

THE HONORABLE JAMAL N. WHITEHEAD

UNITED STATES DISTRICT COURT
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,

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; ROBERT F.
KENNEDY, JR., in his official capacity as
Secretary of Health and Human Services,

Defendants.

Case No. 2:25-cv-255-JNW

**JOINT STATUS REPORT
REGARDING PRELIMINARY
INJUNCTION COMPLIANCE**

PARTIES' JOINT STATEMENT

Plaintiffs filed their motion for a preliminary injunction on February 11, 2025, seeking an injunction of Executive Order 14163, which suspended refugee admissions and decisions, the Defendant agencies' implementation of the Executive Order, and the Defendant agencies' suspension of USRAP-related funding. Dkt. No. 14. The Court heard argument on the Plaintiffs' motion on February 25, 2025, and granted Plaintiffs' motion in an oral ruling from the bench, which enjoined the implementation of Sections 3(a), (b), and (c), and Section 4 of Executive Order. Dkt. No. 39. On February 28, 2025, the Court issued a written order enjoining Defendants from: (1) enforcing or implementing Executive Order 14163 Section 3(a), (b), (c), and 4 in its entirety; (2) suspending or implementing the suspension of refugee processing, decisions, and admissions; (3) suspending or implementing the suspension of USRAP funds; and (4) withholding reimbursements to resettlement partners for USRAP-related work performed pursuant to cooperative agreements before January 20, 2025. *See* Dkt. No. 45 at 61 ("PI Order").

On February 26, Defendant State Department terminated all USRAP-related cooperative agreements for each of the ten national resettlement agencies, except Plaintiff CWS' cooperative agreement for operation of the Resettlement Support Center ("RSC") in Africa (which remained under a suspension notice). Plaintiffs moved for an emergency status conference, *see* Dkt. No. 43, which the Court held on March 4, 2025. Afterwards, the Court issued an Order (1) granting Plaintiffs leave to file an amended complaint and a second motion for a preliminary injunction; (2) requiring the Defendants to submit a status report on March 10, 2025, detailing their efforts to resume USRAP consistent with the Court's PI Order; and (3) requiring the Parties to submit a joint status report on the steps taken to comply with the Court's PI Order by March 14, 2025. *See* Dkt. No. 51 ("Emergency Hearing Order").

Plaintiffs filed a supplemental pleading, adding allegations to the Complaint regarding the Defendants' termination of USRAP-related funding as well as a supplemental motion for a preliminary injunction against the same on March 11, 2025. *See* Dkt. No. 56 ("Suppl. Compl.");

1 Dkt. No. 57 at (“Mot. for PI on Suppl. Pleading”). Defendants filed a Status Report on March 10,
 2 2025. Dkt. No. 62 (“Status Rep.”). Plaintiffs and Defendants (the Parties) conducted a meet and
 3 confer on March 13, 2025 and the Parties now submit this Joint Status Report pursuant to the
 4 Court’s Emergency Hearing Order.

5 **PLAINTIFFS’ STATEMENT**

6 Defendants’ March 10 Status Report and further reporting below confirm that the
 7 government’s record of compliance with this Court’s PI Order has done anything but restore the
 8 status quo *ante litem* in order to stop the irreparable harm to Plaintiffs while a final decision on the
 9 merits is pending. To the contrary: Defendants now argue that they’re not required to restore
 10 anything. They also concede that their actions subsequent to this Court’s oral preliminary
 11 injunction ruling have made compliance all but impossible. The Court should reject Defendants’
 12 attempt to justify their lack of compliance by reference to conditions they themselves created but
 13 have failed to adequately undo.

14 To the extent Defendants have engaged in any meaningful compliance efforts, they have
 15 been timed to coincide with compliance reporting. Given this, Plaintiffs have a modest proposal:
 16 that the Court require Defendants to report on limited but meaningful categories of compliance
 17 every day, as described *infra* and in the attached Proposed Order. Far from putting the Court in
 18 the role of administering the USRAP or imposing substantial burdens on Defendants (as
 19 Defendants contend), this limited step is necessary to stem the tide of compounding irreparable
 20 harms Plaintiffs continue to face.

21 **I. Defendants have made no arrangements to rebook or book travel for travel-ready** 22 **refugees.**

23 At the time the Refugee Ban EO was issued, approximately 12,000 refugees who were
 24 already booked to travel to the United States experienced the sudden cancellation of their travel.
 25 A further approximately 9,000 refugees were “travel-ready,” which means that these individuals
 26 had completed all the steps required for travel to be booked and were simply awaiting IOM’s

1 scheduling of travel. Aside from reporting to the Court that they are now allowing a small subset
 2 of this group—those seeking admission through the refugee follow-to-join (FTJ-R) pathway—to
 3 book their own travel to the United States, *see* Dkt No. 62 (“Status Rep.”) at 4, Defendants do not
 4 appear to have made any progress in arranging or rebooking travel for the nearly 21,000 refugees
 5 whose travel was impacted by the suspension. Even as to FTJ cases, while Defendants’ report that
 6 those with approved applications “*may* receive a document permitting their independent travel,”
 7 *id.*, Defendants do not appear to be doing anything affirmative to ensure that individuals with
 8 approved FTJ-R applications are notified about the availability of this document or the possibility
 9 of self-travel.¹

10 As to non-FTJ refugees, Defendants report that “IOM’s USRAP operations are necessary
 11 for refugee travel to the United States, as well as for medical clearance exams to be conducted.”
 12 *Id.* at 4. But even as Defendants admit that the lack of IOM operational support is entirely a
 13 problem of Defendants’ own making, they do not make any commitments as to when refugees
 14 whose travel was cancelled or booking delayed by the unlawful suspension will see their cases
 15 move forward. *Id.* at 2 (explaining their actions have resulted in a “significant deterioration” of
 16 USRAP and that the Department of State is unable to “ascertain how long it will take to restore
 17 the USRAP to operational status”). In the parties’ meet and confer Defendants indicated that travel
 18 for principal refugee applicants (I-590 refugees) cannot move forward until IOM resumes
 19 operations because Defendants are in the practice of providing I-590 refugees with a letter to
 20 permit travel rather than a Boarding Foil, which is what the State Department provides FTJ-Rs.
 21 Defendants were unable to explain why the government cannot provide I-590 refugees with a
 22 Boarding Foil to enable their self-travel. This leaves resumption of travel for I-590 refugees

23 ¹ In the case of Plaintiff Josephine, for example, only after pro bono counsel in a separate
 24 mandamus case advocated with government’s counsel to grant her access to her travel document,
 25 was she finally able to obtain it and book her own travel to the United States Plaintiff Josephine is
 26 scheduled to arrive in the United States in the morning on Saturday, March 15. But most FTJ
 families do not have the benefit of pro bono counsel and may not even be aware of the possibility
 of self-travel.

1 dependent on the indefinite timeline of a third party's (IOM) ability to resume operations after
2 seven weeks of suspended funding and uncertainty.

3 Defendants' foot-dragging on implementing the Court's injunction leaves individual
4 Plaintiffs and others similarly situated in a continued, dangerous limbo. Not having heard any
5 updates on his case after the Court's injunction, Plaintiff Pacito, contacted RSC Africa on March
6 9, 2025, but received only an autoreply. His exit visa expires March 25, 2025, after which time he
7 will have to seek another exit visa before he would be permitted to travel. Because Plaintiff Pacito
8 surrendered all of his documentation when travel was booked in his case—as is required for
9 refugee travel—he is also at risk of arrest in Kenya because he does not have proof of having
10 registered as a refugee.

11 Plaintiff Alyas was scheduled to travel on February 3 with his wife and son before their
12 travel was canceled. Dkt No. 15-18 ¶¶ 2-3, 17-18. The family's medical exams expired on February
13 6, 2025, but Defendants have not provided any means for Plaintiff Alyas to redo his medical exam,
14 which will prevent the family from traveling to the United States. *See* Status Rep. at 4 (stating that
15 "IOM's USRAP operations are necessary" for refugees to complete the required medical clearance
16 exams). There is no obvious entity to which Plaintiff Alyas can direct a request to be permitted to
17 redo his medical check. In response to an inquiry from a legal representative regarding another
18 case, the U.S. Embassy Baghdad staff reported on March 11, 2025 that "although there is a
19 preliminary injunction[,] we do not have capacity to add or process cases right now." Ball Cooper
20 Decl., Exh. 2. Defendants also have not contacted other individual Plaintiffs who were travel-
21 ready and awaiting booking, including Plaintiff Sara and Plaintiff Marcos' stepdaughter.

22 Hundreds of organizational plaintiffs' clients were similarly travel-ready and either
23 awaiting travel confirmation or had their booked travel canceled when the Refugee Ban EO was
24 issued. As of February 6, 2025, approximately 1,453 of HIAS's overseas clients were travel-ready.
25 Dkt. No. 15-24 ¶ 47. And as of February 7, 2025, approximately 5,277 of CWS's overseas clients
26 were travel-ready. Dkt. No. 15-23 ¶ 32. LCSNW confirmed that from January 1 to date, it provided

1 assurances to support the resettlement of 423 individuals overseas, of whom 121 individuals had
 2 travel booked that was subsequently cancelled. For each of the individuals with travel cancelled,
 3 LCSNW had completed its pre-travel preparation, including arranging transportation from the
 4 airport and temporary lodging, all of which had to be cancelled. None of these individuals have
 5 been notified about their travel being booked or rebooked.

6 **II. Case processing for all refugees except FTJ refugees is still effectively suspended.**

7 According to Defendants, on March 10, the State Department released a cable directing all
 8 diplomatic and consular posts to resume processing for FTJ cases. Status Rep. at 4.² But
 9 Defendants provide no information or guidance regarding the resumption of processing for all
 10 other refugee cases.

11 The facts show that Defendants have not resumed processing and admission for refugees,
 12 as this Court has ordered, given that processing for refugee cases other than FTJ cases is almost
 13 wholly dependent on RSCs and IOM. During the March 13 meet and confer, Defendants noted
 14 that for non-FTJ cases, the RSC is responsible for processing steps after the I-590 adjudication
 15 (i.e., USCIS's decision). Nonetheless, Defendants do not dispute that all RSC and IOM
 16 cooperative agreements have either been terminated or are still in the process of restarting and are
 17 not yet operational after the prolonged suspension, and that the U.S. Government is not able to
 18 process USRAP cases without the RSCs. *See, e.g.,* Ball Cooper Decl., Exh. 2 (explaining the
 19 embassy does not have any capacity to process refugee cases).

20 And even when RSC Africa and IOM's RSCs are operational again, this USRAP
 21 infrastructure would still leave out huge portions of refugees in the USRAP pipeline across whole
 22 regions of the world. The termination of Plaintiff HIAS's cooperative agreement for operation of
 23 its RSC in Austria, for example, means that the 15,000 refugees in their pipeline—vulnerable
 24 asylum seekers in Israel, and Iranian religious minorities—are without any means to resume

25 _____
 26 ² Plaintiffs also note that notwithstanding this directive, at least one consular post at U.S.
 Embassy Baghdad, reports being unable to process cases right now. Ball Cooper Decl., Exh. 2.

1 processing of their refugee applications. Dkt. No. 68-1 (“Russ Decl.”) ¶ 15. During the March 13
2 meet and confer, Defendants indicated that the Department of State is “exploring” how files for
3 refugees covered by terminated RSCs can be transferred to RSCs that are purportedly going to
4 become operational, but there is “no timeline” for that to occur. In the meantime, the agency does
5 not have a back-up plan. *See, e.g.* Ball Cooper Decl., Exh. 4 (stating in email dated March 11 that
6 the “State Department will continue . . . to implement President Trump’s America First policy
7 priorities” and that State does “not have any additional information to share about specific USRAP
8 case processing at this time.”); *Id.* Exh. 5 (same).

9 It is not even clear that all State Department personnel are aware of this Court’s injunction.
10 In response to a case inquiry, the State Department’s refugee coordinator for Tunis stated on March
11 11 that “[a]ll cases have been put on hold. I will let you know if there are any updates however I
12 would recommend looking into other options for this case.” *Id.*, Exh. 3.

13 Given the critical role in refugee processing that RSCs play, Plaintiffs are also concerned
14 about Defendants’ slow pace of facilitating the reopening of RSCs run by CWS and IOM. More
15 than two weeks after this Court enjoined the USRAP funding suspension, CWS still has not
16 received any funding from PRM. Ball Cooper Decl. Exh. 6 (“Rehberg Decl.”) ¶¶ 3-6 (confirming
17 that CWS has submitted reimbursement requests for work performed under its cooperative
18 agreements on February 6, February 24, and March 3, which have not been paid). Without funding,
19 CWS is unable to seek to rehire staff who were terminated as a result of Defendants’ actions. *Id.* ¶
20 14. Additionally, upon receiving notice on March 7 that RSC Africa was to resume operations,
21 CWS responded the same day with the “concurrence” requested by the government. *Id.* ¶ 7.
22 Notwithstanding their prompt response, CWS still has not received funding or instructions
23 regarding the contours of the supposed resumption of operations. *Id.* ¶ 3-7. In addition, Defendants
24 have not restored RSC Africa’s access to the START database tool, the case management system
25 maintained by PRM’s Refugee Processing Center, where all case processing functions are
26 documented and information regarding a refugee’s readiness and needs for travel are stored. *Id.*

¶ 8. Access has been cut off since on or around January 24. *Id.* Reports and data from START are necessary for RSC staff to resume refugee processing. *Id.*

Although Defendants report that USCIS has resumed adjudicating refugee applications, *see* Status Rep. at 3, refugees are still unable to complete processing because of the many steps refugees must undergo after receiving conditional approval for refugee resettlement (steps which require the involvement of RSCs). Dkt. No. 57 (“Reply in support of Mot. Prelim. Inj. on Supp. Pleading”) at 5. For example, after USCIS has approved an application, refugees must complete security checks. *See* Dkt. No. 15-5 (“USRAP Process Flowchart”). Defendants’ Status Report indicates the agencies are making changes to this step in the process, but does not provide any timeline by which such changes will be implemented. Status Rep. at 3. During the parties’ meet and confer, Defendants indicated that the anticipated security changes will not apply to travel-ready refugees so long as they travel before their security checks expire, however, given that refugees currently have no way to travel to the United States, the risk that they will experience additional delays because they will be required to redo security checks under the new process looms large.

III. Defendants have taken no actions to restore the USRAP infrastructure.

Defendants have completely dismantled the USRAP domestic infrastructure, and they are taking no steps to meaningfully restore it. In addition to RSCs, resettlement agencies are integral to ensuring that refugees are able to travel to the United States. *See* Dkt. No. 14 (“Pls.’ Mot. Prelim. Inj.”) at 6-7; *see also* Russ Decl. ¶ 13. Under Defendants’ current guidance, refugees need assurances of resettlement support for admission. Dkt. No. 14 (“Pls.’ Mot. Prelim. Inj. on Supp. Pleading”) at 3, 8. But Defendants’ actions have threatened resettlement agencies’ existence and they have not taken steps to mediate the harm: indeed, organizational Plaintiffs are being driven out of business.

CWS has received no funding from PRM since January 14, 2024. Rehberg Decl. ¶ 3. Rather than facilitating long-overdue reimbursements, Defendants have added new layers of bureaucratic

1 barriers to the payment process. On February 6, CWS submitted thirteen (13) drawdown requests
2 for reimbursements for work done prior to January 24 via new certification forms created by PRM.
3 *Id.* ¶ 5. Although PRM acknowledged receipt on February 7, stating that CWS’s submissions were
4 a model for the new certification process, and although CWS submitted additional reimbursement
5 requests on February 24 and March 3, CWS has yet to receive any reimbursement for that work
6 that pre-dated the January 24 Agency Funding Suspension. *Id.* CWS also has not received any
7 reimbursement for work performed between January 24 and February 26, when PRM issued
8 Notices of Termination for all CWS cooperative agreements under the USRAP (except for RSC
9 Africa). *Id.* ¶¶ 5-6. Nor has CWS received any funding for RSC-Africa, despite the fact that PRM
10 notified CWS that the RSC Africa cooperative agreement was no longer suspended. *Id.* ¶ 7.

11 Similarly, Plaintiff LCSNW still has not received any ORR or PRM funding because the
12 national affiliate with the cooperative agreement with the State Department and Department of
13 Health and Human Services, Global Refuge, has had its funding frozen since at least January 20.
14 Defendants have not provided any timeline or information regarding any reimbursement that
15 LCSNW is owed, representing to the Court only that that they will pay in “due course.” Status
16 Rep. at 5.

17 The cash flow crisis resulting from the Defendants actions has left the organizational
18 Plaintiffs with no option but to continue to furlough or lay off hundreds of staff, worsening their
19 existential crisis. In February, CWS initiated layoffs of 600 employees of RSC-Africa and
20 furloughed 858 U.S.-based employees Rehberg Decl. ¶ 13. On Friday, March 14, CWS informed
21 453 of these U.S.-based employees that they would be laid off, and furloughed an additional 25.
22 *Id.*

23 Likewise, LCSNW has notified 25 staff members who work within the R&P program that
24 their positions will be eliminated as of April 10, 2025. While LCSNW has been trying to provide
25 R&P services despite the nonpayment for services provided before January 20 and continuing to
26

1 the present, it can no longer afford to do so. It is now in the process of shutting down its refugee
2 resettlement program, a program that has been operating for almost 50 years.

3 HIAS also continues to lay off staff. From January 24 to date, HIAS has laid off or given
4 notice to 107 staff members and furloughed 14 in its U.S. headquarters. It has also laid off or given
5 notice to 382 staff members in its international offices. Of these numbers, 268 have been laid off,
6 given notice, or furloughed since February 25, 2025, the date of this Court's preliminary
7 injunction.

8 With resettlement agencies struggling for survival and the USRAP domestic infrastructure
9 devastated, Defendants have failed to effectively remedy the dire situation they created. After
10 terminating R&P funding for all ten national resettlement agencies, Defendants now assert that
11 they are "actively preparing a request for proposals for a *new* resettlement agency that could
12 provide reception and placement services." Status Rep. at 5 (emphasis added). But the solicitation
13 of proposals alone "is expected to take at least three months." *Id.* Defendants provide no other
14 information or timeline for establishing this new R&P program.

15 The result of all this devastation is a loss of critical services for refugees across the country.
16 Not only are recently-arrived refugees (still within their first 90 days) not receiving R&P benefits
17 right now, but, contrary to Defendants representations below, many are also facing barriers to
18 accessing longer-term ORR benefits as well. First, Defendants have not remedied the fact that
19 ORR-funded services are inaccessible to large swaths of the country as a result of the suspension
20 of ORR funding for four national refugee resettlement agencies (representing roughly fifty percent
21 of the domestic resettlement infrastructure, which includes Plaintiff LCSNW). *See* Dkt. No. 68-3
22 ("Smyers Decl.") ¶ 18; Dkt. No. 61-2 ("Gradison Decl.") ¶ 10. For example, Plaintiff Ali has been
23 unable to access ORR benefits, such as Refugee Cash Assistance and Matching Grant, because
24 Catholic Charities of Fort Worth—Texas's replacement designee—is no longer receiving ORR
25 funding. *See* Dkt. No. 68-2 ("Ali Decl.") ¶¶ 6-7; Smyers Decl. ¶ 13. Second, even if an agency is
26 receiving ORR funding (as is currently the case for CWS and HIAS), many positions at

1 resettlement agencies are partially funded by R&P *and* ORR revenue streams, and the diminished
 2 workforce limits resettlement agencies' capacity to administer smaller ORR-funded programs.
 3 Smyers Decl. ¶ 17.

4 **IV. Plaintiffs' proposed plan for compliance.**

5 Two and a half weeks have passed since this Court granted Plaintiffs' motion for
 6 preliminary injunction, and Defendants' efforts toward compliance to date have not resulted in
 7 effective relief for the irreparable harms Plaintiffs suffer, which compound every day. As Plaintiff
 8 Pacito's case demonstrates, the more time passes without meaningful relief, the increasingly
 9 remote the prospect of any relief becomes. Defendants do, however, appear to take more definitive
 10 and decisive action in connection with their reporting on compliance to this Court. Given this, and
 11 the time sensitive need for compliance now, Plaintiffs request that this Court order Defendants to
 12 provide daily compliance reports to the Court until such time as such reporting is no longer
 13 necessary. To this end, Plaintiffs submit herewith a proposed order requiring Defendants to
 14 describe their compliance efforts in certain, limited categories.

15 **DEFENDANTS' STATEMENT**

16 As recognized by the Court, the Refugee Act creates a "permanent and systematic
 17 procedure' for refugee admissions" that is "jointly administered by the Department of State (DOS),
 18 through its sub-agency the Bureau of Population, Refugees, and Migration (PRM); the Department
 19 of Homeland Security (DHS), through its sub-agency U.S. Citizenship and Immigration Services
 20 (USCIS); the Department of Health and Human Services (DHHS), through its sub-agency the
 21 Office of Refugee Resettlement (ORR); and through partnerships with the United Nations—in
 22 particular, the International Organization for Migration (IOM) and United Nations High
 23 Commissioner for Refugees (UNHCR); and nonprofit agencies that provide case processing and
 24 refugee resettlement services." Dkt. No. 45 at 3. The administration of this program, involving so
 25 many agencies and partners, is complex, and at many stages involves the exercise of policy
 26

1 judgment and discretion such that the contours of the program are subject to changes from
2 administration to administration.

3 As the Court is already aware, in restarting the program following the Court's February 28,
4 2025 Order, major portions of the program that is operated through cooperative agreements have
5 been terminated. Certain components can be administered by different federal agencies or by
6 contracting with nonprofits, but need not be administered in this way. *See* 8 U.S.C. § 1522(b). And
7 in restarting the program, Defendants appropriately may do so in a manner that reflects
8 administration priorities.

9 Here, Plaintiffs "narrowly challenge[d] discrete agency actions made over several days or
10 weeks," Dkt. 45 at 33. Plaintiffs, however, now read the Court's subsequent injunction to
11 encompass evaluating the myriad agency decisions that go into restarting the program, and
12 brazenly request that this Court micromanage that process. Plaintiffs' request is inconsistent with
13 the APA and must be rejected. *See* Dkt. 45 at 32 (accepting that court cannot assess "'sweeping
14 argument' . . . [that agency's] "'on the ground management of' a federal program violate the law)
15 (quoting *Sierra Club v. Peterson*, 228 F.3d 559, 567 (5th Cir. 2000)). The suspension Plaintiffs
16 challenged and that has been enjoined is no longer in effect. And the agency defendants are taking
17 actions to operate a refugee program at this time. That should be the end of the inquiry with respect
18 to compliance with this Court's injunction.

19 In any event, since filing Defendants' Status Report on March 10, 2025, Dkt. No. 62,
20 Defendants have taken the following additional steps to implement the provisions of the Refugee
21 Act and this Court's ruling, Dkt. No. 45.

22 **I. Additional measures that have been taken, or planned, to resume USRAP case**
23 **processing and adjudication overseas.**

24 As noted in Defendants' March 10, 2025 filing, Dkt. No. 62, Defendants, on March 7,
25 2025, notified the IOM and CWS that they could resume working on refugee programs following
26 confirmation and acknowledgement of restrictions outlined in the Suspension Lift Letters. Dkt.

1 No. 62. On March 13, 2025, IOM confirmed receipt of the Notice and took note of the restrictions
2 outlined in the Notice. As of March 13, 2025, the Department of State awaits written
3 acknowledgement from CWS of compliance with the restrictions and executive orders cited in the
4 Suspension Lift Letter, to the extent those orders are not enjoined.

5 Upon receipt of confirmation and acknowledgement, IOM and CWS may resume operating
6 the RSCs covered by their existing awards. For IOM, this includes RSCs for Eurasia, Latin
7 America, and Middle East and North Africa. The State Department is also exploring the feasibility
8 of transferring files for refugees covered by terminated RSCs to operative RSCs, with the
9 understanding that IOM will continue to facilitate travel and medical screening and may need
10 additional funds to complete this work. For CWS, resumption of operations following the lifting
11 of suspension includes resuming operations in Africa. CWS will be given instructions and
12 provided access to START³ as needed to accomplish these functions.

13 As reported in Defendants' March 10 Report, USCIS has resumed rendering decisions on
14 refugee applications. *See* Dkt. No. 62 at 3. Since March 1, 2025, USCIS's International and
15 Refugee Affairs Division (IRAD) has processed 703 Form I-590 refugee applications, approving
16 529 cases (747 individuals), denying 150 cases (382 individuals), and closing 24 cases (41
17 individuals). During that window, IRAD also processed 401 Form I-730 (FTJ-R) cases, approving
18 231 cases (231 individuals), and denying 170 cases (170 individuals). USCIS continues to mail
19 decisions on Form I-730 FTJ-R petitions to petitioners.

20 In addition, since the March 10 cable directing ALDAC to "resume processing" for FTJ-R
21 beneficiaries, *see* Dkt. No. 62 at 4, the Department of State has resumed FTJ-R processing, and
22 the National Visa Center has also resumed shipping case files to embassies and consulates. The
23 Department of State has also begun communicating directly with beneficiaries whose interviews
24 were cancelled to reschedule those interviews. Furthermore, individuals with approved FTJ-R
25

26 ³ START is a customized computer software system that assists the processing of refugees
bound for resettlement in the United States.

1 applications have received travel documents permitting their independent travel to the United
2 States.

3 On March 13, 2025, the State Department received written acknowledgement of the
4 Suspension Lift Letter from IOM. The State Department will provide IOM with guidance,
5 following which IOM may resume overseas processing of cases, including facilitating travel.
6 Upon receipt of written acknowledgement from CWS, CWS may also resume processing
7 applications, following guidance from the Department of State.

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

12 As noted in Defendants' March 10, 2025 filing, Dkt. No. 62 at 4, Defendants' counsel
13 received a proposed protective order from Plaintiffs' counsel on Sunday, March 9, 2025, following
14 a meet and confer on March, 7, 2025. Defendants have reviewed the order and, following a meet
15 and confer on March 13, 2025, the parties have agreed to a Protective Order governing the
16 disclosure of the identity of the individual Plaintiffs proceeding under pseudonyms as identified in
17 ¶¶ 13-21 of the Complaint. Upon entry of the Protective Order and receipt of the personal
18 identifying information of said plaintiffs, defendant agencies will be able to confirm the status of
19 their individual applications.

20 Defendants further submit that Plaintiff Josephine* is scheduled to arrive at Washington
21 Dulles International Airport on Saturday, March 15, 2025.

22 **III. Additional measures that have been taken, or planned, to ensure that arriving**
23 **refugees will receive resettlement support services upon arrival—in particular,**
24 **addressing the effect of the Termination Notices on the Government's ability to meet**
25 **its statutory obligations to provide resettlement support services.**

26 The Department of State continues to prepare a request for proposals for a new resettlement
agency to provide reception and placement benefits aligned with administration policies. The
Department of State anticipates entertaining all project proposals submitted in accordance with

1 applicable laws or regulations and expects the solicitation process to take at least three months.
2 Additional information is not available at this time without waiving deliberative process privilege.

3 The Department of Health and Human Services' (DHHS) Office of Refugee Resettlement
4 (ORR) continues to provide its suite of domestic resettlement support services, including cash and
5 medical assistance, employment assistance, and English language learning and case management,
6 in the vast majority of the country. Refugees can access these resources upon arrival.

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

9 The Department of State has, to its knowledge, processed all pending payments for HIAS
10 and has disbursed all payments for legitimate expenses. The Department of State is in the process
11 of disbursing payments to CWS and Global Refuge for legitimate expenses and expects payment
12 processes to be completed the week of March 17.

13 As noted in Defendants' March 10, 2025 filing, ORR has been in communication with
14 Global Refuge and has requested that Global Refuge provide payment information for expenses
15 incurred prior to January 20, 2025. On March 12, 2025, Global Refuge responded that they are
16 working on the request. As of the filing of this status report, Global Refuge has provided some of
17 the requirement payment information and for those payments, DHHS plans to process the
18 payments today.

19 **V. Response to Plaintiffs' Statement**

20 Plaintiffs accuse Defendants of "foot-dragging" on implementing the Court's injunction,
21 complaining that (1) Defendants have made no arrangements to rebook or book travel for travel-
22 ready refugees, (2) case processing for all refugees except FTJ refugees is still effectively
23 suspended, and (3) Defendants have taken no actions to restore the USRAP infrastructure. As
24 Defendants acknowledged in their March 10, 2025 Status Report, there has been significant
25 deterioration of functions throughout the USRAP since the refugee resettlement program was
26 suspended, Dkt. No. 62 at 2. Moreover, in resuming refugee processing and admission, the United

1 States will do so by exercising appropriate discretion and consistent with agency priorities. Within
2 this context, Defendants have taken immediate and diligent steps to resume refugee processing
3 consistent with the Court's preliminary injunction order.

4 As noted *supra*, Defendants notified IOM and CWS on March 7, 2025 that following
5 confirmation and acknowledgement of restrictions, IOM and CWS may immediately resume
6 activities under their respective awards. Defendants did not receive written acknowledgement from
7 IOM until six days later – after business hours on March 13, 2025. As of the filing of this report,
8 Defendants have still not received sufficient written acknowledgement from CWS of compliance
9 with the restrictions and executive orders cited in the Suspension Lift Letter. Cooperation by these
10 partners is required in order to restart the program – including key functions performed by IOM
11 such as making arrangements to rebook or book travel for travel-ready refugees and processing
12 refugee cases. The State Department could explore other contracting arrangements for these
13 functions, but doing so is likely to take much longer than utilizing IOM and CWS.

14 Defendants' diligence and compliance with the Court's preliminary injunction order is
15 further underscored by the immediate steps Defendants undertook to resume processing and
16 rendering decisions, to the extent practicable. Indeed, as noted *supra*, USCIS undertook the
17 immediate processing and issuance of decisions on Form I-590 refugee applications, Requests for
18 Review, Form I-730 FTJ-R petitions, and Form I-290 Notices of Appeal or Motion relating to
19 Form I-730 FTJ-Rs, *see also* Dkt. No. 62 at 3. The Department of State also resumed processing
20 for beneficiaries of approved FTJ-R relative petitions and resumed processing FTJ-R applications
21 for which the FTJ-R beneficiary has already been interviewed. In other words, the agency has
22 taken all steps possible to allow for the resumption of refugee processing *and admissions*, as
23 evidenced by Plaintiff Josephine's* receipt of the necessary travel document, permitting her to
24 travel to the United States. Plaintiffs downplay Defendants' efforts to facilitate refugee processing
25 and admissions notwithstanding IOM and CWS's delay in returning written acknowledgment,
26

1 complaining this occurred “only after pro bono counsel in a separate mandamus case advocated
2 with government’s counsel.”

3 Indeed, Plaintiffs diminish these immediate steps undertaken by the agency to restore
4 refugee processing and admissions, complaining that the “lack of IOM operational support is
5 entirely a problem of Defendants’ own making” and that Defendants “do not make any
6 commitments as to when refugees whose travel was cancelled or booking delayed by the unlawful
7 suspension will see their cases move forward.” In so doing, Plaintiffs appear to desire the
8 immediate return to the USRAP as it existed prior to January 20, 2025. Notwithstanding practical
9 and logistical difficulties of which Defendants have been forthcoming in acknowledging, Plaintiffs
10 fail to appreciate that Defendants’ continued compliance with the Court’s injunction does not mean
11 a return to how the program existed prior to January 20, 2025. The State Department and other
12 agencies can change the way they contract for services or terminate cooperative agreements. They
13 may employ new screening protocols as appropriate, along with making many other discretionary
14 decisions in the manner that it operates this complex program. Indeed, as Defendants noted in
15 their March 10 report, the President has issued Executive Order 14161, *Protecting the United*
16 *States from Foreign Terrorists and Other National Security and Public Safety Threats*, which
17 requires the Secretary of State, in consultation with the Attorney General, the Secretary of
18 Homeland Security, and the Director of National Intelligence to formulate new vetting guidelines
19 for refugees consistent with that executive order. Dkt. No. 62 at 3. And, as noted in Defendants’
20 March 10 Status Report, *id.* at 5, the Department of State is exploring alternatives to the traditional
21 reception and replacement program and anticipates a request for proposals for a new resettlement
22 agency. The Court’s February 28, 2025 order does not prevent the defendant agencies from
23 restarting the refugee program consistent with the administration’s current priorities.

24 Finally, Plaintiffs complain about delayed reimbursement, but Defendants have been
25 forthcoming from the outset that a second overlapping injunction on foreign aid funding could
26 pose inconsistent obligations on the Government. Dkt. 31 at 25 (“Those are the exact same

1 provisions from which Plaintiffs here seek relief.”). Nevertheless, Defendants have diligently
2 worked to thread the needle and comply with the Court’s injunction, processing and disbursing
3 payments for legitimate expenses.

4 **VI. Defendants’ Opposition to Plaintiffs’ Proposed Order**

5 Plaintiffs “propose” at the conclusion of their section of this “Joint Status Report” that the
6 Court order Defendants to submit a daily compliance report. Plaintiffs’ audacious request would
7 effectively place the Court (or Plaintiffs) in the role of administering the USRAP program.
8 Furthermore, it would divert necessary resources from the very action Plaintiffs demand –
9 resumption of refugee processing and admissions.

10 Defendants oppose Plaintiffs’ request. Should a properly noticed motion be filed,
11 Defendants will respond in due course.

Dated: March 14, 2025

Deepa Alagesan*
 Mevlüde Akay Alp*
 Linda Evarts*
 Ghita Schwarz*
**INTERNATIONAL REFUGEE
 ASSISTANCE PROJECT**
 One Battery Park Plaza, 33rd Floor
 New York, New York 10004
 Telephone: (646) 939-9169
 Facsimile: (516) 324-2267
 dalagesan@refugeerights.org
 makayalp@refugeerights.org
 levarts@refugeerights.org
 gschwarz@refugeerights.org

Melissa Keaney*
**INTERNATIONAL REFUGEE
 ASSISTANCE PROJECT**
 P.O. Box 2291
 Fair Oaks, California 95628
 Telephone: (646) 939-9169
 Facsimile: (516) 324-2267
 mkeaney@refugeerights.org

Laurie Ball Cooper*
 Megan McLaughlin Hauptman*
**INTERNATIONAL REFUGEE
 ASSISTANCE PROJECT**
 650 Massachusetts Avenue NW, Suite 600
 Washington, D.C. 20001
 Telephone: (516) 732-7116
 Facsimile: (516) 324-2267
 lballcooper@refugeerights.org
 mhauptman@refugeerights.org

By: s/ Harry H. Schneider, Jr.

Harry H. Schneider, Jr., WSBA No. 9404
 Jonathan P. Hawley, WSBA No. 56297
 Shireen Lankarani, WSBA No. 61792
 Esmé L. Aston, WSBA No. 62545
PERKINS COIE LLP
 1201 Third Avenue, Suite 4900
 Seattle, Washington 98101
 Telephone: (206) 359-8000
 Facsimile: (206) 359-9000
 HSchneider@perkinscoie.com
 JHawley@perkinscoie.com
 SLankarani@perkinscoie.com
 EAston@perkinscoie.com

John M. Devaney*
PERKINS COIE LLP
 700 Thirteenth Street NW, Suite 800
 Washington, D.C. 20005
 Telephone: (202) 654-6200
 Facsimile: (202) 654-6211
 JDevaney@perkinscoie.com

Joel W. Nomkin*
PERKINS COIE LLP
 2525 East Camelback Road, Suite 500
 Phoenix, Arizona 85016
 Telephone: (602) 351-8000
 Facsimile: (602) 648-7000
 JNomkin@perkinscoie.com

Nicholas J. Surprise*
PERKINS COIE LLP
 33 East Main Street, Suite 201
 Madison, Wisconsin 53703
 Telephone: (608) 663-7460
 Facsimile: (608) 663-7499
 NSurprise@perkinscoie.com

Counsel for Plaintiffs

** Admitted pro hac vice*

1 DATED this 14th day of March, 2025.

2 Respectfully submitted,

3 YAAKOV M. ROTH
4 Acting Assistant Attorney General
5 Civil Division

6 DREW ENSIGN
7 Deputy Assistant Attorney General

8 AUGUST FLENTJE
9 Acting Director

10 /s/ Nancy K. Canter
11 NANCY K. CANTER
12 (CA Bar No. 263198)
13 Senior Litigation Counsel

14 JOSEPH MCCARTER
15 ALEXANDRA YEATTS
16 Trial Attorneys
17 U.S. Department of Justice
18 Civil Division, Office of Immigration Litigation
19 Washington, DC 20005
20 Phone: 202-305-7234
21 Email: nancy.k.canter@usdoj.gov

22 *Attorneys for Defendants*