

November 17, 2022

Sent via email to members of the United States Senate

Dear Senator:

On behalf of the National Active and Retired Federal Employees Association (NARFE), which is dedicated to advancing the interests of the more than 5 million federal employees and retirees, as well as their spouses and survivors, I write in favor of the following submitted amendments to the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, filed as Senate Amendment (SA) 5499 to H.R. 7900 (FY23 NDAA).

NARFE urges strong support for Amendment 5886, submitted by Senator Feinstein, D-CA. This amendment would provide a necessary congressional check on abuse of executive powers from any administration by limiting the ability of the executive branch to bypass the entire framework of the merit-based civil service through the creation of broad new exceptions to the application of merit-based rules. Specifically, the amendment would prohibit the reclassification of any position in the competitive service to an excepted service schedule that was created after September 30, 2020, and limit federal employee reclassifications to the five excepted service schedules in use prior to fiscal year 2021. Amendment 5886 would prevent real future attempts to return the federal government to the spoils system, thereby protecting civil service rules that ensure federal employees are hired and fired based on their competence, or lack thereof, and not what political connections they have or lack. Inclusion of this amendment will ensure that the civil service remains the professional and nonpartisan system that Americans rely on.

NARFE also urges support for Amendment 6228, submitted by Senator Sinema, D-AZ. This amendment, containing the language of the Honoring Civil Servants Killed in the Line of Duty Act, would increase death benefits and funeral allowances for federal employees who lost their lives serving this nation. The current \$10,000 payment for survivors of fallen workers is insufficient and fails to cover the immense loss faced by loved ones. Increasing this benefit, for the first time since 1997, to \$100,000 adjusts the amount to reflect the rising cost of living and better cares for survivors of those who tragically lost their lives while serving the American people. The same is true of increasing the funeral allowance, which currently sits at a paltry \$800 and was last updated in 1966. This amendment honors those who made the ultimate sacrifice in service to this country and is a necessary update to existing law.

Similarly, NARFE also urges support of Amendment 6184, submitted by Senator Tester, D-MT. This amendment, based off the First Responder Fair RETIRE Act, would enable our nation's federal firefighters, law enforcement officials, Border Patrol officers, and other federal first responders who suffer from a disabling injury or illness in

performance of their job to retire in the public safety retirement system should they decide to continue their federal service outside a public safety position. Current law requires federal public safety employees to pay a higher percentage of their pay toward their annuity to retire after 20 years of service at age 50, or after 25 years of service at any age, with mandatory separation from service at age 57. However, should a public safety employee be prevented from continuing their job because of a work-related disability, they are no longer eligible to retire under the same system, upending years of service to this nation and responsible planning for the future. This amendment would correct this unfair situation and prevent additional hardship on these employees.

Finally, NARFE urges support of Amendment 5837, submitted by Senator Carper, D-DE. This amendment, referred to as “Fairness for Federal Firefighters,” would create a presumption of occupational illness for federal fire fighters, covering ailments like cardiovascular disease, cancers and certain infectious diseases that 49 states already presume are work-related for their state and local firefighters. Inclusion of this amendment would bring federal rules in line with the vast majority of states who recognize the occupational danger placed on firefighters and solve an inequity placed on the brave men and women who choose this line of work through federal service.

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

Sincerely,

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

Ken Thomas
NARFE National President