

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

COALITION FOR HUMANE IMMIGRANT  
RIGHTS, et al.,

*Plaintiffs*

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY, et al.,

*Defendants.*

Case No. 1:25-cv-00943

**PLAINTIFFS' MOTION FOR A STAY OF EFFECTIVE DATE UNDER 5 U.S.C. §  
705 OR, IN THE ALTERNATIVE, PRELIMINARY INJUNCTION  
AND REQUEST FOR EXPEDITED CONSIDERATION**

Plaintiffs Coalition for Humane Immigrant Rights, United Farm Workers of America, CASA, Inc., and Make the Road New York, hereby move this Court, pursuant to Fed. R. Civ. P. 65(a) and Local Rule 65.1, for an order before April 11, 2025:

- 1) STAYING, pursuant to 5 U.S.C. § 705, the effective date of the Interim Final Rule titled *Department of Homeland Security; Alien Registration Form and Evidence of Registration*, 90 Fed. Reg. 11793 (March 12, 2025) (the “IFR”) and any implementation thereof, in its entirety pending final adjudication of this action;
- 2) ENJOINING, pursuant to Fed. R. Civ. P. 65(a) and 65(d)(2), all Defendants and all persons in active concert or participation with them, from implementing or enforcing the IFR pending final adjudication of this action; and
- 3) GRANTING such other and further relief in favor of Plaintiffs and against Defendants as this Court deems just and proper.

Pursuant to Local Civil Rule 65.1(d), Plaintiffs request that this motion be heard on an expedited basis so that Plaintiffs' irreparable harm may be averted before the April 11, 2025 effective date of the IFR, and addressed as quickly as possible.

Plaintiffs meet the test for issuance of preliminary relief. This case challenges Defendants' rushed and arbitrary implementation of a universal noncitizen registration scheme that would require millions of noncitizens to register with the government and carry their papers at all times, on pain of federal criminal prosecution and incarceration. Defendants impose this scheme through an IFR without prior notice and consideration of public comment, in violation of the Administrative Procedure Act ("APA"). Defendants seek to enforce the IFR just thirty days after its issuance, on April 11, 2025.

As explained in the accompanying Memorandum of Points and Authorities, Plaintiffs are likely to succeed on the merits of Counts I and II. Defendants improperly invoke an exception to the APA's requirement of notice and opportunity for public comment. The IFR is also arbitrary and capricious on a number of grounds given Defendants' failure to consider multiple important aspects of the problem. Plaintiffs and their members would suffer irreparable harm if the IFR takes effect and the balance of equities favors the Plaintiffs.

Plaintiffs' counsel is not yet aware of who Defendants' counsel in this action will be, and have thus been unable to meet and confer regarding this motion. *See* Local Civ. R. 7(m). Plaintiffs are in the process of serving this motion consistent with the Federal Rules of Civil Procedure. Once counsel is identified, Plaintiffs' counsel is prepared to meet and confer with counsel for Defendants, if the Court so directs, to attempt to agree on a briefing schedule.

Plaintiffs support this application with the Complaint (ECF 1), the Memorandum of Points and Authorities filed concurrently with this Motion, and the accompanying Declarations of Angelica Salas, Elizabeth Strater, George Escobar, and Sienna Fontaine.

Dated: March 31, 2025

Respectfully submitted,

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*\*Application for pro hac vice admission forthcoming*