

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

RHODE ISLAND COALITION AGAINST
DOMESTIC VIOLENCE, *et al.*

Plaintiffs,

v.

ROBERT F. KENNEDY, JR., in his official
capacity as Secretary of the United States
Department of Health and Human
Services, *et al.*

Defendants.

Case No. 25-cv-342

NOTICE OF CLARIFICATION

On December 19, 2025, the Department of Housing and Urban Development (HUD) released a NOFO for the FY 2025 Continuum of Care Competition and Youth Homeless Demonstration Program Grants, with application due dates of January 28, 2026 and February 25, 2026. FY 2025 Continuum of Care Competition and Youth Homeless Demonstration Program Grants NOFO at 6, <https://perma.cc/SPA5-UXMG> (Dec. 19 NOFO).

The Department of Housing and Urban Development (HUD) acknowledges that the NOFO is currently enjoined pursuant to a court order in *State of Washington et al. v. HUD*, No. 1:25-cv-00626-MSM-AEM (D.R.I.), and *National Alliance to End Homelessness, et al. v. HUD*, No. 1:25-cv-00636-MSM-AEM (D.R.I.). Dec. 19 NOFO at 5-6.

HUD further acknowledges that, apart from the court order in those cases, HUD also cannot implement or enforce certain provisions of the NOFO pursuant to the October 23, 2025, Order in *RICADV v. Kennedy*. In particular, HUD clarifies that, so long as that Order remains in effect:

- HUD will not impose any award condition requiring recipients to comply with Executive Orders (Dec. 19 NOFO at 118); and
- HUD will not require applicants or grant recipients to sign a Form 424-B that requires applicants to certify that they will not use federal funding to “promote diversity, equity, and inclusion mandates, policies, programs, or activities that violate any applicable federal anti-discrimination laws” (Dec. 19 NOFO at 32).

Dated: January 6, 2026.

Respectfully submitted,

U.S. DEPARTMENT OF HOUSING &
URBAN DEVELOPMENT, et al.
By their Attorneys,

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/s/ Andrea Hyatt

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CERTIFICATION OF SERVICE

I hereby certify that on January 6, 2026, I electronically filed the foregoing document and the accompanying exhibits through this Court's Electronic Case Filing (ECF) system, which will serve it upon all registered users in accordance with Federal Rule of Civil Procedure 5(b)(2)(E).

/s/ Andrea Hyatt _____

Andrea Hyatt

Assistant United States Attorney