



May 23, 2025

Charles Ezell, Acting Director
U.S. Office of Personnel Management
1900 E Street, NW
Washington, DC 20415-1000

Re: Docket ID: OPM-2025-0004

Dear Acting Director Ezell:

Thank you for the opportunity to comment on the proposed rule, “Improving Performance, Accountability and Responsiveness in the Civil Service.” As health organizations, we urge you not to finalize this proposal to reclassify policy-influencing employees. It has the potential to affect huge swaths of the federal workforce, and when taken in the context of administration-wide efforts to cut staff at federal departments and agencies, adds to the grave risk of depleting expertise that people across the country rely on to lead healthy lives.

Career employees at federal agencies that work in policy-influencing roles are a critical part of the civil service. Reclassifying these employees as “Schedule Policy/Career,” and denying them the protections against termination available to other career employees, risks further diminishing the expert staff at federal agencies that the public relies on to protect their health. We support the continued application of these protections to career employees, including requiring agencies to follow due process procedures to take adverse actions, including firings, suspensions or demotions and giving employees the right to appeal such actions to the Merit Systems Protection Board and, if needed, to the Federal Circuit Court of Appeals. These protections help ensure the preservation of staff expertise

and maintain a stable, merit-based civil service that can carry out its responsibilities across the administration.

The proposal includes examples of categories of affected staff, including “regulation writers,” “immediate and higher-level supervisors of Schedule Policy/Career employees,” and staff responsible for “monitoring progress towards organizational goals and periodically evaluating and making appropriate adjustments to such goals” and “drafting of funding opportunity announcements, evaluation of grant applications.” These categories could include the many staff members with specific areas of expertise who work to craft federal rules and are involved in the robust processes involved with federal grantmaking – a long list of experts with critical experience in government as well as discipline-specific scientific expertise – where unbiased oversight of research programs and strategic planning is essential to ensure grantmaking is grounded in scientific merit and feasibility, and supported by peer review involving independent academic scientists.

As part of our work to achieve our respective missions in the health, medical and nursing spheres, we all participate in the public comment process and other stakeholder engagement opportunities on key federal rules. We know that enforcement of those rules, once finalized, is of paramount importance. We understand the value of federal policy and rules to improve the health of the American people. We further understand the critical importance of federal funding flowing to states, Tribes, localities and other entities to run programs that protect health. All of these categories of work are at risk of further loss of expert staff if this proposal is finalized.

We appreciate the point made in the proposal that there is a difference between requiring membership in a political party as a condition for continued employment and requiring that employees carry out the president’s priorities regardless of personal political affiliation. However, we disagree with the subsequent conclusion that the proposed rule would not be used broadly to fire large swaths of federal workers on the basis of their political party: “Generally dismissing career regulation drafters who do not share the President’s political affiliation, even if they would otherwise faithfully and expeditiously draft rules advancing his policies, would cripple agencies’ ability to engage in notice and comment rulemaking.” This point simply does not hold up to the realities of other efforts being carried out across the administration, in which career staff are already being generally dismissed in ways that certainly will harm agencies’ ability to engage in notice and comment rulemaking.

“Implementing the President’s ‘Department of Government Efficiency’ Workforce Optimization Initiative” directs OMB to “submit a plan to reduce the size of the Federal Government’s workforce” with large-scale reductions in force. Large-scale Reductions in Force are currently taking place across federal agencies, coupled with early retirement and

deferred resignation plan recruitment. In some cases, these efforts are happening in a similar wholesale way to what this proposal says it seeks to avoid; for example, the dismissal en masse of probationary employees in February and the firing of entire offices at the Department of Health and Human Services in April.

Taken in the context of these broader, administration-wide efforts to reduce federal agency staffing at a large scale and sometimes en masse, our organizations have grave concerns that this proposal – which will effectively make it easier to fire a broad category of workers in roles connected to policy – will be used as yet another tool to deplete the federal workforce at a large scale.

The President’s order implementing the DOGE initiative also directs federal agencies to hire “no more than one new employee for every four employees that depart.” This casts further doubts on the proposal’s assertion that Schedule Policy/Career would not impair Federal recruitment and hiring efforts; definitionally, the agency dismissing Schedule Policy/Career employees is unlikely to be able to replace them on a one-for-one basis.

The proposal notes, “If the American people do not like the policies elected officials advance, they can vote for new leadership.” But what the American people cannot do with that decision is immediately rebuild the career civil service when a new administration comes to power, regardless of political party, now or in the future. Depleting the federal workforce and its nonpartisan experience and expertise has the potential to hinder work in this and future administrations – harming the public as a result.

Signed,

Alliance of Nurses for Healthy Environments
American College of Physicians
American Lung Association
American Thoracic Society
Asthma and Allergy Foundation of America
Endocrine Society
Health Care Without Harm
HIV Medicine Association
Infectious Diseases Society of America
National Association of Pediatric Nurse Practitioners
Physicians for Social Responsibility