

AMERICAN CIVIL LIBERTIES UNION FOUNDATION

OLGA AKSELROD (NY Bar No. 4132825) (Appearance *Pro Hac Vice*)

oakselrod@aclu.org

VERA EIDELMAN (CA Bar No. 308535)**

veidelman@aclu.org

RACHEL MEEROPOL (NY Bar No. 4100954) (Appearance *Pro Hac Vice*)

rmeeropol@aclu.org

ALEXIS AGATHOCLEOUS (NY Bar No. 4227062)*

aagathocleous@aclu.org

125 Broad Street, 18th Floor

New York, NY 10004

Telephone: (212) 549-2659

Attorneys for Plaintiffs

(Additional Counsel on Following Page)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ARGHAVAN SALLES; ABIGAIL HATCHER;
ANDREA ROSSO; ANN D. COHEN-WILSON;
DOLORES ALBARRACÍN; HEIDI MOSESON;
JADE PAGKAS-BATHER; JONATHAN KYLE
DAW; KATIE EDWARDS; KELTON MINOR;
MICHAEL D. GREEN; SARA JACKSON;
SUZANNE BELL; JORDAN DOE 1; JORDAN DOE
2; JORDAN DOE 3; and JORDAN DOE 4, *on behalf
of themselves and all others similarly situated,*

Plaintiffs,

v.

NATIONAL INSTITUTES OF HEALTH; JAY
BHATTACHARYA, *in his official capacity as
Director of the National Institutes of Health*; UNITED
STATES DEPARTMENT OF HEALTH AND
HUMAN SERVICES; ROBERT F. KENNEDY, JR.,
*in his official capacity as Secretary of the United States
Department of Health and Human Services*; and
UNITED STATES DOGE SERVICE,

Defendants.

Case No. 3:26-cv-10510-SK

DECLARATION OF KELTON MINOR

* Application for *Pro Hac Vice* Admission Forthcoming

** Out-of-State Licensee Renewal Pending

(Additional Counsel on Behalf of Plaintiffs)

**AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF NORTHERN CALIFORNIA**

GRAYCE ZELPHIN (CA Bar No. 279112)

gzelphin@aclunc.org

CHESSIE THACHER (CA Bar No. 296767)

cthacher@aclunc.org

NEIL K. SAWHNEY (CA Bar No. 300130)

nsawhney@aclunc.org

39 Drumm Street

San Francisco, CA 94111

Telephone: (415) 621-2493

PROTECT DEMOCRACY PROJECT

SHALINI AGARWAL (DC Bar No. 990963) (*Appearance Pro Hac Vice*)

shalini.agarwal@protectdemocracy.org

2020 Pennsylvania Avenue, NW, Suite 163

Washington, DC 20006

KENNETH PARRENO (TX Bar No. 24130477)*

kenneth.parreno@protectdemocracy.org

15 Main Street, Suite 312

Watertown, MA 02472

Telephone: (202) 579-4582

CENTER FOR SCIENCE IN THE PUBLIC INTEREST

LISA S. MANKOFSKY (DC Bar No. 411931) (*Appearance Pro Hac Vice*)

lmankofsky@cspi.org

OSCAR HEANUE (DC Bar No. 90036939) (*Appearance Pro Hac Vice*)

oheanue@cspi.org

1250 I Street, NW, Suite 500

Washington, DC 20005

Telephone: (202) 777-8381

JACOBSON LAWYERS GROUP PLLC

DANIEL F. JACOBSON (DC Bar No. 1016621)*

dan@jacobsonlawyersgroup.com

LYNN D. EISENBERG (DC Bar No. 1017511) (*Appearance Pro Hac Vice*)

lynn@jacobsonlawyersgroup.com

STEPHEN K. WIRTH (DC Bar No. 1034038) (*Appearance Pro Hac Vice*)

stephen@jacobsonlawyersgroup.com

5100 Wisconsin Avenue, NW, Suite 301

Washington, DC 20016

Telephone: (301) 823-1148

* Application for *Pro Hac Vice* Admission Forthcoming

1 I, Kelton Minor, declare:

2 1. I have personal knowledge of the facts set forth in this declaration, and if called to testify
3 as a witness thereto, could do so competently under oath.

4 2. I am offering this declaration in my individual capacity and not on behalf of my
5 employer.

6 3. I am an Associate Professor of Planetary Behavioral Data Science at the University of
7 Copenhagen. My research combines advances from the computational and behavioral sciences with
8 spatial data science, causal inference and AI to examine how individuals and populations adapt their
9 health behaviors to extreme weather, climate hazards and rapid global environmental changes.

10 4. I earned my PhD in Planetary Social and Behavioral Data Science at the University of
11 Copenhagen and completed my postdoctoral training at Columbia University's Data Science Institute. I
12 was also previously a visiting researcher at U.C. Berkeley's Global Policy Lab and completed my
13 Master's of Science at Cornell University.

14 5. I have published widely in my field, including in The Lancet, JAMA Psychiatry,
15 Proceedings of the National Academy of Sciences, Nature Mental Health, The Journal of the American
16 Academy of Child & Adolescent Psychiatry, Nature Climate Change, Psychological Science, Sleep,
17 Sleep Medicine Reviews, and many other top general science and health journals. My work has been
18 cited over eight thousand and seven hundred times according to Google Scholar. I am a former Fulbright
19 Research Grantee and Cornell Merrill Presidential Scholar.

20 6. In 2024 I was awarded the prestigious NIH Director's Early Independence Award, a five-
21 year, approximately \$2 million dollar grant award described by NIH as "supporting exceptional junior
22 scientists in establishing accelerated career paths leading to outstanding and sustained contributions to
23 biomedical and behavioral research." This extremely competitive award provides five years of funding
24 for the recipient to open and run their own research lab, and supports the transition directly to an
25 independent faculty or research position.

26 7. Putting together the proposal for this award was an enormous undertaking that spanned
27 about two years from idea development through final award. The NIH Director's Early Independence
28 Award is one of the most competitive and transformative early career scientific research awards in the

1 United States. For the 2024 award competition, each university in the United States could nominate two
2 candidates who recently earned their PhDs through a highly competitive internal selection process. From
3 Fall 2022 - Spring 2023 I spent part of the first five months of my postdoc at Columbia developing the
4 research idea for the project and then an additional concerted month drafting my internal Columbia
5 application submitted in late Spring 2023. After winning one of Columbia University's two nominations
6 in summer 2023, I spent approximately 6 weeks intensively writing and submitting my invited full ~60
7 page proposal to the national competition. Only the top subset of applications were selected by the NIH
8 to undergo full committee review in early 2024. Following multiple rounds of rigorous review by an
9 NIH-invited panel of top US scientific experts, my application was scored and selected among the very
10 top batch of proposals for final consideration by the NIH Director's Office. I was notified in September
11 2024 that the NIH had formally awarded my project a 2024 NIH Director's Early Independence Award
12 (DP5), representing the top academic achievement of my scientific career and culmination of years of
13 training and rigorous research. Attached hereto as **Exhibit 1** is a true and correct copy of this NIH-
14 mailed Award Certificate.

15 8. My award project is titled "The Behavioral Cost of Carbon." The goal of the project is to
16 generate the first empirical estimate of the human health-related behavioral impacts (the net sum of costs
17 and benefits) imposed by incremental increases in greenhouse gas emissions through (a) estimating the
18 first US domestic substance use cost of carbon by linking alcohol consumption observations and
19 substance use panel data with high resolution meteorological data (i.e. weather and climate
20 observations) across the U.S.; (b) evaluating the US and global sleep cost of carbon by applying multi-
21 stage multivariate time-series fixed effects models to estimate associations between local meteorological
22 conditions and both self-reported and actigraphy-recorded sleep outcomes; and (c) assessing the
23 preliminary physical activity cost of carbon and estimating local climate-behavioral impact projections –
24 statistically accounting for acclimatization – for every county in the U.S. and every region worldwide.
25 Attached hereto as **Exhibit 2** is a true and correct copy of this Notice of Award (i.e., NOA).

26 9. Hot and cold weather hazards continue to pose substantial health risks for Americans.
27 Recent empirical estimates suggest that ~5% of all-cause mortality deaths in the U.S. are attributable to
28 suboptimal cold and hot temperatures. Yet very little is known about the burden of cold and hot

1 temperatures on human health behaviors and related healthcare utilization in the US and globally.
2 Studying health behavioral impacts from and adaptation to these hazards can inform prevention,
3 preparedness and practical health protection by revealing health adaptation targets. This research can
4 further help people and health systems prepare for and prevent future climate impacts by accounting for
5 the downstream health behavioral costs and benefits of greenhouse gas emissions.

6 10. My award was to be hosted by Columbia University, where I completed my postdoc.
7 During my faculty onboarding when I was to begin receiving NIH funding, Columbia was targeted by
8 the Trump Administration for alleged antisemitism, and as a result I was notified by Columbia on March
9 13th that my award was on the list of NIH terminated awards. The ~\$400M in grant terminations had
10 been first announced by the US Government a week earlier on March 7th after I had just given my first
11 lecture to medical students on March 6th. NIH formally announced the termination via a notice posted
12 on March 14th, 2025. Attached hereto as **Exhibit 3** is a true and correct copy of the termination notice.

13 11. Two weeks later I was notified by Columbia that due to the award termination they had to
14 halt my faculty onboarding.

15 12. I spent several months assessing my options and looking for another job and applied for
16 and later accepted a June 25th, 2025 offer from the University of Copenhagen. I started my new position
17 as a tenured associate professor in Copenhagen in September of 2025.

18 13. In late July of 2025, Columbia University came to an agreement with the Trump
19 Administration and my award was formally reinstated by the NIH on July 25th.

20 14. On August 11, 2025, I received a revised NOA allowing the work to move forward and
21 administratively extending the budget year. Attached hereto as **Exhibit 4** is a true and correct copy of
22 this revised NOA.

23 15. Columbia agreed to transfer the grant to a different US institution willing to administer
24 the grant so that I would be able to begin my research and make progress on the primary scientific aims.

25 16. After fielding offers from multiple institutions interested in my work, I selected the
26 Laureate Institute for Brain Research ("LIBR") in Tulsa, Oklahoma to administer the award. I worked
27 with LIBR to prepare an NIH transfer application over several weeks. On November 13, 2025, LIBR
28

1 submitted the transfer application to NIH. Such transfer requests are common when faculty move
2 research institutions and are generally granted within several weeks.

3 17. I checked in every few weeks with my NIH Program Officer (“PO”) about the status of
4 the transfer application, and on December 8, 2025, my PO responded that their review of the application
5 was complete but the Grants Officer’s review was still pending. Over the next few weeks I repeatedly
6 reached out for updates and each time I was told the transfer application was awaiting Grants Officer
7 review. Finally, on January 21, 2025, I learned that the Grants’ Officer had signed off on the transfer and
8 that I should expect to receive the updated NOA in the next day or two. I was thrilled. My University of
9 Copenhagen Center Director and LIBR Director prepared and signed an agreement for my imminent
10 reduction in hours at the University of Copenhagen in order for me to focus on completing my NIH
11 Director’s Award project at LIBR.

12 18. But this did not occur. After additional unexplained delay I heard from my NIH PO that
13 the transfer application was awaiting signature by the Grants Management Officer at the NIH Director’s
14 Office. This is a different individual than the Grants Officer. I reached out for updates regularly through
15 February and March, without success.

16 19. On March 13, 2026 (the one-year anniversary of the first termination) I received an email
17 stating:

18 The NIH Office of Extramural Research reviewed your grant 7DP5OD037400-02 and
19 determined it was “out of alignment with the NIH’s priorities” due to its focus on overall effects
20 of carbon emissions and climate change on human behavior. I was asked last week to reevaluate
21 the grant for consistency with NIH priorities. Could you please schedule a time to speak with me
22 about this issue? I apologize for the paucity of speaking slots, but I’m in the heart of program
23 meetings and reviews.

24 20. Attached hereto as **Exhibit 5** is a true and correct copy of this email.

25 21. I learned that the Office of Extramural Research (“OER”) is using an AI tool to screen
26 funding decisions for alignment with administration priorities and that my transfer application had been
27 flagged as “red” or “non-aligned.”
28

1 22. On March 19, 2026, I received an email from NIH restating the OER finding and
2 suggesting that my grant could be brought into alignment with NIH priorities by “reframing” the
3 description of my research “to make it clear that [I am] assessing the effects of temperature fluctuations
4 on human behaviors, not climate change directly.” Attached hereto as **Exhibit 6** is a true and correct
5 copy of this email.

6 23. Over the next week I worked around the clock to remove all mentions of “climate”
7 “carbon” and “climate change” from my award to align with NIH priorities, including censoring out
8 references to many of my previously published scientific articles. I updated the analysis methodology to
9 only estimate health behavioral adaptation to temperatures, removing all components involving climate
10 models and behavioral cost benefit analyses of carbon emissions. LIBR emailed my revised research
11 description to NIH on March 25, 2026.

12 24. On May 11, 2026, I received an email from my NIH Grants Officer stating that NIH is
13 unable to approve the requested transfer. The email stated:

14 NIH initially requested clarification on how the application project aligns with NIH mission
15 priorities. In response to the request, revised research aims were submitted that included
16 additional experimental activities that were not part of the originally reviewed and awarded
17 application. These changes materially alter the scope and scientific direction of the funded
18 project and are not consistent with the originally approved award. Because a change of recipient
19 organization through a Type 7 transfer must maintain continuity with the originally peer-
20 reviewed and approved project, NIH cannot approve a transfer application that substantially
21 changes the project’s scope, aims, or scientific framework beyond what was originally awarded.

22 25. Attached hereto as **Exhibit 7** is a true and correct copy of this email.

23 26. I can only assume that the reference to “experimental activities” is an AI hallucination, as
24 my award quite clearly does not include any experiments or interventions.

25 27. Nor is the second explanation for the denial accurate. The core science in my revised
26 research description remained fundamentally consistent with those in the original application, with
27 climate change components removed per NIH’s request. On May 13, 2026, I sent NIH an email making
28 these two points and reiterating my interest in continuing my project as previously awarded. I further

1 attached both the original version of my awarded project description, and the NIH-requested revised
2 version that integrated NIH's direct guidance to remove the climate change-related terms and climate
3 model components while otherwise maintaining the original core science and rigorous statistical
4 approach.

5 28. Now months later, I still have not heard back from NIH. The last entry on ERA
6 Commons indicates "Application entered into system." I assume the grant will be re-terminated at any
7 moment.

8 29. As of today, I have not been able to begin work on the project. Every additional day of
9 delay that goes by is another day of lost scientific progress and forgone knowledge that could help
10 identify practical opportunities to protect Americans and their health behaviors during periods of
11 extreme temperature before they translate into downstream burdens on the US healthcare system. The
12 need for this research is particularly acute at a time when one of the strongest-ever recorded El Niño
13 events is now underway and forecast to affect US weather and the population as it intensifies in late
14 2026 and early 2027, and when extreme temperature hazards continue to pose substantial health risks for
15 Americans in the current warming climate as evidenced by recent events and as documented by rigorous
16 science. I remain thoroughly committed to the project and am fully prepared to maintain continuity with
17 the core science that merited an NIH Director's Award after rigorous peer review and competitive
18 assessment by top US health scientists and the NIH. I am ready to resume this work immediately as soon
19 as the transfer is approved.

20 30. I understand that, as a class representative, I represent the interests of everyone in the
21 class, and not just myself. I am prepared to stay informed about what is happening with my case and
22 stay in touch with my attorneys to give them information they need. I am committed to being a class
23 representative because I do not want other researchers to be subjected to the same unlawful policies and
24 actions that I have experienced. I have never served as a class representative in any prior action.

25
26
27
28

1 I declare under penalty of perjury that the foregoing is true and correct, and that this declaration
2 was executed in Copenhagen, Denmark this 9th day of September 2026.

3
4 

5 Kelton Minor
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28