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**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON**

STATE OF WASHINGTON, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES, et  
al.,

Defendants.

NO. 6:25-cv-01748-AA

DECLARATION OF RCWNC"  
VTCP

**DECLARATION OF PAULA TRAN**

I, Paula Tran, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a resident of Wisconsin. I am over the age of 18, competent to testify as to the matters herein, and make this declaration based on my personal knowledge.

2. I am the State Health Officer for the State of Wisconsin and the Administrator of the Division of Public Health (DPH) for the Wisconsin Department of Health Services (DHS). In my role, I oversee the programs that administer Wisconsin programs funded by Sexual Risk Avoidance Education (SRAE) grants.

3. I submit this declaration in connection with the above-captioned matter. I have personal knowledge of the matters set forth below, and with respect to matters for which I do not have personal knowledge, I have reviewed information gathered from the Wisconsin DHS's records by others within the organization.

4. In Wisconsin, DHS supports medically accurate and complete, age-appropriate educational programming to Wisconsin youth ages 10-19 that is focused on avoiding non-marital sexual activity with the goals of reducing pregnancy, HIV and other sexually transmitted infections (STIs), and birth rates among teens. Wisconsin DHS's focus is on building social, emotional, and life skills, developing a positive sense of self, and connecting with others. These skills help Wisconsin youth make health decisions that reduce risky behaviors and increase high school graduation rates. DHS provides this education to youth in six school districts and one community-based organization. Across the State, 400 youth are served by the programs we implement with Title V SRAE funding.

5. In applying for Title V SRAE grants, Wisconsin DHS has complied with the program's application requirements, which include assurances that programming is evidence-

based, medically accurate, age appropriate, culturally appropriate, and recognizes the experiences of youth from diverse communities, backgrounds, and experiences. The programming focuses on normalizing the optimal health behavior of avoiding non-marital sexual activity and teaching personal responsibility, healthy decision-making, healthy relationships, and other topics as described in 42 U.S.C. § 710(b)(3). In its grant applications, Wisconsin DHS also addresses how Wisconsin uses positive youth development principles when offering trauma-informed prevention programming.

**Federal Funding Relied on by Wisconsin DHS**

6. In 2018, Wisconsin submitted a Title V SRAE grant application in response to a Funding Opportunity Announcement (FOA) from the Administration for Children and Families (ACF). Since then, Wisconsin has submitted annual letter of intent packets to re-authorize Title V SRAE grants each year. ACF extends funding to grantees for two-year grant terms. Wisconsin applies for a new grant each year, resulting in overlapping awards. Wisconsin has received these funds since 2018.

7. ACF has issued Wisconsin two currently active Title V SRAE awards: one covers the period from October 1, 2024, to September 30, 2026; the other covers the period from October 1, 2025, to September 30, 2027. Wisconsin received the full amount of \$801,812 for the 2024-2026 grant period by August 6, 2025. For the most recent award, ACF is providing \$801,812 in Title V SRAE funding to Wisconsin. An NOA was originally received on January 29, 2026, in the amount of \$267,996.

8. ACF disburses Title V SRAE funding as reimbursements requested by Wisconsin DHS. Wisconsin DHS requests grant disbursements as expenses come in.

9. Wisconsin has well-established partnerships with school districts and local organizations to administer these funds. Since 2018, Wisconsin has partnered with school districts, education service districts, community-serving organizations, and local public health authorities to implement the Teen Outreach Program (TOP) provided by Wyman Center Inc. The TOP is an evidence-based program that includes hundreds of lessons related to sexual risk avoidance, social and emotional learning, life skills, community service learning, and maintaining healthy relationships. The TOP curriculum includes information about gender identity and inclusive approaches to the topic of gender. Subgrantee facilitators provide this evidence-based education in local school districts and tribes. Subgrantee facilitators must incorporate a specific number of TOP lessons related to sexual health into their programs, but they are otherwise free to choose which TOP lessons to incorporate into their programs.

#### **Communications from Federal Government**

10. On or around August 6, 2025, Wisconsin received a Notice of Award (NOA) describing the financial information associated with Wisconsin's Title V SRAE grant award funds. The NOA states, "[t]he use of Federal funds from this award constitutes the grantee's acceptance of the listed terms and conditions." In the Remarks section, the NOA states, "Recipients are prohibited from including gender ideology in any program or service that is funded with this award." The Terms and Conditions (T&Cs) section states, in part, "[t]he statutory authority for the SRAE program under which this grant has been awarded, at 42 U.S.C. § 710, does not authorize teaching students that gender identity is distinct from biological sex or boys can identify as girls and vice versa, or that there is a vast spectrum of genders that are disconnected from one's sex. Therefore, gender ideology is outside of the scope of the statutory authority for this award. In addition, any costs associated with gender ideology are not allowable

expenditures of federal grant funds or maintenance-of-effort funds for this grant because they are not necessary, reasonable, or allocable for the performance of this award. See 45 C.F.R. §§ 75.403-405.” The NOA is attached as Exhibit 1.

11. On August 7, 2025, ACF published Supplemental T&Cs applicable to SRAE awards and award modifications that add funding. The Supplemental T&Cs prohibit grant recipients from including so-called “gender ideology” in SRAE-funded programs and services. Per ACF’s notice, these Supplemental T&Cs took effect immediately.

### **Harms to Wisconsin**

12. Wisconsin will experience harm as a result of the terms in NOA and the Supplemental T&Cs. The terms in the NOA and Supplemental T&Cs have created confusion for our agency and partners as to which TOP lessons facilitators can or cannot incorporate into their education programs. Our agency’s ability to plan for the future is also severely negatively impacted. Without Title V SRAE funding, our subgrantees would themselves lose funding that they use for full or part-time positions, training, and other functions related to implementing the TOP curriculum.

13. The impact of a disruption in funds would be devastating to the program. Given my experience, without the continued and uninterrupted funding of Title V SRAE grants, Wisconsin DHS and its partners will not be as effective in administering and providing age-appropriate and medically accurate sexual health education to youth who are at particular risk of becoming pregnant or contracting HIV and other STIs. As a result, youth in Wisconsin—especially high-risk youth—will suffer.

14. Changing the approach in the curriculum would be time-consuming, expensive, and at odds with the goals of the program and its inclusive approach to gender in sexual health

education. Should a new curriculum be required, new curriculum materials would need to be researched, reviewed for any potential conflicts with the terms in the NOA and Supplemental T&Cs, printed, and shipped to subgrantees across the state. Subgrantees would need to be trained and prepped to implement the new curriculum. Training models would need to be changed to match the updated curriculum.

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

Executed on February 13, 2026, at Madison, Wisconsin.



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Declarant

# Exhibit 1



Department of Health and Human Services  
Administration for Children and Families

Notice of Award  
Award # 2502WISRAE  
FAIN# 2502WISRAE  
Federal Award Date: August 6, 2025

**Recipient Information**

**1. Recipient Name**  
STATE OF WISCONSIN DEPARTMENT OF  
HEALTH SERVICES  
1 W. WILSON ST RM 250

MADISON, WISCONSIN 53703 3445

**2. Congressional District of Recipient**  
\*See Remarks

**3. Payment Account Number and Type**  
\*See Remarks

**4. Employer Identification Number (EIN)**  
1396006469C4

**5. Data Universal Numbering System (DUNS)**  
036448835

**6. Recipient's Unique Entity Identifier**  
CG2SZ7HCNV54

**7. Project Director or Principal Investigator**  
Tessa Donaldson  
Adolescent Health Coordinator  
Tessar.donaldson@dhs.wisconsin.gov

**8. Authorized Official**  
\*See Remarks

**Federal Agency Information**

**9. Awarding Agency Contact Information**  
David Lee  
Grants Management Officer  
david.lee@acf.hhs.gov  
202-401-5461

**10. Program Official Contact Information**  
Jerry Milner  
Program Authorizing Official  
ACYF - Family and Youth Services Bureau  
Milner.Jerry@acf.hhs.gov  
111-111-1111

**Federal Award Information**

**11. Award Number**  
2502WISRAE  
**12. Unique Federal Award Identification Number (FAIN)**  
2502WISRAE  
**13. Statutory Authority**  
The Bipartisan Budget Act of 2018, Title V, Section 2954, Public Law 113-93, 42 US Code 710  
**14. Federal Award Project Title**  
\*See Remarks  
**15. Assistance Listing Number**  
93.235  
**16. Assistance Listing Program Title**  
Sexual Risk Avoidance Education (SRAE)  
**17. Award Action Type**  
Supplement  
**18. Is the Award R&D?**  
\*See Remarks

Summary Federal Award	Financial Information
<b>19. Budget Period Start Date</b> 10-01-2024	<b>End Date</b> 09-30-2026
<b>20. Total Amount of Federal Funds Obligated by this Action</b>	\$543,887.00
20a. Direct Cost Amount	*See Remarks
20b. Indirect Cost Amount Administrative Offset	*See Remarks
21. Authorized Carryover	*See Remarks
22. Offset	*See Remarks
23. Total Amount of Federal Funds Obligated this budget period	\$801,812.00
<b>24. Total Approved Cost Sharing or Matching, where applicable</b>	*See Remarks
<b>25. Total Federal and Non-Federal Approved</b>	*See Remarks
<b>26. Project Period Start Date</b> 10-01-2024 -	<b>End Date</b> 09-30-2026
27. Total Amount of the Federal Award including Approved Cost Sharing or Matching	*See Remarks

**28. Authorized Treatment of Program Income**  
\*See Remarks  
**29. Grants Management Officer – Signature**

David Lee  
Grants Management Officer

**Footnotes**



Department of Health and Human Services  
Administration for Children and Families

Notice of Award  
Award # 2502WISRAE  
FAIN# 2502WISRAE  
Federal Award Date: August 6, 2025

**Recipient Information**

STATE OF WISCONSIN DEPARTMENT OF HEALTH SERVICES  
1 W. WILSON ST RM 250  
MADISON, WISCONSIN 53703 3445

**Employer Identification Number (EIN):** 1396006469C4

**Data Universal Numbering System (DUNS):** 036448835

**Recipient's Unique Entity Identifier:** CG2SZ7HCNV54

**Object Class:** 41.15

**Financial Information**

<u>Appropriation</u>	<u>CAN</u>	<u>Allotment</u>	<u>Award this action</u>	<u>Cumulative Grant</u>		<u>Document Number</u>	<u>Funding Type</u>
				<u>Award to Date</u>			
75-25-1512	2025,G990597	\$801,812.00	\$543,887.00	\$801,812.00		2502WISRAE	Formula

**Terms and Conditions**

This grant award represents an obligation for the ACF Family and Youth Services Bureau State Sexual Risk Avoidance Education Program. Funds are subject to the requirements of Section 510 of Social Security Act.  
This award is subject to the requirements listed in the terms and conditions. The use of Federal funds from this award constitutes the grantee's acceptance of the listed terms and conditions. The electronic copy of Terms and Conditions to support this program can be found on the website at: <https://acf.gov/grants/manage-grant/grant-award/award-terms>.  
Recipients are prohibited from including gender ideology in any program or service that is funded with this award. The statutory authority for the SRAE program under which this grant has been awarded, at 42 U.S.C. § 710, does not authorize teaching students that gender identity is distinct from biological sex or boys can identify as girls and vice versa, or that there is a vast spectrum of genders that are disconnected from one's sex. Therefore, gender ideology is outside of the scope of the statutory authority for this award. In addition, any costs associated with gender ideology are not allowable expenditures for this grant because they are not necessary, reasonable, or allocable for the performance of this award. See 45 C.F.R. §§ 75.403-405.

**Remarks**

\* This field is intended to be included in the standardized Notice of Award and will be displayed in subsequent quarters.

Recipients are prohibited from including gender ideology in any program or service that is funded with this award. Please refer to Additional Term and Condition section of the Supplemental Terms and Conditions for more information on this requirement.