United States Senate
WASHINGTON, DC 20510

October 20, 2025

The Honorable Linda McMahon
Secretary
Department of Education
400 Maryland Ave, SW
Washington, DC 20202

Dear Secretary McMahon:

We write with outrage at the Department of Education's ("the Department") latest, illegal reductions in force ("RIF") of 465 employees—approximately 20 percent of the Department's remaining workforce—which have been carried out during the government shutdown. A shutdown does not compel the Department to fire workers, nor does it provide any additional authority to do so. The Department is *choosing* to conduct these mass firings, further degrading support for students nationwide, in clear violation of the Anti-Deficiency Act and the Administrative Procedure Act, among other federal laws.

Punitive, reckless actions like these latest firings demonstrate how President Trump and Office of Management and Budget Director Russell Vought are relishing the government shutdown they caused—and are treating students as political pawns. That is outrageous—and flatly unacceptable. Despite what the President claims about going after "Democratic programs," the simple fact of the matter is that the Department's actions to hollow out key offices responsible for supporting students with disabilities, rural students, students experiencing homelessness, school districts that serve low-income students or military families doesn't just hurt "Democrats," it hurts students and families in every part of the country.

Importantly, these RIFs are the latest in a pattern of reckless, vindictive, and poorly planned actions that the Department has undertaken in secret. The Department has yet to justify the RIFs it implemented earlier this year that has already severely impeded the Department's ability to carry out its statutory functions. We are deeply concerned these latest RIFs will severely degrade the ability of the Department to carry out its most basic statutory responsibilities, including the timely awarding of funding provided in annual appropriations acts. In fact, that seems to be your intent. In justifying these detrimental, unnecessary RIFs earlier this week, you posted online that: "the federal Department of Education is unnecessary."

This administration has cancelled or discontinued funding for hundreds of school-based mental health programs, teacher training programs to address teacher shortages around the country, and critical education research that would help more states and districts improve academic outcomes, and created completely unnecessary and burdensome delays for grant recipients and service providers across the country. Continuing to fire employees working on bipartisan programs that provide students with additional educational resources or confer educational rights on children does not serve these students better or make the government more efficient. Instead, it will mean students with disabilities cannot access services they are guaranteed, other students will not be able to have their rights enforced, schools may not be held accountable for the academic achievement of their students, taxpayer dollars will be used less effectively, and more waste, fraud and abuse will occur. All of this leaves our children worse off, harms American competitiveness, and wastes taxpayer money.

This most recent round of RIFs include a near dismantling of the Office of Special Education Programs ("OSEP").[1] OSEP administers $15 billion in formula and discretionary grant programs authorized by the Individuals with Disabilities Education Act ("IDEA") intended to improve results for infants, toddlers, children and youth with disabilities ages birth through 21. Advocates and experts have raised the alarm over the impact of these massive workforce terminations on more than 8 million children with disabilities and their families served through programs authorized by the IDEA and funded in annual appropriations legislation, with one even stating that "Eliminating federal capacity to support IDEA is harmful to people with disabilities, their families, and the professionals who serve them, and it runs counter to everything our members work toward every day."[2]

This mass firing of professionals at the Department dedicated to ensuring federal law is implemented as required at the state and local level runs counter to your stated commitment to implement federal law. In fact, in response to questions about fulfilling the Secretary's responsibilities for monitoring, technical assistance and enforcement under section 616 of the IDEA, you stated, "OSEP has successfully completed its statutory obligations in FY 2025, as noted above, and plans to have a similar number of staff complete similar statutory obligations in FY 2026."[3] We are alarmed that the administration is now walking back from its commitment to millions of children with disabilities and their families and the education and services they are entitled to under federal law by laying off "people the Democrats want" according to President Trump.[4]

The administration has also fired staff in the Office of Elementary and Secondary Education ("OESE"), including personnel involved in administering key federal programs and responsibilities authorized by several federal laws.[5] This includes the staff responsible for the approval and monitoring of state accountability and improvement systems to ensure they are compliant with federal law and address the needs of the most vulnerable student groups. Fired staff also worked to ensure the compliance of state and local report cards so parents and the public have accurate, timely, and thorough information on school performance. The administration also chose to fire staff administering the Education for Homeless Children and Youth program, which guarantees important education rights for more than 1.3 million students experiencing homelessness.[6] Finally, the administration reportedly also chose to turn its back on more than 1,000 school districts serving our military communities, Tribal treaty, federal trust and

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[1] https://www.disabilityscoop.com/2025/10/14/ed-department-lays-off-nearly-all-special-education-staff/31676/
[2] https://www.k12dive.com/news/special-education-OSEP-OSERS-federal-rifs-Government-shutdown/802662/
[3] The Honorable Linda McMahon, Questions for the Record for Review of the Fiscal Year 2026 Budget Request, Subcommittee on Labor, Health and Human services, Education, and Related Agencies, U.S. Senate Committee on Appropriations, June 3, 2025.
[4] https://www.msnbc.com/the-weekend/watch/-more-will-be-coming-trump-pledges-democrat-oriented-layoffs-as-government-shutdown-continues-249700421648
[5] https://edsource.org/2025/education-department-layoffs-impact-students/742923
[6] https://schoolhouseconnection.org/article/trump-administration-fires-oese-staff-including-homeless-education-office

Alaska Land Settlement Act lands by firing staff in the Impact Aid office.[7] This could delay the timely release of future funding for the current and next school year.

When a student is denied their right to an education, the Department's Office for Civil Rights ("OCR") is supposed to be there to ensure they are able to access the education to which they are entitled under law. However, we are extremely concerned that the reported reductions will further compromise OCR's ability to carry out its mission. As you are aware, earlier this year, the Department reduced OCR's workforce by more than half and closed more than half of all of its regional offices.[8] Those reductions left OCR's workforce with an unprecedented and unmanageable number of open investigations per OCR staff of 168:1.[9] Additional staff reductions will simply worsen an already unreasonable burden for remaining staff and deny timely remedy for students and families.

Also included in the latest round of RIFs was nearly everyone in the Rehabilitation Services Administration ("RSA"). RSA is the primary agency responsible for carrying out activities under various titles of the Rehabilitation Act of 1973 that are funded through the Department. The Rehabilitation Act helps states provide critical employment services to individuals with disabilities. These services improve employment opportunities for individuals with disabilities and assist in helping such individuals live independently in their communities. The Department is responsible for implementing these mandatory programs, including carrying out monitoring activities for these programs, providing technical assistance to grantees, and publishing information to organizations to ensure the effective implementation of the programs funded under the Rehabilitation Act.[10] In FY25, Congress provided approximately $4.4 billion for programs funded through the Department under the Rehabilitation Act.[11] By firing nearly everyone that works on these programs, the administration is showing it does not care about community integration for people with disabilities or improving the employment opportunities of such individuals.

The administration also chose to RIF nearly everyone in the Office of Higher Education Programs. This office is responsible for implementing many different higher education grant programs, including TRIO, Gaining Early Awareness and Readiness for Undergraduate Programs, grant programs for Historically Black Colleges and Universities, Hispanic-Serving Institutions, Tribal Colleges, and other Minority-Serving Institutions, the Child Care Access Means Parents in School Program, the Basic Needs for Postsecondary Students Program, Postsecondary Student Success Grant Program, and the Rural Postsecondary and Economic Development Program.[12] These bipartisan programs received over $2.9 billion in FY25.[13] Much

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[7] https://www.nafisdc.org/wp-content/uploads/2025/10/NAFIS-Statement-on-Reported-Elimination-of-Impact-Aid-Program-Office-Staff.pdf

[8] https://www.k12dive.com/news/half-of-ocr-fired-after-trump-education-department-layoffs/742374/

[9] The Honorable Linda McMahon, Questions for the Record for Review of the Fiscal Year 2026 Budget Request, Subcommittee on Labor, Health and Human services, Education, and Related Agencies, U.S. Senate Committee on Appropriations, June 3, 2025.

[10] https://rsa.ed.gov/sites/default/files/publications/ARC%20to%20Congress/RSA-Annual-Report-for-FFYs-2021-2022.pdf

[11] P.L. 119-4.

[12] https://www.ed.gov/about/ed-offices/ope/about-ope-higher-education-programs

[13] P.L. 119-4.

of this funding was awarded right before September 30th after a bungled obligation process during which grantees did not receive continuation awards for legally dubious reasons and then, because of the Department's refusal to run timely, new FY25 grant competitions, it instead front-loaded resources or funded old grant slates. The latest round of RIFs will compound the destruction of the first round of RIFs and further ensure that the Department does not have adequate staff to carry out the statutory requirements covering these programs or ensure grantees fulfill all their responsibilities as stewards of these taxpayer resources.

In addition, the Department still has hundreds of millions of dollars in already appropriated funds to obligate before December 31st of this year. These RIFs will make it extraordinarily difficult to meet that deadline—and in a way that ensures taxpayer dollars are put to the best use. The programs funded through the Fund for the Improvement of Postsecondary Education— including the Basic Needs Systems Grants program, the Postsecondary Student Success Grants program, the Research and Development Infrastructure Investments program, the Open Textbook Pilot, the Centers of Excellence for Veteran Student Success program, and the Rural Postsecondary and Economic Development Grant program—all help improve postsecondary access and completion for students attending college, many of whom are low-income or first-generation. The Department also recently issued notices inviting applications for $270 million of funding for two school-based mental health programs. State and local educational agencies must submit their applications by the end of the month before Department staff and peer reviewers take additional actions required before awards can be made by December 31st. These RIFs will put the Department at risk of letting these funds expire, harming students and families who count on these programs.

The Department is essential to protecting the rights of our nation's students and ensuring billions in taxpayer funding is spent effectively and as Congress intended – to improve the academic outcomes of students and prepare them for success in school and life. But illegally firing employees during a government shutdown clearly demonstrates how this administration has no interest in a funded, functional government and prefers a government shutdown in order to score political points while pursing the goal of destroying federal education programs and eliminating the Department of Education.

Sincerely,

Patty Murray
Vice Chair
Senate Committee on
Appropriations

Bernard Sanders
United States Senator
Ranking Member, Committee
on Health, Education, Labor,
and Pensions

Tammy Baldwin
Ranking Member
Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies

Charles E. Schumer
United States Senator

Angela D. Alsobrooks
United States Senator

Lisa Blunt Rochester
United States Senator

Andy Kim
United States Senator

Mazie K. Hirono
United States Senator

Christopher A. Coons
United States Senator

Jeffrey A. Merkley
United States Senator

Richard Blumenthal
United States Senator

Edward J. Markey
United States Senator

Jack Reed
United States Senator

Chris Van Hollen
United States Senator

Martin Heinrich
United States Senator

Ben Ray Luján
United States Senator

Tammy Duckworth
United States Senator

Ron Wyden
United States Senator

Peter Welch
United States Senator

Ruben Gallego
United States Senator

Margaret Wood Hassan
United States Senator

Kirsten Gillibrand
United States Senator

Brian Schatz
United States Senator

Amy Klobuchar
United States Senator

Alex Padilla
United States Senator

Mark R. Warner
United States Senator

Adam B. Schiff
United States Senator

Catherine Cortez Masto
United States Senator

Tim Kaine
United States Senator

Elissa Slotkin
United States Senator

Raphael Warnock
United States Senator