



November 14, 2022

The Honorable Jack Reed
Chairman
Committee on Armed Services
United States Senate
Washington, DC 20510

The Honorable Adam Smith
Chairman
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

The Honorable James Inhofe
Ranking Member
Committee on Armed Services
United States Senate
Washington, DC 20510

The Honorable Mike Rogers
Ranking Member
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

RE: Defend America's Apolitical Civil Service – Include Preventing a Patronage System Act in FY23 NDAA

Dear Chairmen Reed and Smith, and Ranking Members Inhofe and Rogers:

On behalf of the Senior Executives Association (SEA) – which represents the interests of over 10,000 career federal executives in the Senior Executive Service (SES), Senior Level (SL), Scientific and Professional (ST) and equivalent positions and other senior career federal leaders, including our General Schedule members (GS 12-15) – including the Preventing a Patronage System Act in the FY 2023 National Defense Authorization Act (NDAA) must be a priority. Protecting our government and democracy from overreaching Executive power is a foundational action Congress must take to ensure balance in our constitutional system.

The NDAA is a particularly appropriate avenue for this action as the civilian defense workforce must remain apolitical to ensure critical information regarding our national security is relayed in an informed, accurate, and nonpartisan manner. Political appointees and military leaders within the Department of Defense may decide next steps based on presidential priorities, but the information gathered, and advice given to political and military leaders must be based on expertise.

No other policy in the NDAA matters if a future Executive has unfettered power to reclassify up to 500,000 career federal employees in policy-determining, policymaking, or policy-advocating jobs. Congress must take proactive and definitive action *now* to reinforce the merit based, professional civil service that serves all Americans without regard for political affiliation.

The attempt to create a Schedule F within the federal service was an affront to Congress' authority. Taxpayers and businesses alike rely on the institutional knowledge of career government executives for consistency in the application of laws and regulations. Under current law, any president could instill another layer of political loyalists in the federal government in addition to Schedule C appointees and *purge* 50,000 or more apolitical civil servants. This would taint the reliable and equal application of the law in favor of a patronage system that the Congress decidedly rejected well over 100 years ago because it grossly politicized the delivery of government services and distribution of benefits.

SEA strongly believes Congress can, and needs to, modernize, reform, and increase accountability in the federal workforce. But Congress must do it without fundamentally undermining the merit system. Indeed, a coalition of federal management associations has [proposed and repeatedly advocated](#) for common sense solutions to modernize the civil service, acknowledging the current system needs reform. By including the Preventing a Patronage System Act in the FY2023 NDAA, Congress buys itself time to consider these important matters.

At a time when American trust in government continues to wane and accusations of politicization are at an all-time high, the answer is not more politics. It is true accountability that ensures all federal employees are acting in service to the law and Constitution above all else –a government of laws, not of individuals.

The Preventing a Patronage System Act is a necessary defensive step for Congress to prevent any president from commandeering the federal workforce. Thank you for your consideration of SEA's perspective. Please have your staff contact SEA Director of Policy and Outreach Jason Briefel (jason.briefel@seniorexecs.org) for further information.

Sincerely,

A handwritten signature in black ink, appearing to read "M. L. Hill". The signature is stylized and cursive.

Marcus L. Hill
Vice Chairman
SEA Board of Directors

CC: Hon. Nancy Pelosi, Speaker of the House
Hon. Kevin McCarthy, Minority Leader, U.S. House of Representatives
Hon. Charles Schumer, Majority Leader, U.S. Senate
Hon. Mitch McConnell, Minority Leader, U.S. Senate