

# 2026 Legislative Priority: Protecting Collective Bargaining Rights in the Federal Civil Service

## Addressing the National Security Exemption in the Civil Service Reform Act of 1978

**Issue Summary:** The Civil Service Reform Act (CSRA) of 1978 includes a provision allowing the Executive Branch to limit or eliminate collective bargaining rights for federal employees by invoking national security. While intended to be (and until recently, actually) narrowly construed, this authority has increasingly been applied broadly, resulting in the removal of bargaining rights for large segments of the federal workforce.

This practice **harms morale, undermines labor-management stability, and weakens the civil service**, even as affected employees continue to serve a nation of more than 300 million people at home and abroad.

### Why This Matters

#### Frivolous Claims of “National Security” Should Not Be Used to Weaken Worker Rights

Federal employees stripped of collective bargaining rights under national security designations are still expected to:

- Perform mission-critical duties
- Support or deploy to overseas operations
- Protect infrastructure, public safety, and national defense

Eliminating bargaining rights does not enhance security—it **erodes trust, accountability, and workforce stability**, all of which are essential to national readiness.

#### Morale, Recruitment, and Retention Are Directly Harmed

Removing collective bargaining protections:

- Silences employee voices
- Eliminates safeguards for fair and consistent treatment
- Drives experienced workers out of public service

A demoralized workforce is a less effective workforce, particularly in agencies with national security responsibilities.

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*Local 777, IFPTE, AFL-CIO represents over 250 employees of the U.S. Army Corps of Engineers in the Chicago, Pittsburgh, Sacramento Districts and the South Pacific Division. We work in Illinois, California, Pennsylvania, Indiana, Wisconsin, Utah, Arizona, and remotely nationwide, and plan, design, build, operate, and maintain Federal water resources infrastructure and environmental restorations, and protect our nation's aquatic resources and commercial navigation. Our members work in offices, on construction sites, at locks and dams, on government vessels, at flood control reservoirs, and at dredged material management and electric barrier facilities.*

*The views expressed are those of Local 777 only, and not of the Department of Defense or Department of the Army.*

## The Government Shutdown Contradiction

During federal government shutdowns, many employees designated as “critical to national security” have been:

- Furloughed or forced to work without pay
- Treated as non-essential despite their designation

This contradiction highlights the overuse of national security labels while **failing to treat affected employees as essential to the nation’s functioning**. The Administration’s shift to calling workers forced to work for deferred pay as “excepted” rather than “essential” exposes this cynical ploy.

## Collective Bargaining Strengthens Mission Readiness

Federal sector collective bargaining:

- Improves communication and problem-solving
- Reduces workplace disputes and litigation
- Enhances operational efficiency and continuity

It does not impede management’s ability to protect legitimate national security interests; and in many cases it makes federal management more nimble and efficient. Any sincere interest in improving the time and hassle involved in federal management should be focused on increasing unionized workforces and ensuring disciplined compliance with negotiated agreements and workplace rules.

## Requested Action

- Remove or Narrow the National Security Exemption**
  - Amend the Civil Service Reform Act to eliminate or strictly limit the authority to remove collective bargaining rights based on national security. (Sample language enclosed)
- Restore and Protect Worker Rights**
  - Ensure federal employees retain collective bargaining protections regardless of agency designation – Guarantee that mission-critical status does not result in reduced workplace rights.
- Reinforce a Strong, Professional Civil Service**
  - Reaffirm Congress’s commitment to a fair, apolitical, and protected federal workforce – Promote morale, retention, accountability, and mission effectiveness.

# H. R. ----

To amend the Federal Service Labor-Management Relations Statute, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

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## A BILL

To repeal {or alternatively: To provide for administrative process regarding} the national security exclusion provision from the Federal Service Labor-Management Relations Statute, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Service Collective Bargaining Protection Act of ----”.

### SEC. 2. NATIONAL SECURITY EXCLUSIONS.

(a) Repeal Of National Security Exclusions and Suspensions.—Section 7103 of title 5, United States Code, is amended by striking subparagraph (B).

#### ALTERNATE TEXT:

(a) National Security Exclusions and Suspensions as Rules.—

(1) Section 7103(b) of title 5, United States Code, is amended by inserting the following:

- (a) “; through the Federal Labor Relations Authority,” after each occurrence of the word “order” in subparagraphs (1) and (2), and
- (b) “(3) Orders issued under this subsection shall be construed as rules subject to the provisions of Subchapter II of Chapter 5 of this title; and subject to the provisions of Chapter 8 of this title.”

(2) Section 801(A) of title 5, United States Code, is amended by inserting the following:

- (a) “, all labor organizations having government-wide consultation rights under Section 7117(d) of this title, or having national consultation rights pursuant to Section 7113 of this title with the agency promulgating the rule or a primary national subdivision of such agency,” after each instance of the word “Congress” in subparagraphs (1) and (2).