

# LITIGATION TRACKER

## LEGAL CHALLENGES TO TRUMP ADMINISTRATION ACTIONS

through March 24, 2025<sup>1</sup>

### TABLE OF CONTENTS

#### STRUCTURE OF GOVERNMENT / PERSONNEL

<b>Executive Action:</b> Reinstatement of Schedule F for Policy/Career Employees ( <a href="#">Executive Order 14171</a> ) .....	2
<b>Executive Action:</b> Establishment of “Department of Government Efficiency” (DOGE) ( <a href="#">Executive Order 14158</a> ).....	3
<b>Executive Action:</b> “Fork Directive” deferred resignation offer to federal employees ( <a href="#">OPM Directive</a> ).....	9
<b>Executive Action:</b> Dismantling of USAID ( <a href="#">Executive Order 14169</a> ).....	10
<b>Executive Action:</b> Denial of State Department Funds.....	17
<b>Executive Action:</b> Dismantling the U.S. African Development Foundation (Executive Order 14127).....	18
<b>Executive Action:</b> Large-scale reductions in force ( <a href="#">Executive Order 14210</a> ).....	19
<b>Executive Action:</b> Termination of probationary employees.....	20

#### GOVERNMENT GRANTS, LOANS AND ASSISTANCE

<b>Executive Action:</b> “Temporary Pause” of grants, loans, and assistance programs.....	21
<b>Executive Action:</b> <b>Continuing the Reduction of the Federal Bureaucracy</b> ( <a href="#">Executive Order 14238</a> ).....	25

#### DIVERSITY, EQUITY, INCLUSION, AND ACCESSIBILITY

<b>Executive Action:</b> Ban on DEIA initiatives in the executive branch and by <b>contractors</b> ( <a href="#">Executive Order 14151</a> ; <a href="#">Executive Order 14173</a> )....	27
--	----

---

<sup>1</sup> SOURCE: Just Security Litigation Tracker, found at <https://www.justsecurity.org/107087/tracker-litigation-legal-challenges-trump-administration/> (last visited **March 25, 2025**).

Case name	Complaint	Date filed	Case Summary	Last update
<b>STRUCTURE OF GOVERNMENT / PERSONNEL</b>				
<b>Executive Action:</b> Reinstatement of Schedule F for Policy/Career Employees ( <a href="#">Executive Order 14171</a> )				
<a href="#">National Treasury Employees Union v. Donald J. Trump et al</a> (D.D.C.)  Case No. 1:25-cv-00170	<a href="#">Complaint</a>	Jan. 20, 2025	<p><b>Overview:</b> <i>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.</i></p> <p><b>Case Summary:</b> 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.</p>	2025-01-31
<a href="#">Government Accountability Project v. Office of Personnel Management</a> (D.D.C.)  Case No. 1:25-cv-00347	<a href="#">Complaint</a>	Feb. 6, 2025	<p><b>Overview:</b> <i>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.</i></p> <p><b>Case Summary:</b> 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.</p>	2025-02-06

<p><a href="#">Public Employees for Environmental Responsibility v. Donald Trump et al</a> (D. Md.)</p> <p>Case No. 8:25-cv-00260-PX</p>	<p><a href="#">Complaint</a></p>	<p>Jan. 28, 2025</p>	<p><b>Overview:</b> 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.</p> <p><b>Case Summary:</b> 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.</p>	<p>2025-01-31</p>
<p><a href="#">American Federation of Government Employees, AFL-CIO and American Federation of State, County And Municipal Employees, AFL-CIO v. Donald Trump et al</a> (D.D.C.)</p> <p>Case No. 1:25-cv-00264</p>	<p><a href="#">Complaint</a></p>	<p>Jan. 29, 2025</p>	<p><b>Overview:</b> 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).</p> <p><b>Case Summary:</b> 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.</p>	<p>2025-01-31</p>
<p><b>Executive Action:</b> Establishment of “Department of Government Efficiency” (DOGE) (<a href="#">Executive Order 14158</a>)</p>				
<p><a href="#">Public Citizen Inc et al v. Donald J. Trump and Office of Management and Budget</a> (D.D.C.)</p> <p>Case No. 1:25-cv-00164</p>	<p><a href="#">Complaint</a></p>	<p>Jan. 20, 2025</p>	<p><b>Overview:</b> 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, <a href="#">Lentini v. Department of Government Efficiency</a> and <a href="#">American Public Health Association v. Office of Budget and Management</a>, have now been consolidated under this case.</p>	<p>2025-03-03</p>

<p><b>CASE CLOSED</b></p>			<p><b>Case Summary:</b> 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.</p> <p><b>Update 1:</b> On Feb. 18, 2025, Judge Jia M. Cobb (D.D.C.) <a href="#">granted</a> defendants’ motion to consolidate two cases with this case. Parties in <a href="#">Lentini v. Department of Government Efficiency (complaint)</a>, and <a href="#">American Public Health Association v. Office of Budget and Management (complaint)</a> must make all future filings in this case.</p> <p><b>Update 2:</b> On Mar. 3, 2025, Public Citizen Plaintiffs <a href="#">dismissed</a> 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.</p>	
<p><a href="#">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 Kupor, and Donald Trump</a> (D.D.C.)</p> <p>Case No. 1:25-cv-00166</p>	<p><a href="#">Complaint</a></p>	<p>Jan. 20, 2025</p>	<p><b>Overview:</b> 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 <a href="#">Public Citizen, Inc v. Trump</a>.</p> <p><b>Case Summary:</b> 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.</p> <p><b>Update 1:</b> On Feb. 18, 2025, Judge Jia M. Cobb (D.D.C.) <a href="#">granted</a> defendants’ motion in <a href="#">Public Citizen, Inc. v. Trump</a> to consolidate three cases. Parties in <a href="#">Lentini v. Department of Government Efficiency</a> and <a href="#">American Public Health Association v. Office of Budget and Management</a> must make all future filings in <a href="#">Public Citizen</a>.</p>	<p>2025-02-18</p>
<p><a href="#">American Public Health Association et al v. Office of Management</a></p>	<p><a href="#">Complaint</a></p>	<p>Jan. 20, 2025</p>	<p><b>Overview:</b> 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</p>	<p>2025-02-18</p>

<p><a href="#">and Budget, Acting Director of the Office of Management and Budget, and the Department of Government Efficiency</a> (D.D.C.)</p> <p>Case No. 1:25-cv-00167</p>			<p>and monetary power to unelected citizens without public oversight. This case was consolidated under <i>Public Citizen, Inc v. Trump</i>.</p> <p><b>Case Summary:</b> 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.</p> <p><b>Update 1:</b> On Feb. 18, 2025, Judge Jia M. Cobb (D.D.C) <a href="#">granted</a> defendants’ motion in <a href="#">Public Citizen, Inc. v. Trump</a> to consolidate three cases. Parties in <a href="#">Lentini v. Department of Government Efficiency</a> and <a href="#">American Public Health Association v. Office of Budget and Management</a> must make all future filings in <a href="#">Public Citizen</a>.</p>	
<p><a href="#">Center for Biological Diversity v. Office of Management and Budget</a> (D.D.C.)</p> <p>Case No. 1:25-cv-00165</p>	<p><a href="#">Complaint</a></p> <p><a href="#">Amended Complaint</a></p>	<p>Jan. 20, 2025</p> <p>Feb. 27, 2025</p>	<p><b>Overview:</b> <i>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.</i></p> <p><b>Case Summary:</b> 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.</p> <p><b>Update 1:</b> On Feb. 27, 2025, plaintiffs filed an <a href="#">amended complaint</a>. 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.</p>	<p>2025-02-27</p>
<p><a href="#">J. Doe 1-26 v. Musk</a> (D. Md)</p> <p>Case 8:25-cv-00462-TDC</p>	<p><a href="#">Complaint</a></p>	<p>Feb. 13, 2025</p>	<p><b>Overview:</b> <i>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.</i></p> <p>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</p>	<p>2025-03-21</p>

			<p>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.</p> <p><b>Update 1:</b> On Feb. 18, Plaintiffs filed a <a href="#">motion</a> for a preliminary injunction.</p> <p><b>Update 2:</b> On Feb. 24, Defendants <a href="#">filed</a> a motion in response to the request for a preliminary injunction; to which the Plaintiffs <a href="#">replied</a> on Feb. 26.</p> <p><b>Update 3:</b> On Mar. 18, the Court <a href="#">granted</a> in part and denied in part the Plaintiffs’ motion for a preliminary injunction. The Court found that Elon Musk, as the leader of DOGE, exercised significant authority typically reserved for Officers and was in a continuing government position. The Plaintiffs, therefore, demonstrated a likelihood of success on the merits as to their Appointments Clause claim.</p> <p>The Court also found that Plaintiffs demonstrated a likelihood of success on the merits as to their Separation of Powers claim. There is no congressional authorization for the Executive Branch to abolish USAID. Nor do the President’s constitutional powers provide the necessary support, the court wrote. The President’s foreign affairs powers do not justify DOGE’s actions because those actions concern internal government affairs, not foreign policy. The President’s power under the Take Care Clause is also insufficient, according to the court, because it does not extend to eliminating an agency created by Congress.</p> <p>The Court found that the security risks, reputational injury, and potential disclosure of personal information faced by Plaintiffs all constituted irreparable harm. The public interest is also harmed by the Defendants’ alleged actions to usurp the authority of elected representatives in Congress to make decisions about a federal government agency and the authority of Officers. The Court ordered DOGE to reinstate access to email, payments, security notifications, and other electronic systems. The Court did not enjoin the mass personnel and contract terminations because evidence shows USAID officials approved those decisions. The Court enjoined the</p>	
--	--	--	---	--

			<p>Defendants from taking action in a number of categories such as additional personnel and contract terminations and closures of offices, but said they can take actions related to USAID outside of those categories. The Defendants are also enjoined from taking actions related to USAID without the express authorization of a USAID official. As for USAID's headquarters, the Court ordered Defendants to submit either a signed agreement ensuring USAID would be able to reoccupy its headquarters should the Plaintiffs ultimately win or a signed ratification of the decision from an Officer with authority to do so.</p> <p><b>Update 4:</b> On Mar. 19, Defendants filed a <a href="#">motion</a> 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.</p> <p>Update 5: On Mar. 20, the court <a href="#">denied</a> Defendant's motion for clarification or modification of the preliminary injunction order, confirming Lewin is bound by the preliminary injunction.</p> <p>Update 6: On Mar. 21, Defendants <a href="#">appealed</a> the Court's preliminary injunction and denial of Defendants' motion for clarification or modification to the Fourth Circuit.</p>	
<p><a href="#">New Mexico et al. v. Musk</a> (D.D.C.)</p> <p>Case No. 1:25-cv-00429</p>	<p><a href="#">Complaint</a></p>	<p>Feb. 13, 2025</p>	<p><b>Overview:</b> 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.</p> <p>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.</p> <p><b>Update 1:</b> On Feb. 17, the government submitted a <a href="#">declaration</a> by Joshua Fisher, Director of the Office of Administration, stating that Musk is not the head of DOGE nor an employee of DOGE.</p>	<p>2025-03-12</p>

			<p><b>Update 2:</b> On Feb 18, Judge Tanya Chutkan <a href="#">denied</a> 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).</p> <p><b>Update 3:</b> On Feb. 24, plaintiff states filed a <a href="#">motion for expedited discovery</a> relating to an upcoming motion for a preliminary injunction. Defendants filed a <a href="#">memorandum in opposition</a> on Feb 28. Plaintiffs filed a <a href="#">reply</a> 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.</p> <p><b>Update 4:</b> On Mar 7, defendants filed a <a href="#">motion to dismiss</a> arguing plaintiffs lack Article III standing and have failed to state a claim upon which relief can be granted.</p> <p><b>Update 5:</b> On Mar. 12, Judge Tanya Chutkan <a href="#">granted</a> 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.</p>	
<p><a href="#">Japanese American Citizens League v. Musk</a> (D.D.C)</p> <p>Case No. 1:25-cv-00643</p>	<p><a href="#">Complaint</a></p>	<p>Mar. 5, 2025</p>	<p><b>Overview:</b> <i>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.</i></p> <p><b>Case Summary:</b> 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.</p> <p>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</p>	<p>03-05-2025</p>



			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.	
<a href="#">Center for Biological Diversity v. U.S. Department of Interior</a> (D.D.C)  Case No. 1:25-cv-00612	<a href="#">Complaint</a>	Mar. 3, 2025	<p><b>Overview:</b> 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.”</p> <p><b>Case Summary:</b> 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.”</p> <p>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.</p>	03-03-2025
<b>Executive Action:</b> “Fork Directive” deferred resignation offer to federal employees ( <a href="#">OPM Directive</a> )				
<a href="#">American Federation of Gov’t Employees, AFL-CIO v. Ezell</a> (D. Mass)  Case No. 1:25-cv-10276	<a href="#">Complaint</a>	Feb. 4, 2025	<p><b>Overview:</b> 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.</p>	2025-02-12

			<p><b>Case Summary:</b> 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.</p> <p><b>Update 1:</b> On Feb. 5, 2025, the plaintiffs <u>requested</u> 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.</p> <p><b>Update 2:</b> 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.</p> <p><b>Update 3:</b> On Feb. 10, 2025, Judge O’Toole <u>ordered</u> that the stay of the Feb. 6 deadline will remain in effect “pending the completion of briefing and oral argument on the issues.” Defendants <u>notified</u> the Court of their compliance with the order.</p> <p><b>Update-4:</b> On Feb. 12, 2025, Judge O’Toole <u>dissolved</u> 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.</p>	
<p><b>Executive Action:</b> Dismantling of USAID (<a href="#">Executive Order 14169</a>) (State Dept <a href="#">stop-work order</a>)</p>				
<p><a href="#">American Foreign Service Association v. Trump</a> (D.D.C.)</p> <p>Case No. 1:25-cv-00352</p>	<p><a href="#">Complaint</a></p>	<p>Feb. 6, 2025</p>	<p><b>Overview:</b> <i>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.</i></p> <p><b>Case Summary:</b> 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 <a href="#">stop-</a></p>	<p>2025-03-12</p>

		<p><a href="#">work orders</a> 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.</p> <p><b>Update 1:</b> On Feb. 7, 2025, Judge Carl J. Nichols <a href="#">issued</a> 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.</p> <p><b>Update 2:</b> On Feb. 13, the court <a href="#">extended</a> 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.</p> <p><b>Update 3:</b> On Feb. 14, the Government <a href="#">submitted</a> a <a href="#">declaration</a> 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.</p> <p><b>Update 4:</b> On Feb. 21, Judge Nichols issued an <a href="#">Order</a> and <a href="#">Memorandum Opinion</a> 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 Marocco, and that they could pursue remedies with administrative bodies governing disputes.</p> <p><b>Update 5:</b> On Mar. 10, Plaintiffs <a href="#">moved</a> 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.</p>	
--	--	--	--

			<p><b>Update 6:</b> On Mar. 11, Plaintiffs <a href="#">moved</a> 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.</p> <p><b>Update 7:</b> On Mar. 12, the Defendants <a href="#">responded</a> to the Mar. 11 motion for a temporary restraining order and included an <a href="#">affidavit</a> 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.”</p> <p>Update 8: On Mar. 14, the Plaintiffs <a href="#">dropped</a> their Mar. 11 motion on destruction of documents based on the Defendants’ assurances.</p>	
<p><a href="#">AIDS Vaccine Advocacy Coalition v. United States Department of State</a>(D.D.C.)</p> <p>Case No. 1:25-cv-00400</p>	<p><a href="#">Complaint</a></p>	<p>Feb. 10, 2025</p>	<p><b>Overview:</b> 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.</p> <p><b>Case Summary:</b> 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.</p> <p>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</p>	<p>2025-03-10</p>

			<p>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.</p> <p><b>Update 1:</b> On Feb. 12, Plaintiffs <a href="#">moved</a> 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.</p> <p><b>Update 2:</b> On Feb. 13, the court <a href="#">granted</a> a TRO in this case and <i>Global Health Council v. Trump</i> 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.</p> <p><b>Update 3:</b> On Feb. 19, Plaintiffs filed an <a href="#">emergency motion for contempt</a> 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.</p> <p><b>Update 4:</b> On Feb. 20, the court <a href="#">granted</a> 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 <i>Global Health Council v. Trump</i>.</p> <p><b>Update 5:</b> On Feb. 24, plaintiffs in <i>Global Health Council v. Trump</i> filed an <a href="#">emergency renewed motion</a> to enforce the TRO. The court held a hearing the following day and, on Feb. 25, granted the motion for a <a href="#">proposed order</a> 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 <a href="#">reportedly</a> ordered the government to provide the court, by Feb. 26 at noon, with all internal directives to agency employees concerning compliance with the TRO.</p> <p><b>Update 6:</b> On Feb. 25, the Government submitted a <a href="#">notice</a> of its decision to appeal the court’s decision to the DC Circuit, and a <a href="#">motion to stay</a> the court’s order pending appeal.</p> <p><b>Update 7:</b> On Feb. 26, the district court <a href="#">rejected</a> and the D.C. Circuit <a href="#">dismissed</a> the Government’s motion for a stay.</p>	
--	--	--	--	--

			<p><b>Update 8:</b> On Feb. 26, the Government <a href="#">filed</a> 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 <a href="#">granted</a> an administrative stay and ordered a response by the plaintiffs by Feb. 28 at 12:p.m. EST.</p> <p><b>Update 9:</b> On Feb. 28, the Plaintiffs <a href="#">filed its opposition</a> to the application.</p> <p><b>Update 10:</b> On Mar. 5, the Supreme Court <a href="#">rejected</a> the Defendants’ petition in a 5-4 decision.</p> <p><b>Update 11:</b> On Mar. 6, Judge Amir H. Ali <a href="#">ruled from the bench</a> 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.</p> <p><b>Update 12:</b> On Mar. 10, Judge Ali <a href="#">granted in part and denied in part</a> 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.</p>	
<p><a href="#">Global Health Council v. Trump</a> (D.D.C.)</p> <p>Case No. 1:25-cv-00402</p>	<p><a href="#">Complaint</a></p>	<p>Feb. 11, 2025</p>	<p><b>Overview:</b> <i>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.</i></p> <p><b>Case Summary:</b> 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</p>	<p>2025-03-10</p>

			<p>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.”</p> <p><b>Update 1:</b> On Feb. 11, Plaintiffs <a href="#">moved</a> for a TRO enjoining implementation of the Executive Order and State Department Memorandum.</p> <p><b>Update 2:</b> On Feb. 13, the court <a href="#">granted</a> a TRO in this case and <i>AIDS Vaccine Advocacy Coalition v. United States Department of State</i> 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.</p> <p><b>Update 3:</b> On Feb. 20, the court <a href="#">granted</a> 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 <i>AIDS Vaccine Advocacy Coalition v. United States Department of State</i>.</p> <p><b>Update 4:</b> On Feb. 24, plaintiffs filed an <a href="#">emergency renewed motion</a> to enforce the TRO. The court held a hearing the following day and, on Feb. 25, granted the motion for a <a href="#">proposed order</a> 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 <a href="#">reportedly</a> ordered the government to provide the court, by Feb. 26 at noon, with all internal directives to agency employees concerning compliance with the TRO.</p> <p><b>Update 5:</b> On Feb. 25, the Government submitted a <a href="#">notice</a> of its decision to appeal the court’s decision to the DC Circuit, and a <a href="#">motion to stay</a> the court’s order pending appeal.</p> <p><b>Update 6:</b> On Feb. 26, the district court <a href="#">rejected</a> and the D.C. Circuit <a href="#">dismissed</a> the Government’s motion for a stay.</p> <p><b>Update 7:</b> On Feb. 26, the Government <a href="#">filed</a> 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 <a href="#">granted</a> an administrative stay and ordered a response by the plaintiffs by Feb. 28 at 12:p.m. EST.</p>	
--	--	--	--	--

			<p><b>Update 8:</b> On Feb. 28, the Plaintiffs <a href="#">filed its opposition</a> to the application.</p> <p><b>Update 9:</b> On Mar. 5, the Supreme Court <a href="#">rejected</a> the Defendants’ petition in a 5-4 decision.</p> <p><b>Update 10:</b> On Mar. 6, Judge Amir H. Ali <a href="#">ruled from the bench</a> 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.</p> <p><b>Update 11:</b> On Mar. 10, Judge Ali <a href="#">granted in part and denied in part</a> 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.</p>	
<p><a href="#">Personal Services Contractor Association v. Trump et al</a> (D.D.C.)</p> <p>Case No. 1:25-cv-00469</p>	<p><a href="#">Complaint</a></p>	<p>Feb. 18, 2025</p>	<p><b>Overview:</b> <i>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.</i></p> <p>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 <a href="#">stop-work orders</a> for United States Agency for International Development (USAID) foreign assistance grants.</p> <p>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-</p>	<p>2025-03-06</p>



			<p>appropriated foreign assistance funds without congressional approval. They also request ongoing compliance monitoring through regular status reports.</p> <p><b>Update 1:</b> On Feb. 19, Plaintiffs submitted a <a href="#">motion</a> for a temporary restraining order, including 13 Declarations as Exhibits.</p> <p><b>Update 2:</b> On Mar. 6, Judge Carl Nichols <a href="#">ruled from the bench</a> 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.</p>	
<b>Executive Action:</b> Denial of State Department Funds				
<p><a href="#">National Endowment for Democracy v. United States</a> (D.D.C.)</p> <p>Case No. 1:25-cv-00648</p>	<p><a href="#">Complaint</a></p>	<p>Mar. 5, 2025</p>	<p><b>Case Summary:</b> <i>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.</i></p> <p>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.</p> <p><b>Update 1:</b> On Mar. 6, plaintiffs filed a <a href="#">motion for a temporary restraining order</a>.</p>	<p>2025-03-06</p>

Dismantling the U.S. African Development Foundation (Executive Order 14127)				
<p><a href="#">Brehm v. Marocco</a> (D.D.C.)</p> <p>Case No. 1:25-cv-00660</p>	<p><a href="#">Complaint</a></p>	<p>Mar. 6, 2025</p>	<p><b>Overview:</b> President Donald Trump issued an Executive Order to eliminate parts of four government offices, including the U.S. African Development Foundation (USADF). Ward Brehm, a USADF Board member, received a notice of termination after USADF refused to provide DOGE with access to USADF information systems, and Pete Marocco was appointed as acting Chair. Brehm filed a lawsuit against Marocco, DOGE, and Trump, seeking to stop his removal and Marocco’s appointment and requesting a temporary block. A federal judge has denied Brehm’s request to temporarily block his removal and Marocco’s appointment while the case proceeds.</p> <p><b>Case Summary:</b> 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.</p> <p>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.</p> <p>The same day, plaintiff filed a <a href="#">motion for a temporary restraining order</a>.</p> <p><b>Update 1:</b> On Mar. 6, Judge Richard J. Leon <a href="#">issued</a> an administrative stay prohibiting Brehm from being removed from office and Marocco from being appointed to the Board.</p> <p><b>Update 2:</b> On Mar. 11, Judge Leon issued a <a href="#">Memorandum Order</a> 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</p>	<p>2025-03-11</p>

			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.”	
<b>Executive Action:</b> Large-scale reductions in force ( <a href="#">Executive Order 14210</a> )				
<a href="#">National Treasury Employees Union v. Donald Trump</a> (D.D.C.)  Case No. 1:25-cv-00420	<a href="#">Complaint</a>	Feb. 12, 2025	<p><b>Overview:</b> 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.</p> <p><b>Case Summary:</b> 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.</p> <p>Update 1: On Feb. 14, plaintiffs filed a <a href="#">motion for a temporary restraining order</a>.</p> <p><b>Update 2:</b> On Feb. 17, plaintiffs filed an <a href="#">amended complaint</a>.</p> <p><b>Update 3:</b> On Feb. 20, Judge Christopher R. Cooper <a href="#">denied</a> 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.</p>	2025-02-20
<a href="#">Maryland et al. v. U.S. Department of Agriculture et al.</a> (D. Md.)  Case No. 1:25-cv-00748-ABA	<a href="#">Complaint</a>	Mar. 06, 2025	<p>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).”</p> <p>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</p>	2025-03-13

			<p>of the unlawfully terminated employees; and 4) conduct any future RIFs in accordance with applicable law, including providing advance notice to States.</p> <p><b>Update 1:</b> On Mar. 7, plaintiffs <a href="#">filed a motion for a temporary restraining order</a>.</p> <p><b>Update 2:</b> On Mar. 13, the District Court <a href="#">granted</a> plaintiffs’ motion for a temporary restraining order. Judge * 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.”</p>	
<b>Executive Action: Termination of probationary employees</b>				
<p><a href="#">American Federation Of Government Employees, AFL-CIO v. Office of Personnel Management and Ezell</a> (N.D. Cal.)</p> <p>Case No. 3:25-cv-01780</p>	<p><a href="#">Complaint</a></p> <p><a href="#">Amended Complaint</a></p>	<p>Feb. 19, 2025</p> <p>Feb. 23, 2025</p>	<p><b>Overview:</b> 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. <i>The government has appealed for the Supreme Court to remove that temporary block.</i></p> <p><b>Case Summary:</b> 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.</p> <p>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.</p>	<p>2025-03-24</p>

			<p><b>Update 1:</b> On Feb. 23, Plaintiffs filed an <a href="#">amended complaint</a> 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.”</p> <p><b>Update 2:</b> On Feb. 27, Judge William Alsup <a href="#">reportedly</a> 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.”</p> <p><b>Update 3:</b> On Feb. 28, Judge Alsup <a href="#">issued</a> 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.</p> <p><b>Update 4:</b> On Mar. 13, Judge Alsup held a preliminary injunction hearing and, in <a href="#">ruling from the bench</a>, granted and extended the TRO. Alsup directed counsel to file briefs by Mar. 21.</p> <p><b>Update 5:</b> On Mar. 13, the Defendants submitted a <a href="#">notice of appeal</a> to the Ninth Circuit.</p> <p><b>Update 6:</b> On Mar. 17, the Ninth Circuit <a href="#">denied</a> the government’s request for an administrative stay.</p> <p><b>Update 7:</b> On Mar. 24, the government <a href="#">filed an application</a> requesting that the U.S. Supreme Court immediately stay the Northern District of California’s preliminary injunction.</p>	
<b>GOVERNMENT GRANTS, LOANS AND ASSISTANCE</b>				
<b>Executive Action:</b> “Temporary Pause” of grants, loans, and assistance programs				
<a href="#">National Council of Nonprofits v. Office of Management and Budget</a> (D.D.C.)	<a href="#">Complaint</a>	Jan. 28, 2025	<b>Overview:</b> <i>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</i>	2025-02-25

<p>Case No. 1:25-cv-00239-LLA</p>		<p><i>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.</i></p> <p><b>Case Summary:</b> 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.</p> <p><b>Update 1:</b> On Jan. 28, 2025, Judge Loren AliKhan of the District Court for the District of Columbia <a href="#">issued a temporary restraining order</a> against the OMB policy to allow arguments from the plaintiffs and the government.</p> <p><b>Update 2:</b> On Jan. 29, 2025, the Government submitted a <a href="#">Notice</a> that the OMB had rescinded the challenged memo. On the same day, the White House Press Secretary <a href="#">stated</a>, “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.”</p> <p><b>Update 3:</b> On Feb. 3, 2025, Judge AliKhan <a href="#">issued a temporary restraining order</a> 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.</p> <p><b>Update 4:</b> On Feb. 11, Plaintiffs <a href="#">moved</a> for a preliminary injunction to enjoin the Trump Administration from reinstating the funding freeze. The Government <a href="#">filed</a> a memorandum in opposition to the motion, and plaintiffs replied. The hearing was held on Feb. 20.</p> <p><b>Update 5:</b> On Feb. 25, the court issued a <a href="#">memorandum opinion</a> and <a href="#">granted</a> 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.</p>	
-----------------------------------	--	---	--

<p><a href="#">New York et al v. Donald J. Trump et al</a> (D.R.I.)</p> <p>Case No. 1:25-cv-00039</p>	<p><a href="#">Complaint</a></p>	<p>Jan. 28, 2025</p>	<p><b>Overview:</b> <i>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.</i></p> <p><b>Case Summary:</b> 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.</p> <p><b>Update 1:</b> 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 <a href="#">issued a temporary restraining order</a> against the OMB policy to allow arguments from the plaintiffs and the government.</p> <p><b>Update 2:</b> On Jan. 29, the Government submitted a <a href="#">Notice</a> that the OMB had rescinded the challenged memo. On the same day, the White House Press Secretary <a href="#">stated</a>, “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.”</p> <p><b>Update 3:</b> On January 31, Judge McConnell <a href="#">issued a temporary restraining order</a> 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."</p> <p><b>Update 4:</b> On Feb. 10, Judge McConnell <a href="#">granted</a> Plaintiffs’ <a href="#">motion</a> 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” (<a href="#">citing three exhibits</a>). Judge McConnell emphasized that this is a violation of the TRO and ordered Defendants to immediately restore frozen funding.</p> <p><b>Update 5:</b> On Feb. 14, the First Circuit <a href="#">issued a voluntary dismissal</a> of defendants’ motion to appeal the decision.</p>	<p>2025-03-06</p>
---	----------------------------------	----------------------	--	-------------------

			<p><b>Update 6:</b> On Mar. 6, Judge McConnell <a href="#">granted</a> the plaintiffs’ motion for a preliminary injunction. Defendants were enjoined from in any way impeding the disbursement of appropriated federal funds to the states.</p>	
<p><a href="#">Shapiro et al. v. Department of Interior et al.</a> (E.D. Pa.)</p> <p>Case No. 2:25-cv-00763</p>	<p><a href="#">Complaint</a></p>	<p>Feb. 13, 2025</p>	<p><b>Overview:</b> <i>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.</i></p> <p><b>Case Summary:</b> 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.</p>	<p>2025-02-13</p>
<p><a href="#">Catholic Charities Diocese of Fort Worth, Inc. v. DHHS</a> (D.D.C.)</p> <p>Case No. 1:25-cv-00605</p>	<p><a href="#">Complaint</a></p>	<p>Mar. 3, 2025</p>	<p><b>Case Summary:</b> 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.</p> <p>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</p>	<p>2025-03-03</p>



			statutory law and the Constitution and temporary, preliminary, and permanent injunctions against enforcement of any funding freeze against the plaintiffs.	
<a href="#">Corporation for Public Broadcasting v. Federal Emergency Management Agency</a> (D.D.C.)  Case No. 1:25-cv-00740	<a href="#">Complaint</a>	Mar. 13, 2025	<p><b>Overview:</b> <i>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.</i></p> <p><b>Case Summary:</b> 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.</p> <p><b>Update 1:</b> 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.</p> <p><b>Update 2:</b> On Mar. 17, 2025, Judge Timothy Kelly denied Plaintiff’s motion for a TRO.</p>	2025-03-13
<b>Executive Action: Continuing the Reduction of the Federal Bureaucracy (<a href="#">Executive Order 14238</a>)</b>				
<a href="#">RFE/RL, Inc. v. Lake</a> (D.D.C.)  Case No. 1:25-cv-00799	<a href="#">Complaint</a>	Mar. 18, 2025	<p><b>Overview:</b> <i>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.</i></p> <p><b>Case Summary:</b> 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</p>	

			<p>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.</p> <p>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.</p> <p><b>Update 1:</b> On Mar. 19, Plaintiff <a href="#">filed</a> 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 <a href="#">filed</a> an opposition to Plaintiffs’ request for a TRO and preliminary injunction. On Mar. 23, Plaintiff <a href="#">filed</a> a further reply in support of its request for a TRO and preliminary injunction.</p> <p><b>Update 2:</b> On Mar. 24, USAGM <a href="#">filed</a> 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</p>	
<p><u><a href="#">Open Technology Fund v. Kari Lake</a></u> (D.D.C.)</p> <p>Case No. 1:25-cv-00840</p>	<p><u>Complaint</u></p>	<p>Mar. 20, 2025</p>	<p>[TO COME]</p>	<p>2025=03-20</p>
<p><u><a href="#">Widakuswara v. Kari Lake</a></u> (S.D.N.Y.)</p> <p>Case No. 1:25-cv-02390</p>	<p><u>Complaint</u></p>	<p>Mar. 21, 2025</p>	<p>[TO COME]</p>	<p>2025=03-21</p>

**DIVERSITY, EQUITY, INCLUSION, AND ACCESSIBILITY**

**Executive Action:** Ban on DEIA initiatives in the executive branch and by contractors ([Executive Order 14168](#); [Executive Order 14151](#); [Executive Order 14173](#))

<p><a href="#">Nat'l Association of Diversity Officers in Higher Ed. v. Trump</a> (D. Md.)</p> <p>Case No. 1:25-cv-00333-ABA</p> <p><a href="#">(Fourth Circuit Case No. 25-1189)</a></p>	<p><a href="#">Complaint</a></p>	<p>Feb. 3, 2025</p>	<p><b>Overview:</b> 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.</p> <p><b>Case Summary:</b> On January 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. On January 21, 2025, the administration issued another 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.</p> <p><b>Update 1:</b> On Feb. 13, Plaintiffs <a href="#">moved</a> for a TRO and preliminary injunction against enforcement of the Executive Orders.</p> <p><b>Update 2:</b> On Feb. 18, Defendants <a href="#">filed</a> 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 <a href="#">filed</a> a supplemental brief in support for a TRO and preliminary injunction.</p> <p><b>Update 3:</b> On Feb. 21, Judge Adam B. Abelson issued a <a href="#">memorandum opinion</a> and <a href="#">granted</a> 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,</p>	<p>2025-03-14</p>
---	----------------------------------	---------------------	---	-------------------

			<p>allowing the Attorney General to prepare the report pursuant to Executive Order 14173 and to engage in an investigation.</p> <p><b>Update 4:</b> On Feb. 24, the Defendant submitted a <a href="#">notice</a> of appeal to the Fourth Circuit.</p> <p><b>Update 5:</b> On Mar. 3, Judge Abelson denied the Defendants' motion to stay the injunction pending an appeal.</p> <p><b>Update 6:</b> 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.</p> <p><b>Update 7:</b> On Mar. 14, the Fourth Circuit <a href="#">granted</a> the government's petition for a stay of the preliminary injunction pending appeal.</p>	
<p><a href="#">Doe 1 v. Office of the Director of National Intelligence</a> (E.D.Va.)</p> <p>Case No. 1:25-cv-00300-AJT-LRV</p>	<p><a href="#">Complaint</a></p>	<p>Feb. 17, 2025</p>	<p><b>Overview:</b> <i>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 &amp; 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.</i></p> <p><b>Case Summary:</b> 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.</p> <p>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."</p>	<p>2025-02-27</p>

			<p>The plaintiffs seek injunctive relief. The plaintiffs also submitted a <a href="#">request</a> for a temporary restraining order.</p> <p><b>Update 1:</b> On Feb 18, the court <a href="#">issued</a> an administrative stay blocking the termination of plaintiffs’ employment or placing plaintiffs on leave without pay.</p> <p><b>Update 2:</b> On Feb. 20, Defendants <a href="#">filed</a> a motion in opposition to the plaintiffs’ request for a TRO.</p> <p><b>Update 3:</b> On Feb. 27, the court <a href="#">vacated</a> 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.</p>	
<p><a href="#">Doe v. Collins</a> (D.D.C.) Case No. 1:25-cv-00760</p>	<p><a href="#">Complaint</a></p>	<p>Mar. 14, 2025</p>	<p><b>Overview:</b> <i>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.</i></p> <p><b>Case Summary:</b> 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.</p>	<p>2025-03-14</p>
<p><a href="#">National Urban League v. Trump</a> (D.D.C.)</p>	<p><a href="#">Complaint</a></p>	<p>Feb. 19, 2025</p>	<p><b>Overview:</b> <i>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</i></p>	<p>2025-02-19</p>

Case No. 1:25-cv-00471			<p>process. The organizations are asking the court to declare the EOs unlawful and to permanently block the EOs from being enforced.</p> <p><b>Case Summary:</b> 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.</p>	
<p><a href="#">San Francisco AIDS Foundation et al v. Trump</a> (D.D.C.)</p> <p>Case No. 3:25-cv-1824</p>	<a href="#">Complaint</a>	Feb. 20, 2025	<p><b>Overview:</b> 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.</p> <p><b>Case Summary:</b> On Jan. 20, 2025, the Trump administration issued an <a href="#">executive order</a> to “[defend] women from gender ideology extremism and [restore] biological truth to the federal government.” That same day, the President issued an <a href="#">executive order</a> 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 <a href="#">third executive order</a> 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.</p> <p>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</p>	2025-02-20

			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.	
<a href="#">Chicago Women in Trades v. Trump</a> (N.D. Ill.)  Case No. 1:25-cv-02005	<a href="#">Complaint</a>	Feb. 26, 2025	<p><b>Case Summary:</b> On Jan. 20, 2025, the Trump administration issued an <a href="#">executive order</a> to “[defend] women from gender ideology extremism and [restore] biological truth to the federal government.” That same day, the President issued an <a href="#">executive order</a> 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 <a href="#">third executive order</a> 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.</p> <p>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.</p> <p><b>Update 1:</b> 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.</p>	2025-03-18
<a href="#">American Association of Colleges for Teacher Education v. Carter</a> (D. Md.)  Case No. 1:25-cv-00702-JRR	<a href="#">Complaint</a>	Mar. 3, 2025	<p><b>Case Summary:</b> On Jan. 20, 2025, the Trump administration issued an <a href="#">executive order</a> to “[defend] women from gender ideology extremism and [restore] biological truth to the federal government.” That same day, the President issued an <a href="#">executive order</a> 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 <a href="#">third executive order</a> 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.</p>	2025-03-21

			<p>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.</p> <p>They also <a href="#">submitted</a> a motion for a temporary restraining order.</p> <p><b>Update 1:</b> On Mar. 17, a federal judge <a href="#">issued</a> a preliminary injunction as to the Plaintiffs’ APA claim.</p> <p><b>Update 2:</b> On Mar. 21, Defendants submitted a <a href="#">notice of appeal</a> on the partial grant of the motion for preliminary injunction to the Fourth Circuit.</p>	
<p><a href="#">Rhode Island Latino Arts v. National Endowment for the Arts</a> (D.R.I.)</p> <p>Case No. 1:25-cv-00079</p> <p>Complaint (Mar. 6, 2025)</p>	<p><a href="#">Complaint</a></p>	<p>Mar. 6, 2025</p>	<p><i>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.</i></p> <p><b>Case Summary:</b> On Jan. 20, 2025, the Trump administration issued an <a href="#">executive order</a> to “[defend] women from gender ideology extremism and [restore] biological truth to the federal government.” That same day, the President issued an <a href="#">executive order</a> 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 <a href="#">third executive order</a> 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.</p> <p>Plaintiffs are arts nonprofit corporations that have received funding from the National Endowment for the Arts (NEA). Pursuant to the Jan. 20 <a href="#">“gender ideology” EO</a>, the NEA now</p>	<p><b>2025-03-21</b></p>



			<p>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, <i>and they request a preliminary injunction, expedited hearing, and/or a temporary restraining order in light of a Mar. 24 deadline for NEA applications.</i></p> <p><b>Update 1:</b> On Mar. 21, the Defendants <a href="#">filed</a> a response to Plaintiff’s motion for preliminary injunction.</p>	
<p><a href="#">State of California v. U.S Department of Education</a> (D. Mass.)</p> <p>Case No. 1:25-cv-10548</p>	<p><a href="#">Complaint</a></p>	<p>Mar. 6, 2025</p>	<p><b>Overview:</b> <i>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.</i></p> <p><b>Case Summary:</b> On Jan. 20, the Trump administration issued an executive order directing the government to terminate DEI programs, offices and positions, and “equity-related” grants and contracts. On Jan. 21, the administration issued another executive requiring federal grant recipients and contractors to certify that they do not operate DEI programs that violate anti-discrimination laws. On Jan. 29, the administration issued a <a href="#">third executive order</a> 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, the Acting Secretary of Education issued a department directive instructing DOE employees to review ongoing grants to ensure they “do not fund discriminatory practices—including in the form of DEI.”</p> <p>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 Department, stating that the grants conflict with the administration’s policies opposing DEI efforts.</p> <p>Eight states filed suit, arguing that the Department’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 Department’s own procedures. The Plaintiff states seek an order vacating and setting aside the Department’s termination of</p>	<p><b>2025-03-24</b></p>

		<p>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.</p> <p>Update 1: On Mar. 10, a federal judge <a href="#">issued</a> a temporary restraining order blocking the DOE from terminating the grants.</p> <p>Update 2: On Mar. 12, the Defendant submitted a <a href="#">notice of appeal</a> to the First Circuit.</p> <p><b>Update 3:</b> On Mar. 21, the First Circuit <a href="#">denied</a> the Defendant’s motion for a stay of the TRO pending appeal.</p> <p><b>Update 4:</b> On Mar. 21, Plaintiffs <a href="#">filed a motion to extend</a> the TRO pending the court’s ruling on the Plaintiffs’ request for a preliminary injunction.</p> <p><b>Update 5:</b> On Mar. 24, the government <a href="#">filed a motion</a> opposing Plaintiffs’ motion to extend the TRO.</p> <p><b>Update 6:</b> On Mar. 24, Judge Myong J. Joun <a href="#">granted</a> Plaintiffs’ request to extend the TRO pending the court’s ruling on the request for a preliminary injunction.</p>	
--	--	---	--