

United States Court of Appeals For the First Circuit

No. 26-1714

NATIONAL PARK CONSERVATION ASSOCIATION; AMERICAN ASSOCIATION FOR STATE AND LOCAL HISTORY; ASSOCIATION OF NATIONAL PARK RANGERS; COALITION TO PROTECT AMERICA'S NATIONAL PARKS; SOCIETY FOR EXPERIENTIAL GRAPHIC DESIGN; UNION OF CONCERNED SCIENTISTS,

Plaintiffs - Appellees,

v.

U.S. DEPARTMENT OF THE INTERIOR; DOUG BURGUM, in the official capacity as Secretary of the Interior; NATIONAL PARK SERVICE; JESSICA BOWRON, in the official capacity as the Official Exercising the Delegated Authority of the Director,

Defendants - Appellants.

Before

Barron, Chief Judge,
Gelpí and Rikelman, Circuit Judges.

ORDER OF COURT

Entered: June 23, 2026

This is an appeal, inter alia, from a preliminary injunction entered on June 12, 2026, in the District Court for the District of Massachusetts (the "Order"). We have jurisdiction under 28 U.S.C. § 1292(a)(1). Defendants-Appellants have filed in this court an Emergency Motion for Stay Pending Appeal or, Alternatively, an Administrative Stay (the "Motion"). Plaintiffs-Appellees have filed an Opposition. The Motion contains two requests; the sole request we address in this order is the request for an administrative stay.

After careful review, we grant the request for an administrative stay of the Order in part. That is, the request for an immediate administrative stay of paragraphs 2, 3, and 4 of the Order is granted. Order at 62-63. This administrative stay leaves in place the District Court's stay of the Secretary's Order under 5 U.S.C. § 705. See United States v. Texas, 144 S.Ct. 797, 798 (2024) (Barrett, J., concurring) (discussing considerations relevant to administrative stays). We intend to rule on the request for a stay pending appeal promptly.

By the Court:

Anastasia Dubrovsky, Clerk

cc:

Steven Y. Bressler

Robin F. Thurston

Mark Samburg

Michael J. Torcello

Pablo Moraga

Brooke Menschel

Donald Campbell Lockhart

Abraham R. George

Christopher Hair

Robert Nolan Stander

Ian Swenson

Romney Philpott