IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

STATE OF MARYLAND, *et al.*,

Plaintiffs,

v.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE, *operating as* AMERICORPS, *et al.*,

Defendants.

No. 1:25-cv-01363-DLB

DEFENDANTS' CONSENT MOTION TO STAY THE BRIEFING SCHEDULE

Defendants hereby move, with the consent of Plaintiffs, for a stay of the preliminary injunction motion briefing schedule. This request is made in good faith and with good cause as set forth below:

1. On August 7, 2025, Plaintiff States filed a preliminary injunction motion, *see* ECF No. 176-1. Plaintiffs requested that this Court enjoin Defendants, their agents, or anyone acting at Defendants' direction from "effectuating and enforcing in the Plaintiff States the withholding of FY 2025 appropriated funds from AmeriCorps programs." Pls.' Prop. Ord., ECF No. 176-2 ("Prop. Ord."). Specifically, Plaintiffs requested that:

   A. OMB Defendants shall RELEASE FY 2025 appropriations in the amount necessary to fund AmeriCorps competitive grants "Funded pending release of FY 2025 appropriated dollars" for programs located within the Plaintiff States;

   B. OMB Defendants shall RELEASE FY 2025 appropriations in the amount necessary to fund AmeriCorps Foster Grandparent Programs and Senior Companion Programs located within the Plaintiff States; and

   C. OMB Defendants shall RELEASE FY 2025 appropriations in the amount necessary to fund Commission Investment Fund grants for Plaintiff States' Commissions on National and Community Service.

Prop. Ord. at 2–3. Plaintiffs also requested that Defendants restore AmeriCorps programs in the Plaintiff States "to the status quo" prior to the "withholding" of FY 2025 appropriated funds. *Id.*

at 3. Plaintiffs further requested OMB Defendants be enjoined from "acting in concert or participation with AmeriCorps Defendants to violate the notice-and-comment requirement" in the Further Consolidated Appropriations Act, 2024. *Id*.

2. Defendants' opposition to the preliminary injunction motion is due today, August 28, 2025. However, as of today, OMB Defendants have now "approved the spend plan for the remaining $184,898,010" and that "[a]ll Fiscal Year 2025 funds appropriated to AmeriCorps by Congress have now been apportioned and allocated." *See* Declaration of Jill Graham, Exhibit A (attached hereto) at 1. AmeriCorps "expects to have the remaining $184,898,010 of now-allocated funds in its account from the U.S. Treasury by the close of business on Tuesday, September 2, 2025." *Id*. at 1-2. AmeriCorps further "plans to obligate all $184,898,010 in remaining Fiscal Year 2025 funding as quickly as possible and by September 30, 2025." *Id*. at 2.

3. In light of this development, the Parties are conferring about the appropriate next steps in this litigation, including whether the preliminary injunction motion still requires the Court's resolution or whether it may be withdrawn.

4. To facilitate these discussions, and with the consent of Plaintiffs, Defendants move the Court to (a) stay all deadlines for the pending preliminary injunction motion pending a further order from the Court, including Defendants' August 28, 2025 obligation to file their opposition to Plaintiffs' motion for a preliminary injunction, and (b) that the Parties be ordered to file a joint status report on or before September 3, 2025.

Dated: August 28, 2025

Respectfully submitted,

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EXHIBIT A

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Defendants.

No. 1:25-cv-01363-DLB

DECLARATION OF JILL GRAHAM

Pursuant to 28 U.S.C. § 1746, I, Jill Graham, declare as follows:

1. I am the Acting Chief Operating Officer of the Corporation for National and Community Service, doing business as AmeriCorps, headquartered in Washington, DC. In this position, I have authority to, *inter alia,* determine the balance of a Federal appropriations available to AmeriCorps and have authority to obligate funds to make grants and award financial assistance to carry out the national service laws.

2. As of August 27, 2025, the Office of Management and Budget (OMB) had apportioned to AmeriCorps all funds appropriated to AmeriCorps by Congress for Fiscal Year 2025; however, $184,898,010 of the Fiscal Year 2025 appropriated funds was identified as unallocated.

3. On August 28, 2025, OMB approved the spend plan for the remaining $184,898,010 in Fiscal Year 2025 funding to AmeriCorps, releasing the funds for obligation. All Fiscal Year 2025 funds appropriated to AmeriCorps by Congress have now been apportioned and allocated.

4. Due to the time it takes to allocate funding through the shared financial system at

Treasury, AmeriCorps expects to have the $184,898,010 of now-allocated funds in its account from the U.S. Treasury by the close of business on Tuesday, September 2, 2025.

5. AmeriCorps plans to obligate all $184,898,010 in remaining Fiscal Year 2025 funding as quickly as possible and by September 30, 2025.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 28, 2025, at Washington, DC.

Jill Graham