

District Judge Jamal N. Whitehead

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PLAINTIFF PACITO; PLAINTIFF ESTHER;
PLAINTIFF JOSEPHINE; PLAINTIFF
SARA; PLAINTIFF ALYAS; PLAINTIFF
MARCOS; PLAINTIFF AHMED;
PLAINTIFF RACHEL; PLAINTIFF ALI;
HIAS, INC.; CHURCH WORLD SERVICE,
INC.; and LUTHERAN COMMUNITY
SERVICES NORTHWEST,

CASE NO. 2:25-cv-00255

STATUS REPORT REGARDING
PRELIMINARY INJUNCTION
COMPLIANCE

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States, MARCO
RUBIO, in his official capacity as Secretary of
State, KRISTI NOEM, in her official capacity
as Secretary of Homeland Security;
DOROTHY A. FINK, in her official capacity
as Acting Secretary of Health and Human
Services,

Defendants.

Status Report

No. 2:25-cv-00255-JNW

U.S. Department of Justice
Civil Division, Office of Immigration Litigation
P.O. Box 878, Ben Franklin Station
Washington, DC 20044
(202) 305-7234

1 On February 25, 2025, the Court granted Plaintiffs’ motion for a preliminary injunction
2 in an oral ruling from the bench, enjoining the implementation of Sections 3(a), (b), and (c),
3 and Section 4 of Executive Order 14163, “*Realigning the United States Refugee Admissions*
4 *Program.*” Dkt. No. 39; *see* Exec. Order No. 14163, 90 Fed. Reg. 8459 (Jan. 20, 2025)
5 (USRAP EO). Three days later, on February 28, 2025, the Court issued a written order to this
6 effect, prohibiting Defendants from suspending or implementing the suspension of refugee
7 processing, decisions, and admissions; suspending or implementing the suspension of USRAP
8 funds; and withholding reimbursements to resettlement partners for USRAP-related work
9 performed pursuant to cooperative agreements prior to January 20, 2025. Dkt. No. 45 at 61.
10 The Court required that notice of that Order be provided “to all Defendants and agencies,
11 including President Trump, and to Defendants’ employees, contractors, and grantees by March
12 7, 2025, at 5:00 p.m. (Pacific Standard Time).” *Id.*

12 On March 4, 2025, the Court also ordered that Defendants submit a status report by
13 March 10, 2025, detailing their efforts to resume the USRAP “consistent with the Court’s
14 injunction.” Dkt. No. 51 at 3. The Court directed that the status report describe:

- 15 (a) measures taken, or planned, to resume USRAP case processing and adjudication
16 overseas;
- 17 (b) measures taken, or planned, to facilitate the travel into the United States of
18 individuals who have already been conditionally approved for refugee status by the
19 United States Citizenship and Immigration Services (USCIS), including individual
20 Plaintiffs;
- 21 (c) measures taken, or planned, to ensure that arriving refugees will receive
22 resettlement support services upon arrival—in particular, addressing the effect of
23 the Termination Notices on the Government’s ability to meet its statutory
24 obligations to provide resettlement support services; and

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1 (d) measures taken, or planned, to reimburse organizational Plaintiffs for expenses
2 already incurred subject to cooperative agreements. *Id.*

3 **I. Measures that have been taken, or planned, to resume USRAP case processing**
4 **and adjudication overseas.**

5 As an initial matter, Defendants' attorneys have provided the notice that this Court
6 required by March 7, 2025 to each of the Defendants and agencies. Even before that time,
7 Defendants worked diligently to comply with the Court's orders. To facilitate the processing
8 and travel of potential refugees, the Department of State notified the International Organization
9 for Migration (IOM) and Church World Service (CWS) that USRAP operations using their
10 services would resume subject to compliance with Executive Order 14151 "*Ending Radical*
11 *and Wasteful Government DEI Programs and Preferencing*," Executive Order 14148 "*Initial*
12 *Rescissions of Harmful Executive Orders and Actions*," and Executive Order 14168 "*Defending*
13 *Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal*
14 *Government*." Following IOM and CWS concurrence with the above, IOM and CWS may
15 resume operations for Resettlement Support Centers, and IOM may resume operations to
16 provide global resettlement logistical support, including issuance of documents and facilitation
17 of medical examinations and refugee travel. However, in the nearly seven weeks since refugee
18 resettlement was suspended and stop-work orders were issued, there has been significant
19 deterioration of functions throughout the USRAP. The Department of State is working to
20 ascertain how long it will take to restore the USRAP to operational status, *i.e.*, how long it will
21 take IOM and CWS to rehire furloughed workers. As USRAP functions restart, additional
22 areas that require remediation will likely be identified.

23 The State Department has also begun administrative preparations to unfreeze additional
24 funding disbursements to IOM for resettlement operations should IOM request additional
25 funding to complete its work.

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1 In addition to the USRAP Order, the President has issued other executive orders that
2 bear on refugee admissions into the United States, in particular, Executive Order 14161,
3 “*Protecting the United States from Foreign Terrorists and Other National Security and Public*
4 *Safety Threats.*” Section 3(b) of Executive Order 14161 requires the Secretary of State, in
5 consultation with the Attorney General, the Secretary of Homeland Security, and the Director
6 of National Intelligence, to “[e]nsure that sufficient safeguards are in place to prevent any
7 refugee[s] ... from being admitted to the United States without undergoing stringent
8 identification verification beyond that required of any other alien seeking admission or entry
9 to the United States.” The Secretary of State submitted a report on this requirement on or
10 about February 19, 2025, and policy decisions formulating new vetting guidelines for refugees
11 consistent with this executive order are pending. The Department of State will apply these
12 formulated heightened standards to all refugee arrivals going forward.

13 On March 1, 2025, Brandon Prelogar, Chief of USCIS’s International and Refugee
14 Affairs Division (IRAD), sent guidance directing IRAD staff to resume rendering decisions
15 on Form I-590 refugee applications, Requests for Review (RFRs), Form I-730 Follow-to-Join
16 refugee petitions (FTJ-Rs), and Form I-290B Notices of Appeal or Motion relating to Form I-
17 730 FTJ-Rs. Subsequently, between March 1, 2025 and March 7, 2025, IRAD processed 574
18 Form I-590 refugee applications, approving 478 cases (673 individuals), denying 76 cases (187
19 individuals), and closing 20 cases (29 individuals). During that window, IRAD also reviewed
20 4 RFRs, upholding a denial in 3 cases (9 individuals), and overturning a denial in 1 case (6
21 individuals). Finally, IRAD processed 160 Form I-730 (FTJ-R) cases, approving 116 cases
22 (116 individuals), and denying 44 cases (44 individuals). USCIS has resumed mailing
23 decisions on Form I-730 FTJ-R petitions to petitioners.

24 Additionally, USCIS has ceased all efforts on Section 4 of the USRAP Order relating
to submission of the 90-day report.

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1 On March 10, 2025, the Department of State released 25 State 19890, an “All
2 Diplomatic and Consular Posts” (ALDAC) cable, directing all diplomatic and consular posts
3 to resume processing for beneficiaries of approved Form I-730 Follow-to-Join relative
4 petitions. The State Department has instructed consular sections to resume processing any FTJ-
5 R application for which the FTJ-R beneficiary has already been interviewed and has directed
6 the National Visa Center to resume shipping case files to embassies and consulates. The
7 Department of State will also communicate directly with beneficiaries whose appointments
8 were cancelled to reschedule those interviews. Individuals with approved FTJ-R applications
9 may receive a document permitting their independent travel to the United States.

9 **II. Measures that have been taken, or planned, to facilitate the travel into the**
10 **United States of individuals who have already been conditionally approved for**
11 **refugee status by the United States Citizenship and Immigration Services**
12 **(USCIS), including individual Plaintiffs.**

13 To facilitate travel into the United States for individuals who have been conditionally
14 approved for refugee status, the Department of State has noticed IOM that USRAP operations
15 under its award will resume subject to compliance with listed executive orders. IOM’s USRAP
16 operations are necessary for refugee travel to the United States, as well as for medical clearance
17 exams to be conducted as necessary for those approved for refugee status by USCIS.

18 In an effort to comply with the Court’s order, Defendants’ counsel reached out to
19 Plaintiffs’ counsel on March 6, 2025, to request the identity of individual Plaintiffs in order
20 for defendant agencies to confirm the status of their individual applications. Following a
21 phone conversation on March 7, 2025, Plaintiffs’ counsel shared a proposed stipulated
22 protective order with Defendants’ counsel on Sunday, March 9, 2025. Defendants’ counsel is
23 currently reviewing the proposed protective order. Once Defendants can confirm the identifies

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1 of the individual Plaintiffs, Defendants will be able to provide further information regarding
2 measures to be taken or planned to facilitate their travel into the United States.

3
4 **III. Measures that have been taken, or planned, to ensure that arriving refugees**
5 **will receive resettlement support services upon arrival—in particular,**
6 **addressing the effect of the Termination Notices on the Government’s ability**
7 **to meet its statutory obligations to provide resettlement support services.**

8 Initial reception and placement benefits provided by the Department of State through
9 grants and contracts under section 412(b) of the INA, 8 U.S.C. §1522(b), are not required by
10 law, and all existing agreements with domestic reception and placement agencies have been
11 terminated. The Department of State is actively preparing a request for proposals for a new
12 resettlement agency that could provide reception and placement services for resettled refugees.
13 The solicitation process is expected to take at least three months. The Department of State is
14 also exploring alternatives to the traditional reception and placement program but cannot
15 provide additional information without waiving deliberative process privileges.

16 **IV. Measures that have been taken, or planned, to reimburse organizational**
17 **Plaintiffs for expenses already incurred subject to cooperative agreements.**

18 On February 26, 2025, the Department of State disbursed \$2,967,046.07 in payments
19 to HIAS. On March 6, 2025, the Department of State disbursed \$2,349,782.92 in payments to
20 HIAS.

21 The Department of State is reviewing pending payment requests from Plaintiff
22 organizations for expenses already incurred and will pay legitimate requests in due course.

23 With respect to Office of Refugee Resettlement (ORR) funding, ORR has confirmed
24 that organizational Plaintiffs HIAS and Church World Service have not had their payments
25 suspended. ORR believes Lutheran Community Services Northwest (LCSNW) to be a

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1 subgrantee of Global Refuge, which has had its payments paused. On March 10, 2025, ORR
2 directed the Department of Health & Human Services’ Pay Management System (PMS)—a
3 cross-departmental funding disbursement platform—to release payment for all refugee grant
4 services that occurred prior to January 20, 2025. While the agency has scrutinized available
5 information, given the aggregated format in which payment request are made by the recipients
6 and PMS’ limitations to inform on itemized accounting, ORR will contact the impacted
7 grantees and request they submit new draw requests to PMS for the relevant amounts, which
8 will be paid forthwith.

9 DATED this 10th day of March, 2025.

10 Respectfully submitted,

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12 Acting Assistant Attorney General
13 Civil Division

14 DREW ENSIGN
15 Deputy Assistant Attorney General

16 AUGUST FLENTJE
17 Acting Director

18 /s/ Nancy K. Canter
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