

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

NATIONAL ACADEMY OF EDUCATION,
500 5th Street NW
Washington, DC 20001

and

NATIONAL COUNCIL ON
MEASUREMENT IN EDUCATION
19 Mantua Road
Mt. Royal, NJ 08061

Plaintiffs,

vs.

DEPARTMENT OF EDUCATION,
400 Maryland Avenue, SW
Washington, D.C. 20202

and

LINDA MCMAHON, *in her official capacity
as Secretary of Education,*
400 Maryland Avenue, SW
Washington, D.C. 20202

Defendants.

Civil Action No. 1:25-cv-01266-TNM

PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION

Pursuant to Federal Rule of Civil Procedure 65, Plaintiffs National Academy of Education and National Council on Measurement in Education hereby move for a preliminary injunction against Defendants, the U.S. Department of Education and Linda McMahon in her capacity as Secretary of Education. Plaintiffs are nonpartisan, educational nonprofit organizations whose members are researchers and experts who rely on Institute of Education Sciences (IES) data for their research and teaching.

Defendants have harmed Plaintiffs and their members by cancelling over \$900 million in contracts necessary for the congressionally mandated collection, analysis, and dissemination of IES educational data; gutting the workforce of IES and its research centers, leaving too few staff to adequately collect, analyze, and disseminate congressionally-mandated education data; and terminating Plaintiffs' and their members' access to existing education data in contravention of the congressional mandate to make IES' data publicly available.

Plaintiffs respectfully request the Court to enjoin Defendants and order them to: (1) maintain and not destroy any IES datasets, including by cancelling or otherwise failing to fulfill vendor contracts, where doing so would deny the public timely access to educational data which Congress has mandated IES collect and disseminate; (2) reinstate and maintain all congressionally mandated data collection, analysis, and dissemination activities by IES and its research centers that were ended or paused on or after February 9, 2025, and take no further steps to impede these congressionally mandated data functions; (3) within thirty days of the Court's order regarding this preliminary injunction, reinstate any of IES's contracts canceled on or after February 9, 2025 or, where another contractor could provide equivalent services, will promptly re-bid the contracts, solicit new contracts to carry out the research and data activities covered by the cancelled contracts that are necessary to IES fulfilling its statutory mandates; (4) restore sufficient employee positions at IES and its research centers to ensure their compliance with congressional mandates, including those positions necessary to ensure that, within a timely manner, IES and its research centers properly oversee all necessary independent contractors, grant and renew restricted-use data licenses, and complete disclosure risk reviews for license holders.

As set forth in the accompanying Memorandum of Law, Plaintiffs are entitled to preliminary relief because they are likely to succeed on the merits, are suffering and will continue

to suffer irreparable harm, and the balance of equities and the public interest support the issuance of an injunction.

Dated: May 2, 2025

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Respectfully submitted,

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*Awaiting *pro hac vice* admission

Counsel for NAEd and NCME