

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES,

Plaintiff,

v.

U.S. DEPARTMENT OF EDUCATION, *et*
al.,

Defendants.

Case No. 25-cv-3553 (CRC)

ORDER

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED that [9] Plaintiff's Motion for Summary Judgment is **GRANTED**. It is further

ORDERED that [15] Defendants' Cross-Motion for Summary Judgment is **DENIED**. It is further

DECLARED that the Defendants unlawfully modified Department of Education employees' out-of-office e-mail messages to include partisan language without the employees' knowledge or consent, in violation of the First Amendment to the United States Constitution. It is further

ORDERED that the following relief applies to Department of Education employees who are members of the American Federation of Government Employees:

1. Defendants are **DIRECTED** to immediately take steps to remove all partisan language that they or their agents caused to be added to Department of Education employees' out-of-office e-mail messages;

2. Defendants are permanently **ENJOINED** from modifying furloughed employees' out-of-office e-mail messages to include partisan speech;
3. Defendants are permanently **ENJOINED** from modifying the out-of-office e-mail messages for employees on administrative leave to include partisan speech. It is further

ORDERED that the Defendants shall file a status report within two business days of this Order describing the steps taken to ensure compliance with this Order and certifying compliance with its requirements. It is further

ORDERED that this Order shall remain in effect until further Order of this Court.

This is a final appealable Order.

SO ORDERED.

CHRISTOPHER R. COOPER
United States District Judge

Date: November 7, 2025