

February 10, 2025

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Attorney General Marshall Joins 22-State Coalition in Defending President Trump's Authority to Reform Federal Workforce

(Montgomery, Ala) – Alabama Attorney General Steve Marshall joined a coalition of 22 states in supporting President Donald J. Trump's "Fork Directive," which offers buyouts to federal employees who opt to resign from their positions and will free up government resources and revenue to focus on better serving Americans.

In the amicus brief filed Sunday, the attorneys general ask the United States District Court in Massachusetts to deny the plaintiffs' motion for a temporary restraining order (TRO) in *American Federation of Government Employees, AFL-CIO, et al. v. Charles Ezell, Acting Director, Office of Personnel Management, et al.* The states have an interest in defending the directive as thousands of federal workers are employed in the states and the states interact frequently with federal workers. Additionally, if President Trump's ability to manage the federal workforce is hindered, so could the states' attempt to manage their workforces.

"This directive is a vital step toward restoring accountability and efficiency in our federal government. President Trump has the clear constitutional authority to manage the federal workforce, and the response from federal employees accepting this offer shows its necessity," Attorney General Marshall said. "The American people have demanded a leaner, more effective government, and we stand firmly in defense of this directive to ensure that taxpayer dollars are used responsibly."

As President Trump begins to reform the federal workforce, federal employees were offered deferred resignation effective immediately and offered pay and benefits through September 30 if they accept. While a federal judge temporarily halted the directive last week, the court will consider it further in a hearing scheduled for Monday afternoon. By the time of the original February 6 deadline 65,000 federal employees had accepted the offer.

The attorneys general argue that the court should refuse to grant the TRO because President Trump has the authority to manage the federal workforce. Article II of the U.S. Constitution gives the President executive power, which includes the authority to supervise and remove federal employees, and the ability to offer federal employees voluntary deferred resignation.

The overwhelming response to the Fork Directive by the federal workforce demonstrates its support among federal workers. The directive is also consistent with the desires of Americans across the country. According to a Gallup poll, Americans believe the federal government is too large, inefficient, and wasteful. The Fork Directive will help make the government more efficient and more responsible with Americans' hard-earned tax dollars.

"The American people elected a president who repeatedly made clear his desire for a more efficient, smaller government. The Fork Directive is consistent with those desires. Thus, when



weighing the equitable factors, the public interest weighs strongly against Plaintiffs' requested relief," the brief states.

The plaintiffs' requested relief is also contradictory to their original arguments. While plaintiffs wrongly claim that the directive is unlawful and they will suffer irreparable harm, they asked for it to be implemented under more relaxed timelines. A stay of the deadline won't stop all federal employees from accepting the offer. Plaintiffs acknowledged their contradictory arguments and changed their requested relief at the eleventh hour. However, as stated in the brief, the court shouldn't allow them to shift their legal theories at the end of briefing.

Attorneys general from Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, and West Virginia joined the brief led by Montana Attorney General Austin Knudsen.

Click here to read the [brief](#).