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The Honorable James Comer Chair House Oversight and Accountability Committee 2157 Rayburn House Office Building Washington, DC 20515 The Honorable Gerry Connolly Ranking Member House Oversight and Accountability Committee 2157 Rayburn House Office Building Washington, DC 20515

Dear Chair Comer, Ranking Member Connolly and Members of the Committee:

On behalf of the American Federation of Government Employees, AFL-CIO, which represents over 800,000 federal and D.C. government employees, I write urging you to oppose the five proposals included in the Committee Print that the Oversight and Accountability Committee will consider this week that would do almost nothing to offset the \$4.5 trillion package of tax cuts outlined in H. Con. Res. 14 but would greatly harm programs under your committee's jurisdiction. If enacted, these proposals would weaken the merit-based, nonpartisan civil service system, hurt federal employees and their families, and undermine the federal workforce's ability to deliver services to all Americans.

- 1. **Proposal to Increase Employees' Contribution to FERS**. If the Committee adopts the proposal to require federal employees to contribute (4.4%) of their paychecks to FERS, the effect will be to reduce the take-home pay of federal workers hired before 2014 who now contribute either 0.8% or 3.1% of their salary to FERS. Simply put, raising FERS contributions to 4.4% for all federal employees would be a significant *pay cut* to older federal employees hired before 2014, the vast majority of whom have contributed 0.8% of their salaries to FERS over the course of their federal service. Unlike prior attacks on FERS which affected only new employees, this one is now retroactive, undermining the terms of employment for workers who committed to federal careers years earlier.
- 2. **Proposal to Change FERS Retirement Calculation**. If the Committee adopts the proposal to change the longstanding formula used to calculate FERS retirement benefits from the average of an employee's earnings over their three highest-paid years to their five highest-paid years, the effect will be to lower the retirement benefits of virtually all retired federal employees. Even lower paid employees like VA cemetery caretakers will see thousands of dollars to cuts to their pensions, over the next decade.
- 3. **Proposal to Eliminate the FERS supplement**. If the Committee adopts the proposal to eliminate the FERS supplement, federal workers who receive this supplement will lose a critical income bridge until they are eligible to collect Social Security at 62. At a time when the Trump Administration is pushing federal workers out of their jobs, eliminating the FERS supplement would be an especially callous act.
- 4. **Proposal to Undermine the Merit-based, Nonpartisan Civil Service by Weaponizing FERS Contributions.** If the Committee adopts the proposal designed to coerce new

federal hires into opting out of merit-based civil service protections by requiring them to pay a vastly higher FERS contribution in return for basic protections, the effect will be to make such employees political appointees. Future employees will be summarily terminated for any reason, or no reason at all, destroying the civil service's statutory duty to faithfully execute laws of Congress without regard to an administration's political agenda and without fear or favor to any interest. The proposal will also lead to the eventual extinction of the merit-based, nonpartisan civil service – almost certainly the true purpose of this proposal – as new federal hires choose to be at-will employees rather than devote almost 10% of their salaries to finance their pensions.

5. Proposal to Charge Federal Employees for Exercising Their Due Process Rights. If the Committee adopts the proposal to assess a fee on federal employees who file grievances with the Merit Systems Protection Board, the effect will be to deter federal employees from pursuing legitimate claims of discrimination, political retaliation, and workplace abuse, a process that helps ensure the integrity and nonpartisanship of the civil service. The right to seek relief from alleged government wrongdoing should not be contingent on paying what amounts to an entry fee. Given the projected miniscule revenue this proposal would generate, it bears asking whether its primary purpose is to help pay for the proposed multitrillion dollar tax package or in fact to weaken a pillar of civil service law that for almost 50 years has protected federal merit systems against partisan political and other prohibited personnel practices and provide robust and meaningful protection for federal employees against abuses by agency management.

Members of the Oversight Committee, whatever their opinion of the administration's tax agenda, need to know and understand that cutting federal employee benefits and weakening workplace rights as contemplated by the Committee Print will not come close to offsetting the \$4.5 trillion cost of tax cuts (and possibly more) over ten years. Indeed, perhaps paying for tax cuts is not the primary intent of the Committee's proposals but rather to make the prospect of working for the federal government so unattractive as to drive from executive branch agencies experienced and dedicated employees who deliver services and benefits on which individuals, families, businesses, and communities in your districts depend.

As the House Oversight and Reform Committee looks for ways to offset the \$4.5 trillion cost of tax cuts, I urge you to exclude changes to programs that would directly hurt federal employees and their families and undermine the federal government's ability to deliver services to all Americans. For questions or more information, please contact Keith Abouchar at Keith.Abouchar@afge.org or Fiona Kohrman at Fiona.kohrman@afge.org.

Sincerely,

Daniel M Hounvitz

Daniel Horowitz Acting Legislative Director