

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

RHODE ISLAND LATINO ARTS, *et al.*,

Plaintiffs,

v.

NATIONAL ENDOWMENT FOR THE  
ARTS, *et al.*,

Defendants.

Civil Action  
No. 24-cv-79-WES-PAS

**DEFENDANTS' OBJECTIONS AND RESPONSES TO PLAINTIFFS'  
FIRST SET OF REQUESTS FOR ADMISSION**

Under Federal Rules of Civil Procedure 26 and 36 and to comply with the Court's June 4, 2025, text order, Defendants National Endowment for the Arts and its Senior Advisor Mary Anne Carter (collectively, the "NEA," unless otherwise specified herein) hereby object and respond to Plaintiffs' First Set of Requests for Admission.

**Objections**

The NEA provides its responses subject to three objections. First, the NEA incorporates and preserves its objections to Plaintiffs' requests on the grounds cited in its motion for a protective order (ECF 17), but responds in full to the requests as the Court ordered on June 4, 2025. Second, the NEA construes Plaintiffs' requests as seeking admissions only concerning its Grants for Arts Projects, the sole NEA program at issue in this case. Third, the NEA objects to the Plaintiffs' Definitions, Instructions, and requests to the extent that they seek disclosures exceeding the NEA's obligations under the Federal Rules of Civil Procedure.

**Responses**

**REQUEST FOR ADMISSION No. 1:** Admit that the NEA's or Chair's conclusion that a proposed project "promotes gender ideology" will disqualify the project from receiving an NEA grant.

**Response:** Denied. As stated in the NEA's Final Notice of Implementation of Executive Order 14168, dated April 16, 2025, the NEA will not consider a project's potential promotion of gender

ideology in evaluating whether the project is eligible for grant funding. The Chair will consider all applicable factors in evaluating a proposed project, and will not disqualify a project from consideration solely on her conclusion that a proposed project “promotes gender ideology.”

**REQUEST FOR ADMISSION No. 2:** If your answer to Request for Admission No. 1 is anything other than an unqualified admission, admit that the NEA’s or Chair’s conclusion that a proposed project “promotes gender ideology” will make it less likely that the project will receive an NEA grant.

**Response:** Admitted only as follows. In evaluating a proposed project, the NEA will consider all applicable factors set forth under the NEA’s enabling statute (including, in particular, 20 USC §§ 954(c) & (d)), other governing law, and according to agency practices. If the NEA Chair concludes that a proposed project “promotes gender ideology,” that factor could weigh against the project’s final approval. The fact that a proposed project “promotes gender ideology,” standing alone, will not mean that project will not receive approval. No proposed project will be denied solely on the basis that it “promotes gender ideology.”

**REQUEST FOR ADMISSION No. 3:** If your answer to Request for Admission No. 2 is anything other than an unqualified admission, admit that the NEA’s or Chair’s conclusion that a proposed project “promotes gender ideology” will make no difference as to whether the project will receive an NEA grant.

**Response:** Denied, only as follows. The Chair will consider all applicable factors in evaluating a proposed project, and whether a proposed project “promotes gender ideology” may be a factor as described in the NEA’s Final Notice of Implementation of Executive Order 14168, dated April 16, 2025, at 6, § III.

I declare that the foregoing responses are true to the best of my knowledge and belief.

As to the objections,

/s/ 

MARY ANNE CARTER  
Senior Advisor  
National Endowment for the Arts

/s/ *Kevin Bolan*

KEVIN BOLAN  
Assistant U.S. Attorney

Dated: June 11, 2025

Respectfully submitted,

NATIONAL ENDOWMENT FOR THE ARTS;  
MARY ANNE CARTER, in her official capacity as Senior Advisor of the National Endowment for the Arts,

By their Attorneys

SARA MIRON BLOOM  
Acting United States Attorney

*/s/ Kevin Bolan*

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#### **CERTIFICATE OF SERVICE**

I certify that on June 11, 2025, I filed this document and its attachments through the Court's ECF system, thereby electronically serving all parties of record in this action.

*/s/ Kevin Bolan*

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KEVIN BOLAN

Assistant United States Attorney