

1 ROB BONTA
Attorney General of California
2 LARA HADDAD
R. MATTHEW WISE
3 Supervising Deputy Attorneys General
NANDING CHEN (SBN 348808)
4 JOE MEEKER (SBN 336725)
S. CLINTON WOODS (SBN 246054)
5 CAROLYN DOWNS (SBN 353455)
Deputy Attorneys General
6 300 South Spring Street, Suite 1702
Los Angeles, CA 90013-1230
7 Telephone: (213) 269-6720
Fax: (916) 731-2124
8 E-mail: Carolyn.Downs@doj.ca.gov
Attorneys for Plaintiff State of California
9

10
11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION
14

15 **STATE OF CALIFORNIA,**

16 Plaintiff,

17 v.

18 **UNITED STATES NATIONAL ARCHIVES**
19 **AND RECORDS ADMINISTRATION;**
20 **BRADFORD WILSON**, in his official
capacity as Archivist of the United States,

21 Defendants.
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Case No. _____

**COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF**

INTRODUCTION

1. In June 2026, without prior notice to the State of California, tribes, researchers, or community groups, Defendant National Archives and Records Administration (“NARA”) announced that the National Archives at San Francisco will be closing, blindsiding those who use the facility for essential research. Since that time—and absent any consultation with relevant stakeholders—NARA rolled out a plan to separate artifacts and records from the people and communities who rely on them to understand their history, establish tribal membership, and make informed policy decisions.

2. The National Archives at San Francisco, which is located in San Bruno, California, holds profoundly important records and artifacts documenting the history of Northern and Central California. The records housed at the facility date back to over 175 years ago—to the time when California became a state. It is home to the physical copies of over 300,000 Alien Files (A-Files) of individuals born before 1925 who passed through the United States immigration and inspection process in San Francisco, as well as records from the Chinese Exclusion Act era, Native American boarding schools, and Japanese American internment. These records are invaluable to California families, tribes, and individuals who come to the San Bruno facility to connect with their ancestors and learn about their culture and community.

3. In addition, multiple California agencies rely on records at the National Archives at San Francisco to conduct research required by state and federal law for state construction projects. Because the vast majority of records at the National Archives at San Francisco are not or cannot be digitized, physical access to the records is required to conduct this research. If these records are moved, therefore, the State would incur significant additional costs for out-of-state travel to National Archives facilities across the United States, making this research infinitely more expensive for the State. This does not include the financial and institutional harm California’s agencies will suffer while the records are unavailable during the move, a period that may take years.

4. The National Archives at San Francisco also provides invaluable research opportunities and resources for faculty, students, and staff at the Universities of California and

1 California State Universities. If the records are moved, they would be saddled with considerable
2 travel expenses to physically access the records they need to continue their research, leaving them
3 the untenable choice either to incur the significant costs or to discontinue their work.

4 5. Closing the National Archives at San Francisco and transferring the records
5 housed there to other National Archives facilities would irreparably harm California and its
6 interests. Indeed, transferring the records and artifacts would not only take them away from the
7 communities that rely on them most, but also would risk damage and loss of the items altogether,
8 given their age and fragility. At the very least, transferring the records means they would be
9 inaccessible for an unknown period of time, which could last years, during transit and processing.

10 6. The closure of the National Archives at San Francisco and transfer of its records is
11 also unlawful under the Administrative Procedure Act (“APA”). Congress did not intend
12 Defendants NARA and Bradford Wilson, Archivist of the United States, to possess unbridled
13 authority to do what they please with records. NARA’s stated mission is to preserve public access
14 to the Nation’s historical records. Accordingly, the Archivist, in exercising his authority under the
15 National Archives and Records Administration Act (“NARAA”), must act to preserve public
16 access to archival material and consider the public’s interest when making decisions about the
17 operation and maintenance of the National Archives and its records.

18 7. Defendants failed to account for the public’s interest when they unilaterally
19 decided to close the National Archives at San Francisco and relocate records far away from the
20 communities that use them and without consultation with California, tribes, and other
21 stakeholders. That action is contrary to NARA’s mission to preserve public access to the Nation’s
22 historical records and is thus arbitrary and capricious.

23 8. Plaintiff State of California is entitled to injunctive and declaratory relief against
24 the closure of the National Archives at San Francisco and transfer of the records housed within it.

25 JURISDICTION AND VENUE

26 9. The Court has jurisdiction pursuant to 28 U.S.C. § 1331. The Court has authority
27 to grant declaratory, injunctive, and other relief pursuant to 28 U.S.C. §§ 2201–2202 and 5 U.S.C.
28

1 §§ 702, 705, and 706.

2 10. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b)(2) and
3 1391(e)(1). Plaintiff State of California has offices at 455 Golden Gate Avenue, San Francisco,
4 California, and at 1515 Clay Street, Oakland, California, and therefore resides in this district. This
5 is a civil action in which Defendants are agencies of the United States or officers of such an
6 agency.

7 11. Assignment to the San Francisco Division of this District is proper pursuant to
8 Civil Local Rule 3-2(c)–(d) and 3-5(b) because Plaintiff State of California maintains offices in
9 San Francisco County.

10 **PARTIES**

11 **I. PLAINTIFF**

12 12. Plaintiff State of California, by and through its Attorney General Rob Bonta, is a
13 sovereign State of the United States. Attorney General Rob Bonta is the chief law officer of the
14 State of California and head of the California Department of Justice. He has the authority to file
15 civil actions to protect California’s rights and interests and the resources of this State. Cal. Const.,
16 art. V, § 13; Cal. Gov’t Code §§ 12510–11; *see Pierce v. Superior Court*, 1 Cal. 2d 759, 761–62
17 (1934) (the Attorney General “has the power to file any civil action or proceeding directly
18 involving the rights and interests of the state”).

19 **II. DEFENDANTS**

20 13. Defendant National Archives and Records Administration (“NARA”) is a
21 department of the executive branch of the United States government, and is responsible for
22 implementing the maintenance and operation of the National Archives.

23 14. Defendant Bradford Wilson (“Archivist Wilson”) is the Archivist of the United
24 States and the official in charge of NARA. Archivist Wilson is sued in his official capacity.

25 **ALLEGATIONS**

26 **I. FACTUAL BACKGROUND**

27 **A. The National Archives and Records Administration**

28 15. NARA is an independent agency within the executive branch of the federal

1 government. Its mission is “to provide public access to Federal Government records in its custody
2 and control.” NARA’s mission statement explicitly recognizes that “[p]ublic access to
3 government records strengthens democracy by allowing Americans to claim their rights of
4 citizenship, hold their government accountable, and understand their history so they can
5 participate more effectively in their government.”¹

6 16. NARA’s origins date back to the early years of the United States, but the agency
7 currently known as the National Archives was created by President Franklin D. Roosevelt in
8 1934.² President Roosevelt created the National Archives to collect, care for, and make available
9 federal government records to the public.

10 17. In its early days, the National Archives operated under the General Services
11 Administration. In 1950, Congress passed the Federal Records Act, which mandated that all
12 federal agencies establish records management programs and coordinate with the National
13 Archives to manage their records.³ This legal framework remains in place today.

14 18. In the 1950s, as materials submitted to the National Archives grew, the National
15 Archives began establishing federal records centers around the country. In the late 1960s, the
16 National Archives established regional archives within the federal records centers to
17 accommodate further increase in the National Archives’ holdings. These regional archives hold
18 and make available to the public records from federal agencies in their respective regions.⁴

19 19. Recognizing the incompatibility between NARA’s historical preservation mission
20 and the General Services Administration’s main responsibility to manage federal property,
21 Congress passed, and President Ronald Reagan signed, the National Archives and Records
22

23 ¹ <https://www.archives.gov/about/history/about/history/history-and-mission>.

24 ² Rodney A. Ross, *The National Archives: The Formative Years, 1934-1949*, in *Guardian of*
Heritage: Essays on the History of the National Archives 33 (Nat’l Archives and Records
25 Admin., 1985); <https://www.archives.gov/about/history/about/history/history-and-mission>. See
26 also Donald R. McCoy, *The Struggle to Establish a National Archives in the United States*, in
Guardian of Heritage: Essays on the History of the National Archives 1–2 (Nat’l Archives and
Records Admin., 1985).

27 ³ See James Gregory Bradsher, *The National Archives: Serving Government, the Public, and*
Scholarship, 1950-1965, in *Guardian of Heritage: Essays on the History of the National Archives*
51–53 (Nat’l Archives and Records Admin., 1985).

28 ⁴ See *id.* 53–54; <https://www.archives.gov/about/history/about/history/history-and-mission>.

Administration Act of 1984 to establish NARA as an independent agency.⁵

20. Today, the National Archives spans 40 facilities in 17 states, plus the District of Columbia.⁶ Across these 40 facilities, there are 27 public research rooms. In 2024, the National Archives had 45,144 research visits where 278,469 items were furnished to researchers. Across its federal records centers, NARA holds 26 million cubic feet of agency records.⁷

21. The National Archives' holdings boast approximately 13.5 billion pages of textual records; more than 725,000 artifacts; 10 million maps, charts, and architectural and engineering drawings; 41 million photographs; 40 million aerial photographs; more than 450 million feet of film; and more than 33 billion electronic records.⁸

22. Only 3.87 percent of these records have been digitized.⁹ The remaining over 96 percent of NARA's holdings—more than 12 billion pages of textual records—can only be accessed physically.

B. The National Archives at San Francisco

23. Located in San Bruno, the National Archives at San Francisco holds the history of Northern and Central California, including its tribes. Since 1973, the National Archives at San Francisco has provided the public with a gateway into the past that is unavailable elsewhere. Its over 75,000 cubic feet of holdings dating back to the 1850s tell the story of not just California, but also Hawaii, Guam, American Samoa, and most of Nevada, as well as Navy bases in the Pacific and the former Trust Territory of the Pacific Islands.¹⁰ The San Bruno facility is also home to one of the National Archives' 27 public research rooms.

24. The site of the National Archives at San Francisco in San Bruno itself holds

⁵ National Archives and Records Administration Act of 1984, Pub. L. No. 98-497, 98 Stat. 2280 (1984).

⁶ <https://www.archives.gov/about/info/national-archives-by-the-numbers>.

⁷ *Id.*

⁸ *Id.*

⁹ <https://www.archives.gov/findingaid/record-group-explorer#rgnumbers>. Relevant here, only 3.35 percent of textual records of the Bureau of Indian Affairs have been digitized.

<https://www.archives.gov/findingaid/stat/discovery/75>. Only 0.010 percent of records of the U.S. Citizenship and Immigration Services have been digitized.

<https://www.archives.gov/findingaid/stat/discovery/566>. And less than 1 percent of records of the Office of the Secretary of the Interior, which houses many tribal records, are digitized.

<https://www.archives.gov/findingaid/stat/discovery/48>.

¹⁰ <https://www.archives.gov/san-francisco/holdings>.

1 special significance to the local Japanese American community. The San Bruno building is next
2 to what used to be the Tanforan Assembly Center, a temporary detention site for Japanese
3 Americans during World War II. The San Bruno facility holds the records of that painful chapter
4 of our nation's history.

5 25. The San Bruno facility's holdings are vast and acutely relevant to the history of the
6 area it covers. It is a repository for federal court records for Northern and Central California,
7 including the Ninth Circuit Court of Appeals. It is home to case files and immigration records
8 from the Chinese Exclusion Act era and after, including those of the famous martial artist Bruce
9 Lee, and case records of Japanese American internment such as court records from the famous
10 case of Fred Korematsu, who sued the United States to challenge his arrest for refusing to report
11 for internment during World War II. His daughter, Dr. Karen Korematsu, started the Korematsu
12 Institute to carry on her father's legacy. The Institute utilizes the records at the San Bruno facility
13 to carry out its mission of promoting civil participation and advancing racial equity, social justice,
14 and human rights for all.

15 26. The San Bruno facility also houses immigration case files and records for others
16 who, like Dr. Korematsu's grandparents, immigrated to the United States through the Angel
17 Island Immigration Station. These records allow generations of Asian American families to
18 understand the impact that discriminatory immigration laws and policies had on their family
19 members. These records are also invaluable source material for academic research conducted at
20 California universities such as the University of California, Berkeley. In many cases, vital
21 genealogical, cultural, and immigration records are not and cannot be digitized due to their
22 condition and volume, and thus the only way to access these records is to view them in person.
23 For Berkeley Professor Andrew Leong, for example, physical access to records at the San Bruno
24 facility is essential to his research and that of his students.

25 27. In addition, the San Bruno facility holds a significant number of records pertinent
26 to tribes throughout Northern and Central California and Nevada, in addition to records from the
27 Bureau of Indian Affairs offices and federal Indian boarding schools. There are documents
28 relating to tribal enrollment rolls, censuses, Indian trust funds, and land holdings, such as maps,

1 photographs, court records, genealogies, and indigenous language materials. These records are
2 critical to tribes and those who conduct research in this area. They are also essential for
3 individuals trying to prove tribal membership, a research-intensive process that requires an
4 individual to provide genealogical documentation showing a direct biological ancestor with tribal
5 membership.

6 28. The San Bruno facility also holds records from the Navy and Coast Guard
7 connected to Pearl Harbor and the Pacific Theater in World War II. These records are vital to
8 researchers and academics such as University of California, Santa Cruz Professor Alice Yang and
9 her students, who are studying the various aspects of the Pacific War and military history.

10 29. Since 1973, California has relied on the National Archives at San Francisco to
11 conduct research for various state programs. For instance, the California State Department of
12 Transportation (“Caltrans”) requires historical records at the San Bruno facility to conduct
13 evaluations to determine the environmental impact of certain State infrastructure projects. These
14 records are only available at the National Archives at San Francisco. California State Parks also
15 relies on the San Bruno facility’s records to engage in extensive environmental evaluations for
16 State projects. For example, to comply with federal and state environmental laws for the Angel
17 Island Immigration Station barracks refurbishment project, State Parks staff and their contractors
18 visited the San Bruno facility approximately ten times to conduct research.

19 30. Numerous California communities rely on the National Archives at San Francisco
20 to research their family histories, establish citizenship, and learn about and connect with their
21 cultures. For example, Dr. Satsuki Ina, Professor Emeritus at California State University,
22 Sacramento, has depended on records at the San Bruno facility to piece together her family’s
23 story in the United States, from a ship manifest showing her grandparents’ arrival in the United
24 States in the 1800s, to documentation of her parents’ imprisonment in Japanese internment and
25 prison camps. She even discovered records of her own birth at the Tule Lake Segregation Center
26 labeling her an alien enemy at just four months old. These discoveries were only made possible
27 by having physical access to records at the San Bruno facility.

28 31. Despite NARA’s recent attempts to digitize the National Archives’ holdings, the

1 pure volume of records housed at the San Bruno facility makes it unrealistic for them to be
 2 digitally available anytime soon. A recent Inspector General report found that NARA is unable to
 3 even ingest the large data sets of electronic records generated by federal agencies that are
 4 transmitted to NARA, as it is mandated to do.¹¹ The report also found that without the ability to
 5 upload and handle these large files, “NARA’s capacity to respond to records requests effectively
 6 and efficiently is significantly reduced.”¹² The report is clear that NARA is currently unable to
 7 handle records that are already in electronic format, much less those that still need to be digitized.

8 32. Many historical records at the San Bruno facility cannot be digitized at all; they
 9 are too delicate and fragile to digitize because of their age or composition, and to digitize them
 10 risks damaging or destroying them in the process. Other records cannot be digitized and released
 11 online because they contain private information, or because they are artifacts that are impossible
 12 to scan, such as physical items.

13 33. Moving these records to other National Archives facilities thus creates substantial
 14 geographical, logistical, and financial barriers to access. In many if not most circumstances,
 15 California agencies, institutions, and residents will lose access to the records entirely.

16 **C. Closure of the National Archives at San Francisco**

17 34. In June 2026, the National Archives Chief Operating Officer (“COO”) Jay Trainer
 18 emailed employees at the National Archives at San Francisco stating that NARA plans to close
 19 the San Bruno facility, along with the National Archives at Chicago, in the next few years. Media
 20 reported that the email stated NARA would begin moving records “within the next few
 21 months.”¹³ The email did not explain where the records would be moved or a more specific
 22 timeframe.¹⁴ Shortly after, NARA announced the closures on its website.¹⁵

23 ¹¹ Performance Audit of the National Archives and Records Administration’s Compliance with
 24 the Office of Management and Budget Memorandum M-23-07, Update to Transition to Electronic
 25 Records (Sept. 8, 2025), 3. Available at:
<https://nara.oversight.gov/sites/default/files/reports/202509/OIG%20Audit%20Report%20No.%202025-AUD-04.pdf>.

26 ¹² *Id.* at 4.

27 ¹³ <https://www.kqed.org/news/12088904/exclusive-the-bay-areas-national-archives-office-is-closing-researchers-are-worried>.

28 ¹⁴ <https://federalnewsnetwork.com/facilities-construction/2026/06/national-archives-to-transition-out-of-three-federal-records-centers/>.

¹⁵ <https://www.archives.gov/research/news>.

35. Media reports note the COO's email stated several reasons for the closures, such as to reduce costs, "reduce estate portfolio,"¹⁶ and support the "long-term financial health and viability of the Federal Records Center Program's revolving fund."¹⁷ The email did not explain what would happen to the full-time employees at the facilities.¹⁸

36. NARA has not publicly detailed the costs associated with closing the San Bruno facility and transferring its vast collections to other facilities across the country.

37. No date has been announced as to when the San Bruno facility will be closed. The National Archives at San Francisco website simply states that the facility will be "closing in the next few years."¹⁹ This uncertainty is already causing harm to stakeholders. Because of the uncertain timeline, the eight research stations at the San Bruno facility are now completely booked for at least two months, depriving faculty, students, and state agencies from accessing records necessary to complete their work.

38. Shortly after the closure became public, there was an outcry from both lawmakers and the public. In reaction to the announced closures, United States Representative Kevin Mullin introduced the National Archives Protection Act in the House of Representatives. The bill would require congressional approval before NARA could close a federal records center or archive facility.²⁰ California Representatives Mullin and Judy Chu sent a bipartisan, bicameral letter from 37 lawmakers urging NARA to reconsider the closure.²¹ At a press conference held outside the San Bruno facility, historians, researchers, and community members spoke out against the facility's closure, describing how the records held there helped them trace family histories and preserve the stories of their communities.²²

¹⁶ <https://www.nbcbayarea.com/news/local/effort-save-national-archives-sites/4129806/>.

¹⁷ <https://www.kqed.org/news/12088904/exclusive-the-bay-areas-national-archives-office-is-closing-researchers-are-worried>.

¹⁸ <https://www.nbcbayarea.com/news/local/effort-save-national-archives-sites/4129806/>.

¹⁹ <https://www.archives.gov/san-francisco>.

²⁰ Available at: <https://kevinmullin.house.gov/wp-content/uploads/2026/08/National-Archives-Bill.pdf>.

²¹ Available at: <https://kevinmullin.house.gov/wp-content/uploads/2026/08/Mullin-Chu-et-al-re-NARA-closing-San-Bruno-San-Francisco-Archive-2026-08-19.pdf>.

²² <https://piedmontexedra.com/2026/08/plan-to-close-san-brunos-national-archives-draws-pushback-from-lawmakers-advocates>.

39. National²³ and state²⁴ organizations and communities have issued statements or sent letters to NARA expressing serious concern about the San Bruno facility closure and the impact the loss of records will have on their communities and research. Both the San Mateo County Board of Supervisors and the San Francisco Board of Supervisors issued resolutions calling on NARA to halt the San Bruno facility closure.²⁵

40. According to media reports, tribal leaders were also not informed about the closure before the announcement.²⁶ The San Bruno facility houses significant historical records for tribes, such as records from federal Indian boarding schools, tribal allotment, first-hand testimonies, genealogies, and more.

41. In August 2026, NARA posted an update on its website announcing that all records from the San Bruno facility will be relocated to other NARA locations with available space.²⁷ Those records will be spread across five different facilities around the United States: National Archives at Riverside, National Archives at Denver, National Archives at College Park, National Archives at Fort Worth, and National Archives at Kansas City.²⁸ The National Archives at Denver will receive the largest number of records from the San Bruno facility.

42. NARA has already begun moving records out of the San Bruno facility. In a September update on its website, NARA announced that all records from the National Aeronautics and Space Administration (“NASA”) will be relocated to the National Archives at Fort Worth. Starting October 13, 2026, all NASA records will be inaccessible to the public until

²³ See, e.g., <https://www.oah.org/advocacy-statement/oah-sends-letter-of-concern-to-acting-aotus-about-announced-regional-national-archives-closures/> (letter from the Organization of American Historians); https://chsa.org/wp-content/uploads/2026/07/NARA_closure-statement.pdf (statement from the Chinese Historical Society of America); <https://densho.org/catalyst/densho-opposes-plans-to-close-national-archives-facilities-chicago-san-bruno/> (statement from Densho, a public history organization focused on the history of the World War II incarceration of Japanese Americans).

²⁴ See, e.g., <https://www.californiaindianstudies.org/> (statement from the California Indian Studies and Scholars Association); <https://tinyurl.com/a4zrv7vv> (letter from the California Geological Society to NARA).

²⁵ See <https://tinyurl.com/3dvd2h4r> (San Mateo County Board of Supervisors); <https://tinyurl.com/mfzh7h3a> (San Francisco Board of Supervisors).

²⁶ <https://ictnews.org/news/north-central-bureau/national-archives-schedules-virtual-tribal-consultation-meetings/>.

²⁷ <https://www.archives.gov/research/news>.

²⁸ *Id.*

1 after they are transferred and processed at their new location.²⁹

2 43. In the same update announcing the transfer of the NASA records, NARA
3 announced that it would hold two virtual “tribal listening sessions” open to any tribal nation with
4 an interest in the National Archives at San Francisco and National Archives at Chicago.³⁰
5 However, this invitation comes after NARA has already determined where records most relevant
6 to tribes will be transferred and thus is it unclear how NARA intends to “lessen or mitigate any
7 impact” of the closure on tribes following the two listening sessions. NARA’s inchoate
8 “consultation” with the tribes is illusory and evidence of NARA’s failure to consider the impacts
9 of its decision to close the Archives.

10 44. NARA is moving at needlessly breakneck speed to transfer records. On September
11 28, 2026, NARA awarded \$8.8 million—with an anticipated award of up to \$25 million—to Iron
12 Mountain Information Management LLC for “services to coordinate and provide staff and
13 transportation services to perform shelf-to-shelf transfer of federal records between various
14 NARA facilities.”³¹ This pace only exacerbates concerns that records, including delicate and
15 fragile documents and artifacts, will be mishandled, lost, or incorrectly processed during transfer.
16 A 2024 audit report found that NARA had been failing to fully comply with records relocation
17 requirements, resulting in “insufficient validation and confirmation of actual quantities of records
18 moved, as well as ensuring that records were shelved in the correct spaces, in proper order, or
19 without loss or damage.”³²

20 45. Moving these records creates substantial obstacles to public access. As NARA
21 acknowledges, “physical distance from NARA facilities and travel costs are a significant barrier
22 to public access to archival holdings that are only available in traditional (analog) formats.”³³ And
23 yet, by closing the National Archives at San Francisco, NARA affirmatively introduces such an

24 ²⁹ *Id.*

25 ³⁰ *Id.*

26 ³¹ See <https://tinyurl.com/mu7k6xs9> (NARA and Iron Mountain Information Management LLC contract summary).

27 ³² Evaluation of NARA’s Controls Over Records Relocation (Sept. 30, 2024), 3. Available at:
<https://nara.oversight.gov/sites/default/files/reports/2025-07/24-R-10.pdf>.

28 ³³ National Archives and Records Administration, 2022-2026 Strategic Plan 5 (March 2022).
Available at: <https://www.archives.gov/files/about/plans-reports/strategic-plan/nara-2022-2026-strategic-plan-march-2022.pdf>.

1 obstacle, forcing the State, researchers, individuals, and local organizations to incur substantial—
 2 and in some cases, prohibitive—costs to access items that can only be viewed in person.

3 46. Closing the San Bruno facility and relocating the records across the country will
 4 also lead to a loss of decades of institutional knowledge from trained archivists about the unique
 5 collection of records. Staff at the National Archives at San Francisco are subject matter experts
 6 familiar with this particular history. Separating the records and materials from these experts
 7 would be an incalculable loss to researchers.

8 47. Even when records can be digitized, the process of transferring them to new
 9 National Archives locations means they will be unavailable to the public for unknown periods of
 10 time during transit and processing and could be separated or irreparably damaged during the
 11 move. As independent auditors found, insufficient compliance with records relocation
 12 requirements “can lead to missing, misplaced, and damaged [] records.”³⁴

13 48. In any event, digitizing a collection as vast and complicated as the one in the San
 14 Bruno facility requires significant care, resources, and investment, without input from tribes,
 15 states, and stakeholders. It would be difficult, if not impossible, for NARA to complete such an
 16 undertaking in the foreseeable future, given reductions to its workforce and repeated budget cuts,
 17 as well as the slow pace of digitization to date.

18 49. In its haste to close the San Bruno facility, and contrary to its mission, NARA
 19 failed to consider California’s reliance interests and the impact on the State agencies, researchers,
 20 tribes, organizations, and communities who utilize these records.

21 **II. CALIFORNIA WILL BE IRREPARABLY HARMED BY THE CLOSURE AND TRANSFER OF** 22 **RECORDS FROM THE NATIONAL ARCHIVES AT SAN FRANCISCO**

23 50. Closure of the National Archives at San Francisco and transfer of its records to
 24 other National Archives facilities will irreparably harm the State of California, its agencies, its
 25 university researchers, and local tribes.

26 51. California Department of Parks and Recreation (“State Parks”) relies on the
 27 National Archives at San Francisco to make informed decisions and present accurate historical

28 ³⁴ Evaluation of NARA’s Controls Over Records Relocation (Sept. 30, 2024), 3. Available at:
<https://nara.oversight.gov/sites/default/files/reports/2025-07/24-R-10.pdf>

1 information about various State Parks sites, and to conduct research for state parks projects. For
2 example, the recently completed refurbishment of the Angel Island Immigration Station barracks
3 required State Parks and its contractors to visit the San Bruno facility over ten times to research
4 the circumstances surrounding the original construction of the facility. This research was
5 mandatory for State Parks to complete so that they could comply with federal and state
6 environmental laws and regulations prior to completing the refurbishment. Pending State Parks
7 projects on Angel Island will be impossible to complete if the records at the San Bruno facility
8 are unavailable for any period of time. If and when the records are available at another remote
9 location, the cost of travel for State Parks employees to access those records will be substantially
10 higher. Delaying these or other projects also subjects agencies like State Parks to costs from
11 contractual delay.

12 52. Most records relied on by State Parks for its projects are not digitized and thus can
13 only be accessed physically. It would be significantly more expensive to travel to other National
14 Archives facilities to access these records to do the required research. For example, State Parks
15 employees must access records housed at the San Bruno facility to develop curriculum for a new
16 Dust Bowl state park slated to open in Kern County. Closing the San Bruno facility and relocating
17 its records would require the State to pay for travel to access the records at other National
18 Archives facilities.

19 53. Caltrans also sends its staff or its contractors to the National Archives at San
20 Francisco to conduct research required to comply with federal and state law. Caltrans and its
21 contractors are required by state and federal law to engage in extensive environmental evaluations
22 for certain projects. The San Bruno facility has proven to be the only place to view records on
23 several historical properties relevant to Caltrans projects. Moving the records to another facility
24 may deprive Caltrans of the ability to view necessary records.

25 54. Researchers and professors from the University of California and California State
26 University rely on physical access to records at the San Bruno facility for their research and class
27 work. For example, Professor Andrew Leong of the University of California, Berkeley engages in
28 research that requires his students to make regular trips to the National Archives at San Francisco

1 to research Asian American history and language. Many of the records Professor Leong and his
 2 students require for their research are not digitized and can only be accessed at the San Bruno
 3 facility. If these records were relocated to other National Archives facilities, Professor Leong and
 4 his students would be required to travel long distances, and likely out of state, to access these
 5 records. Such travel may be cost-prohibitive. The same would be true for dozens of other faculty
 6 and hundreds of other students at California's colleges and universities.

7 **III. CLOSURE OF THE ARCHIVES AND ACTIONS TO TRANSFER RECORDS VIOLATE THE** 8 **ADMINISTRATIVE PROCEDURE ACT**

9 55. Defendants' decision to close the National Archives at San Francisco and actions
 10 taken to transfer records housed there are unlawful.

11 56. The closure of the San Bruno facility and transfer of the records there is arbitrary
 12 and capricious in violation of the Administrative Procedure Act ("APA"). The Archivist is
 13 authorized to "establish, maintain, alter, or discontinue" National Archives facilities "as the
 14 Archivist finds necessary or appropriate to *perform the functions of the Archivist or the*
 15 *Administration.*" 44 U.S.C. § 2104(d) (emphasis added). NARA's function is to "preserve,
 16 protect, and share the historical records of the United States to promote public inquiry and
 17 strengthen democratic participation."³⁵ The Archivist's primary function—to be "responsible for
 18 the custody, use, and withdrawal of records transferred to him," *id.* § 2108(a)—must be read as
 19 advancing NARA's function and mission.

20 57. The Archivist's authority to establish, maintain, alter, or discontinue National
 21 Archives facilities is not absolute: it is limited to what is necessary or appropriate to perform the
 22 functions prescribed by statute. The decision to close the National Archives at San Francisco and
 23 transfer its records to facilities around the country does not serve those functions.

24 58. Numerous provisions of the National Archives and Records Administration Act
 25 ("NARAA") recognize the public's interest in National Archives materials and the importance of
 26 public access to them. *See, e.g.*, 44 U.S.C. §§ 2107(a)(3) (authorizing transfer of National
 27 Archives records "to public or educational institutions or associations" if doing so is "in the

28 ³⁵ <https://www.archives.gov/about/info/mission>.

public interest”), 2109 (requiring exhibition of records as appropriate, including guides to facilitate use and publication of historical works), 2114 (authorizing preservation, exhibition, and release “for non-profit educational purposes” of films, still pictures, and sound recordings); 2203(g)(1) (imposing affirmative duty on Archivist to make Presidential records “available to the public as rapidly and completely as possible”).

59. The legislative history of NARA further evinces Congress’s intent that NARA’s function is to make records available to the public. The Federal Records Act of 1950, which governs how federal agencies collect and retain federal records and provide records to the National Archives, “suggests a congressional intent to benefit and protect [the public’s] interests.” *Am. Friends Serv. Comm. v. Webster*, 720 F.2d 29, 55 (D.C. Cir. 1983). And in the 1984 legislation to make NARA an independent agency, Congress made clear that NARA’s role is to ensure that the Nation’s history belongs to the public, and that the Archivist’s role is to “encourage, aid in, and ensure the creation and preservation and public availability of a full documentary record.”³⁶ As Congress recognized then, records centers like the San Bruno facility “are an integral part of [NARA] operations.”³⁷

60. As conceived in the statutory scheme and legislative history, the Archivist’s authority to manage the National Archives facilities cannot be divorced from its core purpose: “the storage, disposition, preservation, and use for further [g]overnment and private scholarly research of the records.”³⁸ In closing the San Bruno facility, Defendants failed to account for factors that Congress intended for them to consider—namely the public’s interest in access to the records and the impact on the State, organizations, and communities reliant on them. This abrupt decision is inconsistent with the very mission of the National Archives and any grant of authority to the Archivist, and thus is arbitrary and capricious.

61. The decision to transfer records from the National Archives at San Francisco to National Archives facilities across the country is likewise arbitrary and capricious. NARA’s mission is to preserve public access to historical records, but that mission is for naught if the

³⁶ S. Rep. No. 98-373, at 3885 (1984).

³⁷ *See id.* at 3871.

³⁸ *See id.* at 3865–866.

1 public cannot access the records that document its own history. Removing records from the
 2 communities that rely on them and placing them in facilities around the country where staff lack
 3 subject-matter expertise hinders the public’s efforts to conduct research and understand history,
 4 and is therefore unreasonable.

5 62. Beyond reducing costs, Defendants have provided no other reason for the closure.
 6 Nor have they explained how they chose the new location of each type of records, or why the
 7 transfer of records is occurring on an expedited basis without public input or adequate tribal
 8 consultation.

9
 10 **FIRST CAUSE OF ACTION**
Violation of the Administrative Procedure Act
Arbitrary and Capricious Agency Action (Facility Closure and Records Transfer)
 11 **All Defendants**

12 63. Plaintiff realleges and incorporates by reference the allegations set forth in each of
 13 the preceding paragraphs.

14 64. Defendant NARA is an “agency” under the APA. 5 U.S.C. § 551(1).

15 65. Defendants’ decision to close the National Archives at San Francisco and transfer
 16 records from the facility constitutes a “final agency action for which there is no other adequate
 17 remedy in a court.” 5 U.S.C. § 704. The decision is subject to judicial review because this action
 18 reflects the “consummation of the agency’s decisionmaking process,” and determines “rights or
 19 obligations . . . from which legal consequences will flow.” *Bennett v. Spear*, 520 U.S. 154, 177–
 20 78 (1997).

21 66. Under the APA, a court must set aside final agency action that is “arbitrary,
 22 capricious, [or] an abuse of discretion.” 5 U.S.C. § 706(2)(A). An agency action is arbitrary and
 23 capricious if it is not “reasonable and reasonably explained.” *Ohio v. EPA*, 603 U.S. 279, 292
 24 (2024). In reviewing agency action under that standard, courts look to the “grounds that the
 25 agency invoked when it took the action.” *Michigan v. EPA*, 576 U.S. 743, 758 (2015); *see also*
 26 *Motor Vehicle Mfrs. Ass’n of United States, Inc. v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29,
 27 50 (1983). Courts consider “whether the [agency] examined ‘the relevant data’ and articulated ‘a
 28

satisfactory explanation’ for [its] decision, ‘including a rational connection between the facts found and the choice made.’” *Dep’t of Com. v. New York*, 588 U.S. 752, 773 (2019) (quoting *Motor Vehicle Mfrs. Ass’n.*, 463 U.S. at 43). Agency action is also arbitrary and capricious if the agency “relied on factors which Congress has not intended it to consider, entirely failed to consider an important aspect of the problem, offered an explanation for its decision that runs counter to the evidence before the agency, or is so implausible that it could not be ascribed to a difference in view or the product of agency expertise.” *Motor Vehicle Mfrs. Ass’n.*, 463 U.S. at 43.

67. Defendants’ decision to close the National Archives at San Francisco and relocate records outside of their communities of relevance is arbitrary and capricious under these well-established standards. Congress intended for the public “whose rights may have been affected by government actions to have access to the documentary history of the federal government.” *Webster*, 720 F.2d at 57. This is clear from provisions in the statutory scheme, *see, e.g.*, 44 U.S.C. §§ 2104(d), 2107(a)(3), 2109, 2114, 2203(g)(1), and legislative history, *see* S. Rep. No. 98-373 (1984). NARA and the Archivist thus have an obligation under federal law to consider the public interest in making determinations about National Archives facility closures and records transfers.

68. In deciding to close the National Archives at San Francisco, Defendants disregarded Congress’s clear intent that the National Archives and its materials be maintained for the public’s benefit. Defendants failed to provide sufficient notice of the closure to the public, to engage the public in determining where to transfer the records, account for local interests in the continued operation of the National Archives at San Francisco, or provide sufficient justification for its decision. Indeed, NARA only announced that it would hold “listening sessions” to consult with impacted tribes three months after announcing the closure.³⁹ By that time, NARA had already determined the disposition of the records housed at the San Bruno facility,⁴⁰ including

³⁹ By the date of the first listening session—October 13—NARA will have begun moving records from the San Bruno facility. <https://www.archives.gov/research/news>.

⁴⁰ In an August Researcher Update, NARA published where certain groups of records would be relocated. <https://www.archives.gov/research/news>. These record groups (“RG”) include documents relevant to California tribes, such as survey maps of reservations from the 1800s (Bureau of Land Management, RG 49), *see, e.g.*, <https://catalog.archives.gov/id/498170601>, and

(continued...)

records that are not digitally available.⁴¹

69. Pursuant to 5 U.S.C. § 706(2)(A) and 28 U.S.C. § 2201, Plaintiff is entitled to injunctive relief, a declaration that the decision to close the National Archives at San Francisco is arbitrary and capricious, and vacatur of the agency action.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment in its favor and grant the following relief:

1. A preliminary and permanent injunction.
2. A declaration that Defendant NARA and Defendant Bradford's decision to close the National Archives at San Francisco and relocate records from the San Bruno facility is unlawful and violates the APA.
3. An order vacating the decision to close the National Archives at San Francisco and prohibiting the relocation of records from the San Bruno facility.
4. Plaintiff's costs, expenses, and reasonable attorneys' fees; and
5. Such other relief as the Court deems just and proper.

Dated: October 14, 2026

Respectfully submitted,

ROB BONTA
Attorney General of California
R. MATTHEW WISE
LARA HADDAD
Supervising Deputy Attorneys General

/s/ Carolyn Downs
CAROLYN DOWNS
NANDING CHEN
JOE MEEKER
S. CLINTON WOODS
Deputy Attorneys General
Attorneys for Plaintiff State of California

photographs of children at Indian boarding schools (Department of the Interior, RG 75), *see, e.g.*, <https://catalog.archives.gov/id/296123>.

⁴¹ Some examples include Indian guardianship and conservatorship investigation files not available online, which will be relocated to the National Archives at Denver (Department of the Interior, RG 48). *See, e.g.*, <https://catalog.archives.gov/id/12007197>.