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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION**

SAN FRANCISCO AIDS FOUNDATION;
et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
 as President of the United States; *et al.,*

Defendants.

Case No. 4:25-cv-01824-JST

**SUPPLEMENTAL DECLARATION OF
 ROBERTO ORDEÑANA, EXECUTIVE
 DIRECTOR OF THE GLBT
 HISTORICAL SOCIETY, IN SUPPORT
 OF PLAINTIFFS' MOTION FOR
 PRELIMINARY INJUNCTION**

1 I, Roberto Ordeñana, hereby state as follows:

2 1. I am the Executive Director at the GLBT Historical Society. I have personal
3 knowledge of the facts stated herein and, if called upon, could competently testify thereto.

4 2. I submit this declaration to inform the Court of the termination of a grant previously
5 awarded to GLBT Historical Society by the National Endowment for the Humanities (“NEH”).

6 3. On August 26, 2024, GLBT Historical Society received approval from NEH for a
7 grant of \$10,000 under Federal Award ID Number PG-300781-24 as part of the American Tapestry
8 initiative.

9 4. The American Tapestry initiative leverages the humanities to strengthen
10 democracy, advance equity, address climate change, and specifically aims to preserve our cultural
11 inheritance. This initiative emphasizes equity by supporting projects that ensure diverse historical
12 narratives are preserved and accessible, enhancing public education and understanding of
13 historically marginalized communities.¹

14 5. The grant was specifically intended to support the purchase, shipping, and
15 installation of preservation furniture for the storage and preservation of approximately 1,500 rare
16 and unique LGBTQ archival posters within GLBT Historical Society’s Dr. John P. De Cecco
17 Archives and Special Collections.

18 6. These posters represent critical visual and documentary evidence of LGBTQ
19 community engagement with the cultural, political, and social dynamics of Northern California.
20 They provide essential documentation of marginalized queer communities whose historical
21 contributions and experiences are frequently overlooked or lost. Thus, preserving these materials
22 directly supports the grant’s objectives to preserve our cultural inheritance and advance equity for
23 all.

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27 ¹ <https://www.neh.gov/news/american-tapestry-weaving-together-past-present-and-future>

1 7. The GLBT Historical Society applied for this grant on January 11, 2024, detailing
2 the project's alignment with NEH's preservation and equity goals. On August 26, 2024, NEH
3 formally approved the grant. A copy of the Notice of Award is attached hereto as **Exhibit A**.

4 8. The preservation initiative was recommended by professional assessments to
5 prevent damage from potential environmental risks, thus safeguarding irreplaceable historical
6 records essential for researchers, scholars, educators, artists, and the broader public. The GLBT
7 Historical Society uses these archival collections extensively in exhibits, educational programs,
8 and public outreach, significantly contributing to community awareness and understanding of
9 LGBTQ history and experiences, consistent with the American Tapestry's goals of cultural
10 preservation and advancing equity.

11 9. Despite initial approval and our reliance on such, on April 2, 2025, NEH terminated
12 the grant effective immediately. A copy of the termination notice is attached hereto as **Exhibit B**.

13 10. This termination significantly impacts our capacity to preserve critical historical
14 materials and undermines our commitment to equitable access to LGBTQ historical narratives,
15 including crucial elements of transgender history.

16 11. We still do not understand why the grant was terminated. Our grant application was
17 clearly within the stated purposes of the American Tapestry initiative. While the termination letter
18 cites to an executive order that purportedly mandates that the NEH eliminate all non-statutorily
19 required activities and functions, the law that lead to the creation of the NEH states that, "It is vital
20 to democracy to honor and preserve its multicultural artistic heritage as well as support new ideas,
21 and therefore it is essential to provide financial assistance to its artists and the organizations that
22 support their work." A printout of the NEH webpage for the National Foundation on the Arts and
23 the Humanities Act of 1965 (P.L. 89-209) is attached hereto as **Exhibit C**.

24 12. What is more, the termination letter includes language that is very disconnected
25 from the stated program purpose, including vague justifications such as "new direction in
26 furtherance of the President's agenda," "termination is necessary to safeguard the interests of the
27

1 federal government," "represents an urgent priority," and references to "exceptional
2 circumstances." The language used suggests urgency and a threat to the government's interests but
3 provides no meaningful explanation or rationale for why the grant poses such an immediate
4 concern.

5 13. Given the above, on April 4, 2025, we reached out to the NEH for further
6 explanation about the termination; what our ongoing obligations under the grant are, if any; and
7 how, if at all, we would be able to recoup expenses already incurred in connection with the grant.
8 On April 7, 2025 we received a response that "no further information is available at this time" and
9 to "refer to the termination notice from the Acting Chair for information." A copy of the inquiry
10 to the NEH is attached hereto as **Exhibit D**.

11 14. Regardless of this termination, we intend to continue to apply and compete for NEH
12 grant funding opportunities that align with and help us fulfill our mission. However, pursuant to
13 the Gender Order and the DEI-1 and DEI-2 Orders, the NEH has added guidance to its Notices of
14 Funding Opportunities (NOFOs) restricting such funding opportunities from the "promotion of
15 gender ideology," "environmental justice initiatives or activities," "discriminatory equity
16 ideology," and DEI/DEIA. A printout of the NEH webpage titled "NEH Implementation of Recent
17 Executive Orders," last updated March 20, 2025, is attached hereto as **Exhibit E**.

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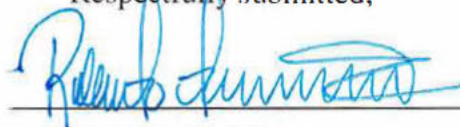
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2 I declare under penalty of perjury under the laws of the United States of America that the
3 foregoing is true and correct.

4 Dated: April 7, 2025

Respectfully submitted,

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6 _____

7 Roberto Ordeñana
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EXHIBIT A



August 26, 2024

Daniel Bao
Finance Director
GLBT Historical Society



Federal Award ID Number: PG-300781-24

Dear Mr. Bao:

I am delighted to inform you that the National Endowment for the Humanities (NEH) has approved an award of \$10,000.00 in support of your institution's project. The application was considered carefully during the NEH review process, which includes peer review along with deliberation by the National Council on the Humanities and the Office of the Chair.

Support for your project comes in part from NEH's "American Tapestry: Weaving Together Past, Present, and Future," a special initiative that leverages the humanities to strengthen our democracy, advance equity for all, and address our changing climate.

The award documents from the NEH Office of Grant Management, which provide information on the period of performance and the terms and conditions that apply to your project, are available in eGMS Reach, NEH's electronic grant management system. Please review the award materials carefully. Address your questions either to the grants administrator or to the program officer whose names appear in the terms and conditions.

A notice of award has also been sent to the project's director, Kelsi Evans.

Congratulations on your award. I wish you every success.

Sincerely,

A handwritten signature in black ink that reads "Richard C. Brundage".

Richard C. Brundage
Director, Office of Grant Management

EXHIBIT B



**NATIONAL ENDOWMENT FOR THE HUMANITIES
NOTICE OF GRANT TERMINATION**

April 2, 2025

Mr. Daniel Bao

GLBT Historical Society

Dear NEH Grantee,

This letter provides notice that the National Endowment for the Humanities (NEH) is terminating your federal grant (Grant Application No. PG30078124) effective April 2, 2025, in accordance with the termination clause in your Grant Agreement.

Your grant no longer effectuates the agency's needs and priorities and conditions of the Grant Agreement and is subject to termination due to several reasonable causes, as outlined in *2CFR§200.340*. NEH has reasonable cause to terminate your grant in light of the fact that the NEH is repurposing its funding allocations in a new direction in furtherance of the President's agenda. The President's February 19, 2025 executive order mandates that the NEH eliminate all non-statutorily required activities and functions. *See Commencing the Reduction of the Federal Bureaucracy*, E.O. 14217 (Feb. 19, 2025). Your grant's immediate termination is necessary to safeguard the interests of the federal government, including its fiscal priorities. The termination of your grant represents an urgent priority for the administration, and due to exceptional circumstances, adherence to the traditional notification process is not possible. Therefore, the NEH hereby terminates your grant in its entirety effective April 1, 2025.

Please remember that your obligations under the Grant Agreement continue to apply. Additionally, an audit may be conducted by the NEH after the termination of your grant.

Please contact [REDACTED] with only urgent questions.

Sincerely,

/s/ Michael McDonald

Michael McDonald
Acting Chairman, National Endowment for the Humanities
[REDACTED]

EXHIBIT C



NATIONAL ENDOWMENT
FOR THE HUMANITIES

National Foundation on the Arts and the Humanities Act of 1965 (P.L. 89-209)

AN ACT To provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

Section 1. This Act may be cited as the "National Foundation on the Arts and Humanities Act of 1965".

(20 U.S.C. 951, note) Enacted Sept. 29, 1965. P.L. 89-202, sec. 1, 79 Stat. 845; amended May 31 1984, P.L. 98-306, sec. 2, 98 Stat. 223; amended Dec. 20, 1985, P.L. 99-194, sec. 101, 99 Stat. 1332.

DECLARATION OF FINDINGS AND PURPOSES

SEC. 2. The Congress finds and declares the following:

(1) The arts and the humanities belong to all the people of the United States.

(2) The encouragement and support of national progress and scholarship in the humanities and the arts, while primarily a matter for private and local initiative, are also appropriate matters of concern to the Federal Government.

(3) An advanced civilization must not limit its efforts to science and technology alone, but must give full value and support to the other great branches of scholarly and cultural activity in order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future.

(4) Democracy demands wisdom and vision in its citizens. It must therefore foster and support a form of education, and access to the arts and the humanities, designed to make people of all backgrounds and wherever located masters of their technology and not its unthinking servants.

(5) It is necessary and appropriate for the Federal Government to complement, assist, and add to programs for the advancement of the humanities and the arts by local, State, regional, and private agencies and their organizations. In doing so, the Government must be sensitive to the nature of public sponsorship. Public funding of the arts and

humanities is subject to the conditions that traditionally govern the use of public money. Such funding should contribute to public support and confidence in the use of taxpayer funds. Public funds provided by the Federal Government must ultimately serve public purposes the Congress defines.

(6) The arts and the humanities reflect the high place accorded by the American people to the nation's[1] rich cultural heritage and to the fostering of mutual respect for the diverse beliefs and values of all persons and groups.

(7) The practice of art and the study of the humanities require constant dedication and devotion. While no government can call a great artist or scholar into existence, it is necessary and appropriate for the Federal Government to help create and sustain not only a climate encouraging freedom of thought, imagination, and inquiry but also the material conditions facilitating the release of this creative talent.

(8) The world leadership which has come to the United States cannot rest solely upon superior power, wealth, and technology, but must be solidly founded upon worldwide respect and admiration for the Nation's high qualities as a leader in the realm of ideas and of the spirit.

(9) Americans should receive in school, background and preparation in the arts and humanities to enable them to recognize and appreciate the aesthetic dimensions of our lives, the diversity of excellence that comprises our cultural heritage, and artistic and scholarly expression.

(10) It is vital to democracy to honor and preserve its multicultural artistic heritage as well as support new ideas, and therefore it is essential to provide financial assistance to its artists and the organizations that support their work.

(11) To fulfill its educational mission, achieve an orderly continuation of free society, and provide models of excellence to the American people, the Federal Government must transmit the achievement and values of civilization from the past via the present to the future, and make widely available the greatest achievements of art.

(12) In order to implement these findings and purposes, it is desirable to Establish a National Foundation on the Arts and the Humanities.

(20 U.S.C. 951) Enacted Nov. 5, 1990, P.L. 101-512, sec. 101, 104 Stat. 1961.

EXHIBIT D

Reminders

Reminders

Award PG-300781-24

1 Unread Messages

Award: PG-300781-24

Information

Funding

Instructions

Documents

Forms and Reports

Products and Media

Venues

Change Requests

Payments

Messages

Write Ups



Message regarding PG-300781-24 (GLBT Historical Society)

Notice of Grant Termination



Recipients	Name		Date Added
	Daniel Bao		4/4/2025
	Kelsi Evans		4/4/2025
	Adam Oppenheim (NEH)		4/4/2025
	Elizabeth Arroyo (NEH)		4/4/2025
	Add Recipients		

Logs

4/4/2025 7:29 PM - Daniel Bao

To Whom it May Concern,

I am following up on your termination letter dated April 2, 2025, regarding our NEH grant (Federal Award ID Number PG-300781-24). The reasons stated in the termination notice were unclear.

Given the alignment of our grant application with the stated purposes of the American Tapestry initiative, we are unable to understand why our grant posed any concern.

Could you please provide further explanation regarding the reasons for this termination?

What are our ongoing obligations under this grant?

Would we be able to recuperate expenses already incurred under this grant?

Thank you very much for your prompt attention to this matter.

Daniel Bao on behalf of Roberto Ordenana

 [NoticeofGrantTermination_PG30078124.pdf](#)

4/7/2025 1:24 PM - Adam Oppenheim (NEH)

Thank you for reaching out. The Acting Chair has made the decision to terminate awards. We are aware that termination letters were sent from the email address Grant_Notifications@nehmail.onmicrosoft.com. The Office of Grant Management does not have any further information at this time. Please refer to your termination notice from the Acting Chair for information and follow up with the contact listed in the termination letter from that email address.

Send a Comment

Comment

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	<div></div> <div><div>✎ Design</div><div></> HTML</div></div>
Attach	<p>Accepted file formats: PDF (.pdf), Microsoft Word (.doc/.docx), Microsoft Excel (.xls/.xlsx), Images (.jpg, .gif, .png, .bmp, .tif).</p> <p>Maximum file size: 100 MB.</p> <div><div></div><div>Select</div></div>
	<div><div>✕ Close Message</div><div>✉ Send Message</div></div>



[NEH Privacy Policy](#)

OMB number: 3136-0134 (Expires: 10/31/2027)

Pursuant to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number.

EXHIBIT E



NATIONAL ENDOWMENT
FOR THE HUMANITIES

NEH Implementation of Recent Executive Orders

Media contacts

For media inquiries, please email media@neh.gov.

This page provides updates on the recent Executive Orders and their implications on the National Endowment for the Humanities (NEH). It is updated regularly; please check back for the latest information.

Page last updated: March 20, 2025

Changes in NEH Notices of Funding Opportunities (NOFOs)

As a federal agency, NEH is required to comply with Executive Orders issued by the President that pertain to activities conducted by the agency. If litigants challenge the legitimacy of any Executive Orders that the President has issued and that NEH has been following, NEH will comply with all judicial rulings that result from any such litigation.

This will entail periodic changes in NEH's funding guidelines which NEH will seek to implement as soon as possible. Please regularly consult this page for updates.

Update March 20, 2025

To comply with a recent court injunction (NADOHE v. Trump), NEH removed "promotion of discriminatory equity ideology" and "support for diversity, equity, and inclusion (DEI) or diversity, equity, inclusion, and accessibility (DEIA) initiatives and activities" from the agency's NOFO restrictions.

On March 15, the court issued a stay of this preliminary injunction. Accordingly, to comply with the Administration's Executive Orders and the court's most recent decision, NEH will reinstate these prohibitions in the agency's NOFOs.

NEH will continue to monitor the situation closely and adjust as needed.

Frequently Asked Questions

You can direct your questions [through this webform](#). We are receiving a large volume of submissions, and we will not be able to respond individually. As we collect your questions, we will compile and post frequently asked questions (FAQs) on this page. Please check back regularly to access these FAQs.

Question: Why has NEH added guidance to its NOFOs on the "promotion of gender ideology," "environmental justice initiatives or activities," "discriminatory equity ideology," and DEI/DEIA?

Answer: As a federal agency, NEH is required to comply with all relevant Executive Orders issued by the Administration. NEH updated the Funding Restrictions section of its NOFOs to comply with several recent Executive Orders, including “Ending Radical and Wasteful Government DEI Programs and Preferencing,” “Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government,” and “Ending Radical Indoctrination in K-12 Schooling.” You can learn more about these Executive Orders by visiting the White House’s Presidential Actions webpage.

NEH will promptly comply with all relevant Executive Orders and court actions while keeping you apprised of agency policy changes.

Question: How will NEH decide whether a proposed project contravenes any of the Administration's recent Executive Orders, such as “Ending Radical and Wasteful Government DEI Programs and Preferencing” and “Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government”?

Answer: As per standard practice, NEH peer reviewers evaluate an application based on the program's published Review Criteria. At a later point in the process, NEH staff and leadership, along with the agency's General Counsel, will consider, as needed, whether an award of federal funds to a specific application might violate the new guidelines. In accordance with NEH's authorizing legislation, the NEH Chair will make all final funding decisions about which applications will receive public support.

Question: I submitted my application before NEH added its new funding restrictions regarding gender ideology and environmental justice to its NOFOs, and the deadline for the program has since passed. Is there a way for me to revise or edit my application?

Answer: Once an application has been submitted and the program deadline has passed, it cannot be revised or edited.

Question: NEH recently cancelled an informational webinar for the program to which I intended to apply. I don't want to invest my time in applying if NEH plans to discontinue the program. Can you confirm whether the program will be cancelled and whether it's still worth applying?

Answer: While NEH has paused some outreach activities , such as webinars, as it responds to the new Executive Orders, programs listed on the website remain active. We encourage you to consult current application instructions that incorporate the new guidance. NEH will make an announcement if a program is cancelled or discontinued. Please note that NEH will not be renewing its Cultural and Community Resilience program, a program that was developed partly as a response to the Covid-19 pandemic.

Question: Does the addition of the new guidance on gender ideology and environmental justice mean that NEH will not fund projects on, for example, the suffragist movement or this history of conservation policies in the United States?

Answer: No, not necessarily. The restrictions only apply to the categories mentioned in the relevant Executive Orders. We encourage you to read the relevant Executive Orders and consider whether your project's topic -- jointly with its goals, methodology, activities, and intended audience -- seems allowable.

Question: Is NEH still accepting applications with a focus on countries, regions, cultures, or literatures other than that of the United States and Europe?

Answer: Yes, please consult the NOFOs for each program regarding specific eligibility criteria and the program's aims.