

# PROTECT YOUR FEDERAL FUNDING— FAST, PRACTICAL LITIGATION SUPPORT



[Michael Farber](#), [Anne Lynch](#), [Patrick Daugherty](#)

***There continues to be significant uncertainty over federal grants, including agency reviews, terminations, and revisions to previously awarded grants.***

In some instances, federal grants and cooperative agreements are being delayed, disputed, or terminated with little warning. Van Ness Feldman’s litigation team helps funding recipients evaluate their risks and opportunities to protect awards, compel lawful disbursements, and keep critical projects on schedule, especially across energy, environment, and infrastructure programs.

We bring a strategic approach designed for efficiency and leverage. Over the last year, our team has helped protect tens of millions of dollars in federal funding, counseled clients across multiple sectors to help clients understand their risk profile to protect their federal funding, and, when necessary, have compelled distributions of wrongly withheld funds.

## **What’s Happening (and Why It Matters)**

- Agencies continue to review prior awards for consistency with Administration priorities and policies.
- Agencies are issuing new awards that are subject to challenge by third parties for perceived inconsistency with Congressional directives.
- Some awards are being delayed, partially funded, or terminated based on shifting program priorities.
- Agency notices often rely on generic regulatory citations and provide limited project-specific rationale —creating opportunities to challenge unlawful action.
- When agencies withhold congressionally appropriated funds or act inconsistently with award terms, recipients may need rapid administrative and court strategies to avoid project disruption.

We focus on practical solutions, through either agency advocacy or litigation aimed at: preserving drawdown access, stabilizing project timelines, and building administrative records needed to for our clients to prevail at the agency or in federal court. Often, a combination of agency advocacy and a strong position for potential litigation can provide the foundation for a negotiated solution.

When necessary, we pursue emergency relief to stop unlawful terminations and restore funding flows so organizations can continue delivering on federally supported missions. The VNF team can both prevail in court and engage with the federal agency to facilitate and ensure expenditure of the awarded grant funds.

Our team is built for high-stakes negotiations and dispute resolution with federal agencies, and we coordinate closely with our federal funding policy team to align litigation strategy with program realities and business objectives.

## How We Help

- **Award risk assessment:** review of the opportunities and risks to federal awards and development of recommendations to ensure award continuation.
- **Termination triage and strategy:** rapid assessment of termination/withholding risk, timelines, and best path to relief.
- **Administrative actions:** objections, reconsideration requests, and record-building to position matters for success.
- **Federal court litigation:** APA and other claims to stop unlawful action, restore awards, and compel disbursement where authorized by statute and appropriations.
- **Project continuity:** coordination with program and technical teams so legal strategy supports on-the-ground execution.
- **Reviews and withholdings:** analysis and development of strategy to respond to federal agency withholding of awarded grant funds and requests to rescope contracted grants.

## Representative Experience

- Counseling award recipients responding to terminations and funding pauses, including fast-turn analysis of award terms and agency rationales.
- Designing administrative strategies to preserve rights, meet short deadlines, and build a durable record for court review.
- Securing court-ordered relief to maintain funding continuity, including injunctive relief requiring agencies to honor lawful drawdown requests.

## Our Team

Want to discuss protecting an award or restoring disbursements? Please contact:



Mike Farber, Partner  
[mfarber@vnf.com](mailto:mfarber@vnf.com)  
202-298-1803



Anne Lynch, Partner  
[alynch@vnf.com](mailto:alynch@vnf.com)  
202-298-1926



Patrick Daugherty, Partner  
[pod@vnf.com](mailto:pod@vnf.com)  
202-298-1810