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**Appearance Pro Hac Vice*

Counsel for Plaintiffs

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **OAKLAND DIVISION**

16 SAN FRANCISCO AIDS FOUNDATION, et
17 al.;

Plaintiffs,

19 v.

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

Defendants.

Case No. 4:25-cv-1824-JTS

**DECLARATION OF JEFFREY KLEIN,
OF CHIEF OPERATING OFFICER OF
THE LGBT COMMUNITY CENTER,
IN SUPPORT OF PLAINTIFF'S
COMPLAINT AND MOTION FOR
PRELIMINARY INJUNCTION**

1 I, Jeffrey Klein, declare as follows:

2 1. I am the Chief Operating Officer for Plaintiff The Lesbian and Gay Community
3 Services Center, Inc. d/b/a The LGBT Community Center (“NY LGBT Center”). Except where
4 stated upon information and belief, I have personal knowledge of the facts stated herein and, as to
5 those matters stated to be upon information and belief, I believe them to be true. If called upon, I
6 could and would competently testify to the matters stated herein.

7 2. I submit this Declaration in support of Plaintiffs’ Motion for a Preliminary
8 Injunction in the above-captioned matter with respect to three executive orders that are an
9 existential threat to the NY LGBT Center and the LGBTQ+ community it serves: (i) Executive
10 Order No. 14168 “Defending Women From Gender Ideology Extremism and Restoring Biological
11 Truth to the Federal Government”; (ii) Executive Order No. 14151, “Ending Radical and Wasteful
12 Government DEI Programs and Preferences”; and (iii) Executive Order No. 14173, “Ending Illegal
13 Discrimination and Restoring Merit-Based Opportunity” (collectively, the “Executive Orders”),
14 and related agency directives that seek to enforce the Executive Orders.

15 **A. The NY LGBT Center is a Cornerstone of New York City’s LGBTQ+ Community.**

16 3. The NY LGBT Center is a not-for-profit 501(c)(3) organization based in New York,
17 NY. We were established in 1983 at the height of the AIDS crisis to provide a safe and affirming
18 place for LGBTQ+ New Yorkers to respond to the urgent threats facing the community. Over the
19 last 40 years, the NY LGBT Center has grown to meet the changing needs of New York’s
20 LGBTQ+ community, delivering services that empower people to lead healthy, successful lives.
21 Today, our commitment to justice and eliminating stigma continues as it grows to meet the needs
22 of LGBTQ+ New Yorkers.

23 4. The NY LGBT Center has over 300,000 annual visitors; 400 community groups
24 call our space home; and we offer a host of direct services to those seeking accessible, affordable,
25 and affirming support. Every week, the NY LGBT Center receives over 6,000 visits from
26 individuals seeking our wide range of services, including recovery and wellness programs,
27

1 economic advancement initiatives, family and youth support, advocacy, arts and cultural
2 programming, and space for community organizing, connection, and celebration.

3 5. The NY LGBT Center is also a cornerstone of LGBTQ+ culture in New York City.
4 It is where, on any given day, you can catch a premiere on our 22-foot screen, hear dynamic
5 musical talent, listen as prominent authors and public figures discuss their work, or attend a
6 theatrical presentation. From Keith Haring’s iconic “Once Upon a Time” mural to the many
7 portraits that double as walls, art has been an integral part of The Center’s history of activism in
8 the city. Queer artists used their work to address issues of AIDS, homophobia, and social justice,
9 helping to raise awareness and promote change. Our LGBT Center National History Archive is a
10 community-based archive that collects, preserves, and makes available to the public the
11 documentation of LGBTQ+ lives and organizations centered in and around New York. Through
12 our collections, we enable the stories and experiences of New York’s LGBTQ+ people to be told
13 with historical depth and understanding. Through art and history, we have been able to express
14 ourselves, see and share our stories, and fight for our rights, leaving a lasting impact on the city’s
15 cultural landscape.

16 6. Every year, the NY LGBT Center hosts events around the Trans Day of
17 Remembrance (“TDOR”) and Trans Day of Visibility (“TDOV”). For TDOR, we hold a candle-
18 lit vigil to memorialize those who have been killed because of anti-transgender violence and bring
19 attention to the continued brutality endured by the trans and gender-expansive members of our
20 community. It also features storytellers (music, poetry, dance, etc.) sharing their personal
21 reflections of hope, grief, solidarity, and resilience. For TDOV, we hold a Trans Day of Visibility
22 Market, which is a market entirely curated by our trans and gender-expansive community to
23 include creatives and small business owners selling handmade crafts, jewelry, original art, and
24 more. This market also features a free legal name change clinic for community members.

25 7. Additionally, the NY LGBT Center offers numerous social support groups to seek
26 community and social support. These are spaces for community members to openly discuss their
27 experiences as transgender, gender expansive/nonconforming, nonbinary, and genderqueer
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1 individuals. The NY LGBT Center has dedicated groups to support trans and gender
2 nonconforming Black, Indigenous, and People of Color (“BIPOC”) for explorations and
3 engagement around identity, gender, race, and life experiences.

4 8. The NY LGBT Center also offers a healthy environment for transgender and gender
5 nonconforming community members, as well as their partners and families, to connect with others
6 going through similar experiences. Starting with our Gender Identity Project, created in 1989, our
7 services for transgender and gender nonconforming community members have evolved over time
8 to include a range of advocacy, education, and economic stability initiatives. Programming for
9 the transgender and gender nonconforming communities at the NY LGBT Center also provides an
10 opportunity for members to interact with other trans-identified and allied community members and
11 service providers. We offer counseling, referral services, resources for skills-building and career
12 development, and a range of support groups for our transgender and gender nonconforming
13 community members all in a supportive environment.

14 9. Despite legal protections in New York State, the effects of discrimination continue
15 to place transgender and gender nonconforming community members at extremely high rates of
16 poverty, unemployment, underemployment, and homelessness. The NY LGBT Center provides
17 services to directly combat this inequality, including individual career coaching support, case
18 management, events focused on career exploration, legal workshops, and networking
19 opportunities.

20 10. The NY LGBT Center also is a hub for LGBTQ+ organizing, activism, and
21 advocacy. We serve as a catalyst for progressive social change. Our advocacy is grounded in
22 creating a strategic policy agenda that features policy analysis, forums, and enforcement efforts.
23 The NY LGBT Center is the administrator of the New York State Lesbian, Gay, Bisexual and
24 Transgender Health & Human Services Network, which is a coalition consisting of 62 LGBTQ-
25 specific and LGBTQ-supportive nonprofit organizations that provide care to LGBTQ+ New
26 Yorkers and their families.

1 11. In short, the NY LGBT Center is a place of safety, connection, activism, and joy.
2 For many members of the LGBTQ+ community, the NY LGBT Center is a lifeline.

3 **B. The NY LGBT Center Offers a Range of Services to the LGBTQ+ Community Using**
4 **Federal Funds That Have Been Put at Risk by the Executive Orders.**

5 12. Diversity, equity, and inclusion, and the recognition of and support for transgender
6 individuals is woven into the very fabric of the NY LGBT Center’s mission and are at the heart of
7 the behavioral and mental health, substance use, and other services we offer by acknowledging
8 that certain communities have been historically neglected and harmed by racism, transgender bias,
9 sexism, and poverty. This includes LGBTQ+ people who are BIPOC, transgender, poor/working-
10 class, living with HIV/AIDS, immigrants, and/or youth. The NY LGBT Center puts these
11 communities at the center of all our work and is committed to serving all members of the LGBTQ+
12 community.

13 13. Over \$2 million of the NY LGBT Center’s annual budget comes from federal
14 funding, both in direct grants from federal agencies and in pass-through federal funds received
15 from New York State agencies. This accounts for approximately 12% of the NY LGBT Center’s
16 annual budget.¹

17 14. The NY LGBT Center receives direct funding from the federal government via
18 grant agreements with the Substance Abuse and Mental Health Services Administration
19 (“SAMHSA”) and the Office of Victims of Crime within the U.S. Department of Justice.² The
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21 ¹ The NY LGBT Center also has an \$856,000 grant from the federal Health Resources and Services
22 Administration (“HRSA”) for a capital project to upgrade the HVAC system in its building and
23 other necessary upgrades to The Center’s physical infrastructure. These upgrades are necessary
24 to keep the NY LGBT Center’s employees, visitors, and the community it serves healthy and to
25 allow its space to continuing functioning. Given the broad and vague language in the Executive
26 Orders, and their apparent intent to cut-off funding to organizations, like the NY LGBT Center,
27 with a focus on diversity, equity, and inclusion and historically marginalized groups, including
28 members of the LGBTQ+ community, it is unclear whether the NY LGBT Center can make the
representations that HRSA will likely require for the NY LGBT Center to continue to receive this
grant.

² Upon information and belief, SAMHSA is a branch of the U.S. Department of Health and Human
Services.

1 NY LGBT Center also receives indirect pass-through funding via various New York State
2 agencies, including the New York State Office of Victim Services, the New York State Department
3 of Health, and the New York State Office of Addiction Services and Support (“OASAS”).

4 15. The direct and indirect federal funds the NY LGBT Center receives are critical to
5 its ability to provide the range of important services it offers to members of the LGBTQ+
6 community. These funds are used to support services including substance use treatment and
7 prevention, youth programming, HIV testing and prevention, mental health counseling, case
8 management, support for survivors of violence, training for clinicians and capacity building for
9 other providers on working with the LGBTQ+ community, and more. The federal funds the NY
10 LGBT Center receives are also used to support several full-time employees whose work is
11 necessary to provide these services.

12 *i. The NY LGBT Center provides a range of behavioral and mental health services that*
13 *we would not be able to provide if our federal funding is terminated.*

14 16. The NY LGBT Center’s behavioral and mental health services represent a holistic
15 approach to wellness and empowerment for the LGBTQ+ community. This includes recovery
16 programming designed to help our community lead healthy lives through substance use treatment,
17 mental health counseling, recovery groups, HIV/AIDS testing and education. The NY LGBT
18 Center also provides services and programs designed for LGBTQ+ young people in a safe,
19 inclusive, affirming environment where they can connect with peers, build leadership skills, and
20 take care of their mental and physical health. If the NY LGBT Center does not have
21 programming in a particular area, we help connect clients to those needed services, which can
22 include anything from identifying affirming medical providers, securing housing support, or
23 connecting with legal services. Finding affirming providers and service organizations is critical to
24 navigating life as a LGBTQ+ person.

25 17. It is well-researched and established that health disparities amplify due to the
26 intersectionality of oppression. When it comes to those disproportionately impacted by HIV, there
27 are significant disparities for LGBTQ+ men of color and transgender women of color. The NY
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1 LGBT Center’s services are designed to meet the needs of those whose health is most impacted by
2 social inequities. This includes those who experience the greatest barriers, who have the least
3 access, and those who are afraid to come forward for care due to stigma, mistrust, and
4 traumatization. The NY LGBT Center offers a wide range of LGBTQ+-specific outreach,
5 prevention, and treatment services specifically designed to remove barriers and facilitate access to
6 care. We offer education, outreach, economic stability, treatment, and prevention initiatives to
7 address the disparities in access, service use, and outcomes for LGBTQ+ minority populations
8 with substance use disorders and co-occurring substance use and mental health disorders who are
9 at risk for or living with HIV/AIDS. We also work to serve the critical need for strategic outreach,
10 education, and support to reduce the HIV infection rate and increase the viral suppression rate
11 among populations most at risk.³

12 18. As part of this work, the NY LGBT Center runs an HIV & Sexual Health Services
13 program that provides HIV and Hepatitis C testing and community outreach services to BIPOC,
14 queer, trans, and gender nonconforming community members. This program is paid for by funds
15 received under a five-year grant agreement (for the period August 2020 through August 2025) with
16 SAMHSA titled Reducing Youth Substance Use for LGB and TGNC individuals in NYC (the
17 “RYSULT Grant”). The goal of the RYSULT Grant as stated in the grant agreement with
18 SAMHSA is to “provide training and education around the risks of substance misuse, education
19 on HIV/AIDS to youth ages 13-24 living in NYC, specifically targeting racial minorities, and
20

21 ³ Although there have been gains toward ending the HIV/AIDS epidemic in New York City,
22 inequities persist across many communities. Of all cisgender and transgender women newly
23 diagnosed with HIV in 2020, 92% were Black or Latina; and of all cisgender and transgender men
24 newly diagnosed, 79% were Black or Latino. Of all men newly diagnosed with HIV in 2020, 59%
25 were MSM; of these, 78% were Black or Latino, with 79% of these aged 20-39 years. Nearly half
26 of New Yorkers newly diagnosed with HIV in 2020 lived in neighborhoods of high or very high
27 poverty. See *NYC Department of Health. (2021, December 1). New HIV Diagnoses in New York
28 City Declined 21% From 2019 to 2020. <https://www1.nyc.gov/site/doh/about/press/pr2021/new-hiv-diagnoses>. The NY LGBT Center works to reduce the disparities in access, service use, and
outcomes by addressing and mitigating these barriers through the use of specially trained
counselors and clinicians who are culturally competent for the LGBTQ+ community and who have
experience supporting and addressing the multifaceted needs of those who seek their services.*

1 needed linkages to service provision for youth with HIV.” Pursuant to the RYSULT Grant, the
2 NY LGBT Center is to receive \$200,000 per year from SAMHSA and those funds also support
3 2.8 full-time employees necessary to provide these services.

4 19. The NY LGBT Center also provides medical insurance enrollment services to
5 LGBTQ+ individuals in New York City pursuant to a grant from the New York State Department
6 of Health using pass-through funds the state receives from the Centers for Medicare & Medicaid
7 Services (“CMS”).⁴ This grant’s goal is to “increase access to health insurance in the LGBT
8 community” and expressly prohibits the NY LGBT Center from discriminating based on “gender
9 and gender identity” (among other categories). This grant further specifies that the NY LGBT
10 Center’s “outreach will focus particularly on vulnerable and hard to reach populations, particularly
11 the LGBTQ and Latinx (gender-neutral term for queer people of Latin American descent)
12 community.” Pursuant to this grant, the NY LGBT Center is to receive \$501,346 per year through
13 July 2025 to provide health insurance enrollment assistance to individuals eligible for insurance
14 through the New York State health insurance marketplace under the federal Affordable Care Act.
15 These funds also support 4.72 full-time employees necessary to provide these services.

16 20. Given the broad and vague language in the Executive Orders, we cannot understand
17 how to comply in order continue to receive federal funding. Executive Orders 14151 and 14173
18 purport to prohibit “illegal DEI” initiatives, yet they fail to define what they mean by “DEI” and
19 what now would be considered unlawful under federal law.

20 21. The NY LGBT Center’s SAMSHA and CMS grants require that we provide
21 targeted services to underserved minority populations. By their terms, these grants require an
22 “equity” lens which appears to violate the DEI prohibitions. We cannot determine how to comply
23 with the Executive Orders without simultaneously violating the requirements of these grants. We
24 are already planning for the event if the NY LGBT Center is prohibited from receiving these funds.
25 We will be required to eliminate staff roles and will be unable to continue to provide many of the

26 _____
27 ⁴Upon information and belief, CMS is a branch of the U.S. Department of Health and Human
28 Services.

1 important and necessary behavioral and mental health services we currently provide to an
2 otherwise underserved population that are supported by grants from SAMHSA and the NY
3 Department of Health.

4 *ii. The NY LGBT Center provides a range of substance abuse services that we would*
5 *not be able to provide if our federal funding is terminated.*

6 22. The NY LGBT Center provides the only licensed substance use program in New
7 York City designed specifically to address the unique needs of LGBTQ+ youth. A significant part
8 of this program is funded through SAMHSA, through a grant awarded in September 2020 and
9 titled Substance Abuse Services and HIV Intervention Project 2 (the “SASHI 2 Grant”). Under
10 the terms of the SASHI 2 Grant, the NY LGBT Center is to receive \$500,000 per year through
11 September 2027. These funds are used to provide substance use treatment and prevention
12 counseling and mental health counseling for the LGBTQ+ community in New York City. Using
13 this funding, the NY LGBT Center provides programming to increase engagement in care for racial
14 and ethnic underrepresented individuals ages 13+ with substance use disorders and co-occurring
15 substance use and mental health disorders who are at risk for, or are living with, HIV/AIDS and
16 receive HIV/AIDS services/treatment.

17 23. The service emphasis in the SASHI 2 Grant is “caring for those most at risk for
18 HIV: men who have sex with men (MSM), especially young MSM ages 12-25 (YMSM);
19 transgender individuals, especially those involved with sex work and transactional sex; HIV-
20 negative partners of individuals living with AIDS; minorities in the LGBTQ+ community who are
21 Black and/or Latino/Hispanic, low-income, and/or non-English speaking or English as a Second
22 Language.” The NY LGBT Center has designed its programming and activities to achieve this
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1 service emphasis.⁵ These funds also support 4.8 full-time employees necessary to provide these
2 services.

3 24. The NY LGBT Center was also awarded a five-year grant in September 2024 by
4 SAMHSA, titled Supporting LGBTQI+ Youth in NYC through Prevention, Resources,
5 Information, Data, and Evaluation (the “PRIDE Grant”). Under the PRIDE Grant, the NY LGBT
6 Center is to receive \$375,000 per year from SAMHSA through September 2029. The funds
7 received under the PRIDE Grant will be used to run a program, which the NY LGBT Center is in
8 the process of launching the training, to reduce the onset and progression of substance use and its
9 related problems in LGBTQ+ youth through training and data collection. As part of this program,
10 the NY LGBT Center will conduct training to increase the capacity of prevention providers and
11 stakeholders throughout New York City to improve their ability to deliver affirming and inclusive
12 services, including to support substance abuse capacity training for school substance use
13 counselors and youth service workers on providing affirming substance use prevention services to
14 LGBTQ+ youth in school and community settings across New York City. The funds the NY
15 LGBT Center is to receive under the PRIDE Grant also support 1.3 full-time employees necessary
16 to run the program.

17 25. Additionally, the NY LGBT Center receives \$149,136 per year in federal pass-
18 through funds from OASAS via SAMHSA. The NY LGBT Center’s grant agreement with
19 OASAS is for five years, from September 2021 through September 2026, and requires the NY
20 LGBT Center to provide SBRIT screening (Screening, Brief Intervention, and Referral to
21 Treatment) for high school age students. SBRIT is an evidence-based approach used to identify,
22 reduce, and prevent problematic substance use and connect young people to care when screened

23 ⁵ Nearly 65% of the LGBTQ+ youth of color the NY LGBT Center serves report that they are
24 barely getting by. Overall, LGBTQ+ youth of color are twice as likely to use substances and
25 struggle with low educational attainment and employability due to the systemic barriers they face.
26 The NY LGBT Center’s youth programming tackles drivers of poverty and empowers LGBTQ+
27 youth of color to become healthy, successful adults. Over 75% of the NY LGBT Center’s youth
28 program participants are people of color. In light of the COVID pandemic, the isolation and
challenges facing LGBTQ+ youth of color have been immense, but the NY LGBT Center has been
able to adapt by serving these youth and is committed to continuing that work.

1 positive. The funds the NY LGBT Center receives from OASAS also support 2.7 full-time
2 employees necessary to provide these services.

3 26. Given the broad and vague language in the Executive Orders, and their apparent
4 intent to cut-off funding to organizations, like the NY LGBT Center, with a focus on diversity,
5 equity, and inclusion and historically marginalized groups, including members of the LGBTQ+
6 community, it is unclear whether the NY LGBT Center can make the representations that
7 SAMHSA will likely require for the NY LGBT Center to be able to continue to receive the funding
8 under its grants with SAMHSA and OASAS. If the NY LGBT Center is prohibited from receiving
9 these funds, we will be required to eliminate staff roles and will be unable to continue to provide
10 many of the important and necessary substance abuse treatment and prevention services it currently
11 provides to an otherwise underserved, and disproportionately at-risk population that are supported
12 by our grants from SAMHSA and OASAS.

13 ***iii. The NY LGBT Center provides necessary services to victims of crime that we would***
14 ***not be able to provide if our federal funding is terminated.***

15 27. People identifying as LGBTQ+ suffer from violent crimes at a disproportionately
16 higher rate than their non-LGBTQ+ counterparts. The U.S. Department of Justice's Office for
17 Victims of Crime Human Trafficking Task Force reports that LGBTQ+ individuals are more likely
18 to be bullied by their peers, ostracized by their communities, or vulnerable to human trafficking.
19 According to the Family and Youth Services Bureau within the Administration for Children and
20 Families at the U.S. Department of Health and Human Services, LGBTQ+ youth account for up
21 to 40% of the runaway and homeless youth population. The U.S. Centers for Disease Control and
22 Prevention ("CDC") has acknowledged that almost half (47.5%) of American Indian/Alaska
23 Native women, 45.1% of non-Hispanic Black women, 37.3% of non-Hispanic White women,
24 34.4% of Hispanic women, and 18.3% of Asian-Pacific Islander women experience contact sexual
25 violence, physical violence, and/or stalking by an intimate partner in their lifetime. And LGBTQ+
26 women, trans people and non-binary people are equally as likely, if not more so, than their
27 cisgender and heterosexual peers to have experienced IPV at some point in their lifetimes. The NY
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1 LGBT Center’s staff’s work is to understand and address the systemic obstacles to services
2 members of the LGBTQ+ community face due to their race, gender identity, immigration status
3 or other historically oppressed identities.

4 28. The NY LGBT Center’s work in this area is funded, in part, by a grant from the
5 New York State Office of Victims’ Services (“OVS”) using pass-through federal funding OVS
6 receives from the U.S. Department of Justice, Office of Victims of Crime (“DOJOVC”). That
7 grant requires the funding received by the NY LGBT Center be used specifically to help LGBTQ+
8 individuals (a population OVS has identified as “Underserved”) directly confront and heal from
9 traumas resulting from violent crime. The NY LGBT Center’s grant with OVS is for a three-year
10 period from October 2022 through September 2025 and the NY LGBT Center is in the process of
11 applying to renew the grant. The NY LGBT Center receives \$277,127 per year in grant funds
12 from OVS and those funds are used to provide case management, counseling services and
13 resources for survivors of crime, including hate crimes and intimate partner violence. The funds
14 received through the OVS grant also support 1.8 full-time employees.

15 29. The NY LGBT Center also has a grant agreement directly with the DOJOVC
16 pursuant to which the NY LGBT Center is to receive \$100,000 per year from October 2024 through
17 September 2026. The funds received through this grant are to provide direct care to victims of
18 crime like transportation, temporary hotel stays, food, and personal care. The funds received
19 directly from DOJOVC will support one full-time employee to administer the direct care and
20 conduct intake for internal or external referrals for ongoing support.

21 30. Given the broad and vague language in the Executive Orders, and their apparent
22 intent to cut-off funding to organizations, like the NY LGBT Center, with a focus on diversity,
23 equity, and inclusion that supports historically marginalized groups, including members of the
24 LGBTQ+ community, it is unclear whether the NY LGBT Center can make the representations
25 the Department of Justice will likely require for the NY LGBT Center to be able to continue to
26 receive the funding under its grant agreements with OVS and DOJOVC. If the NY LGBT Center
27 is prohibited from receiving these funds, we will be required to eliminate staff roles and will be
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1 unable to continue to provide many of the important and necessary services we currently provides
2 to an otherwise underserved population of crime victims that are supported by our grants from
3 OVS and DOJVOC.

4 **C. The NY LGBT Center Cannot Operate without Recognizing the Transgender**
5 **Community.**

6 31. The NY LGBT Center serves as a vital resource for the LGBTQ+ community,
7 providing essential services, programs, and support to individuals of diverse sexual orientations,
8 gender identities, and expressions. The NY LGBT Center's ability to function depends entirely
9 on its commitment to inclusivity and its acknowledgment of transgender and gender-diverse
10 individuals.

11 32. One of the NY LGBT Center's core purposes is recognizing and affirming the
12 existence of transgender and gender-diverse individuals. The Executive Orders' mandate to reject
13 or refrain from acknowledging gender identity as distinct from sex assigned at birth would
14 undermine our foundational principles and its day-to-day operations. If the NY LGBT Center
15 were compelled to comply, we would face the untenable choice of either violating our deeply held
16 mission or risking legal consequences for noncompliance. Compliance with the Executive Order
17 would dismantle the NY LGBT Center's identity, rendering us incapable of serving the community
18 we were established to support.

19 33. The NY LGBT Center is a trusted institution within the community, serving
20 thousands of clients annually. If forced to comply with the Executive Order, the loss of services
21 targeted by the Executive Orders would sever the NY LGBT Center's trust with the transgender
22 community, leaving many individuals without crucial support. This breakdown in trust would
23 have cascading effects, furthering the already significant barriers to accessing healthcare and social
24 services that this marginalized population faces.. Our programs designed for LGBTQ+
25 individuals, particularly those addressing mental health, HIV prevention, and crisis intervention,
26 require a gender-affirming approach. Removing transgender identity from these programs would
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1 make them ineffective, invalidating the expertise and credibility of the NY LGBT Center’s staff
2 and reducing the impact of our services

3 34. The Executive Order targeting "gender ideology" presents an existential threat to
4 the NY LGBT Center's mission, programs, and the well-being of its clients. This Executive Order
5 would definitively have health and safety implications for the communities we serve. Compliance
6 would necessitate abandoning the recognition and affirmation of transgender and gender-diverse
7 individuals, effectively erasing a significant portion of the community the NY LGBT Center exists
8 to serve. Such a requirement is antithetical to our values, would cause demonstrable harm to
9 vulnerable populations, and undermine critical public health efforts. As such, the NY LGBT
10 Center seeks relief from the implementation of this harmful and discriminatory policy to preserve
11 our mission and continue our essential work in supporting all members of the LGBTQ+
12 community.

13 **D. The NY LGBT Center Has Received a Notice Implementing the Executive Orders.**

14 35. On January 31, 2025, the NY LGBT Center received the following notice via email
15 from HRSA:

16 Dear Recipient:

17 Your Health Resources and Services Administration (HRSA) award is funded in whole or
18 in part with U.S. government funds.

19 Effective immediately, HRSA grant funds may not be used for activities that do not align
20 with Executive Orders (E.O.) entitled Ending Radical and Wasteful Government DEI
21 Programs and Preferencing, Initial Rescissions of Harmful Executive Orders and Action,
22 Protecting Children from Chemical and Surgical Mutilation, and Defending Women from
23 Gender Ideology Extremism and Restoring Biological Truth to the Federal Government
(Defending Women). Any vestige, remnant, or re-named piece of any programs in conflict
with these E.O.s are terminated in whole or in part.

24 You may not incur any additional costs that support any programs, personnel, or activities
25 in conflict with these E.O.s

26 If you have any questions, contact us at DGMOCommunications@hrsa.gov.

27 (emphasis added.)

1 36. A true and correct copy of the January 31, 2025 notice the NY LGBT Center received
2 from HRSA is attached hereto as **Exhibit A.**⁶

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26 _____
27 ⁶ The email address of the NY LGBT Center email address to which the notice was directed as
28 been redacted.

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

Dated: February 24, 2025

Respectfully submitted,



Jeffrey Klein

EXHIBIT A

----- Forwarded message -----

From: **Health Resources and Services Administration** <hrsa@public.govdelivery.com>

Date: Fri, Jan 31, 2025 at 4:07 PM

Subject: Important Message for HRSA Award Recipients

To: [REDACTED]@[@gaycenter.org](mailto:)>

HRSA

Health Resources & Services Administration

Dear Recipient:

Your Health Resources and Services Administration (HRSA) award is funded in whole or in part with U.S. government funds.

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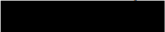



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