempt of court on shortened time, alleging that defendants tried to circumvent the preliminary injunction by falsely claiming actions taken to withhold funding under the enjoined EOs were actually taken pursuant to other policies. In the alternative, plaintiffs moved for expedited discovery as to whether defendants violated the preliminary injunction.

Update 6: On Mar. 13, defendants filed a memorandum opposing the motion for contempt, asserting that the relevant decisions to withhold funding were based on preexisting authority and not the enjoined EOs.

Update 7: On Mar. 14, plaintiffs filed a reply in support of their motion for contempt or expedited discovery.

Update 8: On Mar. 17, the court denied plaintiffs' motion for contempt, but granted expedited discovery on the question of whether the actions were taken pursuant to the enjoined EOs.

Update 9: On Mar. 21, defendants appealed the district court's partial grant of a preliminary injunction and grant of expedited discovery to the Ninth Circuit Court of Appeals. 2025-03-21

Executive Action: Passport policy targeting transgender people (Executive Order 14168)

Orr v. Trump (D. Mass)

Case No. 1:25-cv-10313

Complaint

2025-02-07

Overview: Seven transgender and nonbinary individuals sued the Trump administration, challenging an executive order (“EO”) which restricts the sex designation on US passports to male or female based on "immutable biological factors at conception." The plaintiffs argue that the EO violates the Constitution and federal law. The plaintiffs have asked the court to declare the EO unconstitutional and unlawful, immediately and permanently stop the EO from implementation, and void actions already taken under the EO.

Case Summary: On Jan. 20, 2025, the Trump administration issued an executive order stating that there are only two sexes, male and female, and that they are determined by immutable biological factors at conception. The order directed the Secretary of State to change policies related to documents like passports to align with the order’s definition of sex. The State Department subsequently stopped processing passport applications of individuals seeking to change their sex designation, or who selected an “X” designation. Plaintiffs, represented by the ACLU, sued, arguing the policy is unconstitutional and violates the 5th Amendment’s equal protection guarantee by discriminating on the basis of sex and transgender status; violates the Fifth Amendment by restricting the right of free movement and travel; violates the Fifth Amendment by forcing disclosure of private and intimate information; and violates the First Amendment by compelling the speech of transgender applicants through their passports. Plaintiffs also argue the policy is unlawful under the Administrative Procedure Act, as contrary to constitutional rights, powers, and immunities; as an arbitrary and capricious abuse of discretion; and by failing to observe procedures as required by law in instituting the policy without a comment period. They seek a declaratory judgment that the policy is unconstitutional and unlawful; preliminary and permanent injunctions stopping the policy from being implemented; and an order vacating agency actions already taken under the policy.

Update 1: On Feb. 18, Plaintiffs moved for preliminary injunction against enforcement of the Executive Order.

Update 2: On Mar. 12, Defendants filed an opposition to Plaintiffs’ motion to stay agency action and for preliminary injunction.

Update 3: On Mar. 19, Plaintiffs filed a reply in support of their motion to stay agency action and for preliminary injunction.

Update 4: On Mar. 28, Plaintiffs submitted a request to file a short, supplemental memorandum in support of their motion to stay agency action and for preliminary injunction. Plaintiffs' memorandum provides additional arguments to support their request for the Court to order Defendants to temporarily reinstate prior passport policy to restore the status quo. 2025-03-28

Executive Action: Ban on transgender athletes in women's sports (Executive Order 14168; Executive Order 14201)

Tirrell v. Edelblut (D.N.H.)

Case No. 1:24-cv-00251

Complaint;

Amended Complaint (underlying case filed Aug. 16, 2024)

2025-02-12

Overview: Two transgender teenage athletes in New Hampshire filed a lawsuit challenging President Donald Trump's Executive Order ("EO") banning transgender women from female sports as unconstitutional, which expands upon a lawsuit they had previously brought under state law. The court had already ordered that the related state law not be enforced while that lawsuit was in progress. They have asked here that the court declare the EO unconstitutional and permanently stop its enforcement.

Case Summary: On Jan. 20, 2025, the Trump administration issued Executive Order 14168, stating that there are only two sexes, male and female, and that they are determined by immutable biological factors at conception. On Feb. 5, the administration issued Executive Order 14201, directing the federal government to interpret and enforce Title IX under the sex definitions provided in Executive Order 14168, which would bar transgender women and girls from competing in women's sports. Plaintiffs, two transgender teenage athletes in New Hampshire, previously filed suit against the state, arguing a state law banning transgender women from competing in school sports was unconstitutional under the 14th Amendment and a violation of Title IX. On Sept. 10, 2024, the court ordered a preliminary injunction against the state law. On Feb. 12, following the Trump administration's executive order, Plaintiffs filed a motion for leave to file a second amended complaint, seeking to add federal defendants to the suit. The amended complaint argues the executive order (1) unconstitutionally violates Fifth Amendment equal protection rights; (2) is an ultra vires action in conflict with Title IX; and (3) is an ultra vires action to withhold Congressionally appropriated funds. They seek a declaratory judgment that the executive order is unconstitutional and unlawful; and a permanent injunction enjoining its enforcement. 2025-02-12

Executive Action: Immigration enforcement against places of worship and schools (Policy Memo)

Philadelphia Yearly Meeting of the Religious Society of Friends, et al. v. U.S.
Department of Homeland Security (D. Md.)

Case No. 8:25-cv-00243-TDC

Complaint (Jan. 27, 2025)

Amended Complaint (Feb. 5, 2025)

2025-01-27

Overview: A coalition of Quaker congregations sued the Department of Homeland Security (“DHS”), challenging a new policy allowing immigration enforcement in “sensitive” areas like places of worship. The coalition argues the policy violates constitutional rights and federal laws, and has asked the court to stop its implementation. The court partially granted their request by blocking any enforcement of the policy in or near any place of worship owned or used by the plaintiff organizations without a warrant.

Case Summary: On January 20, 2025 the Department of Homeland Security (DHS) issued a directive rescinding the Biden Administration’s guidelines for ICE and CBP enforcement actions that restricted agents from conducting immigration enforcement in or near “sensitive” areas, such as places of worship, schools, and hospitals. Under the new policy guidance, immigration enforcement in such areas would only be subject to the enforcement officers’ “common sense.”

The plaintiffs, a coalition of Quaker congregations, seek to enjoin enforcement of this policy change and request a court declaration that any government policy permitting immigration enforcement based solely on subjective common sense is an unconstitutional violation of the freedom of expressive association under the First Amendment. Their complaint also claims that the new policy violates the Religious Freedom and Restoration Act and the Administrative Procedure Act.

Update 1: On Feb. 4, Plaintiffs moved for a TRO and preliminary injunction against implementation of the Executive Order.

Update 2: On Feb. 24, the court granted in part a preliminary injunction against enforcement of the DHS 2025 directive in or near any place of worship owned or used by the plaintiff organizations without an administrative or judicial warrant; and instead requiring adherence to the 2021 guidelines. The court also issued a Memorandum Opinion, which explained its reasons for not issuing a nationwide injunction based on the particulars of the Plaintiffs' organizations and their affidavits. 2025-02-24

Mennonite Church USA et al. v. United States Department of Homeland Security et al
(D.D.C.)

Case No. 1:25-cv-00403

Complaint

2025-02-11

Overview: Over two dozen Christian and Jewish religious organizations sued the Department of Homeland Security (“DHS”), challenging a new policy allowing immigration enforcement in "sensitive" areas like places of worship. The organizations argue that the new policy violates the Constitution and federal laws, and have asked the court to block DHS from enforcing the new policy without a warrant or severe circumstances.

Case Summary: On January 20, 2025 the Department of Homeland Security (DHS) issued a directive rescinding the Biden Administration’s guidelines for ICE and CBP enforcement actions that restricted agents from conducting immigration enforcement in or near “sensitive” areas, such as places of worship, schools, and hospitals. Over two dozen Christian and Jewish religious denominations and associations sued for a preliminary and permanent injunction prohibiting DHS from effectuating the directive. The complaint asserts that DHS’s authorization of immigration enforcement action at plaintiffs’ places of worship in the absence of exigent circumstances or a judicial warrant violates their rights under the Religious Freedom Restoration Act (RFRA) and the First Amendment. In addition, the complaint alleges that DHS’s manner of rescission of the “sensitive locations policy” violates legal constraints on agency action.

Update 1: On Feb. 21, Plaintiffs filed a motion for a preliminary injunction enjoining Defendants from carrying out immigration enforcement activities at their places of worship absent exigent circumstances or a judicial warrant.

Update 2: On Mar. 14, Defendants filed a memorandum in opposition to Plaintiffs’ motion for preliminary injunction, claiming that the plaintiffs lack standing, do not sufficiently claim irreparable injury, and that there is not a substantial burden on the plaintiffs’ exercise of their religion. They also claim that the Government has a compelling interest in the uniform enforcement of immigration laws.

Update 2: On Mar. 24, Plaintiffs filed a reply to the Defendants’ motion in opposition.
2025-03-24

Denver Public Schools v. Noem (D. Colo)

Case No. 1:25-cv-00474

Complaint

2025-02-12

Overview: Denver Public Schools challenged the Trump Administration’s new policy, issued via the Department of Homeland Security (“DHS”), which allows immigration enforcement in "sensitive" areas like schools. The schools argue that DHS failed to provide a reasoned explanation for the policy change and violated disclosure

requirements under federal law. The schools have asked the court to temporarily stop enforcement of the policy while the lawsuit is in progress.

Case Summary: On January 20, 2025 the Department of Homeland Security (DHS) issued a directive rescinding the Biden Administration's guidelines for ICE and CBP enforcement actions that restricted agents from conducting immigration enforcement in or near "sensitive" areas, such as places of worship, schools, and hospitals. Denver Public Schools filed a suit challenging the rescission of the policy, alleging that DHS implemented this major policy change through internal memoranda that have never been publicly released, with the shift announced only through a press release. According to the complaint, the new policy allegedly replaces three decades of formal protections with vague guidance that agents should use "common sense" in deciding whether to conduct enforcement actions at sensitive locations. The Plaintiff argues that this reversal of a decades-old policy constitutes final agency action subject to review under the Administrative Procedure Act, and that DHS failed to meet the basic requirements for changing established policy — including the need to provide reasoned explanation for the change, consider reliance interests, and examine alternatives. The Plaintiff further alleges that DHS's failure to publish the policy memoranda violates FOIA disclosure requirements. The suit asks the court to enjoin and vacate the new policy and require the 2025 policy to be made public.

Update 1: On Feb. 12, Plaintiffs moved for a TRO and preliminary injunction against enforcement of the Executive Order. 2025-02-12

Executive Action: Denying Press Access to the White House

The Associated Press v. Budowich (D.D.C.)

Case No. 1:25-cv-00532

Complaint

2025-02-21

Overview: The Associated Press ("AP") sued the Trump administration after being banned from White House press events for refusing to refer to the Gulf of Mexico as the Gulf of America. AP argues that this ban violates their constitutional rights, including their First Amendment right to free expression. AP asked the court to declare the ban unconstitutional and to reinstate their access to the White House immediately and at least for the duration of the lawsuit. The court has denied their request for immediate reinstatement but has accelerated the process for hearing both sides' arguments on reinstating AP's access for the duration of the lawsuit.

Case Summary: On Feb. 11, 2025, White House officials banned AP journalists from entering areas like the Oval Office and Air Force One as members of the press pool unless the AP began referring to the Gulf of Mexico as the Gulf of America. On Feb. 21,

the AP filed suit, claiming that the ban (1) violates the Fifth Amendment's Due Process Clause on the alleged grounds that the ban removes the AP from spaces it has used "for over a century" and was announced with no prior notice, no written notice, no opportunity to challenge before it took effect, and no formal opportunity to challenge since; and (2) violates the First Amendment on the alleged grounds that the ban is an attempt to compel the AP's speech and retaliation for the AP's exercise of its protected rights of expression. The Plaintiff seeks a declaratory judgment that denying AP access is unconstitutional, and a court order that the White House rescind the policy. On Feb. 21, 2025, the AP also filed a motion for a TRO and a motion for a preliminary injunction.

Update 1: On Feb. 24, in a 2-page order, Judge Trevor N. McFadden denied the motion for a preliminary injunction but noted that the court had ordered expedited hearings for consideration of a preliminary injunction.

Update 2: On Mar. 3, Plaintiffs submitted an amended motion for a preliminary injunction, responding to Judge McFadden's requests for briefings on specific questions, and requesting that the court require Defendants to rescind the ban on AP's access to spaces open to the White House press pool.

Update 3: Given the amended motion for a preliminary injunction, Judge McFadden ordered the Feb. 21 motion moot on Mar. 4.

Update 4: On Mar. 11, the Defendants filed a response opposing the Plaintiff's motion for a preliminary injunction. They argue that media organizations do not have a Fifth Amendment liberty interest in special access to the President and that it is not a violation of the First Amendment for the President to grant special media access based on the nature of a journalist's prior coverage.

Update 5: On Mar. 25, the Defendants filed a supplemental declaration from Taylor Budowich, the White House Deputy Chief of Staff and Cabinet Secretary. The declaration provides some detail on the process for selecting press pool members and explains the access provided to the Plaintiff. 2025-03-25

Executive Action: Action Against Law Firms (Executive Order 14230)

Perkins Coie LLP v. U.S. Department of Justice (D.D.C.)

Case No. 1:25-cv-00716

Complaint

2025-03-11

Overview: The law firm Perkins Coie sued the Department of Justice and other government agencies over President Trump's Mar. 6, 2025 executive order (EO)

terminating government contracts, denying members of the firm access to federal employees, and suspending employees' security clearances. A federal judge granted Perkins Coie's request to temporarily block several sections of the EO.

Case Summary: On Mar. 6, President Trump issued an executive order accusing the law firm Perkins Coie LLP of undermining democracy and maintaining illegal race-based hiring quotas. The executive order directs various agencies to impose sanctions against the firm, including: terminating the firm's government contracts; suspending employees' security clearances pending a national-security review; ordering a review of the firm's hiring practices by the Equal Employment Opportunity Commission; limiting employees' access to federal buildings; and directing agencies not to hire Perkins Coie employees. The Plaintiff sued, alleging that the executive action is unconstitutional, violating separation of powers, the First Amendment's protections for freedom of speech and association, the Fifth Amendment's Due Process Clause, the Fifth and Sixth Amendment's right to counsel, and the Fourteenth Amendment's Equal Protection Clause. They seek a declaratory judgment that the order is unconstitutional and an immediate injunction stopping implementation of the order pending court review, followed by preliminary and permanent injunctions. The Plaintiff also submitted a request for a temporary restraining order and a proposed order that enjoined only Sections 1 (Purpose), 3 (Contracting), and 5 (Personnel including access to Federal Government buildings) of the executive order.

Update 1: On Mar. 12, Judge Beryl Howell, ruling from the bench, granted Perkins Coie's request for a temporary restraining order to block Sections 1, 3, and 5 of the executive order. During the hearing, she reportedly noted that the Plaintiff had not requested the TRO apply to Section 2 (Security Clearances) and Section 4 (Racial Discrimination) of the executive order, although those sections are also part of the lawsuit. She followed hours later with a written order.

Update 2: On Mar. 21, the Defendant filed a motion to disqualify the judge. On Mar. 26, the court denied the motion. 2025-03-26

Jenner & Block v. Department of Justice (D.D.C.)

Case No. 1:25-cv-00916

Complaint

2025-03-28

Overview: The law firm Jenner & Block sued the Department of Justice and other government agencies over President Trump's Mar. 25 executive order (EO) terminating government contracts, denying members of the firm access to federal employees, and suspending employees' security clearances. The same day, a federal judge granted the law firm's request to temporarily block several sections of the EO.

[Summary of complaint coming soon] Jenner & Block submitted a motion for a temporary restraining order with proposed text. On the same day, the court held a hearing, and Judge John Bates granted the TRO 2025-03-28

Wilmer Cutler Pickering Hale and Dorr v. Executive Office of the President (D.D.C.)
Case No. 1:25-cv-00917

Complaint
2025-03-28

Overview: The law firm WilmerHale sued the Executive Office of the President and several government agencies over President Trump's Mar. 27 executive order (EO) terminating government contracts, denying members of the firm access to federal employees, and suspending employees' security clearances. The same day, a federal judge granted the law firm's request to temporarily block several sections of the EO. [Summary of complaint coming soon] WilmerHale submitted a motion for a temporary restraining order with proposed text. On the same day, the court held a hearing, and Judge Richard Leon granted the TRO in the main part. He denied a TRO for section 2 of the EO restricting security clearances. The court wrote that the DC Circuit "has held that security clearance decisions are within the purview of the Executive Branch," and thus the Plaintiff did not have a likelihood of success on the merits on that specific issue.

2025-03-28

Executive Action: Election Law (Executive Order 14248)

Democratic National Committee v. Trump (D.D.C.)
Case No. 1:25-cv-00952

Complaint
2025-03-31

Overview: A group of Democratic Party committees, organizations, and individuals challenged President Donald Trump's Executive Order (EO) that seeks to implement new requirements for federal elections. The plaintiffs allege that only the states and Congress have the authority to make changes to elections law and processes, and that the EO violates the Constitution and various federal statutes. Plaintiffs have asked the court to permanently or at least temporarily block the EO while the case proceeds.

Case Summary: On Mar. 25, 2025, President Trump signed an Executive Order (EO) titled "Preserving and Protecting the Integrity of American Elections." Among its requirements, the EO directs the Election Assistance Commission (EAC) to require documentary proof of U.S. citizenship on voter registration forms and provides that the Department of Homeland Security and DOGE shall review each state's voter registration lists. The EO also directs the Attorney General to take action against states that count absentee or mail-in ballots received after Election Day, and it conditions various federal funding on compliance with the Executive Order.

The Democratic National Committee (DNC), Democratic Governors Association, Democratic Senatorial Campaign Committee (DSCC), Democratic Congressional Campaign Committee (DCCC), U.S. Senate Minority Leader Chuck Schumer, and U.S. House Minority Leader Hakeem Jeffries challenged the EO, alleging that the President does not have legal authority to impose these policy changes, and that the Constitution reserves such authority to the states and to Congress. They further allege that the EO will make it harder to register to vote, cast a ballot, and to administer fair elections, and that it violates individual privacy rights.

Plaintiffs brought 11 counts, alleging (1) Ultra Vires presidential action; (2) Violation of the Separation of Powers with respect to various congressional and state authorities; (3) Administrative Procedure Act (APA) violations with respect to various statutes; and (4) APA violations with respect to various constitutional provisions.

Plaintiffs requested that the court declare the relevant sections of the EO unlawful and preliminarily and permanently enjoin the various government departments from taking any action to implement the EO. 2025-03-31

League of United Latin American Citizens (LULAC) v. Executive Office of the President (D.D.C.)

Case No. 1:25-cv-00946

Complaint

2025-03-31

Overview: Three nonprofits have challenged President Donald Trump's Executive Order (EO) that seeks to implement new requirements to provide documentary proof of U.S. citizenship on voter registration forms. These nonprofits allege that the EO violates the Constitution and various federal statutes. Plaintiffs have asked the court to block the implementation and enforcement of the EO.

Case Summary: On Mar. 25, 2025, President Trump signed an Executive Order (EO) titled "Preserving and Protecting the Integrity of American Elections," which directs the Election Assistance Commission (EAC) to require documentary proof of U.S. citizenship on voter registration forms and conditions federal funding to states based on compliance with the EO. Plaintiffs are three nonprofits, the League of United Latin American Citizens (LULAC), the Secure Families Initiative (SFI), and the Arizona Students' Association (ASA). They allege that the EO violates the separation of powers, the Electors and Election Clauses of the Constitution, the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), and the Administrative Procedure Act (including allegedly making "arbitrary and capricious" changes to the Federal Form and Federal Post Card Application).

Plaintiffs request that the Court declare that the EO is unlawful and unconstitutional, enjoin the implementation and enforcement of the EO, and block the Department of Justice (DOJ) and Attorney General Pam Bondi from taking action that would prohibit the counting of valid mail-in and absentee ballots. 2025-03-31

League of Women Voters Education Fund v. Trump (D.D.C.)

Case No. 1:25-cv-00955

Complaint

2025-04-01

Overview: Numerous voting rights organizations have challenged President Trump's Executive Order (EO) that seeks to implement new requirements to provide documentary proof of U.S. citizenship on the federal voter registration form. These organizations allege that the EO violates the Constitution and the National Voter Registration Act. Plaintiffs have asked the court to block the implementation of the EO.

Case Summary: On Mar. 25, 2025, President Donald Trump signed an Executive Order (EO) titled "Preserving and Protecting the Integrity of American Elections," which directs the Election Assistance Commission (EAC) to require documentary proof of U.S. citizenship on the federal voter registration form ("Federal Form") and conditions federal funding to states based on compliance with the EO. Plaintiffs are seven voting rights organizations, including multiple branches of the League of Women Voters (LMV), the Hispanic Federation, and the National Association for the Advancement of Colored People (NAACP). They allege that the EO violates the separation of powers and the National Voter Registration Act. Plaintiffs request that the Court declare that the EO is unlawful and enjoin the implementation of the EO to the extent that it directs the EAC to change the Federal Form. 2025-04-01

State of California v. Trump (D. Mass.)

Case No. 1:25-cv-10810

Complaint

2025-04-03

[Coming soon] 2025-04-03

Diversity, Equity, Inclusion, and Accessibility

Executive Action: Ban on DEIA initiatives in the executive branch and by contractors and grantees (Executive Order 14168; Executive Order 14151; Executive Order 14173)

Nat'l Association of Diversity Officers in Higher Ed. v. Trump (D. Md.)

Case No. 1:25-cv-00333-ABA

(Fourth Circuit Case No. 25-1189)

Complaint

2025-02-03

Overview: Several organizations, including the National Association of Diversity Officers in Higher Education, sued President Donald Trump alleging his Executive Orders 14151 and 14173 ("EOs") that target diversity, equity, and inclusion ("DEI")

programs violate their constitutional rights, including the right to free speech. The organizations are asking the judge to declare both EOs unconstitutional and unlawful, and to stop enforcement of the EOs immediately and at least for the duration of the lawsuit. The judge has partially granted the organization's request by stopping enforcement of the EOs while the lawsuit is pending. The Trump administration has appealed the judge's decision to a higher court.

Case Summary: On Jan. 20, 2025, the Trump administration issued an executive order to "[defend] women from gender ideology extremism and [restore] biological truth to the federal government." That same day, the President issued an executive order directing the OMB Director, assisted by the Attorney General and OPM, to terminate DEI programs, offices and positions, and "equity-related" grants and contracts. On Jan. 21, the administration issued a third executive order revoking an Equal Employment Opportunity executive order in place since 1965; requiring federal grant recipients and contractors to certify that they do not operate DEI programs that violate anti-discrimination laws; and requiring each executive agency to identify up to nine corporations or nonprofit entities or associations to target with civil investigations to deter DEI programs.

Plaintiffs argue the first order is an unconstitutional violation of the Spending Clause and the 5th Amendment's due process guarantee for vagueness. They argue the second order unconstitutionally violates 5th Amendment due process for vagueness; the 1st Amendment's free speech clause; and the separation of powers. They seek declaratory judgments that both orders are unlawful and unconstitutional, and preliminary and permanent injunctions against both.

Update 1: On Feb. 13, Plaintiffs moved for a TRO and preliminary injunction against enforcement of the Executive Orders.

Update 2: On Feb. 18, Defendants filed a response against Plaintiffs' motion for a TRO and preliminary injunction, arguing, inter alia, that two of four Plaintiffs lack standing and that Plaintiffs' claims fail on merits. On Feb. 19, Plaintiffs filed a supplemental brief in support for a TRO and preliminary injunction.

Update 3: On Feb. 21, Judge Adam B. Abelson issued a memorandum opinion and granted the preliminary injunction in large part, enjoining implementation of the Termination Provision of Executive Order 14151 and of the Certification and Enforcement Threat Provisions of Executive Order 14173. The court stated that "Plaintiffs' irreparable harms include widespread chilling of unquestionably protected speech." The court also denied the preliminary injunction in part, allowing the Attorney General to prepare the report pursuant to Executive Order 14173 and to engage in an investigation.

Update 4: [redacted]

Update 5: On Mar. 3, Judge Abelson denied the Defendants' motion to stay the injunction pending an appeal.

Update 6: On Mar. 10, Judge Abelson granted Plaintiff's motion to clarify the scope of the injunction, such that it applies not only to "persons in active concert or participation with defendants," but to all federal executive branch agencies.

Update 7: On Mar. 14, the Fourth Circuit granted the government's petition for a stay of the preliminary injunction pending appeal.

Update 8: On Mar. 21, Plaintiffs filed a motion to vacate the preliminary injunction granted by Judge Abelson on Feb. 21 in light of the Fourth Circuit's grant of stay of the preliminary injunction pending appeal. Plaintiffs seek to vacate so that they can instead seek additional relief that takes into account new factual developments and also save judicial resources. 2025-03-21

Doe 1 v. Office of the Director of National Intelligence (E.D.Va.)

Case No. 1:25-cv-00300-AJT-LRV

Complaint

2025-02-17

Overview: A group of career U.S. intelligence officers sued the Office of the Director of National Intelligence (ODNI) for placing them on administrative leave following President Donald Trump's Executive Order ("EO") terminating Diversity Equity & Inclusion ("DEI") programs. The officers argued that the ODNI terminated them without sufficient cause, in violation of the agency's legal obligations and their constitutional rights, and asked the court to immediately block ODNI's actions. A federal court has permitted ODNI to proceed but has extended the officers' deadline to resign voluntarily in return for additional time on paid leave.

Case Summary: On Jan. 20, 2025, the Trump administration issued an executive order directing the OMB Director, assisted by the Attorney General and OPM, to terminate DEI programs, offices and positions, and "equity-related" grants and contracts. Plaintiffs are U.S. intelligence officers who were assigned to diversity, equity, inclusion and accessibility (DEIA) initiatives at ODNI and CIA. The complaint alleges that Defendants placed Plaintiffs on administrative leave "apparently only because of [Plaintiffs'] temporary assignments to personnel functions involving DEIA." Plaintiffs bring several causes of action. First, they claim that Defendants violated the Administrative Leave Act by placing Plaintiffs on leave for more than ten work days, despite the fact that no worker misconduct had been alleged. Second, Plaintiffs maintain that Defendants violated the Administrative Procedure Act, because Plaintiffs'

“imminent termination” is “arbitrary, capricious, an abuse of discretion, not in accordance with [Intelligence Community] regulations, and unsupported by any evidentiary record whatsoever.” Third, Plaintiffs allege that Defendants violated the First and Fifth Amendments by firing Plaintiffs on the basis of “their assumed beliefs about a domestic political issue [DEIA]” and causing them to lose “their property interest in their employment without due process of law.”

The plaintiffs seek injunctive relief. The plaintiffs also submitted a request for a temporary restraining order.

Update 1: On Feb 18, the court issued an administrative stay blocking the termination of plaintiffs’ employment or placing plaintiffs on leave without pay.

Update 2: On Feb. 20, Defendants filed a motion in opposition to the plaintiffs’ request for a TRO.

Update 3: On Feb. 27, the court vacated its prior administrative stay and denied plaintiffs’ motion for a temporary restraining order. Judge Anthony Trenga extended the employees’ deadline to accept the administration’s deferred resignation program to Monday, March 3.

Update 4: On Mar. 27, Plaintiffs submitted a motion for a preliminary injunction with a memorandum in support. 2025-02-27

Doe v. Collins (D.D.C.)

Case No. 1:25-cv-00760

Complaint

2025-03-14

Overview: Suspended employees from the Office of Equity Assurance (“OEA”) of the Veterans Benefits Administration (“VBA”) brought a suit against the Secretary of Veteran Affairs to block the Trump administration’s EO terminating diversity, equity, inclusion, and accessibility (“DEIA”) programs and offices in federal agencies (“DEIA EO”). Plaintiffs are seeking a ruling to block their placement on administrative leave, as well as a ruling that the OEA is not a DEIA office.

Case Summary: On Jan. 20, 2025, the Trump administration issued an executive order directing the OMB Director, assisted by the Attorney General and OPM, to terminate DEIA programs, offices and positions, and “equity-related” grants and contracts. On Jan. 21, 2025, the Acting Director of U.S. Office of Personnel Management (“OPM”), issued a memo to the heads of federal agencies, directing them to close DEIA initiatives and programs and place employees of DEIA offices on administrative leave. On Jan. 22, 2025, the Veterans Benefits Administration (“VBA”) – Office of Equity Assurance (“OEA”) was shut down and employees were placed on administrative leave. Plaintiffs

are career civil employees who were placed on administrative leave and terminated from access to government systems on Jan. 22. Plaintiffs allege that the implementation of the EO violates the First Amendment because they were targeted because of their assumed beliefs about a domestic political issue (DEIA) which was unrelated to their work at VBA. They also allege that their termination violates the Administrative Procedure Act and the Due Process Clause and the Equal Protection Clause of the Fifth Amendment. Plaintiffs seek injunctive and declaratory relief, and preliminary and permanent injunctions on Defendant from designating OEA as a DEIA office affected by the EO.

2025-03-14

National Urban League v. Trump (D.D.C.)

Case No. 1:25-cv-00471

Complaint

2025-02-19

Overview: A group of civil rights organizations sued President Donald Trump over three Executive Orders (“EOs”) that target diversity, equity, and inclusion (“DEI”) programs and transgender rights. The organizations argue that the EOs violate constitutional rights, including free speech and due process. The organizations are asking the court to declare the EOs unlawful and to permanently block the EOs from being enforced.

Case Summary: On Jan. 20, the Trump administration issued an executive order directing the OMB Director, assisted by the Attorney General and OPM, to terminate DEI programs, offices and positions, and “equity-related” grants and contracts. On Jan. 21, the administration issued another executive order revoking an Equal Employment Opportunity executive order applying to contractors, in place since 1965; requiring federal grant recipients and contractors to certify that they do not operate DEI programs that violate anti-discrimination laws; and requiring each executive agency to identify up to nine corporations or nonprofit entities or associations to target with civil investigations to deter DEI programs. Plaintiffs, non-profits that receive federal funding for programs designed to serve vulnerable populations, allege that the executive orders violate the First Amendment’s protections for freedom of speech, the Fifth Amendment’s Equal Protection and Due Process guarantees, and the Administrative Procedure Act. Plaintiffs allege the same regarding Executive Order 14168, which takes similar action against programs involving trans rights, violates the same laws. Plaintiffs seek a declaratory judgment that the executive orders are unlawful, rescission of the executive orders, and permanent injunctions against any actions taken to enforce the executive orders.

Update 1: On Feb. 28, Plaintiffs submitted a motion for a preliminary injunction. The Defendants submitted a motion in opposition on Mar. 12, to which Plaintiffs replied on Mar. 17. The court held a preliminary injunction hearing on Mar. 19.

Update 2: On Mar. 21, Plaintiffs filed a notice to clarify factual matters discussed during the Mar. 19 hearing concerning the employment of Judge Timothy J. Kelly's wife as the Director of the D.C. Department of Transportation (DDOT). On Mar. 24, the Court ordered both parties to provide further information regarding the potential applicability of the executive order (EO) to DDOT and to articulate their positions on whether Judge Kelly should recuse himself from the case based on this information.

Update 3: On Mar. 26, both parties submitted their responses to Judge Kelly's Mar. 24 order. Plaintiffs' response highlighted their limited access to information on the matter, stating that the limited publicly available information does not necessitate Judge Kelly's recusal. Defendants' response noted that their respective agencies have no awards, grants, or contracts with DDOT. Consequently, defendants do not believe recusal is required at this time. 2025-03-26

San Francisco AIDS Foundation et al v. Trump (D.D.C.)

Case No. 3:25-cv-1824

Complaint

2025-02-20

Overview: A group of nonprofit organizations representing LGBTQ interests sued President Donald Trump over three Executive Orders ("EOs") that target diversity, equity, and inclusion ("DEI") programs and transgender rights. The organizations argue that the EOs violate constitutional rights, including the freedom of expression and due process, and exceed the scope of the President's authority under the constitution. The organizations have asked the court to declare the EOs unlawful and unconstitutional, and to immediately and permanently block the implementation and enforcement of the EOs.

Case Summary: On Jan. 20, 2025, the Trump administration issued an executive order to "[defend] women from gender ideology extremism and [restore] biological truth to the federal government." That same day, the President issued an executive order directing the OMB Director, assisted by the Attorney General and OPM, to terminate DEI programs, offices and positions, and "equity-related" grants and contracts. On Jan. 21, the administration issued a third executive order revoking an Equal Employment Opportunity executive order in place since 1965; requiring federal grant recipients and contractors to certify that they do not operate DEI programs that violate anti-discrimination laws; and requiring each executive agency to identify up to nine corporations or nonprofit entities or associations to target with civil investigations to deter DEI programs.

Plaintiffs allege that these three executive orders "pose an existential threat to transgender people and the organizations that respect their existence, shield them from harm, provide them with life-saving services and community, and engage in core protected speech advocating for their liberation." Specifically, Plaintiffs claim that the EOs: 1) have been used by Defendants to engage in viewpoint and content

discrimination in violation of the First Amendment, (2) violate the Due Process Clause of the Fifth Amendment and are void for vagueness, (3) exceed the President's powers under Article II of the Constitution by usurping congressional authority, and (4) violate the Fifth Amendment's guarantee of equal protection. Plaintiffs seek declaratory and injunctive relief to prevent implementation and enforcement of the EOs. 2025-02-20

Chicago Women in Trades v. Trump (N.D. Ill.)

Case No. 1:25-cv-02005

Complaint

2025-02-26

Overview: A women's nonprofit trade organization has sued President Donald Trump alleging two Executive Orders ("EO") that target diversity, equity, and inclusion (DEI) violate the First Amendment, the Fifth Amendment, the Spending Clause, and separation of powers. The organization has asked the judge to temporarily or permanently block the orders and affirm that they are unconstitutional.

Case Summary: On Jan. 20, 2025, the Trump administration issued an executive order to "[defend] women from gender ideology extremism and [restore] biological truth to the federal government." That same day, the President issued an executive order directing the OMB Director, assisted by the Attorney General and OPM, to terminate DEI programs, offices and positions, and "equity-related" grants and contracts. On Jan. 21, the administration issued a third executive order revoking an Equal Employment Opportunity executive order in place since 1965; requiring federal grant recipients and contractors to certify that they do not operate DEI programs that violate anti-discrimination laws; and requiring each executive agency to identify up to nine corporations or nonprofit entities or associations to target with civil investigations to deter DEI programs.

Plaintiff, a non-profit organization that works to train women to enter and remain in high-skilled trades, filed suit, arguing the executives orders (1) violate the First Amendment due to (a) overbreadth and vagueness; (b) viewpoint discrimination; and (c) setting unconstitutional conditions on speech; (2) violate the Fifth Amendment's Due Process clause for vagueness; (3) are ultra vires violations of Article I, Sec. 8 (the Spending Clause); and (4) violate the separation of powers. The Plaintiff seeks declaratory judgments that the orders are unconstitutional and preliminary and permanent injunctions enjoining their enforcement.

Update 1: On Mar. 5, the Plaintiff filed a motion for a preliminary injunction to block the implementation of the DEI Executive Orders. On Mar. 18, the Plaintiff filed a motion for a temporary restraining order (TRO) to prevent the federal government from taking adverse action against any recipient of federal funding resulting from the DEI Executive Orders.

Update 2: On Mar. 24, the government filed an opposition to Plaintiff's motions for a TRO and a preliminary injunction.

Update 3: On Mar. 26, Judge Matthew Kennelly granted a TRO.

Update 4: On Apr. 1, the court issued an order granting an amended TRO. The amended TRO provides that the Secretary of Labor and employees or advisors of the Department of Labor may not pause, freeze, or cancel any awards, contracts, or obligations made to Plaintiffs on the basis of the termination provision of January 20 EO, and that the enjoined parties cannot require certification or other representations under the certification provision of the January 21 EO. 2025-04-01

American Association of Colleges for Teacher Education v. Carter (D. Md.)

Case No. 1:25-cv-00702-JRR

Complaint

2025-03-03

Overview: Three organizations who receive federal funding for teaching programs have sued the U.S. Department of Education ("DOE"), President Donald Trump, and the Acting Secretary of Education alleging two of Trump's Executive Orders ("EO") requiring an end to federal funds going toward "gender ideology extremism" and "DEI programs" are unlawful. The organizations argue that the EOs were issued without the proper procedures, in violation of the Administrative Procedure Act and that the EOs violate constitutional rights, specifically the right to due process. The organizations asked the judge to permanently or at least temporarily block enforcement of the EOs. The judge temporarily blocked the DOE from terminating certain grant programs on March 17 and defendants have appealed.

Case Summary: On Jan. 20, 2025, the Trump administration issued an executive order to "[defend] women from gender ideology extremism and [restore] biological truth to the federal government." That same day, the President issued an executive order directing the OMB Director, assisted by the Attorney General and OPM, to terminate DEI programs, offices and positions, and "equity-related" grants and contracts. On Jan. 21, the administration issued a third executive order revoking an Equal Employment Opportunity executive order in place since 1965; requiring federal grant recipients and contractors to certify that they do not operate DEI programs that violate anti-discrimination laws; and requiring each executive agency to identify up to nine corporations or nonprofit entities or associations to target with civil investigations to deter DEI programs.

Plaintiffs are organizations whose members include hundreds of teacher preparation programs. Those programs receive grants through the U.S. Department of Education's Teacher Quality Partnership Program (TQP), Supporting Effective Educator Development Program (SEED), and Teacher and School Leader Incentive Program

(TSL). Plaintiffs assert that, pursuant to the President's Executive Order 14151 which halted DEI initiatives, the Department of Education summarily terminated many of the TQP, SEED, and TSL grants without proper procedure. Specifically, the lawsuit alleges that EO 14151 is unconstitutionally vague and that the termination of the grants constitutes an arbitrary and capricious decision in violation of the Administrative Procedure Act. Plaintiffs seek declaratory relief and an injunction ordering reinstatement of grant funds.

They also submitted a motion for a temporary restraining order.

Update 1: On Mar. 17, a federal judge issued a preliminary injunction as to the Plaintiffs' APA claim.

Update 2: On Mar. 21, Defendants submitted a notice of appeal on the partial grant of the motion for preliminary injunction to the Fourth Circuit.

Update 3: On Mar. 31, the Plaintiffs filed a motion to place the case in abeyance, stating that the disposition of another case pending before the Supreme Court will inform any future briefing in this litigation. The Plaintiffs asked the Court to suspend the briefing schedule and deadline to respond to the Defendants' motion to stay pending appeal until the Supreme Court weighs in on the related case. 2025-03-31

Rhode Island Latino Arts v. National Endowment for the Arts (D.R.I.)

Case No. 1:25-cv-00079

Complaint (Mar. 6, 2025)

Complaint

2025-03-06

Overview: Four arts nonprofit organizations who receive funding from the National Endowment for the Arts (NEA) have sued to block NEA from enforcing President Donald Trump's Executive Order (EO) titled, "Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government," which revokes federal funding for organizations that promote "gender ideology." The organizations argue that the EO violates constitutional rights, including the freedom of expression and due process, and violates requirements under the Administrative Procedure Act. The organizations are asking the judge to permanently block enforcement of the EO or at least temporarily while the case proceeds.

Case Summary: On Jan. 20, 2025, the Trump administration issued an executive order to "[defend] women from gender ideology extremism and [restore] biological truth to the federal government." That same day, the President issued an executive order directing the OMB Director, assisted by the Attorney General and OPM, to terminate DEI programs, offices and positions, and "equity-related" grants and contracts. On Jan. 21, the administration issued a third executive order revoking an Equal Employment

Opportunity executive order in place since 1965; requiring federal grant recipients and contractors to certify that they do not operate DEI programs that violate anti-discrimination laws; and requiring each executive agency to identify up to nine corporations or nonprofit entities or associations to target with civil investigations to deter DEI programs.

Plaintiffs are arts nonprofit corporations that have received funding from the National Endowment for the Arts (NEA). Pursuant to the Jan. 20 “gender ideology” EO, the NEA now requires all grant applicants to certify their understanding that “federal funds shall not be used to promote gender ideology.” Plaintiffs, who seek to “affirm transgender and nonbinary identities and experiences in the projects for which they seek funding,” allege that such projects now appear to be ineligible for NEA funding, and the vagueness of the new NEA policy “requires [Plaintiffs] to guess as to what if anything they can create, produce, or promote that addresses themes of gender.” The Plaintiffs claim that the NEA’s “gender ideology” prohibition exceeds statutory authority under the National Endowment for the Arts and Humanities Act of 1965 and is arbitrary and capricious in violation of the Administrative Procedure Act, and that the prohibition violates the First and Fifth Amendments by imposing vague and viewpoint-based restrictions on artistic speech. They seek declaratory and injunctive relief stopping the government from implementing the EO,, and they request a preliminary injunction, expedited hearing, and/or a temporary restraining order in light of a Mar. 24 deadline for NEA applications.

Update 1: On Mar. 21, the Defendants filed a response in opposition to Plaintiff’s motion for preliminary injunction.

Update 2: On Mar. 25, the Plaintiffs filed a reply in support of their motion for preliminary injunction.

Update 3: On Apr. 3, the court denied Plaintiffs’ motions for a preliminary injunction, temporary restraining order, and expedited hearing. The Court noted that Plaintiffs’ claims, for now, are moot because NEA rescinded its implementation of the EO pending further administrative review. The Court cautioned that Plaintiffs may be able to return and request relief depending on the outcome of the administrative review. 2025-04-03

State of California v. U.S Department of Education (D. Mass.)

Case No. 1:25-cv-10548

Complaint

2025-03-06

Overview: Eight states, including California, challenge the Department of Education’s (“DOE”) decision to terminate approximately \$250 million in federal grants under the Teacher Quality Partnership (“TQP”) and Supporting Effective Educator Development (“SEED”) programs. The lawsuit argues that the DOE’s actions violate the

Administrative Procedure Act. On March 10, a federal judge issued an order temporarily blocking the DOE from terminating the grants.

Case Summary: On Jan. 20, 2025, President Donald Trump issued Executive Order No. 14151 directing the government to terminate DEI programs, offices and positions, and “equity-related” grants and contracts. On Jan. 21, Trump issued Executive Order No. 14173 requiring federal grant recipients and contractors to certify that they do not operate DEI programs that violate anti-discrimination laws. On Jan. 29, 2025, Trump issued Executive Order No. 14190 instructing the Secretary of Education to develop a plan to eliminate federal funding for “illegal and discriminatory treatment and indoctrination in K-12 schools.” On Feb. 5, 2025, the Acting Secretary of Education issued a department directive instructing the Department of Education (“DOE”) employees to review ongoing grants to ensure they “do not fund discriminatory practices—including in the form of DEI.” Allegedly, within two days recipients of Congressionally-authorized Teacher Quality Partnership (“TQP”) and Supporting Effective Educator Development (“SEED”) grants totaling more than \$250M received termination letters from the DOE, stating that the grants conflict with the administration’s policies opposing DEI efforts.

Eight states filed suit, arguing that the DOE’s termination of TQP and SEED grants unlawfully violates the Administrative Procedure Act as (1) arbitrary and capricious; and (2) an agency action not in accordance with law, in this case the DOE’s own procedures. The Plaintiff states seek an order vacating and setting aside the DOE’s termination of previously-awarded grants; a declaratory judgment that terminating the grants violated the APA; and preliminary and permanent injunctions preventing the government from unlawfully terminating the grants.

Update 1: On Mar. 10, a federal judge issued a temporary restraining order blocking the DOE from terminating the grants.

Update 2: On Mar. 12, the Defendant submitted a notice of appeal to the First Circuit.

Update 3: On Mar. 21, the First Circuit denied the Defendant’s motion for a stay of the TRO pending appeal.

Update 4: On Mar. 21, Plaintiffs filed a motion to extend the TRO pending the court’s ruling on the Plaintiffs’ request for a preliminary injunction.

Update 5: On Mar. 24, the government filed a motion opposing Plaintiffs’ motion to extend the TRO.

Update 6: On Mar. 24, Judge Myong J. Joun granted Plaintiffs' request to extend the TRO pending the court's ruling on the request for a preliminary injunction, not to go past Apr. 7. The hearing for the preliminary injunction is scheduled for Mar. 28.

Update 7: On Mar. 26, the Defendants appealed to the U.S. Supreme Court to vacate the order by the district court and issue an administrative stay. 2025-03-26

Erie County New York v. Corporation for National and Community Service (D.D.C.)
Case No. 1:25-cv-00783
Complaint
2025-03-17 [Coming soon] 2025-03-17

Executive Action: Department of Education "Dear Colleague Letter" banning DEI-related programming (Dear Colleague Letter)

American Federation of Teachers v. U.S. Department of Education (D. Md.)
Case No. 1:25-cv-00628-SAG
Complaint
2025-02-25

Overview: A coalition of education interest groups sued the Department of Education ("DOE"), challenging a letter DOE had issued that threatened to withhold federal funding from schools with diversity, equity, and inclusion ("DEI") programs or those teaching about systemic racism. The education interest groups argue that the letter violates constitutional rights, including freedom of speech and due process, and asks the court to declare the letter unlawful and unconstitutional and to immediately block its implementation and enforcement. The plaintiffs have also asked a federal judge to temporarily block enforcement of the DOE letter and related guidance and to remove certain content from the DOE website and restore other content all while the case proceeds.

Case Summary: On Feb. 14, 2025, the Department of Education Office for Civil Rights published a Dear Colleague Letter announcing its intentions for enforcing the Supreme Court's decision in *Students for Fair Admissions v. Harvard*, which bans race-based affirmative action. According to the complaint, the Letter threatened to withhold federal funding from schools with DEI programs, programs that teach about "systemic and structural racism," or programs that otherwise factor race into educational environments. Plaintiffs, professional membership associations representing teachers and sociologists, allege that the Letter violates the First Amendment's protections for freedom of speech and association, the Fifth Amendment's Due Process protections, and the Administrative Procedure Act. They seek declaratory judgment that the Letter is unlawful and unconstitutional and a preliminary injunction against any steps taken to implement the Letter

Update 1: On Mar. 5, Plaintiffs amended their complaint to add a plaintiff (a school district in Oregon), additional factual allegations regarding the DOE’s “End DEI” portal and Feb. 28 “FAQs” guidance document, and additional Oregon law relevant to the new plaintiff.

Update 2: On Mar. 28, Plaintiffs filed a motion for a preliminary injunction asking the court to enjoin defendants from initiating any investigations under both the Feb. 14 Dear Colleague Letter and the Feb. 28 FAQs, to order that the End DEI Portal be inactivated and removed from the DOE website, and to order that the DOE restore public website guidance related to Title VI that was removed after Jan 20, 2025. 2025-03-28

National Education Association v. US Department of Education (D.N.H.)

Case No. 1:25-cv-00091

Complaint

2025-03-05

Overview: A group of educational organizations have sued the Department of Education (DOE), challenging a letter that the DOE had issued threatening to take away federal funding from schools with diversity, equity, and inclusion (DEI) programs or those teaching about systemic racism. The organizations argue that a target on DEI programs violates the Constitution, including the right to free speech and due process. The organizations are asking the judge to declare the letter unconstitutional and unlawful, and to block any steps to enforce the letter. They are also seeking a temporary block while the case proceeds.

Case Summary: On Feb. 14, 2025, the Department of Education Office for Civil Rights published a Dear Colleague Letter announcing its intentions for enforcing the Supreme Court’s decision in *Students for Fair Admissions v. Harvard*, which bans race-based affirmative action. According to the complaint, the Letter threatened to withhold federal funding from schools with DEI programs, programs that teach about “systemic and structural racism,” or programs that otherwise factor race into educational environments. Plaintiffs, a professional association that represents approximately 3 million educators and an affiliate, allege that the letter violates the First Amendment’s protections for freedom of speech and association, the Fifth Amendment’s Due Process protections, and the Administrative Procedure Act (APA). They seek declaratory judgment that the Letter violates the APA and is unconstitutional and preliminary and permanent injunctions against any steps taken to implement the letter.

Update 1: On Mar. 21, Plaintiffs amended the complaint to include an additional plaintiff (Center for Black Educator Development (CBED)), factual allegations related to CBED, additional factual allegations related to NEA, and an additional cause of action under the Higher Education Opportunity Act—which prohibits DOE from directing or controlling

the curriculum of institutions of higher education. On Mar. 21, Plaintiffs also filed a motion requesting a preliminary injunction. 2025-03-21
Removal of Information from Government Websites

Executive Action: Removal of information from HHS websites under Executive Order on “Gender Ideology Extremism” (Executive Order 14168; Policy Memo)

Doctors for America v. Office of Personnel Management et al (D.D.C.)

Case No. 1:25-cv-00322

Complaint

2025-02-04

Overview: Medical nonprofit Doctors for America sued the Office of Personnel Management and federal health agencies, challenging the removal of health-related data and information from government websites following President Donald Trump’s Executive Order on “Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government.” A federal judge required the government to restore the removed webpages and datasets while the case proceeds.

Case Summary: On Jan. 31, 2025, agencies within the Department of Health and Human Services, including the Centers for Disease Control and Prevention (CDC) and Food and Drug Administration (FDA) removed health-related data and other information from publicly-accessible websites in response to an Office of Personnel Management memorandum (dated Jan. 29) enforcing Executive Order 14168, “Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government.”

Plaintiffs, suing on behalf of doctors and scientists who rely on the data, allege that the removal constitutes an arbitrary and capricious act, thus violating the Administrative Procedure Act, and fails to comply with notice requirements under the Paperwork Reduction Act. They seek declaratory judgments that the OPM memorandum is unlawful and that the relevant agencies have violated the law; injunctions on further removal of information from agency websites; notice of any further modifications to webpages; and restoration of previously publicly-available datasets.

Update 1: On Feb. 11, 2025, Judge John D. Bates issued a temporary restraining order and memorandum opinion. The TRO includes a requirement that Defendants restore webpages and datasets identified by the Plaintiffs.

Update 2: On Mar. 24, the government filed a motion opposing Plaintiffs’ motions for preliminary junction and summary judgment. The motion also cross-moves for summary judgment on the basis that plaintiffs lack standing and do not have a claim under the APA. 2025-03-24

Schiff v. U.S. Office of Personnel Management

Case No. 1:25-cv-10595

Complaint

2025-03-12

Overview: Harvard Medical School faculty members challenge the Trump administration for removing their articles and studies discussing gender-related topics from online public forums managed by federal agencies.

Case Summary: On Jan. 31, 2025, agencies within the Department of Health and Human Services, including the Centers for Disease Control and Prevention (CDC) and Food and Drug Administration (FDA) removed health-related data and other information from publicly-accessible websites in response to an Office of Personnel Management memorandum (dated Jan. 29) enforcing Executive Order 14168, “Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government.”

On Mar. 12, 2025, plaintiffs Dr. Gordon Schiff and Dr. Celeste Royce, both Harvard Medical School faculty members, filed this lawsuit to challenge actions by the U.S. Office of Personnel Management (OPM) and the Department of Health and Human Services. The lawsuit alleges that OPM’s directive to remove content promoting "gender ideology" from government-run forums violated their First Amendment rights and the Administrative Procedure Act on the ground that “OPM has no authority, by statute or otherwise, to require agencies” to remove such content. The plaintiffs seek to reinstate removed materials and prevent further implementation of the OPM directive. 2025-03-12

Actions Against FBI/DOJ Employees

Executive Action: Department of Justice review of FBI personnel involved in January 6 investigations (Executive Order 14147)

John and Jane Does 1-9 v. Department of Justice (D.D.C.)

Case No. 1:25-cv-00325

Complaint

2025-02-04

Overview: Nine Federal Bureau of Investigation (“FBI”) employees sued the Department of Justice on behalf of a class of current and former FBI agents alleging an FBI survey that seeks to identify agents involved in investigating the January 6th attack on the Capitol is a violation of federal laws including the Privacy Act. A federal judge prohibited the government from publicly releasing any information collected via this survey while the case proceeds.

Case Summary: After President Donald Trump's second inauguration, the Department of Justice terminated employees who were involved in investigations into the January 6, 2021 attack on the U.S. Capitol and President Donald Trump's alleged mishandling of classified documents. On February 2, FBI leadership, pursuant to a directive from the acting deputy attorney general, instructed agents to fill out a survey identifying their specific roles in those investigations. Plaintiffs in this class action suit, employees or agents of the FBI who participated in the investigations and expect to be terminated for their roles, allege that such termination would violate protections against political retaliation under the Civil Service Reform Act, First Amendment protections for political expression, and Fifth Amendment Due Process protections. Plaintiffs also allege that publication or dissemination of the surveys regarding their roles in the investigations would violate the Privacy Act and place them at risk of serious harm. They seek an injunction against "the aggregation, storage, reporting, publication or dissemination" of information identifying FBI personnel involved in the relevant investigations. The plaintiffs also requested a temporary restraining order to stop the defendants from "aggregating and disseminating information" to any person not subject to the Privacy Act, including the President, Vice President, and members of their staff.

Update 1: On Feb. 6, 2025, Judge Jia Cobb ordered consolidation of this case and Federal Bureau of Investigation Agents Association v. Department of Justice.

Update 2: On Feb. 7, 2025, Judge Jia Cobb issued a temporary restraining order, which had been mutually proposed by the parties. The TRO prohibits the government from publicly releasing any list before the court rules on whether to grant a preliminary injunction. The briefings for a preliminary injunction will be filed by March 21, 2025.

2025-02-07

Federal Bureau of Investigation Agents Association; John Does 1-4; Jane Does 1-3 v. Department of Justice (D.D.C.)

Case No. 1:25-cv-00328

Complaint

2025-02-04

Overview: The Federal Bureau of Investigation Agents Association (a non-profit organization representing interests of FBI agents) and a group of current FBI Special Agents sued the Department of Justice, challenging a directive to identify personnel involved in January 6th investigations. A federal judge prohibited the government from publicly releasing any list of agents while the case proceeds. This case was withdrawn and consolidated with John and Jane Does 1-9 v. Department of Justice.

Case Summary: On January 31, 2025, Acting Deputy Attorney General Emil Bove issued a memo ordering the resignation or firing of FBI agents who had participated in the investigations into the January 6, 2021, insurrection at the U.S. Capitol. On February

2, 2025, FBI leadership, pursuant to a directive from Bove, instructed agents to fill out a survey identifying their specific roles in those investigations. Plaintiffs, the union that represents FBI agents and several agents who worked on investigations related to January 6, allege that the Department of Justice intends to use this survey for public dissemination identifying information about the FBI personnel and/or for firing and demoting agents who participated in the investigations, violating the Privacy Act, the Administrative Procedure Act, First Amendment protections, and Fifth Amendment Due Process protections. They seek injunctive relief against “any further collection or dissemination” of personally identifiable information and a writ of mandamus as necessary to compel rescission of any unlawful termination orders. The plaintiffs also requested a temporary restraining order to prevent the public disclosure of the identities of the FBI agents.

Update 1: On Feb. 6, 2025, Judge Jia Cobb ordered consolidation of this case and John and Jane Does 1-9 v. Department of Justice.

Update 2: On Feb. 7, 2025, Judge Jia Cobb issued a temporary restraining order, which had been mutually proposed by the parties. The TRO prohibits the government from publicly releasing any list before the court rules on whether to grant a preliminary injunction. The briefings for a preliminary injunction will be filed by March 21, 2025.
2025-02-07

Federalism Executive Action: Rescission of approval for New York City congestion pricing plan

Metropolitan Transportation Authority v. Duffy (S.D.N.Y.)
Case No. 1:25-cv-01413
Complaint
2025-02-19

Overview: The Metropolitan Transportation Authority and the Triborough Bridge and Tunnel Authority challenged the Trump administration's attempt to rescind approval for New York City's congestion pricing program, arguing that the action is unconstitutional, violates multiple federal laws, and exceeds executive authority.

Case Summary: On Feb. 19, Secretary of Transportation Sean Duffy sent a letter to New York Governor Kathy Hochul saying that the Trump administration was rescinding authorization for New York's congestion pricing plan. Plaintiffs allege that the action violates the Administrative Procedure Act's ban on arbitrary and capricious decisions, the Fifth Amendment's Due Process guarantees, and the National Environmental Policy Act, and exceeds executive authority. They seek declaratory relief and a court order vacating the decision to terminate the program.

Update 1: On Mar. 27, Riders Alliance and the Sierra Club, two nonprofit organizations with members in New York City, filed a Complaint-in-Intervention, claiming that the declaration ending New York City's congestion pricing plan violates the Administrative Procedure Act and the National Environmental Policy Act, and that Transportation Secretary Sean Duffy acted ultra vires in terminating the program. Riders Alliance and Sierra Club asked the Court to vacate Secretary Duffy's decision to revoke the congestion pricing plan. 2025-02-27

Transparency Executive Action: Response to FOIA and Records Retention

CREW v. DOGE (D.D.C.)

Case No. 1:25-cv-00511

Complaint

2025-02-20

Overview: Citizens for Responsibility and Ethics in Washington (a non-profit government watchdog) sued the Department of Government Efficiency ("DOGE") and related federal officials, alleging violations of transparency laws and seeking the preservation and release of certain DOGE records before a March 14 congressional funding deadline.

Case Summary: Plaintiff claims that the United States DOGE Service (USDS) "has provided no meaningful transparency into its operations or assurances that it is maintaining proper records." The complaint alleges that Defendants have refused to comply with FOIA requests for records and demands for records preservation under the Federal Records Act (FRA). Plaintiff seeks declaratory and injunctive relief requiring Defendants to comply with Plaintiff's FOIA requests, to fully comply with the FRA's preservation requirements, and to initiate enforcement action through the Attorney General to recover any lost or destroyed USDS records. Plaintiff also filed a motion, with a supporting memorandum, for preliminary injunction to require Defendants to release records in advance of the March 14 conclusion of the congressional appropriations process.

Update 1: On Mar. 10, Judge Christopher Cooper granted in part and denied in part CREW's request for a preliminary injunction. In an accompanying memorandum opinion, the judge found that USDS "is likely covered by FOIA" and ordered it to process CREW's request for records "on an expedited timetable," but denied CREW's request for an order demanding that OMB and USDS release records by the day of the order.

Update 2: On Mar. 14, USDS filed a motion requesting reconsideration of the judge's decision regarding the preliminary injunction. USDS also requested an expedited briefing schedule on USDS's upcoming motion for summary judgment.

Update 3: On Mar. 19, USDS filed a motion for summary judgment. In an accompanying memorandum, USDS reasserted that, because it does not wield substantial independent authority, it is not an agency and is therefore not subject to FOIA or the FRA.

Update 4: On Mar. 26, USDS filed their answer to CREW's complaint, largely denying CREW's claims and reasserting defenses that USDS is not an agency subject to FOIA or the FRA; CREW is not entitled to information exempt from FOIA disclosure; and USDS's actions did not violate FOIA, the FRA, or any other statutory or regulatory provision. 2025-03-26

American Oversight v. Department of Government Efficiency (D.D.C.)

Case No. 1:25-cv-00409

Complaint

2025-02-11

Overview: American Oversight, a non-profit that promotes government transparency, sued the U.S. Department of Government Efficiency ("DOGE") and other federal agencies asking the court to compel these agencies to provide information requested by American Oversight under the Freedom of Information Act related to the recent firings of numerous Inspectors General.

Case Summary: On January 20, 2025, President Donald Trump issued Executive Order 14158 establishing the Department of Government Efficiency ("DOGE"). Plaintiff American Oversight, a non-profit organization that promotes government transparency, submitted a request under the Freedom of Information Act ("FOIA") to DOGE, the office of Management and Budget ("OMB") and other federal agencies seeking certain records relating to Trump's recent termination of numerous Inspectors General under the assumption that such agencies were involved in discussions surrounding the firings. Plaintiff did not receive the requested record and filed this lawsuit asking the court to compel DOGE and OMB to process these FOIA requests on an expedited basis and conduct a reasonable search for responsive records. Plaintiff also seeks compensation for the costs of this proceeding.

Update 1: On Mar, 5, plaintiff filed an amended complaint which added more information to the statement of facts section and added two more FOIA violation counts.

Update 2: On Mar. 24, plaintiff filed a motion for preservation order asking the court to order defendants to preserve records responsive to the FOIA requests and inform the Court whether such records have been preserved to date. 2025-03-24

Project on Government Oversight, Inc. v. Trump (D.D.C)

Case No. 1:25-cv-00527

Complaint

2025-02-21

Case Summary: Plaintiff alleges that DOGE has “run roughshod over record keeping requirements,” including by misclassifying agency records as covered by the Presidential Records Act (rather than the Freedom of Information Act) and requiring partner agencies to notify DOGE of any oversight requests related to DOGE’s work. Plaintiffs, an oversight-focused nonprofit “that relies on records from agencies ... to disseminate to inform and educate the public,” alleges that DOGE’s actions violate the Presidential Records Act and Federal Records Act. They seek declaratory judgment that DOGE’s actions are arbitrary, capricious, and illegal, and injunctive and mandamus relief ordering DOGE to treat its records as subject to the Federal Records and Freedom of Information Acts.

Update 1: On Mar. 24, 2025, Plaintiffs filed a motion for a preliminary injunction requiring Defendants to collect, maintain, and preserve records consistent with the Federal Records Act. 2025-02-24

Democracy Forward Foundation v. Office of Personnel Management (D.D.C.)

Case No. 1:25-cv-00567

Complaint

2025-02-26

Overview: Democracy Forward Foundation (a nonprofit organization promoting transparency and accountability in government) sued the Office of Personnel Management (“OPM”) for failing to disclose records requested under the Freedom of Information Act (“FOIA”) related to actions taken by OPM in recent months. The nonprofit argues that OPM is violating federal law by evading multiple “FOIA requests” and has asked the court to require OPM to comply with the outstanding requests.

Case Summary: The Plaintiff filed several FOIA requests with OPM and, on Jan. 24, sought expedited processing which OPM granted on Feb. 7. Plaintiff received no further communication from OPM. The Plaintiff states that OPM failed to respond within the statutorily mandated time period under FOIA and seeks an order from the court to comply with the FOIA requests. 2025-02-26

Democracy Forward Foundation v. Office of Management and Budget (D.D.C.)

Case No. 1:25-cv-00586

Complaint

2025-02-28

Case Summary: Democracy Forward filed several FOIA requests with OMB after the agency issued a memorandum seeking to pause or freeze federal financial assistance. OMB acknowledged receipt but sent no further communications.

The Plaintiff states that OPM failed to respond within the statutorily mandated time period under FOIA and seeks an order from the court to comply with the FOIA requests.
2025-02-28

Environmental Defense Fund v. United States Environmental Protection Agency
(D.D.C.)

Case No. 1:25-cv-00617

Complaint

2025-03-03

Overview: A nonprofit organization focused on addressing environmental issues filed a Freedom of Information Act (FOIA) request seeking records related to the Environmental Protection Agency (EPA) Administrator Lee Zeldin's recommendation to reverse the "Endangerment Finding," which was established in 2009 and serves as the foundation for regulating greenhouse gas emissions under the Clean Air Act.

Case Summary: The Endangerment Finding was established in 2009 and serves as the foundation for regulating greenhouse gas emissions under the Clean Air Act. President Donald Trump's Executive Order 14154, issued on Jan. 20, 2025, directed the EPA to reassess the Endangerment Finding's legality and applicability, potentially paving the way to weaken or overturn it. On Jan. 29, 2025, the Environmental Defense Fund ("EDF") submitted a FOIA request seeking records related to EPA Administrator Lee Zeldin's recommendation to reverse the Endangerment Finding. The requested documents include correspondence and records from EPA transition team members and political appointees. The EPA allegedly failed to respond to EDF's FOIA request within the statutory deadline, hence the lawsuit to compel the release of records. The Plaintiff requests a court order for the Defendant to comply with the FOIA. 2025-03-03

Democracy Forward Foundation v. U.S. Department of the Treasury (D.D.C.)

Case No. 1:25-cv-00684

Complaint

2025-03-07

Case Summary: On Jan. 31 and Feb. 6, 2025, Democracy Forward filed several FOIA requests with the Department of the Treasury, Department of Education, and Small Business Administration, seeking documents from Jan. 20, 2025 onwards following allegations that DOGE staffers and DOGE-affiliated staff "were influencing important functions and policy decisions at agencies across the Executive Branch." These agencies acknowledged receipt but sent no further communications. The Plaintiff states these agencies failed to respond within the statutorily mandated time period under FOIA and seeks an order from the court for the Defendants to comply with the FOIA requests.
2025-03-07

Democracy Forward Foundation v. U.S. Marshals Service (D.D.C.)

Case No. 1:25-cv-00749

Complaint

2025-03-14

Overview: A not-for-profit organization filed several FOIA requests following alleged reports of irregular conduct by the U.S. Marshals Service (USMS).

Case Summary: On Jan. 27 and Feb. 7, 2025, Democracy Forward Foundation, a non-profit organization, filed several FOIA requests with the U.S. Marshals Service (USM) seeking records following allegations that USMS may be following directions from the Department of Government Efficiency (DOGE). Allegations include (1) inappropriate communication with federal judges regarding cases related to January 6, (2) DOGE-affiliated individuals invoking threats to engage USMS when attempting to access agency buildings and information, and (3) the deputizing of DOGE leader Elon Musk's private security guards by USMS. Considering USMS's role in the enforcement of court orders, Plaintiff also filed these FOIA requests after Vice President Vance made comments that may call into question whether court orders would be followed. The Plaintiff states USMS failed to respond within the statutorily mandated time period under FOIA and seeks an order from the court for the Defendants to comply with the FOIA requests. 2025-03-14

American Oversight v. Hegseth (D.D.C.)

Case no. 1:25-cv-00883

Complaint

2025-03-25

Overview: After reports that top administration officials used the messaging app Signal to discuss military operations in Yemen, a transparency nonprofit filed suit, alleging that using an outside communications app with an auto-delete function to conduct agency business violates the Federal Records Act (FRA) and Administrative Procedure Act (APA). They seek preservation of records and compliance with the FRA and APA's obligations.

Case Summary: On Mar. 24, The Atlantic reported that members of the Trump administration used the commercial messaging app Signal to discuss military operations in Yemen (see also Mar. 26 follow-up report). Signal messages are not automatically forwarded to government email addresses, and the app has a functionality that allows messages to auto-delete, which was allegedly enabled during the Yemen discussions. American Oversight, a nonprofit focused on government transparency that regularly files Freedom of Information Act (FOIA) requests with the federal government, filed suit against federal agency officials and the National Archives, arguing they are injured because government use of Signal prevents Plaintiffs from receiving lawfully requested records. Plaintiffs allege Defendants' use of Signal violates the Administrative Procedure Act (APA) because (1) Defendants' use Signal is not in accordance with the Federal

Records Act (FRA) and amounts to removal and destruction of agency records; and (2) National Archives defendants should have known records were being removed and destroyed (the acting National Archivist, Marco Rubio, was allegedly in the group Signal chat) and failed to take nondiscretionary actions to preserve them under the FRA. Plaintiffs seek declaratory judgments that messages sent through Signal in the course of agency business are subject to the FRA, that failure to preserve them is a violation of the FRA, and that defendants have violated the FRA. They seek preliminary and permanent injunctive relief ordering defendants to preserve records in accordance with the law.

Update 1: On Mar. 26, plaintiffs filed a motion for a temporary restraining order to order Defendants to stop allegedly destroying records, initiate actions to recover any destroyed records related to the Yemen Signal chat, and take steps to confirm that any use of a messaging app with an auto-delete function complies with the Federal Records Act.

Update 2: On Mar. 27, after a hearing, Chief Judge James Boasberg issued an order, “as agreed by the parties,” for “Defendants shall promptly make best efforts to preserve all Signal communications from March 11-15, 2025.” The court also ordered defendants to file a status report by Mar. 31 “setting forth the steps that they have taken to implement such preservation.” 2025-03-27

Democracy Forward Foundation v. Department of Education (D.D.C.)
Case No. 1:25-cv-00940
Complaint
2025-03-31

Overview: Democracy Forward Foundation (a nonprofit organization promoting transparency and accountability in government) sued the Department of Education (DOE) for allegedly failing to provide records requested under the Freedom of Information Act (FOIA) related to actions taken by DOE in recent months regarding its research activities and civil rights enforcement. The nonprofit has asked the court to require DOE to comply with the outstanding requests.

Case Summary: Plaintiff Democracy Forward Foundation (a nonprofit organization promoting transparency and accountability in government) sent two Freedom of Information Act (FOIA) requests to the Department of Education (DOE) in February 2025 seeking: (a) information related to contract terminations by the Institute of Education Sciences (IES), DOE’s research arm; and (b) communications surrounding a Feb. 14 Dear Colleague Letter (DCL) sent by Acting Assistant Secretary for Civil Rights Craig Trainor, which threatened to withhold federal funds from institutions failing to comply with DOE’s new interpretation of civil rights laws.

Plaintiff alleges that DOE has failed to respond to these requests within the statutorily mandated time period and seeks an order from the court to compel DOE to comply with the FOIA requests and produce responsive records. 2025-03-31

Environment Executive Action: Rescission of Previous Executive Orders and Actions, Including on Climate and Environment (Executive Order 14148)

Northern Alaska Environmental Center v. Trump (D. Alaska)

Case No. 3:25-cv-00038

Complaint

2025-02-19

Overview: A group of environmental organizations challenged President Donald Trump's Executive Order that attempted to reverse former President Joe Biden's withdrawal of certain offshore areas from oil and gas leasing, arguing that Trump exceeded his constitutional authority and violated the separation of powers.

Case Summary: In the previous presidential term, President Joe Biden withdrew parts of the U.S. Outer Continental Shelf from future oil and gas leasing in the interest of environmental conservation, pursuant to his authority under Section 12(a) of the Outer Continental Shelf Lands Act (OCSLA). On January 20, 2025, President Donald Trump issued EO 14148, which, among other actions, purported to reverse those withdrawals made by President Biden and thereby reopen formerly protected areas to oil and gas leasing. Plaintiffs argue that neither OCSLA nor any other law authorizes presidents to undo withdrawals. They allege that President Trump "acted in excess of his authority under Article II of the U.S. Constitution and intruded on Congress's non-delegated exclusive power under the Property Clause, in violation of the doctrine of separation of powers." They seek injunctive and declaratory relief to block the revocation of President Biden's withdrawals. 2025-02-19

Executive Action: Deletion of climate change data from government websites

Northeast Organic Farming Association of New York v. U.S. Department of Agriculture (S.D.N.Y.)

Case No. 1:25-cv-01529

Complaint

2025-02-24

Overview: A group of environmental and agricultural organizations challenged the removal of climate change-related data from the website of the United States Department of Agriculture, alleging violations of federal transparency laws. They seek restoration of deleted information, prevention of further removals, and notice of future website modifications.

Case Summary: On Jan. 30, 2025, the Department of Agriculture removed climate change-related data from many of its websites. Plaintiffs, including environmental organizations and a nonprofit representing farmers, gardeners, and consumers, allege

that the removal of data violates the Paperwork Reduction Act, the Administrative Procedure Act, and the Freedom of Information Act. They seek declaratory judgment that the removal of information is unlawful; injunctions on further removal of information from agency websites; notice of any further modifications to webpages; and restoration of previously publicly-available datasets. 2025-02-24

Trade Law Executive Action: Tariffs

Emily Ley Paper, Inc. v Trump (N.D. Fla.)
Case No. 3:25-cv-00464 (coming soon)