

ONE HUNDRED NINETEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-3641
Minority (202) 225-2927

July 16, 2026

The Honorable Lee Zeldin
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

Dear Administrator Zeldin:

We write regarding your retaliation against Environmental Protection Agency (EPA) employees who signed an open letter to you that you undertook in spite of legal counsel advising EPA to “not take personnel actions against employees who signed...or any other action against them” that could be seen as retaliation for exercising their First Amendment rights.¹ According to numerous reports, you and your closest advisors engaged in a coordinated campaign of mass retaliation against EPA employees after they signed a public letter calling attention to the harm that your leadership was causing to EPA and the nation. Disturbingly, these actions came after agency attorneys and ethics officials had explicitly warned that retaliating would likely violate the signers’ First Amendment rights. When directly asked about your actions at a Committee hearing in April, you failed to explain why you ignored these warnings. Your willingness to disregard the law to punish well-founded criticism and then mislead the Committee is deeply concerning, and further evidence that you are unfit to serve as Administrator.

On June 30, 2025, hundreds of current and former EPA scientists and staff published an open letter warning that your actions had eroded public trust and EPA’s ability to fulfill its mission.² Based on reporting, it appears that your closest advisors immediately initiated a

¹ *Trump EPA Punished Dissenters Despite “Legal Risk” Warning*, E&E News Politico (Apr. 2, 2026); Email Thread of Michael Molina, Krysti Wells, Kathryn Smith, Nathanael Nichols, Helena Wooden-Aguilar, from the Office of Mission Support, Office of General Counsel of EPA (<https://subscriber.politicopro.com/eenews/f/eenews/?id=0000019d-4556-d8e5-abdd-4dd661160000>) (accessed July 7, 2026).

² Letter from Stand Up for Science to Administrator Zeldin (Accessed June 1, 2026).; Email from Cynthia Alston to Kimberly Patrick, Helena Wooden-Aguilar, Jeanette Mendes, Jacqueline Leavy, Zainob Lawal (<https://subscriber.politicopro.com/eenews/f/eenews/?id=0000019a-2c24-dc69-abda-fef661cd0000>) (June 30, 2025);

coordinated campaign of mass retaliation against EPA staff who exercised their First Amendment rights to sign the open letter. By July 3, more than 139 EPA staff who signed the letter were placed on indefinite administrative leave.³ While you claimed that the legitimate concerns raised in the letter were somehow nefarious and unacceptable under EPA policy, subsequent reporting has revealed that EPA attorneys and ethics officials had warned senior officials against taking any personnel actions “that may be viewed as retaliatory or that may have a chilling effect on other employees taking similar actions... as the letter is likely protected speech under the First Amendment.”⁴

On July 1, an EPA Regional Judicial Officer shared the open letter with EPA’s Ethics Office seeking clarity about whether current EPA employees who signed were permitted to do so under Agency ethics regulations.⁵ Less than an hour later, the Ethics Office Director responded emphatically with her team’s consensus: “the employees are simply exercising their first amendment rights to express their opinions.”⁶

The next day, on July 2, an EPA Assistant General Counsel confirmed the Ethics Office’s assessment and informed senior EPA officials that “the letter is likely protected speech under the First Amendment” and explicitly warned against any potentially retaliatory actions.⁷ By the evening of July 2, this legal advice had been sent to EPA’s Principal Deputy Chief Administrative Officer Michael Molina, Principal Deputy Administrator for External Affairs Molly Vaseliou, and Associate Deputy Administrator Travis Voyles—with Ms. Vaseliou and Mr. Voyles reporting directly to you.⁸

Despite EPA ethics officials and attorneys quickly warning your senior advisors against retaliation, it appears that proactive efforts to violate the First Amendment rights of more than 100 EPA staff were already well underway. On July 1—hours before EPA’s ethics emphatically ruled out personnel actions and the day before EPA’s Office of General Counsel independently reached the same conclusion—a color-coded list of 215 signatories indicating which of the

Email from Cynthia Alston to Kimberly Patrick and Helena Wooden-Aguilar (ED_019195_00000024-00001) (<https://subscriber.politicopro.com/eenews/f/eenews/?id=0000019a-2c24-dc69-abda-fef661cd0000>).

³EPA Puts 139 Employees on Leave Who Criticized Administration, E&E News Politico (July 3, 2026).

⁴ *Id.*; See note 1.

⁵ Email Thread of Justina Fugh, Ann Coyle, Stephen Altizer, and Jim Payne of EPA Ethics Office (<https://subscriber.politicopro.com/eenews/f/eenews/?id=0000019c-d942-d6f4-a9ff-dd53ca8f0000>) (July 7, 2026).

⁶ *Id.*

⁷ See note 1.

⁸ *Id.*; Environmental Protection Agency, *About EPA's Principal Deputy Chief Administrative Officer and Chief Acquisition Officer for the Office of Finance and Administration Michael Molina* (<https://www.epa.gov/aboutepa/about-epas-principal-deputy-chief-administrative-officer-and-chief-acquisition-officer>) (March 3, 2026); Environmental Protection Agency, *About the Office of External Affairs* (<https://www.epa.gov/aboutepa/about-office-external-affairs#leadership>;) (April 20, 2026); Environmental Protection Agency, *About the Office of the Administrator* (<https://www.epa.gov/aboutepa/about-office-administrator#organization>) (May 5, 2026).

named signers were likely current employees of EPA was sent to Mr. Molina.⁹ Then on July 3, you doubled down on your retaliatory efforts, announcing that 139 EPA employees who signed the letter were placed on administrative leave citing “a ZERO tolerance policy” against EPA career staff disagreeing with the Trump Administration’s agenda.¹⁰ You also stated that “our ZERO tolerance policy is in full force and effect and will be unapologetically implemented unconditionally.”¹¹

The First Amendment to the Constitution guarantees all people subject to the laws of the United States the inalienable right to free speech, and government employees do not forfeit all First Amendment rights upon entering public service.¹² As EPA’s own Ethics Office determined, these employees were exercising their First Amendment rights and not abusing their federal positions.¹³

Nevertheless, between July and October 2025, you placed nearly 150 EPA employees on extended administrative leave. After the fact, your closest advisors wasted taxpayer dollars trying and failing to find something to justify your illegal actions.¹⁴ Ultimately, after spending months on paid administrative leave—rather than doing their important work at EPA—many of these EPA employees were suspended for two weeks without pay and you terminated at least 16.¹⁵

During your most recent appearance before the Committee, Environment Subcommittee Ranking Member Tonko directly asked you about your retaliation against EPA staff.¹⁶ Despite being confronted with evidence that EPA counsel had directly advised against conducting these investigations, you continued to claim that you acted “on the advice of counsel.”¹⁷ At no point during the hearing did you even attempt to explain this troubling discrepancy.

To address our concerns regarding why you and other senior political appointees at EPA ignored legal advice, retaliated against employees exercising their First Amendment rights, and misled the Committee, please provide responses to the following requests no later than July 30, 2026:

⁹ See note 1.

¹⁰ See note 3.

¹¹ *Id.*

¹² *Pickering v. Board of Education*, 391 U.S. 563 (1968).

¹³ See note 5.

¹⁴ *Inside EPA’s Hunt for Employees Who Signed the Dissent Letter*, E&E News Politico (October 30, 2025).

¹⁵ *Id.*

¹⁶ *House Committee on Energy and Commerce, Hearing on The Fiscal Year 2027 Environmental Protection Agency Budget*, 119th Cong. (April 28, 2026).

¹⁷ *Id.*

1. You testified on April 28, 2026, that “the action that I took was instructing our team to conduct an investigation.”¹⁸ Please produce all communications between you and any executive branch employee regarding the June 30, 2025, letter (“June Letter”), any employee who signed the June Letter, or any investigative or disciplinary action related to or targeting EPA employees who signed the June Letter. Your response should include:
 - a. Any documents and communications containing the legal advice you received when, as you testified in April, you acted “on the advice of counsel;” and
 - b. All other documents and communications between you and any other executive branch employee containing any instructions or legal advice related to EPA’s response to the June Letter.
2. In prior correspondence to the Committee, an EPA Associate Administrator wrote that “EPA has a zero-tolerance policy for employees engaging in activities during their official work duty that unlawfully undermines, sabotages, and undercuts the Administration’s agenda as voted for by the American people.”¹⁹ Likewise, you said in a statement that “We have a ZERO tolerance policy for agency bureaucrats unlawfully undermining, sabotaging, and undercutting the agenda of this administration as voted for by the great people of this country last November.”²⁰
 - a. Please identify and provide a copy of any documents describing or relating to EPA’s “zero-tolerance policy.”
 - b. Please provide any regulatory or statutory authorization for EPA’s “zero-tolerance policy.”
 - c. Please explain how EPA’s “zero-tolerance policy” does not conflict with legal and constitutional rights of EPA employees, including their First Amendment rights and whistleblower protections.
3. Produce all documents and communications regarding who decided to place EPA employees who signed the June Letter on administrative leave and the basis for that decision.
4. Produce all documents and communications regarding each decision to extend the periods of administrative leave for EPA employees who signed the June Letter.

¹⁸ *Id.*

¹⁹ Letter from the Honorable Lee Zeldin, Administrator, Environmental Protection Agency, to Rep. Frank Pallone, Jr., Ranking Member, House Committee on Energy and Commerce (Apr. 17, 2026).

²⁰ *See* note 3.

5. Provide a detailed description of the investigation the agency completed into EPA employees who signed the June Letter. Your response should:
 - a. Include a timeline for EPA's investigation describing the date and description of each phase of the investigation and the date that the formal investigation officially began and concluded;
 - b. Identify all EPA staff who carried out the investigation and what each staff member's role was in the investigation; and
 - c. A comprehensive description of the overall outcome of the investigation and any general findings.
6. Provide all documents and communications regarding the process and outcome of the investigation of EPA employees for signing the June Letter and any disciplinary actions taken following the conclusion of EPA's investigation.

If you have any questions about this request, please contact the Committee Democratic staff at (202) 225-2927.

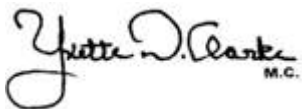
Sincerely,



Frank Pallone, Jr.
Ranking Member



Paul D. Tonko
Ranking Member
Subcommittee on Environment



Yvette D. Clarke
Ranking Member
Subcommittee on Oversight & Investigations

The Honorable Lee Zeldin

July 16, 2026

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cc: The Honorable Brett Guthrie
Chairman

The Honorable Gary Palmer
Chairman
Subcommittee on Environment

The Honorable John Joyce
Chairman
Subcommittee on Oversight and Investigations