

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

WOONASQUATUCKET RIVER  
WATERSHED COUNCIL, *et al.*,

Plaintiffs,

v.

DEPARTMENT OF AGRICULTURE,  
*et al.*,

Defendants.

Civil Action No. 1:25-cv-97 (MSM)

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**JOINT STATUS REPORT**

*Report from Defendants*

Since the Status Conference held on January 5, 2026, Defendants submitted the Affidavit of Thomas R. Davis, *see* ECF No. 102, which described the remaining steps before publication of the amended Housing Notice. HUD transmitted its full response to comments to OMB on January 13, 2026. This was slightly delayed from the anticipated January 12 date referenced in the Affidavit (*see id.* ¶4), as HUD had further discussions with OMB on the 12th and 13th. HUD is awaiting OMB's determination on whether the cumulative HUD responses address the issues raised during the interagency review. If OMB confirms that the interagency review is complete, the Office of Recapitalization will begin the signature process leading to publication. As the Thomas Affidavit attests, OMB expects that interagency review will "pose no obstacle to HUD's posting of the notice by February 15, 2026." *Id.* ¶5.

*Report from Plaintiffs*

HUD reports that it will take another full month to comply with this Court's

April 15, 2025 order. And three weeks of that month will be devoted merely to OMB deciding if interagency review is complete. HUD offers no explanation for why OMB—also a defendant in this case—would require so long to take this step, particularly while irreparable harm continues to accrue, *see, e.g.*, Dkt. 99 at 2–3.

Furthermore, Plaintiffs note that Mr. Davis’s affidavit describes the draft amended notice as not only “remov[ing] the barriers to implementation of the Comprehensive Awards,” but also “mak[ing] other policy changes to the Program consistent with the Statute and the policy priorities of the Administration.” Dkt. 102 ¶ 2. It appears that HUD may have delayed compliance with the Court’s order to serve its own policymaking goals—an inexcusable effort to “slow walk” compliance, *see* Tr. of Aug. 13, 2025 Status Conf. at 15–16, and perpetuate the irreparable harm Plaintiffs have suffered these many months.

Dated: January 14, 2026

Respectfully submitted,

BRETT A. SHUMATE  
Assistant Attorney General  
Civil Division

ALEXANDER K. HAAS  
Director  
Civil Division, Federal Programs Branch

JOSEPH BORSON  
Assistant Director  
Civil Division, Federal Programs Branch

/s/ Eitan R. Sirkovich  
EITAN R. SIRKOVICH  
CHRISTOPHER M. LYNCH

Trial Attorneys  
United States Department of Justice  
Civil Division, Federal Programs Branch  
1100 L Street NW  
Washington, DC 20530  
Tel.: (202) 353-5525  
Email: eitan.r.sirkovich@usdoj.gov

*Counsel for Defendants*

/s/ Miriam Weizenbaum

Miriam Weizenbaum (RI Bar No. 5182)  
DeLuca, Weizenbaum, Barry & Revens  
199 North Main Street  
Providence, RI 02903  
(401) 453-1500  
miriam@dwbrlaw.com

Kevin E. Friedl\* (DC Bar No. 90033814)  
Jessica Anne Morton\* (DC Bar No. 1032316)  
Robin F. Thurston\* (DC Bar No. 1531399)  
Skye L. Perryman\* (DC Bar No. 984573)  
Democracy Forward Foundation  
P.O. Box 34553  
Washington, DC 20043  
(202) 448-9090  
kfriedl@democracyforward.org  
jmorton@democracyforward.org  
rthurston@democracyforward.org  
sperryman@democracyforward.org

\* admitted *pro hac vice*

*Counsel for Plaintiffs*