

# Nationwide Injunctions in the First Hundred Days of the Second Trump Administration

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# Nationwide Injunctions in the First Hundred Days of the Second Trump Administration

In recent years, litigation over actions of the federal executive branch has prompted discussion of the authority of federal courts to halt or prevent the enforcement of executive branch policies. One particular focus of this discussion is *nationwide injunctions*—court orders against the government that prevent the government from implementing a challenged law, regulation, or other policy against all relevant persons and entities, whether or not such persons or entities are parties participating in the litigation.

Several sources provide counts of nationwide injunctions. As of February 2020, the Department of Justice had identified 12 nationwide injunctions issued during the presidency of George W. Bush, 19 issued during Barack Obama’s presidency, and 55 such injunctions issued during the first Trump Administration up to that point. In April 2024, the *Harvard Law Review* published an article with counts of nationwide injunctions through 2023. With respect to the four most recent presidential Administrations, the article identified 6 nationwide injunctions issued under the George W. Bush Administration, 12 under the Obama Administration, 64 under the first Trump Administration, and 14 from the first three years of the Biden Administration. A March 2025 CRS report identified 86 nationwide injunction cases from the first Trump Administration and 28 from the Biden Administration.

This CRS report identifies nationwide injunctions issued during the first hundred days of the second Trump Administration, between January 20, 2025, and April 29, 2025. For several reasons, it is not possible to provide a single definitive count of nationwide injunctions. Most significantly, *nationwide injunction* is not a legal term with a precise definition, so counts may vary based on the particular definition used. In addition, there are practical challenges in searching for all nationwide injunction cases as well as methodological choices about how to count the injunctions that fit any given definition. This report explains CRS’s methodology for identifying nationwide injunction cases and includes a table listing 25 cases identified using that methodology. It then discusses selected considerations for Congress related to nationwide injunctions.

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In recent years, litigation over actions of the federal executive branch has prompted discussion of the authority of federal courts to halt or prevent the enforcement of executive branch policies. One particular focus of this discussion is *nationwide injunctions*—court orders against the government that prevent the government from implementing a challenged law, regulation, or other policy against all relevant persons and entities, whether or not such persons or entities are parties participating in the litigation.<sup>1</sup> Commentators, judges, lawmakers, and executive branch officials debate whether and when it is appropriate for a court to enjoin a government action in its entirety, with some arguing that nationwide injunctions are rarely or never appropriate, while others defend the practice.<sup>2</sup> In March and April 2025, the executive branch filed pleadings in the U.S. Supreme Court asking the Justices to restrict lower courts’ issuance of nationwide injunctions.<sup>3</sup> Some Members of Congress have also introduced legislation that would limit nationwide injunctions.<sup>4</sup>

Several sources provide counts of nationwide injunctions. In a May 2019 address, then-Attorney General William Barr stated that federal courts “issued only 27 nationwide injunctions in all of the 20th century.”<sup>5</sup> By contrast, as of February 2020, the Department of Justice had identified 12 nationwide injunctions issued during the presidency of George W. Bush, 19 issued during Barack Obama’s presidency, and 55 such injunctions issued during the first Trump Administration up to that point.<sup>6</sup> In April 2024, the *Harvard Law Review* published an article with counts of nationwide injunctions through 2023.<sup>7</sup> With respect to the four most recent presidential Administrations, the article identified six nationwide injunctions issued under the George W. Bush Administration, 12 under the Obama Administration, 64 under the first Trump Administration, and 14 from the first three years of the Biden Administration.<sup>8</sup> A March 2025 CRS report identified 86 nationwide injunction cases from the first Trump Administration and 28 from the Biden Administration.<sup>9</sup>

This CRS report identifies 25 nationwide injunctions issued during the first hundred days of the second Trump Administration, between January 20, 2025, and April 29, 2025. It then discusses selected considerations for Congress related to nationwide injunctions.

<sup>1</sup> For additional discussion of the legal and policy debate around nationwide injunctions, see CRS Report R46902, *Nationwide Injunctions: Law, History, and Proposals for Reform*, by Joanna R. Lampe (2021).

<sup>2</sup> See *id.*

<sup>3</sup> See, e.g., Application for Partial Stay of Injunction, *Trump v. CASA, Inc.*, No. 24A884 (Mar. 13, 2025); Application to Stay PI, *U.S. Off. of Personnel Mgmt v. Am. Fed’n of Gov’t Emps., AFL-CIO*, No. 24A904 (Mar. 24, 2025); Application for Stay of Injunction, *United States v. Shilling*, No. 24A1030 (Apr. 24, 2025). On May 15, 2025, the Supreme Court held oral argument on the government’s challenge to nationwide injunctions in three cases related to birthright citizenship. For discussion of those cases, see CRS Legal Sidebar LSB11313, *Supreme Court to Hear Challenges to Nationwide Injunctions*, by Joanna R. Lampe.

<sup>4</sup> See *infra* “Considerations for Congress.”

<sup>5</sup> William P. Barr, Attorney General, Remarks to the American Law Institute on Nationwide Injunctions (May 21, 2019).

<sup>6</sup> Jeffrey A. Rosen, Deputy Attorney General, Address at the Administrative Conference of the United States Forum on Nationwide Injunctions and Federal Regulatory Programs (Feb. 12, 2020).

<sup>7</sup> *District Court Reform: Nationwide Injunctions*, 137 HARV. L. REV. 1701 (2024).

<sup>8</sup> *Id.* at 1705. The *Harvard Law Review* article classified nationwide injunctions based on the President whose administration issued the challenged government action. See *id.*

<sup>9</sup> CRS Report R48467, *Nationwide Injunctions Under the First Trump Administration and the Biden Administration*, by Joanna R. Lampe and Laura Deal (2025). CRS classified nationwide injunctions based on the President who was in office at the time each court order was issued. See *id.*, “Counting Nationwide Injunctions.”

## Background and Methodology

An *injunction* is a form of equitable relief<sup>10</sup> by which a court either requires an entity to take a certain action or forbids an entity from taking a certain action.<sup>11</sup> A *nationwide injunction* is generally defined as an injunction *against the government* that prevents the government from implementing a challenged law, regulation, or other policy against *all relevant persons and entities*, whether or not such persons or entities are parties participating in the litigation.<sup>12</sup> A March 2025 CRS report identifies and analyzes nationwide injunctions issued during the first Trump Administration and the Biden Administration.<sup>13</sup> As discussed in more detail in that report, there are several reasons why it is not possible to provide a single definitive count of nationwide injunctions. Most significantly, *nationwide injunction* is not a legal term with a precise definition, so counts may vary based on the particular definition used.<sup>14</sup> In addition, there are practical challenges in searching for all nationwide injunction cases<sup>15</sup> and methodological choices about how to count the injunctions that fit any given definition.<sup>16</sup>

When compiling the list of nationwide injunctions in this report, CRS:

- included only injunctions issued by federal courts;
- included only injunctions against the federal government or federal officials, not injunctions that bind states, state officials, or private parties;
- excluded class actions certified at or before the time of the injunction's issuance;<sup>17</sup>
- excluded injunctions that combine with one or more other injunctions to block a government action in its entirety but that, standing alone, do not do so;

<sup>10</sup> Equitable relief is a court-ordered remedy providing relief other than money damages. *Equitable Remedy*, BLACK'S LAW DICTIONARY (12th ed. 2024) ("A remedy, usu. a nonmonetary one such as an injunction or specific performance, obtained when available legal remedies, usu. monetary damages, cannot adequately redress the injury.").

<sup>11</sup> *Injunction*, BLACK'S LAW DICTIONARY (12th ed. 2024) ("A court order commanding or preventing an action."). Courts may issue different forms of injunctive relief depending on the circumstances of the case and the status of litigation, including temporary restraining orders (TROs), preliminary injunctions (PIs), injunctions pending appeal, and permanent injunctions. All of those forms of injunctive relief are included in this report to the extent they meet the criteria for a nationwide injunction.

<sup>12</sup> E.g., Amanda Frost, *In Defense of Nationwide Injunctions*, 93 N.Y.U. L. REV. 1065, 1071 (2018) (defining "nationwide injunction" to refer to "an injunction at any stage of the litigation that bars the defendant from taking action against individuals who are not parties to the lawsuit in a case that is not brought as a class action"); *Chicago v. Barr*, 961 F.3d 882, 912 (7th Cir. 2020) (defining "nationwide, or universal, injunctions" as "injunctive relief that extends beyond the parties before the court to include third parties"); *Dep't of Homeland Sec. v. New York*, 140 S. Ct. 599, 600 (2020) (Gorsuch, J., concurring) (defining the term to mean "a court ... ordering the government to take (or not take) some action with respect to those who are strangers to the suit").

<sup>13</sup> CRS Report R48467, *Nationwide Injunctions Under the First Trump Administration and the Biden Administration*, by Joanna R. Lampe and Laura Deal (2025).

<sup>14</sup> See *id.*, "Defining *Nationwide Injunction*."

<sup>15</sup> See *id.*, "Searching for Nationwide Injunctions."

<sup>16</sup> See *id.*, "Counting Nationwide Injunctions."

<sup>17</sup> See, e.g., *J.G.G. v. Trump*, No. 1:25-cv-00766, 2025 WL 825115, at \*1 (D.D.C. Mar. 15, 2025), *vacated*, 145 S. Ct. 1003 (2025) (provisionally certifying a class consisting of "[a]ll noncitizens in U.S. custody who are subject to the March 15, 2025, Presidential Proclamation entitled 'Invocation of the Alien Enemies Act Regarding the Invasion of The United States by Tren De Aragua' and its implementation" and enjoining the government from removing members of such class).

- excluded injunctions that block a government action in its entirety with the exception of limited carveouts to defer to other courts;<sup>18</sup>
- included all forms of injunctive relief that bar the government from enforcing a policy, such as temporary restraining orders (TROs), preliminary injunctions (PIs), injunctions pending appeal, and permanent injunctions;<sup>19</sup> and
- excluded stays and vacatur of agency actions unless the agencies were also expressly enjoined from implementing the stayed or vacated actions.<sup>20</sup>

To compile the table of cases in this report, CRS searched federal cases in Westlaw for the search terms (“nationwide” OR “nation-wide”) w/3 injunction) for the date range January 20, 2025, through April 29, 2025. CRS then manually reviewed results to find cases that fit the criteria outlined above. In addition, CRS reviewed news reports about nationwide injunctions and third-party websites tracking litigation against actions of the second Trump Administration<sup>21</sup> and included cases that fit the criteria above but did not show up in the Westlaw search. Due to the lack of standardization in nationwide injunction cases, it is possible that there are other cases that fit this report’s criteria for inclusion but were not identified via CRS’s methodology. Moreover, because litigation related to implementation of executive branch policies is rapidly developing, courts could have issued additional nationwide injunctions after CRS completed its searches.

For purposes of this report, CRS counted nationwide injunctions by case. Each case (or set of consolidated cases) in which at least one nationwide injunction was issued by a federal court at any level is included as a single entry in the table. Some federal government actions were subject to nationwide injunctions in multiple cases and thus are included in the table more than once.

<sup>18</sup> One district court issued an order during the relevant time period enjoining the government defendants “from enforcing the [challenged] Executive Order in any manner with respect to the plaintiffs, and *with respect to any individual or entity in any other matter or instance within the jurisdiction of this court*, during the pendency of this litigation.” *N.H. Indonesian Cmty. Support v. Trump*, No. 25-cv-38-JL-TSM, 2025 WL 457609, at \*1 (D.N.H. Feb. 11, 2025) (emphasis added), *appeal filed*, No. 25-1348 (1st Cir. 2025). It is not clear whether that order is intended to be limited in geographic scope but, because the order does not expressly bar enforcement universally, the case is not included in the table.

<sup>19</sup> As of April 29, 2025, CRS had not identified any nationwide injunctions pending appeal or nationwide permanent injunctions issued during the second Trump Administration. In one decision issued during the relevant date range, a federal appeals court affirmed a district court’s nationwide injunction and remanded with instructions to broaden the injunction. *Missouri v. Trump*, 128 F.4th 979 (8th Cir. 2025). Because that decision involves appellate review of a nationwide injunction originally issued under the Biden Administration, it is not included in the table in this report.

<sup>20</sup> In addition to stays pending judicial review of agency action under the Administrative Procedure Act (APA), courts sometimes enter administrative stays to pause initiatives temporarily in time-sensitive emergency litigation. *See, e.g., Dellinger v. Bessent*, No. 25-cv-00385, 2025 WL 450488, at \*1 (D.D.C. Feb. 10, 2025) (“An administrative stay ‘buys the court time to deliberate’: it ‘do[es] not typically reflect the court’s consideration of the merits,’ but instead ‘reflects a first-blush judgment about the relative consequences’ of the case. While administrative stays are more common in appellate courts, district courts have recognized their applicability in cases seeking emergency relief[.]”) (quoting *United States v. Texas*, 144 S. Ct. 797, 798 (2024) (Barrett, J., concurring) (citation omitted)). Administrative stays are not included in this report’s count of nationwide injunctions. In one of the cases included in the table, the district court entered an administrative stay before entering a TRO. *Nat’l Council of Nonprofits v. Off. of Mgmt. & Budget*, No. 25-239, 2025 WL 314433 (D.D.C. Jan. 28, 2025). That case is listed in the table based on the date of entry of the TRO.

<sup>21</sup> Just Security, *Litigation Tracker: Legal Challenges to Trump Administration Actions*, <https://www.justsecurity.org/107087/tracker-litigation-legal-challenges-trump-administration/> (last visited May 1, 2025); Law360, *Trump’s Legal Battles*, <https://www.law360.com/trump-legal-challenges> (last visited May 1, 2025); Bloomberg Law, *Tracking Trump in Court: The Scope of Executive Power Tested*, <https://news.bloomberglaw.com/litigation/tracking-trump-in-court-the-scope-of-executive-power-tested-1> (last visited May 1, 2025).

Using the foregoing methodology, and subject to the noted caveats, CRS has identified 25 cases in which federal courts issued nationwide injunctions between January 20, 2025, and April 29, 2025.

## Table of Cases

The following table contains a list of nationwide injunctions issued during the first hundred days of the second Trump Administration, between January 20, 2025, and April 29, 2025. The Caption column in the table contains a citation to the first nationwide injunction that CRS identified in each case. Cases are listed in chronological order based on the date of issuance of the first decision cited. The Main Topic column identifies the subject matter at issue in each case. CRS categorized cases by subject matter manually. While some cases raised multiple legal and policy issues and could potentially be classified in multiple subject areas, CRS selected one primary issue area per case for ease of analysis.

Any additional nationwide injunctions that issued in each case are included in the Notes column. The Notes column also briefly identifies the government action subject to each nationwide injunction. In some cases, only a part of an executive order, guidance document, or other federal initiative was enjoined, but in each case enforcement of the enjoined portion of the challenged action was barred as to all relevant persons or entities.

The government has filed appeals in many of the listed cases. As of the date of this report, no appellate court has issued a final ruling on the validity of any of the listed nationwide injunctions.<sup>22</sup> The table notes additional nationwide injunctions in each case and identifies selected Supreme Court proceedings in footnotes. The table does not include other subsequent history, such as clarifying orders or stays issued by the district court or a reviewing appellate court.

**Table 1. Nationwide Injunctions Between January 20, 2025, and April 29, 2025**

	Caption	Main Topic	Notes
I	Washington v. Trump, No. C25-0127-JCC, 2025 WL 272198 (W.D. Wash. Jan. 23, 2025)	Birthright Citizenship	Temporary restraining order (TRO) against Exec. Order No. 14,160, Protecting the Meaning and Value of American Citizenship; preliminary injunction (PI) entered 2025 WL 415165 (W.D. Wash. Feb. 6, 2025) <sup>23</sup>

<sup>22</sup> Courts have granted or denied stays of some of the listed injunctions. *See, e.g.*, Am. Fed’n of Gov’t Emps., AFL-CIO v. Office of Personnel Mgmt., No. 25-1677, 2025 WL 835337 (9th Cir. Mar. 17, 2025) (denying stay pending appeal); OPM v. AFGE, No. 24A904, 2025 WL 1035208 (Mem.) (U.S. Apr. 8, 2025) (granting stay). A ruling on a request to stay and injunction does not constitute a final determination of the validity of the injunction or the underlying merits of the case but may involve a preliminary assessment of the merits of the case. *See, e.g.*, Nken v. Holder, 556 U.S. 418, 434 (2009) (listing factors that govern a request for a stay).

<sup>23</sup> The government has filed an emergency application for a partial stay of the nationwide injunction in this case, asking the Supreme Court to limit the scope of the injunction. Application for Partial Stay of Injunction, Trump v. Washington, No. 24A885 (Mar. 13, 2025). The application was consolidated with two other cases, and the Court held oral argument on May 15, 2025. As of the date of this report, the cases remain pending before the Supreme Court. For discussion of these consolidated cases, see CRS Legal Sidebar LSB11313, *Supreme Court to Hear Challenges to Nationwide Injunctions*, by Joanna R. Lampe.



	Caption	Main Topic	Notes
2	Nat'l Council of Nonprofits v. Off. of Mgmt. & Budget, No. 25-239, 2025 WL 368852 (D.D.C. Feb. 3, 2025)	Federal Funding	TRO against Office of Management and Budget memorandum directing federal agencies to pause “financial assistance for foreign aid, nongovernmental organizations, [Diversity, Equity, and Inclusion (DEI)], woke gender ideology, and the green new deal”; PI entered 2025 WL 597959 (D.D.C. Feb. 25, 2025) <sup>24</sup>
3	CASA, Inc. v. Trump, No. DLB-25-201, 2025 WL 408636 (D. Md. Feb. 5, 2025)	Birthright Citizenship	PI against Exec. Order No. 14,160, Protecting the Meaning and Value of American Citizenship <sup>25</sup>
4	New York v. Trump, No. 25-CV-01144, 2025 WL 435411 (S.D.N.Y. Feb. 8, 2025)	Information Disclosure	TRO against Department of the Treasury policy expanding access to the payment systems of the Bureau of Fiscal Services to political appointees and “special government employees”; PI entered 2025 WL 573771 (S.D.N.Y. Feb. 21, 2025)
5	Ass’n of Am. Medical Colls. v. Nat’l Insts. of Health, No. 25-CV-10340, 2025 WL 444253 (D. Mass. Feb. 10, 2025)	Federal Funding	TRO against National Institutes of Health Supplemental Guidance to the 2024 NIH Grants Policy Statement: Indirect Cost Rates (NOT-OD-25-068) related to grants for biomedical research; PI entered <i>sub nom.</i> Massachusetts v. Nat’l Insts. of Health, No. 25-CV-10338, 2025 WL 702163 (D. Mass. Mar. 5, 2025)
6	AIDS Vaccine Advocacy Coal. v. U.S. Dep’t of State, No. 25-00400, 2025 WL 485324 (D.D.C. Feb. 13, 2025)	Federal Funding	TRO against Exec. Order No. 14,169, Reevaluating and Realigning United States Foreign Aid; <sup>26</sup> PI entered 2025 WL 752378 (D.D.C. Mar. 10, 2025)
7	Doe v. Trump, No. 25-10135-LTS, 2025 WL 485070 (D. Mass. Feb. 13, 2025)	Birthright Citizenship	PI against Exec. Order No. 14,160, Protecting the Meaning and Value of American Citizenship <sup>27</sup>

<sup>24</sup> Before entering a TRO in this case, the district court entered an administrative stay. Nat’l Council of Nonprofits v. Off. of Mgmt. & Budget, No. 25-239, 2025 WL 314433 (D.D.C. Jan. 28, 2025).

<sup>25</sup> The government has filed an emergency application for a partial stay of the nationwide injunction in this case, asking the Supreme Court to limit the scope of the injunction. Application for Partial Stay of Injunction, Trump v. CASA, Inc., No. 24A884 (Mar. 13, 2025). The application was consolidated with two other cases, and the Court held oral argument on May 15, 2025. As of the date of this report, the cases remain pending before the Supreme Court. For discussion of these consolidated cases, see CRS Legal Sidebar LSB11313, *Supreme Court to Hear Challenges to Nationwide Injunctions*, by Joanna R. Lampe.

<sup>26</sup> After the defendants in this case allegedly failed to comply with the TRO, the district court issued an order granting enforcement of the TRO. AIDS Vaccine Advocacy Coal. v. U.S. Dep’t of State, No. CV 25-00400, 2025 WL 569381 (D.D.C. Feb. 20, 2025). The government sought review and a stay of the order of enforcement from the Supreme Court. Chief Justice Roberts entered an administrative stay and referred the matter to the full Court, which ultimately denied the application, vacated the administrative stay, and remanded to the district court for further proceedings. U.S. Dep’t of State v. AIDS Vaccine Advocacy Coal., 145 S. Ct. 753 (2025) (Mem).

<sup>27</sup> The district court held that a nationwide injunction was not necessary to protect the individual and non-profit organization plaintiffs in these consolidated cases but was necessary to provide complete relief to the state plaintiffs. See 2025 WL 485070, at \*14–15 (D. Mass. Feb. 13, 2025). The government has filed an emergency application for a partial stay of the nationwide injunction in this case, asking the Supreme Court to limit the scope of the injunction. Application for a Partial Stay of the Injunction, Trump v. New Jersey, No. 24A886 (Mar. 13, 2025). The application was consolidated with two other cases, and the Court held oral argument on May 15, 2025. As of the date of this report, (continued...)



	Caption	Main Topic	Notes
8	PFLAG, Inc. v. Trump, No. 25-337-BAH, 2025 WL 510050 (D. Md. Feb. 14, 2025)	Federal Funding	TRO against Exec. Order No. 14,168, Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government, and Exec. Order No. 14,187, Protecting Children from Chemical and Surgical Mutilation; PI entered 2025 WL 685124 (D. Md. Mar. 4, 2025)
9	Nat'l Ass'n of Diversity Officers in Higher Educ. v. Trump, No. 1:25-cv-00333-ABA, 2025 WL 573764 (D. Md. Feb. 21, 2025)	DEI	PI against Exec. Order No. 14,151, Ending Radical and Wasteful Government DEI Programs and Preferencing, and Exec. Order No. 14,173, Ending Illegal Discrimination and Restoring Merit-Based Opportunity
10	Pacito v. Trump, No. 2:25-cv-255-JNW, 2025 WL 655075 (W.D. Wash. Feb. 28, 2025)	Immigration	PI against Exec. Order No. 14,163, Realigning the United States Refugee Admissions Program; additional PI against termination of funding agreements entered 2025 WL 893530 (W.D. Wash. Mar. 24, 2025)
11	Am. Fed'n of Gov't Emps., AFL-CIO v. Office of Personnel Mgmt., No. C 25-01780 WHA, 2025 WL 660053 (N.D. Cal. Feb. 28, 2025)	Federal Employment	TRO against Office of Personnel Management memorandum and other actions related to termination of probationary federal employees; PI entered 2025 WL 820782 (Mar. 14, 2025) <sup>28</sup>
12	Maryland v. U.S. Dep't of Agric., No. JKB-25-0748, 2025 WL 800216 (D. Md. Mar. 13, 2025)	Federal Employment	TRO against termination of probationary federal employees <sup>29</sup>
13	Am. Ass'n of Colleges for Teacher Educ. v. McMahon, No. 1:25-cv-00702-JRR, 2025 WL 833917 (D. Md. Mar. 17, 2025)	Federal Funding	PI against termination of certain funding awards by the Department of Education <sup>30</sup>
14	Talbott v. United States, No. 25-cv-00240, 2025 WL 842332 (D.D.C. Mar. 18, 2025)	Military Service	PI against Exec. Order No. 14,183, Prioritizing Military Excellence and Readiness

the cases remain pending before the Supreme Court. For discussion of these consolidated cases, see CRS Legal Sidebar LSB11313, *Supreme Court to Hear Challenges to Nationwide Injunctions*, by Joanna R. Lampe.

<sup>28</sup> The government appealed this nationwide injunction, and the Supreme Court stayed the injunction “pending the disposition of the appeal in the United States Court of Appeals for the Ninth Circuit and disposition of a petition for a writ of certiorari, if such a writ is timely sought.” *OPM v. AFGE*, No. 24A904, 2025 WL 1035208, at \*1 (Mem.) (U.S. Apr. 8, 2025).

<sup>29</sup> The district court in this case later entered a PI limited to affected federal employees in the plaintiff states. 2025 WL 973159 (D. Md. Apr. 1, 2025), *appeal filed*, No. 25-1338 (4th Cir. 2025).

<sup>30</sup> Part of the PI in this case applied only to the plaintiffs, but the court also ordered the government not to “undertake to terminate, or terminate, any [Teacher Quality Partnership Program], [Supporting Effective Educator Development Program], and [Teacher and School Leader Incentive Program] awards in a manner this court has determined is likely unlawful as violative of the APA as described herein.” *Am. Ass'n of Colleges for Teacher Educ. v. McMahon*, No. 1:25-cv-00702-JRR, 2025 WL 833917, at \*25 (D. Md. Mar. 17, 2025).

	Caption	Main Topic	Notes
15	Am. Fed'n of State, Cnty. & Municipal Emps., AFL-CIO v. Social Sec. Admin., No. 1:25-cv-00596, 2025 WL 868953 (D. Md. Mar. 20, 2025)	Information Disclosure	TRO against Social Security Administration (SSA) decision to provide individuals affiliated with the Department of Government Efficiency with access to certain SSA records; PI entered 2025 WL 1141737 (D. Md. Apr. 17, 2025) <sup>31</sup>
16	Mass. Fair Hous. Ctr. v. U.S. Dep't of Hous. & Urb. Dev., No. 25-30041-RGS, 2025 WL 941380 (D. Mass. Mar. 26, 2025)	Federal Funding	PI against termination of certain funding awards by the Department of Housing & Urban Development <sup>32</sup>
17	Chicago Women in Trades v. Trump, No. 25 C 2005, 2025 WL 933871 (N.D. Ill. Mar. 27, 2025)	Federal Funding	TRO against Exec. Order No. 14,151, Ending Radical and Wasteful Government DEI Programs and Preferencing, and Exec. Order No. 14,173, Ending Illegal Discrimination and Restoring Merit-Based Opportunity; PI entered 2025 WL 1144466 (N.D. Ill. Apr. 14, 2025)
18	Shilling v. United States, 2025 WL 926866 (W.D. Wash. Mar. 27, 2025)	Military Service	PI against Exec. Order No. 14,183, Prioritizing Military Excellence and Readiness and related guidance <sup>33</sup>
19	D.V.D. v. U.S. Dep't of Homeland Sec., No. 25-10676-BEM, 2025 WL 942948 (D. Mass. Mar. 28, 2025)	Immigration	TRO against removal of non-citizens to countries not included on their removal orders without notice and an opportunity to contest the removal <sup>34</sup>
20	Nat'l Treasury Emps. Union v. Vought, No. 25-0381, 2025 WL 942772 (D.D.C. Mar. 28, 2025)	Federal Agencies	PI against elimination of the Consumer Financial Protection Bureau (CFPB) <sup>35</sup>
21	Widakuswara v. Lake, No. 25-CV-2390, 2025 WL 945869 (S.D.N.Y. Mar. 28, 2025)	Federal Agencies	TRO against Exec. Order No. 14,238, Continuing the Reduction of the Federal Bureaucracy, and related actions reducing staff and functions of the U.S. Agency for Global Media (USAGM); PI entered following transfer 2025 WL 1166400 (D.D.C. Apr. 22, 2025)

<sup>31</sup> The government has filed an emergency application for a stay of the nationwide injunction in this case. *See* Application for Stay of Injunction, Social Sec. Admin. v. Am. Fed'n of State, Cnty. & Municipal Emps., AFL-CIO, No. 24A1063 (May 2, 2025).

<sup>32</sup> Part of the TRO in this case applied only to the plaintiffs, but the court also enjoined the government from, among other things, "terminating any [Fair Housing Initiatives Program] grant," except as authorized by law. *Mass. Fair Hous. Ctr. v. U.S. Dep't of Hous. & Urb. Dev.*, Temporary Restraining Order, No. 25-30041-RGS, at \*2 (D. Mass. Mar. 26, 2025).

<sup>33</sup> The government appealed the nationwide injunction in this case and sought a stay from the Supreme Court. Application for Stay of Injunction, *United States v. Shilling*, No. 24A1030 (Apr. 24, 2025). The Supreme Court granted a stay pending appeal. *United States v. Shilling*, 2025 WL 1300282 (Mem) (May 6, 2025).

<sup>34</sup> The district court later granted class certification and granted a PI as to the class. 2025 WL 1142968 (D. Mass. Apr. 18, 2025), *appeal filed*, No. 25-1393 (1st Cir. 2025).

<sup>35</sup> The district court later entered an order that did not expressly enjoin additional conduct by the government but provided that a planned reduction in force "is SUSPENDED and it may NOT be implemented, effectuated, or completed in any way until this Court has ruled on plaintiffs' motion to enforce the preliminary injunction," and "the defendants are PROHIBITED from discontinuing any employee's access to work systems, including email and internal platforms until this Court has ruled on plaintiffs' motion." 2025 WL 1144646, at \*3, 4 (D.D.C. Apr. 18, 2025), *appeal filed sub nom.* Nat'l Treasury Emps. Union v. Russell, No. 25-5132 (D.C. Cir. 2025).

	Caption	Main Topic	Notes
22	Community Legal Servs. in East Palo Alto v. U.S. Dep’t of Health and Human Servs., No. 25-cv-02847-AMO, 2025 WL 973318 (N.D. Cal. Apr. 1, 2025)	Federal Funding	TRO against termination of funding for direct legal representation services for unaccompanied children in immigration proceedings; PI entered 2025 WL 1233674 (N.D. Cal. Apr. 29, 2025)
23	Woonasquattucket River Watershed Council v. U.S. Dep’t of Agric., No. 1:25-cv-00097-MSM-PAS, 2025 WL 1116157 (D.R.I. Apr. 15, 2025)	Federal Funding	PI against OMB Memorandum M-25-11 pausing disbursement of funding appropriated under the Inflation Reduction Act or the Infrastructure Investment and Jobs Act
24	Ass’n of Am. Univs. v. Dep’t of Energy, No. 25-cv-10912-ADB, 2025 WL 1119791 (D. Mass. Apr. 16, 2025)	Federal Funding	TRO against DOE Policy Flash: Adjusting Department of Energy Grant Policy for Institutions of Higher Education
25	League of United Latin Am. Citizens v. Exec. Off. of the President, No. 25-0946, 2025 WL 1187730 (D.D.C. Apr. 24, 2025)	Elections	PI against Exec. Order No. 14,248, Preserving and Protecting the Integrity of American Elections <sup>36</sup>

Source: CRS.

## Considerations for Congress

Nationwide injunctions have received significant attention from commentators, courts, and legislators for a number of years. A separate CRS Report discusses the broader legal and policy debate around nationwide injunctions.<sup>37</sup> The topic has attracted additional attention under the second Trump Administration. One factor contributing to this interest may be the number of nationwide injunctions handed down in high-profile cases. As of April 29, 2025, CRS identified 25 cases in which district courts had issued nationwide injunctions.<sup>38</sup> By comparison, CRS identified six nationwide injunctions issued during the first hundred days of the first Trump Administration and four issued during the first hundred days of the Biden Administration.<sup>39</sup>

There are several possible reasons for the relatively high number of nationwide injunctions under the second Trump Administration to date. One factor may be the large number of executive orders issued by the Administration. As of April 29, 2025, the second Trump Administration had issued 142 executive orders, surpassing the previous record of 99 set during President Franklin D. Roosevelt’s first term.<sup>40</sup> Beyond the sheer number of executive actions that may be challenged in court and potentially enjoined, some commentators contend that multiple actions of the second

<sup>36</sup> The district court stated that its “injunction is neither ‘nationwide’ nor ‘universal’” and “is a remedy tailored to the irreparable harm that Plaintiffs in these consolidated [cases] would suffer in the absence of an injunction.” 2025 WL 1187730 at \*59 (D.D.C. Apr. 24, 2025). The court’s order fits this report’s definition of a nationwide injunction because it fully prohibits enforcement of portions of the challenged executive order.

<sup>37</sup> CRS Report R46902, *Nationwide Injunctions: Law, History, and Proposals for Reform*, by Joanna R. Lampe (2021).

<sup>38</sup> See *supra* Table 1.

<sup>39</sup> See Table A-1 & Table A-2, CRS Report R48467, *Nationwide Injunctions Under the First Trump Administration and the Biden Administration*, by Joanna R. Lampe and Laura Deal (2025).

<sup>40</sup> Fin Daniel Gómez & Anne Bryson, *Trump Sets Executive Order Record in His First 100 Days*, CBS NEWS (Apr. 29, 2025) <https://www.cbsnews.com/news/trump-first-100-days-executive-order-record/>.

Trump Administration have been enjoined because they exceed the President's authority or violate the Constitution or federal statutes.<sup>41</sup>

A second possible factor in the increase in nationwide injunctions is the behavior of the courts. Some observers posit that courts have become more willing to issue nationwide injunctions, with some asserting that federal judges are infringing on the authority of the executive branch.<sup>42</sup> Some contend that "the federal judiciary is ideologically lopsided in its use of non-party relief" enjoining Trump Administration policies.<sup>43</sup>

In addition to actions of the executive and judicial branches, the issuance of nationwide injunctions may also be driven by challengers' litigation strategy. Increased awareness of nationwide injunctions may lead more plaintiffs to request universal relief. Moreover, some plaintiffs may have a choice of courts in which to file a lawsuit, and may seek out a forum that they believe is more likely to yield a favorable result, a practice sometimes called "forum shopping."<sup>44</sup> While some degree of forum shopping is an accepted part of litigation, considerations related to nationwide injunctions and forum shopping have generated discussion in recent years. Some have raised concerns around forum shopping in nationwide injunction cases, where the stakes for forum selection are high because a single district court judge may halt a federal action in its entirety.<sup>45</sup> In some cases, litigants may seek to file a case so that it will proceed not just in a particular court but before a particular judge—a type of forum shopping sometimes called "judge shopping."<sup>46</sup> The perception that litigants can proceed before a hand-picked judge and obtain a nationwide injunction may undermine the perception of the judiciary as the non-political branch of government.<sup>47</sup>

Nationwide injunctions have also attracted widespread public attention during the second Trump Administration to date because a number of nationwide injunctions have been issued in high-profile cases, and several of those cases have reached the Supreme Court. As of May 6, 2025, seven of the nationwide injunctions CRS identified from the second Trump Administration had been appealed to the Supreme Court on an emergency basis.<sup>48</sup> A CRS Legal Sidebar provides an

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<sup>41</sup> See, e.g., *Judicial Overreach and Constitutional Limits on the Federal Courts: Hearing Before the H. Comm. on the Judiciary, Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet*, 119th Cong. 3 (2025) (statement of Kate Shaw, Professor of Law, University of Pennsylvania Carey Law School) ("In short, this administration has been marked by a breathtaking degree of presidential unilateralism that is flatly inconsistent with statutes and the Constitution.").

<sup>42</sup> See, e.g., *Judicial Overreach and Constitutional Limits on the Federal Courts: Hearing Before the H. Comm. on the Judiciary, Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet*, 119th Cong. (2025) (statement of Speaker Newt Gingrich).

<sup>43</sup> See, e.g., *Rule by District Judges II: Exploring Legislative Solutions to the Bipartisan Problem of Universal Injunctions: Hearing Before the S. Comm. on the Judiciary*, 119th Cong. 4 (2025) (statement of Jesse Panuccio).

<sup>44</sup> See, e.g., *Forum-shopping*, BLACK'S LAW DICTIONARY (12th ed. 2024) (defining *forum shopping* as "[t]he practice of choosing the most favorable jurisdiction or court in which a claim might be heard").

<sup>45</sup> See, e.g., Ronald A. Cass, *Nationwide Injunctions' Governance Problems: Forum Shopping, Politicizing Courts, and Eroding Constitutional Structure*, 27 GEO. MASON L. REV 29, 42 (2019).

<sup>46</sup> See, e.g., *Welk v. GMAC Mortg., LLC*, 720 F.3d 736, 738 (8th Cir. 2013).

<sup>47</sup> See, e.g., *District Court Reform*, *supra* note 7, at 1702–03.

<sup>48</sup> See *U.S. Dep't of State v. AIDS Vaccine Advocacy Coal.*, 145 S. Ct. 753 (2025) (Mem); *United States v. Shilling*, 2025 WL 1300282 (Mem) (May 6, 2025); *Application for Partial Stay of Injunction, Trump v. CASA, Inc.*, No. 24A884 (Mar. 13, 2025); *Application for Partial Stay of Injunction, Trump v. Washington*, No. 24A885 (Mar. 13, 2025); *Application for Stay of Injunction, Trump v. New Jersey*, No. 24A886 (Mar. 13, 2025); *Application to Stay PI, U.S. Off. of Personnel Mgmt v. Am. Fed'n of Gov't Emps., AFL-CIO*, No. 24A904 (Mar. 24, 2025); *Application for Stay of Injunction, Social Sec. Admin. v. Am. Fed'n of State, Cnty. & Municipal Emps., AFL-CIO*, No. 24A1063 (May 2, 2025). See also *McHenry v. Texas Top Cop Shop, Inc.*, 145 S. Ct. 1 (Mem) (2025) (granting a stay of a nationwide injunction issued under the Biden Administration).

overview of three such cases involving challenges to an executive order related to birthright citizenship.<sup>49</sup> The Court held oral argument in the consolidated cases on May 15, 2025, which is unusual for emergency matters before the Court.<sup>50</sup> It is possible that a ruling from the Supreme Court in those cases will provide guidance on whether and when it is appropriate for federal courts to issue nationwide injunctions.<sup>51</sup>

Congress also has authority to enact legislation related to nationwide injunctions as part of its power to regulate federal courts, and Members of Congress have been considering whether and how to legislate on this issue. In April 2025, both the House and Senate Judiciary Committees held hearings on nationwide injunctions.<sup>52</sup>

Some Members of the 119th Congress have also introduced legislation that would regulate nationwide injunctions. The No Rogue Rulings Act of 2025, which passed the House in April 2025, would provide that federal district courts could generally only issue injunctive relief “to limit the actions of a party to the case . . . with respect to the party seeking injunctive relief from such district court and non-parties represented by such a party acting in a representative capacity pursuant to the Federal Rules of Civil Procedure.”<sup>53</sup> As an exception to that limitation, the bill would allow a three-judge district court to issue broader injunctive relief “[i]f a case is brought by two or more States located in different circuits challenging an action by the executive branch.” The three-judge panel would be randomly assigned and would be required to “consider the interest of justice, the risk of irreparable harm to non-parties, and the preservation of the constitutional separation of powers” before issuing injunctive relief. The bill would further provide that orders of a three-judge panel granting or denying injunctive relief could be appealed either to a U.S. Court of Appeals or to the Supreme Court, “at the preference of the party.”

Another proposal, the Judicial Relief Clarification Act, would provide that no federal court

shall issue any order, including an injunction, vacatur, stay, temporary restraining order, declaratory relief, or equitable relief, that purports to restrain the enforcement against a non-party or compel action in favor of a non-party with respect to any statute, regulation, order, executive action, or similar authority, unless the court determines the non-party is represented by a party acting in a representative capacity pursuant to the Federal Rules of Civil Procedure.<sup>54</sup>

The Injunctive Authority Clarification Act of 2025 contains a similar provision.<sup>55</sup> In addition to the foregoing limitation, the Judicial Relief Clarification Act would provide for immediate appeals of temporary restraining orders. It would also amend the Administrative Procedure Act

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<sup>49</sup> CRS Legal Sidebar LSB11313, *Supreme Court to Hear Challenges to Nationwide Injunctions*, by Joanna R. Lampe (2025).

<sup>50</sup> See Steve Vladeck, 147. *The Increasingly Overloaded Emergency Docket*, ONE FIRST (May 5, 2025), <https://www.stevavladeck.com/p/147-the-increasingly-overloaded-emergency>.

<sup>51</sup> See, e.g., Samuel Bray, *Universal Relief and the Birthright Citizenship Cases*, DIVIDED ARGUMENT (Mar. 13, 2025), <https://blog.dividedargument.com/p/universal-relief-and-the-birthright>.

<sup>52</sup> *Judicial Overreach and Constitutional Limits on the Federal Courts: Hearing Before the H. Comm. on the Judiciary, Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet*, 119th Cong. (2025); *Rule by District Judges II: Exploring Legislative Solutions to the Bipartisan Problem of Universal Injunctions: Hearing Before the S. Comm. on the Judiciary*, 119th Cong. (2025).

<sup>53</sup> H.R. 1526, 119th Cong. (2025).

<sup>54</sup> S. 1206, 119th Cong. (2025).

<sup>55</sup> H.R. 97, 119th Cong. (2025).

(APA) to provide that remedies are “limited to a person . . . before the court”<sup>56</sup> and to remove judicial authority to “set aside” unlawful agency actions.<sup>57</sup>

The Nationwide Injunction Abuse Prevention Act of 2025 would provide that district courts could not issue injunctive relief unless the order is only applicable to either “a party to the case before the district court” or “the judicial district of the district court.”<sup>58</sup> The Court Shopping Deterrence Act would provide that, if a district court of the United States grants a nationwide injunction, as defined in the act, “the appeal from the order granting such injunction shall lie to the Supreme Court.”<sup>59</sup>

An additional proposal, the Restraining Judicial Insurrectionist Act of 2025, would not specifically regulate nationwide injunctions, but would apply generally to require the use of a three-judge district court in suits “commenced against any department or office of the executive branch that seeks declaratory relief, a temporary restraining order, a preliminary or permanent injunction, vacatur, a stay, or other equitable relief against an action of the executive branch or executive order of the President.”<sup>60</sup>

The foregoing proposals take different approaches to defining the nationwide injunctions or other judicial actions subject to regulation. When evaluating proposed legislation related to nationwide injunctions, Members of Congress may consider whether the proposal accurately identifies the class of court orders Congress seeks to regulate.<sup>61</sup> A proposal that is overinclusive may limit injunctions that Members of Congress do not seek to regulate, while an underinclusive proposal may not effectively address policy concerns related to nationwide injunctions. A proposal that is not precisely drafted may create confusion for courts and parties and spark litigation over the scope of the regulation. Congress may also weigh other legal and policy considerations related to regulation of nationwide injunctions, including whether or not to ban or limit nationwide injunctions, provide substantive standards for courts to apply in ruling on requests for universal relief, or impose new procedural rules in nationwide injunction cases.<sup>62</sup> Members of Congress could also consider how proposals would interact with existing procedures for APA and class action litigation.<sup>63</sup>

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<sup>56</sup> *Id.*

<sup>57</sup> *Id.*

<sup>58</sup> S. 1099, 119th Cong. (2025).

<sup>59</sup> H.R. 2274, 119th Cong. (2025).

<sup>60</sup> S. 1090, 119th Cong. (2025).

<sup>61</sup> For additional discussion of considerations for Congress related to defining nationwide injunctions subject to legislation, see “How to Define ‘Nationwide Injunction’?” in CRS Report R46902, *Nationwide Injunctions: Law, History, and Proposals for Reform*, by Joanna R. Lampe (2021).

<sup>62</sup> See *id.*, “Substantive Regulations.”

<sup>63</sup> *Id.*

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