

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

CATHOLIC LEGAL IMMIGRATION  
NETWORK INC., *et al.*,

Plaintiffs,

v.

EXECUTIVE OFFICE FOR  
IMMIGRATION REVIEW, *et al.*,

Defendants.

Civil Action No. 1:21-cv-00094-RJL

**JOINT STATUS REPORT**

## REPORT

On April 18, 2021, the Court granted the Department of Justice's request to stay proceedings and ordered the Department to "submit a status report no later than July 19, 2021 regarding the status of defendants' review of the Rule at issue" and to "confer with plaintiffs and include in the status report a proposal for further proceedings." The parties filed joint status reports, on October 18, 2021; January 18, 2022; April 19, 2022; July 19, 2022, October 19, 2022, January 19, 2023, April 19, 2023, July 19, 2023, October 19, 2023, and January 19, 2024; each following this Court's instruction to provide an update every 90 days "regarding the status of defendants' review of the Rule at issue" and to "confer with plaintiffs and include in the status report a proposal for further proceedings." After the most recent joint status report, filed on January 19, 2024, the Court again ordered that all proceedings and deadlines in the case remain stayed and ordered the parties to "submit a joint status report no later than April 18, 2024, including a proposal for further proceedings."

As the Department previously reported, it has published a Notice of Proposed Rulemaking (NPRM) that would, once final, materially affect the Rule at issue in this case, Appellate Procedures and Decisional Finality in Immigration Proceedings; Administrative Closure, 85 Fed. Reg. 81,588 (Dec. 16, 2020). *See* Appellate Procedures and Decisional Finality in Immigration Proceedings; Administrative Closure, 88 Fed. Reg. 62,242 (Sept. 8, 2023) (attached as Exhibit A). The comment period ended on November 7, 2023, and the Department identified March 2024 as a timeline for publishing a final rule in the Fall 2023 Unified Agenda of Regulatory and Deregulatory Action.<sup>1</sup> The Department recognizes that this timeline has passed but represents to the Court that work on a final rule continues.

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<sup>1</sup> See <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202310&RIN=1125-AB18>.

The parties have met and conferred by email and agree that the case should remain stayed to allow the regulatory process to proceed and propose submitting another joint status report in 90 days. The parties further agree that the Court's stay under 5 U.S.C. § 705 should remain in place for the duration of the stay in proceedings.

Respectfully submitted,

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Dated: April 18, 2024