

April 23, 2025  
U.S. Office of Personnel Management  
Attn: Regulatory Affairs Division  
1900 E Street, NW  
Washington, DC 20415

Subject: Formal Comment Opposing Docket ID: OPM-2025-0004-0001

To Whom It May Concern,

I am writing to express my unequivocal opposition to the proposed rule titled "Improving Performance, Accountability and Responsiveness in the Civil Service" (Docket ID: OPM-2025-0004-0001). While enhancing performance and accountability in government is a worthy objective, this proposal is legally questionable, substantively harmful, historically regressive, and fundamentally contrary to American ideals of fairness, justice, and the rule of law.

#### Erosion of Due Process and Merit System Protections

This proposal seeks to create a new "Schedule Policy/Career" classification that would strip federal employees of due process rights and render them at-will employees. This undermines core protections enshrined in the Civil Service Reform Act of 1978 (5 U.S.C. § 2301, § 2302), which prohibits removals based on political affiliation, whistleblowing, or personal bias.

The merit system principles—long regarded as a bulwark against politicized governance—would be dismantled in favor of a structure allowing for arbitrary removals. These changes mirror the rescinded Executive Order 13957, which created Schedule F and was met with bipartisan condemnation. Its subsequent revocation by Executive Order 14003 reaffirmed the importance of an apolitical, merit-based workforce.

#### Politicization of the Federal Workforce

By enabling reclassification and removal of policy-adjacent employees based on subjective determinations, the rule invites a return to a spoils system—an approach America abandoned with the Pendleton Act of 1883. The United States has long maintained a professional civil service to ensure continuity and competence across administrations. Reinstating an at-will structure for thousands of federal roles undermines this nonpartisan tradition and raises the risk of mass purges motivated by ideology rather than performance.

In 2020, the Congressional Research Service (CRS) warned that Schedule F-type reforms would "severely erode civil service protections and could politicize up to tens of thousands of federal positions." Public interest organizations such as the Partnership for Public Service, American Federation of Government Employees (AFGE), and National Academy of Public Administration (NAPA) issued similar warnings.

#### Contrary to American Democratic Ideals

The proposed rule contradicts foundational American values—justice, impartiality, and

constitutional governance. The American ideal is a government that serves the people, not a political faction. An independent civil service is essential to that goal. By replacing merit-based employment with political loyalty tests, the rule invites corruption, suppresses dissent, and weakens the institutional checks that underpin our republic.

As Professor Peter Strauss of Columbia Law School aptly observed in 2020, Schedule F-style proposals are "an invitation to create a spoils system that violates the fundamental American principle of neutral competence in government." These changes align more closely with authoritarian regimes than with democratic governance.

#### Empirical Evidence of Harm

Historical and international evidence demonstrates that politicized bureaucracies perform worse and suffer greater instability. The OECD 2020 Government at a Glance Report ranks the U.S. civil service among the most professional and impartial globally. Weakening these protections would reduce effectiveness and public trust.

According to a 2021 Government Accountability Office (GAO) report, impartiality in federal employment is essential to safeguarding whistleblowers, rooting out corruption, and maintaining public accountability. The Council of the Inspectors General on Integrity and Efficiency (CIGIE) has repeatedly emphasized the importance of employment protections in ensuring oversight and ethical conduct.

#### Operational and Human Capital Risks

Subjecting federal employees to at-will status introduces operational instability and severely harms recruitment and retention. The 2020 Schedule F initiative was estimated to impact over 50,000 employees. If revived under this rule, the scope could expand even further, threatening institutional memory, workforce morale, and mission readiness.

Civil servants are already facing threats to job security amid growing polarization. This rule will exacerbate that instability, making federal careers less attractive to future public servants—particularly those with the technical expertise and integrity that modern governance demands.

#### Conclusion

This proposal does not promote accountability; it erodes institutional integrity, undermines constitutional principles, and invites politicization at the expense of public trust. The United States deserves a government staffed by professionals who are empowered to speak truthfully, serve impartially, and uphold their oath to the Constitution without fear of political retaliation.

I strongly urge OPM to withdraw this proposal in its entirety. The future of American governance—and the legitimacy of our civil service—depends on it.

Sincerely,

*"A Concerned Citizen and Public Servant (Name withheld for safety and privacy)"*