

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NATIONAL ASSOCIATION OF THE
DEAF, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, *et al.*,

Defendants.

Civil Action No. 20-2107 (JEB)

ORDER

On September 9, 2020, the Court issued a Memorandum Opinion and separate Order granting in part and denying in part Plaintiffs' Motion for Preliminary Injunction. See ECF Nos. 17–18. The Court stayed that Order to determine the precise remedy that should be awarded to Plaintiffs. It then heard argument concerning the proper remedy on September 17, 2020, and at that time directed the parties to meet and confer and file a Joint Proposed Injunction Order, which they did on September 22, 2020. See ECF No. 21.

The parties have largely agreed on all terms of the injunction, and the Court now resolves those areas of disagreement. It accordingly ORDERS that:

1. For purposes of this preliminary-injunction Order:
 - a. The term “White House coronavirus briefings” is defined as those briefings: (i) that are conducted by the President, Vice President, or White House Press Secretary; (ii) that involve notice that is publicly disseminated by the White House Press Office or the White House Office of the Press Secretary in advance of commencing; (iii) at which the coronavirus pandemic is reasonably expected to be addressed; (iv) that take place on the grounds of the White House or any federal agency; and (v) that are captured by the White House Communications Agency (WHCA). For the avoidance of doubt, information concerning the coronavirus pandemic includes but is not limited to information related to the

spread or containment of the virus; updates regarding vaccinations or treatments; government action taken in response to the pandemic; and health updates related to the pandemic;

- b. The term “qualified ASL interpreter” shall have the same meaning as a “qualified interpreter” under 28 C.F.R. § 35.104 (an interpreter who “is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary”);
2. Defendants shall include a qualified ASL interpreter in the WHCA feed for all White House coronavirus briefings, as defined in paragraph 1 above, either by including in the frame a qualified ASL interpreter located physically near the speaker, or by including in the frame a separate video feed of a qualified ASL interpreter being filmed in a remote location using a picture-in-picture (PIP) format;
3. If Defendants include a qualified ASL interpreter in the WHCA feed by using a PIP format as described in paragraph 2 above, then Defendants shall make the video feed of the qualified ASL interpreter available to the television networks or the networks’ pool feed in a manner that allows the networks to include the qualified ASL interpreter in their live broadcasts; and
4. The injunction shall take effect on October 1, 2020.

SO ORDERED.

/s/ James E. Boasberg
JAMES E. BOASBERG
United States District Judge

Date: September 23, 2020