

Congress of the United States  
U.S. House of Representatives  
Committee on Small Business  
2561 Rayburn House Office Building  
Washington, DC 20515-6515

February 12, 2025

Acting Administrator Everett Woodel, Jr.  
Small Business Administration  
409 3rd Street, SW  
Washington, DC 20416

Dear Acting Administrator Woodel:

We write to you as the Ranking Members of the Committee on Small Business and the Committee's Oversight, Investigations, and Regulations Subcommittee regarding a matter of grave concern.

On January 28, 2025, federal employees were sent an email entitled "Fork in the Road" sent by the Office of Personnel Management (OPM).<sup>1</sup> The emailed detailed an offer for "deferred resignation."<sup>2</sup> Furthermore, the administration has requested agencies to deliver lists of all employees who are still within their probationary periods with a reminder that "newly hired members of the workforce are the easiest to fire."<sup>3</sup> According to a memo sent by OPM Acting Director Charles Ezell on January 20, 2025, "[a]gencies should promptly determine whether those employees should be retained at the agency."<sup>4</sup>

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<sup>1</sup> E-Mail from the WHITE HOUSE OFF. OF PERS. & MGMT. (Jan. 28, 2025), (on file with the H. COMM. ON SMALL BUS.).

<sup>2</sup> *Id.*

<sup>3</sup> Drew Friedman, *Trump administration asks agencies for lists of newly hired federal employees*, FED. NEWS NETWORK (Jan. 21, 2025), <https://federalnewsnetwork.com/workforce/2025/01/trump-administration-asks-agencies-for-lists-of-newly-hired-federal-employees>.

<sup>4</sup> Charles Ezell, *Re: Guidance on Probationary Periods, Administrative Leave and Details*, WHITE HOUSE OFF. OF PERS. & MGMT. (Jan. 20, 2025), <https://chcoc.gov/sites/default/files/Guidance%20on%20Probationary%20Periods%2C%20Administrative%20Leave%20and%20Details%201-20-2025%20FINAL.pdf>.

The Committee has learned that Small Business Administration (SBA) probationary employees, of which there were at least 1,000 hired within the last year,<sup>5</sup> received an email on February 7, 2025, referencing Title 5 of the Code of Federal Regulations informing them that their employment with the U.S. Small Business Administration would be terminated effective close of business on February 21, 2025. Following these termination emails, a subsequent email was sent on February 10, 2025 explaining the unsigned termination letters were a draft and sent in error.<sup>6</sup>

Then, on February 11, 2025 SBA employees received a second notice of termination, of the probationary period<sup>7</sup> stating that “you are not fit for continued employment because your ability, knowledge and skills do not fit the agency’s current needs, and/or your performance has not been adequate to justify further employment with the agency.”<sup>8</sup> Despite performance reviews to the contrary and experience which fit the agency’s mission and programmatic needs, employees were fired, not once, but twice,<sup>9</sup> and the terminations were effective immediately. In one case, the employee, “who had already gone through one performance review cycle and received nearly flawless scores,” was told by a supervisor they were shocked and had not received notice of the termination.<sup>10</sup>

Not only is this confusing and mean-spirited for the employees but these actions are harmful to services provided to small businesses. Termination of SBA’s small workforce would have a significant and adverse effect on the SBA and the services it currently provides to small businesses.

Furthermore, these actions raise serious legal concerns. Newly hired employees are typically placed on a probationary period for the first year or two of service, depending on their position. Under 5 CFR § 315.803 (a), probationary employees can be terminated “if an employee fails to demonstrate fully his or her qualifications for continued employment.” If newly hired federal employees are terminated, then the agency must notify the employees in writing with a reason for their removal based on performance or conduct. Moreover, employees cannot be fired for partisan political purposes.

We are also extremely concerned with the Executive Order entitled “*Donald J. Trump Works to Remake America’s Federal Workplace*,” which requires agencies to work with the so-called “Department of Government Efficiency (DOGE) team housed at the agency to cut the federal workforce. The proposed large-scale and indiscriminate cuts to SBA employees, on top of the most recent terminations of its newly hired employees, will hamper the agency’s ability to perform their mission of aiding and counseling small businesses.

SBA’s programs have proven effective time and time again. The agency is structured to meet small businesses where they are, and offers contracting, counseling, and access to capital opportunities

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<sup>5</sup> Eric Katz, Some agencies begin purges of recent hires even as OPM directs federal offices to pump the brakes, GovExec.com, Feb. 12, 2025 at <https://www.govexec.com/workforce/2025/02/some-agencies-begin-purges-recent-hires-even-opm-directs-federal-offices-pump-brakes/402959/>.

<sup>6</sup> *Id.*

<sup>7</sup> Eli Stokols, DOGE order triggers firings at SBA of employees prematurely fired Friday, Politico, Feb. 11, 2025 at <https://www.politico.com/news/2025/02/11/sba-employees-fired-by-doge-twice-00203750>.

<sup>8</sup> February 12, 2025 email from a terminated employee. On file with the Committee.

<sup>9</sup> Stokols, *supra* note 7.

<sup>10</sup> Katz, *supra* note 5.

to help entrepreneurs launch and grow their firms. Small businesses are the backbone of our economy, creating jobs, stimulating innovation, and supporting the local tax base, and they rely on SBA's support. These unprecedented cuts to the agency will reverberate throughout the economy and ultimately harm our nation's 34 million small businesses. We urge you to reconsider your decision to terminate or lay off SBA employees, many of whom work in district and regional offices directly supporting communities all over the country.

We therefore request detailed information and answers to the following as soon as possible but no later than February 21, 2025:

- 1) A comprehensive list of individuals, including their job titles and offices, who have received notices of termination or were placed on administrative leave.
  - a) Break down the information by each program office at SBA and the geographic location.
  - b) Break down the information by the number of employees in SBA's district offices and provide a comprehensive list by state or region.
  - c) Break down the information by the number of employees who were terminated due to President Trump's directive to agencies to cease any activities related to fairness, infrastructure, and clean energy.
- 2) How many SBA employees fall into the "newly hired" category and were on probationary status or are temporary employees and how many of these employees received termination letters?
- 3) The legal authority under which the letters of termination to SBA employees were issued, as well as a copy of the termination or administrative leave letters, and all documents and communications, including drafts regarding the reason for each termination or administrative leave.
  - a) Transmit all documents and communications regarding a reason given by a supervisor explaining why a probationary employee should stay in the government.
- 4) The law requires that each employee's performance be reviewed on a case-by-case basis. Please describe in detail how SBA conducted reviews, if at all.
  - a) Transmit all documents and communications related to performance reviews of individuals sent a termination letter.
- 5) Were any individuals who received these letters terminated without cause? Please provide a detailed explanation and list of all employees who received letters and were terminated without cause.
- 6) How many notifications were sent to SBA employees indicating that the termination notices were a mistake, and how many employees were ultimately refired?
  - a) Transmit documents, communications, and emails sent to individuals.

- 7) How many civil service employees at SBA have been reassigned to new positions where they could be hired and fired like political appointees?
- 8) Transmit all communications and documents between OPM and SBA regarding the Fork in the Road efforts and the Executive Order entitled “*Donald J. Trump Works to Remake America’s Federal Workplace.*”
- 9) How will hallowing out the SBA’s workforce enable the agency to achieve its mission of aiding small businesses?

Pursuant to Rule X of the House of Representatives, the Committee on Small Business has broad authority to investigate “problems of all types of small business.” The Committee possesses jurisdiction over “assistance to and protection of small businesses.”

Thank you for your attention to this matter. If you have any questions, please contact the Committee’s minority staff at 202-225-4038.

Sincerely,



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Derek T. Tran  
Ranking Member  
Subcommittee on Oversight,  
Investigations, and Regulations



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Nydia M. Velázquez  
Ranking Member  
House Small Business Committee