

United States Senate

WASHINGTON, DC 20510

March 21, 2025

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We write regarding the Trump Administration’s recent, unprecedented mass dismissals of federal employees and related personnel management decisions. We request that each of your offices immediately review these recent – and if applicable, future – employment actions at your respective agencies and evaluate whether such actions violate agency policies or procedures, and whether these decisions could – contrary to the Administration’s stated aim – create additional waste and inefficiency or allow fraud or misconduct in impacted federal programs to go unchecked.¹

¹Implementing The President’s “Department of Government Efficiency” Workforce Optimization Initiative (Workforce Optimization) (Feb. 11, 2025).

In recent weeks, at the behest of the so-called Department of Government Efficiency (DOGE), nearly every agency in the federal government has moved to terminate thousands of employees in the probationary phase of their employment. These employees appear to have been dismissed for dubious unspecified “performance” reasons. Civil servants around the country who were fired by the Trump Administration, or who supervised or worked with those who were, have been speaking out to present evidence of positive performance reviews, awards, and other indications that their work was not only satisfactory but, in many cases, exemplary. This evidence, which is also documented in public reporting, directly contradicts assertions that such firings were due to employees’ “performance.”²

The indiscriminate terminations of employees in probationary status began immediately after agencies had already placed over 75,000 employees into administrative leave as part of the unprecedented “deferred resignation” program.³ Federal employees received the “deferred resignation” offer directly from the Office of Personnel Management (OPM) rather than their employing agency and without the input of agency management, encouraging widespread resignations. In return, OPM promised continued payment of salaries and benefits several months past the date agencies were currently funded, essentially paying employees *not* to work.⁴

In addition, there is no sign that the mass removals of federal employees from their positions will slow down in the coming weeks and months. The Office of Management and Budget and OPM set a March 13 deadline for agencies to submit plans for a large-scale reduction-in-force and reorganization, pursuant to an executive order issued on February 11, 2025.⁵ Agencies are directed to collaborate with DOGE while developing their plans and use their personnel plans for operating during a shutdown as a blueprint for further eliminating positions and terminating employees.⁶ Agencies are also in the process of identifying traditionally nonpartisan career positions to reclassify into functionally at-will positions under the reinstated Schedule

² *‘It’s a Lie’ Federal Workers Incensed by Performance Language in Termination Letters*, USA Today, (Feb. 17, 2025) (<https://www.usatoday.com/story/news/politics/2025/02/17/fired-federal-workers-performance-language-doge/78886104007/>); *Trump Administration Fires Thousands for ‘Performance’ without Evidence, in Messy Rush*, The Washington Post (Feb. 17, 2025) (<https://www.washingtonpost.com/nation/2025/02/17/trump-fires-federal-workers-performance/>); *‘The Worst I’ve Ever Seen: Trump’s Mass Layoffs Leave Federal Workers Baffled and Angry*, Time (Feb. 15, 2025)(<https://time.com/7225555/trump-mass-layoffs-federal-workers/>) ; *Transportation Department Workers with ‘Exceptional’ Reviews Told They’re Fired for ‘Performance’ Issues*, NBC News (Feb. 17, 2025)(<https://www.nbcnews.com/politics/doge/federal-workers-exceptional-reviews-fired-performance-issues-rcna192347>).

³ *White House says about 75K federal workers accepted ‘deferred resignation’ offer*, NBC News (Feb. 12, 2025) (<https://www.nbcnews.com/politics/white-house/white-house-says-75000-accepted-federal-buyout-trump-rcna191971>).

⁴ *Judge allows federal worker “buyout” plan to proceed, and Trump administration announces it’s closed*, CBS News (Feb. 13, 2025) (www.cbsnews.com/news/judge-allows-trumps-deferred-resignations-plan-federal-workers-to-proceed/).

⁵ Exec. Order No. 14210, 90 Fed Reg. 9669 (Feb. 11, 2025).

⁶ Russell Vought, Director of the Office of Management and Budget, and Charles Ezell, Acting Director of the Office of Personnel Management, to the Heads of Executive Department and Agencies, Guidance on Agency RIF and Reorganization Plans Requested by Implementing The President’s “Department of Government Efficiency” Workforce Optimization Initiative (Feb. 26, 2025) (chcoc.gov/sites/default/files/OPM_OMB%20-%20guidance%20on%20DOGE%20workforce%20EO%202.26.25%20FINAL.pdf).

Policy/Career (formerly Schedule F) executive order.⁷ The reclassification will remove appeals rights for wide swaths of civil servants.

A federal court concluded that the OPM's direction to terminate employees at multiple federal agencies was "illegal, invalid, and must be stopped."⁸ Additionally, the Special Counsel requested a stay of the termination of six probationary employees, which the Merit Systems Protection Board (MSPB) granted after concluding that there were reasonable grounds to believe the agencies engaged in prohibited personnel practices.⁹ On February 28, the Special Counsel requested an additional stay from MSPB, which they granted, for over 5,000 probationary employees who were terminated at the Department of Agriculture and which OSC concluded appear to "have been carried out in a manner inconsistent with federal personnel laws."¹⁰ On March 4, OPM changed course and revised its January 20 memorandum on probationary periods and administrative leave to clarify that OPM was not explicitly directing agencies to take specific actions and that agencies have ultimate decision-making authority on personnel actions.¹¹ A March 13 U.S. District Court order in one lawsuit held that the mass firings were unlawful and required reinstatement, which the Ninth Circuit declined to overturn. In a separate proceeding, another U.S. District Court has ordered all probationary employees affected by the mass firings to be reinstated. The Trump Administration has said it is working to reinstate nearly 25,000 federal employees that were summarily fired, but stated that these workers would now be placed on administrative leave, sowing even more confusion and potential waste and abuse.¹²

The decision to terminate thousands of employees across multiple federal agencies will impose undue hardship on millions of Americans who rely on their services. The loss of experienced agency staff may risk causing serious disruptions to nearly 73 million Americans who rely on the Social Security Administration (SSA) to administer retiree and disability benefits and 9.1 million veterans who depend on the Department of Veteran Affairs (VA), many of which rely on the VA for life saving medical treatments and care.¹³ For example, public reporting suggests, "Among

⁷ Exec. Order No. 14171, 90 Fed Reg. 8625 (Jan. 20, 2025).

⁸ *American Federation of Government Employees, AFL-CIO et al, v. United States Office of Personnel Management, et al*, No. C 3:25-CV-01780-WHA, Document 45 (N.D. Cal. Feb. 28, 2025). (<https://storage.courtlistener.com/recap/gov.uscourts.cand.444883/gov.uscourts.cand.444883.45.0.pdf>).

⁹ MSBP Grants Stays of Probationary Employee Terminations, U.S. Office of Special Counsel (Feb., 25 2025) (<https://osc.gov/News/Pages/25-23-Stays-Granted-Probationary-Terminations.aspx>).

¹⁰ Special Counsel Dellinger Statement on MSPB Order Requesting Names of Probationary Employees Terminated by USDA, U.S. Office of Special Counsel (Mar. 4, 2025) (<https://osc.gov/News/Pages/25-25-Stay-Request-USDA-MSPB-Order.aspx>).

¹¹ *OPM alters memo about probationary employees but does not order mass firings reversed*, NPR Politics (Mar. 4, 2025) (<https://www.npr.org/2025/03/04/nx-s1-5318039/fired-federal-employees-opm-memo>).

¹² *American Federation of Government Employees, AFL-CIO et al, v. United States Office of Personnel Management, et al*, No. C 3:25-CV-01780-WHA, Document 45 (N.D. Cal. Mar. 14, 2025); *American Federation of Government Employees, AFL-CIO et al, v. United States Office of Personnel Management, et al*, No. 25-1677 (9th Cir. Mar. 17, 2025); *State of Maryland, et al., v. United States Department of Agriculture, et.al*, Civil. No. JKB-25-0748 (D.C. MD. Mar. 17, 2025); *Trump administration reinstating almost 25,000 fired workers after court order*, Reuters (March 18, 2025) (<https://www.reuters.com/legal/trump-administration-reinstating-24500-fired-workers-after-court-order-2025-03-18/>).

¹³ 'A disruptive effect': How slashing staff at the Social Security Administration is sparking fears the system could collapse, CNN (Mar. 8, 2025) (<https://www.cnn.com/2025/03/08/politics/social-security-administration-staff-cuts/index.html>); *Chaos at the V.A.: Inside the DOGE Cuts Disrupting the Veterans Agency*, New York Times (Mar. 10, 2025) (<https://www.nytimes.com/2025/03/09/us/politics/veterans-affairs-doge-cuts.html>).

the 2,400 employees fired from the VA since Mr. Trump's inauguration are workers who purchase medical supplies, schedule appointments and arrange rides for patients to see their doctors."¹⁴ Additionally, taxpayers seeking in-person assistance as they navigate the 2025 filing season may find the support centers they previously relied on completely relocated or shuttered.¹⁵ That risk is a direct consequence of the Administration's mass dismissals and decision to terminate over 100 IRS offices with Tax Assistance Centers (TAC) – which provide free, in-person assistance for those seeking it.

We therefore request that you review the extent to which mass dismissals, including both layoffs of employees in probationary status and other Administration efforts to downsize the agency workforce, have and will impact agency operations and contribute to waste, fraud, and abuse in federal programs. For example, the Inspector General of the United States Agency for International Development (USAID) issued a February 10, 2025 advisory detailing the harmful impacts, including the risk of significant waste, of the Administration's mass layoffs at that agency.¹⁶ We request an initial review to this effect be completed within 60 days of receipt of this letter, resulting in a public advisory or analysis.

Additionally, we request that you review the mass dismissals themselves, with attention to the following questions:

1. Irrespective of potential violations of federal law, to what extent did mass dismissals violate any regulation, or agency policy or procedure?
2. Under what authority, if any, were employees terminated, dismissed or placed on administrative leave, and who directed the terminations?
3. To what extent were agency mission, public safety, services to Americans, and national security considered in determinations to carry out mass dismissals?
4. As a result of the mass dismissals, were agency mission, public safety, services to Americans, or national security impacted or compromised?
5. Have the mass dismissals contributed to or caused waste, fraud or abuse, including but not limited to a compromised or impacted agency mission, including re-hiring employees that were hastily fired?
6. To what extent, if any, were individual performance issues previously documented prior to the terminations of probationary employees?
7. Have mass dismissals at the agency impacted the work of the OIG, including access to data, information, systems, or staff needed or relied upon to conduct audits or investigations?

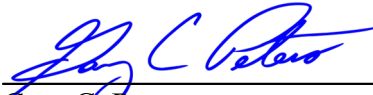
¹⁴*Chaos at the V.A.: Inside the DOGE Cuts Disrupting the Veterans Agency*, New York Times (March 10, 2025) (<https://www.nytimes.com/2025/03/09/us/politics/veterans-affairs-doge-cuts.html>).

¹⁵ *IRS to close more than 110 Offices with taxpayer assistance centers*, The Washington Post (Feb. 26, 2025) (<https://www.washingtonpost.com/business/2025/02/26/irs-taxpayer-assistance-centers/>).

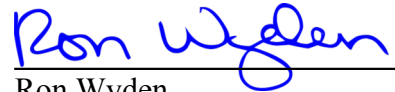
¹⁶ USAID Office of the Inspector General, *Oversight of USAID-Funded Humanitarian Assistance Programming Impacted by Staffing Reductions and Pause on Foreign Assistance* (Feb. 10, 2025) (<https://oig.usaid.gov/sites/default/files/2025-02/USAID%20OIG%20-%20Oversight%20of%20USAID-Funded%20Humanitarian%20Assistance%20Programming%20021025.pdf>).

Thank you for your prompt attention and cooperation in this matter.

Sincerely,



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United States Senator
Ranking Member, Committee
on Homeland Security and
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Ron Wyden
United States Senator
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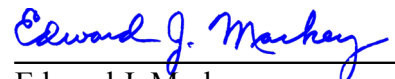
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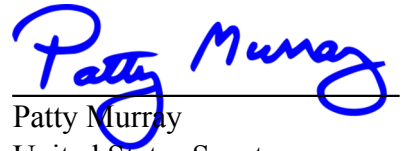
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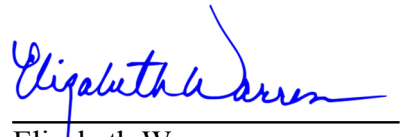
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