

# The Charitable-Sector Pushback Against the Administration: One Year Post-Election

11.12.25 | Linda J. Rosenthal, JD



There have been standouts throughout 2025 in the pushback against the relentless wave of assaults by the second Trump administration.

For the charitable sector, highlights have included most notably: (a) the National Council of Nonprofits under the [inspired leadership](#) of new CEO and president, Diane Yentel (who had taken the reins just a week or so before Inauguration Day); and (b) the “blue state” attorneys general who [we now know](#) had been planning a coordinated rapid-fire response well before January 20, 2025.

The attention of both prongs of the resistance have been evident from the earliest days when they sprang rapidly into action over and over again. Case in point: the notorious (OMB) Memorandum (M-25-13): [Temporary Pause of Agency Grant, Loan, and Other Financial Assistance Programs](#) (January 27, 2025).

“It triggered immediate confusion and panic around the nation and particularly in the nonprofit sector as government officials [shut down federal-payment portals](#) for grants and contracts .... By Tuesday evening, January 28th, two sets of plaintiffs had filed separate federal lawsuits with requests for emergency relief to staunch the fiscal bleeding and chaos. See: [Complaint](#) by lead plaintiff National Council of Nonprofits; [Complaint](#) by 23 Democratic State Attorneys General.

Within days, by Monday, February 3rd, federal judges in the District of Columbia and in Rhode Island issued temporary restraining orders. That’s the story we began to tell in [Federal Funding “Pause”: Five-Alarm-Fire, Doused for Now](#) (February 4, 2025), [FPLG Blog](#).

## *Dual-Pronged Defense*



The charitable sector has admired and responded to the stellar efforts by Diane Yentel and the National Council of Nonprofits. See, for example: [National Council of Nonprofits Statement on Pause to Federal Grants and Contracting](#) (January 28, 2025), *Press Release*, NCN; [Executive Orders Affecting Charitable Nonprofits](#), National Council of Nonprofits, first published in January and updated regularly, most recently on November 7, 2025. See also: [Litigating “Freezing-Funds” Directive From OMB](#) (February 14, 2025) *FPLG Blog*.

We have been impressed watching the members of the [Democratic Attorneys General Association](#) boldly stepping up to fulfill their duties to protect charitable funds and assets, a legacy [with origins several hundred years ago](#) in Elizabethan England. See [As Trump pursues his policies, Democratic states block his path](#) (February 22, 2025) Maeve Reston, et al, *The Washington Post* [“Attorneys general have worked for months to craft legal opposition to the president’s agenda. Now they’re putting it into practice.”]

See also [The Democrats Who Are Fighting—and Winning—Against Trump in Court](#) (March 30, 2025) Eliza Collins and John McCormick, *The Wall Street Journal* [Arizona Attorney General Kris Mayes “...is one of 23 Democratic attorneys general who are strategizing on a nearly daily basis about how to use the courts to thwart Trump. Various combinations of them have persuaded federal judges to pause White House initiatives to end birthright citizenship, freeze all federal grants and fire probationary government employees.”]

In [Democratic AGs shift their focus to the next phase of their legal battle against Trump](#) (June 3, 2025) NBC News’s Adam Edelstein notes: “Democratic attorneys general around the country were at the forefront of the legal battles that put up roadblocks to key parts of President Donald Trump’s sweeping agenda at the outset of his new administration .... Now, even as the initial [rapid-fire onslaught](#) of executive actions has slowed, they are vowing to keep up their aggressive — and coordinated — posture in the courts.”

### ***A Chart of Chaos***

Few of us need reminding of the intensity – and breadth – of the first wave of the Trump 2.0 “shock-and-awe” blitz. And we watch each day as the administration rolls out and defends new orders and mandates that are astonishingly extreme, cruel, and tone-deaf. See, e.g., [Supreme Court extends its order blocking full SNAP payments, with shutdown potentially near an end](#) (November 11, 2025, 6:46 pm EST) *AP via npr.org*.

Nevertheless, steel yourself and take a look at [Litigation Tracker: Legal Challenges to Trump Administration Actions](#) [Chart] (updated November 12, 2025) *Just Security*, an “editorially independent, non-partisan, [daily digital law and policy journal](#) that elevates the discourse on national security, democracy and the rule of law, and rights.”

Schedule a bit of “down” time, though. After seeing all of the details in black and white collected in one massive chart of misery, you will need to recuperate. I follow this news closely, I write about it regularly, and still I had to take a break.

### ***Non-Litigation Tactic***



Certainly, aggressive litigation has been a focal point of action for both the National Council of Nonprofits as well as the attorneys general of the blue persuasion. But it's *not* their *only* strategy. It's critical for all resisters to creatively use each and every arrow in their quivers, aiming strategically to hit the various targets.

There is a noteworthy example from the summer of 2025 involving a coordinated “blue” defense against the ugly and exasperating anti-DEI campaign directed from the Oval Office but spearheaded with particular gusto by the U.S. Attorney General, Pam Bondi.

Among the “evils” the current administration seeks to eliminate are scholarships with preferences or restrictions of any kind, pushing the boundaries of the already misguided 2023 Supreme Court decision in *Students for Fair Admissions v. Harvard*.

But many scholarships are created with donor-restricted funds in line with decades of well-established U.S. “public policy.” Compliance with the administration’s anti-DEI rules would cause 501(c)(3)s to impermissibly ignore donor intent. And at least ten Democratic state attorneys general have informed the feds that they hold the power under state law to withhold consent for any such change. See *Guidance for Recipients of Federal Funds Regarding Unlawful Discrimination* (July 29, 2025) Office of the United States Attorney General; see also *Memorandum to “Entities holding charitable funds”* from the Attorneys General of Minnesota, New York, California, Connecticut, Delaware, Maryland, Nevada, Oregon, Vermont, and Washington (August 20, 2025).

### ***Conclusion***

In the next post, we’ll take a look at this interesting standoff. While that means taking a dip into the cesspool of the anti-DEI discussions and debates, the plunge is needed because it examines a creative and important way to defend against a small part of the unconscionable and unrelenting assault on the charitable sector by our own federal government.

– Linda J. Rosenthal, J.D., FPLG Information & Research Director