
Legal Action

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This information may be shared with NARFE members.

I am writing to share news of an action NARFE is taking to challenge the legality of President Trump's Executive Order 14171 creating Schedule Policy/Career (or Schedule P/C, formerly known as Schedule F).

Pursuant to an engagement with lawyers from Protect Democracy and Selendy Gay, PLLC, to provide **pro bono legal services** on behalf of NARFE and co-plaintiff, the Government Accountability Project (GAP), NARFE has filed a lawsuit in the U.S. District Court for the district of D.C. on behalf of itself and its members to block the implementation of Schedule F, asking the court to find that the president cannot simply ignore Congress's duly-passed laws to convert the meritocratic civil service into a spoils system for political supporters.

Protect Democracy a nonpartisan organization without an underlying ideological agenda. It is dedicated to promoting free and fair elections, the rule of law, and democratic institutions. GAP defends the rights of government whistleblowers.

The complaint argues that the actions of Defendants President Trump, the Office of Personnel Management and its acting director, Charles Ezell, violate the Civil Service Reform Act (CSRA) and thereby the power of Congress to establish, define, and regulate the civil service system to protect the public interest in ensuring Americans have a federal workforce grounded in merit and free from corruption, political bias, and improper influences. Plaintiffs also argue that the President did not have authority to unilaterally revoke regulations that were issued after extensive notice and comment rulemaking.

While there are a couple other lawsuits, from federal labor unions, challenging the lawsuit, neither NARFE or GAP is subject to the jurisdiction of the Federal Labor Relations Authority, and therefore offer unique value in challenging the executive order.

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