

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

RHODE ISLAND COALITION AGAINST  
DOMESTIC VIOLENCE, *et al.*

*Plaintiffs,*

v.

ROBERT F. KENNEDY, JR., in his official  
capacity as Secretary of the United States  
Department of Health and Human Services, *et al.*

*Defendants.*

Case No. 25-cv-342

**PLAINTIFFS' THIRD MOTION TO AMEND  
THE TEMPORARY RESTRAINING ORDER**

Plaintiffs move to expand the Court's July 28, 2025, Temporary Restraining Order (TRO) (ECF 23), as amended on August 7, 2025 (ECF 34), to include Plaintiff California Partnership to End Domestic Violence, Plaintiff the Montana Coalition Against Domestic and Sexual Violence, and their members, and to cover HUD Community Development Block Grants. This motion seeks the same relief as Plaintiffs sought in their Second Motion to Amend the Temporary Restraining Order (ECF No. 31), which the Court denied without prejudice for lack of supporting documentation (Text Order entered Aug. 7, 2025). In support of this motion, Defendants submit the declarations of Krista Colón and Kelsen Young. Expansion of the TRO is warranted for the same reasons the initial TRO was warranted, as explained in Plaintiffs' memorandum of law (ECF 13-1).

On July 31, 2025, after the Court entered its TRO, Plaintiff California Partnership to End Domestic Violence's Doe Member 4 received a grant agreement for a Community Development

Block Grant that includes the HUD funding conditions covered by the TRO. Declaration of Krista Colón 17. This member must accept this agreement by this Friday, August 8, 2025. *Id.* Plaintiff the Montana Coalition Against Domestic and Sexual Violence has also learned that member The Friendship Center (TFC) has received a HUD CoC grant award that it needs to accept by the end of August. Declaration of Kelsen Young 17. Although TFC has not received the grant agreement yet, TFC requested and received a blank version with the conditions that would be included, and that version contained the unlawful HUD Conditions. *Id.*

Given this development, Plaintiffs ask that the Court expand the TRO to cover California Partnership Against Domestic Violence and its members, Plaintiff the Montana Coalition Against Domestic and Sexual Violence and its members, and Community Development Block grants in addition to CoC grants.

Undersigned counsel conferred with counsel for the government by email on August 6, 2025, about providing these Plaintiffs' members with temporary relief. Defendants oppose this request.

August 7, 2025

Respectfully submitted,

/s/ Kristin Bateman

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*Counsel for Plaintiffs*

### **CERTIFICATE OF SERVICE**

I hereby certify that on August 7, 2025, I electronically filed the within motion and it is available for viewing and downloading from the Court's CM/ECF System, and that the participants in the case that are registered CM/ECF users will be served electronically by the CM/ECF system.

*/s/ Brian Rosen-Shaud*

**IN THE UNITED STATES DISTRICT COURT  
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RHODE ISLAND COALITION AGAINST  
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*Defendants.*

Case No. 25-cv-342

**DECLARATION OF KELSEN YOUNG**

I, Kelsen Young, declare as follows:

**I. Background**

1. I am the Executive Director at the Montana Coalition Against Domestic and Sexual Violence (hereinafter “Montana Coalition”), Montana’s federally designated domestic violence and sexual assault coalition.

2. The Montana Coalition was founded in 1986 and is headquartered in Helena, Montana.

3. The Montana Coalition is a dual domestic violence and sexual assault coalition and membership organization. The Montana Coalition provides training and technical assistance to service providers addressing domestic and sexual violence in the State and serves as a resource for member and allied organizations by providing training, technical assistance, conducting statewide planning and needs assessment, developing and enhancing service standards, and gathering and disseminating critical resources and information.

4. The Montana Coalition was founded to strengthen the support systems serving survivors of domestic and sexual violence by facilitating networking among member programs while advocating for social and systems change in Montana. The Montana Coalition is the designated State Coalition for Montana by related federal government agencies.

5. The Montana Coalition is the only statewide organization providing training and technical assistance to the array of service providers that address domestic and sexual violence in the state. One of the Montana Coalition's primary goals is to increase the representation of underserved populations in the coordination of activities and identifying gaps in services. We hold a number of training and membership events throughout the year that focus on promoting coalition building and collaboration, developing and enhancing strategies to address problems, and increasing the capacity of advocates and other system personnel to meet the diverse needs of survivors.

6. The Montana Coalition has an annual budget of approximately \$1.2 million. Of that total, 97 percent—over \$1 million—is from direct federal funds. At least 50 percent of the Montana Coalition's budget is from grants issued by the U.S. Department of Health and Human Services (HHS) Family Violence Prevention Services Act (FVPSA) program. MCADSV also receives funding from HHS under the Rape Prevention and Education (RPE) housed within the Centers for Disease Control (CDC). MCADSV does not receive funding directly from the Department of Housing and Urban Development (HUD) but our member organizations do receive funding directly from HUD.

## **II. The Montana Coalition Member Organizations**

7. The Montana Coalition is a membership organization with 40 member organizations. Members include nonprofit organizations with the primary mission of providing

services to survivors of domestic violence, dating violence, sexual assault, or stalking, and state and local victim assistance programs and supports associated with the local prosecutors' or law enforcement office.

8. Member organizations receive regular email updates on related state and federal policy; receive access to the Montana Coalition trainings and conference, with options for need-based scholarships; opportunities to network with other members at membership and regional meetings throughout the state; and access to an extensive resource library, technical assistance, and webinars on a wide variety of topics.

## **II. Grants That Montana Coalition Members Currently Have or Have Intended to Apply For**

9. Montana Coalition members receive and/or have intended to apply HUD grants.

10. Montana Coalition member Friendship Center of Helena, Inc. receives Rapid Rehousing funds directly from HUD. Their contract renewal will require them to sign the new certifications from HUD.

## **III. HUD's New Funding Conditions**

11. HUD has begun applying new funding conditions on HUD grants that differ significantly from the conditions imposed on the use of federal funds under the same grant awards for prior years.

12. The NOAs for the HUD CoC grants provide that the recipient's "use of funds provided under" the agreement and its "operation of projects assisted with" grant funds "are governed by ... [a]ll current Executive Orders." The NOAs also include requirements that the recipient: (1) "shall not use grant funds to promote "gender ideology," as defined in E.O. 14168, Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government;" (2) "agrees that its compliance in all respects with all applicable Federal

anti-discrimination laws is material to the U.S. Government's payment decisions for purposes of [The False Claims Act];" (3) "certifies that it does not operate any programs that violate any applicable Federal antidiscrimination laws, including Title VI of the Civil Rights Act of 1964;" and (4) "shall not use any Grant Funds to fund or promote elective abortions, as required by E.O. 14182, Enforcing the Hyde Amendment."

#### **IV. My Organization's Members' HUD Grants**

13. My organization's members have received HUD grants, including grants under the CoC Grant Program. They receive the funds directly from HUD and are required to sign a grant agreement that is an agreement between HUD and the member organization. These grant agreements are not all on the same timeline as each project has its own unique project period.

14. For example, the Friendship Center is a member organization who receives CoC funds from HUD directly. When they are asked to sign the new grant agreement this Fall, they will be required to assert that they will follow the new certification requirements. Complying with the requirements will significantly impact the services they provide to survivors and, should they instead not receive funding, it would create an immediate reality of survivors not receiving housing support or being removed from the housing support that is currently operating.

15. On June 19, 2024, HUD awarded Friendship Center of Helena, Inc. (TFC) a total of \$186,226 through the CoC Grant in FY2023. The grant has a period of performance of 1-year and a budget period of January 1, 2025 through December 31, 2025. TFC accepted this award on June 19, 2024. The NOFO and NOA did not include the new HUD funding conditions described above, but expect that the next award will include those conditions. As a part of the CoC FY2024 award announcement on March 26, 2025, TFC learned that they were awarded \$236,061. It is a renewal grant with an expected project period of January 1, 2026, through December 31, 2026.

They have successfully received a renewal grant every year that they have applied. They provide assistance for a 2-year period.

16. Without these funds, TFC will no longer be able to provide rental assistance to current program participants past December 31, 2025, and will be forced to end their assistance early. Without CoC funds, 3 individuals and 3 families, including 8 children, would lose their housing support from the Friendship Center of Helena, Inc. and be at risk of immediate eviction and homelessness. Safe and independent housing is a key factor for safety after fleeing domestic and sexual violence. Prematurely ending rental assistance will not only destabilize client's housing but could jeopardize their safety and sustainability. As of January 1, 2026, the Friendship Center of Helena, Inc. will also not be able to enroll any new program participants, severely limiting options for many victims and survivors in our difficult housing market. It is also possible that TFC may need to reduce staff or staff hours due to the loss of funding, reducing support and services related to housing. Declining this funding would have a very significant detrimental impact on TFC's clients and our community.

17. TFC has now received a new NOA for another CoC award from HUD. HUD has represented to TFC that the grant agreement must be executed prior to the end August 2025, or the funds will be reverted. Although TFC has not received the grant agreement yet, TFC requested and received a blank version with the conditions that would be included, and that version contained the challenged HUD Conditions.

**V. HHS's New Funding Conditions**

18. The new HHS Grants Policy Statement (GPS) imposes the following new conditions on grantees: (1) it requires that all grant recipients “must comply with all applicable Federal anti-discrimination laws material to the government’s payment decisions for purposes of

[the False Claims Act];” and (2) it provides that by accepting the grant award, recipients certify that: (i) “they do not, and will not during the term of this financial assistance award, operate any programs that advance or promote DEI, DEIA, or discriminatory equity ideology in violation of Federal anti-discrimination laws”; and (ii) “they do not engage in, and will not during the term of this award engage in, a discriminatory prohibited boycott.” HHS states that it “reserves the right to terminate financial assistance awards and claw back all funds if the recipients, during the term of this award, operate any program in violation of Federal anti-discrimination laws or engages in prohibited boycott.” *Id.* at 19.

19. The HHS GPS applies to nondiscretionary “awards and award modifications that add funding made on or after April 16, 2025,” including “supplements to award, competing and non-competing continuations,” (other than awards from NIH), and it applies to all HHS recipients and subrecipients other than individuals.

20. In addition to the GPS conditions, HHS’s Administration for Children and Families (ACF) is now imposing new funding conditions on ACF nondiscretionary and discretionary grants, [including name any grants you have from ACF where you have received or expect to receive NOAs including conditions], that differ significantly from the conditions imposed on the use of federal funds under the same grant awards for prior years.

21. The new ACF Standard Terms and Conditions document provides that a “Civil Rights Assurance” applies to new awards made on or after May 8, 2025, which requires that recipients “must comply with all applicable Federal anti-discrimination laws material to the government’s payment decisions for purposes of [the False Claims Act];” and provides that, “[b]y accepting the grant award, recipients are certifying that: (i) They do not, and will not during the term of this

financial assistance award, operate any programs that advance or promote the following in violation of Federal anti-discrimination laws: DEI, DEIA, or discriminatory equity ideology.”

22. In addition, the ACF Standard Terms and Conditions document provides that, for new awards made on or after March 28, 2025, recipients whose programs are covered by Title IX certify to the following: (1) that the recipient “is compliant with Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. §§ 1681 et seq., including Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d et seq., and Recipient will remain compliant for the duration of the Agreement; (2) that those “requirements are conditions of payment that go to the essence of the Agreement and are therefore material terms of the Agreement”; (3) that “[p]ayments under the Agreement are predicated on compliance with the above requirements, and therefore Recipient is not eligible for funding under the Agreement or to retain any funding under the Agreement absent compliance with the above requirements”; (4) that the “[r]ecipient acknowledges that this certification reflects a change in the government’s position regarding the materiality of the foregoing requirements and therefore any prior payment of similar claims does not reflect the materiality of the foregoing requirements to this Agreement”; and (5) that “[r]ecipient acknowledges that a knowing false statement relating to Recipient’s compliance with the above requirements and/or eligibility for the Agreement may subject Recipient to liability under the False Claims Act, 31 U.S.C. § 3729, and/or criminal liability, including under 18 U.S.C. §§ 287 and 1001.”

23. The Center for Disease Control and Prevention (“CDC”) has updated their policies to impose new conditions on certain new awards and award modifications by incorporating the HHS GPS.

**VI. My Organization's and its Members' HHS Grants**

24. My organization has applied for and received a formula grant from HHS's Administration for Children and Families (ACF) for the Family Violence Prevention and Services Act ("FVPSA Grant") for the past three decades at least and likely longer.
25. My organization has used FVPSA Coalition Grant funds for many purposes. For instance, the Montana Coalition collaborates with the Montana Board of Crime Control on technical assistance and support to member programs regarding their administrative and programmatic capacity. This includes financial management and grant compliance, policies and procedures for internal and external operations, staff hiring and supervision, allowable expenses and federal rules for grants, as well as many other topics as needed. We hold regular calls and meetings with directors of programs in order to do so. We would not be able to afford the efforts at the same level if we lost our HHS/FVPSA grant.
26. On July 9, 2025, HHS awarded my organization a total of \$382,407 for the FVPSA State Coalition grant. The grant has a period of performance of October 1, 2025 through September 30, 2026. The NOFO did not include the new funding conditions, but the NOA indicates that the ACF Standard Terms and Conditions, which contains the new funding conditions described above, applies to the award. My organization needs to accept this award by drawing down funds by October 1, 2025.
27. Declining this funding would have a very significant detrimental impact on my organization. Without the funding for this grant, it would severely undermine the Montana Coalition's ability to function effectively and provide invaluable training and services to its members and other service providers in the community. Losing the Coalition Grant alone would result in a

\$382,407 loss of funds for the next fiscal year. Without these funds, the Montana Coalition would have to reduce the size of its staff and its services to members significantly.

28. My organization has applied for and received a grant from the HHS Center for Disease Control (CDC) for the Rape Prevention and Education program (“RPE Grant”) for the past two years.

29. On June 27<sup>th</sup>, 2025, HHS/CDC awarded my organization a total of \$135,000 through the RPE Grant. The grant has a period of performance of June 2025 – June 2026. The NOFO did not include the new funding conditions, but the NOA indicates that the HHS GPS and CDC Terms and Conditions, which contains the new funding conditions described above, apply to the award. My organization needs to accept this award by drawing funds by July 31, 2025.

30. Declining this funding would limit our ability to conduct prevention efforts in Montana and would result in the loss of a full-time staff person at our organization. The project started in 2024 and the prior year’s funding was a planning process. By not being able to accept the award, we will face further delays in getting the project moving forward towards tangible results and detailed prevention planning activities occurring in Montana. This will also impact the state health department as we are required to partner on all activities.

31. My organization’s members have received HHS/FVPSA grants, including grants that are passed through the Montana Board of Crime Control (MBCC) and fund domestic violence shelters throughout Montana. MBCC has not yet been notified of their FVPSA State grant award, but the same requirements will exist in the state grant. Therefore, those restrictions will pass through to the domestic violence shelter members as well. This will significantly impact the provision of direct services to survivors and their children who are often in the most need and the most danger.

**VII. HUD's and HHS's New Funding Conditions Place My Organization and its Members in an Untenable Position**

32. Agreeing to the HHS conditions would cause my organization profound harm. The funding conditions are vague, and several could be read to conflict with my organization's core mission and the activities it has undertaken for years in furtherance of that mission and in reliance on HHS grants. The funding conditions may require my organization to cease engaging in activities that it had previously understood the grants to plainly support. Thus, my organization does not know how it may comply with the funding conditions while also staying true to its mission and providing essential support for member organizations, advocates, and vulnerable victims and survivors of domestic violence.
33. My organization is concerned about conditions requiring that we certify that we do not operate any programs that violate any applicable Federal antidiscrimination laws, and implying that compliance with those antidiscrimination laws is material for False Claims Act Purposes. Although we have always complied with federal antidiscrimination laws, the DEI Executive Order and statements from HHS indicate that the government intends to enforce a legally unsupported, new interpretation of federal antidiscrimination law as prohibiting all aspects of programs focused on DEI and DEIA. My organization is concerned about how we can stay true to our mission and the essential support it has provided to member organizations, advocates, and vulnerable victims and survivors of domestic and sexual violence for four decades. It is unclear whether my organization's mission and guiding principles violate the certification, and whether my organization could comply with the administration's interpretation of federal antidiscrimination law without adopting a view antithetical to its true beliefs.

34. As one example of the potential misalignment between the Montana Coalition’s work and the new conditions imposed by HHS/FVPSA is the Coalition’s self-described goal to “uproot violence and oppression in order to end domestic and sexual violence in Montana.” In furtherance of this goal, the Montana Coalition provides technical assistance and training to member organizations and allied organizations regarding the disproportionate impact of violence on marginalized communities in Montana. Those efforts evolve based on the most pressing issues of the time, but, for example, we actively support efforts to address the Missing and Murdered Indigenous People Crisis in Montana. These efforts are critical to addressing the particular needs of Indigenous people, who the federal government has recognized are at a disproportionate risk of experiencing violence or murder or going missing. The Coalition also supports tribal programs directly while there is no designated tribal coalition in Montana.
35. The Montana Coalition also operates programs designed to advocate for justice, inclusion, and full community participation, remove barriers, real or perceived, to encourage the widest possible participation from vulnerable communities. Accordingly, the Montana Coalition is unsure whether it may undertake its day-to-day activities reflecting its mission and guiding principles without running afoul of the condition not to “promot[e] or facilitat[e] discriminatory programs or ideology, including illegal DEI” or “inculcat[e] or promot[e] gender ideology” as HHS might interpret those terms.
36. Many of the Montana Coalition’s activities in furtherance of its HHS/FVPSA grant-funded training programs may also conflict with the new funding conditions. It is unsure if it may operate its current trainings that address explicit and implicit bias in program development, service delivery, and interactions with survivors, and the disparate impacts of societal risks

and systems of oppression on survivors. Again, the Coalition does not know if those trainings would be construed as “promoting or facilitating discriminatory programs or ideology, including illegal DEI” as HHS might interpret those terms.

37. The Montana Coalition is also concerned that it cannot continue to engage in certain practices that respect the dignity of all victims of domestic and sexual violence, regardless of gender and sexual orientation, and are consistent with the FVPSA mandate not to discriminate on the basis of gender or sexual orientation. It offers training on how to help advocates be attuned to and appropriately address specific needs of LGBTQ+ survivors, and the technical assistance they provide to Montana agencies, member programs, and community partners include information about compliance with the U.S. Housing and Urban Development’s, FVPSA’s and VAWA’s anti-discrimination mandates. The Coalition also regularly requests and uses pronouns, participates in an LGBTQ+ Coalition, includes information about LGBTQ+ survivors in advocacy and public information, and again, complies with anti-discrimination provisions under VAWA and FVPSA. It is unclear whether it may continue these practices and activities while complying with the HHS’s funding condition not to “inculcat[e] or promot[e] gender ideology.”

38. My organization is also concerned about the HHS ACF condition requiring a certification of compliance with the Title IX of the Education Amendments of 1972. Recent executive orders have made clear that the government is advancing a new, unsupported interpretation of Title IX as prohibiting participation in single-sex programs based on their gender identity. My organization is concerned that this interpretation could require organizations to ignore federal law prohibiting discrimination based on gender identity and would ultimately result in victims who are transgender or gender-nonconforming being turned away from services.

39. My organization is also concerned about the HUD condition that prohibits using grant funds to “promote” gender ideology. In providing direct client services and technical assistance, many of my organization’s members’ staff use clients’ preferred pronouns to demonstrate support for people who do not identify with the sex they were assigned at birth, recognize gender identity in providing direct assistance, and accommodate the needs of the LGBTQ+ community. It is unclear whether our members may continue these practices and activities while complying with the funding condition not to “promot[e] gender ideology.
40. My organization is concerned about the HUD conditions that prohibit using grant funds to “promote” “elective abortion.” Our member organizations do not provide or fund abortion but they do make referrals to clinics as needed for reproductive care and abortion in cases where the survivor desires that resource. Reproductive health access, including abortion, is part of our organization framework, and we offer clients information about any healthcare services that they need. When pregnant survivors request abortion care, we provide them with resources on how to seek that care.
41. My organization is concerned about the HUD condition providing that use of grant funds and operation of projects assisted with grant funds are governed by “[a]ll current Executive Orders.” We do not know what this condition’s broad and vague language means for our organization’s members or how to comply with it, given the many new executive orders that it implicates.
42. The new funding conditions present my organization and its members with an impossible choice. My organization and its members could forgo accepting HUD and HHS grant awards and face the direct consequences to my organization’s financial health and ongoing operations, and the health and operations of our member organizations, and to those who

receive direct services. Or my organization and its members could accept the funding with the conditions and jeopardize its mission and compliance with statutory or regulatory requirements, and face enormous risks of litigation and government investigations under the False Claims Act.

43. My organization fears that if it agrees to the new funding conditions, it could face not only the loss of grant funds, but federal government investigation, private party litigation under the False Claims Act, and potential liability for not complying. These potential consequences of seeking a grant subject to the new, vague conditions make my organization concerned about applying or accepting an award. To mitigate these risks, my organization would have to change its practices, in many cases contrary to its core values.

#### **VIII. These Funding Conditions Threaten to Harm Domestic Violence and Sexual Assault**

##### **Victims and Survivors**

44. These funding conditions threaten harm services to victims of domestic violence and their children across the state of Montana. Given that MCADSV and our member organizations rely entirely on federal funds for operation, this would result in real life consequences of death and increased injury without access to emergency shelter, housing assistance, and other forms of support offered by member organizations in Montana with these vital funding streams.
45. Programs in Montana, including MCADSV, are not able to turn down these federal funds to continue to operate. In the absence of fully funded Montana Coalition services, domestic and sexual violence victims and survivors will be confronted with more barriers when trying to access services following their assault, including discriminatory treatment from medical, law enforcement or courtroom personnel who have not received anti-bias and other core victim

services training. This will immediately lead to more survivors choosing not to participate in the criminal justice system and fewer being connected to and receiving appropriate medical and therapy services. Direct service providers will be unable to maintain high quality services that follow best practices guidance and comply with the myriad federal, state, and local requirements they would now have to navigate on their own, without the critical assistance of the Montana Coalition, while desperately trying to keep up with the already increasing demand for services.

46. The Montana Coalition's operations are essential to permitting the network of direct service providers to focus on providing the highest quality services to the survivors they serve and ensuring that the systems that contribute to addressing and responding to the epidemic of domestic violence are operating with evidence-based, trauma-informed, survivor-centered policies and practices.

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

Executed on August 7, 2025.

/s/ Kelsen Young

Kelsen Young  
Executive Director  
Montana Coalition Against Domestic  
and Sexual Violence

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capacity as Secretary of the United States  
Department of Health and Human Services, *et al.*

*Defendants.*

Case No. 1:25-cv-00342

**DECLARATION OF KRISTA COLÓN**

I, Krista Colón, declare as follows:

**I. Background**

1. I am the Executive Director at the California Partnership to End Domestic Violence (“the Partnership”), a domestic violence coalition membership organization.
2. The Partnership was founded in 1993 as the California Alliance Against Domestic Violence. In 2005, the organization amended and restated the Articles of Incorporation, including a name change to the California Partnership to End Domestic Violence. It was founded and remains headquartered in Sacramento, California.
3. The Partnership is California’s recognized state domestic violence coalition, representing over 2,000 advocates, organizations, and allied groups throughout the state. The Partnership supports service providers to prevent and end domestic violence. Through

public policy, communications, and capacity-building efforts, the Partnership aligns prevention and intervention strategies to advance social change.

4. The Partnership creates a wide range of technical assistance documents for service providers and provides various trainings, including webinars, toolkits, and curricula. For example, the Partnership has a sample 40-Hour Training Curriculum that helps organizations meet California's domestic violence advocate training requirements under California Evidence Code §1037.1. Another example is the Partnership's "Building Change Together: Prevention Core Competencies" training, which equips advocates with the skills and knowledge to prevent domestic violence through the lens of the social-ecological model and systemic change.
5. The Partnership provides support to over 100 domestic violence service providers statewide. With seven geographic membership regions, the Partnership consistently convenes in-person and virtual peer-to-peer connection spaces for advocates in their community. Their annual conference provides workshops across a wide array of topic areas and reaches hundreds of advocates every year. The Partnership's communications team works to educate the public and shift the narrative about domestic violence, connecting with the public through traditional media, social media, and awareness month campaigns. The Partnership's prevention team leads the "Building Change Together Training" and convenes Prevention Peer Networking spaces and other trainings to support prevention advocates in building their skills and strengthening their community-based efforts. The Partnership's policy team engages in state and federal legislative and budget advocacy, and advances systemic changes to improve programs and practices impacting survivors' lives. The policy team also focuses on addressing the

intersection of housing, homelessness, and domestic violence through systems change work, including supporting a cohort of eleven organizations throughout California to improve the safety and economic security of Californians who are experiencing homelessness due to domestic violence.

6. My organization receives grants from the Department of Health and Human Services (HHS). My organization has an annual budget of roughly \$3,013,794. Of that total amount, roughly \$1,360,195 comes from HHS grants, including HHS funds received directly from HHS and through subawards from the California Governor's Office of Emergency Services.

## **II. My Organization's Member Organizations**

7. The Partnership is a membership organization with over 2000 member advocates. Members fall into one of two categories. The first category is organizational members, which includes (1) organizations dedicated to domestic violence prevention and/or intervention; (2) organizations with a specific program or project dedicated to domestic violence prevention and/or intervention; (3) governmental agencies, multi-disciplinary committees, and coalitions addressing domestic violence and/or intersecting social justice issues; and (4) organizations dedicated to addressing other intersecting social justice issues that may be related to, but are not specifically, domestic violence, (e.g. homelessness, child welfare, etc.). The second category is individual members.
8. The Partnership provides its members with various services, including listservs that function as a robust network of advocates and attorneys; policy briefings on relevant budget and legislative items; webinars, events, and trainings; and one-on-one technical assistance.

9. Members of my organization receive grants from HUD and HHS.

**III. HUD's New Funding Conditions**

8. HUD has begun applying new funding conditions on HUD grants that differ significantly from the conditions imposed on the use of federal funds under the same grant awards for prior years.
9. The NOAs for the HUD CoC grants provide that the recipient's "use of funds provided under" the agreement and its "operation of projects assisted with" grant funds "are governed by ... [a]ll current Executive Orders." The NOAs also include requirements that the recipient: (1) "shall not use grant funds to promote "gender ideology," as defined in E.O. 14168, Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government;" (2) "agrees that its compliance in all respects with all applicable Federal anti-discrimination laws is material to the U.S. Government's payment decisions for purposes of [The False Claims Act];" (3) "certifies that it does not operate any programs that violate any applicable Federal antidiscrimination laws, including Title VI of the Civil Rights Act of 1964;" and (4) "shall not use any Grant Funds to fund or promote elective abortions, as required by E.O. 14182, Enforcing the Hyde Amendment."
10. I understand that HUD has a general, agency-wide policy of requiring compliance with these Executive Orders, has updated its standard Applicant and Recipient Assurances and Certifications to require applicants grantees to certify that they "[w]ill not use Federal funding to promote diversity, equity, and inclusion (DEI) mandates, policies, programs, or activities that violate any applicable Federal antidiscrimination laws," and that HUD's Office of Community Planning and Development (CPD), which administers the

Continuum of Care (CoC) CoC, Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), HOME Investment Partnership Program (HOME), and Housing Opportunities for Persons With AIDS (HOPWA) programs, among others, issued guidance announcing that it will attach new conditions substantially identical to the CoC Grant Conditions to Fiscal Year 2025 agreements governing all CPD-administered grants.

**IV. My Organization's Members' HUD Grants**

10. My organization's members have received HUD grants, including grants under the CoC Grant Program and the Domestic Violence Bonus Funding through the CoC, Community Development Block Grant Program (CDBG), and the Emergency Solutions Grants Program (ESG). These grants are frequently subawards through their Continuum of Care or other entities.
11. On July 1, 2024, HUD awarded Doe Member 1 a total of \$26,830 through the Emergency Solution Grants (ESG) as a pass through from their county government. The grant has a period of performance of July 1, 2024 through June 30, 2026 and a budget period of July 1, 2024 through June 30, 2026. Doe Member 1 accepted this award on June 10, 2024. The NOFO and agreement with the agency did not include new HUD funding conditions but, as described above, I am aware that HUD enforces the CoC funding conditions for ESG grants.
12. On May 13, 2025, HUD awarded Doe Member 1 a total of \$10,000 through the Community Development Block Grant (CDBG) program, as a pass through from a City in their county. The grant has a period of performance of July 1, 2025 through June 30, 2026 and a budget period of July 1, 2025 through June 30, 2026. Doe Member 1 accepted

this award on May 23, 2025. The NOFO and agreement with the City did not include new HUD funding conditions but, as described above, I am aware that HUD enforces the CoC funding conditions for CDBG grants.

13. Declining this funding would have a very significant detrimental impact on my organization's members. Without HUD funding, Doe Member 1 would need to cut staff hours for two employees. The ESG grant funds an employee who supervises staff and answers the 24 hour crisis phone line. The CDBG grant funds a second employee who manages Doe Member 1's satellite office and provides direct services to clients, including restraining order assistance. Reducing hours for these employees would result in a reduction of quality of service at Doe Member 1's domestic violence shelter and longer wait times for service at Doe Member 1's satellite office, potentially eliminating restraining order assistance at that location entirely. When someone needs an emergency restraining order, the wait time matters.

14. Doe Member 1 responded to two NOFOs that closed on July 8, 2025 and applied for ESG and CDBG grant funding. I expect those grants to be conditionally awarded in August, 2025. I am aware that HUD will enforce the CoC funding conditions for these grants

15. On June 27, 2025, HUD awarded Doe Member 3 a total of \$125,151 in grants under the CoC Grant program. The NOA included the new HUD CoC grant conditions. The grant has a period of performance of October 1, 2025 through September 30, 2026 and a budget period of October 1, 2025 through September 30, 2026. Doe Member 3 has not yet accepted the award.

16. Doe Member 3 relies on the CoC Grant program to support its rapid rehousing and transitional housing programs. Doe Member 3 serves 49 individuals through their rapid

rehousing program. An additional 6 survivors receive support through their transitional housing program. Without CoC funding, these 55 survivors would likely lose access to safe, stable housing, with no clear alternative source of support to replace what HUD currently provides. Many of these individuals would face an increased risk of homelessness or be forced to return to (or stay in) abusive situations. Additionally, these funds not only cover rental assistance but also the advocacy services necessary to support survivors on their path to independence and recovery. Without the HUD CoC funds, survivors of violence likely will be homeless and at risk of addiction relapse.

17. HUD awarded Doe Member 4 a total of \$34,860 through the Community Development Block Grant (CDBG) program, as a pass through from its city government. The grant has a period of performance of July 1, 2025 through June 30, 2026 and a budget period of July 1, 2025 through June 30, 2026. The grant agreement requires Doe Member 4 to agree to the funding conditions at issue in this case. “Doe Member 4 must accept this award by August 8, 2025, in order to access the funding.

18. Doe Member 4 relies on this CDBG funding to serve approximately 28 low-income clients in a domestic violence prevention program. Doe Member 4 works to make clients feel empowered to make decisions about their own lives, free from domestic violence. Doe Member 4 also refers clients to other legal service providers to address legal obstacles, including immigration and economic barriers. Without these CDBG funds, Doe Member 4 would be unable to provide these services to clients, who may not be able to break free of their abusive partners.

19. Declining all HUD funding would have a very significant detrimental impact on my organization’s members. Without HUD funding, domestic violence service providers in

every corner of the state would have fewer funds available to provide housing services for survivors. Programs would need to reduce staffing, reduce the number of shelter beds available for survivors and their children, and reduce the amount of rental assistance and other housing supports they provide for survivors and their children. Safe, stable housing is an essential component for survivors' well-being and can provide a survivor with the ability to heal from the experience of abuse. Housing insecurity is a primary reason why survivors across genders and age ranges stay in abusive relationships and why children continue to be exposed to domestic violence - a key risk factor for future perpetration and chronic health conditions. According to the National Center on Family Homelessness, 57% of homeless women report domestic violence as the immediate cause of their homelessness. Unstable housing and homelessness increase the vulnerability to new forms of violence for survivors' and their children, creating a still greater risk that the cycle of violence will continue into new generations. Survivors leaving abusive situations are often fleeing dangerous, violence situations. Leaving an abusive relationship is one of the most dangerous times for survivors, when risk of violence or death increases. Emergency shelter, which is often funded through HUD and HHS grants, can be essential to keeping survivors and their children safe. Immigrant survivors are vulnerable to abusive partners using threats of immigration enforcement to maintain control over the survivor, and immigrants may have limited financial resources and opportunities for employment due to their legal status, which can limit their ability to access market rate housing when fleeing violence. According to the Report of the 2015 Transgender Survey, more than half (54%) experienced some form of intimate partner violence, including acts involving coercive control and physical harm and nearly one-quarter (24%) have

experienced severe physical violence by an intimate partner, compared to 18% in the U.S. population. Ensuring that shelter and housing are available to all survivors, regardless of their gender identity, sexual orientation, immigration status, or other characteristics, is essential for keeping survivors safe. Domestic violence survivors also face barriers to exiting homelessness - abusive partners often interfere with a survivor's employment, restrict survivors' access to money, and ruin survivors' credit scores through unpaid debts taken out in the survivors' name, among other financial abuse tactics. Additionally, survivors are often navigating through physical and emotional health needs, supporting their children through the trauma impacts, and navigating through criminal and/or civil court proceedings. All of these dynamics make it even more essential that housing options are readily available for survivors. Fewer funds available to meet the housing needs for survivors will mean that more survivors and their children will experience homelessness in communities across California.

**V. HHS's New Funding Conditions**

20. The April 2025 HHS Grants Policy Statement (GPS) imposes the following new conditions on grantees: (1) it requires that all grant recipients "must comply with all applicable Federal anti-discrimination laws material to the government's payment decisions for purposes of [the False Claims Act];" and (2) it provides that by accepting the grant award, recipients certify that: (i) "they do not, and will not during the term of this financial assistance award, operate any programs that advance or promote DEI, DEIA, or discriminatory equity ideology in violation of Federal anti-discrimination laws"; and (ii) "they do not engage in, and will not during the term of this award engage in, a discriminatory prohibited boycott." HHS states that it "reserves the right to

terminate financial assistance awards and claw back all funds if the recipients, during the term of this award, operate any program in violation of Federal anti-discrimination laws or engages in prohibited boycott.” *Id.* at 19.

21. The HHS GPS applies to nondiscretionary “awards and award modifications that add funding made on or after April 16, 2025,” including “supplements to award, competing and non-competing continuations,” (other than awards from NIH), and it applies to all HHS recipients and subrecipients other than individuals.
22. In July 2025, HHS changed the GPS to replace this language with the following language: “By applying for or accepting federal funds from HHS, recipients certify compliance with all federal antidiscrimination laws and these requirements and that complying with those laws is a material condition of receiving federal funding streams.” The July HHS GPS states that it applies to nondiscretionary “awards and award modifications that add funding made on or after April 16, 2025,” including “supplements to award, competing and non-competing continuations,” (other than awards from NIH), and it applies to all HHS recipients and subrecipients other than individuals.
23. In addition to the GPS conditions, HHS’s Administration for Children and Families (ACF) is now imposing new funding conditions on ACF nondiscretionary and discretionary grants that differ significantly from the conditions imposed on the use of federal funds under the same grant awards for prior years.
24. The new ACF Standard Terms and Conditions document provides that a “Civil Rights Assurance” applies to new awards made on or after May 8, 2025, which requires that recipients “must comply with all applicable Federal anti-discrimination laws material to the government’s payment decisions for purposes of [the False Claims Act];” and

provides that, “[b]y accepting the grant award, recipients are certifying that: (i) They do not, and will not during the term of this financial assistance award, operate any programs that advance or promote the following in violation of Federal anti-discrimination laws: DEI, DEIA, or discriminatory equity ideology.”

25. In addition, the ACF Standard Terms and Conditions document provides that, for new awards made on or after March 28, 2025, recipients whose programs are covered by Title IX certify to the following: (1) that the recipient “is compliant with Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. §§ 1681 et seq., including Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d et seq., and Recipient will remain compliant for the duration of the Agreement; (2) that those “requirements are conditions of payment that go to the essence of the Agreement and are therefore material terms of the Agreement”; (3) that “[p]ayments under the Agreement are predicated on compliance with the above requirements, and therefore Recipient is not eligible for funding under the Agreement or to retain any funding under the Agreement absent compliance with the above requirements”; (4) that the “[r]ecipient acknowledges that this certification reflects a change in the government’s position regarding the materiality of the foregoing requirements and therefore any prior payment of similar claims does not reflect the materiality of the foregoing requirements to this Agreement”; and (5) that “[r]ecipient acknowledges that a knowing false statement relating to Recipient’s compliance with the above requirements and/or eligibility for the Agreement may subject Recipient to liability under the False Claims Act, 31 U.S.C. § 3729, and/or criminal liability, including under 18 U.S.C. §§ 287 and 1001.”

26. The Center for Disease Control and Prevention (“CDC”) has updated their policies to impose new conditions on certain new awards and award modifications by incorporating the HHS GPS.

**VI. My Organization’s and its Members’ HHS Grants**

27. My organization and its predecessor organization has applied for and received a competitive grant from HHS’s Administration for Children and Families (ACF) for the Family Violence Prevention and Services Act (“FVPSA Grant”) every year since at least 2001.

28. My organization has used FVPSA Coalition Grant funds for many purposes. For instance, these funds support the Partnership’s training and technical assistance to local family violence, domestic violence, and dating violence service programs, and to providers of direct services to encourage appropriate and comprehensive responses. This work includes monthly topical webinars, an annual membership meeting with in-depth discussion of key issues impacting service providers and survivors, and specialized, individual support and resources for service providers addressing complex issues related to supporting survivors through trauma and healing. We also utilize these funds to provide statewide conferences and training and provide prevention resources in an online searchable resource library, provide specialized training and assistance on effective prevention strategies, and conduct statewide public campaigns to commemorate Domestic Violence and Teen Dating Violence Awareness & Prevention Months; develop website content that addresses the fundamentals of domestic violence for general public education, and feature resources in online library. We convene members in seven different geographic regions to ensure we’re meeting the needs of each location. The

FVPSA Coalition Grant also funds our statewide needs assessment to determine the needs of local service providers and allied professionals responding to the changing and wide-ranging needs of survivors and their families. We also utilize the FVPSA Coalition Grant funds to convene regional meetings that strengthen collaboration among advocates and promote coordinated responses to survivors and their children; to center our public communications and activities for the needs of survivors.

29. On July 8, 2025, HHS awarded my organization a total of \$368,750 through the FVPSA Coalition Grant. The grant has a period of performance of October 1, 2024 through September 30, 2026 and a budget period of October 1, 2024 through September 30, 2026. On July 9, 2025, HHS sent a second notice of award providing an additional \$13,657 for this period of performance and budget period, bringing the cumulative grant award to date to \$382,407. The NOFO did not include the new funding conditions, but the NOA indicates that the HHS GPS and ACF Standard Terms and Conditions, which contains the new funding conditions described above, applies to the award.
30. On August 1, 2024, HHS awarded my organization a total of \$350,670 through the FVPSA Coalition Grant. On September 11, 2024, HHS issued a supplemental Notice of Award for an additional \$12,987. The grant has a period of performance of October 1, 2023 through September 30, 2025 and a budget period of 10/1/23 through 9/30/25. The NOFO and NOA did not include the new HHS funding conditions described above, but the HHS GPS and ACF Standard Terms and Conditions apply to the next grant period and notice of award granted to the Partnership on July 8, 2025.
31. Declining this funding would have a very significant detrimental impact on my organization. Without the funding for this grant, we would need to eliminate multiple

staff positions. This would limit our ability to provide individualized technical assistance, provide monthly training webinars with content to support advocates' skills in working with survivors, and would limit our ability to convene our members for peer support, connection, and shared work. Declining this funding would likely reduce our public communications capacity, reducing our ability to educate the public about domestic violence and prevention, our ability to execute awareness month campaigns, and our capacity to provide peer learning spaces for local service providers to strengthen their public communication work.

32. My organization has applied for and received a competitive grant from the Center for Disease Control (CDC) for the Domestic Violence Prevention Enhancement and Leadership Through Alliances (DELTA) program ("DELTA Grant") for the past 22 years.
33. My organization has used DELTA Grant funds for many purposes. For instance, these funds support our organization's focus on community and societal level changes to prevent domestic violence before it ever occurs. Our work is directed by the evidence base for specific strategies and guided by the CDC's Intimate Partner Violence Prevention Resource for Action: A Compilation of the Best Available Evidence. The Partnership's project focuses on strengthening economic supports for families, and increasing the number of Californians utilizing the paid leave policies and benefits available to them, including paid family leave, paid sick and safe days, and job-protected time off for domestic and sexual violence survivors. Our work includes a targeted effort to increase domestic violence service providers' understanding of how paid leave policies and benefits can be increasingly applied to domestic violence prevention, as well as work to build awareness and utilization of these benefits and policies among California's

general population. We work to increase the number of individuals reached by domestic violence service providers who take paid leave authorized by state law, thus reducing poverty and economic stress. We work closely with the Statewide Prevention Collaborative to increase coordination of training, technical assistance, and data collection and assessment. We also participate in state and national activities to share knowledge, skills, and practice of Intimate Partner Violence (IPV) primary prevention. Additionally, the Partnership facilitates four topic-specific peer learning circles. Finally, a core component of the DELTA project is evaluation work to build the evidence base of effective strategies.

In addition to the work done directly by Partnership staff, per DELTA grant requirements we also subaward a portion of the funds to a community-based domestic violence organization to implement community level prevention strategies. This organization is implementing a peer-led parenting program, “ReDefine Parenting” to engage parents and school communities by providing an opportunity for peer learning and leadership. Some of the issues addressed in this program are consent, bodily autonomy, and healthy masculinity. The organization is also implementing the Fourth R and a Comprehensive Sexual Education curriculum that was created to meet the requirements of the California Healthy Youth Act, to ensure that youth have access to Intimate Partner Violence prevention education. Additionally, grant funds support the organization’s social marketing campaign, which addresses the risk and protective factors of weak community sanctions against IPV; low social capital and lack of institutions, relationships, and norms that shape community social interactions; and traditional gender norms.

34. On March 7, 2025, CDC awarded my organization a total of \$499,964 through the DELTA Grant. This is the third year non-competing continuation award, for a five year grant period. The grant has a period of performance of March 2, 2023 through March 1, 2028 and a budget period of March 2, 2025 through March 1, 2026. The NOFO and NOA did not include the new HHS and CDC funding conditions described above, but I expect that the next award will be subject to the HHS GPS and CDC Terms and Conditions with the next year's continuation award for the period beginning in March 2026.
35. Declining this funding would have a very significant detrimental impact on my organization. Without the funding for this grant, the Partnership would need to eliminate staff in our prevention team, which is already small. The DELTA grant is the largest prevention funding source for the Partnership and represents over half of our prevention budget. Without this funding we would lose the capacity to focus efforts on preventing domestic violence from ever occurring. We would not have the capacity to engage preventionists in peer learning circles to develop their skills, or to increase the awareness and usage of critically needed economic supports for families. The loss of the funding would also directly impact the community-based organization funded through the grant subaward. Losing this funding would be a significant step backward towards our vision of a California free from domestic violence.
36. The Partnership also receives HHS FVPSA funds through two subawards from the California Governor's Office of Emergency Services (Cal OES). The State Coalition Technical Assistance & Training Program is partially funded by HHS FVPSA funds. The purpose of the Program is to be a resource to the domestic violence victim service field

by providing technical assistance, informational resources, and networking opportunities to the domestic violence service providers in California. The Statewide Domestic Violence Prevention Resource Center (PV) Program's purpose is to (a) establish, expand, and maintain a resource center for the collection, retention, and distribution of educational materials related to domestic violence, family violence, and/or teen dating violence; (b) prevent domestic violence and intimate partner violence, including teen dating violence, prioritize underserved populations within communities, and build the capacity of local organizations to do this work; and (c) provide training and ongoing technical assistance for Cal OES Intimate Partner Violence Prevention (FD) Program subrecipients. The Partnership is currently the only eligible applicant and recipient of these funds. These two grants support the following activities conducted by the Partnership:

- a. Hosting a distance learning domestic violence advocate training course, with consistent updates to this 40-hour training's modules.
- b. Providing individualized technical assistance, in addition to convening regional meetings, regularly webinar trainings, and hosting an in-person multi-day conference to build the skills of domestic violence advocates and allied professionals.
- c. Developing and conducting the skills-based training, "Building Change Together Prevention Core Competencies". Design of the training curriculum was drawn from groundbreaking work completed by the Partnership (with support from expert advisors and partner organizations) to articulate core competencies for prevention advocates, which would serve as the basis for a training curriculum.

Core competencies for domestic violence prevention refer to the basic and essential frameworks, attitudes, characteristics, skills, and behaviors that are widely considered to be necessary for an individual and/or a team to develop, implement, evaluate, and sustain prevention initiatives in communities. This training creates a better supported, less isolated, and more sustainable prevention workforce; Stronger, more effective efforts to prevent domestic violence; and a greater sense of connectedness to each other and to a larger evolving movement; Greater articulation of the unique and specific strengths and contributions prevention specialists bring to our communities and anti-violence movement.

- d. Monthly networking meetings that employ a strength-based coaching and capacity-building approach to help improve program performance, invite participation and diversity, facilitate learning, and emphasize outcomes and accountability.
- e. Participation in the quarterly California State Level Collaborative for domestic violence, sexual violence, and teen dating violence Prevention. The Collaborative is an ongoing forum for government and state coalition staff to promote comprehensive prevention and better support the field.
- f. Development of a Youth Advisory Committee composed of youth leaders working with direct service organizations to assist the Partnership in developing activities for Teen Dating Violence Awareness and Prevention Month. Additionally, the committee will advise the prevention field on best practices for developing a youth leadership program, engaging, and sustaining youth leaders.

- g. Training and technical assistance that fosters the advancement of prevention across the state by analyzing state- level policies to identify strategies that include, but are not limited to practices, training requirements, and programmatic expectations.
- h. An online resource center for the collection, retention, and distribution of educational materials related to domestic violence and/or family violence and its prevention. This resource center includes training manuals, curriculum, reports, multi-media resources, books, and other educational materials on a wide variety of topics related to domestic violence and/or family violence and its prevention.

37. My organization's members have received HHS grants, including grants through the Family Violence Prevention and Services Act, as subawards from our state administrator, the California Governor's Office of Emergency Services (Cal OES). Cal OES receives a formula grant award from HHS and subawards the funds to direct service providers across the state. The majority of Cal OES' FVPSA funds are allocated to the Domestic Violence Assistance Program, where they are combined with state general fund and federal Services\*Training\*Officers \*Prosecutors Violence Against Women Formula Grant Program (STOP), and federal Victims of Crime Act Victim Assistance Formula Grant Program (VOCA). These grants support over 100 programs that provide comprehensive support, including emergency shelter to victims of domestic violence and their children, as well as support for the development and establishment of domestic violence services to unserved and underserved populations, including, but not limited to, rural areas, non-English speaking individuals, persons of color, and various geographical areas with limited access to services. The people of California need more resources, not

less. In California FY2021-22, funded victim service organizations provided shelter to 13,370 individuals for a total of 354,227 shelter bednights. 15,706 requests for shelter went unmet. These programs answered 149,198 crisis calls, over 400 crisis calls per day.

38. My organization's members have received HHS grants, including grants through the CDC under the RPE Program and FVPSA through the Domestic Violence Assistance Program (DVAP). Members receive CDC RPE Program funding as passed through the California Department of Public Health (CDPH). 12 Partnership members received RPE funding from CDPH with 5 year awards for the period of February 1, 2024 to January 31, 2029. Members received HHS funding as passed through the California Governor Office of Emergency Services (Cal OES). Approximately 100 Partnership members receive DVAP funding each year. Recipients must submit a continuation application each year in the summer.
39. For example, Cal OES awarded Partnership Doe Member 1 a total of \$100,398 through the Cal OES Domestic Violence Assistance Program (DVAP) using HHS FVPS funds in FY2024-2025. The grant has a period of performance of October 1, 2024 to September 30, 2025 and a budget period for the HHS FVPS portion of the funds are from October 1, 2024 through July 31, 2025. Partnership Doe Member 1 accepted this award on August 26, 2024. Partnership Doe Member 1 submits a yearly continuation grant application each year during the summer. Partnership Doe Member 1 expects that when it receives the continuation award starting October 1, 2025, the HHS GPS will apply.
40. Additionally, Partnership Doe Member 1 received \$ 208,942 through its county government's Domestic Violence Welfare to Work program using HHS Temporary Assistance for Needy Families funds in FY2024-2025. The grant has a period of

performance of July 1, 2025 to June 30, 2026 and a budget period of July 1, 2025 through June 30, 2026. Partnership Doe Member 1 accepted this award on April 9, 2025. Partnership Doe Member 1 renews its contract with the county for these funds each year.

41. Finally, Cal OES awarded Partnership Doe Member 1 a total of \$94,445 through the Cal OES Intimate Partner Violence Prevention Program using HHS FVPS funds in FY2024-2025. The grant has a period of performance of January 1, 2025 to December 31, 2025 and the HHS FVPS funds have a budget period of January 1, 2025 - July 31, 2025. Partnership Doe Member 1 accepted this award on November 4, 2024. Partnership Doe Member 1 submits a yearly continuation grant application each year during the fall. Partnership Doe Member 1 is in the fourth year of a five year grant expecting a continuation grant in Fall 2025 for the next funding period of January 1, 2026 through December 31, 2026.

42. Declining any of these funds would have a very significant detrimental impact on Partnership Doe Member 1. The organization has already lost over 200 planned staffing hours from July 2024 to present and is impacting its ability to serve the needs of our community. Losing any HHS grant would mean eliminating more positions or whole departments, impacting shelter clients, crisis line coverage, and crisis intervention and advocacy services at multiple offices. Partnership Doe Member 1 would not survive without the DVAP grants.

43. Partnership Doe Member 1 received HHS Community-Based Child Abuse Prevention Grants (CB-Cap) for \$89,708 from their county for the grant period of July 1, 2025 to June 30, 2027 and the budget period of July 1, 2025 to June 30, 2027. The grant was accepted on May 12, 2025. CB-Cap provides school based prevention programming at

elementary school level, mostly through after school programs, and intervention programming with known child survivors. Without this funding, Partnership Doe Member 1 would have to eliminate this program.

44. Partnership Doe Member 2 received a total of \$850,00 through the Rape Prevention Education program from California Department of Public Health using HHS RPE funds in FY24-25. The grant has a period of performance of February 1, 2024 to January 31, 2029 and a budget period of February 1, 2024 through January 31, 2029. Doe Member 2 accepted this award on April 29, 2024. Without this funding, Partnership Doe Member 2 will be unable to provide sexual assault prevention services in their county. Partnership Doe Member 2 implements a community based sexual violence prevention program that includes youth and adult community leaders meetings, hosting sexual violence prevention orientation training for organizations and their leaders, and in partnership with community based organizations, provides multiple workshops about various sexual violence prevention topics and implementations of sexual violence prevention such as community-led campaigns, policies, practices, protocols designed to prevent sexual violence. If Partnership Doe Member 2 loses this funding, over 1.2 FTE staff positions would be eliminated as would support for other community organizations.

45. Cal OES awarded Partnership Doe Member 2 \$97,392 in HHS FVPS funds as a portion of their Cal OES Domestic Violence Assistance Program total grant award for FY2024-2025. The grant has a period of performance of October 1, 2024 to September 30, 2025 and a budget period of October 1, 2024 through September 30, 2025. Partnership Doe Member 2 received the executed agreements for these awards on October 30, 2024 and November 4, 2024. Partnership Doe Member 2 submits yearly

continuation grant applications each year during the summer. Partnership Doe Member 2 expects that when it receives the continuations award starting October 1, 2025, the HHS GPS will apply to that.

Services provided under DVAP include the following: 24-Hour Crisis Hotline, individual and peer counseling, operating business centers, emergency shelters for survivors and their children, providing emergency food and clothing, emergency response to calls from law enforcement, medical advocacy and emergency response, transportation for survivors, children counseling, criminal justice and social service advocacy, legal assistance [referrals], court accompaniment, community resource and referral, household establishment assistance, children's programs, and transitional housing assistance. These are all things required by the grant to operate under this funding and are the large majority of Partnership Doe Member 2's offered services. DVAP is one of Partnership Doe Member 2's single largest funding sources.

46. Cal OES awarded Partnership Member Doe 3 a total of \$97,392 in HHS FVPS funds as a portion of their Cal OES Domestic Violence Assistance Program total grant award for FY2024-2025. The grant has a period of performance of October 1, 2024 to September 30, 2025 and a budget period of October 1, 2024 through September 30, 2025.

Partnership Doe Member 3 submits yearly continuation grant applications each year during the summer. Partnership Doe Member 3 expects that when it receives the continuations award starting October 1, 2025, the HHS GPS will apply to that.

47. Services provided under DVAP include the following: 24-Hour Crisis Hotline, individual and peer counseling, operating business centers, emergency shelters for survivors and their children, providing emergency food and clothing, emergency response to calls from

law enforcement, medical advocacy and emergency response, transportation for survivors, children counseling, criminal justice and social service advocacy, legal assistance [referrals], court accompaniment, community resource and referral, household establishment assistance, children's programs, and transitional housing assistance. The grant requires these services. DVAP is one of Partnership Doe Member 3's primary funding sources.

48. Declining any of these funds would have a very significant detrimental impact on Partnership Doe Member 3. Losing any of this funding could impact emergency shelter services, crisis line coverage, and crisis intervention and advocacy services.

**VII. HUD's and HHS's New Funding Conditions Place My Organization and its Members in an Untenable Position**

49. Agreeing to the HHS conditions would cause my organization and our members profound harm. The funding conditions are vague, and several could be read to conflict with my organization's core mission and the activities it has undertaken for years in furtherance of that mission and in reliance on HHS grants. The funding conditions may require my organization to cease engaging in activities that it had previously understood the grants to plainly support. Thus, my organization does not know how it may comply with the funding conditions while also staying true to its mission and providing essential support for member organizations, advocates, and vulnerable victims and survivors of sexual violence.

50. My organization and our members are concerned about conditions requiring that we certify that we do not operate any programs that violate any applicable Federal antidiscrimination laws, implying that compliance with those antidiscrimination laws is

material for False Claims Act Purposes. Although we have always complied with federal antidiscrimination laws, the DEI Executive Order and statements from the DOJ indicate that the government intends to enforce a legally unsupported, new interpretation of federal antidiscrimination law as prohibiting all aspects of programs focused on DEI and DEIA. My organization's mission is to promote the collective voice of a diverse coalition of organizations and individuals, working to eliminate all forms of domestic violence. As an advocate for social change, we advance our mission by shaping public policy, increasing community awareness, and strengthening our members' capacity to work toward our common goal of advancing the safety and healing of victims, survivors and their families. We recognize the diverse experiences of survivors, the impact of systemic racism, oppression, and barriers, and the ways that communities are disproportionately impacted. We recognize the importance of centering culturally responsive approaches, and creating communities of practice and peer support spaces that respond to the differing needs of LGBTQ+ survivors, Black, Indigenous, and People of Color experiencing abuse, and more. It is unclear whether my organization's mission and guiding principles violate the certification, and whether my organization could comply with the administration's interpretation of federal antidiscrimination law without adopting a view antithetical to its true beliefs.

51. My organization and our members are also unsure whether it can continue to operate programs that target underserved or marginalized communities, including continuing to convene peer spaces or create training and technical assistance content specific to LGBTQ+, immigrant, communities of color, or other specific populations. Now, it is

unclear whether these programs would fall within the administration's interpretation of federal antidiscrimination law as prohibiting DEI and DEIA programs.

52. For the same reasons, my organization and our members are concerned that it cannot comply with HHS conditions that prohibit the operation of any programs that "advance or promote DEI, DEIA, or discriminatory equity ideology."
53. My organization and our members are also concerned about the HHS ACF condition requiring a certification of compliance with the Title IX of the Education Amendments of 1972. Recent executive orders have made clear that the government is advancing a new, unsupported interpretation of Title IX as prohibiting allowing people to participate in single-sex programs based on their gender identity. My organization is concerned that this interpretation could require organizations to ignore federal law prohibiting discrimination based on gender identity and would ultimately result in victims who are transgender or gender-nonconforming being turned away from services.
54. Members Doe 1 and 3 are concerned about the HUD conditions that prohibit using grant funds to "promote" "elective abortion." While they do not provide abortion care, Members Doe 1 and 3 do not know what the government may consider to "promote" abortion. Reproductive health access, including abortion, is part of our members' framework, and they offer clients information about any healthcare services that they need. When pregnant survivors request abortion care, Members Doe 1 and 3 provide them with resources on how to seek that care.
55. Members Doe 1 and 3 are concerned about the HUD condition providing that use of grant funds and operation of projects assisted with grant funds are governed by "[a]ll current Executive Orders." Members Doe 1 and 3 do not know what this condition's broad and

vague language means for our organization or how to comply with it, given the many new executive orders that it implicates.”

56. The new ACF funding conditions present my organization and its members with an impossible choice. My organization could forgo accepting ACF grant awards and face the direct consequences to my organization’s financial health and ongoing operations. Or my organization could accept the funding with the conditions and jeopardize its mission and compliance with statutory or regulatory requirements, and face enormous risks of litigation and government investigations under the False Claims Act.
57. Additionally, my organization’s members would have to fundamentally change their programming or accept new grants and risk running afoul of various funding conditions imposed on those grants. Foregoing the funds would have serious impacts on the health and operations of our member organizations, and leave survivors with far fewer options for finding safety. For example, members have expressed concerns about whether or not these conditions will limit their ability to provide shelter and services to LGBTQ+ survivors, and if this will limit their ability to provide language on their website and in public communication that makes clear they are a safe and welcoming space for survivors of all identities. They have expressed concern that displaying a Pride flag, including language specifically about serving LGBTQ+ survivors, asking survivors for their pronouns, and engaging in other inclusive approaches could run afoul of these new conditions. They have also expressed concern that they will be required to screen for immigration status before accepting a survivor fleeing a dangerous situation into their emergency shelter, and that providing any services to someone without clear legal status would run afoul of these restrictions. For programs that provide legal services to support

survivors in seeking legal immigration remedies, these conditions create a challenging set of barriers. The HHS restrictions will also negatively impact their ability to conduct effective prevention work and focus on root causes that can lead to violence.

58. My organization and our members fear that if we agree to the new funding conditions, it could face not only the loss of grant funds, but federal government investigation, private party litigation under the False Claims Act, and potential liability for not complying. These potential consequences of seeking a grant subject to the new, vague conditions make my organization concerned about applying or accepting an award. To mitigate these risks, my organization would have to change its practices, in many cases contrary to its core values

**VIII. These Funding Conditions Threaten to Harm Domestic Violence and Sexual Assault Victims and Survivors**

59. These funding conditions threaten harm to domestic violence service providers who rely on the Partnership for training and technical assistance that enhances their services for all survivors of domestic violence and equips them with the tools to serve their communities. These conditions could limit our ability to provide content specific to serving LGBTQ+ survivors, immigrant survivors, Black, Indigenous, or People of Color who are survivors, or approaches that are grounded in diversity, equity, and inclusion. These limitations would also fundamentally change the prevention work we are able to do.
60. Conversely, if my organization or its members turned down the funds because of the conditions, the reduction or outright termination of these services would have devastating effects on the community of victim service providers and the survivors and victims of domestic violence that they serve.

61. My organization's operations are essential to supporting the community of service providers working every day to support survivors through trauma and healing, and to the critically needed work of implementing strategies to prevent violence and abuse from ever occurring, and to building safe, healthy communities. In the absence of fully funded services, California's response to survivors and communities will be weakened.

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

Executed on August 7, 2025.



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Krista Colón