

November 8, 2023

Sent via e-mail to all members of the United States House of Representatives

Dear Representative:

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 urge you to oppose Ogles Amendment #84 to the Financial Services and General Government appropriations bill, which would prohibit use of funds to finalize, implement, or enforce the proposed rule titled “Upholding Civil Service Protections and Merit System Principles.”

This proposed rule would reinforce longstanding civil service protections and merit system principles. Notably, it would clarify that competitive service protections – which exist to preserve a nonpartisan, professional civil service – could not simply be stripped away via an executive order directing the reclassification of positions into the excepted service (in an attempt to utilize a statutory loophole to circumvent the merit-based system). The rule should proceed through the notice and comment rulemaking process.

The merit-based civil service system provides a necessary congressional check on abuse of executive powers from any administration. The proposed rule would clarify existing law and solidify civil service protections that support the merit-based system. It puts in place a roadblock to the creation of broad new exceptions to the application of merit-based rules – and wholesale changes in professional, federal personnel with every changing administration. In so doing, the rule would ensure more careful deliberation of any future attempts to return the federal government to the spoils system and prohibit arbitrary and capricious changes to the regulatory framework supporting the current merit-based system. As such, the rule could help preserve 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.

For these reasons, I urge you to vote against Ogles Amendment #84 to the Financial Services and General Government appropriations bill. 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,



William Shackelford, NARFE National President