

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

THE SUSTAINABILITY INSTITUTE,  
AGRARIAN TRUST, ALLIANCE FOR  
AGRICULTURE, ALLIANCE FOR THE  
SHENANDOAH VALLEY, BRONX RIVER  
ALLIANCE, CLEANAIRE NC,  
CONSERVATION  
INNOVATION FUND, EARTH ISLAND  
INSTITUTE, LEADERSHIP COUNSEL FOR  
JUSTICE AND ACCOUNTABILITY,  
MARBLESEED, ORGANIC ASSOCIATION OF  
KENTUCKY, PENNSYLVANIA ASSOCIATION  
FOR SUSTAINABLE AGRICULTURE AND  
RURAL ADVANCEMENT FOUNDATION  
INTERNATIONAL-USA,  
and  
MAYOR AND CITY COUNCIL OF  
BALTIMORE,  
CITY OF COLUMBUS, CITY OF MADISON,  
METROPOLITAN GOVERNMENT OF  
NASHVILLE AND DAVIDSON COUNTY, CITY  
OF NEW HAVEN, CITY OF SAN DIEGO

Plaintiffs,

v.

DONALD TRUMP, IN HIS OFFICIAL CAPACITY  
AS PRESIDENT OF THE UNITED STATES,  
KEVIN HASSETT, in his official capacity as  
Assistant to the President for Economic Policy and  
Director of the National Economic Council;  
UNITED STATES OFFICE OF MANAGEMENT  
AND BUDGET; RUSSELL VOUGHT, in his  
official capacity as Director of the United States  
Office of Management and Budget; UNITED  
STATES ENVIRONMENTAL PROTECTION  
AGENCY; LEE ZELDIN, in his official capacity  
as Administrator of the United States Environmental  
Protection Agency; UNITED STATES  
DEPARTMENT OF AGRICULTURE; BROOKE

Case No. 2:25-cv-02152-RMG

Leave to file granted on \_\_\_\_\_

**EXHIBIT 1-A  
DECLARATION OF MICHELLE  
ROOS, ENVIRONMENTAL  
PROTECTION NETWORK**

ROLLINS, in her official capacity as Secretary of Agriculture; UNITED STATES DEPARTMENT OF TRANSPORTATION; SEAN DUFFY, in his official capacity as the Secretary of the United States Department of Transportation; UNITED STATES DEPARTMENT OF ENERGY; CHRIS WRIGHT, in his official capacity as the Secretary of the United States Department of Energy; UNITED STATES DEPARTMENT OF GOVERNMENTAL EFFICIENCY SERVICE; AMY GLEASON, in her official capacity as Acting Administrator of the United States DOGE Service; ELON MUSK, in his official capacity as Senior Advisor of the United States DOGE Service.  
Defendants.

**DECLARATION OF MICHELLE ROOS, ENVIRONMENTAL PROTECTION  
NETWORK**

I, Michelle Faye Roos, declare as follows:

1. My name is Michelle Faye Roos. I live in the Bronx, New York. This declaration is based on my personal knowledge, professional education, and experience. I am over the age of eighteen and suffer from no legal incapacity. I am the Executive Director of the Environmental Protection Network (“EPN”), a nonprofit organization that has both been directly affected by the federal funding pause and is currently assisting over 500 Environmental Protection Agency grantees who are suffering in various states of federal funding freezes.
2. EPN is a nonpartisan organization composed of over 650 former U.S. Environmental Protection Agency (“EPA”) career staff and political appointees. Established in January 2017, EPN serves as a trusted resource, offering objective analysis and scientific expertise to protect the integrity of the EPA and its mission to safeguard human health and the environment. EPN's core initiatives include advocating for policies and

institutional changes that address environmental injustices, public health, and climate challenges, providing pro bono technical assistance and training to frontline communities and under-resourced government agencies, and mentoring and recruiting underrepresented populations to work at the EPA. Additionally, EPN educates Congress and serves as a critical resource for journalists and strategic partners, ensuring that environmental policies are informed by rigorous scientific understanding and a commitment to public health.

3. EPN has been providing pro bono capacity building technical assistance since the spring of 2021 and has assisted nonprofits and local, state, and Tribal government agencies apply for federal funding in the climate, air, and environmental justice space since early 2022. Over the past four years, EPN and its volunteer network have provided direct and indirect technical assistance to over 1,000 EPA grant applicants. Specifically, EPN directly assisted approximately 400 Community Change Grant (“CCG”) Program potential applicants, and dozens of Environmental Justice Collaborative-Problem Solving (“EJCPS”) and Government-to-Government (“EJG2G”) potential applicants during their respective application processes. EPN also assisted dozens of EPA selectees in working with EPA to obtain their obligated awards. EPN also indirectly assisted over 1,000 federal grantees with its regular public updates on grants management and compliance; hundreds of grantees with its webinars, trainings, and office hours; and over 100 grantees with direct technical, compliance, and grants management support. Finally, EPN itself is a subawardee of five different EPA grantees, all under the EPA Environmental Justice Thriving Communities Technical Assistance Centers Program. Grant applications require

extensive documentation and a selective process that results in a detailed grant award with comprehensive terms and conditions to ensure compliance.

4. When I worked at EPA during the George W. Bush administration, I co-launched and co-managed a bipartisan supported regional grant program to reduce emissions from diesel engines along the west coast and learned a tremendous amount about how federal grants programs operate. Years later, I co-launched EPN's pro bono capacity-building technical assistance program where we have directly assisted hundreds of federal grant applicants, dozens of grant selectees, and hundreds of awardees. During the last 3 years EPN has become an important hub for pro bono technical assistance for under-resourced organizations and government agencies interested in applying for and managing EPA grants. I personally circulate resources, facilitate webinars and office hours, answer dozens of specific questions each week, and have seen and experienced first hand the devastating impact of EPA's federal funding freezes.
5. Since inauguration, EPN has been in touch with several hundred EPA grantees as outlined further below. All of the grantees that EPN has been in touch with, with very few exceptions, have experienced some type of issue accessing their funding. The issues have ranged from an unexplained 'freezing' of their government Automated Standard Application for Payments ("ASAP"—the system that federal agencies use to securely transfer money to recipient organizations) account associated with the grant funding; to seeing a 'suspended' notice on their ASAP account; to being told by a project officer not to draw down; to not being able to login to their ASAP account at all (collectively, the "funding freezes"). These federal agency actions have caused chaos, fear, and severe hardships to grantees across the country who work with EPN, as outlined in detail below.

6. In addition to impacts from the funding freezes, several grantees have started to receive termination letters as well. Starting on or around February 21, 2025, and then again in bits and spurts from early March through March 13 or thereabouts, several EPA grantees that EPN works with received termination letters based on a memorandum from the EPA citing inconsistency with existing policies because the grants support “diversity, equity, and inclusion” (“DEI”). One example of the termination letter from February 21, 2025, stated that the award was being terminated because it “provides funding for programs that promote or take part in DEI initiatives or environmental justice initiatives or other initiatives that conflict with the Agency’s policy of prioritizing merit, fairness, and excellence in performing our statutory functions; that are not free from fraud, abuse, waste, or duplication; or that otherwise fail to serve the best interests of the United States. The grant is therefore inconsistent with, and no longer effectuates, Agency priorities.”
7. Some of the grantees even received termination letters one day and then had them revoked the next, leaving them dumbfounded as to whether they can and should continue with their federally funded program.
8. As a result of all of these changes, mixed-messages, freezes, and terminations, these grantees have faced significant financial, emotional and psychological hardships.
9. Moreover, approximately 400 EPA grants have now been identified in a list obtained and published by the Senate Environmental Public Works referred to as the ‘hit list’ of grants that EPA is trying to terminate. (See <https://www.epw.senate.gov/public/index.cfm/2025/3/whitehouse-blunt-rochester-lead-epw-democrats-in-demanding-epa-reverse-unlawful-termination-of-grants-for-clean-air-and-water>). EPN can confirm that a majority of these grantees have had their funds frozen

and now many of them wait to learn whether their grants will be terminated for unknown reasons.

10. Some grantees have had their names dragged through the mud in the press with accusations of impropriety, fraud, and saying that their grants were terminated when they have not received any notification of such termination.
11. I have chosen to file this Declaration and to work with Lawyers for Good Government to file this Amicus to help shed light on the hundreds of EPA grantees across the country who are facing hardships as a result of federal freezes, but who do not want to be named out of concern that the Administration will take retaliatory action. To protect those grantees who fear retribution and wish to remain silent, EPN has worked to provide an anonymized picture of the actual harm being caused on the ground as a result of the Federal government's actions, including unsubstantiated freezes, and direct terminations. Below is an overview of the EPA grant programs and grantees that EPN services along with a summary of the irreparable economic and emotional harms and burdens felt by the grantees within EPN's network. These harms include not only the grantees' inability to provide necessary public health services in their communities; grantees' inability to pay and retain staff and contractors; grantees' fear of saying the wrong words in their training programs, that they fear may trigger retribution; and the general impacts on their freedom of expression. (For the purposes of this Declaration, we are using the term "grantees" to include both awardees who have received grants and those with cooperative agreements, both of which are legally-binding contracts with the government to disburse funds.)
  - a. **Community Change Grantees ("CCG"):** Nearly \$1.6 billion in IRA funding have been awarded through the Community Change Grants Program to

organizations to provide critical services to their community. These CCG awardees include frontline organizations and local government agencies who have been awarded funding to implement impactful projects that will reduce air pollution and asthma rates, remove lead from drinking water, provide resilience hubs in the event of a hurricane power outage, and provide critical food services to low income communities. EPN works with CCG grantees who have obligated funds for innovative projects all over the country from Louisiana, to California, to Puerto Rico, that will create thousands of job opportunities in cities, rural America, tribal communities, and more. The majority of selected CCG projects have been awarded \$10-20 million for big infrastructure projects that aim to transform communities impacted by air and water pollution, climate disasters, and economic disinvestment, into vibrant, resilient, and prosperous communities. EPN currently runs cohort calls open to all CCG grantees and their partners on a bi-weekly basis, and typically anywhere from 50 to 100 individuals attend those calls. EPN also sends out regular email updates to over 200 CCG grantees and partners; and has directly assisted over 40 CCG grantees with technical, compliance, and grants management support. During EPN cohort calls and while providing direct assistance, EPN has confirmed that not one of the CCG grantees that EPN is currently working with has been able to access their federal funding since early March. All of the CCG grantees working with EPN have either been frozen out of their accounts, had their accounts “suspended,” or they cannot access their accounts at all in ASAP. In addition, at least five CCG grantees received termination notices since March 25th—four were eventually

rescinded—causing panic, confusion, and fear. The various collective CCG freezes impact nearly \$1.6 billion dollars in legally-obligated funds issued under Congressionally-mandated programs, that are currently being withheld from grantees.

**b. Environmental Justice Collaborative Problem Solving (“EJCPS”) & Environmental Justice Government to Government Awardees (“EJG2G”):**

The EJCPS Program was created to “address local environmental or public health issues in their communities. The program assists recipients in building collaborative partnerships with other stakeholders (e.g., local businesses and industry, local government, medical service providers, academia, etc.) to develop solutions to environmental or public health issue(s) at the community level.”

(EPA website,

<https://www.epa.gov/inflation-reduction-act/collaborative-problem-solving-cooperative-agreement-program>.)

The EJG2G Program “provides funding at the state, local, territorial, and tribal level to support government activities that lead to measurable environmental or public health impacts in communities.” (EPA website,

<https://www.epa.gov/inflation-reduction-act/government-government-program>.)

These two programs provide significant benefits to communities across the country by providing tools and critical resources to local organizations and governments to directly tackle public health issues like air quality.

- i. EPN has run one cohort call specifically open to all EJCPS and EJG2G grantees and is planning a second. EPN also sends out regular email



updates to over 150 grantees; and has directly assisted approximately 25 EJCPs and EJG2G grantees with technical, compliance, and grants management support. All of the EJCPs and EJG2G grantees that EPN has assisted have confirmed that they are currently frozen out of ASAP and cannot draw down funds—many since early March. In addition, we have personal knowledge that at least 25 EJCPs and 2 EJG2G grantees have received termination letters over the past month. The various collective EJCPs and EJG2G freezes impact over \$100 million dollars in legally obligated funds under these Congressionally-mandated programs.

- c. In addition, EPN is working with dozens of other EPA grantees who are frozen out of ASAP, have received termination letters, and/or have had little or no communications from EPA since January 20, 2025.

12. The uncertainty felt by these grantees is tangible.

- a. One EPA grantee in the Midwest received a closeout letter saying that the agency had received all required final reports and necessary forms to close out the award. This was a clear mistake because the organization had not submitted any documents. The closeout letter was rescinded a few hours after it was sent.
- b. Another organization in the Southeast is experiencing funding freezes and an illegal termination that has put their good work and staff in jeopardy.

13. Many grantees fear potential retaliation if they reference certain things like diversity, equity or inclusion, and in some cases, grantees are directly asked to remove references to DEI from their grants and project documents.

- a. One EPA grantee in New England was asked by EPA to change their grant documents to be more “DEI friendly” and to “align with new pillars of policy by the Trump Administration.” The grantee was not entirely sure what was meant by that, but felt compelled to make changes to align their agreements, even though such changes were never explained and such requirements were not in their grant terms and conditions. They are now concerned about referencing anything related to diversity, equity, and inclusion.
  - b. Approximately a dozen grantees received terminations based on DEI reasons that have caused several additional grantees to reconsider the words they use in both speaking to project officers and in their project descriptions, and to remove words like “equity” or “diversity.”
14. Certain grantees have even been targeted because they have allies in the Democratic Party.
- a. EPN provided assistance and resources to four organizations whose selections for the Community Change Program were put into question by The Washington Free Beacon—an online newspaper dedicated to “uncovering the stories that the powers that be hope will never see the light of day”. The articles alleged that the awards were pet projects of elected Democrats and cancelled by the EPA amid irregularities in the selection process, causing harm in the reputation of these organizations. To date, these organizations have not received a termination letter but are unable to draw down funds. (See <https://freebeacon.com/energy/trump-epa-cancels-funding-for-nancy-pelosis-and-ihlan-omars-pet-climate-projects/>.)

15. The economic harms felt by these grants have been severe.

- a. One organization on the West Coast has paused all activities because they cannot access their funds in ASAP. Although the organization has used its reserves and funding allocated for other programs to keep going, they report that they cannot sustain this initiative any longer without access to their funding and a real assurance that the funding would get reinstated. This delay is preventing them from hiring necessary staff and contractors, potentially causing irreparable harm by setting them far behind schedule. The organization is considering terminating their award themselves, fearing that they will be out of compliance by the time the funding freeze is resolved. The organization is also worried that because of the population they serve, they would be specially targeted by the administration if they speak to the media or join litigation efforts. They have not been able to communicate with their EPA Project Officer in at least two months, despite sending many emails.
- b. One organization in the Midwest may soon be out of compliance on deliverables due to a lack of access to their funding. Their project is on hold until they can resume drawdowns from ASAP. They have four subawardees and cannot absorb all of the risk moving forward without access to funding.
- c. Another organization's account has been suspended for weeks, which has prevented subcontractors from signing agreements.
- d. One grantee located in the Southeast will address air quality issues to create good paying jobs, and help the community solve a long-standing problem related to blight and hazardous vacant land.

- i. To date, the organization has spent approximately 60% of their grant and does not know when they will be able to access the remainder of their funds.
- ii. As a result, the organization has significantly reduced their planned programming; rolled back plans to disseminate findings to the community; suspended acquisition of property needed to complete the project; terminated a full-time employee due to the inability to make payroll; and lost the funding to provide stipends to community partners, a centerpiece of the project's collaborative decision-making model.

16. The effects on public health caused by the ongoing freezes is severe.

- a. One EPA grantee has hired 20 staff and over a dozen contractors and suppliers to implement a project that would reduce indoor air pollution. The organization has been unable to access grant funds for nearly a month, and their ASAP account appears suspended. A termination or even a prolonged suspension will prevent them from helping people with asthma.
- b. Another community organization reports that they lost funding to address severe air quality and public health issues. Children in this particular community suffer increased rates of asthma compared to other metro areas. Removing this funding imperils the health of those minors.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States, the foregoing is true and correct.

Executed this 2nd day of April 2025.

A handwritten signature in cursive script that reads "Michelle Roos". The ink is dark and the handwriting is fluid.

Michelle Roos