ALBUQUERQUE COMMUNITY FOUNDATION
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MEMO

To: Board of Trustees
From: Nick Williams, Risk Management Committee Staff Liaison
Date: June 18, 2025
Re: Risk Management Committee Update

At the June 10th meeting, the Committee reviewed a memo written by Foundation staff summarizing the Foundation's DEI Risk Assessment. The full report is included in this packet. Highlights included:

- **DEI Integration:** ACF and NMCT have embedded DEI across governance, strategy, staffing, and communications, aligning it with mission and operational priorities.
- **No Immediate Policy Changes:** Despite recent federal Executive Orders targeting DEI, ACF is not currently affected and will continue existing DEI efforts while monitoring legal developments.
- **Strategic Risk Management:** Programs with identity-based criteria (e.g., scholarships, grants, impact investments) should maintain transparency, mission alignment, and careful documentation to mitigate scrutiny.
- **Leadership & Engagement Opportunities:** ACF can strengthen its role as a statewide philanthropic leader by serving as an intermediary, expanding pooled funds, educating donors, and coordinating funders.

After discussion the Committee agreed with the staff recommendations that no changes are required at the current time but monitoring should continue.

Albuquerque Community Foundation & New Mexico Community Trust
DEI Risk Assessment
June 6, 2025

Highlights

- **DEI Integration:** ACF and NMCT have embedded DEI across governance, strategy, staffing, and communications, aligning it with mission and operational priorities.
- **No Immediate Policy Changes:** Despite recent federal Executive Orders targeting DEI, ACF is not currently affected and will continue existing DEI efforts while monitoring legal developments.
- **Strategic Risk Management:** Programs with identity-based criteria (e.g., scholarships, grants, impact investments) should maintain transparency, mission alignment, and careful documentation to mitigate scrutiny.
- **Leadership & Engagement Opportunities:** ACF can strengthen its role as a statewide philanthropic leader by serving as an intermediary, expanding pooled funds, educating donors, and coordinating funders.

Executive Summary

The Albuquerque Community Foundation "ACF") has deeply embedded Diversity, Equity, and Inclusion ("DEI[1]") across its foundational documents, governance, strategic planning, personnel structure, and public communications. DEI is formally codified in ACF's bylaws, policies, and operational frameworks, including its mission, vision, and anti-hate statements, as well as board expectations and committee responsibilities. Strategic planning documents and impact investment policies center equity as a core value, and operational roles like the DEI Senior Associate further institutionalize these commitments. External communications present DEI as integral to ACF's identity, while giving circles and reporting materials elevate community narratives rooted in equity and access.

New Mexico Community Trust ("NMCT") has adopted ACF's policies and has a number of programs evaluated through this assessment. NMCT is collectively referred to throughout this assessment, and staff recommendations are generally made for both entities, unless otherwise noted.

[1] ACF refers to diversity, equity and inclusion as "dEi," to reflect equity as the central goal. For the purposes of this document, we will use the common "DEI" acronym.

Recent federal Executive Orders (EO 14173 and EO 14151) seek to eliminate DEI-related programs within federal agencies and affiliated entities, creating a heightened climate of legal and political scrutiny. While these orders target large foundations and federal contractors, ACF, as a small public charity, is not currently affected. Independent research shows that most community foundations are maintaining their DEI focus despite political pressures. Communications best practices now emphasize aligning DEI with mission, reframing language to avoid politicization, and centering measurable impact to mitigate risk without compromising values.

In light of the current legal and political landscape, staff recommend no immediate changes to ACF's DEI-related policies, grants, investments, or public messaging. However, continued monitoring of federal developments and proactive communication strategies—especially in areas such as scholarships, grants, and impact investments—will be important to sustain ACF's commitments while protecting its legal standing and public trust. Reframing language where appropriate, documenting alignment with ACF's mission, and ensuring transparent, inclusive practices will help maintain both values and compliance.

Staff is also monitoring the Budget Reconciliation, and its impacts on the philanthropic and nonprofit sectors. The Council on Foundations provides a detailed list of areas within the 2025 Budget Reconciliation bill which would impact the aforementioned sectors.

Bylaws, Policies, Governance & Organization

ACF currently has DEI embedded through key areas of the organization, summarized below:

1**. Foundational Documents & Statements**

- **Mission, Vision, and Values:** Explicitly integrate DEI principles.
- **Anti-Hate Statement:** Reinforces commitment to inclusive, respectful conduct.
- **Diversity, Equity, and Inclusion Statement & Policy:** Establishes the organization's official stance and actionable commitments.

2. Governance & Policy

- **Bylaws, Section XVI – DEI:** Formalizes DEI within the organization's governing rules.
- **Board of Trustees (BOT) Membership & Responsibilities**: Includes a dedicated DEI paragraph.
- **Gift Acceptance Policy (Revised 4/2/24):** Page 2 includes guiding DEI, Anti-Hate, and Anti-Racism principles.
- **Diversity, Equity and Inclusion Committee Charter:** Outlines the scope and duties of the DEI committee.
- **BOT DEI Learning Expectation:** Trustees are expected to complete 3 hours of DEI education.

3**. Strategic & Operational Planning**

- **Strategic Plan:** Multiple goals reflect equity values and prioritize equitable grantmaking.
- **Grantmaking Policies & Due Diligence:** Incorporate equity principles and reference the organization's M/V/V.
- **Impact Investment Policy:** Principle 4 commits to aligning investments with DEI values.

4. **Personnel & Structure**

- **DEI Committee:** A dedicated committee focused on advancing DEI initiatives.
- **DEI Senior Associate Position:** Staff role focused on implementation and oversight of diversity, equity, and inclusion efforts.

Connection to Executive Orders

- Executive Order 14173, titled *"Ending Illegal Discrimination and Restoring Merit-Based Opportunity"*
    - The executive action calls for the termination of DEI programs, mandates, policies, preferences and activities in the federal government along with the review and revision of existing federal employment practices, union contracts and training policies or programs.
    - The order expands to include diversity programs at for-profit and nonprofit government contractors, universities with large endowments, and foundations with assets north of $500 million.
- Executive Order 14151, titled "*Ending Radical And Wasteful Government DEI Programs And Preferencing*"
    - This executive order eliminates any and all "Diversity, Equity, and Inclusion" *programs mandates, policies, programs, preferences, and activities* throughout the federal government. The termination includes "Chief Diversity Officers," "Equity Action Plans," "environmental justice" offices, equity-related grants/contracts, as well as Diversity, Equity and Inclusion (DEI)/Diversity, Equity, Inclusion and Accessibility (DEIA) performance requirements. This order seeks to increase public relations between the federal government and the American people by cutting programs deemed wasteful and discriminatory.

Independent Research

As a small public charity, ACF is not currently impacted by any Executive Orders. According to a recent survey conducted by the Council on Foundations and reported on by Nonprofit Quarterly, "64 percent of foundations said they are not retreating from a focus on equity despite political pressure". More specifically to community foundations, a recent study from CF Leads reported that 80% of community foundations surveyed are moving forward with their DEI work.

Staff Recommendation

At this time, staff recommends continued monitoring of these Executive Orders but recommends no immediate action or changes to our governance, policies, personnel or strategic plan.

Website, Marketing, Public Persona

ACF has uplifted DEI through its communications and marketing as summarized below:

1. Core Identity & Guiding Principles

- **Website: Mission, Vision, Values**: Clearly articulates ACF's purpose, long-term goals, and guiding beliefs, centering community support, equity, and lasting impact.
- **ACF Logo (some versions with values)**: Visually reinforces organizational identity; where included, values emphasize inclusion, equity, and community empowerment.

2. Commitment to Equity & Inclusion

- **Website: Anti-Hate Statement**: Public stance condemning hate, affirming ACF's dedication to fostering safe, inclusive communities.
- **Trustee Today (DEI section)**: Highlights board-level engagement with diversity, equity, and inclusion, showcasing initiatives, training, and representation goals.
- **"DEI in our DNA" (Institutional Phrasing)**: Emphasizes that DEI principles are foundational and integrated into ACF's culture and operations—not an add-on.
- **BOT Marketing Materials - ACF Values**: Promotes consistent messaging around ACF's values in Board of Trustees outreach, highlighting transparency, collaboration, and impact.

3. Community Engagement & Philanthropy

- **PRIDE Circle (Giving Circle)**: A specialized donor group uplifting LGBTQIA+ causes, demonstrating ACF's support for diverse communities through targeted philanthropy.
- **Print Newsletters**: Share stories of community impact, donor spotlights, and program highlights—often reinforcing core values and inclusive messaging.
- **Annual Report**: Provides transparency on finances, program outcomes, and strategic priorities, while reaffirming commitment to equity, access, and community-driven change.

Connection to Executive Orders

Executive Order 14173, titled "Ending Illegal Discrimination and Restoring Merit-Based Opportunity"

- The executive action calls for the termination of DEI programs, mandates, policies, ***preferences*** and activities in the federal government along with the review and revision of existing federal employment practices, union contracts and training policies or programs.

- The order expands to include diversity programs at for-profit and nonprofit government contractors, universities with large endowments, and foundations with assets north of $500 million.

Independent Research:

Staff research found that both community foundations and philanthropy support organizations were not retreating from DEI principles or efforts in their public-facing communications and programming. Through our research, we did find several recommendations of language adaptations and included one below from Philanthropy Colorado as an example.

- **San Francisco Foundation**: As one of the largest community foundations in the U.S., it focuses on advancing racial equity, diversity, and economic inclusion. Their programs and funds, such as the Bay Area Leads Fund and the Multicultural Fellowship Program, are designed to support these goals.
- **Council of Michigan Foundations (CMF):** CMF's DEI Project offers a comprehensive resource for foundation and nonprofit communicators aiming to enhance racial equity in their work. It includes a research report on DEI efforts in communications, case studies from organizations like the Heinz Endowments and Arcus Foundation, and practical tools for applying DEI principles in daily operations, such as outreach and messaging strategies.
- **The Communications Network**: This peer-driven community provides a platform for foundation and nonprofit communication professionals to share ideas and lessons on effective communication strategies that improve lives. Their resources include case studies and tools focused on DEI in communications.
    - 2023 DEI and Communications for Good Survey
- Land Trust Alliance: Offers a guide to DEI in communications, helping organizations represent people inclusively and ethically.
- Philanthropy Colorado
    - Excerpts: Reframe DEI Advocacy as Mission-Aligned, Not Political
      Why It Works: Nonprofits that align DEI efforts with core mission values—rather than framing them as political statements—are better positioned to retain funding and public support.
        - Connect DEI to Organizational Impact – Emphasize how diversity strengthens program effectiveness, community trust, and long-term sustainability.
        - Use Inclusive Language – Shift messaging to focus on access, opportunity, and fairness rather than politically charged terms.
        - Highlight Mission-Driven Success Stories – Showcase real-world examples of how diversity improves outcomes for beneficiaries.
        - Engage Funders in Impact Discussions – Frame DEI as a business imperative that aligns with corporate social responsibility (CSR) goals.

        - Example: A health nonprofit rebranded its DEI initiative as a "Community-Centered Healthcare Strategy", maintaining funder support while continuing inclusive outreach.
        - Action Step: Ensure that DEI messaging aligns with mission-driven values, making it harder for funders to justify withdrawal.
    - Adapt DEI Language Without Compromising Values
      Why It Works: Nonprofits can continue promoting diversity by adjusting terminology to fit evolving legal and funding landscapes.
        - Use Business-Friendly DEI Terms – Frame DEI as "inclusive workplace culture" or "equity-driven leadership".
        - Focus on Economic & Workforce Development – Highlight how DEI efforts drive innovation and community success.
        - Avoid Highly Politicized Phrases – Shift focus to practical DEI benefits rather than ideological debates.
        - Align DEI with Risk Management & Compliance – Show how inclusion reduces legal risks and improves organizational resilience.
        - Example: A nonprofit transitioned from "racial justice initiatives" to "equity-driven community impact programs", keeping funder support intact.
          Action Step: Review and adjust external DEI messaging to ensure it remains effective without triggering funding restrictions.

Staff Recommendation

No changes are recommended to our current website or public persona as it pertains to our commitment to DEI. However, staff does recommend targeted communications to ensure we are reaching a wide range of donors and stakeholders based on their needs and interests.

Scholarships & Grants

Several ACF scholarship programs include eligibility criteria set by donors that focus on specific demographics, geographic areas, or identity classifications, which may be subject to increased legal or public scrutiny:

- **School-Specific Scholarships**: Many scholarships are limited to students from particular schools, including Barnes W. Rose Jr. and Eva Rose Nichol, Bryan Cline Memorial, Joe Isi Trujillo, Manuel Lujan, Matthew Farley Memorial, Pedro and Mateo Sandoval Strong, Robby Baker Memorial, and Women in Rhetoric and Logic.
- **Geographic/Community Affiliation**: Several awards are tied to certain regions or community affiliations, such as:

    - Bob Chavez Scholarship for the Arts by IPCC – for students from the 19 Pueblos of New Mexico
    - Carl F. Scott Scholarship – for students affiliated with Tucumcari Lodge 27
    - Davis-Kozoll Scholarship – for students from Northwest New Mexico
- **Identity-Based Criteria**:
    - Douglas Faust Blackledge Scholarship – for boys varsity soccer players
    - Robby Baker Memorial Scholarship – for students with language learning disabilities
    - Women in Rhetoric and Logic and Rae Lee Siporin Scholarship for Women – for female students
- **Financial Need Gap**:
    - Sussman-Miller Education Assistance Fund – for students who have a documented financial aid gap

These criteria reflect donor intent and community focus but may be vulnerable to scrutiny related to equity, legal compliance, or public perception regarding restricted eligibility.

Several ACF grantmaking programs include criteria or priorities focused on supporting vulnerable, historically marginalized, or underrepresented communities. These focus areas—while aligned with equity and justice goals—may draw legal or public scrutiny due to their emphasis on race, ethnicity, gender identity, immigration status, or other identity classifications. These grant programs reflect ACF's strong commitment to equity and targeted community support, but their explicit emphasis on identity, race, and underserved populations may place them under legal, political, or public scrutiny, especially in the current sociopolitical climate. Careful documentation of mission alignment, legal compliance, and transparent selection processes is important for risk mitigation.

1. ACF Annual Grant Cycle

- Application questions ask about an organization's commitment to Diversity, Equity, and Inclusion (DEI) and how staff and board demographics reflect the communities served.
- These questions highlight ACF's expectation of cultural competence and representation, which may be perceived as applying identity-based criteria.

2. e2e – NM Funders Collaborative Grant (2024)

- Requires applicants to explain how their programs promote social, racial, economic, and cultural equity, particularly for underserved populations.
- The framing could draw attention due to its strong equity emphasis and use of identity markers in decision-making.

3. Rockefeller Foundation Partnership (NMCT)

- Supports Native American-led pro-worker policy, focusing on tribal sovereignty and equity.

4. Northern New Mexico Youth Fund (NMCT)

- Targets youth of color, opportunity youth, young parents, and others from underserved and Tribal communities, ages 13+.
- Highly tailored to marginalized identities and geographies, which may invite legal or political examination.

5. Housing Stability Program (NMCT)

- Uses criteria such as “at-risk” and “underinvested” as part of its grant decisions, in line with federal definitions.
- Prioritizes certain populations including survivors of domestic abuse or human trafficking, individuals with disabilities, and seniors.
- Though aligned with federal standards, the use of identity-based vulnerability framing may still attract scrutiny.

6. Donor Advised Fund (DAF) Grant Distributions

- DAFs may support nonprofits focused on LGBTQIA+ rights, immigration, reproductive justice, racial equity, and ethnic-specific issues.
- These areas are increasingly politicized and may be questioned under scrutiny of donor intent or federal oversight.

Connection to Executive Orders

Executive Order 14173, titled *"Ending Illegal Discrimination and Restoring Merit-Based Opportunity"*

- The executive action calls for the termination of DEI programs, mandates, policies, preferences and activities in the federal government along with the review and revision of existing federal employment practices, union contracts and training policies or programs.
- The order expands to include diversity programs at for-profit and nonprofit government contractors, universities with large endowments, and foundations with assets north of $500 million.

Executive Order 14151, titled “*Ending Radical And Wasteful Government DEI Programs And Preferencing*"

- This executive order eliminates any and all "Diversity, Equity, and Inclusion" programs *mandates, policies, programs, preferences, and activities* throughout the federal government. The termination includes "Chief Diversity Officers," "Equity Action Plans," "environmental justice" offices, equity-related grants/contracts, as well as Diversity, Equity

and Inclusion (DEI)/Diversity, Equity, Inclusion and Accessibility (DEIA) performance requirements. This order seeks to increase public relations between the federal government and the American people by cutting programs deemed wasteful and discriminatory.

Independent Research

Currently, there is little guidance specific to scholarships. In most cases scholarships seem to fall under the broader umbrella of grantmaking. The American Bar Association suggests several practical considerations for organizations engaging in scholarship grantmaking including knowing your organization's values, examining your organization's funding streams, and assessing your organization's diversity, equity, and inclusion initiatives as well as your organization's culture.

Influential national leaders in philanthropy continue to uphold and promote DEI and its principles. The Ford Foundation's grantmaking continues to address and challenge inequality; the Council on Foundations continues to promote inclusiveness and "diversity in its many forms" as core pieces of their mission; and CFLeads holds that community foundations should insist on racial equity (see also their racial equity statement).

Furthermore, as of May 2025, many community foundations continue to openly support identity-based grantmaking philosophies similar to those of ACF, including but certainly not limited to:

- The Washington State-based Bainbridge Community Foundation
- Brooklyn Community Foundation DBA Brooklyn Org
- The Chicago Community Trust
- The Community Foundation for Southeast Michigan
- The Michigan-based Community Foundation of St. Clair County, specifically their Equity & Inclusion Fund and Women's Initiative
- The Greater Milwaukee Foundation
- The Humboldt Area Foundation of California
- Maine Community Foundation
- The Saint Paul & Minnesota Foundation
- The San Diego Foundation has a specific Diversity, Equity & Inclusion Grant Policy and makes numerous references to diversity, equity, and racial and social justice throughout their website, including their descriptions of their Community Impact strategy and strategic priorities.
- The San Francisco Foundation
- The Detroit-based Skillman Foundation's grantmaking framework mentions their commitment to being a "racially equitable grantmaker" and requires that their grant partners, "[i]n policy and practice, offer opportunity and service to all, regardless of age, race, creed, gender, religion, disability, sexual orientation, and ethnicity". See also this blog post from their President and CEO, Angelique Power.

Staff Recommendation

Staff recommend continuing to monitor the federal landscape but not make changes to any existing grants or to our overall grantmaking philosophy.

Impact Investing

ACF's impact investment strategy includes targeted capital support for programs aimed at closing systemic gaps in access to financial resources, particularly within historically underinvested or marginalized communities. While these investments align with ACF's equity-driven mission, they may attract legal or public scrutiny due to their focus on identity-related or community-specific outcomes. These investments underscore ACF's role in addressing economic disparities through targeted capital, but any program that references race, ethnicity, or identity as part of eligibility or impact metrics may face increased legal examination, especially under evolving interpretations of anti-discrimination and equal protection laws. Clear documentation of community need and alignment with broader economic development goals can help mitigate these risks.

1. Loan to Nusenda Credit Union Foundation – Co-Op Capital Program

- Provides flexible capital to borrowers without traditional credit histories, prioritizing relationship-based lending.
- Program explicitly incorporates race and equity metrics in its evaluation and outreach strategies.
- May face scrutiny for using non-traditional financial criteria and identity-based metrics in lending decisions.

2. Loan to NM Black Leadership Council

- Supports initiatives advancing Black leadership, community development, and advocacy in New Mexico.
- **3. Possible: Homewise Home Renovation Loan**
- Aims to serve disinvested communities through access to affordable home improvement loans.
- While equity-focused in impact, there is no explicit identity-based language, making it less likely to face direct scrutiny.

Connection to Executive Orders

Executive Memo M-25-13, titled, "*Temporary Pause of Agency Grant, Loan and other Financial Assistance*" (rescinded January 29, 2025)

- Pause federal funding while the current administration conducts an across-the-board ideological review to uproot progressive initiatives.
- Even though the M-25-13 was rescinded, there is still much confusion, and many federal grants have been canceled or paused.

Executive Order 14173, titled *"Ending Illegal Discrimination and Restoring Merit-Based Opportunity"*

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- The order expands to include diversity programs at for-profit and nonprofit government contractors, universities with large endowments, and foundations with assets north of $500 million.

Independent Research

The Council on Foundations wrote about the IRS guidance released in 2015 regarding section 4944 of the Internal Revenue Code:

> "The guidance recognizes that foundations are increasingly aligning their investment decisions with their charitable purposes, and clarifies that this alignment can be part of a prudent investment policy. Under Internal Revenue Code Section 4944 and its accompanying regulations, a private foundation investment is not considered 'jeopardizing' if the foundation managers exercise ordinary business care and prudence in providing for the long-term and short-term financial needs of the foundation."

As of May 2025, many community foundations continue to deploy impact investing programs that aim to promote greater equity. Increasing access to affordable housing and uplifting entrepreneurs who aren't as easily able to access traditional sources of capital are common focuses for such programs across the nation. Below are some examples.

- The Ann Arbor Area Community Foundation's impact investments involve an identified focus on increasing investments into "neighborhoods and businesses of people of color." One specific initiative is a partnership with a local group to increase the financial capital available to women- and minority-owned businesses.
- The Community Foundation for Greater Atlanta's current impact investing funds under their larger GoATL fund strategy include the Community Capacity Fund, which "address[es] inequities in the Atlanta region", and their Economic Inclusion Fund, which "invest[s] in underserved and BIPOC entrepreneurs".

- The Community Foundation for Northeast Florida invests in local partners who "measurably improve access to affordable housing, and equitably expand economic opportunity for marginalized residents".
- The Greater Kansas City Community Foundation's impact investing portfolio includes affordable housing, solar energy projects for "underserved communities", and the Gender Lens Investing Fund for "women and families in rural communities."
- The Greater Milwaukee Foundation specifically focuses on communities of color in their impact investing work, which includes increasing the supply of safe, affordable housing.
- The Omaha Community Foundation's work seeks to create more affordable housing and to benefit "local small business owners in marginalized communities", including "under-resourced entrepreneurial women", in the interest of "increasing equitable access to capital" in the region.
- The Oregon Community Foundation names "DEI and Social Justice" as one of the areas they assess to evaluate potential new impact investments. A recent investment partnered with a local group who works with "traditionally underserved populations– entrepreneurial low/moderate income earners, women, BIPOC, veterans, immigrants, or members of the LGBTQ+ community".

Staff Recommendation

Other community foundations across the country continue to operate impact investing programs that at least include, if not specifically focus on, increasing access to affordable housing and targeted investments into specific communities, including BIPOC communities. Therefore, staff recommend continuing to monitor the federal landscape but not making changes to any existing investments or loans, nor preemptively rejecting new investments or loans that are brought to ACF staff for consideration on the basis of these potential investments being equity-focused in nature.

Opportunities to Respond

In response to reductions in federal funding and shifting policy landscapes, ACF can leverage its infrastructure and relationships to maintain support for New Mexico communities through the following strategies. Through these five roles, ACF can provide leadership, agility, and trusted infrastructure in navigating funding volatility and policy impacts, while reinforcing its commitment to equity, resilience, and local empowerment.

In a study conducted by The Grant Plant, commissioned by Thornburg Foundation, Anchorum Health Foundation, and Santa Fe Community Foundation, to research the impacts of federal funding changes on the New Mexico's philanthropic sector, The Grant Plant noted,

> "Philanthropy can… play a strategic and complementary role in helping prevent grant program defunding, preserving and protecting awards that are being challenged, supporting community needs by bridging short-term funding gaps, cultivating innovative programming and funding approaches, and building nonprofit capacity to navigate the changing funding landscape. Private foundations, public foundations, corporate donors, and individuals ***can and should step in*** to provide critical operational support, fund advocacy efforts, and enable nonprofits to adapt to new regulatory and compliance challenges. *Philanthropy can also influence other sectors, including state and federal elected officials, and business and community stakeholders*."

1. Serving as an Intermediary for State and National Foundation Funding

- ACF can act as a trusted conduit to distribute resources from state agencies and national funders, ensuring funds reach local, community-based organizations efficiently.
- This role increases trust, accountability, and local impact while filling critical gaps left by federal cuts.

2. Developing a Variety of Pooled Funds

- Creating thematic pooled funds (e.g., for housing, youth, climate, or equity) allows ACF to aggregate donor dollars and align them toward pressing, underfunded issues.
- This approach increases flexibility and resilience during funding shortages.

3. Increasing Engagement and Education for Individual Donors

- ACF can deepen its outreach to individual donors through educational campaigns, storytelling, and impact data to illustrate the consequences of policy changes.
- Cultivating a more informed and responsive donor base can help offset lost public funding.

4. Convening Communities for Awareness and Action

- By hosting community conversations, forums, and listening sessions, ACF can elevate local voices and generate grassroots solutions to policy-driven challenges.
- These convenings also build solidarity and shared understanding across sectors and demographics.

5. Organizing Statewide Funder Coordination and Mobilization

- ACF can lead collaborative efforts among funders statewide to coordinate giving, share data, and respond rapidly to emerging needs.

- This role strengthens the collective philanthropic response to policy changes, maximizing statewide impact and reducing duplication.

Federal Landscape Timeline

Updated June 16, 2025

Executive Order 14151
Ending Radical And Wasteful Government DEI Programs And Preferencing

January 20, 2025

What does the EO do?

Directs the Office of Management and Budget (OMB) and the Office of Personnel Management (OPM) to coordinate with all federal agencies to terminate all DEI programs in federal agencies, including equity related grants, and equity action plans.

Winter/Spring 2025

Highlights

At least four lawsuits have challenged or partially challenged EO 14151. Challenges to the EO range from blocking the freeze of federal funds to blocking the EO prohibiting federal grant and contract recipients from engaging in DEI initiatives and challenging making diversity, equity, and inclusion illegal. Litigation is ongoing.

Today

How does this impact ACF?

The EO is directed toward the OMB and OPM. There is no direct order for philanthropy to terminate DEI programs.

The EO does not directly impact ACF at this time.

Executive Order 14173
Ending Illegal Discrimination and Restoring Merit-Based Opportunity

January 21, 2025

What does the EO do?

The executive action calls for the termination of DEI programs, mandates, policies, preferences and activities in the federal government along with the review and revision of existing federal employment practices, union contracts and training policies or programs.

The order expands to include diversity programs at for-profit and nonprofit government contractors, universities with large endowments, and foundations with assets north of $500 million.

Winter/Spring 2025

Highlights

On 2/3, a DC federal judge issued a temporary restraining order, extending a previous administrative stay from 1/31. The judge issued a preliminary injunction (order and opinion) on 2/25.

On 3/7, a second judge issued a separate preliminary injunction in the state attorneys general case.

On 3/14, an appellate Court overruled the preliminary injunction, allowing the Trump admin to enforce certain aspects of the EO while the case moves through the courts.

Today

How does this impact ACF?

NMCT currently administrates a sub-award for federal dollars; ACF administers certain grant/scholarship programs (primarily through ACF, but also NMCT) which are geared toward supporting BIPOC communities, and dEi programs/efforts in general may come under scrutiny.

At this time, ACF ***is not*** actively making any changes and are researching guidance provided by Council on Foundations. The National Council of Nonprofits also has a useful chart to help track Executive Orders: **Executive Orders Affecting Charitable Nonprofits**

Federal Landscape Timeline Cont.

Updated June 16, 2025

Executive Memo M-25-13
Temporary Pause of Agency Grant, Loan, and Other Financial Assistance

January 27, 2025

What does the Executive memo do?

Pause federal funding while Trump administration conducts an across-the-board ideological review to uproot progressive initiatives.

Winter/Spring 2025

1/28 Federal Judge blocked freeze until 2/3

1/29 White House Rescinds Freeze

On March 6, Federal Judge John McConnell extended block on Trump's federal assistance freeze indefinitely

Today

How does this impact ACF?

ACF does not anticipate any issues with the Housing Stability Program since payments were made upfront to states.

ACF is actively coordinating with other funders to support our nonprofit partners who are impacted.

HR 9495
Stop Terror-Financing and Tax Penalties on American Hostages Act

September 9, 2024

Bill Introduced; What does it do?

The bill would give the Treasury Department unilateral authority to strip the tax-exempt status of nonprofits it claims support terrorism.

November 21, 2024

Bill Passed by House of Representatives

Bill passed 219-184, with the majority of the support coming from Republicans.

December 2, 2024

Bill received in the Senate

No additional movement since December 2024.

Today

How does this impact ACF?

The bill must be passed by the Senate and then signed into law by the President. Staff are following the bill and are aware of the potential weaponization of the bill against nonprofit partners.