

Congress of the United States

Washington, DC 20515

March 31, 2025

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

Secretary Kennedy,

We write with extreme concerns about significant staffing reductions and reorganizations at the Department of Health and Human Services (the “Department”), amidst other unprecedented actions taken by the Department over the last several weeks, which put American’s health and well-being at risk. The stunning lack of transparency surrounding these changes leaves us deeply concerned about what the administration is hiding. Moreover, several actions taken or proposed by the Administration appear to violate federal law.

Last week the Department announced it was implementing an unprecedented and disruptive reorganization that includes significant staffing reductions and office closures. This will degrade the Department’s capacity and expertise across a wide range of issues that will impact communities and individuals across the country. In the past, the Department has always worked closely with Congress on reorganizations, including those that were orders of magnitude smaller than what it is now being proposed. The Department has demonstrated a complete unwillingness to share even basic information with Congress (including the Committees on Appropriations) and the public about its actions or to provide any justification for them. Authoritatively stating that these drastic changes will improve the health of Americans without any explanation insults the American public and defies logic. If these actions were actually intended to improve the Department’s ability to carry out its mission to enhance the health and well-being of all Americans, you and the Department should be eager to provide additional detail and justification for them. Instead, the Department has operated with a complete lack of transparency—far less than previous administrations of both parties—and is withholding information from Congress and the American public. The obvious conclusion is the Department is intentionally hiding information because its actions will worsen the health and well-being of Americans. We insist that you begin operating the Department under the “radical transparency” you pledged you would in your sworn testimony before the Senate.

Congress has an obligation to assess how changes the Department is haphazardly implementing will impact our constituents and the American public. It is our duty to ensure the Department is carrying out its tremendous responsibilities under the law that touch the lives of nearly every American, and this reorganization clearly violates the law. Just two weeks ago, Congress passed and the President signed a full-year fiscal year 2025 appropriations bill that provided funding to specific agencies and operating divisions within the Department to carry out specific authorized activities, programs, and functions. The Department’s announced reorganization completely disregards how Congress appropriated funding. The reorganization seeks to illegally eliminate agencies Congress explicitly appropriated funding for and illegally move functions and programs for which Congress explicitly appropriated funding for one agency to carry out to other agencies it did not. The magnitude

of staff reductions and reorganizations will also very likely prevent the Department from executing its responsibilities under the law.

In addition to the announced reorganization and staffing reductions, the Department has taken a series of other unprecedented and harmful actions over the last several weeks that raise similarly grave concerns. Last month, the administration fired thousands of employees serving in their probationary period across the Department. The Department has offered deferred resignation benefits and voluntary retirement to virtually all of its employees. The Department has taken the unprecedented step of terminating thousands of grants, including for communities to combat infectious diseases like measles and bird flu, and to discover treatments and cures for Alzheimer's disease, cancer, and other devastating diseases. The Department has paused funding for grants and prevented organizations from legally drawing down already awarded funds. The Department has imposed gag orders and already delayed billions in funding for lifesaving research at NIH. The Department has attempted to illegally cap and cut funding for research institutions in obvious contravention of annual appropriations law. The Department has been unwilling to provide even basic information about these actions to Congress.

Earlier this month, reports emerged of significant planned reductions at the Substance Abuse and Mental Health Services Administration (SAMHSA). The Department has now announced it plans to reorganize SAMHSA. We are deeply concerned about the impacts this will have on communities across the country trying to address substance use and mental health crises facing millions of families. After opioid overdose deaths reached a record high of nearly 112,000 from August 2022 to August 2023, we are finally making progress, and the trend of overdose deaths is shifting downward. Significant staff reductions and reorganizations will undermine SAMHSA's ability to work with communities and make life-saving opioid-reversal drugs available. Communities across the country are also grappling with a mental health crisis, particularly among youth. Undercutting SAMHSA's ability to work with states and communities to address this issue will only set us backward—putting mental health care further out of reach for those who need it. Additionally, we are concerned that staff firings will impact the work of the 988 Suicide and Crisis Lifeline, which has seen a steady increase in contact volume since it launched in 2022. If laying off staff or restructuring SAMHSA will have a positive effect on addressing the substance use and mental health crises affecting communities and families across the country, we think you would be eager to explain the steps you are taking. Despite requests by staff, we have not received any information about these planned staffing reductions and its effects on SAMHSA programs, and the Department has provided no information about planned reorganizations and how they will affect the administration of critical substance use prevention and treatment and mental health programs.

Earlier this month, there were also reports of planned layoffs at the Health Resources and Services Administration (HRSA). We are concerned about the impact these reductions will have on addressing healthcare workforce shortages, preventing and treating HIV/AIDS, supporting community health centers, and modernizing our organ donation and transplantation system. The Department has not provided the number of probationary employees that were fired who were working on these efforts or justification as to how these layoffs will best make use of the discretionary funding increases that Congress provided to HRSA in recent years. As the Department plans further staffing reductions at HRSA, we expect you would relish the opportunity to describe how staff layoffs will advance our shared goal of training more nurses and connecting the more than 100,000 Americans on organ donation waiting lists to lifesaving organ donations. Instead, questions have been met with silence, despite multiple requests for additional information. The Department is now planning to

implement a reorganization of HRSA and again, has provided no information about how that will be implemented to improve the health and well-being of Americans.

There have also been significant changes at the National Institutes of Health (NIH) and Centers for Disease Control and Prevention (CDC). To date, the Department has not provided any information on staffing reductions at those agencies, other than strictly the number of probationary employees who were fired. Those agencies are tasked with detecting and responding to dangerous diseases to keep Americans safe and supporting biomedical research into lifesaving treatments and cures for diseases. The Department owes it to the American public to describe how laying off scientists, researchers, fellows, and staff at CDC will keep Americans safe from infectious diseases such as measles, avian flu, and tuberculosis. The Department owes it to the American public to justify how laying off scientists, grant administrators, and other staff at NIH will provide hope to patients suffering from Alzheimer's disease, cancer, and other devastating diseases, including rare diseases for which NIH clinical trials offer their only hope. The Department owes it to the American public to justify how firing scientists and career staff across the Department to make room for political appointees and fringe conspiracy theorists with no scientific background is an acceptable and appropriate use of taxpayer dollars.

We are also very concerned that the Department's plan to dissolve the Administration for Community Living (ACL) will have a detrimental impact on the needs of some of the country's most vulnerable populations. ACL helps to ensure seniors and people with disabilities maintain their independence and participate fully in their communities. Carelessly shoving the administration of these activities into other operating divisions, already overwhelmed due to mass firings, will not help make Americans healthier; in fact, preventative programs administered by the thousands of community-based organizations that partner with ACL have significantly reduced health care costs for individuals at higher risk. These critical programs include nutrition services for older adults, which reduce hunger and encourage socialization; research and resource centers for people with disabilities and their caretakers; family caregiver support and respite care; and prevention of elder abuse and neglect. Dismantling ACL without any thought for the critical work it does shows a disregard for the needs of seniors and people with disabilities.

The American people deserve to know what is happening to the federal workforce and agencies tasked with carrying out the Department's tremendous responsibilities and the taxpayer dollars appropriated to carry those responsibilities out. Congress is owed the same. Finally, we remind you of your legal obligation (per section 713 of P.L. 118-47) to ensure that no federal funds are used to prevent federal employees from communicating with members of Congress.

To that end, we encourage you to begin operating the Department with the transparency you claim to. At the very least, that means directing your staff to provide the same level of information to Congress as previous administrations of both parties have provided – and to respond to basic inquiries and requests for information and to maintain periodic briefings which you have cancelled. In addition, below we have included several questions, many of which have been submitted multiple times to the Department. This is information that should be readily available because it is surely information that was considered prior to making such significant changes at the Department.

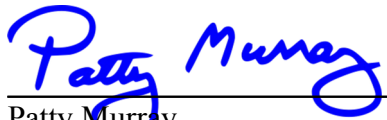
We request responses to the following questions by April 4, 2025, at 5:00 p.m.

1. Provide the following:
 - a. The organizational structure of the Department on 1/20/25.
 - b. The planned organizational structure of the Department after the proposed reorganization that reflects any offices eliminated or moved relative to the structure as of 1/20/25.
 - c. A table displaying all programs funded in fiscal year 2024 by Operational Division (as is routinely provided in annual Congressional Justifications) with a crosswalk of where they were funded in fiscal year 2024 to where they will be funded after the proposed reorganization.
 - d. The total expected reduction in staffing at the Department relative to 1/20/25 by operational division and subcomponent (e.g. NIH institute, CDC center, HRSA bureau, etc.) including separately the number of probationary employees terminated, the number of employees who took deferred resignation or other voluntary separation, and those subject to Reductions in Force (RIF). Please also include a list of probationary employees that were fired and then rehired.
2. For each impacted agency, operational division, or office in place as of 1/20/25, describe in detail how proposed reorganizations and staffing reductions will improve the ability of the Department to carry out its authorized and funded activities, and how it will enhance the health and well-being of Americans.
3. For each impacted agency, operational division, or office in place as of 1/20/25, provide a justification for whether or not the proposed reorganization includes any reprogramming or transfer of funds.
4. How will the Department execute fiscal year 2025 appropriations given the recently passed fiscal year 2025 appropriations bill provided funding under a different organizational structure? Specifically, for each program, activity, or function that the Department plans to administer under a different operational division than where it was funded by Congress in fiscal year 2025, describe how the Department would execute those appropriations. For new offices the Department plans to create, including a new “Administration for Healthy America,” describe which appropriations from which Department or agency plans to fund those new activities.
5. Regarding probationary employees who were terminated:
 - a. How many had a veteran’s preference?
 - b. How many received an “Achieved Outstanding Results” performance review in their last 12 months?
6. Provide a list of new political appointee positions created, or planned to be created under this reorganization, since 1/20/25.
7. How many employees who were terminated, subject to RIFs, or who otherwise separated from the Department, worked on the Organ Procurement Transplantation Network modernization effort? How many worked on the 988 Suicide and Crisis Lifeline?
8. For the National Institutes of Health, provide the number of probationary employees who were terminated, the number of employees who took deferred resignation or other voluntary separation, and

the number expected to be subject to RIFs, by Institute, Center and Office (ICO) and job series, including:

- a. The number of scientists working in the Intramural Research Program, including a breakdown by ICO.
 - b. For terminated employees, the number the Acting NIH Director requested to have reinstated.
 - c. The number of employees who were reinstated by ICO.
9. Provide a list of all grants and contracts that have been terminated since 1/20/25 by agency, Operational Division, and Office, including a justification, and any office involved in identifying it for termination.
10. Provide a list of all grants and contracts that have any kind of stop payment indicator associated with them, including grantees who are unable to draw down funds.

Sincerely,



Patty Murray
United States Senator
Vice Chair, Committee on
Appropriations



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



Rosa L. DeLauro
Member of Congress
Ranking Member, Committee on
Appropriations