



City of Cambridge

Executive Department

YI-AN HUANG
City Manager

CMA 2025 #177
IN CITY COUNCIL
June 30, 2025

To the Honorable, the City Council:

The City Manager will give a federal update, and the Law Department will provide an update on relevant court cases.

Yi-An Huang
City Manager





**CITY OF CAMBRIDGE
OFFICE OF THE CITY SOLICITOR**

Lawsuits Challenging Federal Actions

Lawsuit Name	Case No. / Case Citation	Summary of Lawsuit	Status
King County v. Turner	25-cv-00814 (W.D. Wash.)	<p>The City of Cambridge is a plaintiff in this case.</p> <p>Dozens of local governments sued the Secretary of Transportation and the U.S. Department of Housing and Urban Development regarding the impositions of conditions on grants. The grants at issue include the HUD Continuum of Care grant as well as numerous grants administered by the Department of Transportation and its subagencies. The lawsuit concerns over \$4 billion dollars in threatened funding and the localities argue that by imposing the conditions on the grants, the defendants are violating the separation of powers, Spending Clause, the Tenth Amendment, the Due Process Clause (Vagueness), and the APA. The conditions at issue include those related to immigration, DEI, "gender ideology" and "elective abortions."</p>	<p>The court granted the local governments' TRO on May 7, 2025. The plaintiffs then amended their complaint to add new grants and new plaintiffs. The court then granted a second motion for TRO enjoining the enforcement of the conditions. The court then entered a preliminary injunction in favor of the plaintiffs on June 3, 2025. The injunction is limited to the named plaintiffs. The defendants have appealed, and their brief is due July 8, 2025.</p>
California v. United States Department of Transportation	25-cv-00208 (D.R.I.)	<p>An order in this case applies to the City of Cambridge.</p> <p>A coalition of states filed a lawsuit challenging the April 24, 2025 letter issued by Secretary Duffy which indicated that recipients of federal transportation grants would be required to cooperate with federal immigration enforcement. Cooperation is not defined in the letter. The plaintiffs allege that the conditions are beyond the DOT's authority.</p>	<p>The Court granted a preliminary injunction on June 19th that protects funding for the 20 states that brought the suit, which includes Massachusetts, and the local governments in those states. Therefore this order applies to the City.</p>
Newsom v. Trump	25-3727 (9 th Circuit); 25-CV-04870 (N.D. CA)	<p>The City of Cambridge joined an amicus brief in this case.</p> <p>The Governor of the State of California and the State of California brought this action to protect the State against the actions of the President, Secretary of Defense, and Department of Defense to deploy members of the California National Guard, without lawful authority, and in violation of the Constitution. Plaintiffs requested a declaration that calling the CA National Guard into service under the President's use of 10 U.S.C. § 12406 is unauthorized by and contrary to the laws of the US and sought an order prohibiting the DOD Defendants from federalizing and deploying the CA National Guard and military without meeting the requirements of 10 U.S.C. § 12406, which include that issuance shall be "through the Governor" and not to conduct domestic law enforcement activities.</p>	<p>On June 12, 2025, the U.S. District Court ruled that the National Guard Deployment was illegal and violated the 10th amendment. The federal government moved for a stay of that order and on June 19, 2025 the Ninth Circuit stayed that June 12th Order, finding that the federal government made a strong showing that they are likely to succeed on their appeal. The appeal is pending.</p>
Commonwealth of MA v. National Institutes of Health, et al, and other associated cases	25-1343 (1 st Cir.); 25-cv-10338 (D. Mass.)	<p>The City of Cambridge joined an amicus brief in this case.</p> <p>This case alleges the cap of 15 percent reimbursement for all new grants, regardless of the indirect cost needs of the institution, violates the Administrative Procedure Act. The case alleges that the 15% cap would cost public and private institutions across the country billions of dollars and would result in the abrupt cancellation of critical research projects. The U.S. District Court issued a final judgment enjoining the 15% cap and the federal government appealed.</p>	<p>The Commonwealth of Massachusetts and other Plaintiffs/Appellees filed their brief on June 9, 2025, and the NIH has until July 1, 2025, to file a reply, and then the Court will set oral arguments.</p>

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President and Fellows of Harvard College v. DHS, et al.	25-cv-11472 (D. Mass.)	Harvard contests federal government's revocation of Harvard's ability to enroll foreign students and otherwise prevent foreign students from enrolling at Harvard.	On May 22, 2025, Harvard's certification to enroll international students (Student and Exchange Visitor Program certification) was revoked. After Judge Burroughs (USDC Mass.) issued a TRO, on June 4, the President issued a Proclamation barring from the USA any foreign national who tried to enroll at Harvard. On June 20, Judge Burroughs entered an order enjoining the federal government from "implementing, instituting, maintaining, or giving any force or effect" to the federal government's revocation of Harvard's ability to enroll foreign students. On June 23, Judge Burroughs likewise enjoined the presidential proclamation barring foreign students destined for Harvard. Judge Burroughs conclusion bears recitation here: "By necessity, this order discusses [...] abstract legal concepts, but it bears reminding that, at its root, this case is about core constitutional rights that must be safeguarded: freedom of thought, freedom of expression, and freedom of speech, each of which is a pillar of a functioning democracy and an essential hedge against authoritarianism. It may be that many of us, having grown up in a culture of free speech and thought, have become complacent, but free speech, particularly in the academic arena, must be zealously defended and not taken for granted. "The vigilant protection of constitutional freedoms is nowhere more vital than in . . . schools. The classroom is peculiarly the 'marketplace of ideas.' The Nation's future depends on leaders trained through wide exposure to that robust exchange of ideas which discovers truth 'out of a multitude of tongues, (rather) than through any [kind] of authoritative selection.'" Here, the government's misplaced efforts to control a reputable academic institution and squelch diverse viewpoints seemingly because they are, in some instances, opposed to this Administration's own views, threaten these rights. To make matters worse, the government attempts to accomplish this, at least in part, on the backs of international students, with little thought to the consequences to them or, ultimately, to our own citizens. As George Washington said, if freedom of speech is taken away, then "dumb and silent we may be led, like sheep to the slaughter." George Washington, Address to the Officers of the Army (March 15, 1783) (citations, other than to Geo. Washington, omitted).
President and Fellows of Harvard College v. HHS, et al.	25-cv-11048 (D. Mass.)	Harvard contests federal government's withdrawal of federal funding.	No change in status - oral argument on the parties' dispositive motions still scheduled for July 21, 2025. Harvard's argument is that the federal government did not take necessary steps to cancel federal funds in an attempt at asserting control over academic decision-making.
San Francisco v. Trump	25-cv- 01350 (N.D. Cal.)	San Francisco and Santa Clara County led a coalition of localities suing to enjoin the enforcement of President Trump's initial Sanctuary Jurisdiction Executive Order. The local governments argued the executive order violates the Tenth Amendment, Separation of Powers, Spending Clause, and Due Process Clause.	The court granted a preliminary injunction on April 24, 2025. After the President issued a new Sanctuary Jurisdiction Executive Order on April 28, 2025, the plaintiffs submitted a motion to enforce or modify the PI based on the new EO. On May 9th the court clarified the injunction applies to future similar actions to wholesale efforts to withhold funds but declined to enjoin the new EO based on the fact that it was directing federal agencies to do particular things, which is within the power of the President to do. On June 23, 2025, the Court issued another order stating that conditions in DHS and DOT grants that impose the Executive Order violate the preliminary injunction.
State of New York, et al. v. Trump	25-1236 (1st Cir.); 25-cv-00039 (D.R.I)	A coalition of states filed a lawsuit challenging the Office of Management and Budget's Memo (1/27/25) that temporarily paused all federal funding. The plaintiffs argued that the OMB's actions violated separation of powers principles, appropriations law, the Spending Clause, and the Administrative Procedure Act.	The district court granted the preliminary injunction, and the First Circuit denied the federal government's motion to stay the injunction. The Appellant's brief was filed on May 27, 2025, to the First Circuit.

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National Association of Diversity Officers in Higher Education v. Trump	25-1189 (4 th Cir.); 25-cv-00333 (D. Md.)	This lawsuit, which was brought by several associations and the City of Baltimore, challenges the DEI Executive Orders. Specifically, it challenges the Executive Order 14151 titled, "Ending Radical Government DEI Programs and Preferencing" (the "J20 Order") which directed each federal agency to terminate all "equity related grants or contracts" within 60 days (the "Termination Provision"). The lawsuit also challenges Executive Order 14173 titled, "Ending Illegal Discrimination and Restoring Merit-Based Opportunity," (the "J21 Order"). The J21 EO threatens civil investigations and the loss of federal funding based on "illegal DEI" programs (which is undefined). It contains a requirement that each agency head "include in every contract or grant award" a requirement that the counterparty certify that it "does not operate any programs promoting DEI that violate any applicable Federal anti-discrimination laws." (The certification requirement). The plaintiffs argue that the Termination Provision exceeds the President's authority and violates the Due Process Clause (because the terms are undefined and susceptible to arbitrary enforcement). The plaintiffs argue the certification requirement violates the separation of powers and the Free Speech Clause of the First Amendment.	The district court granted a preliminary injunction, but the injunction was then stayed pending appeal by Fourth Circuit.
San Francisco Unified School District v. AmeriCorps	25-cv-02425 (N.D. Cal.)	The San Francisco Unified School District and City of Santa Fe brought this lawsuit against AmeriCorps based on AmeriCorps new requirement that grant recipients could only continue using grant funds for their approved purposes if they agreed to eliminate any activities that promote DEI, promote "gender ideology" or address climate change or other environmental issues or else lose their AmeriCorps grant funding. These new requirements were imposed mid-stream and plaintiffs were only given a few days to agree. In their lawsuit, the plaintiffs argue the grant conditions violate the Spending Clause and Administrative Procedure Act.	The district court granted the TRO on March 31, 2025. The court ordered supplemental briefing on the Tucker Act and found that it did have jurisdiction to hear the case on April 23, 2025. The preliminary injunction hearing was held on May 30, 2025, and on June 18, 2025, the Court granted the preliminary injunction.
Chicago Women in Trades v. Trump	2025-cv-2005 (N.D. Ill.)	A nonprofit organization dedicated to "promoting diversity, equity, and inclusion within the skilled trades industry" and which relies on federal funding for approximately forty percent of its budget sued the Trump administration to enjoin the enforcement of the two Executive Orders addressing DEI.	The court entered a TRO on April 14, 2025, which enjoined the DOL from enforcing the false claims act certification in the "Ending Illegal Discrimination and Restoring Merit-Based Opportunity." Exec. Order as to all grantees and contractors nationwide. The court also issued a TRO as to the cancelation of grants under the termination provision of the "Ending Radical and Wasteful Government DEI Programs and Preferences" Executive Order, but that part of the TRO only provided relief to the named party.
Department of Education v. California	No. 24A910 (SCOTUS)	This case involves two competitive-grant programs that Congress created in response to a shortage of qualified teachers. On February 5, 2025, the Acting Secretary of Education issued an internal directive calling for the termination of any grants that fund practices "in the form of [diversity, equity, and inclusion ('DEI')]."	On April 4, 2025, the Supreme Court, on its emergency order docket, stayed the district court's TRO based on its finding that the district court likely lacked jurisdiction under the Tucker Act.
Sustainability Institute v. Trump	25-1575 (4 th Cir.); 25-cv-02152 (D.S.C.)	A coalition of nonprofits and local governments sued the Trump administration based on its memos and directives freezing federally appropriated funds under the Infrastructure Investment and Jobs Act (IIJA) and Inflation Reduction Act (IRA). The lawsuit targets the Unleashing American Energy EO, the "Ending Radical and Wasteful Government DEI [Diversity, Equity, and Inclusion] Programs and Preferencing," and the "Implementing the President's 'Department of Government Efficiency' Cost Efficiency Initiative," EO as well as agency actions implementing these orders. The plaintiff argues the executive branch's actions violate the separation of powers, the First Amendment, and the APA.	The PI hearing was on May 19, 2025. The court granted an earlier motion to expedite discovery and also ruled that the Tucker Act did not preclude its jurisdiction. On May 20, 2025, the court issued judgment on the merits in favor of the plaintiffs on 32 out of 38 grants based on the defendants no longer contesting the merits for those grants after discovery. The court once again found it had jurisdiction over the claims. The defendants submitted a notice of appeal on May 21, 2025. The Fourth Circuit stayed the injunction on June 5, 2025, finding the federal government was likely to succeed on its jurisdictional arguments under the Tucker Act. The plaintiffs have petitioned for rehearing en banc.
Department of Education v. California	No. 24A910 (SCOTUS)	This case involves two competitive-grant programs that Congress created in response to a shortage of qualified teachers. On February 5, 2025, the Acting Secretary of Education issued an internal directive calling for the termination of any grants that fund practices "in the form of [diversity, equity, and inclusion ('DEI')]."	On April 4, 2025, the Supreme Court, on its emergency order docket, stayed the district court's TRO based on its finding that the district court likely lacked jurisdiction under the Tucker Act.

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United States v. Illinois, Cook County, & Chicago	25-cv-01285 (N.D. Ill.)	The United States sued Illinois, Cook County, and Chicago and is seeking declaratory and injunctive relief that the sanctuary policies violate the Supremacy Clause.	Chicago has filed a motion to dismiss, which is pending. The United States has filed a motion for summary judgment which is pending.
New York City v. Trump	25-cv-01510 (S.D.NY)	New York City sued the Trump administration (including the Treasury and FEMA) based on the federal government clawing back funds issued to NYC for the FEMA Shelter Services Program (SSP). Specifically, FEMA had paid NYC over \$80 million pursuant to the SSP grant after FEMA determined that the expenses NYC incurred were eligible for reimbursement. Thereafter, the federal government clawed back those funds from NYC's bank account with no advance notice. In addition to challenging the claw back, New York City is challenging the termination of the SSP grant.	Motions are due July 18, 2025.
Colorado v. U.S. Department of Health & Human Services	25-cv-00121 (D.R.I)	A coalition of states sued the U.S. Department of Health and Human Services (HHS) after it terminated \$11 billion in public health grants appropriated by Congress with no advance notice. HHS claims the termination was "for cause" because the COVID-19 pandemic is over. The grants address ongoing and emerging public health needs of the States, including improving public health programs and infrastructure related to disease surveillance, detection, and outbreak response. The States maintain the funds transcend COVID and were meant to address all manner of public health concerns and that the funds were to remain available after the pandemic ended. The States argue the terminations are contrary to law and violate the APA.	The court granted a TRO on 4/5 and then granted a preliminary injunction on May 16, 2025. The court rejected the defendant's jurisdictional arguments under the Tucker Act. The injunction is limited to funding for the plaintiff States, including their local health jurisdictions and any agents of same.
Harris County v. U.S. Department of Health and Human Services	25-cv-01058 (D.D.C.)	The lawsuit alleges that for over forty years, the County has assisted with Congress's stated refugee resettlement objectives by providing essential health screenings, immunizations, and connections to primary care-services annually to 11,000 refugees and other admitted immigrants with documented legal status. To continue these services, the County was most recently approved to receive over \$10.5M in refugee resettlement program grant funding running through fiscal year 2025. According to the complaint, HHS has continued to deprive the County of refugee resettlement program grants for January 20, 2025 onwards—in violation of the APA, the Constitution, and other laws.	Defendants resumed making payments from January - March 2025 and as a result, the parties asked for the ability to provide a joint status update on May 19, 2025, to update the court on the status of continued payments. On May 19, 2025 the parties indicated that Harris County has continued to receive payments. In light of this, the parties are conferring over whether any further litigation is needed or whether this case may be voluntarily dismissed by Plaintiff. On June 24, 2025, the parties stipulated to dismissal without prejudice.
Harris County v. Kennedy	25-cv-01275 (D.D.C)	Harris County, Columbus, Nashville, and Kansas City sued the Department of Health and Human Services regarding the cancellation of Congressionally appropriated public health funding. The plaintiffs argue the defendants terminated the funding "en masse" and that the funding was not tied to the COVID pandemic as the defendants claim, but rather, that Congress appropriated funding to invest in public health infrastructure to extend beyond the COVID public health emergency. The plaintiffs argue the termination of funds violates the separation of powers, the appropriations statutes, HHS's own regulations, and the APA.	The court held a PI hearing on May 21, 2025. On June 17, 2025 issued the preliminary injunction in part finding that the plaintiff had a likelihood of success on the separation of power claims. The court explained "the President does not have unilateral authority to refuse to spend" funds that Congress has appropriated simply because of "policy reasons[.]"
United States v. City of Rochester	25-cv-06226 (W.D.N.Y.)	The United States sued Rochester and is seeking declaratory and injunctive relief that the sanctuary policies violate the Supremacy Clause.	Complaint was filed on April 24, 2025 and Rochester filed its Answer to the Complaint on May 21, 2025. Motion for judgment on the pleadings filed by Rochester on June 4, 2025.
United States v. Colorado	25-cv-01391 (D. Colo.)	The United States sued Colorado and Denver and is seeking declaratory and injunctive relief that the sanctuary policies violate the Supremacy Clause.	Complaint filed 5/2/25
Illinois v. FEMA	25-cv-00206 (D.R.I.)	A coalition of states filed a lawsuit against FEMA challenging the Department of Homeland Security Standard Terms and Conditions which added immigration related conditions in order to receive grant funding from FEMA.	Complaint filed May 13, 2025. After joint status report on June 20, 2025, Court ordered briefing schedule for summary judgment and denied a motion for preliminary injunction as moot. Plaintiffs authorized to renew motion for preliminary injunction, or seek other immediate relief, if they are required to agree to any of the Civil Immigration Conditions to obtain any other federal funding before September 2025.

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City of Chicago v. United States Department of Homeland Security	25-cv-05462 (N.D. Ill.)	Chicago filed this lawsuit to enjoin the defendants from freezing funding under the Securing Cities counterterrorism program (STC) and to require the defendants to process pending and future reimbursement requests pursuant to law. STC seeks to prevent nuclear and other terrorist attacks in high- risk urban areas. Chicago alleges that DHS has ignored Chicago's requests for reimbursement under the agreement it has in place with DHS and which is authorized by Congress. The complaint alleges that DHS has told the cities that are a part of the program to "pause... all radiological and nuclear detection equipment purchases." The complaint alleges that DHS is violating the separation of powers, that its actions are ultra vires, and that it is violating the APA.	Complaint filed May 16, 2025 and amended to include additional cities including Boston on 6/16.
City of Chicago v. Department of Homeland Security, et. al (SSP)	25-cv-05463 (N.D. Ill.)	This is a lawsuit brought by Chicago, Denver, and Pima County over grant funding that was frozen under the Shelter and Services Program (SSP) and then ultimately terminated. Since the first Trump Administration, Congress has appropriated funds to reimburse non-federal entities for costs incurred helping migrants whom DHS processed and released into the United States. Congress continued this support in 2022 by enacting the Shelter and Services Program, appropriating funds for that purpose and requiring FEMA to administer the Program. Although FEMA had regularly disbursed these funds for years to grantees including local governments, in February 2025, FEMA zeroed out all SSP grant balances and then sent letters to grantees indicating the money was being withheld while it investigated if any grantees had violated federal harboring law. FEMA then terminated the grants based on FEMA's determination that the grants do not effectuate the agency's new priorities. The plaintiffs allege the defendants have violated the separation of powers, the Spending Clause, that its actions are ultra vires and beyond its legal authority, and that it violated the APA.	Complaint filed May 16, 2025. As of June 23, 2025, the Court set dates for briefing in response to Plaintiffs' motion for preliminary injunction. Case set for status hearing on August 13, 2025.
United States v. Newark	25-cv-05081 (D.N.J.)	The United States sued Newark, Jersey City, Paterson, and Hoboken over their immigration policies, claiming they violate the Supremacy Clause.	Complaint filed on May 22, 2025. Summons return executed by U.S. on June 24, 2025.
City of Chelsea v. Trump	25-cv-10442 (D. Mass.)	Chelsea and Somerville, MA filed suit against the federal government related to the Protecting the American People from Invasion EO and other executive actions related to withholding of federal funds based on immigration policy. The plaintiffs seek to enjoin the federal government from withholding federal funds based on sanctuary policies.	Filed a PI on June 3, 2025. Hearing on PI is set for July 9, 2025
Middle East Broadcasting Networks v. United States	25-5150 (D.C. Cir.)	This case is relevant as it relates to the Tucker Act / jurisdictional questions.	A 2-1 panel of the DC Circuit staying a preliminary injunction by the district court based on the panel's views that the federal government was likely to succeed on the merits of its Tucker Act / jurisdictional claims. The en banc D.C. Circuit Court stayed that stay. Then, on May 28, 2025, the en banc court voted in favor of en banc reconsideration and denied the government's motion for stay pending appeal. All briefing will be completed by July 31, 2025.