

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

STUDENTS FOR FAIR ADMISSIONS,

Plaintiff,

v.

**THE UNITED STATES COAST GUARD,
et al.,**

Defendants.

Case No.

5:25-cv-00284-TKW/MJF

JOINT MOTION FOR ENTRY OF JUDGMENT

Plaintiff Students for Fair Admissions and Defendants United States Coast Guard, Admiral Kevin E. Lunday, and Captain Anthony R. Jones,¹ by and through their undersigned counsel, respectfully submit this Joint Motion for Entry of Judgment.

1. Plaintiff filed this action on October 7, 2025, and effectuated service on the United States on October 17, 2025.

2. Plaintiff filed this action challenging the constitutionality of the “race- and ethnicity-based requirements” in the Coast Guard College Student Pre-Commissioning Initiative (CSPI Program) authorized by 14 U.S.C. §2131.

¹ Captain Jones is substituted for his predecessor, Rear Admiral Dash. Fed. R. Civ. P. 25(d).

Defendants were granted extensions of time to respond to the complaint.

3. On April 7, 2026, Defendants submitted a Notice of Filing (Doc. 22) informing this Court of the Solicitor General’s letter dated April 6, 2026 (Doc. 22-1) notifying Congress under 28 U.S.C. § 530D that the Department of Justice will not defend the “racial quotas” in § 2131(b)(6)(A)(i) and (ii). The Solicitor General’s letter was published on April 6, 2026. *See* <https://www.justice.gov/oip/media/1435221/dl?inline>.

4. Defendants’ Notice of Filing (Doc. 22) requested that the Court treat the § 530D letter as Defendants’ response to the complaint and establish deadlines for interested parties to intervene.

5. By Order dated April 8, 2026, this Court determined that Defendants’ “request is reasonable and will be granted.” Doc. 23. This Court ordered that “[t]he § 530D letter (Doc. 22-1) is treated as Defendants’ response to the complaint.” Doc. 23 at 2. This Court further directed that “[a]ny motions to intervene shall be filed on or before May 26, 2026” and “[i]f no motions to intervene are timely filed, Plaintiff and Defendants shall submit a proposed judgment or disposition order for the Court’s consideration.” *Id.*

6. No motion to intervene was filed on or before May 26, 2026.

7. Accordingly, the parties respectfully request that this Court grant the Joint Motion for Entry of Judgment and enter judgment in favor of Plaintiff,

consistent with the attached Proposed Judgment.

8. Consistent with the above-referenced §530D letter and the attached Proposed Judgment, the parties agree that the resolution of this case only applies to selections that occur after the entry of this Proposed Judgment and that all offers given to date will be honored.

Dated: May 27, 2026

Respectfully submitted,

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Attorneys for Plaintiff

LOCAL RULE 7.1(B) CERTIFICATION

I HEREBY CERTIFY that counsel for the United States has conferred with counsel for Plaintiff and Plaintiff consents to this Joint Motion for Entry of Judgment.

LOCAL RULE 7.1(F) CERTIFICATION

I HEREBY CERTIFY that this Joint Motion for Entry of Judgment contains 375 words, per Microsoft Word's word count, which complies with the word limit requirements set forth in Local Rule 7.1(F).

LOCAL RULE 5.1(F) CERTIFICATION

I HEREBY CERTIFY that a copy of the foregoing has been furnished via CM/ECF to all interested parties, this 27th day of May, 2026.

/s/ John J. Halloran, Jr.
John J. Halloran, Jr.
Trial Attorney
U.S. Department of Justice
Counsel for Defendants

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[PROPOSED] JUDGMENT

The United States Coast Guard facilitates a College Student Pre-Commissioning Initiative (“CSPI Program”) “for eligible undergraduate students to enlist and receive a guaranteed commission as an officer in the Coast Guard.” 14 U.S.C. §2131(a). To be eligible for the CSPI Program, a student must meet various requirements set forth in 14 U.S.C. §2131(b). One of those requirements is that the student must be an undergraduate sophomore or junior at a particular type of institution. 14 U.S.C. §2131(b)(6)(A). Section 2131(b)(6)(A)(i) and (ii) specify the types of institutions that qualify. Many of the criteria in Section 2131(b)(6)(A)(i) and (ii) are based on the racial composition of the institution’s student body. For example, an institution may qualify under Section 2131(b)(6)(A)(i) if it is a “Hispanic-serving institution,” which “has an enrollment of undergraduate full-time equivalent students

that is at least 25 percent Hispanic students,” 20 U.S.C. §1101a(a)(5)(B); *see* 20 U.S.C. §1067q(a)(2); or a “Native Hawaiian-serving institution,” which “has an enrollment of undergraduate students that is at least 10 percent Native Hawaiian students,” 20 U.S.C. §1059d(b)(4); *see* 20 U.S.C. §1067q(a)(4).

On October 7, 2025, Plaintiff, Students for Fair Admissions, filed a complaint claiming that the CSPI Program violates the Fifth Amendment’s equal-protection principle. *See* Verified Compl. (Doc.1) ¶¶35-49. Plaintiff alleged that certain provisions of the CSPI Program unconstitutionally limited participation on the basis of race and ethnicity and that it has members who are able and ready to apply for the CSPI Program, except they do not attend one of the eligible colleges or universities. *Id.* ¶¶29-33. Plaintiff sought injunctive relief and a declaration that the CSPI Program’s “race- and ethnicity-based requirements are unconstitutional.” *Id.* at 13.

Defendants responded on April 7, 2026, filing a letter from the Solicitor General. The letter informed Congress that the Department of Justice “will not defend” the CSPI Program’s racial “quotas.” Doc.23 at 1; *see* Doc.22-1. The letter expressed the Department’s view that the CSPI Program’s racial quotas “violate the equal protection component of the Fifth Amendment’s Due Process Clause.” The letter also expressed the view that Section 2131(b)(6)(A)(i) and (ii)’s unconstitutional racial quotas are not severable from the rest of Section 2131(b)(6)(A)(i) and (ii). The letter stated that in the Department’s view, however, Section 2131(b)(6)(A)(i) and (ii) are

severable from both Section 2131(b)(6)(A)'s requirement that the student be an undergraduate sophomore or junior and the rest of the statute authorizing the CSPI Program, 14 U.S.C. §2131. The Department determined that severing Section 2131(b)(6)(A)(i) and (ii) from Section 2131's remaining provisions would allow the CSPI Program to function in a race-neutral manner consistent with Congress's intent to create a source of commissioned officers for the Coast Guard.

After Defendants filed their letter, this Court treated it as a response to Plaintiff's complaint. Doc.23 at 2. The Court then directed any would-be intervenors to file intervention motions by May 26, 2026. *Id.* If no one moved to intervene, the Court instructed the parties to submit a proposed judgment. *Id.* The Court's May 26 intervention deadline has passed, and no one has moved to intervene.

Accordingly, it is **ORDERED** that:

1. Judgment is entered for Plaintiff, Students for Fair Admissions, and against Defendant, the United States Coast Guard.

2. The Court declares that 14 U.S.C. §2131(b)(6)(A)(i) and (ii)'s racial quotas violate the equal protection component of the Fifth Amendment's Due Process Clause. Section 2131(b)(6)(A)(i) and (ii)'s unconstitutional racial quotas are not severable from the rest of Section 2131(b)(6)(A)(i) and (ii). However, Section 2131(b)(6)(A)(i) and (ii) are severable from both Section 2131(b)(6)(A)'s requirement that the student be an undergraduate sophomore or junior and the rest of the

statute authorizing the CSPI Program, 14 U.S.C. §2131. Severing Section 2131(b)(6)(A)(i) and (ii) from Section 2131's remaining provisions allows the CSPI Program to function in a race-neutral manner consistent with Congress's intent to create a source of commissioned officers for the Coast Guard.

3. The parties shall bear their own costs and fees.

DONE AND ORDERED this ____ day of _____, 2026.

T. KENT WETHERELL, II
U. S. DISTRICT JUDGE