

Congress of the United States
House of Representatives
Washington, D.C. 20515

February 24, 2025

Charles Ezell
Acting Director
Office of Personnel Management
1900 E Street, N.W.
Washington, D.C. 20415

The Honorable Marco Rubio
Secretary of State
Department of State
2201 C Street, N.W.
Washington, D.C. 20451

Dear Acting Director Charles Ezell and Secretary Marco Rubio:

We write to express urgent concerns regarding guidance the Office of Personnel Management (OPM) and the Department of State (DOS) issued to agencies following President Trump's January 20, 2025, "Return to In-Person Work" Directive (the January 20, 2025, Directive) and the impact that the Directive will have on military-connected families.¹ Despite multiple memoranda indicating that military spouses should be considered exempt from the January 20, 2025 Directive, we understand that many military spouses subject to telework and remote work agreements have not yet received clear guidance from their employing agency on how the agency plans to actualize that exemption. Military-connected families rely on telework and remote work opportunities for economic stability, which helps enable these families to continue serving our country. Given the urgent clarity needed for these families, we request that you immediately ensure that all federal agencies reinstate or approve remote work and telework agreements for military spouses that were in place or in process prior to January 20, 2025.

There are over 2.6 million military families in the United States, many of whom relocate frequently as servicemembers are reassigned to bases every few years.² The transient nature of military life means that many military families struggle with underemployment or unemployment. In fact, military spouses experience an unemployment rate five times the national average.³ The federal government has an obligation to ensure military families have equitable opportunities to build a future serving the American people through careers in the federal workforce.

¹ The White House, *Return to In-Person Work* (Jan. 20, 2025) (online at www.whitehouse.gov/presidential-actions/2025/01/return-to-in-person-work/); Memorandum from Matthew J. Vaeth, Acting Director, Office of Management and Budget and Charles Ezell, Acting Director, Office of Personnel Management to Heads of Executive Departments and Agencies (Jan. 27, 2025) (online at www.opm.gov/policy-data-oversight/latest-memos/agency-return-to-office-implementation-plans.pdf); Memorandum from Charles Ezell, Acting Director, Office of Personnel Management to Heads of Executive Departments and Agencies (Feb. 13, 2025) (online at www.chcoc.gov/content/guidance-exempting-military-spouses-and-foreign-service-spouses-agency-return-office-plans).

² Department of Defense, *Spotlight: Taking Care of Our People* (accessed on Feb. 13, 2025) (online at www.defense.gov/Spotlights/Taking-Care-of-Our-People/).

³ *7 Facts You Should Know About Military Spouses*, Air & Space Forces Association (May 10, 2024) (online at www.afa.org/7-facts-you-should-know-about-military-spouses/#:~:text=Today%20there%20are%20currently%20around,Reserve%2C%20and%20National%20Guard%20spouses).

During the Biden-Harris Administration, the federal government took promising steps to address the unique circumstances of military families. On June 9, 2023, President Biden issued Executive Order (EO) 14100, “Advancing Economic Security for Military and Veteran Spouses, Military Caregivers, and Survivors,” which was the most comprehensive set of administrative actions any President has ordered to support military spouses.⁴ In February 2024, the Biden-Harris Administration issued the first ever “Government-wide Military-Connected Strategic Plan.” This plan directed executive departments and agencies to “strengthen their ability to recruit, hire, develop, promote, and retain” military family members, and required directors of six federal agencies to develop and issue a government-wide plan for hiring and retaining military and veteran spouses, military caregivers, and survivors.⁵

Oversight Committee Democrats have a history of championing military families through meaningful oversight of agency compliance with federal law and employee resources. Just last year, Committee Democrats sent a letter to all 24 agency Chief Financial Officers (CFO) covered under the CFO Act of 1990 requesting information on their efforts to comply with Section 6202 of the FY2022 National Defense Authorization Act, which directed all federal agencies to clarify where and when federal employees whose spouses are assigned overseas can perform their work responsibilities remotely while overseas pursuant to an approved Domestically Employed Teleworking Overseas (DETO) agreement—even if those responsibilities are normally performed within the United States.⁶ Committee Democrats received responses from every agency, and were encouraged to find that most agencies were in compliance and the remainder planned to come into compliance.

Oversight Committee Democrats also received information from agencies that were going beyond what is required in statute to recruit and retain military-connected families. For example, the United States Agency for International Development (USAID) told the Committee that the agency “partnered with the Department of State to establish the Military-Department of Defense Spouse Professionals and Family Employee Resource Group (ERG).” The group aimed to help DOS and USAID attract and retain an agile, skilled, and representative workforce.⁷

⁴ See The White House, Executive Order 14100, *Advancing Economic Security for Military and Veteran Spouses, Military Caregivers, and Survivors* (June 9, 2023) (online at www.federalregister.gov/documents/2023/06/15/2023-12974/advancing-economic-security-for-military-and-veteran-spouses-military-caregivers-and-survivors).

⁵ Office of Personnel Management, *Government-wide Military-Connected Strategic Plan: Fiscal Year 2024-2028* (Feb. 2024) (online at <https://chcoc.gov/sites/default/files/FY24-28%20Gwide%20Military-Connected%20Strategic%20Plan%202-27-24.pdf>).

⁶ Letter from Ranking Member Jamie Raskin et al. to Chief Financial Act Agencies (May 7, 2024) (online at <https://oversightdemocrats.house.gov/news/press-releases/during-public-service-recognition-week-oversight-democrats-seek-make-federal>).

⁷ The White House, *FACT SHEET: Biden-Harris Administration Celebrates Accomplishments for Servicemembers and Military Families* (Jan. 16, 2025) (online at <https://bidenwhitehouse.archives.gov/briefing-room/statements-releases/2025/01/16/fact-sheet-biden-harris-administration-celebrates-accomplishments-for-servicemembers-and-military-families/>).

Rather than continue Democrats' efforts to ensure that the country supports military families, the Trump Administration has put those families in a precarious situation. The January 20, 2025 Directive did not address the unique position of military families, and failed to provide guidance for how federal agencies should treat existing remote work and telework agreements in place for military spouses. On January 27, 2025, OPM and the Office of Management and Budget (OMB) issued a memorandum requiring agencies to submit to OPM and OMB no later than February 7, 2025, plans for carrying out the January 20, 2025 Directive. This memorandum appeared to exclude military spouses who work remotely from the category of "eligible employee" who should return to full-time in-person work.⁸

On February 12, 2025, OPM issued a subsequent memorandum which issues guidance for agencies to "ensure that their return-to-office plans categorically exempt all military spouses authorized to engage in remote work."⁹ This includes both military spouses appointed under the Military Spouse Employment Act authorities and those appointed under other hiring authorities."¹⁰ Despite the guidance to agencies, many military families have yet to receive clarity from their employing agency that they are able to continue working remotely or via telework. Some military spouses report that their telework or remote work agreements that were in place prior to the January 20, 2025 Directive have been rescinded, and it is unclear if or when they can expect to enter into new agreements that would allow them to continue teleworking or working remotely.

We have also heard about military spouses who were informed that their employing agency will no longer process new DETO agreements, and others who have received no clarity on DETO agreements that were in the approval process when the January 20, 2025 Directive was issued.¹¹ This lack of clarity has forced some military families to make life-altering and even irreversible employment decisions as they have to choose between paying their bills, affording childcare, family unity, and remaining in the military. Ultimately, the uncertainty these families are facing is a threat to our military readiness and negatively impacts our national security, as servicemembers are asked to make the impossible decision between serving our nation or separating early.

In addition to failing to provide guidance to military spouses on the future of their remote and telework agreements, some agencies shut down email distribution lists that many military-connected employees use to communicate and share important information and resources. In response to President Trump's Executive Order "Ending Radical and Wasteful Government DEI

⁸ Memorandum from Matthew J. Vaeth, Acting Director, Office of Management and Budget and Charles Ezell, Acting Director, *Office of Personnel Management to Heads of Executive Departments and Agencies* (Jan. 27, 2025) (online at www.opm.gov/policy-data-oversight/latest-memos/agency-return-to-office-implementation-plans.pdf).

⁹ Memorandum from Charles Ezell, Acting Director, Office of Personnel Management to Heads and Acting Heads of Departments and Agencies (Feb. 12, 2025) (online at www.opm.gov/policy-data-oversight/latest-memos/guidance-on-exempting-military-spouses-rto.pdf).

¹⁰ *Id.*

¹¹ Communications with Committee Democratic Staff.

Programs and Preferencing,” agencies have paused critical services and terminated information channels for military-connected employees centered on such wide-ranging issues as cancer survival, infertility, and managing single-parenthood. In particular, DOS has paused all Employee Counseling Services and employee organizations for military spouses and military-connected families have been directed to pause all activity.¹² Our nation’s servicemembers willingly uproot their families, sometimes moving hundreds or thousands of miles away from their homes and support networks. The federal government must honor its commitments to our servicemembers and their families.

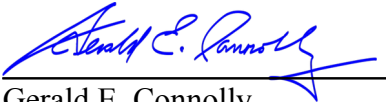
Given the urgency with which military families must make decisions about their livelihoods, we request the following actions be taken and information provided by March 24, 2025:

1. All documents and communications submitted to OPM and OMB related to the memorandum OPM and OMB issued to federal agencies on January 27, 2025.
2. OPM should issue guidance to federal agencies making clear that employees who are “categorically exempt” from the January 20, 2025, Directive may continue operating without penalty under remote work or telework agreements that were approved prior to January 20, 2025.
3. OPM should issue guidance requiring federal agencies to resume consideration of any remote work or telework applications that were pending for employees who are “categorically exempt” from the January 20, 2025 Directive.
4. OPM should issue guidance to agencies allowing employee counseling, distribution lists, and employee organization groups for military families, so that military families are able to form community with similarly situated families.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

Sincerely,

¹² Communications with Committee Democratic Staff.



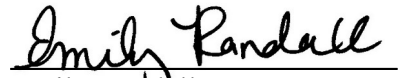
Gerald E. Connolly
Ranking Member



Jasmine Crockett
Vice Ranking Member



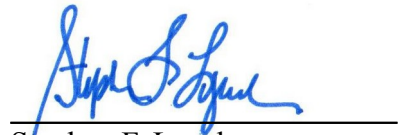
Suhas Subramanyam
Member of Congress



Emily Randall
Member of Congress



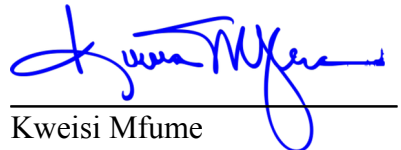
Eleanor Holmes Norton
Member of Congress



Stephen F. Lynch
Member of Congress



Ro Khanna
Member of Congress



Kweisi Mfume
Member of Congress



Summer L. Lee
Member of Congress



Greg Casar
Member of Congress



Rashida Tlaib
Member of Congress



Chrissy Houlahan
Member of Congress

Acting Director Charles Ezell
The Honorable Marco Rubio
Page 6

A handwritten signature in black ink, reading "Eugene Simon Vindman". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Eugene Simon Vindman
Member of Congress

cc: James Comer, Chairman, Committee on Oversight and Government Reform
Mike Rogers, Chairman, Committee on Armed Services
William Timmons, Chairman, Subcommittee on Military and Foreign Affairs, Committee
on Oversight and Government Reform