

Congress of the United States
House of Representatives
Washington, DC 20515-3006

August 1, 2025

The Honorable Linda McMahon
Secretary
Department of Education
400 Maryland Ave SW
Washington, D.C. 20202

Dear Secretary McMahon:

I hope you are well.

I'm writing to urge you to reconsider the ill-conceived and likely illegal Reduction-In-Force (RIF) scheduled for August 1, 2025, targeting key staff—many of them my constituents—serving across the U.S. Department of Education (the Department).

The proposed reorganization and effective dismantling of the Department are unlawful. The RIF implementing this reorganization lacks the extensive planning, documentation, and support required before implementing such a drastic reduction in the Department's capacity to fulfill its statutory obligations to serve American students, teachers and communities. This palpably flawed RIF process, beginning with decisions to place employees on administrative leave, has caused great concern about the disparate effect of layoffs on specific populations of employees.

The Department provides vital services to communities across the country. In fact, Congress established the Department of Education in 1979 to advance the federal government's "commitment to ensuring access to equal educational opportunity for every individual" and to "ensure that education issues receive proper treatment at the Federal level." The federal employees who execute the Department's mission are essential to the statutory mission and directives established by Congress. Reorganizing or overhauling the Department's workforce in ways that have the *effect* of disrupting its core functions is only lawful if Congress itself repeals the statute that has been the law of the land for nearly 55 years.

But Congress has in fact chosen to do the exact opposite. Not even one year before your illegal attempt to reorganize the Department, Congress passed (on a strongly bipartisan basis) a law prohibiting any use of federal funds to reorganize or eliminate any of the Department's

programs or activities unless these plans are communicated to congressional committees. Unsurprisingly, the U.S. District Court for Massachusetts found in May, that dismissing half of the Department's dedicated employees renders it "effectively impossible" to affect its statutory functions. This mass firing has already been affecting hundreds of thousands of student borrowers, researchers, and teachers seeking professional development programs.

In addition to the illegal character of the proposed reorganization and RIF, the RIF process undertaken violates multiple mandates contained in longstanding federal regulations. Among other requirements, a proper RIF must include 60 days' notice to employees and labor unions; establish competitive areas in which employees compete for retention; establish competitive levels within such competitive areas; create a retention register accessible to all employees; and notify affected States and State officials. All employees subject to a RIF have the right to appeal through the Merit Systems Protection Board (MSPB).

According to my constituents and their colleagues at the Department, the RIF process is characterized by an unacceptable lack of transparency. In many cases involving RIF notices, employees have not received a retention register or corresponding documentation that would assist their RIF challenge before the MSPB. When an employee solicited a retention register for their competitive area, they were informed that "entire organizational units within a defined competitive area were abolished in full." The Department further informed the employee that the retention register was not applicable in the "traditional sense." This claim admits to the inherent contradiction that has characterized the Department's RIF. If the Department were to publish a retention register with competitive areas, it would be carrying out a RIF in accordance with applicable federal laws and regulations. However, if the RIF is eliminating entire organizational units so as to make a "traditional" retention register obsolete, the Department could have potentially—and in some cases, has—eliminated statutory offices.

Finally, I am concerned by public reporting on the potential disparate effects of RIF and administrative leave notices on women and African American employees across the federal government. For decades, the federal government has been a ladder to the middle class for African Americans who have faced far higher rates of employment discrimination in other sectors of the economy.

Federal employees at the Department have served our country with a total devotion to their public service mission and our nation's students, teachers, and communities. Hasty, chaotic and procedurally flawed RIFs endanger the financial security and well-being of federal employees and their families. Approximately 1,400 federal employees who swore an oath to serve this country are now uncertain about their future and how they'll be able to pay their mortgage, afford their children's own education, and find health insurance. The Department of Education performs essential functions which are carried out by dedicated civil servants. Your actions attempting to dismantle the Department and conduct a haphazard RIF without following federal laws and regulations may have also had a disparate impact on specific populations of


employees. To better understand the origins and implications of the Trump Administration's RIFs at the Department of Education, I request responses to the following questions by no later than August 29, 2025:

1. All documents and communications related to the decision to close or reorganize the Department, including but not limited to discussion documents, meeting minutes, planning documents, and communications between any individual at the Department of Education and any individual in the Executive Office of the President and Office of Personnel Management.
 - a. All documents prepared in relation to the RIF issued on March 11, 2025.
2. A list of all employees issued a RIF notice on March 11, 2025, including their GS scale, title, age, race, sex and the zip code wherein they reside.
3. A list of all employees who opted into the VERA/VSIP since January 20, 2025, including their GS scale, title, demographic information, and congressional district wherein they reside.
4. A list of all employees who were retained by the Department of Education on March 11, 2025, including their GS scale, title, age, race, sex, and zip code wherein they reside.
5. A list of all employees placed on administrative leave since January 20, 2025, including their GS scale, title, age, race, and sex, and zip code wherein they reside.
6. All documents and discussions as well as the methodology utilized to select the employees placed on administrative leave after January 20, 2025, due to the Executive Orders 14151, "Ending Radical and Wasteful Government DEI Programs and Preferences" and 14173, "Ending Illegal Discrimination and Restoring Merit-Based Opportunity." Please additionally include all selected employees' GS scale, title, age, race, sex, and the zip code wherein they reside.
 - a. Of those employees placed on administrative leave due to the above executive orders, please provide the number of employees who were subsequently given a RIF notice, including their demographic information, to include age, race, and sex, and the zip code wherein they reside.
7. Of those employees still on administrative leave due to the above executive orders, please provide the number of all employees who have not been given a RIF notice but who remain on administrative leave, including their GS scale, title, age, race, sex, and the zip code wherein they reside.

8. Please include any employees who were removed from administrative leave, and had their access reinstated, and have since been instructed to return to work and or returned, including their GS scale, title, age, race, sex, and zip code wherein they reside.
9. Please provide a list of all employees who have been offered a position that was different than the one that they held prior to January 20, 2025, or been allowed to transfer to a materially different position than was listed on their SF-50 before January 20, 2025. Please include their GS scale and title before January 20, 2025, and the corresponding offer for each employee in addition to their age, race, sex, and zip code wherein they reside.

If you have any questions regarding this request, please contact Julia Friedmann in my office at julia.friedmann@mail.house.gov.

Very truly yours,

A handwritten signature in blue ink that reads "Jamie Raskin". The signature is fluid and cursive, with a horizontal line drawn underneath it.

Jamie Raskin
Member of Congress