

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

STATE OF ILLINOIS, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
TRANSPORTATION, *et al.*,

Defendants.

No. 1:26-cv-2547 (AJT/IDD)

MOTION TO INTERVENE

The American Federation of Teachers (AFT) respectfully moves to intervene as a plaintiff in this case under Rule 24 of the Federal Rules of Civil Procedure. AFT is a labor organization that represents workers whose data is contained in the Commercial Driver's License Information System (CDLIS).

AFT is entitled to intervene as of right under Rule 24(a) because no existing party adequately represents its interests in preventing the unlawful disclosure of AFT members' sensitive personal information in response to the Federal Motor Carrier Safety Administration's June 25, 2026, demand to the American Association of Motor Vehicle Administrators (AAMVA) (the Data Demand). AFT satisfies each of the Rule 24(a) factors: This motion is timely, as it is filed within weeks of the initiation of this action and before any responsive pleadings have been filed. AFT has an interest in preventing the unlawful disclosure of its members' sensitive personal information, and that interest is at risk of impairment should this Court rule that the Data Demand is lawful. In addition, AFT's interest may not be adequately represented in this litigation by Plaintiffs, which are States whose interest is tied to their ownership of the records at issue and their

continued receipt of funding—an interest that is different in kind from that of AFT members, who are the subject of the data that the Federal Defendants seek. Moreover, the Plaintiff States have asserted an interest in preventing the unauthorized disclosure of data of commercial driver’s license applicants only in those States. AFT, however, has an interest in preventing the unauthorized disclosure of data of all of its members contained in the CDLIS, including data of members provided to AAMVA by non-plaintiff states.

In the alternative, AFT should be granted permissive leave to intervene under Rule 24(b). AFT’s claims share common questions of law and fact with those of the Plaintiff States, and no party will be prejudiced by permitting AFT’s intervention at this early stage of the litigation. AFT does not oppose the relief sought in the Plaintiff States’ pending motion for a preliminary injunction and, should intervention be granted, AFT is prepared expeditiously to file its own motion pursuant to 5 U.S.C. § 705 for a stay of the Data Demand, which would adopt the Plaintiff States’ merits arguments.

For the reasons provided here and in the memorandum of law in support of intervention, AFT respectfully requests that the Court grant its motion to intervene. AFT has attached a proposed order, as well as a proposed complaint in intervention, in accordance with Rule 24(c).

Counsel for AFT has conferred with counsel for the Plaintiff States, federal agency Defendants, and Defendant American Association of Motor Vehicle Administrators (AAMVA). Plaintiff States do not oppose AFT’s intervention. AAMVA takes no position on this motion. Counsel for federal agency Defendants have indicated that federal agency Defendants oppose this motion.¹

¹ Counsel for federal agency Defendants have also indicated that they would also oppose advancement of the hearing date to coincide with the Court’s consideration of the Plaintiff States’ motion for a preliminary injunction, scheduled for September 10.

Dated: September 1, 2026

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Respectfully submitted,

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