March 4, 2020

The Honorable Mark T. Esper
Secretary of Defense
U.S. Department of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Esper:

We write to express our concerns regarding President Trump’s January 29, 2020, Memorandum to the Department of Defense (DOD), “Delegation of Certain Authority under the Federal Service Labor-Management Relations Statute.” We support efforts that strengthen our national security, however this Memorandum represents a serious incursion on federal employees’ collective bargaining rights and sets a dangerous precedent in suggesting that those rights somehow compromise our national security. We urge you to exercise great restraint in using this new authority and continue to maintain the historically productive relationship that DOD has with its employee unions.

The Department of Defense has successfully bargained with its unionized workers under various arrangements since 1962, and DOD civilian employees have been included in the Federal Service Labor-Management Relations Statute since its inception in 1978. During that time, America has been engaged in many international conflicts and national emergencies. There is no evidence that the presence of unionized employees has ever had any negative impact on DOD’s national security mission. In fact, DOD and its unions have always had a mutually beneficial partnership. Unions have helped draw attention to health and safety hazards, as well as instances of waste, fraud, and abuse on the part of contractors. Moreover, a unionized workforce allows DOD to recruit and retain highly-skilled employees who might otherwise work elsewhere. In short, we believe that the Department’s unionized workforce has enhanced our security, not detracted from it. President Trump’s Memorandum arbitrarily and needlessly threatens this positive relationship.

The Federal Service Labor-Management Relations Statute of 1978 is the cornerstone of our civil service, and it clearly states that labor organizations and collective bargaining in the federal sector “safeguards the public interest.” Stripping long-included employees of the statute’s protections is counterproductive to DOD’s national security mission, and the President’s Memorandum fails to articulate why such a drastic change is necessary. We strongly discourage you from taking steps to eliminate the statutorily-granted collective bargaining rights of DOD civilians.
Thank you for your attention to this matter.

Sincerely,

Jack Reed
Ranking Member
Senate Committee on Armed Services

Gary C. Peters
Ranking Member
Senate Committee on Homeland Security and Governmental Affairs

Mazie K. Hirono
United States Senator

Sherrod Brown
United States Senator

Robert Menendez
United States Senator

Chris Van Hollen
United States Senator

Bernard Sanders
United States Senator

Richard Blumenthal
United States Senator

Patty Murray
United States Senator

Jacky Rosen
United States Senator
Sheldon Whitehouse
United States Senator

Thomas R. Carper
United States Senator

Maria Cantwell
United States Senator

Tammy Duckworth
United States Senator

Tammy Baldwin
United States Senator

Richard J. Durbin
United States Senator

Elizabeth Warren
United States Senator

Charles E. Schumer
United States Senator

Robert P. Casey, Jr.
United States Senator

Amy Klobuchar
United States Senator

Debbie Stabenow
United States Senator

Edward J. Markey
United States Senator

Ron Wyden
United States Senator

Margaret Wood Hassan
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Tom Udall
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Christopher S. Murphy
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Joe Manchin III
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Christopher A. Coons
United States Senator

Kirsten Gillibrand
United States Senator

Jon Tester
United States Senator

Kyrsten Sinema
United States Senator

Jeffrey A. Merkley
United States Senator