

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

AMERICAN COUNCIL OF LEARNED
SOCIETIES, et al.,

Plaintiffs,
v.

ADAM WOLFSON, 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 JASON RHODY

1. I, Jason Rhody, am Senior Director of Engagement Strategy at the Modern Language Association. From 2003 to 2016, I worked at the National Endowment for the Humanities (NEH), where I served as a Senior Program Officer in the Office of Digital Humanities.

2. NEH does not take ownership of the projects that it funds. Instead, NEH-funded projects are the work of the funded individuals and institutions, not NEH.

3. NEH's terms and conditions for grantees make clear that grantees retain the intellectual property rights in their work. Specifically, Section XI.B of the terms and conditions provides that "title to intangible property acquired under [an] award belongs to the recipient or subrecipient." That section further provides that a grant recipient "may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under the award." While NEH "reserves a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use the work for federal purposes," the work belongs to the grantee.

4. NEH projects are usually published or exhibited by private actors, not the government.

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

Executed on March 6, 2026, in New York, DC.

A handwritten signature in black ink, appearing to read 'JR' with a large loop at the end.

Jason Rhody