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

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

22 AMERICAN FEDERATION OF
 23 GOVERNMENT EMPLOYEES, AFL-CIO,
 et al.,

24 Plaintiffs,

25 v.

26 UNITED STATES OFFICE OF
 27 MANAGEMENT AND BUDGET, et al.,

28 Defendants.

**DECLARATION OF DR. MADHU
 GOTTUMUKKALA PURSUANT TO
 PRELIMINARY INJUNCTION
 ORDER**

1 Pursuant to 28 U.S.C. § 1746, I, Dr. Madhu Gottumukkala, declare as follows:

- 2
- 3 1. I am the Acting Director and the Deputy Director at the Cybersecurity and
- 4 Infrastructure Security Agency (“CISA”), U.S. Department of Homeland Security
- 5 (“DHS”), headquartered in Arlington, VA. I have served in this position since May
- 6 19, 2025.
- 7
- 8 2. In my role at CISA, I am ultimately responsible for personnel management. I have
- 9 direct reports who have the responsibility for tracking and recording personnel
- 10 actions, including Reductions-in-Force (“RIFs”). I ensure that all personnel actions
- 11 comply with court orders and federal law.
- 12
- 13 3. Plaintiffs in this lawsuit include eight national unions, American Federation of
- 14 Government Employees, AFL-CIO (“AFGE”), American Federation of State County
- 15 and Municipal Employees, AFL-CIO (“AFSCME”), National Federation of Federal
- 16 Employees (“NFFE”), Service Employees International Union (“SEIU”), National
- 17 Association of Government Employees, Inc. (“NAGE”), National Treasury
- 18 Employees Union (“NTEU”), International Federation of Professional and Technical
- 19 Engineers, AFL-CIO (“IFPTE”), and the American Federation of Teachers (“AFT”),
- 20 and two local California-based chapters, AFGE Local 1236 and AFGE Local 3172.
- 21
- 22 4. I am aware of and have reviewed the October 28, 2025, preliminary injunction order
- 23 issued by the Court in this action (“the Order”), which granted Plaintiffs preliminary
- 24 injunctive relief and enjoined Defendants from taking certain actions related to RIFs.
- 25 I make this declaration in response to the Order.
- 26
- 27 5. The Order provides that Defendants are enjoined from:
- 28

- 1 1) taking any action to issue any RIF notices during and because of the federal
2 government shutdown to federal employees in any PPA (program, project, or
3 activity) or competitive area that includes any bargaining unit or member
4 represented by any Plaintiff, including but not limited to by taking any action
5 to implement or enforce the OMB Lapse Memorandum (dated September 24,
6 2025), the portions of the related OPM Guidance for Shutdown Furloughs (as
7 revised September 28, 2025), the related OPM “Special Instructions for
8 Agencies Affected by a Possible Lapse in Appropriations Starting on October
9 1, 2025” (dated September 28, 2025), or any other decision or directive that
10 purports to authorize or require issuance of RIF notices during a shutdown;
11
12 2) taking any action to administer or implement any RIF notices issued during
13 and because of the federal government shutdown to federal employees in any
14 PPA (program, project, or activity) or competitive area that includes any
15 bargaining unit or member represented by any Plaintiff, including but not
16 limited to by taking any action to implement or enforce the OMB Lapse
17 Memorandum (dated September 24, 2025), the portions of the related OPM
18 Guidance for Shutdown Furloughs (as revised September 28, 2025), the
19 related OPM “Special Instructions for Agencies Affected by a Possible Lapse
20 in Appropriations Starting on October 1, 2025” (dated September 28, 2025),
21 or any other decision or directive that purports to authorize or require issuance
22 of RIF notices during a shutdown.

23 6. The Order specifies, with respect to the above, that:

- 24 1) The phrase “federal employees in any PPA (program, project, or activity) or
25 competitive area that includes any bargaining unit or member represented by
26 any Plaintiff” includes (a) “federal employees in any PPA or competitive
27 area” in which Plaintiffs have any members, regardless of whether those
28 members are employed in a bargaining unit that is represented by a Plaintiff;
and (b) “federal employees in any PPA or competitive area” in which any
Plaintiff is or was a recognized collective bargaining representative of a
bargaining unit prior to or after the issuance of Executive Orders 14251 and
14343, the effect of which is the subject of legal dispute.
- 2) The reference to issuance of RIF notices “during and because of the federal
government shutdown” or “during a shutdown” applies to any RIF notices
issued on or after October 1, 2025, and before the end of the federal
government shutdown, unless the Court determines following an evidentiary
hearing that the RIF was planned to occur independent of and before the
shutdown.

7. The Order also requires Defendants to report certain information by November 4,
2025—specifically:

Each Defendant shall file an accounting of any RIFs that have been issued on or after October 1, or that were in preparation at the time of this Court's temporary restraining order (TRO) (ECF 56), clarified and modified TROs (ECF 70, 82), and/or preliminary injunction, including at a minimum information identifying: a) the impacted PPAs or competitive areas, including information or parameters (such as a description of the office or program within the agency) used by the Defendant to define the PPAs or competitive areas; b) whether each impacted PPA or competitive area includes any employees subject to this Court's injunction; c) how many employees are within each such PPA or competitive area; and d) the number of employees within each such PPA or competitive area whom Defendant has identified as protected by the Court's injunction.

8. The Order also requires, by November 12, 2025, that each Defendant file a declaration detailing the steps it has taken to comply with this Court's injunction.
9. On October 11, 2025, CISA issued RIF notices to 54 people. For these individuals, I have identified below: (a) the impacted competitive areas, including description of the agency office; (b) whether that competitive area includes any employees subject to this Court's injunction; (c) the number of employees that are within that competitive area; and (d) the number of employees within that competitive area whom the agency has identified as protected by the Court's injunction. CISA's competitive areas are defined at the branch level and are in the Stakeholder Engagement Division ("SED").

| Impacted Competitive Area (Division & Branch) | Covered by Injunction | No. of Employees in Competitive Area | No. of Employees Protected by Injunction |
|--------------------------------------------------------------|------------------------------|---------------------------------------------|-------------------------------------------------|
| SED's Academic Engagement | No | 4 | 0 |
| SED's Advisory Councils | No | 5 | 0 |
| SED's Budget, Acquisition & Oversight | No | 3 | 0 |
| SED's Capacity Building | No | 1 | 0 |
| SED's Chief of Staff | No | 2 | 0 |
| SED's Communications & Executive Support | No | 2 | 0 |
| SED's Foreign Affairs | No | 3 | 0 |
| SED's Grant Operations | No | 4 | 0 |
| SED's International Affairs | No | 3 | 0 |

| | | | | |
|---|---------------------------------------------------------------|----|---|---|
| 1 | SED’s International Chief Operating Officer & Mission Support | No | 1 | 0 |
| 2 | | | | |
| 3 | SED’s Partnership Councils Branch | No | 5 | 0 |
| 4 | SED’s Partnerships | No | 8 | 0 |
| 5 | SED’s Partnerships & Engagements | No | 4 | 0 |
| 6 | SED’s Program Analysis & Evaluation | No | 1 | 0 |
| 7 | SED’s Coordination Control Center | No | 2 | 0 |
| 8 | SED’s Stakeholder Analytics | No | 6 | 0 |
| 9 | | | | |

10. The agency has taken the following actions to comply with the Order.

- 1) On October 28, 2025, CISA’s human resources office was notified of the Court’s oral issuance of the preliminary injunction, and on October 29, 2025, they received the Court’s written Order.

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

Dated: November 03, 2025

MADHU
 GOTTUMUKKALA
Digitally signed by MADHU GOTTUMUKKALA
 Date: 2025.11.03 12:57:05 -05'00'

Dr. Madhu Gottumukkala