

**Congress of the United States**  
Washington, DC 20515

March 6, 2025

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

Dear Acting Director Ezell:

We write in strong opposition to the expansion of the Trump Administration's efforts to purge nonpartisan civil servants from the federal workforce, specifically recent unlawful mass terminations of employees in probationary status. Probationary employees are often those who have been recently hired or promoted.<sup>1</sup> Indiscriminately firing thousands of these employees threatens the future of the nonpartisan federal workforce and our government's ability to deliver life-saving services to the American people. We strongly urge the Administration to reinstate all unlawfully terminated probationary status employees and cease plans to carry out further reductions in force (RIFs).

Federal employees are placed on a probationary period when they hold less than one year of service. Federal employees may also be in a probationary status if they transfer positions, offices, or departments, or receive promotions.<sup>2</sup> For example, a military spouse who moves across the country and is promoted to a new position in a federal agency may be placed into a probationary status despite years of experience working for the federal government. As of May 2024, it is estimated that more than 220,000 federal employees held probationary status, although that number could be much higher.<sup>3</sup>

The Trump Administration is attempting to terminate en masse probationary-status employees, for one, because these employees have fewer legal protections.<sup>4</sup> On January 20, 2025, the Office of Personnel Management (OPM) issued a memorandum titled, "Guidance on Probationary Periods, Administrative Leave and Details," which required agencies to identify

---

<sup>1</sup> *Why "Probationary" Employees Are A Target in Federal Job Cuts*, New York Times (Feb. 25, 2025) (online at [www.nytimes.com/2025/02/25/business/economy/probationary-federal-workers-trump-cuts.html](https://www.nytimes.com/2025/02/25/business/economy/probationary-federal-workers-trump-cuts.html)).

<sup>2</sup> 5 CFR § 351; U.S. Merit Systems Protection Board, *Improving Federal Leadership Through Better Probationary Practices* (May 2019) (online at [www.mspb.gov/studies/publications/Improving\\_Federal\\_Leadership\\_Through\\_Better\\_Probationary\\_Practices.pdf](https://www.mspb.gov/studies/publications/Improving_Federal_Leadership_Through_Better_Probationary_Practices.pdf)).

<sup>3</sup> Office of Personnel Management, *Federal Workforce Data* (May 2024) (online at [www.fedscope.opm.gov/](https://www.fedscope.opm.gov/)) (viewed data of less than one year of federal service).

<sup>4</sup> See *How a Pair of Executive Orders and A Memo Could Fast Track the Civil Service's Politicization*, Government Executive (Jan. 21, 2025) (online at [www.govexec.com/workforce/2025/01/how-pair-executive-ordersand-memo-could-fast-track-civil-services-politicization/402389/](https://www.govexec.com/workforce/2025/01/how-pair-executive-ordersand-memo-could-fast-track-civil-services-politicization/402389/)).

and submit to OPM a list of employees within their probationary periods.<sup>5</sup> On February 11, 2025, President Trump, joined by unelected billionaire and special government employee Elon Musk, issued a sweeping executive order titled “Implementing the President’s ‘Department of Government Efficiency Workforce Optimization Initiative,’” which directed all agency heads to “initiate large-scale reductions in force,” and according to public reporting, your agency has advised all federal agencies to prioritize terminations of individuals in their probationary period.<sup>6</sup> Shortly thereafter, federal agencies across the government began imposing “widespread layoffs” of thousands of probationary employees.<sup>7</sup>

On February 24, 2025, the Office of Special Counsel (OSC) acted swiftly to grant initial legal requests and order the reinstatement of six probationary-status federal employees who were unlawfully terminated by their employing agencies. As Special Counsel Dellinger recently stated, “[t]hese stays represent a small sample of all the probationary employees” who have been terminated with lawless abandon; he intends to continue to seek relief for other employees who were unlawfully terminated.<sup>8</sup> The Merit Systems Protection Board issued a stay the next day, concurring with the OSC’s opinion, because the Administration’s unlawful actions warrant further investigation.<sup>9</sup> On February 27, 2025, a federal judge ordered the Office of Personnel Management to rescind its directives that immediately led to sweeping layoffs of probationary federal employees.<sup>10</sup>

We are concerned that the sweeping nature of this RIF order has led to the unreasonable targeting of high-performing civil servants.<sup>11</sup> Some reports indicate the Administration terminated employees without proper individualized performance reviews or notice. In many cases, the termination notices, which were sent via email, were inaccurate, misspelled employee names, or included vague information about employee performance.<sup>12</sup> Our offices have received countless reports that individuals who were terminated under this RIF order based on “performance” had documented excellent performance records and in some cases were employed

---

<sup>5</sup> Memorandum from Acting Director Charles Ezell, Office of Personnel Management, to Heads and Acting Heads of Departments and Agencies, *Guidance on Probationary Periods, Administrative Leave and Details* (Jan. 20, 2025) (online at [www.opm.gov/media/yh3bv2fs/guidance-on-probationary-periods-administrative-leave-and-details-1-20-2025-final.pdf](http://www.opm.gov/media/yh3bv2fs/guidance-on-probationary-periods-administrative-leave-and-details-1-20-2025-final.pdf)).

<sup>6</sup> *OPM Advises Agencies to Fire Probationary Employees After “Deferred Resignation” Deadline*, Federal News Network (Feb. 13, 2025) (online at <https://federalnewsnetwork.com/workforce/2025/02/opm-fires-probationary-employees-after-deferred-resignation-deadline/>); *With Elon Musk Watching, Trump Says He’s Giving DOGE Even More Power*, NBC News (Feb. 11, 2025) (online at [www.nbcnews.com/politics/doge/elon-musk-trump-doge-executive-order-rcna191751](http://www.nbcnews.com/politics/doge/elon-musk-trump-doge-executive-order-rcna191751)).

<sup>7</sup> *Widespread Layoffs of Probationary Employees Begin*, FEDweek (Feb. 14, 2025) (online at [www.fedweek.com/fedweek/widespread-layoffs-of-probationary-employees-begin/](http://www.fedweek.com/fedweek/widespread-layoffs-of-probationary-employees-begin/)).

<sup>8</sup> U.S. Office of Special Counsel, *Special Counsel Dellinger Statement on Request That MSPB Stay Terminations of Probationary Employees* (Feb. 24, 2025) (online at <https://osc.gov/News/Pages/25-22-Stay-Request-Probationary-Employees.aspx>).

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

<sup>10</sup> *Judge Blocks Trump Administration’s Mass Firings of Federal Workers*, Washington Post (Feb. 27, 2025) (online at [www.washingtonpost.com/dc-md-va/2025/02/27/judge-probationary-federal-employee-firings-lawsuit/](http://www.washingtonpost.com/dc-md-va/2025/02/27/judge-probationary-federal-employee-firings-lawsuit/)).

<sup>11</sup> See 5 CFR § 351.

by the federal government for *decades*.<sup>13</sup> These arbitrary and capricious dismissals have already produced a chilling effect on skilled workers who desire a career with the federal civil service. These firings will also eliminate institutional expertise and undermine the strong, merit-based, and skilled federal workforce.<sup>14</sup>

The Trump Administration's executive overreach could cripple federal agencies, including in critical areas of disaster preparedness, public health, public safety, and national security. For example, the reported firings of 2,400 U.S. Forest Service firefighting personnel could torch the federal government's ability to respond to the upcoming wildfire season.<sup>15</sup> The widespread cuts at our leading public health agencies could choke the supply of essential nursing staff and the development of life-saving medical research.<sup>16</sup> The cuts at the Food and Nutrition Service could gut food quality monitoring and food safety inspections while the nation is undergoing a developing crisis of bird flu and increasing food recalls.<sup>17</sup> The staffing loss at the National Nuclear Security Administration (NNSA) risks a meltdown of mission-critical nuclear safety oversight and security protocols. As the NNSA tries to backtrack on its terminations, officials are struggling to contact the terminated individuals for reinstatement.<sup>18</sup>

---

<sup>12</sup> See *Governmentwide Firings "Devastating" To Probationary Federal Employees*, Federal News Network (Feb. 19, 2025) (online at <https://federalnewsnetwork.com/workforce/2025/02/governmentwide-firings-devastating-to-probationary-federal-employees/>); *"The Worst I've Ever Seen": Trump's Mass Layoffs Leave Federal Workers Baffled and Angry*, Time (Feb. 15, 2025) (online at <https://time.com/7225555/trump-mass-layoffs-federal-workers/>); *Trump Administration Fires Thousands for "Performance" Without Evidence, In Messy Rush*, Washington Post (Feb. 17, 2025) (online at [www.washingtonpost.com/nation/2025/02/17/trump-fires-federal-workers-performance/](https://www.washingtonpost.com/nation/2025/02/17/trump-fires-federal-workers-performance/)); *Transportation Department Workers with "Exceptional" Reviews Told They're Fired for "Performance" Issues*, NBC News (Feb. 17, 2025) (online at [www.nbcnews.com/politics/doge/federal-workers-exceptional-reviews-fired-performance-issues-rcna192347](https://www.nbcnews.com/politics/doge/federal-workers-exceptional-reviews-fired-performance-issues-rcna192347)).

<sup>13</sup> *Id.*

<sup>14</sup> See *The Generational Shift Needs to Happen in the Federal Workforce*, Government Executive (Feb. 23, 2023) (online at [www.govexec.com/workforce/2023/02/generational-shift-federal-workforce-fauci-gen-z-hiring/383230/](https://www.govexec.com/workforce/2023/02/generational-shift-federal-workforce-fauci-gen-z-hiring/383230/)); *Federal Layoffs Start with Huge Number of Probationary Workers and Warnings of Bigger Cuts on Way*, CBS News (Feb. 14, 2025) (online at [www.cbsnews.com/news/federal-layoffs-probationary-workers-warnings-bigger-cuts-on-way/](https://www.cbsnews.com/news/federal-layoffs-probationary-workers-warnings-bigger-cuts-on-way/)).

<sup>15</sup> *Federal Agencies Are Still Firing Probationary Employees—Most Recently NARA and DOL*, Government Executive (Feb. 20, 2025) (online at [www.govexec.com/workforce/2025/02/see-which-federal-agencies-are-firing-new-hires/403033/](https://www.govexec.com/workforce/2025/02/see-which-federal-agencies-are-firing-new-hires/403033/)).

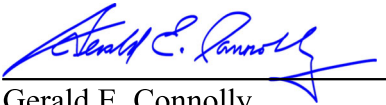
<sup>16</sup> *U.S. CDC, NIH Lay Off Probationary Workers Under Trump Job Cuts, Sources Say*, Reuters (Feb. 14, 2025) (online at [www.reuters.com/business/healthcare-pharmaceuticals/cdc-lose-one-tenth-workforce-under-trump-administration-probationary-job-cuts-ap-2025-02-14/](https://www.reuters.com/business/healthcare-pharmaceuticals/cdc-lose-one-tenth-workforce-under-trump-administration-probationary-job-cuts-ap-2025-02-14/)); *Trump's NIH Layoffs Could Waste Years of Cancer Research, Fired Lab Worker Says*, NBC Washington (Feb. 19, 2025) (online at [www.nbcwashington.com/news/local/trumps-nih-layoffs-could-waste-years-of-cancer-research-fired-lab-worker-says/3847364/](https://www.nbcwashington.com/news/local/trumps-nih-layoffs-could-waste-years-of-cancer-research-fired-lab-worker-says/3847364/)).

<sup>17</sup> *USDA Says It Is Trying to Rehire Bird Flu Experts the Agency Accidentally Fired*, CBS News (Feb. 19, 2025) (online at [www.cbsnews.com/news/usda-accidentally-fired-bird-flu-experts-rehire/](https://www.cbsnews.com/news/usda-accidentally-fired-bird-flu-experts-rehire/)); *Federal Agencies Start Mass Layoffs, Probationary Employees Targeted*, Fed Manager (Feb. 18, 2025) (online at [www.fedmanager.com/news/federal-agencies-start-mass-layoffs-probationary-employees-targeted](https://www.fedmanager.com/news/federal-agencies-start-mass-layoffs-probationary-employees-targeted)).

<sup>18</sup> *Which Agencies Have Been Hit by Federal Layoffs? What to Know About NPC, NIH, IRS, More*, USA Today (Feb. 19, 2025) (online at [www.usatoday.com/story/news/politics/2025/02/15/federal-layoffs-firings-2025/78761259007/](https://www.usatoday.com/story/news/politics/2025/02/15/federal-layoffs-firings-2025/78761259007/)); *Trump Administration Wants to Un-Fire Nuclear Safety Workers But Can't Figure Out How to Reach Them*, NBC News (Feb. 15, 2025) (online at [www.nbcnews.com/politics/national-security/trump-administration-wants-un-fire-nuclear-safety-workers-cant-figure-rcna192345](https://www.nbcnews.com/politics/national-security/trump-administration-wants-un-fire-nuclear-safety-workers-cant-figure-rcna192345)).

Instead of dismantling federal institutions through mass layoffs of mission-critical employees, the Trump Administration must empower and invest in the skilled and mission-driven workforce that our nation already has. Purging the federal government of employees through mass firings will drain agencies of institutional knowledge and specialized expertise. Once again, we strongly encourage the Administration to reinstate all unlawfully terminated probationary-status employees and cease plans to carry out further RIFs.

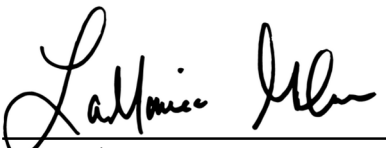
Sincerely,



Gerald E. Connolly  
Ranking Member  
Committee on Oversight and  
Government Reform



Robert Garcia  
Member of Congress



LaMonica McIver  
Member of Congress



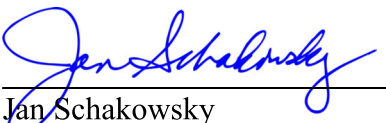
Jasmine Crockett  
Member of Congress



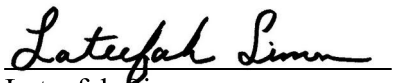
Delia C. Ramirez  
Member of Congress



Bonnie Watson Coleman  
Member of Congress



Jan Schakowsky  
Member of Congress



Lateefah Simon  
Member of Congress



Henry C. "Hank" Johnson, Jr.  
Member of Congress



Haley M. Stevens  
Member of Congress



Alma S. Adams, Ph.D.  
Member of Congress



Jim Tokuda  
Member of Congress



Terri A. Sewell  
Member of Congress



Emanuel Cleaver, II  
Member of Congress



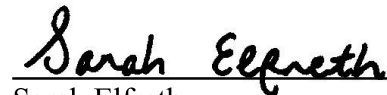
Nydia M. Velázquez  
Member of Congress



Robin L. Kelly  
Member of Congress



Ro Khanna  
Member of Congress



Sarah Elfreth  
Member of Congress



Rashida Tlaib  
Member of Congress



Danny K. Davis  
Member of Congress



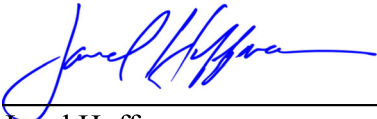
---

Gwen S. Moore  
Member of Congress



---

Steve Cohen  
Member of Congress



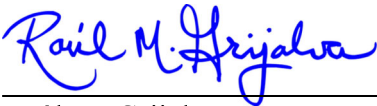
---

Jared Huffman  
Member of Congress



---

Maxine Waters  
Member of Congress



---

Raúl M. Grijalva  
Member of Congress



---

Paul D. Tonko  
Member of Congress



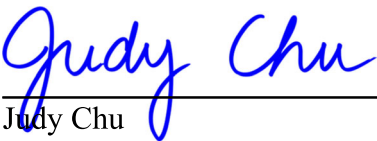
---

Stephen F. Lynch  
Member of Congress



---

Kevin Mullin  
Member of Congress




---

Judy Chu  
Member of Congress



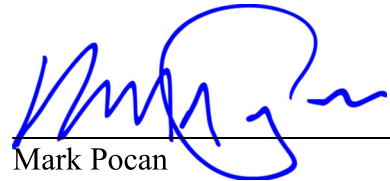
---

Mary Gay Scanlon  
Member of Congress



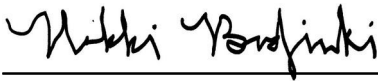
---

Becca Balint  
Member of Congress



---

Mark Pocan  
Member of Congress



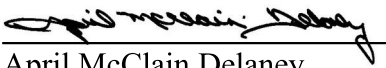
Nikki Budzinski

Member of Congress



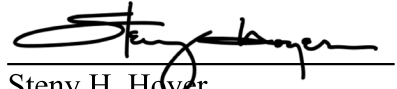
Shontel M. Brown

Member of Congress



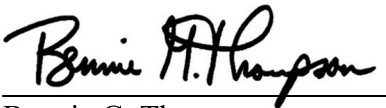
April McClain Delaney

Member of Congress



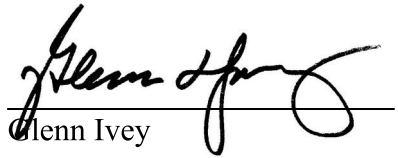
Steny H. Hoyer

Member of Congress



Bennie G. Thompson

Member of Congress



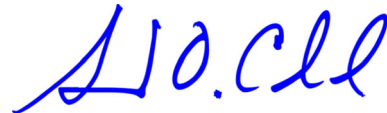
Glenn Ivey

Member of Congress



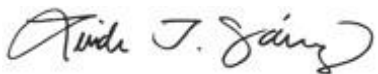
Kathy Castor

Member of Congress



Salud Carbajal

Member of Congress



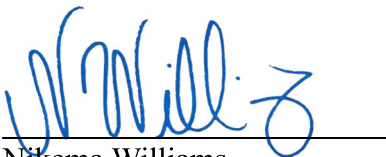
Linda T. Sánchez

Member of Congress



Frederica S. Wilson

Member of Congress



Nikema Williams

Member of Congress



Greg Casar

Member of Congress



---

Lucy McBath  
Member of Congress



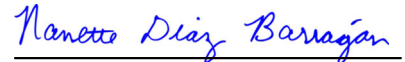
---

Chellie Pingree  
Member of Congress



---

Greg Stanton  
Member of Congress



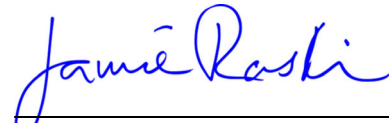
---

Nanette Diaz Barragán  
Member of Congress



---

Cleo Fields  
Member of Congress



---

Jamie Raskin  
Member of Congress



---

Zoe Lofgren  
Member of Congress



---

Eleanor Holmes Norton  
Member of Congress



---

Dwight Evans  
Member of Congress



---

Donald S. Beyer Jr.  
Member of Congress



---

Robert C. "Bobby" Scott  
Member of Congress



---

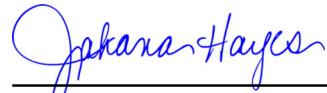
Sarah McBride  
Member of Congress





---

Lloyd Doggett  
Member of Congress



---

Jahana Hayes  
Member of Congress



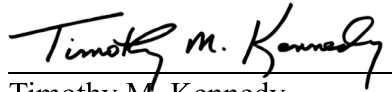
---

Suhas Subramanyam  
Member of Congress



---

Pramila Jayapal  
Member of Congress



---

Timothy M. Kennedy  
Member of Congress



---

Madeleine Dean  
Member of Congress



---

Jimmy Panetta  
Member of Congress



---

Dina Titus  
Member of Congress



---

Mike Levin  
Member of Congress



---

Janelle S. Bynum  
Member of Congress



---

Julie Johnson  
Member of Congress



---

Julia Brownley  
Member of Congress



Gabe Amo  
Member of Congress



Mike Thompson  
Member of Congress



Mikie Sherrill  
Member of Congress



Jason Crow  
Member of Congress



Melanie Stansbury  
Member of Congress




Kim Schrier, M.D.  
Member of Congress



Raul Ruiz, M.D.  
Member of Congress



Alexandria Ocasio-Cortez  
Member of Congress



Wesley Bell  
Member of Congress



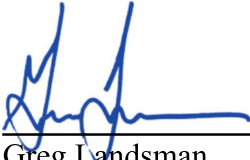
Eugene Simon Vindman  
Member of Congress



Frank J. Mrvan  
Member of Congress



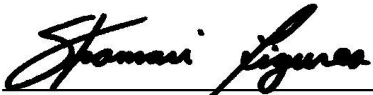
Veronica Escobar  
Member of Congress




Greg Landsman  
Member of Congress



Sydney Kamlager-Dove  
Member of Congress



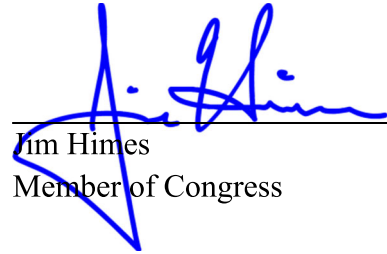
Shomari Figures  
Member of Congress



Sylvia R. Garcia  
Member of Congress



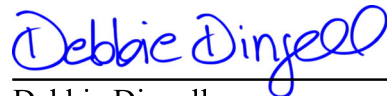
Debbie Wasserman Schultz  
Member of Congress



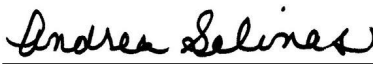
Jim Himes  
Member of Congress



Shri Thanedar  
Member of Congress



Debbie Dingell  
Member of Congress



Andrea Salinas  
Member of Congress



Mark DeSaulnier  
Member of Congress



Eric Swalwell  
Member of Congress

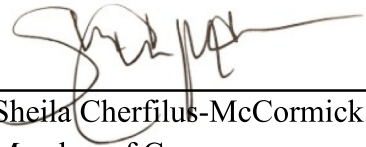


Joseph D. Morelle  
Member of Congress



---

Ami Bera, M.D.  
Member of Congress



---

Sheila Cherfilus-McCormick  
Member of Congress



---

Chris Deluzio  
Member of Congress



---

Diana DeGette  
Member of Congress



---

Robert J. Menendez  
Member of Congress



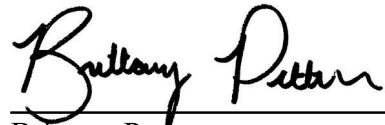
---

Ritchie Torres  
Member of Congress



---

Scott H. Peters  
Member of Congress



---

Brittany Pettersen  
Member of Congress



---

Derek T. Tran  
Member of Congress



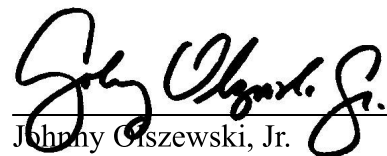
---

Josh Gottheimer  
Member of Congress



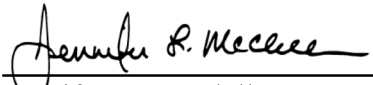
---

Emily Randall  
Member of Congress



---

Johnny Oiszewski, Jr.  
Member of Congress



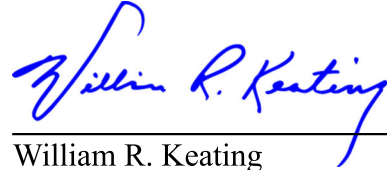
Jennifer L. McClellan  
Member of Congress



Mike Quigley  
Member of Congress



Maxwell Alejandro Frost  
Member of Congress



William R. Keating  
Member of Congress



Gregory W. Meeks  
Member of Congress



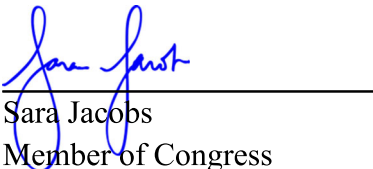
Maggie Goodlander  
Member of Congress



Yassamin Ansari  
Member of Congress



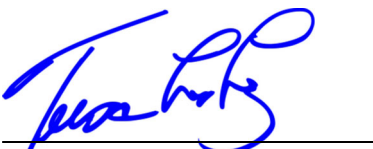
Lizzie Fletcher  
Member of Congress



Sara Jacobs  
Member of Congress



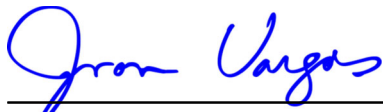
Darren Soto  
Member of Congress



Teresa Leger Fernández  
Member of Congress



Val Hoyle  
Member of Congress



Juan Vargas  
Member of Congress



Joyce Beatty  
Member of Congress



Grace Meng  
Member of Congress



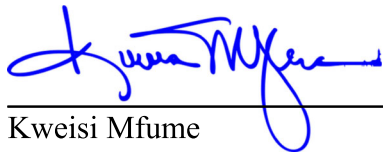
Bill Foster  
Member of Congress



James P. McGovern  
Member of Congress



Summer L. Lee  
Member of Congress



Kweisi Mfume  
Member of Congress



Ayanna Pressley  
Member of Congress



Joe Neguse  
Member of Congress



Deborah K. Ross  
Member of Congress



Sean Casten  
Member of Congress



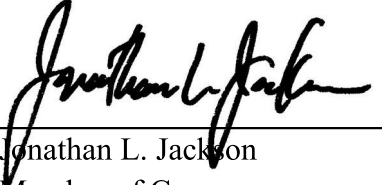
Sam T. Luccardo  
Member of Congress



Maxine Dexter  
Member of Congress



Jesús G. "Chuy" García  
Member of Congress



Jonathan L. Jackson  
Member of Congress



Dave Min  
Member of Congress

cc: The Honorable James Comer, Chairman