

FEDERAL WORKERS ALLIANCE

COLLECTIVELY REPRESENTING OVER 550,000 FEDERAL AND POSTAL WORKERS

December 3, 2025

Hon. John Thune
Majority Leader
U.S. Senate
S-230 Capitol Building
Washington, D.C. 20510

Hon. Mike Johnson
Speaker
U.S. House of Representatives
H-232 Capitol Building
Washington, D.C. 20510

Hon. Chuck Schumer
Minority Leader
U.S. Senate
S-221 Capitol Building
Washington, D.C. 20510

Hon. Hakeem Jeffries
Minority Leader
U.S. House of Representatives
2433 Rayburn House Office Building
Washington, D.C. 20510

RE: Include House NDAA (H.R. 3838) Section 1110, Limitation on Use of Funds to Limit Collective Bargaining,” in Compromise NDAA Text.

Dear Majority Leader Thune, Speaker Johnson, Minority Leader Schumer, and Minority Leader Jeffries:

The undersigned unions of the Federal Workers Alliance are writing today to urge you to **include in Section 1110, “Limitation on Use of Funds to Limit Collective Bargaining,” of the House-passed National Defense Authorization Act (NDAA) for Fiscal Year 2026, H.R. 3838, in the final NDAA conference report** This provision restores bargaining rights for civil servants who support our national defense and members of the Armed Forces and is needed because the Trump Administration’s sweeping Executive Order 14251 on "Exclusions from Federal Labor-Management Programs" will divest DOD’s federal employees of their statutory union rights.

The Executive Order exceeds the Executive Branch’s statutory authority under the Federal Service Labor-Management Relations Statute (FSLMRS), which allows exclusions only for employees whose primary function involves sensitive national security responsibilities, such as those in intelligence agencies. This misuse of authority goes far beyond what Congress intended in the Civil Service Reform Act of 1978 (CSRA) and is counterproductive and costly for DOD. The EO would deprive agencies of opportunities to engage constructively with their workforce to support mission readiness, improve efficiency, and strengthen national defense and economic security.

Section 1110 was included in the House Armed Services Committee’s NDAA markup with bipartisan support and retained in the House-passed bill because Members on both sides recognized the need to preserve collective bargaining rights for DOD employees. This provision restores bargaining rights for civil servants who support our national defense and members of the Armed Forces and is needed because the Trump Administration’s sweeping Executive Order (EO) on "Exclusions from Federal Labor-Management Programs" will divest DOD’s federal employees of their statutory union rights. In late October of this year, 16 Republican Members of the House of Representatives sent a letter to the leadership of the House and

Senate Armed Services Committees requesting that this provision be included in the final bill, noting that, “Denying these workers a voice in the workplace does not enhance national security – it potentially jeopardizes it by eroding morale, diminishing retention, and weakening accountability. For more than six decades, federal employees, including those working in national security contexts, have exercised collective bargaining rights without compromising readiness or mission success.”

The history of federal sector collective bargaining is rooted in the federal government’s recognition that federal employee unions and collective bargaining are in the public interest. That recognition, issued in President Kennedy’s 1962 EO 10988 on “Employee Management Cooperation in the Federal Sector and in President Nixon’s 1969 EO 11491, “Labor-Management Relations in the Federal Service,” was enshrined in the law in the CSRA, under Title 5 U.S. Code Chapter 71, “Labor Management Relations,” has been upheld regardless of which party is in control Congress or who is in the White House. Title 5 U.S. Code 7101 states clearly that the “statutory protection of the right of employees to organize, bargain collectively, and participate through labor organizations of their own choosing... safeguards the public interest,” “contributes to the effective conduct of public business,” “facilitates and encourages the amicable settlements of disputes between employees and their employers involving conditions of employment;” and “the public interest demands the highest standards of employee performance and the continued development and implementation of modern and progressive work practices to facilitate and improve employee performance and the efficient accomplishment of the operations of the Government.”

The roots of federal employees forming and joining labor unions date back over 100 years, when civil servants unionized at the Department of the Army and the Department of the Navy as America entered the First World War. Back then, federal employees recognized that their unions allow them to be vital strategic partners to enable our national defense. Since then, federal labor unions at DOD have forged collaborative partnerships between union-represented federal employees and federal agencies to effect enhancements in retention, safety, productivity, infrastructure, workforce skills, and morale to support readiness and national defense. Across all DOD service branches, federal unions engage with management to foster high-performance workplaces, building on operational successes, proactively identifying problems and reducing inefficiencies, and ensuring mission-critical functions and duties have the resources and support they need. To be clear, denying long-established collective bargaining rights for federal workers at DOD harms the functionality of DOD and negatively impacts readiness.

Therefore, we urge you to make sure Section 1110 of H.R. 3838 is included in the compromise NDAA bill. Thank you for considering our request. If you have any questions, please contact FWA legislative co-chairs Steve Lenkart at slenkart@nffe.org or Faraz Khan at fkhan@ifpte.org.

American Federation of Government Employees (AFGE)
Federal Education Association (FEA)
International Association of Machinists and Aerospace Workers (IAM)
International Brotherhood of Electrical Workers (IBEW)
International Federation of Professional and Technical Engineers (IFPTE)
International Plate Printers, Die Stampers and Engravers Union North America (IPPDSEU)
Marine Engineers’ Beneficial Association (MEBA)
National Association of Agriculture Employees (NAAE)
National Association of Government Employees, SEIU (NAGE)
National Federation of Federal Employees (NFFE-IAM)
National Treasury Employees Union (NTEU)
National Weather Service Employees Organization (NWSEO)

Patent Office Professional Association (POPA)
Professional Aviation Safety Specialists (PASS)
Transportation Trades Department, AFL-CIO (TTD)