

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN ASSOCIATION OF
UNIVERSITY PROFESSORS,

and

AMERICAN FEDERATION OF
TEACHERS,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
JUSTICE, *et al.*,

Defendants.

Case No. 1:25-cv-02429-MKV

Supplemental Declaration of Todd Wolfson

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AMERICAN ASSOCIATION OF UNIVERSITY
PROFESSORS,

and

AMERICAN FEDERATION OF TEACHERS,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF JUSTICE. *et*
al.,

Defendants.

Case No. 1:25-cv-02429-MKV

SUPPLEMENTAL DECLARATION OF TODD WOLFSON

I, Todd Wolfson, hereby declare as follows:

1. I currently serve as President of the American Association of University Professors (“AAUP”), a plaintiff in this action. I have served in that position since June 2024. I previously submitted a declaration in this action describing my background. *See* Declaration of Todd Wolfson (Mar. 31, 2025) (ECF 27).

2. I have personal knowledge of the facts set forth in this supplemental declaration in support of Plaintiff’s Motion for Preliminary Injunction, and if called as a witness in this action, I could and would testify competently to these facts.

3. In my previous declaration, I described harms that the AAUP’s members and the AAUP itself have suffered and will suffer from Defendants’ actions without a preliminary injunction. I have reviewed declarations submitted by other AAUP/AFT members describing harms they have suffered and will suffer without a preliminary injunction. I have also reviewed the April 1, 2025 Declaration of AFT Director of Higher Education Julie Schmid, describing harms

that the American Federation of Teachers (“AFT”), AAUP’s affiliate organization and co-plaintiff in this action, has suffered and will suffer without a preliminary injunction. This supplemental declaration summarizes the harms to the AAUP, the AFT, and their members described in those prior declarations.

Harms to AAUP and AFT Members

4. The following paragraphs of my previous declaration and other AAUP/AFT members’ declarations describe the direct financial harms from loss of federal funding that AAUP/AFT members are suffering from Defendants’ cancelation of federal funding to Columbia and are at imminent risk of suffering as a result of Defendants’ threats to cancel more funding if Columbia does not accede to Defendants’ demands:

- a. **Declaration of Reinhold Martin (April 2, 2025) (ECF 29):** ¶¶13, 15 (AAUP/AFT member’s grant cut, grant covered 80% of salary), ¶¶22-23 (canceled grant covered “bulk” of salary), ¶¶32, 36 (grant funding two professors was canceled), ¶¶43, 49 (canceled grant covered 15% of salary, with other canceled grants covering “a large part” of their salary).
- b. **Declaration of Susan Witte (March 31, 2025) (ECF 30):** ¶15 (canceled grant would have provided salary support).
- c. **Declaration of Jennifer Hirsch (April 2, 2025) (ECF 32):** ¶12 (Columbia committed to provide temporary salary coverage for portion of canceled grant during “immediate period of uncertainty,” but not beyond).
- d. **Declaration of Witness-A (ECF 34, under seal):** ¶6 (salary nearly 100% covered by grant funding, with direct relationship between salary and grant funding), ¶¶8-10 (two grants canceled).
- e. **Declaration of Witness-B (ECF 35, under seal):** ¶¶7-8, 18 (position depends on grant funding, grants support up to 25% of salary, and several grants were terminated).
- f. **Declaration of Todd Wolfson (March 31, 2025) (ECF 27):** ¶9 (AAUP/AFT members rely on federal grants to support their research, scholarship, and teaching activities),

¶10 (AAUP/AFT members have lost funding as a result of \$400 million cancellation), ¶11 (AAUP/AFT members rely on federal funding Defendants have threatened to cancel), ¶12 (AAUP/AFT members concerned about losing their jobs or ability to continue to support their livelihoods).

5. The following paragraphs of other AAUP/AFT members' declarations describe examples of how Defendants' cancellation of federal funding to Columbia is harming ongoing and future work on previously approved multi-year grants:

- a. **Declaration of Reinhold Martin (April 2, 2025) (ECF 29):** ¶13 (termination of 5-year NIH U2R grant, with 1.5 years remaining), ¶17 (T32 training grants for PhD students in middle of 5-year grant), ¶22 (3-year NIH K01 grant terminated 2 months into project), ¶32 (5-year grant from National Cancer Institute canceled 1.5 years into grant), ¶35 (research halted after grant withdrawn, including clinical trial that had not yet begun), ¶¶43-44 (3-year grant, about 6 months into program).
- b. **Declaration of Susan Witte (March 31, 2025) (ECF 30):** ¶¶7, 10 (termination of 3-year NIH P20 grant just recently awarded).
- c. **Declaration of Jennifer Hirsch (April 2, 2025) (ECF 32):** ¶¶8-9 (termination of NIH 5-year grant for pre-doctoral research training program, currently in year 3).
- d. **Declaration of Witness-A (ECF 34, under seal):** ¶9 (termination of multi-year grants).

6. The following paragraphs of my previous declaration and other AAUP/AFT members' declarations describe harms beyond the loss of money that AAUP/AFT members and others are suffering and are at imminent risk of suffering as a result of Defendants' cancellation of federal funding to Columbia and threats to cancel more funding if Columbia does not accede to Defendants' demands:

- a. **Declaration of Reinhold Martin (April 2, 2025) (ECF 29):** ¶14 (cancellation caused interruption of collaborative research and training activities with scientists and trainees at other institutions), ¶17 (lost training and mentoring from NIH training grants), ¶18

(fewer training grants means smaller cohort of doctoral students, reduced research productivity for faculty, reduced teaching by teaching assistants), ¶24 (end of employment of research assistant), ¶25 (lost critical career development support for early career researchers, including training programs, data access, seminars, travel to collaborate; disruption of coordination with advisory teams and delayed access to knowledge and skills), ¶26 (will “jeopardize future recruitment opportunities” by causing inadequate training), ¶35 (research halted after grant withdrawn, including clinical trial that had not yet begun), ¶37 (termination of 10 people with unique experience and skills in South Africa supporting research will “set back this project and lifesaving research to combat cervical cancer substantially”), ¶38 (forced reneging on commitments to partners “erode[s] trust” with partnering organizations), ¶45 (cuts harm external partners at other universities), ¶46 (masters students working as research assistants laid off), ¶48 (causing delay in environmental health research).

- b. **Declaration of Susan Witte (March 31, 2025) (ECF 30):** ¶10 (cancelation means faculty cannot hire to support research), ¶¶11-14 (laid off staff in Nairobi who had experience and standing in the community important for community health work), ¶16 (lost training opportunities for PhD students), ¶¶17-22 (stopping work “breaks the trust of the community” which is “vital” for research and will harm future efforts even if other funding were found), ¶19 (lost opportunities for conferences and knowledge-sharing), ¶¶24-25 (stopping work harms “trust and long-standing relationships with the local stakeholders” critical to research making it difficult to do future work because of this damaged trust).
- c. **Declaration of Victoria Frye (March 30, 2025) (ECF 31):** ¶¶6-8 (loss of T32 training grants for pre-doctoral students means less research work), ¶9 (“training program grants are critical to the development of future scientists in HIV-prevention and in research generally – the cutting of training program funding risks decimating a

generation of scientists”); ¶10 (cuts harm ability to do long-term planning), ¶11 (harm to HIV research “threatens the health of all our communities”).

- d. **Declaration of Jennifer Hirsch (April 2, 2025) (ECF 32):** ¶¶8-10 (termination of training grant “puts the survival of the doctoral program as a whole in peril”), ¶13 (trainees denied access to regional meetings and conferences vital for professional development), ¶14 (unable to hire for future cycles).
- e. **Declaration of Witness-A (ECF 34, under seal):** ¶9 (end of study breaks trust, makes it hard to recruit new study participants), ¶10 (stopping longitudinal study makes data collected earlier of little use), ¶12 (ending training grants hurts next generation of health sciences, makes it more difficult to recruit American students to health science).
- f. **Declaration of Witness-B (ECF 35, under seal):** ¶¶12-13 (long-term project close to being finished has stopped, “years of hard work are basically lost”), ¶16 (cancellation breaks trust with collaborators outside Columbia, also detrimental to faculty’s reputation, even if funding is restored), ¶17 (harms workers at other universities who were funded as part of grant), ¶20 (likely causes layoffs of people with expertise), ¶29 (irrevocably complicates long term planning necessary to do collaborative work), ¶32 (harm to research risks harms to community health).
- g. **Declaration of Todd Wolfson (March 31, 2025) (ECF 27):** ¶10 (funding cancellation causes AAUP members irreparable harm to their research, work, reputation, and ability to pursue their careers), ¶11 (uncertainty makes it difficult to plan, maintain professional relationships, and recruit staff).

7. The following paragraphs of my previous declaration and other AAUP/AFT members’ declarations describe harms that AAUP/AFT members and others are suffering to their First Amendment free speech, association, and academic freedom rights as result of Defendants’ actions:

- a. **Declaration of Reinhold Martin (April 2, 2025) (ECF 29):** ¶20 (cuts “have had a chilling effect on everyone at Columbia”), ¶54 (causing students and faculty to be “far

more self-conscious in the classroom”), ¶¶57-59 (own teaching constrained; classroom environment “has become noticeably less open”), ¶¶62, 64 (faculty “unable to step forward and speak freely”).

- b. **Declaration of Susan Witte (March 31, 2025) (ECF 30):** ¶¶29-30 (“I’m uncertain about what I can and cannot say in the classroom or in public” and Defendants’ actions are “prevent[ing] me from expressing what should be a valid and legal viewpoint in the United States”), ¶32 (student refused to complete assignment for fear government could access it), ¶¶34-36 (funding cuts caused “second-guessing how my words may be taken out of context”; “my academic freedom is chilled”).
- c. **Declaration of Victoria Frye (March 30, 2025) (ECF 31):** ¶¶15, 17 (“I now no longer talk freely in my work building” and “I am concerned that if I speak out, I will lose funding or others close to me will lose funding, and then our research study participants will be harmed”), ¶16 (faculty changed information session due to fear of government).
- d. **Declaration of Jennifer Hirsch (April 2, 2025) (ECF 32):** ¶21 (fear about participating in this case), ¶24 (fear that speaking out “will lead to me being blacklisted at NIH”).
- e. **Declaration of Witness-B (ECF 35, under seal):** ¶¶34-35 (feel chilled in my speech in teaching and around campus).
- f. **Declaration of Witness-C (ECF 36, under seal):** ¶7 (funding cancelation and March 13 demands are chilling speech on campus, stifling classroom discussion and participation, event programming and external speaker visits, and research by students and faculty), ¶8 (students are scared to speak in class; one student compared the chill to their experience studying in Russia), ¶9 (faculty fear speaking openly in classrooms, events have been canceled, course material restricted or deleted from online).
- g. **Declaration of Witness-D (April 1, 2025) (ECF 38, redacted):** ¶¶13-16 (students at other colleges fear speaking), ¶¶18-22 (faculty at other colleges are experiencing chill, changing teaching and choice of reading assignments).

- h. **Declaration of Todd Wolfson (March 31, 2025) (ECF 27): ¶28** (faculty have canceled conferences, pulled papers set for publication, decided not to teach certain classes, stopped attending talks, refrained from attending lawful protests, and stepped down from their AAUP chapter board).

Harms to the AAUP and the AFT

8. The following paragraphs of my previous declaration and the declaration of AFT Director of Higher Education Julie Schmid describe ways that Defendants' actions have directly impaired the AAUP's and the AFT's missions to advance academic freedom and protect the economic security of academic workers:

- a. **Declaration of Todd Wolfson (March 31, 2025) (ECF 27): ¶16** (Defendants' funding cancelation and threats to cancel more "are directly impairing the AAUP's mission" including mission "to advance academic freedom and shared governance in higher education, define fundamental values and standards for higher education, promote the economic security of academic workers, and ensure higher education's contribution to the common good"), ¶22 (Defendants' actions "disrupt and frustrate the AAUP's efforts to secure principles of academic freedom, shared governance, and due process at Columbia and elsewhere"), ¶24 (Defendants' actions "make it harder for the AAUP to achieve its goals of promoting academic freedom, shared governance, and due process principles," partly "because Columbia has taken steps in direct response to the Trump Administration's actions to undermine those principles," and Columbia is "less willing now to protect those principles in the face of threatened funding cuts"; Defendants have also "directly impaired the AAUP's mission by pressuring Columbia to curtail speech and academic freedom on campus").
- b. **Declaration of Julie Schmid (April 1, 2025) (ECF 28): ¶12** (cancelation of funding and demands that Columbia take additional steps as a "precondition" for any continued federal funding directly impairs AFT's mission), ¶21 (Defendants' actions "have undermined and eroded the longstanding principles of academic freedom, shared

governance, and due process that the AFT helps and seeks to protect at Columbia and other institutions” and “[a]s a direct result of Defendants’ actions, Columbia no longer adheres to these principles”), ¶23 (Defendants’ actions “make it harder for the AFT to achieve its goals of promoting academic freedom, shared governance, and due process principles in part because of the steps Columbia has taken in response to the Trump Administration’s actions to undermine those principles”).

9. The following paragraphs of my previous declaration and the declaration of AFT Director of Higher Education Julie Schmid describe ways that Defendants’ actions have forced the AAUP and the AFT to spend money and divert substantial resources from other efforts:

- a. **Declaration of Todd Wolfson (March 31, 2025) (ECF 27):** ¶20 (AAUP diverted staff time and expenses to assist Columbia members respond to Defendants’ demands), ¶23 (Defendants’ actions are costing AAUP more time and expenses to respond to government’s threats to academic freedom), ¶¶25-27 (AAUP forced to conduct nationwide calls and meetings to coordinate responses and represent faculty; redirected staff to be physically present on Columbia’s campus to support campus chapter’s response; spent “countless hours” advising Columbia members about government’s demands to place controls on MESAAS Department).
- b. **Declaration of Julie Schmid (April 1, 2025) (ECF 28):** ¶¶19-20 (AFT diverted staff time and resources that would been devoted other work to host weekly calls, biweekly webinars, and produces weekly newsletter to advise affiliate leaders and members seeking guidance on how to respond to funding cuts and threats; and drafted contract and policy language to be used by affiliates), ¶22 (will cause significantly greater expenditures from AFT Defense Fund to support academic freedom and due process rights of faculty), ¶24 (forces to divert resources to respond to significant influx of inquiries from affiliates and members seeking guidance on how to protect academic freedom)

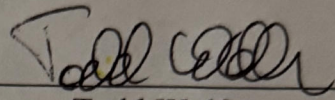
10. Since I signed my previous declaration on March 31, 2025, Defendants' funding cuts, threats to make additional cuts if Columbia does not accede to their demands, and freezing of additional federal funding to Columbia, including freezing all NIH grants, have directly frustrated the AAUP's core activities of providing counseling, advice, and support services to AAUP chapters and members to advance the AAUP's mission to protect academic freedom, due process, and economic security of higher education professionals. Defendants' actions have caused the AAUP to divert additional time, money, and staff resources from other efforts to respond to Defendants' actions. For example, since March 31, 2025, the AAUP has assigned a staff person to spend 90% of his time supporting the Columbia AAUP chapter, providing guidance, assistance, advice, and support services focused on helping the chapter protect the academic freedom and economic security of AAUP members at Columbia from the harms caused by Defendants' actions and threats. The AAUP's Executive Director has spent 10-12 hours in the past month alone focused exclusively on the AAUP's guidance and support services to the Columbia AAUP and its members. The AAUP's Secretary Treasurer has also spent substantial time creating organizing materials specifically for the Columbia AAUP chapter.

11. The AAUP diverted time, money, and staff resources to engage in these efforts and the efforts described in my previous declaration to respond to Defendants' actions that directly harmed the AAUP's ability to provide its core services to its chapters and members. Had Defendants not cut funding to Columbia and threatened to cut more funding unless Columbia complied with Defendants' demands, the AAUP would have used that staff time, money, and resources to engage in different tasks intended to promote other aspects of the AAUP's mission. For example, the AAUP would have assigned the staff person who has been almost exclusively dedicated to supporting the Columbia chapter to support other AAUP chapters. The AAUP's leadership has postponed addressing routine personnel matters that would have been addressed and resolved had leadership not been forced to dedicate its time to supporting the Columbia chapter and its members. The AAUP has also diverted staff time, resources, and money from other AAUP

chapters, and has not provided the support and services for organizing efforts at other universities that AAUP would have provided had it not been for Defendants' actions.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 6th day of May 2025.



Todd Wolfson