

FEDERAL-POSTAL COALITION

July 30, 2013

Dear Representative:

The undersigned organizations urge your opposition to several mean-spirited bills being brought to the House floor this week that amount to a petty and unfounded attack upon the dedicated men and women who comprise the nation's federal workforce. Instead of constructively addressing the many serious issues facing the nation, these measures demonize the nearly two million public servants who serve America and keep its citizens safe. Over twenty-five percent of the federal workforce (approximately 500,000 employees) are military veterans, and thirty-percent of federal civil servants hired last year were veterans.

Federal workers may be a convenient scapegoat for the nation's problems, but attacking their workplace and employment rights is unwarranted and counterproductive. While each of these bills may have a superficial appeal, taken together their malicious intent is transparent. We urge you to uphold fairness and due process in the treatment of those who carry out the nation's laws, by opposing the following measures scheduled for consideration on the House floor this week:

H.R. 1541 would cap, at five percent of annual base pay, the total amount of monetary awards, including merit-based performance awards and recruitment and retention awards, that executive branch employees may earn in a year when sequestration is in effect. While most federal employees do not receive awards of five percent or more, agencies should not be denied the ability to reward superior performance in their efforts to recruit and retain the best and the brightest. Congress routinely expresses support for greater efforts that embrace performance management and incentives for federal employees; this measure undermines the ability of agencies to reward and incentivize excellent performance. **Our Coalition urges you to vote NO on H.R. 1541.**

H.R. 2579. This legislation would allow political appointees to terminate a career Senior Executive without any oversight and without having to prove cause. Although Senior Executives would be able to appeal their termination, the burden to overturn the removal would fall upon the employee. In essence, it would consider a career Senior Executive guilty of any alleged offense until proven innocent.

Current law (5 U.S.C. 7543) allows agencies to take action against Senior Executives for misconduct, neglect of duty, malfeasance, or failure to accept a reassignment or transfer of function. The tools are already in place to hold Senior Executives accountable for their conduct, and agencies may undertake such actions when they consider it appropriate. Allowing agency heads to remove Senior Executives without a formal investigation will dangerously turn the Senior Executive Service into a

politicized body that bends with the political winds, rather than serving the American people free from political influence. **Our Coalition urges you to vote NO on H.R. 2579.**

H.R. 2565. This legislation requires the termination from employment of IRS employees who undertake any official action with respect to a taxpayer for the purpose of personal gain or political purpose. The termination procedure denies the same due process protections accorded other federal employees, including review by an independent third party, such as the Merit Systems Protection Board.

Current authority already prohibits and punishes IRS and other government employees from undertaking any official action for personal gain or political purpose. Section 7323 of Title 5 of the U.S. Code restricts political activity by federal employees and 5 USC 2301(b)(8) prohibits employees from using their official authority for the purpose of interfering with or affecting an election. In addition, 5 CFR 2635.702 prohibits the use of public office for private gain.

This bill is being promoted based on the inaccurate narrative that IRS employees acted out of political motivation in reviewing applications for tax exempt status. In fact, the Treasury Inspector General for Tax Administration (TIGTA) has repeatedly testified under oath in numerous Congressional hearings that he found no evidence of political motivation by any IRS employees in his review. In addition, a recent House Oversight and Government Reform Committee hearing revealed that each and every IRS employee interviewed by the Committees on Oversight and Ways and Means attested that he or she was not aware of any political bias by any employee involved in the approval of tax exempt organization applications. Rather, TIGTA found that delays related to tax exempt reviews were the result of mismanagement and the complexity of the standards for granting exemptions. H.R. 2565 has not had a hearing or a mark up in the Ways and Means Committee. **Our Coalition urges you to vote NO on H.R. 2565.**

H.R. 2711. This legislation provides that every official interaction by any executive branch employee, whether by telephone or in person, shall be allowed to be recorded by the other party. It also requires that in certain circumstances, these executive branch employees notify the other party of their right to record, or suffer disciplinary action. The legislation raises serious privacy concerns and could seriously undermine law enforcement-related investigations. No exceptions are provided, nor is there any requirement to notify a federal employee that he or she is being tape recorded. Congressional interactions are not covered by the bill. **Our coalition urges you to vote NO on H.R. 2711.**

Thank you for your consideration of our views.

Sincerely,

American Federation of Government Employees
American Federation of State, County and Municipal Employees
American Postal Workers Union

FAA Managers Association
Federally Employed Women
Federal Managers Association
International Association of Fire Fighters
International Federation of Professional and Technical Engineers
Laborers International Union of North America
National Active and Retired Federal Employees Association
National Association of Assistant United States Attorneys
National Association of Federal Veterinarians
National Association of Government Employees
National Association of Letter Carriers
National Association of Postal Supervisors
National Association of Postmasters of the United States
National Federation of Federal Employees
National Postal Mail Handlers Union
National Rural Letter Carriers Association
National Treasury Employees Union
National Weather Service Employees Organization
Patent Office Professional Association
Professional Aviation Safety Specialists
Professional Managers Association
Senior Executives Association

For Further Information:

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