

**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

Declaration of Veena Dubal

**IN THE UNITED STATES DISTRICT COURT
FOR THE 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

Declaration of Veena Dubal

I, Veena Dubal, declare as follows:

1. I currently serve as General Counsel for the American Association of University Professors (“AAUP”), one of the Plaintiffs in this case. I am licensed to practice law in California.
2. I am also a Professor of Law at University of California, Irvine.
3. I received a B.A. from Stanford University and J.D. and Ph.D. degrees from the University of California, Berkeley.
4. I received the documents attached to this declaration as Exhibit A from multiple AAUP members on the faculty at Columbia University who had grants frozen as part of Defendants’ termination of \$ 400 million in grant funding to Columbia.
5. It is my understanding that those members received these communications from the Columbia Office of the General Counsel on or around March 24, 2025.

6. It is my understanding that these members had not sought legal counsel from the Columbia Office of the General Counsel and did not understand themselves to have any sort of attorney-client relationship with that office.

7. Further, it is my understanding that the communications were received by many, if not all, faculty members who had grants terminated. The correspondence does not appear to be personalized to individual faculty members but instead is generally addressed to: “Dear Principal Investigators with terminated awards.”

8. These communications advised AAUP members that the government had identified certain “non-aligned” ideas and areas of research that might impact the ability of AAUP members to receive grants. The communications asked AAUP members to consider how they could rescope their federally-funded research to avoid topics and ideas that are “non-aligned” with the current federal administration. That members have been asked to avoid certain topics in research for political reasons presents a clear harm to academic freedom— and protecting academic freedom is AAUP’s core mission.

9. These communications suggest that Columbia understands the question of whether grant funding will resume to turn not on whether it cures any claimed violation of Title VI with respect to antisemitism, but on whether the research funded by the terminated grants can be revised to avoid “non-aligned” areas. The prospect of the government identifying—and Columbia accepting—areas of academic inquiry as off limits or non-aligned for purposes of scholarly research is particularly troubling to AAUP given its commitment to academic freedom.

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

Dated: April 3, 2025

Signed: 

Veena Dubal
General Counsel, AAUP

EXHIBIT A

From: [REDACTED]
Date: Monday, March 24, 2025 at 11:15 AM
To: [REDACTED]
Subject: Time-Sensitive: Potential Appeal of Termination of Your Award(s)

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

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Dear Principal Investigators with terminated awards:

Many of you have asked how you can help with a potential appeal of the termination of your award(s). Please read through this entire email and then respond via the attached form as soon as possible and **no later than Friday, March 28, 2025** either (a) indicating that you do *not* wish to pursue an appeal or (b) providing the specific information requested in this email.

****If you do not respond via the attached form, we will assume that you do not wish to pursue an appeal.**** However, we would appreciate your filling out the attached form with a “no appeal” response, rather than not responding at all.

Potential Appeals

The University continues to assess the strategies most likely to protect and restore the University's federal research portfolio. Individual appeals of terminated awards may be a part of that strategy. We need your help to be prepared to file such appeals on time.

Earlier this year, the University conducted a risk analysis of its federal portfolio in relation to the new administration's Executive Orders concerning DEI, gender ideology and climate/environmental justice. Through AI and human review, your award was identified as containing some content in one or more of these areas. Since the risk assessments were completed, the government has also identified additional “non-aligned” areas, including vaccine research, research on COVID-19, and research involving global collaborations with countries such as China and South Africa.

The success of a potential appeal may turn on the ability to persuade the government that your proposal can be rescoped to address any potential concern, by eliminating or revising those areas in such a way that does not affect the science being proposed.

What we need from you if you wish to pursue an appeal

For this reason, if you wish to file an appeal and you believe that your award could be rescoped to avoid the “non-aligned” areas in such a way that does not affect the science being proposed, we ask that you draft a statement explaining how. Please do not submit a rewrite of your proposal now – that might happen at a later stage. At this time, all we want is your best arguments for why the termination could be reversed with some modification of the underlying proposal.

Please Note: Some of you may have received modified Notices of Award or other notifications that cited “unsafe antisemitic actions” or other similar statements. We are *not* asking you to address these Title VI-based statements in your response. Rather, please focus your response on the government’s “non-aligned” areas only.

I recognize that you have already been asked for a great deal of information in the RAP process and the impact statements I requested last week. However, as PIs, you are best positioned to articulate the factual bases we need if we are to pursue appeals. For this reason, please provide your response to me no later than March 28, 2025.

If you do not believe that your award contains any of the “non-aligned” areas, or you do not know which “non-aligned” area might apply, please consult in the first instance with your Vice Dean for Research. However, the attached form should only be returned to me - and not cc'ed to anyone else - in order to preserve privilege.

If you have questions, please reach out to me at [REDACTED]

Thank you.

[REDACTED]

Office of the General Counsel

LEGAL NOTICE

This message (including any attachments) contains confidential information which may be legally privileged. If you are not the intended recipient of this message, you are hereby notified that any disclosure, copying, or distribution of this message, or the taking of any action based on its content, is strictly prohibited. If you received this message in error, please immediately notify the sender by

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Name of PI:
Title of Award:
ARC Project Number: GG –
Agency Award Number:
Year of
Is this award currently in a no-cost extension year (Y/N):

Please return to the Office of the General Counsel at [REDACTED] no later than Friday, March 28, 2025. Please send this survey *only* to OGC; please do not share elsewhere at this time.

Please complete a separate survey for each award that has been terminated.

If you are a sponsor of students and/or post docs, please provide your responses on their behalf.

1. If the University determines that individual appeals are an appropriate strategy, do you wish to pursue an appeal of the termination of this award?

_____ Yes

_____ No

2. If you answered YES to Question #1, please indicate which of the following "non-aligned" areas may be present in your award. Please select as many as you believe may apply.

_____ DEI

_____ Gender Ideology

_____ Climate/Environmental justice

_____ Vaccine research

_____ Research on COVID-19

_____ Research involving global collaborations

_____ Other, please identify: _____

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3. Did the Notice of Funding Opportunity (NOFO) require you to include content in what are now considered "non-aligned" areas? If yes, please describe the requirement. **[100 words]**

4. If you believe your proposal can be rescoped to avoid the "non-aligned" areas you identified in Question #2 in such a way that does not affect the science being proposed, please provide a statement here explaining how you would do so. **[400 words]**