

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

AMERICAN COUNCIL OF LEARNED
SOCIETIES, et al.,

Plaintiffs,
v.

MICHAEL MCDONALD, in his official
capacity as Acting Chairman of the National
Endowment for the Humanities, et al.,

Defendants.

Case No. 1:25-cv-03657

DECLARATION OF CAROLINE GOTTSCHALK DRUSCHKE

I, Caroline Gottschalk Druschke, declare as follows:

1. I am a resident of the State of Wisconsin. I am over the age of 18 and have personal knowledge of all the facts stated herein, except to those matters stated upon information and belief; as to those matters, I believe them to be true. If called as a witness, I could and would testify competently to the matters set forth below.

2. I am currently employed by the University of Wisconsin-Madison (UW-Madison) as Vilas Distinguished Achievement Professor in the UW-Madison College of Letters and Science, Department of English. I joined the faculty at UW-Madison in 2017, after working as an Assistant and then Associate Professor jointly appointed in the Departments of Writing & Rhetoric and Natural Resources Science at the University of Rhode Island. I received my Ph.D. in 2011 from the Department of English at the University of Illinois.

3. UW-Madison is both an associate member and a research university consortium member of the American Council of Learned Societies. It has been an associate member since

1992, with its current associate membership running through Fall 2025, and it has been a research university consortium member since assessment year 2019-2020, with its current research consortium membership running through assessment year 2030-2031. UW-Madison is also a member of the American Historical Association.

4. Through Funding Opportunity Number 20220509-AA-AB-AC-AD-AE, NEH invited applications for Humanities Initiatives at Colleges and Universities. On May 9, 2022, UW-Madison submitted a proposal to NEH, entitled “Whose Land Was ‘Granted’ to the Land Grant? Teaching Indigenous Dispossession in Wisconsin and Beyond,” proposing to bring together Native and non-Native faculty at UW-Madison with expertise in Native communities, land, story, engagement, and pedagogy to create educational modules about the expropriation of Indigenous lands in what is now called Wisconsin. The group planned for modules to be embedded in UW-Madison undergraduate and graduate courses across departments and programs and shared with faculty at other land grant universities. This work centered on the transfer of 1,337,895 acres of land across Wisconsin taken through treaties with the Menominee (Menominee), Chippewa (Ojibwe), Sioux (Dakota), and Winnebago (Ho-Chunk) and redistributed to benefit 30 land grant universities through the Morrill Act of 1862. Modules were intended to place the Morrill Act land “grants” in the broader context of Indigenous land dispossession across present-day Wisconsin, revealing how dispossession was executed through a suite of intentional mid-19th-century policies meant to shift Wisconsin’s extensive forest resources into settler control, justified, in large part, by supporting the development of U.S. public higher education.

5. On January 25, 2023, NEH issued an Official Notice of Action to UW-Madison (Federal Award ID Number AA-289974-23), setting forth the terms and conditions of the grant

award. The performance period of the award was from February 1, 2023, through July 31, 2024, and was later extended to July 31, 2025 through a no-cost extension. The total expected funding under the award was \$149,922.00.

6. With the awarded NEH funds, UW-Madison has created teaching guides, presentations, and related teaching materials for five multi-week modules: Key Concepts for Understanding Expropriation of Indigenous Land in Wisconsin and Beyond; Land Tenure and Land Privatization; The 1862 Moment; Dams as Dispossession; and Mapping Indigenous Land Dispossession. The educational modules are complete, and drafts of modules are currently posted to a private Canvas learning management system site. We have been in discussions to share these materials with the Rebecca Blank Center for Campus History at the UW-Madison, who hopes to post them in their collection of online teaching guides by fall semester 2025.

Throughout the project period, we made good progress on the award, including holding biweekly co-director meetings and student support meetings; monthly thematic working group meetings; twice per semester opportunities for feedback from Tribal members, all-group meetings, and meetings with the Native American evaluation team, and worked towards creating the educational modules and integrating those modules into course syllabi across departments. One of the Ph.D. students on our project was able to secure the opportunity to teach a demo version of a class in spring 2024 through the Department of American Indian & Indigenous Studies at UW-Madison to pilot our project modules, after working through project evaluation plans with a Native evaluator in fall 2024.

7. On April 2, 2025, the UW-Madison Research and Sponsored Programs (RSP) office received an email from Grant_Notifications@NEHemail.onmicrosoft.com informing UW-

Madison the grant funding for my project was terminated. I received notice from RSP the next day.

8. The notification was addressed to the grant administrator and included the Federal Award ID Number, although it was erroneously referenced as grant application number. It appeared to be a form letter.

9. The notification included the following:

Your grant no longer effectuates the agency's needs and priorities and conditions of the Grant Agreement and is subject to termination due to several reasonable causes, as outlined in *2CFR§200.340*. NEH has reasonable cause to terminate your grant in light of the fact that the NEH is repurposing its funding allocations in a new direction in furtherance of the President's agenda. The President's February 19, 2025 executive order mandates that the NEH eliminate all non-statutorily required activities and functions. *See Commencing the Reduction of the Federal Bureaucracy*, E.O. 14217 (Feb. 19, 2025). Your grant's immediate termination is necessary to safeguard the interests of the federal government, including its fiscal priorities. The termination of your grant represents an urgent priority for the administration, and due to exceptional circumstances, adherence to the traditional notification process is not possible. Therefore, the NEH hereby terminates your grant in its entirety effective April 2, 2025.

10. UW-Madison was approximately 26 months into the period of performance when the grant was terminated. The remaining balance of funds committed by NEH to UW-Madison, minus expenses incurred through the date of award termination, is approximately \$16,068.17. With the remaining funds, UW-Madison would have completed the essential work to solicit reviews of the educational modules, to share these modules via Canvas with instructors across campus, to share these materials with the Rebecca M. Blank Center for Campus History to make materials accessible across campus and beyond, and to draft an invited article about our work to share it with a national audience.

11. Upon learning of the termination, UW-Madison had to immediately suspend the work of four Ph.D. students who were slated to receive funding this spring 2025 to review and

share educational modules and prepare an invited article about our work. We also had to immediately suspend the honoraria for two external reviewers, both experts in Native educational materials, who were going to review the modules. Project faculty spent many hours navigating the administrative aspects of this sudden and unprecedented termination, including communication with graduate staff, external partners, departmental financial staff, and university administrators, and reporting out on award progress.

12. As a result of this termination, our graduate students have had to navigate a loss of income that they had counted on to complete their semester at UW-Madison, which has altered their work plans for spring, as well as the work plans of our external reviewers. The abrupt and entirely unanticipated termination of the award negatively impacted collaborative relationships, internally and externally, and put a major burden on project faculty in terms of time spent navigating the termination, but also the stress of managing the termination and its effects on our work and on the lives of our students and partners. Because we had completed so much of our proposed work, but were on the precipice of having that work reviewed and shared, the notice of termination directly undermined the main deliverable of this project: the dissemination to instructors at UW-Madison and beyond of well-prepared and thoroughly-reviewed educational modules about the Morrill Act of 1862 and its links to Indigenous land dispossession. This award was intended to create educational materials about a part of the history of United States higher education that is almost wholly unacknowledged. This termination reinforced that silence.

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

Executed on May 9, 2025 in Madison, Wisconsin.

A handwritten signature in black ink, appearing to read 'CGD', is positioned above a horizontal line.

Caroline Gottschalk Druschke