

EXHIBIT D

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Ward Brehm,

Plaintiff,

v.

Pete Marocco, et al.,

Defendants.

Civil Case No. 25-cv-660

DECLARATION OF JOHN W. LESLIE, JR.

I, John W. Leslie, Jr. (Jack), declare under penalty of perjury, under 28 U.S.C. § 1746, that the following is true and correct:

1. I am a Board member of the United States African Development Foundation (USADF).

2. I was first appointed to the USADF Board of Directors in 2003 by President George W. Bush and confirmed by the Senate. I was subsequently appointed Chairman of the Board by President Barack Obama in 2009 and reappointed to the Board by President Barack Obama and confirmed by the Senate in 2016. I remained Chairman of the Board until I was replaced by Senator Carol Mosely Braun in 2024. I remain on the Board as the replacement for my term has not been nominated by the President.

3. On January 20, 2025, I was informed by USADF staff that the President of the United States issued an Executive Order freezing all federal assistance. The

Board was apprised and concurred with the staff that we should comply with the EO and we stopped payments on grants and approval of new grants.

4. On February 10, 2025, the Board was informed that Travis Adkins, the President of USADF had resigned, effective immediately. The Board subsequently created—through an official board resolution—a leadership committee of Elisabeth Feleke (Chief Programs Officer), Kerline Perry (General Counsel), and Mathieu Zahui (Chief Financial Officer). The leadership committee was created to perform the functions of the President until such time as the Board appointed a new President.

5. On February 19, 2025, President Trump issued an Executive Order directing USADF to eliminate nonstatutory functions and associated personnel and to submit a report to the Office of Management and Budget within 14 days. The board was informed and instructed the staff to prepare a report to OMB.

6. On February 20, 2025, I called Liz Feleke to discuss agency operations in light of the EO of the previous evening. She was focused on keeping the staff fully apprised and continuing the statutory functions of the agency. She later alerted me that staff had received a request from the Department of Government Efficiency (DOGE) that they wanted to meet with USADF that afternoon at 3:30 pm. Liz asked me to join this meeting and I agreed.

7. At 3:30pm on February 20, Chris Young from DOGE arrived and we met him in a conference room. Liz Feleke, Mathieu Zhau, Kerline Perry, and Bailey Dowling were present. Young explained that he was only there to help facilitate access to our computer systems for two of his colleagues—both described as computer

engineers—who would “help make our systems more efficient.” It was a cordial meeting, and our staff agreed to make the necessary arrangements for these staff to have access the next morning.

8. On February 21, 2025, Liz Feleke called me at approximately 11:00 am to tell me that the DOGE employees arrived, along with an attorney who told them that he intended to RIF—that is, lay off—the staff and that Marocco wanted the board to be convened that same afternoon by phone. I told Liz I didn’t think that was possible on a Friday afternoon with such short notice. I was also informed that our staff did not give access to our systems as DOGE’s original request was made under false pretenses of helping USADF better achieve its mission.

9. Later that day, a fellow board member called me to say that a DOGE staff person reached him by phone and asked that he convene the Board. He said that it wasn’t possible. They asked him to help facilitate access to the systems and he refused.

10. On February 24, the Board conducted a special meeting to review the DOGE actions of the previous week. During that meeting, Ward Brehm, a board member, told us that he received an email from White House Office of Personnel that he was terminated as a board member. The rest of the board checked their emails, but nobody else had received such notice.

11. On February 28, I was informed by Liz Feleke that we received an email from DOGE notifying USADF staff that because USADF was “Board-less,” President

Trump citing his “inherent authority” under Article 2, was appointing Peter Marocco as acting Chairman of the Board of USADF.

12. USADF was not, in fact, Board-less.

13. On Monday, March 3, 2025, the Board convened a special meeting to appoint Ward Brehm as President of USADF.

14. On Tuesday, March 4, 2025, the Board convened its regular quarterly meeting at USADF’s DC office. Public notice of this meeting had been published in the Federal Register. The board conducted regular business and then met with representatives of the Government Accountability Office in executive session.

15. Pete Marocco did not attend the March 4 Board meeting.

16. Later in the day, on March 4, USADF staff received an email from Nate Cavanaugh of DOGE, alerting USADF that Marocco and two DOGE employees were planning to come to USADF offices at noon on March 5.

17. On the morning of March 5, Ward Brehm, President of USADF, sent a letter to Nate Cavanaugh informing him that Brehm could not meet Marocco as he was out of town. He also notified Cavanaugh that USADF did not recognize Marocco’s authority since he was not confirmed by the Senate.

18. At approximately 11:45am on March 5, I was informed by Liz Feleke that DOGE employees had arrived at the USADF building. Based on instructions from Ward Brehm, the DOGE employees were not permitted to enter our office, and were given copies of instructions given to staff that expressly forbade staff from meeting DOGE or Marocco to discuss agency matters. I was told that DOGE

intervened with the building manager to get to the 10th floor, but they were not permitted entry to our office.

Fairfield, Connecticut
March 6, 2025

/s/ John W. Leslie, Jr.
John W. Leslie, Jr.