5 U.S.C. CHAPTER 71 · FEDERAL COLLECTIVE BARGAINING

# One signature took bargaining rights from a million federal workers. Congress can make sure it never happens again.

A national security exception written for intelligence agencies was used in 2025 to pull most of the federal government out of the collective bargaining law. Cancelling the orders is not enough.

**1,066,423**
union-represented federal workers lost bargaining rights, counting TSA

**40+**
agencies and subdivisions excluded by one order on March 27, 2025

**34.8%**
of the workforce still in a bargaining unit in June 2026, down from about 56%

**231–195**
House vote to cancel the orders in December 2025, with 20 Republicans voting yes

## WHAT HAPPENED

Executive Order 14251 declared that more than 40 agencies and offices have a "primary function" of national security work. The list includes the VA, the EPA and the FDA. A second order added the National Weather Service and NASA.

Contracts were cancelled in the middle of their terms. Grievances were dropped. Dues deductions were shut off.

Police, firefighters and Customs and Border Protection kept their rights. The White House fact sheet said certain unions had "declared war on President Trump's agenda."

## WHY A NEW EXECUTIVE ORDER WILL NOT FIX IT

Every gain made by executive order has been erased by the next president who wanted it gone. Only a statute outlasts an election.

The House-passed Protect America's Workforce Act (H.R. 2550) cancels the two orders. It does not change the section of law that allowed them, so the next president could do it again.

## WHAT THE REWRITE LEAVES ALONE

Federal employees still cannot strike. Congress still sets pay. Managers keep their emergency authority. The FBI, the CIA and the NSA stay outside the law.

## The ask

1. Bar funding for Executive Orders 14251 and 14343 in every appropriations bill and in the defense bill.
2. Cosponsor a rewrite of Chapter 71, the Federal Workforce Bargaining Rights Protection Act.

## WHAT THE REWRITE DOES

**Narrows the exception.** Written findings for each unit, approval by Congress, court review, a four-year limit, no delegation.

**Adds enforcement.** A right to sue, injunctions, penalties, and full make-whole relief when an agency breaks the law.

**Protects the referees.** The labor board keeps working when seats are empty, and deadlocks go to neutral arbitrators.

**Makes contracts hold.** No order can void a signed agreement, and agencies can be compelled to arbitrate.

**Restores what was taken.** Voids the 2025 orders and reinstates the contracts.

## Read the full record, sources and draft text

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