

EXHIBIT 1

From: [Stroud, Joanna \(USASC\)](#)
To: [Kym Meyer](#)
Cc: [Ben Grillot](#); [Spencer Gall](#); [Carl Brzorad](#); [Irena Como](#); [Nick Torrey](#); [Cassie Crawford](#); [Graham Provost](#); [Warren, Beth C. \(USASC\)](#); [Mallory, Jennifer \(USASC\)](#)
Subject: RE: Sustainability Institute
Date: Friday, June 26, 2026 9:26:31 AM

Confirmed that EPA opposes.

Joanna Brooks Stroud
Deputy Chief, Civil Division
United States Attorney's Office
District of South Carolina
151 Meeting Street, Suite 200
Charleston, SC 29401
Joanna.Stroud@usdoj.gov

From: Kym Meyer <kmeyer@selc.org>
Sent: Wednesday, June 24, 2026 3:10 PM
To: Stroud, Joanna (USASC) <Joanna.Stroud@usdoj.gov>
Cc: Ben Grillot <bgrillot@selc.org>; Spencer Gall <sgall@selc.org>; Carl Brzorad <cbrzorad@selc.org>; Irena Como <icomo@selc.org>; Nick Torrey <ntorrey@selc.org>; Cassie Crawford <cassandra@publicrightsproject.org>; Graham Provost <graham@publicrightsproject.org>; Warren, Beth C. (USASC) <Beth.C.Warren@usdoj.gov>; Mallory, Jennifer (USASC) <Jennifer.Mallory@usdoj.gov>
Subject: [EXTERNAL] RE: Sustainability Institute

Thank you, Joanna.

We intend to file a motion to enforce the court's order as well as to clarify the court's order in terms of the relief we sought pursuant to section 706(1) of the APA. Can I confirm your position as opposed?

From: Stroud, Joanna (USASC) <Joanna.Stroud@usdoj.gov>
Sent: Wednesday, June 24, 2026 2:54 PM
To: Kym Meyer <kmeyer@selc.org>
Cc: Ben Grillot <bgrillot@selc.org>; Spencer Gall <sgall@selc.org>; Carl Brzorad <cbrzorad@selc.org>; Irena Como <icomo@selc.org>; Nick Torrey <ntorrey@selc.org>; Cassie Crawford <cassandra@publicrightsproject.org>; Graham Provost <graham@publicrightsproject.org>; Warren, Beth C. (USASC) <Beth.C.Warren@usdoj.gov>; Mallory, Jennifer (USASC) <Jennifer.Mallory@usdoj.gov>
Subject: RE: Sustainability Institute

Kym,

Thank you for meeting with us and taking the time to outline your clients' position.

The EPA's position is that although the District Court has vacated the EPA's previous decision to terminate the program, the Court expressly declined to provide any injunctive relief requiring the EPA to affirmatively make new grants or prohibiting the EPA from continuing the termination process for previously awarded grants. The EPA thus does not believe that any specific agency action is required to comply with the Court's vacatur. Separately, the EPA is looking into the issue Sustainability Institute is having with drawing down the funds for pre-termination costs and will follow up when the issue is fixed.

I'm happy to discuss further at your convenience.

Joanna

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From: Kym Meyer <kmeyer@selc.org>

Sent: Thursday, June 18, 2026 5:43 PM

To: Stroud, Joanna (USASC) <Joanna.Stroud@usdoj.gov>; Warren, Beth C. (USASC) <Beth.C.Warren@usdoj.gov>

Cc: Ben Grillot <bgrillot@selc.org>; Spencer Gall <sgall@selc.org>; Carl Brzorad <cbrzorad@selc.org>; Irena Como <icom@selc.org>; Nick Torrey <ntorrey@selc.org>; Cassie Crawford <cassandra@publicrightsproject.org>; Graham Provost <graham@publicrightsproject.org>

Subject: [EXTERNAL] Sustainability Institute

Dear Joanna and Beth,

Thank you for meeting today. As promised here is our position about what EPA's current obligations are.

There are two main areas: Obligations under the grant program and obligations to specific grantees.

Obligations under the grant program

EPA's action terminating the Environmental and Climate Justice Block Grant program has been vacated. The statutory obligation to administer the program and allocate funding by September 30, 2026 remains. As such, EPA is required by the statute to obligate all funding in the way Congress intended pursuant to Section 138 of the Clean Air Act by that statutory deadline. EPA has discretion on how to accomplish this, so long as it complies with the Congressional mandate to implement the program via grant awards. Options could include allocating funding to new grantees or re-starting grants to the grantees who previously qualified for funding.

Obligations to specific grantees

The court's vacatur of EPA's decision to terminate the grant program makes clear that the en masse termination of specific grants was unlawful. Each of the plaintiff grantees has a cause of action in the Court of Federal Claims. But this issue is separate and independent of the continuing statutory obligation to implement the program in light of the court's vacatur.

Attorneys' Fees

Plaintiffs have a right to attorneys' fees both in this court, and subsequently in any challenge brought in the Court of Federal Claims.

We appreciate EPA confirming its position. Based on our call it is our understanding that EPA does not believe it is required to take any action to comply with the court's order, including any action to implement the statutorily mandated grant program. Please confirm if that is correct.

As mentioned, Plaintiffs would be open to discussions about any creative resolution of all these issues.

Thank you,

Kym Meyer (she/her)
Litigation Director
Southern Environmental Law Center