

ONE HUNDRED NINETEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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May 28, 2025

The Honorable Robert F. Kennedy, Jr.
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

Dear Secretary Kennedy:

We are alarmed by the devastating breadth of the indiscriminate and harmful layoffs across the Department of Health and Human Services (HHS). On March 27, 2025, you announced a massive reduction in force (RIF) of 10,000 agency employees in addition to the termination of the roles of another 10,000 public servants who had already been terminated or who had taken the deferred resignation program.¹ On April 1, 2025, we sent a letter asking for details on the planned RIF and proposed dismemberment of numerous HHS operating divisions.² You have not answered that letter. On April 11, three HHS staff provided a bipartisan briefing to Committee staff and health staff of Members on the Committee. This briefing was both late and lacking. The briefing, which was intended to provide information on the terminations of about 20,000 roles and the planned dismantling of HHS, was limited to one hour. In addition, we have been informed that on May 9, you or your staff provided a partisan briefing solely to Republican Committee staff. It is disappointing to see you view basic transparency and accountability such as briefing Congress on massive changes to HHS's structure and staffing as a partisan exercise. Congress and the American people deserve better.

Your actions will result in a 25 percent staffing cut at HHS and the near or complete elimination of entire programs that perform vital functions such as provision of health care for first responders and survivors of the 9/11 attacks, supporting independent living for seniors and

¹ *RFK Jr. Plans 10,000 Job Cuts in Major Restructuring of Health Department*, The Wall Street Journal (Mar. 27, 2025); NPR, *Widespread firings start at federal health agencies including many in leadership* (<https://www.npr.org/sections/shots-health-news/2025/04/01/g-s1-57485/hhs-fda-layoffs-doge-cdc-nih>) (Apr. 1, 2025).

² Letter from Rep. Frank Pallone, Jr., Ranking Member, House Committee on Energy and Commerce, Rep. Diana DeGette, Ranking Member, Subcommittee on Health, House Committee on Energy and Commerce, and Rep. Yvette Clarke, Ranking Member, Subcommittee on Oversight and Investigations, House Committee on Energy and Commerce, to Secretary Robert F. Kennedy, Jr., U.S. Department of Health and Human Services (Apr. 1, 2025).

individuals with disabilities, preventing HIV and sexually transmitted infections, food safety and lead prevention programing, and helping Americans in need afford their energy costs. Despite our numerous attempts to obtain information on employee terminations at the agencies under HHS, you have not provided Congress with a full accounting of the number of resignations, retirements, or layoffs that have been made as part of either the RIF or the termination of thousands of probationary employees in February.³

Due to the fact that the briefing was so limited and sought to address massive terminations and a seismic dismantling of HHS's structure, we still have considerable concerns and additional questions. Further, some of the questions that Democratic staff asked at the briefing did not receive clear or adequate answers. In some instances, information that we were provided at that briefing directly contradicted statements that you yourself have made publicly, and your staff was unable to explain the contradictions. We continue to insist that you come before our Committee to provide unrestricted and detailed testimony—beyond the annual budget hearing appearance—on HHS's plans regarding the layoffs and future plans for the Department under your leadership. We are already seeing that staffing cuts of mission critical positions and proposed elimination of whole operating divisions have damaged our nation's responsiveness to public health functions.

In the absence of more information and given the fact that these terminations and program elimination decisions were carried out far from public view by unidentified officials, it is unclear whether HHS complied with all laws and regulations in implementing the RIF. We also do not believe the Department has the unilateral authority to make the proposed changes to the structure of HHS without the approval of Congress. The staff briefing on April 11 did not provide any information on the authorities that HHS believes allow it to dismantle its agencies so dramatically.

Congress is entitled to receive more information directly from you as Secretary of HHS on how the Department is justifying and assessing the impact of the personnel and organizational changes you are making. The cuts create real consequences in our communities as the result of the hasty and reckless manner in which this process is being approached. For example:

- The elimination of the lead poisoning office at the Centers for Disease Control and Prevention (CDC) abandons local health officials in Milwaukee who had been working with federal lead experts for months on detecting lead exposure and eliminating lead paint in the city's schools after doctors started seeing elevated lead levels in children's blood.⁴ Without federal support, progress on this operation that has a profound impact on children's health will be unnecessarily delayed and disrupted.

³ CBS, *Thousands of probationary federal health agency workers fired by letter this weekend. Here's what it said.* (<https://www.cbsnews.com/news/thousands-of-probationary-federal-health-agency-workers-fired-by-letter-this-weekend/>) (Feb. 15, 2025).

⁴ CNN, *A city responding to a lead crisis in schools reached out to the CDC for help. The agency's lead experts were just fired* (<https://www.cnn.com/2025/04/02/health/milwaukee-lead-crisis-schools-cdc-cuts/index.html>) (Apr. 3, 2025)

- Deep staff cuts to the CDC Fire Fatality Investigation and Prevention Program cuts off local fire departments from requesting federal researchers' assistance in studying firefighter deaths to help avoid similar incidents for firefighters across the country.⁵ These program cuts have also stalled a congressionally mandated study of cancer rates for firefighters that had already registered tens of thousands of participants.⁶
- The CDC Division of Violence Prevention has reportedly lost a critical number of staff, some of whom are responsible for dispersing federal funding for sexual violence prevention programs at the state and local levels.⁷ Disruption of funding will harm local organizations that serve domestic violence and sexual assault survivors, which are dependent on federal financial support.⁸
- The National Institutes of Health (NIH) has cut the staff associated with the 30-year-old Safe to Sleep initiative, which provides resources to parents and health care providers on how to protect infants from unintentional suffocation.⁹
- Local organizations are worried that the elimination of the Administration for Community Living (ACL) and field office closures will hinder the continued delivery of Meals on Wheels for seniors and disabled individuals who depend on this vital food assistance.¹⁰
- The termination of the entire staff at the Low Income Home Energy Assistance Program (LIHEAP) jeopardizes the government's ability to send funds to assist low-income families to help them afford energy costs to heat and cool their homes.¹¹

Congress needs more information about HHS's decisions and process that will likely have harmful effects on the health and safety of the American people. It is outrageous that HHS has not been much more transparent. Please provide complete responses to the questions in the Committee's previous letter dated April 1, 2025, for which we have thus far received no response, and the questions below about the RIF and proposed future changes at HHS by June 11, 2025.

⁵ ProPublica, *Trump Laid Off Nearly All the Federal Workers Who Investigate Firefighter Deaths* (<https://www.propublica.org/article/trump-cuts-firefighter-deaths>) (Apr. 21, 2025).

⁶ *Id.*

⁷ NPR, *HHS guts sexual violence prevention division, leaving local efforts adrift* (<https://www.npr.org/2025/04/08/nx-s1-5349529/hhs-layoffs-sexual-assault-rape-prevention>) (Apr. 8, 2025).

⁸ *Id.*

⁹ NPR, *Trump cuts baby 'Safe to Sleep' team. Here's what parents should know* (<https://www.npr.org/2025/05/05/nx-s1-5383871/trump-cuts-safe-sleep-sids-baby>) (May 5, 2025).

¹⁰ *Trump Cuts Threaten Agency Running Meals on Wheels*, The New York Times (Apr. 30, 2025).

¹¹ *Entire Staff Is Fired at Office That Helps Poorer Americans Pay for Heating*, The New York Times (Apr. 2, 2025).

HHS Reduction in Force

1. Have all employees identified for termination as part of the RIF plan announced on March 27, 2025, been notified?
2. Are any additional RIFs at HHS planned?
3. At the congressional staff briefing by HHS staff on April 11, staff were told that operating division leadership in consultation with career staff “made all of the determinations” about who would be terminated under the RIF in order to meet a target to reduce HHS to 90 percent of fiscal year 2019 levels. The briefers also said that operating division leaders had five opportunities to review RIF plans during the development process and that DOGE “advised” during the process. This assertion by HHS staff contradicts comments about the cuts made by NIH Director Jay Bhattacharya, who reportedly said during a town hall with NIH staff on May 19, 2025, “I’ve been quite upset about that. It would be nice to have had some say.”¹²
 - a. Provide a full explanation of the process and timing for development, review, and approval of the RIF plans.
 - b. Provide all written guidance provided to operating division leaders and others involved in the RIF plan development, review, and approval process.
 - c. Provide a list of individuals at each operating division who reviewed the RIF plan, including their names, titles, and whether they were serving in an acting capacity at the time. To the extent that multiple leaders reviewed the plan (including where there was a transition of leadership from an acting leader to a confirmed leader), please provide information on which leaders reviewed RIF plans during which time period.
 - d. Who are the members of DOGE who “advised” during the process of developing the RIF plan at HHS? For each, please describe their role in the process.
4. You stated in a March 28, 2025, interview with NewsNation that “what Elon did with our agency is going to help our agency . . . he came in for the first time with a real org chart for the agency.”¹³ When asked at the April 11 briefing, your staff were unaware of what you meant by this. Please explain what Elon Musk’s role was in creating a new

¹² Politico Pro, *NIH director seeks to pep up shell-shocked staff* (<https://subscriber.politicopro.com/article/2025/05/nih-director-seeks-to-pep-up-shell-shocked-staff-00357631>) (May 19, 2025).

¹³ Real Clear Politics, *Kennedy: By Every Metric By Which You Measure Public Health, It Has Decreased With The Increase In HHS Spending* (https://www.realclearpolitics.com/video/2025/03/28/kennedy_by_every_metric_by_which_you_measure_public_health_it_has_decreased_with_the_increase_in_hhs_spending.html) (Mar. 28, 2025).

organization chart for HHS and provide a copy of the organization chart that he provided to you.

5. At the briefing by HHS staff on April 11, congressional staff were told that the RIF was conducted properly, but the briefers did not provide meaningful detail as to how the process was conducted, including how the competitive areas and levels were defined, as required by federal regulations.¹⁴
 - a. Provide a list of all competitive areas at HHS that were included in the RIF plan. For each competitive area, include in your response:
 - i. The number of employees in each competitive area;
 - ii. A list of the competitive levels identified in each competitive area with a description of the jobs that would be included at each level;
 - iii. The number of employees terminated in each competitive area;
 - iv. The job titles of employees terminated in each competitive area; and
 - v. The total number of employees terminated from each operating division and office.
 - b. Federal regulations require that “Descriptions of all competitive areas must be made readily available for review.”¹⁵ Likewise, Office of Personnel Management (OPM) guidance states that “Agencies must keep records when establishing or changing competitive areas and publish descriptions or make them readily available for review by employees and OPM.”¹⁶
 - i. To the extent not provided in response to 5.a., please provide the list of all competitive areas relevant to the HHS RIF and descriptions of those areas.
 - ii. Please indicate whether these descriptions were published, and, if so, on what date and where.
 - iii. If these descriptions were not published, explain why not and whether and how they were made available upon request.
 1. Please indicate what individual(s) were responsible for making the descriptions available.

¹⁴ 5 C.F.R. § 351.402.

¹⁵ *Id.*

¹⁶ U.S. Office of Personnel Management, *Competitive Areas in Reduction in Force (RIF)* (Mar. 2025).

2. Please confirm whether these descriptions have been provided upon request for review by employees.
 - c. Federal regulations require that competitive levels be established for purposes of a RIF.¹⁷ Please confirm whether the HHS codes specified in the Appendix of HHS Instruction 351-1 were utilized for the RIF.¹⁸ If a different list of codes was used, please provide that list.
 - d. Provide the list of all offices and programs where all personnel have been terminated.
 - i. For each of these current programs or offices where the entire staff has been terminated as part of the RIF, indicate whether the office, program, or functions in whole or in part will be transferred to a different location at HHS and what the new location is.
 - ii. Provide documentation that demonstrates the Department's analysis of which programs should be moved, curtailed, or eliminated, and what impact such action would have on public health services.
 - e. Provide the retention register(s) used for this RIF.
6. At the briefing on April 11, HHS staff also stated that groups of employees with the same departmental identification code had to be terminated as a group and any reinstatements would need to include all individuals with the same code in the same office. The HHS briefers also stated that reinstatements could occur up to June 2, 2025. Please explain the process by which HHS is identifying individuals, or groups of individuals, for whom RIF notices are being withdrawn.
7. On April 3, you stated that 20 percent of the workers terminated by the RIF would be reinstated and claimed that was "always the plan."¹⁹ The HHS staff at the briefing stated that they were unaware of your comments and they could not confirm whether those statements were accurate.
 - a. Please indicate how many individuals have been offered reinstatement, how many have accepted the offer of reinstatement, and the HHS operating division and program in which they work.

¹⁷ 5 C.F.R. § 351.403

¹⁸ U.S. Department of Health and Human Services, *HHS Instruction 351-1: Reduction in Force (RIF)* (<https://www.hhs.gov/about/agencies/asa/ohr/hr-library/351-1/index.html>) (Dec. 22, 2020).

¹⁹ NBC News, *RFK Jr. says 'it was always the plan' to reinstate 20% of HHS cuts* (https://www.youtube.com/watch?v=ACrXIS9SnNE&ab_channel=NBCNews) (Apr. 3, 2025).

- b. Please describe the process by which the reinstatement of HHS employees will be carried out, including the degree to which operating division leaders are involved in that process.
8. It was reported that several former leaders at NIH were offered reassignments to positions in the Indian Health Service (IHS) in locations across the country.²⁰
 - a. How many employees across HHS were offered reassignments to IHS since April 1, 2025?
 - b. Of the employees who were offered reassignment to IHS, how many of those employees have accepted the reassignment or have reassignment offers still pending?
 - c. How many offers of reassignment have been made in each operating division of HHS and what are the titles of the employees who received the offers?
 - d. How many offers of reassignment were accepted? Provide the operating division, office and title of each reassigned employee's prior and current position.
9. At the briefing on April 11, the briefers said that 18 percent of the layoffs eliminated "duplicative programs." What criteria were used to determine which programs were "duplicative" and what specific programs and jobs were eliminated for this reason?
10. On May 22, 2025, a federal judge granted a preliminary injunction blocking implementation of RIFs at several federal agencies, including HHS, while the case progresses in court.²¹ Describe the steps that HHS is taking to ensure compliance with the court order.
11. Provide the Phase 1 and Phase 2 Agency RIF and Reorganization Plans that were due to OMB and OPM by March 13 and April 14, respectively, and the monthly progress report due on May 14, according to the February 27, 2025, guidance memo issued by OMB and OPM in accordance with President Trump's Executive Order *Implementing The President's "Department of Government Efficiency" Workforce Optimization Initiative*.²²

²⁰ NPR, *Widespread firings start at federal health agencies including many in leadership* (<https://www.npr.org/sections/shots-health-news/2025/04/01/g-s1-57485/hhs-fda-layoffs-doge-cdc-nih>) (Apr. 1, 2025).

²¹ *Judge Extends Order Blocking Trump's Planned Mass Layoffs*, New York Times (May 23, 2025).

²² U.S. Office of Management and Budget and U.S. Office of Personnel Management, *Guidance on Agency RIF and Reorganization Plans Requested by Implementing The President's "Department of Government Efficiency" Workforce Optimization Initiative* (<https://www.opm.gov/policy-data-oversight/latest-memos/guidance-on-agency-rif-and-reorganization-plans-requested-by-implementing-the-president-s-department-of-government-efficiency-workforce-optimization-initiative.pdf>) (Feb. 26, 2025); Executive Order No. 14210, 90 FR 9669 (Feb. 11, 2025).

Proposed Changes to HHS Structure

12. The proposed changes to HHS’s structure, which have not been authorized by Congress, would appear to create situations where positions or reporting lines created by statute would be eliminated or interfered with. Please provide an explanation for how the proposed dismantling of certain positions and offices would comply with the law, including, but not limited to the following:
- a. The Assistant Secretary for Aging is Senate confirmed, and the underlying statute requires a “direct reporting relationship between the Assistant Secretary and the Secretary.”²³ Please explain whether HHS is preserving the position of Assistant Secretary for Aging and their statutory reporting relationship to the Secretary.
 - b. HHS’s proposed reorganization recommends moving CDC’s Agency for Toxic Substances and Disease Registry (ATSDR) to the Administration for a Healthy America.²⁴ However, 42 U.S.C. 9604 (i)(1) requires that the Administrator of the ATSDR—historically, the director of the CDC—report directly to the Surgeon General of the United States. Please explain how HHS’s proposed plan complies with the law.
 - c. Under 42 U.S.C. 300hh-10(a), the Assistant Secretary for Strategic Preparedness and Response reports directly to the HHS Secretary. However, the Department’s restructuring transfers the Administration for Strategic Preparedness and Response to CDC.²⁵ Please explain how HHS’s proposed plan complies with the law.
13. The proposed changes to HHS’s structure include dismantling several operating divisions, some of which have specific statutory mandates to carry out certain programs.²⁶ Please provide an explanation for how the proposed dismantling of these operating divisions would comply with the law, including, but not limited to:
- a. The proposed changes include eliminating ACL, but several programs, including the National Institute on Disability, Independent Living, and Rehabilitation Research and the Independent Living Administration, are required by statute to be administered by ACL.²⁷ Please explain how these programs would be administered in compliance with the law without ACL.

²³ 42 U.S.C. § 3011(a)

²⁴ U.S. Department of Health and Human Services, *Fact Sheet: HHS’ Transformation to Make America Healthy Again* (<https://www.hhs.gov/press-room/hhs-restructuring-doge-fact-sheet.html>) (accessed May 19, 2025).

²⁵ U.S. Department of Health and Human Services, *HHS Announces Transformation to Make America Healthy Again* (Mar. 27, 2025) (press release).

²⁶ *Id.*

²⁷ 29 U.S.C. § 762(a)(1); 29 U.S.C. § 791-1.

- b. The Violence Against Women Act mandates CDC make funding available to state and territorial health departments as part of its Rape Prevention and Education (RPE) program.²⁸ It has been reported that entire teams focused on rape prevention at CDC's National Center for Injury Prevention and Control—which administer RPE grants—have been cut.²⁹ Please explain how HHS intends to make and manage these statutorily required grants.

Food and Drug Administration (FDA)

14. Staff terminations have challenged FDA's ability to meet statutorily mandated product review deadlines established under user fee agreements.³⁰ Since January 20, 2025, has FDA missed any deadlines for product reviews outlined in user fee programs for prescription drugs, generic drugs, medical devices, biosimilars, and over-the-counter monograph drugs? Please break out missed deadlines by product category.
15. Please provide the number of staff involved in product evaluation—including reviewers, inspectors, staff scientists, fellows, technicians, and administration staff—that have been terminated from each of the following agency centers:
 - a. Centers for Biologics Evaluation and Research (CBER);
 - b. Center for Devices and Radiological Health (CDRH);
 - c. Center for Drug Evaluation and Research (CDER);
 - d. Center for Tobacco Products (CTP); and
 - e. Office of Regulatory Affairs (ORA).
16. HHS told the Government Accountability Office that it does not plan to extend the HHS Supply Chain Resilience and Shortage Coordinator position, which was responsible for coordinating efforts across HHS to address drug shortages.³¹ Please explain how HHS intends to strengthen drug supply chains and prevent or address drug shortages without a cross-Department Coordinator.

²⁸ 42 U.S.C. § 280b-1b.

²⁹ *Health groups urge RFK Jr. to reinstate injury center staff*, Roll Call (Apr. 14, 2025).

³⁰ Reuters, *Exclusive: FDA staff struggle to meet product review deadlines after DOGE layoffs* (<https://www.reuters.com/business/healthcare-pharmaceuticals/fda-staff-struggle-meet-product-review-deadlines-after-doge-layoffs-2025-03-27/>) (Mar. 27, 2025).

³¹ Government Accountability Office, *HHS Should Implement a Mechanism to Coordinate Its Activities* (GAO-25-107110) (Apr. 9, 2025).

17. Were any staff in FDA's India and China offices responsible for conducting foreign drug manufacturing facility inspections terminated? Were any support staff at FDA who coordinate travel for these international inspectors terminated? If so, indicate how many inspectors and support staff and their offices.
18. It has been reported that FDA has paused the Food Emergency Response Network (FERN) Proficiency Testing Program, which tests quality of raw milk and other dairy products, due to staffing shortages at FDA's Moffett Center Proficiency Testing Laboratory, but planned on resuming once the program was transferred to another laboratory.³² Have those testing efforts resumed? If so, what date did they resume and which laboratory is now conducting testing for raw milk and other dairy products?
19. It was also reported that FDA has paused testing for the presence of H5N1 virus and other pathogens in milk and cheese.³³ Have those testing efforts resumed? If so, what date did they resume?

National Institutes of Health

20. How many intramural NIH projects have been paused, stopped, or terminated due to HHS's termination of probationary employees, fellows, and staff pursuant to the RIF? Please identify the projects and their associated institute or center.
21. Have any patients been removed from care or had their care interrupted at the NIH Clinical Center due to reductions in physicians, nurses, pharmacists, administrators, or any other support staff? If so, identify the number of patients along with the study in which they were participating.
22. How many clinical trials have been paused, stopped, or terminated due to HHS's termination of probationary employees, fellows, and staff pursuant to the RIF? Please list the title of all such trials, their associated institute or center, and whether those trials were happening internally or extramurally.

Office for Civil Rights (OCR)

23. Of the staff that have been terminated, how many were charged with reviewing complaints related to violations of civil rights law based on race, religion, color, national origin, disability, age, or sex? Please also provide the number of pending civil rights-related complaints before OCR.

³² NBC Chicago, *FDA pauses milk quality testing program due to reduced capacity* (<https://www.nbcchicago.com/news/local/fda-pauses-milk-quality-testing-program-reduced-capacity/3731394/>) (Apr. 26, 2025).

³³ Reuters, *FDA suspends program to improve bird flu testing due to staff cuts* (<https://www.reuters.com/business/healthcare-pharmaceuticals/fda-suspends-program-improve-bird-flu-testing-due-staff-cuts-2025-04-03/>) (Apr. 3, 2025).


24. Of the staff that have been terminated, how many were charged with reviewing complaints related to violations of the Health Information Portability and Accountability Act's (HIPAA) Privacy Rule and/or Security Rule? Please also provide the number of pending HIPAA-related complaints before OCR.

Administration for a Healthy America (AHA)

25. Please produce HHS's plan for developing the leadership, budget, reporting structures, and staff selection for AHA.
26. Do you plan to seek congressional authorization to establish this new division? If not, what authority empowers HHS to create such a division without congressional approval?
27. What hiring authorities does HHS intend to use to staff AHA leadership?

If you have any questions about this request, please contact the Committee Democratic staff at (202) 225-2927.

Sincerely,


Frank Pallone, Jr.
Ranking Member


Diana DeGette
Ranking Member
Subcommittee on Health


Yvette Clarke
Ranking Member
Subcommittee on Oversight
and Investigations

The Honorable Robert F. Kennedy, Jr.

May 28, 2025

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cc: The Honorable Brett Guthrie
Chairman

The Honorable Earl "Buddy" Carter
Chairman
Subcommittee on Health

The Honorable Gary Palmer
Chairman
Subcommittee on Oversight and Investigations