



AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO

Eric Bunn Sr.
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June 4, 2026

The Honorable Mike Rogers
Chairman
Committee on Armed Services
2216 Rayburn House Office Building
Washington, DC 20515

The Honorable Adam Smith
Ranking Member
Committee on Armed Services
2216 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Rogers and Ranking Member Smith:

On behalf of the American Federation of Government Employees, AFL-CIO (AFGE), which represents more than 800,000 federal and District of Columbia government employees, including approximately 250,000 in the Department of Defense (DoD), I respectfully urge the Committee to support the bipartisan amendment offered by Rep. Donald Norcross (Log 6346) to the FY 2027 National Defense Authorization Act (H.R. 8800) to restore lawful collective bargaining rights and agreements for DoD civilian employees and to oppose an amendment offered by Rep. Nancy Mace (Log 6611) to repeal the longstanding moratorium on implementing OMB Circular A-76 related to privatizing federal jobs.

Norcross Collective Bargaining Amendment

Over the past 17 months, the Defense Department's civilian workforce has experienced significant disruption. On March 27, 2025, Executive Order 14251 misused the national security exemption in 5 U.S.C. § 7103 to exclude more than one million federal employees, including nearly all DoD civilian employees, from collective bargaining. In April 2026, Secretary Pete Hegseth directed the termination of nearly every remaining DoD collective bargaining agreement on 24-hours' notice. Federal courts, including the First Circuit Court of Appeals, have begun raising serious questions about whether these actions exceed statutory authority and have ordered the restoration of terminated agreements with other federal agencies.

For more than 60 years, across Republican and Democratic administrations alike, beginning with President Kennedy's Executive Order 10988, expanded under President Nixon's Executive Order 11491 and codified by Congress in the 1978 Civil Service Reform Act, federal employees working for the Department of Defense have exercised collective bargaining rights without compromising readiness or mission success. Collective bargaining strengthens – not harms – national security. Bargaining provides DoD workers, many of whom are themselves veterans, a forum to express concerns about unsafe or inefficient practices and to work constructively with management to strengthen our armed forces. The statutory exemption Congress wrote into Title 5 was deliberately narrow, reserved for agencies like the Central Intelligence Agency whose missions are uniquely incompatible with bargaining. Applying it broadly across the entire Department of Defense departs significantly from that design and longstanding precedent. It is telling that President Trump never invoked 5 U.S.C. § 7103 during his first term.

Congress has already begun to correct course on a bipartisan basis. Last July, this Committee adopted an amendment as Section 1110 of H.R. 3838, the Streamlining Procurement for Effective Execution and Delivery and National Defense Authorization Act, to halt implementation of Executive Order 14251. On September 10, 2025, the full House passed the FY 2026 NDAA with Section 1110 intact. In October, 16 House Republicans, led by committee member Rep. Mike Turner, wrote to NDAA conference committee negotiators urging retention of Section 1110, explaining that “denying these workers a voice in the workplace does not enhance national security — it potentially jeopardizes it by eroding morale, diminishing retention, and weakening accountability.” While Section 1110 was ultimately removed from the final FY 2026 NDAA, today’s amendment to H.R. 8800 offers a fresh opportunity to honor that bipartisan congressional will.

The DoD civilian workforce, more than 700,000 strong, maintains weapons systems, secures cyber networks, sustains the organic industrial base, protects energy infrastructure, and supports border security. Approximately 315,000 of these employees are veterans who continue to serve their country after taking off their military uniform. They keep our depots, shipyards, arsenals, and installations running.

Restoring collective bargaining is not about expanding rights or constraining management. Existing agreements already contain robust management rights provisions, emergency authorities, and national security exceptions that allow commanders and program managers to act when mission requirements demand. What collective bargaining provides is a structured channel for identifying and resolving workforce problems before they become operational ones, including improving safety, retention, productivity, and accountability.

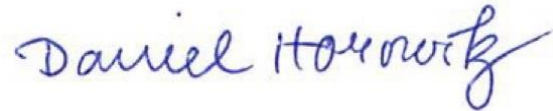
Mace Repeal of A-76 Moratorium Amendment

AFGE opposes the amendment offered by Rep. Nancy Mace that would lift the longstanding moratorium on OMB Circular A-76. Congress has maintained the A-76 moratorium on a bipartisan basis for two decades. The A-76 process is costly, lengthy, and structurally tilted toward contracting out inherently governmental functions. The A-76 circular has consistently failed to produce promised savings, disrupts mission critical work, and undermines recruitment, retention, and morale at the depots, shipyards, and installations on which America’s warfighters depend. This is even more concerning considering the war with Iran and the need to replenish basic weaponry that has been exhausted during the recent conflict. The basic transparency Congress has repeatedly required as a prerequisite to any meaningful sourcing decisions is lacking as the Department of Defense has not produced a credible, meaningful inventory of its contractor workforce.

We believe that in any fair competition, federal workers will almost always deliver better service at a lower cost compared to outsourcing. However, A-76 is not fair competition, and lifting the moratorium would have a devastating and disruptive impact on the federal civilian workforce and on military readiness.

AFGE respectfully urges the Committee to support the bipartisan Norcross Amendment to restore collective bargaining and to oppose the Mace Amendment to lift the longstanding moratorium on the A-76 circular.

Sincerely,

A handwritten signature in blue ink that reads "Daniel Horowitz". The signature is written in a cursive style with a prominent flourish at the end of the word "Horowitz".

Daniel Horowitz
Legislative Director