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Protect Democracy & Selendy Gay File Lawsuit To Defend a Cornerstone of American Democracy

Complaint alleges President Trump Executive Order violates federal law protecting civil servants and their ability to do their jobs for the American people.

Washington, D.C. — On February 6, 2025, Protect Democracy and Selendy Gay PLLC filed a lawsuit in U.S. District Court for the District of D.C. on behalf of the Government Accountability Project and the National Active and Retired Federal Employees Association (NARFE), challenging the Trump Administration's attempt to dismantle a cornerstone of American democracy: a federal civil service rooted in merit and integrity.

The [complaint](#) alleges that by implementing Executive Order 14171 — misleadingly titled "Restoring Accountability to Policy-Influencing Positions Within the Federal Government" and which the President issued on January 20, 2025 — this administration would make it even easier to gut the civil service and replace it with partisans. The EO directs a new "Schedule Policy/Career" (Schedule P/C, formerly known as Schedule F) classification of federal workers in order to strip them of congressionally established protections from political retribution. This scheme harms both federal employees and the public they serve, by depriving Americans of a workforce with the expertise to deliver essential goods and services.

Plaintiffs argue that the actions of Defendants President Trump, the Office of Personnel Management and its acting director, Charles Ezell, violate the Civil Service Reform Act (CSRA) and thereby the power of Congress to establish, define, and regulate the civil service system to protect the public

interest in ensuring Americans have a federal workforce grounded in merit and free from corruption, political bias, and improper influences. Plaintiffs also argue that the President did not have authority to unilaterally revoke regulations that were issued after extensive notice and comment rulemaking.

Plaintiffs [Government Accountability Project](#) and [NARFE](#) are asking the Court to require the Trump Administration to follow the law and to find that the Executive Branch cannot simply ignore Congress's duly-passed laws to convert the meritocratic civil service into a spoils system for political supporters.

"Schedule P/C would erode or eliminate merit-based civil service protections that ensure the basic operation of government is carried out by nonpartisan, professional public servants instead of political loyalists," says Bill Shackelford, NARFE's national president.

Since its founding in 1921, NARFE has been the only organization solely dedicated to the general welfare of all federal workers and retirees. For more than a century, NARFE has been a trusted source of knowledge, working to defend the nation's civil servants so that they can focus on providing goods and services for the American people. "In this effort," Shackelford adds, "we are focused on ensuring adherence to the Constitution and government of, by and for the people; not on ideological battles over what government should do or not do."

"If this administration is permitted to ignore the Constitution and the CSRA, it would eliminate whistleblower protections and threaten our democracy in fundamental ways," said Dana Gold, Government Accountability Project's Senior Director of Advocacy and Strategy and Director of the Democracy Protection Initiative. "By essentially eradicating the rights of thousands of employees to report illegality, waste, and abuse, the Administration would give corruption, secrecy, and political cronyism free reign. This return to a spoils system of governance would decimate good government and cause immediate and incalculable harm to the American people."

The Government Accountability Project was founded in 1977, in the wake of Daniel Ellsberg's landmark release of the Pentagon Papers. After Ellsberg

experienced fierce retaliation from the Nixon administration, it was clear something needed to be done to not only protect brave truth-tellers from government and corporate smear campaigns, but to combat rampant disinformation being foisted on the public by special interests. Since then, Government Accountability Project has relentlessly battled waste, fraud, and abuse at every level of government—challenging corruption, exposing misconduct, and protecting those who bravely speak truth in the face of injustice. From safeguarding food safety and environmental protections to ensuring the integrity of pharmaceuticals, Government Accountability Project has been instrumental in holding institutions accountable and defending the public good.

"Congress passes laws, but they are dead letters unless the executive branch implements them faithfully, neutrally, and with the requisite expertise," says Ori Lev, a counsel with Protect Democracy. "This president wants to bulldoze over the law—in this case, the Civil Service Reform Act and the APA. This president is saying he doesn't have to respect Congress here. Our argument is: yes, you do."

Complaint also [here](#).

More information about Civil Servants is [here](#) and Schedule P/C (formerly Schedule F) [here](#).

[Selendy Gay](#) PLLC is a premier litigation firm dedicated to excellence in disputes, including trials, appellate advocacy, arbitrations, and investigations.

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ABOUT US

[Protect Democracy](#) is a nonpartisan, nonprofit group working to prevent American democracy from declining into a more authoritarian form of government.