



# NATIONAL FEDERATION OF FEDERAL EMPLOYEES

Affiliated with the International Association of Machinists & Aerospace Workers, AFL-CIO

April 9, 2025

Honorable Douglas A. Collins  
Secretary of Veterans Affairs  
U.S. Department of Veterans Affairs  
810 Vermont Avenue, NW  
Washington, DC 2420

***RE: Exclusions from Federal Labor-Management Relations Programs***

Dear Secretary Collins,

I write to urge you to act swiftly in defense of the Department of Veterans Affairs (VA) workforce by exercising the authority delegated to you under the March 27, 2025, Executive Order (EO) titled “*Exclusions from Federal Labor-Management Relations Programs*.” Specifically, we ask that you issue an order suspending the application of Section 1-404 of the EO to the entire Department. This authority, granted under Section 4(a) of the EO and 5 U.S.C. § 7103(b)(1), allows you to preserve collective bargaining rights and union protections for VA employees—rights that are critical to maintaining the Department’s ability to fulfill its mission.

The EO purports to exclude agencies and subdivisions with a “primary function” in intelligence, counterintelligence, investigative, or national security work from coverage under the Federal Service Labor-Management Relations Statute (FSLMRS). However, this sweeping exclusion clearly overreaches when applied to the VA. The overwhelming majority of VA employees, who include mental health professionals, housekeepers, food service workers, benefits processors, crisis line counselors, and many more, do not perform national security work as a primary function of their jobs. As such, they do not fall within the scope of 5 U.S.C. § 7103(b)(1), and the broad application of this EO to the entire Department is both unjustified and unlawful.

Labor unions represent more than 79% of VA employees. Many of these employees are veterans themselves, and all are essential to the Department’s ability to serve those who served our country. Eliminating their collective bargaining rights will not improve the efficiency or integrity of the VA. On the contrary, stripping away workplace protections, particularly for whistleblowers, threatens to silence those who might otherwise expose fraud, waste, or abuse. It also directly undermines the objectives of the Department of Government Efficiency (DOGE), which purports to promote accountability and transparency.

The EO’s national security justification is deeply flawed. Labor unions have existed for decades within national security-related agencies, including the VA, without compromising safety or mission readiness. Congress has repeatedly affirmed that union representation is compatible with national security when adequately managed. The statute already provides for necessary exclusions under § 7112(b)(6) for

individual employees engaged in sensitive work directly affecting national security. No evidence extending basic labor rights to the broader VA workforce conflicts with national security concerns.

Moreover, this EO arrives amid broader efforts by this Administration to erode federal labor protections, including reported plans to terminate up to 80,000 VA employees. The combined effect of these actions threatens to destabilize the federal workforce and impair the Department's ability to provide essential care and services to veterans. When the right to organize and collectively bargain is taken away, morale and retention suffer—ultimately harming the very people the VA exists to serve.

We also note the likely legal vulnerability of this EO. The FSLMRS requires a clear demonstration that an agency or subdivision has national security as its *primary* function before it may be excluded. It is implausible to argue that VA crisis counselors, nurses, funeral service staff, and similar professionals fall under that category. This sweeping exclusion is not only unsubstantiated but will likely be overturned in court.

Finally, let us be candid: this directive appears retaliatory. It seems designed not to improve operations but to silence dissent, discourage whistleblowing, and dismantle unions that have defended their members against overreach and political interference. The VA workforce has faced unprecedented challenges in recent years and continues to show up daily in service of our veterans. It deserves leadership that will stand with it, not undermine it.

Therefore, by April 11, 2025, we urge you to certify that the FSLMRS can be applied to the Department of Veterans Affairs in a manner consistent with national security requirements and considerations and to suspend the application of Section 1-404 of the March 27 Executive Order. Doing so will protect the rights of VA employees, support the department's mission, and reaffirm your commitment to the principles that underpin public service.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rf1f', with a stylized, cursive-like script.

Randy Erwin  
National President  
National Federation of Federal Employees, IAMAW, AFL-CIO