

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED
PEOPLE, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, et al.,

Defendants.

Civil Action No. 17-1907 (JDB)

ORDER

Upon consideration of [15] defendants' motion to dismiss and plaintiffs' motion for summary judgment, which was filed as a joint motion in a related case, see Pls.' Mot. for Summ. J., Princeton v. United States, Civ. Action No. 17-2325 (JDB) (D.D.C. Dec. 15, 2017), ECF No. 28, and for the reasons stated in the Memorandum Opinion issued on this date, it is hereby

ORDERED that [15] the government's motion to dismiss is **GRANTED** as to plaintiffs' procedural Administrative Procedure Act ("APA") claim (stated in Count III), their information-sharing claim (stated in Counts I and II), and their Regulatory Flexibility Act claim (Count VI); **DENIED** as to their substantive APA claim (stated in Count III); and **DENIED IN PART AND DEFERRED IN PART** as to their constitutional claims (stated in Count II); it is further

ORDERED that [28] plaintiffs' motion for summary judgment is **GRANTED** as to their substantive APA claim but **DENIED** as to their procedural APA claim; it is further

ORDERED that the Department of Homeland Security's ("DHS") September 5, 2017 decision to rescind the Deferred Action for Childhood Arrivals ("DACA") program is **VACATED** and **REMANDED** to the agency; it is further

ORDERED that the Court's order of vacatur is **STAYED** for ninety days; and it is further

ORDERED that the parties shall file, by not later than Friday, July 27, 2018 a joint status report stating whether DHS has issued a new decision rescinding DACA and whether the parties contemplate the need for further proceedings in this case.

Moreover, upon consideration of the remaining motions pending in this case, it is hereby **ORDERED** that [18] plaintiffs' unopposed motion to submit pseudonymous declarations is **GRANTED**; and it is further

ORDERED that [9] plaintiffs' motion for a scheduling order is **DENIED** as moot.

SO ORDERED.

/s/
JOHN D. BATES
United States District Judge

Dated: April 24, 2018