

Learning about Legislation #19 - Career Civil Servants vs. Political Appointees

This week the President said a lot of disturbing things in the State of the Union address. However, one line was more sinister than any other, and yet it was met with cheerful applause from the audience:

“Tonight, I call on the congress to empower every Cabinet secretary with the authority to reward good workers—and to remove federal employees who undermine the public trust or fail the American people.”

What the President called for was the ability of his hand-picked appointees to be able to fire at will career civil servants. Not only would this change completely undermine the role of the union within the public sector, but it would break nearly a century of precedent in keeping the influence of politically appointed personnel separated from the career civil servants.

Civil servants are bureaucrats who fill positions that are not political or judicial. They are administrators and support staff, regulators and scientists. They staff the Post Office, the Center for Disease Control and the Internal Revenue Service. Their mandate is to fulfill the rules and regulations, as defined in law and the US Code of Federal Regulations, that pertain to their specific office. Partisanship has no role in how they perform the duties of their position. To move up in the ranks of the civil service requires tenure, but also experience and expertise in one’s particular field.

Political appointees are cabinet-level positions and some levels below. Many are liaisons between the White House and the specific bureaucratic offices. Although political appointees may have some level of experience in the field where they are assigned, that is not always a prerequisite (e.g., Ben Carson, Betsy DeVos and Rick Perry). Interaction between the political staff and the civil service is almost always mediated by the employee unions.

Yasha Mounk, political theorist and host of the excellent podcast *The Good Fight*, had [an essay in Slate](#) this week in which he commented on the danger in the President’s call for his cronies to be able to fire civil servants at will. He wrote:

“Under Trump’s proposal, any Cabinet secretary could decide that, say, a law enforcement official investigating the president had ‘undermined the public trust’ or ‘failed the American people’—and fire him on the spot. In other words, Trump is calling for an end to any semblance of independence for the IRS, the FBI, the Department of Justice, or any other federal agency.... in his first State of the Union, the 45th president of the United States asked Congress for the authority to end the rule of law. And that—not Trump’s supposedly unifying policy proposals, much less his supposedly presidential ability to read a speech off a teleprompter—should be the headline of every newspaper tomorrow.”