

Congress of the United States
Washington, DC 20515

January 15, 2020

President-elect Joseph R. Biden
Presidential Transition Team
Washington, DC 20230

Dear President-elect Biden:

Congratulations on your recent election. We look forward to working with you and your incoming administration. As you begin your work on behalf of the American people, we urge you to immediately rescind several harmful executive actions taken by the Trump Administration that have systematically eroded key rights and protections for federal workers.

As you may know, in 2018 President Trump signed several harmful executive orders (EOs) that have undermined collective bargaining rights and workplace protections for federal workers across the country. Unfortunately, the Trump Administration has since expanded these anti-worker efforts through additional EOs that eliminate statutory and constitutional protections for thousands of federal positions and prevent federal agencies and contractors from conducting critical diversity and inclusion training programs.

In order to restore these essential rights and protections and to reaffirm our support for federal workers, these harmful executive actions must be repealed. That's why we introduced the ***Protecting Federal Workers Act*** ([H.R. 249](#)), which would nullify the following EOs and Presidential Memorandum:

- **Executive Order 13836**, which has changed the procedures and objectives for the collective bargaining process and drastically reduced the timeline allowed for contract negotiations. These arbitrary limits stifle productive negotiations and are a clear attack on the rights of federal workers to unionize.
- **Executive Order 13837**, which has greatly restricted the rights of union officials to use official time for collective bargaining activities and further hinders a union's ability to effectively represent employees.
- **Executive Order 13839**, which has weakened due process protections for federal workers who are subject to disciplinary actions or dismissals.
- **Executive Order 13950**, which has effectively prevented federal agencies, the military, government contractors and sub-contractors, or any recipient of federal aid from conducting workplace training programs focused on diversity and inclusion.
- **Executive Order 13957**, which created a new employment category within the civil service that is exempt from the statutory and constitutional job protections guaranteed in other merit-based civil service positions that has allowed agencies to involuntarily strip federal employees of these critical protections.

- **Presidential Memorandum** on the Delegation of Certain Authority under the Federal Service Labor-Management Relations Statute, which grants the Secretary of Defense the authority to exclude Pentagon agencies from the law guaranteeing federal workers the right to unionize. The memorandum represents a serious incursion on federal employees' collective bargaining rights and sets a dangerous precedent by implying unions compromise our national security.

While the Protecting Federal Workers Act represents an important step toward honoring our federal workforce and restoring these critical protections, our nation's dedicated federal employees shouldn't have to wait for an act of Congress to see these protections restored. That's why we are writing to urge you to uphold your longstanding commitment to supporting our federal employees by immediately rescinding these harmful EOs and Presidential Memorandum as soon as you take office.

You have pledged to support American workers by strengthening collective bargaining rights and other workplace protections, and we both applaud and share that commitment. As you begin the first hundred days of your administration, repealing these destructive EOs is the quickest way to deliver on that promise and send a powerful message of support to every one of our nation's dedicated federal workers.

Thank you for your attention to this critical issue. We look forward to working with your administration on these and other important priorities.

Sincerely,



Derek Kilmer
Member of Congress



Chellie Pingree
Member of Congress



Marcy Kaptur
Member of Congress