

EDWARD J. MARKEY
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United States Senate

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SUITE SD-255
DIRKSEN BUILDING
WASHINGTON, DC 20510-2107
202-224-2742

975 JFK FEDERAL BUILDING
15 NEW SUDBURY STREET
BOSTON, MA 02203
617-565-8519

222 MILLIKEN BOULEVARD, SUITE 312
FALL RIVER, MA 02721
508-677-0523

1550 MAIN STREET, 4TH FLOOR
SPRINGFIELD, MA 01101
413-785-4610

The Honorable Donald J. Trump
President-elect of the United States
Trump Tower
725 5th Avenue, New York, NY 10022

Dear Mr. President-elect:

I write to express my concern and alarm at news reports that your transition team has requested that the Department of Energy (DOE) provide you with a list of employees and contractors who helped develop the current administration's energy and climate policies. This request suggests that your administration may intend to retaliate against career employees who faithfully executed their responsibilities, an action that would violate federal law. Any politically motivated inquisition against federal civil servants who, under the direction of a previous administration, carried out policies that you now oppose, would call into question your commitment to the rule of law and the peaceful transition of power.

According to a questionnaire acquired and published by Bloomberg and Politico, your transition team has asked DOE for a list of all agency employees or contractors who attended meetings of the Interagency Working Group on the Social Cost of Carbon, as well as communications and materials related to those meetings. Your transition has also requested the names of employees who attended meetings under the United Nations Framework Convention on Climate Change. And you have requested information about management and staffing at the Energy Information Administration.

If any of this information is used to demote, sideline, terminate, or otherwise discriminate against federal civil servants whose only "crime" was to execute the lawful policy directives of their supervisors, then your administration would violate U.S. law that protects employees against such wrongful acts of retaliation. Politically motivated employment decisions will erode the foundation of an apolitical civil service and run counter to federal law.¹ Additionally, the Office of Personnel Management sets clear guidelines on employment decisions regarding federal employees.

¹ 5 U.S.C § 2302

Civil servants should never be punished for having executed policies with which a new administration disagrees. That would be tantamount to an illegal modern-day political witch hunt, and would have a profoundly chilling impact on our dedicated federal workforce. I urge you to respect the rule of law in the United States, and to refrain from pursuing any illegal retaliation against government employees and contractors who faithfully executed their duties on behalf of the American people.

Sincerely,



Edward J. Markey
United States Senator