



For Immediate Release
Thursday, December 24, 2020

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LDF, Partner Organizations Commend Court Decision in *Santa Cruz Lesbian and Gay Center v. Trump*

This week, in *Santa Cruz Lesbian and Gay Center v. Trump*, the U.S. District Court for the Northern District of California granted a partial nationwide preliminary injunction enjoining President Trump's anti-diversity Executive Order. The preliminary injunction covers Sections 4 and 5 of the Order, which sets out requirements for federal government contractors and federal grants, respectively.

"We commend the court for identifying the constitutional infirmities of President Trump's Executive Order 13950, which amounts to a ban on truth and equality, and for providing immediate relief by enjoining enforcement of the Order nationwide" said **Janai Nelson, Associate Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc. (LDF)**. "The Order is a direct affront to basic principles of equality and freedom of expression. In the short time that it has been in force, it has done great damage by censoring and punishing recipients of federal funds for espousing views with which the President disagrees, fomenting racial enmity, and undermining gender equality. This decision is the first step toward ending this destructive and anti-constitutional abuse of presidential authority.

"More must be done to prevent this targeted attempt to rewrite our nation's history and erase the lived experiences of people of color, women, and members of the LGBTQ+ community. LDF intends to continue to prosecute our own case until the Order is fully rescinded and permanently enjoined. We urge the incoming Biden-Harris Administration to immediately rescind the Order and issue a new Executive Order that helps to restore and, more importantly, advance diversity, equity, and inclusion efforts in the workplace."

"America in 2020 is a nation grappling with the legacy of white supremacy," said **Marc H. Morial, President and CEO of the National Urban League**. "President Trump's Executive Order represents a futile and unlawful attempt to quash that awakening. We're grateful for Judge Freeman's ruling and look forward to a full reversal of the Order."

"President Trump's Executive Order was a calculated attempt to erase uncomfortable but important truths about our nation's history. The effect of the order would be to halt progress on racial and gender equity and further fan the flames of racial division," said **Lisa Rice, President and CEO of the National Fair Housing Alliance (NFHA)**. "We oppose the order because we know that in order to fully heal this country, we must encourage, rather than stifle, education about systemic discrimination, diversity, equity, and inclusion. NFHA

applauds the court's decision that allows us to successfully implement our nation's civil rights laws and truly make this country a land of opportunity for all people."

"We are heartened by the court's decision, which reaffirms the importance of protected First Amendment speech in the face of the government's misguided effort to stifle it," said **Shirley Wilcher, Executive Director of the American Association for Access, Equity and Diversity (AAAED)**. "We need more, not less, candid discussion on uncomfortable topics like systemic discrimination and implicit bias. These discussions make us stronger, not weaker. AAAED is committed on behalf of all its members to promote the dialogue on these all-important issues."

"The University of Oregon commends the recent federal court decision, preliminarily enjoining the implementation and enforcement of President Trump's executive order, which is an unconstitutional infringement on our academic freedom," said **Dr. Yvette Alex-Assensoh, Vice President for Equity and Inclusion at the University of Oregon**. "As an institution firmly committed to race and gender equality, it is our prerogative to foster a culture of diversity and inclusion that values all of our students, faculty, and staff."

"Open and honest conversations about race, sex, identity, beliefs, and biases are integral to New Teacher Center's work nationwide, providing rigorous professional learning to stakeholders in public school districts to more effectively engage with students from minority or marginalized backgrounds," said **Desmond Blackburn, Chief Executive Officer of the New Teacher Center**. "We are pleased with the court's decision and encourage Executive Order 13950's complete rescission."

"Safe Horizon has provided services and advocacy for marginalized victims of violence, including race and gender-based violence, for over 40 years and we are fiercely dedicated to this mission," said **Liz Roberts, Deputy Chief Executive Officer at Safe Horizon**. "It is crucial that Executive Order 13950 be rescinded. Safe Horizon's workshops and trainings on anti-racist practice, race-based trauma, and unconscious bias related to racial identity or gender are indispensable to our work. Addressing racism and sexism head-on allows us to better understand and respond to the violence our clients encounter."

Issued on September 22, 2020, President Trump's inaccurately titled "Executive Order on Combating Race and Sex Stereotyping" makes federal contracts and federal grants contingent upon subscription to a false and revisionist history of our nation and compliance with censorship of what the administration deems "Divisive Concepts," "Race or Sex Stereotyping," and "Race or Sex Scapegoating."

On October 29, 2020, LDF filed a separate lawsuit in the U.S. District Court for the District of Columbia against the President and other federal officials on behalf of NUL and the NFHA challenging the Executive Order on the grounds that it violates the guarantees of Free Speech, Equal Protection, and Due Process – fundamental rights secured in the United States Constitution.

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation's first civil and human rights law organization. LDF has been completely separate

from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.

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