



Eric Bunn Sr.
National Secretary-Treasurer

Dr. Everett B. Kelley
National President

Dr. Kendrick B. Roberson
NVP for Women & Fair Practices

June 16, 2025

Dear Senator:

On behalf of the American Federation of Government Employees, AFL-CIO (AFGE) which represents over 800,000 federal and D.C. government employees I am writing to ask you to work with Homeland Security and Governmental Affairs (HSGAC) Ranking Member Peters in urging the Senate Parliamentarian to rule that several anti-civil service provisions violate the Byrd Rule.

These anti-civil service provisions would, if enacted, offset less than 1% of the bill's proposed tax cuts while inflicting significant damage to the rights and benefits of both future *and* current federal employees – including long-serving members of the executive, legislative and judicial branches. The provisions embedded in Sections 90101 through 90107 collectively weaken job protections, diminish union rights, and undermine the foundational values of a fair and merit-based civil service.

- 1. Section 90101, “At-Will Employment Option for New Federal Hires”** would retain House passed language making future federal employees at-will and makes the provision much worse by charging at-will employees 9.4% of their salary towards their federal retirement benefits and employees who opt for civil service rights 14.4% of their salary. This provision creates a false and coercive choice for new federal employees: keep civil service protections or sacrifice them for substantially lower retirement contributions. This is not reform—it's the start of dismantling the merit system by introducing at-will employment into federal service. Stripping employees of just-cause protections opens the door to politically motivated firings, favoritism, and retaliation.
- 2. Section 90102, “Filing Fee for Merit Systems Protection Board (MSPB) Appeals”** would charge federal employees a filing fee to appeal wrongful terminations or suspensions is an unjust paywall on due process. Most employees appeal while already out of work, and a \$400 fee is a substantial deterrent—especially for lower-wage earners or those facing financial hardship. Justice should not depend on one's ability to pay.
- 3. Section 90104, “Deductions from Pay of Federal Employees”** would impose a 10% surcharge on union dues collected through payroll deduction is a financial assault on collective bargaining. The surcharge applies only to unions—not other payroll deductions—revealing the clear intent: to weaken and destroy unions in the federal workplace by draining their resources.
- 4. Section 90105, “Bonuses for Cost Cutters”** would create a toxic workplace environment in which employees would be encouraged to undercut one another and undermine teamwork and trust. The best way to ensure that federal agencies spend their appropriations as Congress intends, is to protect existing whistleblower protections that the Trump Administration has been systematically rolling back.
- 5. Section 90106, “Charging Unions for Use of Federal Resources”** would impose unprecedented fees and penalties on unions for using office space, equipment, and time to conduct representational work that federal law allows. Official time plays a critical role in the efficient operation of the federal government). Official time is a pillar of the 1978 Civil Service Reform Act that allows designated federal labor representatives to speak on behalf of agency employees, irrespective of whether they are dues paying members of a union. Official time has repeatedly proven to be of enormous value to the maintenance of workplace harmony, ensuring that designated labor representatives and managers work cooperatively and proactively to resolve disputes, address issues of discrimination or retaliation,



conduct disciplinary actions, and propose safety and health improvements in the workplace. Official time reduces employee turnover, improves productivity and outcomes, prevents costly litigation, and leads to quicker and more efficient implementation of federal government initiatives. By law, official time must be necessary, reasonable and in the public interest. It can never be used to hold a union meeting, conduct an election, recruit members, or engage in partisan activity. Significantly, official time helps all federal employees since they need not be dues paying members of a labor organization to benefit from the work to which official time is devoted.

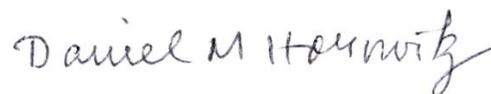
6. **Section 90107, “Executive Reorganization Plans”** gives OMB \$100 million to reorganize federal agencies without adequate worker consultation or oversight, and with broad exemptions from existing Title 5 protections. These reorganizations could lead to layoffs, benefit reductions, and diminished union presence under the guise of cost neutrality. Workers are not obstacles to reform—they are essential partners. Excluding them from these decisions is not only unjust, it is counterproductive. True modernization requires transparency, collaboration, and a commitment to protecting the workforce that serves the American public.

Each of these provisions—on its own—poses a threat to federal worker rights. Together, they amount to a concerted attack on the very principles of fairness, transparency, and merit that have long defined the civil service. Upholding civil service protections, strengthening union rights, and ensuring workplace dignity are not partisan issues—they are the foundation of a professional, ethical, and effective government.

AFGE urges you to recognize that weakening federal employee workplace rights will not come close to offsetting the cost of tax cuts over ten years. The provisions will only serve to make federal employment so unattractive as to drive out experienced and dedicated workers who deliver vital services to your constituents, as well as set a dangerous precedent for the reach and application of federal laws.

For questions or more information, please contact Daniel.Horowitz@afge.org or Keith Abouchar at Keith.Abouchar@afge.org.

Sincerely,



Daniel Horowitz
Acting Legislative Director