

# United States Senate

WASHINGTON, DC 20510

November 16, 2023

The Honorable Kiran Ahuja  
Director  
U.S. Office of Personnel Management  
1900 E Street, NW  
Washington, D.C. 20415-1000

The Honorable Karen Gorman  
Acting Special Counsel  
U.S. Office of Special Counsel  
1730 M Street, N.W., Suite 218  
Washington, D.C. 20036-4505

Dear Director Ahuja and Acting Special Counsel Gorman:

We are writing on behalf of federal employees in Virginia who have expressed fears about censorship and reprisal resulting from their expression of views related to the horrific terrorist attack committed by Hamas against Israel on October 7 and the ongoing conflict and humanitarian crisis in the Gaza Strip. We are concerned that the federal government has not provided adequate guidance on federal employees' rights to self-expression. To that end, we request that you develop and circulate clear guidance, or direct agencies to do so, concerning the federal government's policies on federal employee self-expression, and that you ensure federal employees do not face retaliation for expressing their personal views in line with that guidance.

Virginia is home to one of the highest concentrations of federal employees in the country. These federal employees perform essential work for the country and deserve respect for their public service and commitment to their fellow citizens. Unfortunately, we have heard from a number of federal employees in Virginia that they are either afraid to share their personal views for fear of being targeted for reprisal, or do not know the policies around sharing personal views and have consequently remained silent, even amid personal grief. Fears of being targeted for reprisal or remaining silent have manifested in numerous ways, including deleting social media, refraining from attending demonstrations, or simply refusing to share any views.

We understand your office held a "Learning Community Webinar" to discuss antisemitism, Islamophobia, and other forms of religious discrimination on October 27. We appreciate efforts such as this and strongly encourage you to build on this conversation to further inform federal employees and provide clarity on their rights to self-expression. As federal employees – many of whom have personal connections to the ongoing conflict – continue to serve their country with dignity and professionalism through this challenging period, it is essential that they be offered clear and transparent guidance on their right to self-expression as employees of the United States government.

Although we appreciate your outreach efforts to federal employees thus far, current OPM and OSC policies lack adequate guidance on this matter and have left many federal employees unaware of their rights. This conflict has brought incredible heartache to countless Americans,

and we urge you to act swiftly to develop clear guidance on federal employees' rights allowing for the appropriate expression of these sentiments.

Sincerely,



---

Mark R. Warner  
United States Senator



---

Tim Kaine  
United States Senator