



LOCAL 777

INTERNATIONAL FEDERATION OF PROFESSIONAL & TECHNICAL ENGINEERS, AFL-CIO
PO Box 109, CHICAGO, ILLINOIS • WWW.IFPTE777.ORG • 312-450-0838

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June 12, 2026

via www.regulations.gov

Re: Notice with Request for Comment, Confidential Government Information Nondisclosure Agreement
Docket ID: OPM-2026-0100

IFPTE Local 777 represents Federal employees who operate, maintain, repair, and support critical public infrastructure. Our members work at locks and dams, navigation facilities, flood control projects, engineering offices, maintenance facilities, and administrative offices that support those operations.

We understand the need to protect sensitive government information. No one is arguing otherwise.

What concerns us is that OPM has not explained why this additional nondisclosure agreement is necessary when Federal employees are already subject to numerous policies, training requirements, and certifications regarding the handling of government information.

Army employees already complete annual cybersecurity and information assurance training. Employees certify compliance with the Army Acceptable Use Policy every year. We receive recurring training on privacy, records management, information security, ethics, and the proper handling of government information. Employees understand that there are rules governing what information can and cannot be shared.

The proposal does not clearly explain why those existing requirements are insufficient.

The proposal also uses broad terms such as “internal operations,” “personnel matters,” and “pre-decisional information.” Those terms are open to interpretation and may mean different things to different supervisors and agencies.

That uncertainty is a problem.

Federal employees are often the first people to identify issues before they become larger problems. We see staffing shortages. We see deferred maintenance. We see equipment issues. We see safety concerns. We see challenges that affect mission accomplishment and taxpayer service.

For employees who operate and maintain America’s inland waterways, speaking up about problems is part of the job.

Many of the locks and dams operated by our members are well beyond their original design life. They continue to serve the public because employees identify issues early, perform preventative maintenance, and raise concerns when resources are insufficient.

Taxpayers benefit when employees are encouraged to report problems.

Taxpayers do not benefit when employees become reluctant to speak because they are unsure whether a discussion about staffing, maintenance, safety, or operational concerns could later be characterized as disclosure of protected information.

The Federal Government already has a well-established nondisclosure agreement for classified information through Standard Form 312. Employees who sign SF-312 understand what information is classified and what rules apply to that information.

This proposal is different.

Employees are being asked to acknowledge restrictions involving broad concepts such as internal operations and pre-decisional information without the same level of clarity that exists under established classified information programs.

While OPM states that whistleblower protections remain in place, many employees make decisions based on perception. If employees believe a policy could be used against them in the future, some will simply choose not to raise concerns.

That is not good for agencies, employees, or taxpayers.

We are also concerned by references in the notice to suitability and fitness requirements. Employees should not be placed in a position where refusal to sign a broadly written agreement could later be cited as evidence of misconduct, integrity concerns, lack of suitability, or lack of fitness for Federal service.

Federal employees already have an obligation to protect government information. OPM has not demonstrated that existing policies, training requirements, certifications, and disciplinary procedures are inadequate.

Before implementing a governmentwide NDA, OPM should clearly define what information is covered, explicitly protect communications with unions, Congress, Inspectors General, attorneys, and oversight bodies, and ensure that employees are not discouraged from reporting safety concerns, operational deficiencies, waste, fraud, abuse, or mismanagement.

Our members take pride in serving the public. They should never have to choose between protecting their careers and speaking up about problems that affect public safety, taxpayer dollars, or mission accomplishment.

Sincerely,
David A. Wisniewski
Chief Steward