

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

AMERICAN PUBLIC HEALTH
ASSOCIATION, *et al.*,

Plaintiffs,

v.

NATIONAL INSTITUTES OF HEALTH, *et
al.*,

Defendants.

Case No. 1:25-cv-10787-BEM

DECLARATION OF JESSIE J. ROSSMAN

I, Jessie Rossman, an attorney admitted to practice before this Court, do hereby state the following under penalty of perjury, pursuant to 28 U.S.C. § 1746:

1. I am an attorney admitted to practice in Massachusetts. I represent Plaintiffs in the above-captioned action.

2. I submit this declaration in support of Plaintiffs' Motion for Preliminary Injunction, pursuant to Federal Rule of Civil Procedure 65.

3. The facts set forth herein are based upon my personal knowledge or a review of the files in my possession.

4. I have attached to this declaration true and correct copies of publicly promulgated or issued documents and factual declarations, as follows:

5. Attached hereto as Exhibit 1 is a true and correct copy of a PDF of a National Institutes of Health (NIH) webpage titled "Institutes at NIH." The PDF was captured on April 18, 2025.

6. Attached hereto as Exhibit 2 is a true and correct copy of a PDF of an NIH webpage titled “Budget,” last updated on October 3, 2024. The PDF was captured on April 18, 2025.

7. Attached hereto as Exhibit 3 is a true and correct copy of a PDF of an NIH webpage for Notice Number: NOT-OD-25-084, “NIH Operates Under a Continuing Resolution,” published April 3, 2025. The PDF was captured on April 24, 2025.

8. Attached hereto as Exhibit 4 is an excerpt of the NIH-Wide Strategic Plan, Fiscal Years 2021–2025.

9. Attached hereto as Exhibit 5 is an excerpt of the April 2024 NIH Grants Policy Statement.

10. Attached hereto as Exhibit 6 is a true and correct copy of a March 14, 2025 article from *The Atlantic* by Katherine J. Wu, titled “The NIH's Grant Terminations Are ‘Utter and Complete Chaos.’”

11. Attached hereto as Exhibit 7 is a January 27, 2025 document titled “Memorandum for Heads of Executive Departments and Agencies” issued by Matthew J. Vaeth, Acting Director of the Office of Management and Budget.

12. Attached hereto as Exhibit 8 is a true and correct copy of the transcript of the April 3, 2025 deposition of Michelle Bulls taken in the matter of *Washington v. Trump*, No. 2:25-cv-00244-LK (W.D. Wash. 2025).

13. Attached hereto as Exhibit 9 is a true and correct copy of the transcript of the April 4, 2025 deposition of Liza Bundesen taken in the matter of *Washington v. Trump*, No. 2:25-cv-00244-LK (W.D. Wash. 2025).

14. Attached hereto as Exhibit 10 is a true and correct copy of ECF No. 77-4 from *Commonwealth of Massachusetts v. Kennedy, Jr.*, Case No. 1:25-cv-10814-BEM (D. Mass. 2025), which consists of a February 10, 2025 document titled “Secretarial Directive on DEI-Related Funding.”

15. Attached hereto as Exhibit 11 is a true and correct copy of ECF No. 77-5 from *Commonwealth of Massachusetts v. Kennedy, Jr.*, Case No. 1:25-cv-10814-BEM (D. Mass. 2025), which consists of a February 12, 2025 document titled “NIH Review of Agency Priorities Based on the New Administration’s Goals.”

16. Attached hereto as Exhibit 12 is a true and correct copy of ECF No. 77-6 from *Commonwealth of Massachusetts v. Kennedy, Jr.*, Case No. 1:25-cv-10814-BEM (D. Mass. 2025), which consists of a February 13, 2025 document titled “Supplemental Guidance to Memo Entitled- NIH Review of Agency Priorities Based on the New Administration’s Goals.”

17. Attached hereto as Exhibit 13 is a true and correct copy of ECF No. 77-8 from *Commonwealth of Massachusetts v. Kennedy, Jr.*, Case No. 1:25-cv-10814-BEM (D. Mass. 2025), which consists of a March 2025 document titled “Staff Guidance– Award Assessments for Alignment with Agency Priorities – March 2025.”

18. Attached hereto as Exhibit 14 is a true and correct copy of ECF No. 77-10 from *Commonwealth of Massachusetts v. Kennedy, Jr.*, Case No. 1:25-cv-10814-BEM (D. Mass. 2025), which consists of a March 25, 2025 document titled, “NIH Grants Management Staff Guidance – Award Assessments for Alignment with Agency Priorities – March 2025.”

19. Attached hereto as Exhibit 15 is a true and correct copy of a PDF of an NIH webpage for Notice Number: NOT-OD-25-090, “Notice of Civil Rights Term and Condition of Award,” published April 21, 2025. The PDF was captured on April 24, 2025.

20. Attached hereto as Exhibit 16 is a true and correct copy of the NIH Minority Health and Health Disparities Strategic Plan 2021-2025.

21. Attached hereto as Exhibit 17 is an excerpt of a PDF of a February 6, 2025 webpage from *ProPublica* by Avi Asher-Schapiro, Christopher Bing, Annie Waldman, Brett Murphy, Andy Kroll, Justin Elliott, Kirsten Berg, William Turton, Sebastian Rotella, Alex Mierjeski, Pratheek Rekala, and Al Shaw, last updated April 17, 2025 and titled “Elon Musk’s Demolition Crew.” The PDF was captured on April 24, 2025.

22. Attached hereto as Exhibit 18 is a true and correct copy of ECF No. 12-9 from *Commonwealth of Massachusetts v. Kennedy, Jr.*, Case No. 1:25-cv-10814-BEM (D. Mass. 2025), which consists of a March 13, 2025 email from Michelle G. Bulls with Subject “Award Revision Guidance and List of Terminated Grants via letter on 3/12.”

23. Attached hereto as Exhibit 19 is the declaration of Plaintiff Brittany Charlton and accompanying exhibits.

24. Attached hereto as Exhibit 20 is the declaration of Plaintiff Katie Edwards and accompanying exhibits.

25. Attached hereto as Exhibit 21 is the declaration of Plaintiff Nicole Maphis and accompanying exhibits.

26. Attached hereto as Exhibit 22 is the declaration of Plaintiff Peter Lurie and accompanying exhibits.

27. Attached hereto as Exhibit 23 is the declaration of Georges C. Benjamin on behalf of Plaintiff American Public Health Association (APHA) and accompanying exhibits.

28. Attached hereto as Exhibit 24 is the declaration of Plaintiff Ibis Reproductive Health and accompanying exhibits.

29. Attached hereto as Exhibit 25 is the declaration of Neal Sweeney on behalf of Plaintiff United Automobile, Aerospace and Agricultural Implement Workers of America (UAW).

30. Attached hereto as Exhibit 26 is the declaration of Jeremy Berg.

31. Attached hereto as Exhibit 27 is the declaration of Scott Delaney and accompanying exhibits.

32. Attached hereto as Exhibit 28 is the declaration of APHA Member 1 and accompanying exhibits.

33. Attached hereto as Exhibit 29 is the declaration of APHA Member 2 and accompanying exhibits.

34. Attached hereto as Exhibit 30 is the declaration of APHA Member 4 Sari Reisner and accompanying exhibits.

35. Attached hereto as Exhibit 31 is the declaration of APHA Member 5 Jace Flatt and accompanying exhibits.

36. Attached hereto as Exhibit 32 is the declaration of APHA Member 7 and accompanying exhibits.

37. Attached hereto as Exhibit 33 is the declaration of APHA Member 9 Jesus Ramirez-Valles and accompanying exhibits.

38. Attached hereto as Exhibit 34 is the declaration of APHA Member 10 Annelise Mennicke and accompanying exhibits.

39. Attached hereto as Exhibit 35 is the declaration of UAW Pre-Member 1 and accompanying exhibits.

40. Attached hereto as Exhibit 36 is the declaration of UAW Pre-Member 7 and accompanying exhibits.

41. Attached hereto as Exhibit 37 is the declaration of UAW Member 3 and accompanying exhibits.

42. Attached hereto as Exhibit 38 is the declaration of UAW Member 9 and accompanying exhibits.

43. Attached hereto as Exhibit 39 is the declaration of UAW Member 10 and accompanying exhibits.

44. Attached hereto as Exhibit 40 is the declaration of UAW Member 11 Delaney Sullivan and accompanying exhibits.

45. Attached hereto as Exhibit 41 is the declaration of UAW Member 12 Amanda Perez and accompanying exhibits.

46. Attached hereto as Exhibit 42 is the declaration of UAW Member 13 and accompanying exhibits.

Dated: April 25, 2025
Boston, MA

/s/ Jessie J. Rossman
Jessie J. Rossman
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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on April 25, 2025, a true copy of the above document was filed via the Court's CM/ECF system and that a copy will be sent automatically to all counsel of record.

/s/ Jessie J. Rossman

Jessie J. Rossman