
December 15, 2025 | **By Jacob Leibenluft, Devin O'Connor, and Sam Berger**

Administration's Abuse of Layoff Powers Shows Need for Congressional Action

Throughout President Trump's second term, the Administration has aggressively abused its authority over federal personnel to impose mass layoffs through so-called "reductions in force" (RIFs), threatening the federal government's ability to deliver critical public services affecting everything from public health to special education to consumer protection, among other important functions.

The Administration's abuse of RIFs has subverted the law and undermined Congress's power of the purse by purposefully degrading the government's ability to undertake certain congressionally mandated and funded activities, in addition to frequently violating legal requirements for implementing RIFs, as CBPP documented in May.¹

The most recent attempted mass firings that occurred during the government shutdown – which were not justified by law or prudent management – further show that the Administration is willing to misuse RIFs to threaten or punish its perceived political opponents.² And it has done so openly: President Trump explicitly described the shutdown RIFs as directed at "Democrat programs."³ (In reality, undermining these programs would harm a broad set of people regardless of their party affiliation, and most public services are funded by Congress on a bipartisan basis.)

The legislation that ended the shutdown included an important provision sought by Senator Tim Kaine that unwound actions taken to implement mass layoffs during the shutdown and prohibited further RIFs at all agencies at least through the end of the continuing resolution on January 30, 2026 – a provision

¹ Sam Berger and Jacob Leibenluft, "Trump Administration's Mass Layoffs of Federal Workers Are Illegal," CBPP, May 2, 2025, <https://www.cbpp.org/research/federal-budget/trump-administrations-mass-layoffs-of-federal-workers-are-illegal>.

² Sam Berger, "Administration Plans for Mass Firings in a Shutdown Not Justified by Law or Prudent Management," CBPP, September 29, 2025, <https://www.cbpp.org/research/federal-budget/administration-plans-for-mass-firings-in-a-shutdown-not-justified-by-law-or>.

³ John Parkinson et al., "Trump says some 'Democrat programs' to be cut during shutdown may never come back," ABC News, October 14, 2025, <https://abcnews.go.com/Politics/strategy-speaker-johnson-backs-gops-clean-cr-shutdown/story?id=126511106>.

that should be continued when Congress completes funding for the year.⁴ Those protections can also serve as a model for further congressional action to stop the Administration's withholding and misuse of appropriated funds.

Ultimately, Congress will need to enact a more permanent reform of the RIF process to reduce the potential for abuse while providing for the responsible management of a skilled federal workforce. In the meantime, Congress should maintain a prohibition on RIFs – or else risk its bipartisan appropriations legislation becoming a dead letter without the personnel in place to fully carry out the programs it funds.

Mass Layoffs Have Caused Harm to Many Federal Agencies

The Administration's RIFs have lacked transparency, with agencies rarely providing public information about the scope of their plans or actions except when required by courts during litigation.⁵ But media stories and press releases collected by the Partnership for Public Service suggest that more than 20,000 RIF notices were issued between January and September 2025 (before the shutdown), beginning the process of forcibly removing federal workers from their positions for reasons unrelated to their performance.⁶ They include:

- **More than 1,300 RIFs at the Department of Education** designed to cut the Department's staffing by about half when combined with resignations. Staff in some offices were eliminated entirely, including those managing the operations of grants and fiscal risk, those supervising the Free Application for Federal Student Aid (FAFSA), and those providing policy and legal guidance to states on implementing the department's primary special education programs.⁷

⁴ See Section 120 of Division A of P.L. 119-37 at <https://www.congress.gov/119/bills/hr5371/BILLS-119hr5371enr.pdf>.

⁵ Eric Katz, "Court filing reveals which offices at 17 agencies the Trump administration had slated for layoffs," Government Executive, July 24, 2025, <https://www.govexec.com/workforce/2025/07/court-filing-reveals-which-offices-17-agencies-trump-administration-had-slated-layoffs/406966/>; Eric Katz, "Agency RIF plans will remain secret for now after court blocks release," Government Executive, July 23, 2025, <https://www.govexec.com/workforce/2025/07/agency-rif-plans-will-remain-secret-now-after-court-blocks-release/406927/>.

⁶ Partnership for Public Service, "Federal Harms Tracker: Cost to Your Government," accessed on December 1, 2025, <https://ourpublicservice.org/federal-harms-tracker/cost-to-your-government/>. This estimate may understate the number of RIF notices issued, since the collection of relevant documents and media stories may not be comprehensive. At the same time, the number of RIFs *implemented* may be somewhat lower, since some RIFs may have been cancelled after a notice was issued.

⁷ Arthur Jones II, "'Your position is being abolished': Education Department staff get official reduction-in-force notices," ABC News, April 10, 2025, <https://abcnews.go.com/US/position-abolished-department-education-employees-official-reduction-force/story?id=120699980>; *State of New York, et al., v. Linda McMahon, et al.*, Amended Complaint, Case No. 1:25-cv-10601-MJJ, November 25, 2025, available at <https://democracyforward.org/wp-content/uploads/2025/11/Dkt-187-Amended-Complaint-.pdf>.

- **Roughly 1,500 RIFs at the Consumer Financial Protection Bureau (CFPB)** affecting about 90 percent of agency staff, taken alongside broader efforts to halt much of CFPB's work.⁸
- **About 10,000 RIFs at the Department of Health and Human Services (HHS)**, including deep cuts at the Food and Drug Administration (FDA), Centers for Disease Control and Prevention (CDC), National Institutes of Health, and Centers for Medicare and Medicaid Services.⁹
- **About 4,500 RIFs at the U.S. Agency for International Development (USAID)** – leaving only 15 remaining employees – as part of what the Administration described as “USAID’s Final Mission”: a full dismantling of the agency itself.¹⁰

The Administration also issued another 4,000 RIFs during the shutdown, which were blocked by a federal court and then fully reversed by the temporary funding deal signed into law in November.¹¹ In December, the Administration announced that it had terminated 17,000 federal employees through the RIF process in 2025.¹² By comparison, during the entirety of the first Trump Administration, fewer than 600 employees were removed through the RIF process.¹³

Subverting Congressional Spending Powers, Attacking Political Opponents

RIFs are only one of the tools the Administration has used to reduce the federal workforce by nearly 250,000 workers over the past ten months. However, unlike the “deferred resignation” incentives made broadly available to a wide swath of the federal workforce, the Administration has used RIFs in a targeted

⁸ Jory Heckman, “CFPB can proceed with mass layoffs, federal appeals court rules,” Federal News Network, August 15, 2025, <http://federalnewsnetwork.com/workforce/2025/08/cfpb-can-proceed-with-mass-layoffs-federal-appeals-court-rules>.

⁹ HHS, “HHS Announces Transformation to Make America Healthy Again,” March 27, 2025, <https://www.hhs.gov/press-room/hhs-restructuring-doge.html>.

¹⁰ Karoun Demirjian *et al.*, “Final Cuts Will Eliminate U.S. Aid Agency in All but Name,” New York Times, March 28, 2025, <https://www.nytimes.com/2025/03/28/us/politics/usaaid-trump-doge-cuts.html>.

¹¹ Josh Gerstein, Carmen Paun, and Hassan Ali Kanu, “Judge extends order barring mass firings of federal workers during shutdown,” Politico, October 28, 2025, https://www.politico.com/news/2025/10/28/government-shutdown-federal-workers-rifs-ruling-00626042?utm_content=user/politico&utm_source=flipboard.

¹² Greg Korte, “Federal workforce’s toll after a year of DOGE and Trump: 317,000,” Bloomberg, December 10, 2025, <https://www.bloomberg.com/news/articles/2025-12-10/federal-workforce-s-toll-after-a-year-of-doge-and-trump-317-000>. Differences between media reports of over 20,000 RIF notices being issued prior to October and the Administration’s claim in December that roughly 17,000 employees had been separated from federal service in 2025 through RIFs likely reflect that in some cases, RIFs were not completed following the issuance of a notice.

¹³ Office of Personnel Management, “FedScope, Federal Workforce Data, Separations, FY2017-FY2020,” <https://www.fedscope.opm.gov/>.

way to reduce staffing at specific agencies.¹⁴

RIFs were designed to be a tool of last resort, providing an orderly process – with guardrails to protect workers – when the government undertakes a necessary reorganization or downsizing due to an ongoing lack of work or a shortage of funds. The Administration has intentionally misused RIFs for two basic purposes: to eliminate or reduce government programs and services it opposes but Congress has funded, and to coerce and punish political opponents.¹⁵

First, the Administration has used RIFs to unilaterally implement the President’s budget proposals and executive orders by eliminating all or most of the staffing for entire offices or functions, contrary to law.¹⁶ In nearly all cases, not only did congressional appropriations to support current staff levels remain available, but eliminating large percentages of existing staff has jeopardized the ongoing execution of congressionally funded activities.¹⁷ For example, the Administration has explicitly described its RIFs at USAID, the Department of Education, and CFPB as means to advance the President’s goal of shuttering those institutions, though the Administration has no legal authority to do so.

Even when RIFs have not been department-wide, they have often been targeted at specific offices where the Administration has proposed to eliminate activities – but has yet to receive Congress’ approval to do so. For example, the Administration has used RIFs to fire staff in the office that administers the Low Income Home Energy Assistance Program and Community Services Block Grant at HHS, while proposing to eliminate those programs in its budget plan. Similarly, it has used RIFs to fire staff at the Environmental Protection Agency’s Office of Environmental Justice and External Rights, while proposing to eliminate the agency’s environmental justice grants.¹⁸

Second, the Administration used RIFs to attempt to coerce its political opponents during the recent government shutdown. In September, as the deadline for reaching a funding agreement for the next fiscal year loomed, the Administration publicly threatened to impose more RIFs if a shutdown occurred in

¹⁴ Stephanie Wright, “OPM says cuts to federal workforce surpassed 2025 goals,” Federal News Network, November 25, 2025, <https://federalnewsnetwork.com/workforce/2025/11/317000-feds-have-left-the-government-this-year-surpassing-opms-goal/>.

¹⁵ Berger and Leibenluft; Office of Personnel Management, “Reduction in Force (RIF) Basics,” March 2025, <https://www.opm.gov/policy-data-oversight/workforce-restructuring/reductions-in-force-rif/rif-basics.pdf>.

¹⁶ Heckman; Natalie Alms, “IRS to lay off taxpayer experience, DEI staff,” Nextgov/FCW, April 28, 2025, <https://www.nextgov.com/people/2025/04/irs-lay-taxpayer-experience-dei-staff/404896/>.

¹⁷ Christina Shaw, “Federal judge blocks Voice of America mass terminations in scathing ruling against Lake,” Fox News, September 30, 2025, <https://www.foxnews.com/politics/federal-judge-blocks-voice-america-mass-terminations-scathing-ruling-against-lake?msocid=09de6075598c626b26ee75b4589e63dc>.

¹⁸ Amudalat Ajasa, “EPA to fire or reassign hundreds of environmental justice employees,” Washington Post, April 22, 2025, <https://www.washingtonpost.com/climate-environment/2025/04/22/epa-staff-cuts-environmental-justice-dei/>; J.J. McCorvey, “Entire staff responsible for utility aid included in HHS cuts, sources say,” NBC News, April 1, 2025, <https://www.nbcnews.com/business/business-news/trump-admin-fires-staff-liheap-agency-utilities-assistance-program-rcna199177>.

order to pressure congressional Democrats during the budget negotiations.¹⁹ After the shutdown began, the Administration began carrying out this threat by issuing roughly 4,000 additional RIF notices despite the lack of any legal, policy, or management justification. President Trump made clear he was pursuing the RIFs because “a lot of [those affected by them] happen to be Democrat oriented.”²⁰

Federal employee unions filed litigation challenging these RIFs. In issuing a preliminary injunction that paused the RIFs that affected union members, a federal judge said they were “explicitly intended for the purpose of political retribution and have been rolled out haphazardly, with no evidence of reasoned decision-making.”²¹ In the subsequent temporary funding bill, Congress both reversed the shutdown RIFs and prohibited any future RIFs at least through January 30, 2026.

RIFs Cause Significant Harm Even if Reversed Later

The Administration’s RIFs have been characterized by a sloppiness that highlights the lack of careful planning or genuine need for RIFs, resulting in damage to critical services and programs. In particular, the Administration has shown a pattern of issuing RIF notices and then being forced to rescind significant numbers of those notices in the face of political blowback.

In October, for example, the CDC reportedly issued about 1,300 RIF notices but then rescinded about 700 of them within 24 hours after it was revealed that the layoffs would target employees who were critical to disease outbreak investigations, lab safety, and preparing the widely used “Morbidity and Mortality Weekly Report.”²² In April, more than 100 workers from HHS’s National Institute for Occupational Safety and Health who work on coal miner and firefighter safety were recalled following announced RIFs, in the wake of complaints from West Virginia legislators.²³

Administration officials have argued that their willingness to move quickly but undo RIFs when they risk causing too much damage is a feature, not a bug. HHS Secretary Robert F. Kennedy, Jr., stated that 20

¹⁹ Alex Gangitano, “White House directs agencies to prep for mass firings ahead of potential shutdown,” The Hill, September 24, 2025, <https://thehill.com/homenews/administration/5520858-mass-firings-government-shutdown/>.

²⁰ Tami Luhby, Annie Grayer, and Alayna Treene, “Trump administration lays off thousands of federal workers during government shutdown,” CNN Politics, October 10, 2025, <https://www.cnn.com/2025/10/10/politics/government-shutdown-federal-worker-firings>.

²¹ *American Federation of State County and Municipal Employees, AFL-CIO, et al., v. United States Office of Management and Budget, et al.*, Case No. 25-cv-08302-SI, October 28, 2025, available at gov.uscourts.cand.457131.94.0.pdf.

²² Lena H. Sun and Paige Winfield Cunningham, “Hundreds of CDC layoffs reversed, but biodefense preparedness staff hit,” Washington Post, October 13, 2025, <https://www.washingtonpost.com/health/2025/10/13/cdc-layoffs-reversed-aspr-samhsa/>.

²³ Dr. Mark Abdelmalek et al., “HHS reverses NIOSH firings that stripped coal miners’ health protections,” ABC News, May 13, 2025, <https://abcnews.go.com/US/hhs-reverses-niosh-firings-stripped-coal-miners-health/story?id=121764796>.

percent of the staff affected by his department's RIFs "are going to have to be reinstalled because we'll make mistakes."²⁴ But breaking things first and then trying to put back the pieces is a deeply inappropriate, inefficient, and damaging use of RIFs, a tool intended as a last resort to address ongoing lack of work or a shortage of funds.

At agencies like the CDC and FDA, firings, even when reversed, deeply harmed agency morale in ways that can affect performance, while encouraging expert personnel to look for employment elsewhere and discouraging the recruitment of new personnel who might justifiably fear arbitrary mass firings in the future.²⁵ Thus, even when RIFs are canceled, their corrosive impact remains, likely harming government operations for years to come. And, of course, the Administration's ability to address mistakes still depends on correctly identifying when and where they occurred and genuinely wanting to reverse them.

Litigation Alone Cannot Address Administration's RIF Abuses

Corrosive impacts occur even when RIFs are deemed unlawful by courts. To be clear, litigation by federal employees and the unions representing them have been critical in delaying the implementation of illegal RIFs, including through winning an injunction stopping mass layoffs announced after October 1.²⁶ (As noted, Congress subsequently reversed these RIFs). These delays can allow for more organized and successful pushback on RIFs outside the litigation process. Litigation has also forced the Administration to provide some critical information about the magnitude of the RIFs that it has often withheld from the public and Congress.²⁷

But litigation often takes time to provide adequate remedies.²⁸ As cases and claims work their way through the courts and other venues like the Merit Systems Production Board, workers who have been fired and are awaiting legal resolution of their cases will likely need to seek other employment. Thus, even if the Administration ultimately loses in court, the impact may be much the same: a worker exits federal service, their position remains empty, and the function they performed cannot be fully executed.

A similar scenario has already played out over the illegal mass firing of probationary employees (typically

²⁴ Alexander Tin, "RFK Jr. says 20% of health agency layoffs could be mistakes," CBS News, April 3, 2025, <https://www.cbsnews.com/news/rfk-jr-hhs-job-cuts-doge-mistakes/>.

²⁵ Madison Alder, "CDC sent RIF notices, then pulled some back. The result is chaos, advocates and workers say," FedScoop, October 15, 2025, <https://fedscoop.com/cdc-sent-rif-notices-then-pulled-some-back-the-result-is-chaos-advocates-and-workers-say/>; Sophie Gardner, "Inside the CDC whiplash," Politico, November 21, 2025, <https://www.politico.com/news/2025/11/21/inside-the-cdc-whiplash-00664632>.

²⁶ *American Federation of State County and Municipal Employees, AFL-CIO, et al., v. United States Office of Management and Budget, et al.*

²⁷ Eric Katz, "Agency RIF plans will remain secret for now after court blocks release," Government Executive, July 23, 2025, <https://www.govexec.com/workforce/2025/07/agency-rif-plans-will-remain-secret-now-after-court-blocks-release/406927/>.

²⁸ Nick Bednar, "Reductions in Force Challenges in the Federal Courts," Lawfare, July 17, 2025, <https://www.lawfaremedia.org/article/reductions-in-force-challenges-in-the-federal-courts>.

recently hired or promoted workers) earlier in 2025. A federal judge found that the firings were illegal but that too much time had passed to require that the workers be reinstated, since many likely had since “moved on with their lives and found new jobs” and would “no longer be willing or able to return to their posts.”²⁹

Thus, even RIF actions that are ultimately found to be illegal will still cause considerable harm to government functioning and a loss of significant talent and experience. While litigation remains a critical tool to respond to the Administration’s illegal actions, the experience of the past year suggests that legislative safeguards, like those in the November short-term funding bill, are also needed.

Continued Congressional Action Needed to Stop Administration’s Abuse of RIFs

If the President believes that certain government functions should no longer be performed – and that personnel responsible for them should therefore be let go – there is a well-worn, constitutional path he can take. He can propose cuts in his budget, advocate for them with Congress, and, if Congress chooses to enact them, sign them into law. RIF procedures are not intended to offer a preemptive end-around of the appropriations process.

Since the Trump Administration has shown its willingness to abuse RIF procedures to unilaterally implement its preferred policy priorities and coerce its perceived opponents, even when doing so violates federal law, there is an ongoing need to restrain the Administration to protect both the affected workers and the many people who benefit from the services and expertise those workers provide.³⁰ Congress’s action to both undo the RIFs from the shutdown and to stop the Administration’s further abuse of RIFs through January 30 was a crucial step – and must be continued in subsequent funding bills.

Such a blanket prohibition should not be legally necessary to prevent many, if not all, of the Administration’s RIFs, given their procedural flaws and inconsistency with relevant funding laws. But by prohibiting future RIFs as part of the most recent continuing resolution, Congress created an unambiguous legal bar that temporarily removes the potential for further abuse. For example, litigants have already been able to obtain a court order stopping the Administration from moving forward with previously issued RIFs at the State Department based on this provision.

It is critical that Congress extend this prohibition for the remainder of this fiscal year and beyond as the January 30th funding deadline approaches. This would provide some relief from the ever-present threat

²⁹ Andrea Hsu, “A judge ruled their firings were illegal. The government got to do it anyway,” NPR, September 25, 2025, <https://www.npr.org/2025/09/25/nx-s1-5544317/federal-probationary-employees-firing-supreme-court>.

³⁰ Recent reporting suggests the Administration plans to change the rules around RIFs to reduce the number of federal employees subject to RIF protections while speeding the process to fire employees. See Eric Katz and Erich Wagner, “Agency layoff rules to get an overhaul under nearly finalized Trump administration proposal,” Government Executive, November 21, 2025, <https://www.govexec.com/management/2025/11/agency-layoff-rules-get-overhaul-under-nearly-finalized-trump-administration-proposal/409706/>.

the Administration will use future RIFs to bypass Congress's authority – a risk that in itself imposes a significant cost on efforts to retain or recruit the best federal workforce. It may also be the only way Congress can ensure that the workforce remains capable of carrying out the directives lawmakers set forth in funding laws.

The RIF language also provides a model for how Congress could combat other efforts by the Administration to illegally impound funds or fail to use those appropriated funds for their intended purpose.³¹ The RIF prohibition is a clear remedy extending across all agencies that directly bars a problematic practice by the Administration.

The Administration's abuse of RIFs suggests that more permanent reform of the RIF process is likely needed in the future to limit the potential for abuse, ensure federal agencies can deliver vital services and programs, and provide for the responsible and efficient management of a skilled federal workforce. The RIF process was established primarily to protect workers by creating a fair, orderly process for laying off workers for reasons other than merit. The Administration has turned this on its head, abusing the RIF process in the interest of its own political and policy aims.

Reform of the RIF process must prevent this type of abuse while protecting the capacity of agencies to carry out their missions and manage their workforces in a fair and consistent manner when confronted with the scenario that RIF procedures were meant to address: separating federal personnel as a *last resort* when required by a change in law, an ongoing lack of work, or a shortage of funds.

Such reform will likely take time and should be considered amid broader discussions of how to best create a workforce that can deliver for the American people. For the immediate future, therefore, Congress should prohibit the Administration from imposing further RIFs.

³¹ Joe Carlile and Devin O'Connor, "New Data Show Trump Administration's Illegal, Targeted Withholding of Funds," CBPP, updated September 26, 2025, <https://www.cbpp.org/research/federal-budget/new-data-show-trump-administrations-illegal-targeted-withholding-of-funds>.