

United States Senate

WASHINGTON, DC 20510

February 20, 2025

The Honorable Sean Duffy
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary Duffy,

At the Department of Transportation, safety must come first, but that commitment appears in doubt as the Trump administration promotes cost-cutting over protecting the public. By offering to buy out federal employees, ordering government agencies to prepare for mass layoffs, firing employees with critical safety functions, giving Elon Musk and the Department of Government Efficiency (DOGE) free reign to cut the federal workforce, and turning Musk, DOGE, and their unqualified staff loose on the air traffic control system, the Trump administration risks undermining decades of safety improvements. We urge you to cease this dangerous approach to governing and request important information on how the Department of Transportation (DOT) plans to prioritize safety in this environment.

To carry out its core mission of protecting the traveling public, DOT relies on its 57,000 hard-working employees who perform difficult, high-stakes jobs — a fact that the tragic crash between an American Airlines commuter plane and an Army helicopter near Reagan National Airport on January 29, 2025 served to underscore. Across its sub-agencies, DOT plays a critical role in keeping the public safe as it travels on different forms of transportation. Fourteen thousand air traffic controllers ensure safety in our skies. National Highway Traffic Safety Administration investigators — some of whom are investigating Musk's Tesla for its role in several crashes — work tirelessly to ensure motor vehicles meet federal safety standards.¹ Rail safety inspectors strive every day to prevent disasters like the one in East Palestine, Ohio two years ago. The list goes on: Pipeline and Hazardous Materials Safety Administration inspectors prevent pipeline explosions. Federal Transit Administrators certify and ensure that transit agencies across the country comply with federal safety standards. And thousands of DOT support staff enable these public safety professionals to perform their jobs. DOT is thus home to

¹ Johnathan Limehouse, *Over 2.5 million Tesla vehicles under investigation over self-driving feature, NHTSA says*, USA Today (Jan. 8, 2025), <https://www.usatoday.com/story/money/cars/2025/01/07/tesla-investigation-actually-smart-summon/77508645007/>; Lora Kolodny, *Tesla faces NHTSA investigation of 'Full Self-Driving' after fatal collision*, CNBC (Oct. 18, 2024), <https://www.cnbc.com/2024/10/18/tesla-faces-nhtsa-investigation-of-full-self-driving-after-fatal-collision.html>.

tens of thousands of employees who have dedicated their careers to keeping the public safe. Their expertise, experience, and commitment cannot be easily replaced.

The Trump administration appears to have little respect for these workers or understanding of their critical importance to safety. Since taking office again, President Trump has drastically and illegally undermined the federal workforce. In early February, Musk — an unelected billionaire with apparently limitless authority within the Administration — initiated an unlawful effort to shrink the federal government by allowing employees to resign and collect their pay until September. The Administration has since bragged that more than 75,000 workers have accepted this offer. While a federal court initially blocked this action, the judge recently ruled the mass buyout offer could proceed.² Subsequently, President Trump signed an executive order directing agencies to begin to prepare for mass layoffs.³ Most concerning, even though the aviation system is currently suffering from a shortage of air traffic controllers, the Trump administration initially sent its buyout offer to those vital public safety workers.⁴ Days later, *after* the deadly January 29 air crash, the Office of Personnel Management changed course. It revised the buyout offer to provide that employees “in positions related to public safety” were not eligible for it.⁵ And you scrambled to clarify: “We’re going to keep all our safety positions in place, no early retirement.”⁶ Although an internal DOT email — sent February 5 — reportedly identified certain DOT occupations as exempt from layoffs and buyout offers, several critical safety functions, including NHTSA’s recall investigators and PHMSA pipeline inspectors, appear to have been omitted from the list.⁷ Even worse, after these assurances were made, hundreds of employees at the Federal Aviation Administration were fired, including engineers and technicians with safety functions.⁸ These actions and statements raise more questions than answers, creating confusion about which DOT employees are eligible for the buyout and how the Department is prioritizing safety in this mad rush to cut the workforce.

In addition to Musk’s ongoing efforts to destroy the federal workforce, you recently announced that he would soon turn DOGE’s attention to the Air Traffic Control (ATC) system.⁹ The shortage of air traffic controllers and Musk’s actions towards the life-saving work performed

² Olivia George et al, *Trump closes down federal worker buyout offer after judge lifts hold*, The Washington Post (Feb. 12 2025), <https://www.washingtonpost.com/dc-md-va/2025/02/12/trump-federal-worker-buyout-court-hearing/>.

³ Tami Luhby, *DOGE’s power expands as federal agencies start planning large-scale layoffs*, CNN (Feb. 12, 2025), <https://www.cnn.com/2025/02/12/politics/federal-employees-layoffs-trump/index.html>.

⁴ Thomas Beaumont, *Air traffic controllers were initially offered buyouts and told to consider leaving government*, CNN (Jan. 31, 2025), <https://apnews.com/article/jet-helicopter-crash-air-traffic-controllers-caee8a1e14eb5d156725581d41e6a809>.

⁵ Office of Personnel Management and Budget, *Fork in the Road: Frequently Asked Questions*, <https://www.opm.gov/fork/faq>.

⁶ Sasha Rogelberg, *After offering buyouts to air traffic controllers, Trump administration says they’re exempt from ‘early retirement’ following deadly plane crashes*, Fortune (Feb. 3, 2025), <https://fortune.com/2025/02/03/air-traffic-controller-federal-buyout-exempt-donald-trump-opm/>.

⁷ Oriana Pawlek, *Aviation, rail safety at DOT exempt from resignation offer*, Politico (Feb. 13, 2025), <https://subscriber.politicopro.com/article/2025/02/aviation-rail-safety-at-dot-exempt-from-resignation-offer-00204061>.

⁸ Ed Helmore, *Trump administration firing FAA staff including safety workers despite recent crashes*, The Guardian (Feb. 17, 2025), <https://www.theguardian.com/us-news/2025/feb/17/trump-administration-faa-worker-firings>.

by federal agencies and their personnel makes the prospect of Musk and his team engaging in ATC cost-cutting carnage deeply worrisome.¹⁰ Air traffic control systems are highly technical and their operation requires special training and expertise. There is no evidence that Musk's team has the qualifications to engage in such sensitive review. This unprecedented access to the ATC system could put American lives at risk.

We are committed to working with you to continue improving transportation safety — including by implementing critical outstanding safety provisions in the *Bipartisan Infrastructure Law*, enhancing rail safety protections after the East Palestine crash, and investigating the cause of the recent American Airlines plane crash. But the Trump administration and DOGE have taken steps that raise serious questions about DOT's commitment to prioritizing safety.

To help us better understand your plans for ensuring transportation safety, we request written answers to the following questions by March 13, 2025:

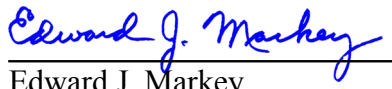
1. How many DOT employees were offered the buyout? How many accepted? How many declined or did not respond? Please identify, by sub-agency, where these workers were employed.
2. How many DOT employees were ineligible to take the buyout offer? Please identify them by job title and sub-agency.
3. How many DOT employees have lost their jobs since January 20, 2025? Please identify them by job title and sub-agency.
4. Please describe Musk's and DOGE's role in reviewing DOT personnel and program information. What steps is the Department taking to ensure that Musk and the DOGE do not compromise public safety?
5. Please describe Musk's and DOGE's involvement with the ATC system. Please include in your answer where, when, and how they will have access to it and the steps DOT is taking to ensure that air traffic safety is not compromised.

Thank you for your prompt attention to this important issue.

Sincerely,

⁹ Sam Ogozaler et al, *Musk's cost-cutters target U.S. aviation system*, Politico (Feb. 5, 2025), <https://subscriber.politicopro.com/article/2025/02/duffy-promises-to-surge-air-traffic-controllers-and-more-doge-involvement-00202611>.

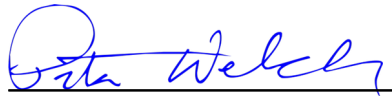
¹⁰ Aaron Krolik, *285 of 313 Air Traffic Control Facilities Are Understaffed*, N.Y. Times (Jan. 31, 2025), <https://www.nytimes.com/2025/01/31/business/air-traffic-controllers-understaffed.html>; Scott Anderson et al, *The implications of the USAID shutdown*, Brookings Institute (Feb. 4, 2025), <https://www.brookings.edu/articles/what-comes-after-a-usaid-shutdown/>.



Edward J. Markey
United States Senator



Chris Van Hollen
United States Senator



Peter Welch
United States Senator



Jacky Rosen
United States Senator



Michael F. Bennet
United States Senator



Charles E. Schumer
United States Senator



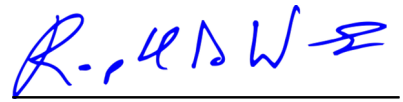
Bernard Sanders
United States Senator



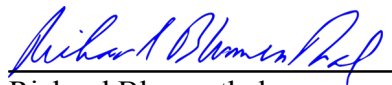
Alex Padilla
United States Senator




Elizabeth Warren
United States Senator



Raphael Warnock
United States Senator

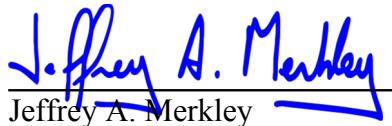


Richard Blumenthal
United States Senator



Ron Wyden
United States Senator

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A handwritten signature in blue ink, reading "Jeffrey A. Merkley". The signature is written in a cursive style with a horizontal line underneath the name.

Jeffrey A. Merkley
United States Senator