

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**
(Northern Division)

GREEN & HEALTHY HOMES INITIATIVE,
INC., ET AL.

Plaintiffs,

v.

ENVIRONMENTAL PROTECTION AGENCY,
ET AL.

Defendants.

Civil Action No. 1:25-cv-01096-ABA

PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Plaintiffs, Green & Healthy Homes Initiative, Inc., the Minneapolis Foundation, and Philanthropy Northwest (“Plaintiff Organizations”), pursuant to Federal Rule of Civil Procedure 65(a), hereby move for a preliminary injunction. Defendants, the United States Environmental Protection Agency and EPA Administrator Lee Zeldin in his official capacity, have terminated grants that EPA previously awarded to the Plaintiff Organizations under the agency’s Thriving Communities Grantmaking Program and have suspended Plaintiffs’ access to Thriving Communities grant funding. The Plaintiff Organizations respectfully request that the Court enter an order requiring Defendants to reinstate Plaintiffs’ terminated grant awards and prohibiting Defendants from terminating, suspending, or freezing funding under any of Plaintiffs’ Thriving Communities grants.

As discussed in the enclosed Memorandum of Law, EPA’s actions are arbitrary and capricious. *See* 5 U.S.C. § 706(2)(A). EPA offered no meaningful explanation for terminating and suspending access to the grant funds at issue, instead providing only a boilerplate list of vague and conclusory grounds on which its actions *might* be based, referencing, variously,

“DEI,” “environmental justice,” “fraud, waste, abuse, and duplication,” and “the best interests of the United States.” EPA’s actions are also facially unlawful. *See id.* § 706(2)(A)-(D). The agency’s boilerplate statement includes an assertion that the Plaintiff Organizations’ grants are “inconsistent with” a newly-declared “Agency priority” not to provide funding for “organizations that promote or take part in . . . ‘environmental justice’ initiatives.” The Clean Air Act, under which EPA awarded the funds at issue, affords no discretion to EPA to adopt such a “priority,” because the Act mandates that the EPA’s Administrator “shall use” the funds for “environmental and climate justice” initiatives. 42 U.S.C. § 7438. EPA’s actions are also patently unconstitutional. The agency cannot, consistent with the First Amendment to the Constitution, adopt an “Agency priority” to withhold grant funding or terminate previously-awarded grants based on its perception that an organization “promote[s] or take[s] part in . . . initiatives” that the agency disfavors.

As established in the enclosed Memorandum, the Plaintiff Organizations are likely to succeed on the merits of their claims under the Administrative Procedure Act and the United States Constitution, they are suffering and will continue to suffer irreparable harm without a preliminary injunction, the balance of equities weighs in their favor, and preliminary relief is in the public interest.

Dated: April 2, 2025



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Respectfully submitted,



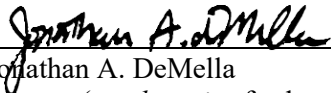
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