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17 **UNITED STATES DISTRICT COURT FOR THE**
 18 **NORTHERN DISTRICT OF CALIFORNIA**
 19 **SAN FRANCISCO DIVISION**

20 AMERICAN FEDERATION OF
 21 GOVERNMENT EMPLOYEES, AFL-CIO,
 et al.,

22 Plaintiffs,

23 v.

24 UNITED STATES OFFICE OF
 25 MANAGEMENT AND BUDGET, et al.,

26 Defendants.
27
28

Case No. 3:25-cv-08302-SI

DECLARATION OF RACHEL BORRA

Hearing Date: October 28, 2025
 Time: 10:30 a.m.
 Judge: Hon. Susan Illston
 Place: San Francisco Courthouse
 Courtroom 01

1 Pursuant to 28 U.S.C. § 1746, I, Rachel Borra, declare, pursuant to 28 U.S.C. § 1746, as
2 follows:
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- 4 1. I am the Chief Human Capital Officer at the Department of the Interior, headquartered in
5 Washington, D.C. I have served in this position since September 29, 2025.
- 6 2. In my role at Interior, I am responsible for personnel management. I have the
7 responsibility for tracking and recording personnel actions, including Reductions-in-
8 Force (RIFs). I assist in ensuring that all personnel actions comply with court orders and
9 federal law.
- 10 3. Plaintiffs in this lawsuit include two national unions, AFGE and AFSCME, and two local
11 California-based chapters, AFGE Local 1236 and AFGE Local 3172.
- 12 4. I am aware of and have reviewed the October 15, 2025, temporary restraining order
13 (TRO) issued by the Court in this action.
- 14 5. I make this declaration in response to the Court’s Order of October 15, 2025, which
15 granted Plaintiffs temporary injunctive relief and restrained Defendants from taking
16 certain actions related to RIFs.
- 17 6. The Court’s TRO provides that Defendants are restrained from:
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 - 20 1) taking any action to issue any Reduction in Force (“RIF”) notices to federal
21 employees in any PPA (program, project, or activity) that includes any
22 bargaining unit or member represented by any Plaintiff during or because of
23 the federal government shutdown, including but not limited to by taking any
24 action to implement or enforce the OMB Lapse Memorandum (dated
25 September 24, 2025), the portions of the related OPM Guidance for Shutdown
26 Furloughs (as revised September 28, 2025), the related OPM “Special
27 Instructions for Agencies Affected by a Possible Lapse in Appropriations
28 Starting on October 1, 2025” (dated September 28, 2025), or any other
decision or directive that purports to authorize or require issuance of RIF
notices during a shutdown;

1 2) taking any further action to administer or implement any RIF notices already
2 issued beginning on October 10, 2025 to federal employees in any PPA
3 (program, project, or activity) that includes any bargaining unit or member
4 represented by any Plaintiff, including but not limited to by requiring federal
5 employees to perform work to further administer or implement RIF notices
6 and by enforcing or counting any days towards any period of notice with
7 respect to those notices (i.e., the effective date of the RIF shall be stayed and
8 Defendants shall therefore toll the running of all RIF notice periods).

9 7. The Court's Order also requires Defendants to report certain information by 11:00 A.M.
10 PDT on October 17, 2025.

11 a. Defendants shall serve and file an accounting of all RIFs, actual or imminent, that
12 are enjoined by this TRO, including but not limited to a description of the agency
13 that imposed or is planning to impose the enjoined RIF, the number of employees
14 included in the enjoined RIF, and description of the PPAs that Defendants
15 included in the enjoined RIF.

16 b. each Defendant shall file a declaration(s) verifying that they have complied with
17 this Order and the steps they have taken to do so.

18 8. Since the current Administration took office in January 2025, Interior has been taking
19 steps to implement Administration priorities, including by seeking to streamline functions
20 and personnel as appropriate to promote efficiency. Among those streamlining efforts,
21 Interior has been working on potential RIF plans since early this year. These planning
22 efforts were begun long before the current lapse in appropriations and had nothing to do
23 with the lapse in appropriations.

24 9. Because of the duration of the lapse in appropriations, it has become clear that RIF
25 notices, if finalized on a timeline consistent with the preexisting planning process, might
26 be issued during the lapse in appropriations for competitive areas that do not include any
27 bargaining units or members represented by Plaintiffs. Interior had intended on
28 imminently abolishing positions in 68 competitive areas that include Plaintiff bargaining
unit employees. However, Interior has stopped work on RIF notices for competitive areas

1 that include bargaining unit members represented by Plaintiffs and it will not proceed
2 with any RIFs for competitive areas that include bargaining unit members represented by
3 Plaintiffs for as long as the TRO remains in force, absent an order from a higher court
4 providing relief.

5 10. Additionally, the agency has taken the following actions to comply with the TRO.
6

- 7 a. We sent notice of the TRO to our agency human resources leadership on October
8 15, 2025.

9 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true
10 and correct.

11 Dated: October 17, 2025

12 *Rachel Borra*

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14 Rachel Borra
15 Chief Human Capital Officer
16 U.S. Department of the Interior
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