

August 8, 2022

Dear Representative:

On behalf of the National Active and Retired Federal Employees Association (NARFE), I write to highlight our opposition to and concern with H.R. 8550, the Public Service Reform Act, and the broader campaign to upend the merit-based civil service system and the professional, nonpartisan civil service that it preserves.

H.R. 8550 would allow any federal employee to be removed from federal service without cause, weaken due process protections by slashing current removal procedures and dismantle the Merit Systems Protection Board, the independent agency tasked with safeguarding the federal merits system. This bill marks a distinct threat to the integrity of the federal civil service that every American relies on and is part of a broader campaign to return federal service to the spoils system, thereby ignoring the lessons of the past and the protections afforded by the Constitution.

More than a century ago, the federal government operated under the spoils system, where political patronage outweighed one's qualifications for a government position. Basing government employment on political affiliation and favor exposed it to incompetence and even blatant corruption. After living through the mistakes of the spoils system, Congress saw to its end, creating a career civil service made up of qualified workers who are hired and removed based on ability. But a movement now would return our country to a broken era, and it falls upon every member of Congress to stand against this attempt, including rejecting H.R. 8550 and other bills of its kind.

H.R. 8550 is the latest attempt in an insidious campaign to politicize the federal work force and strip federal workers of due process rights. Other legislative efforts would reinstitute a broad, new, excepted service category (Schedule F), to bypass the merit system. If successful, this effort would spell disaster for our professional work force. If instituted, tens of thousands of employees could be hired or removed with the changing of each new administration, creating instability, division and further distrust in government.

A competitive, merit-based civil service provides continuity through changing administrations, preserves institutional knowledge and expertise within the federal government, and safeguards the rule of law. Civil service rules ensure federal employees are hired and fired based on their competence, or lack thereof, and not their political connections, or lack thereof. The rules also protect employees from being removed for choosing adherence to the Constitution, laws and professional standards over politically motivated actions or perceived allegiance to a president or political party. In so doing, the rules protect against abuse of power by the executive branch, providing greater assurance that laws passed by Congress will be faithfully executed. While every administration holds substantial executive power, that power is limited by the Constitution and laws of the United States. By prioritizing allegiance to that rule of law

over personal allegiance, our civil service system stands as a bulwark for limited government.

Our country deserves a competent civil work force that holds the trust of the American people. H.R. 8550 undermines that trust and would return our nation to a spoils system that undercuts the public's faith in its government. For these reasons, I ask you to refrain from cosponsoring this legislation and to oppose it if its provisions are considered in this Congress or in future Congresses.

Thank you for your consideration of NARFE's views. If you have any questions or concerns, please contact NARFE Staff Vice President for Policy and Programs John Hatton at jhatton@narfe.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken Thomas', with a stylized flourish at the end.

Ken Thomas
NARFE National President