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**Statement from Mary Kate Whalen, President of the Senior Executives Association,
on the Implementation of Schedule Policy/Career in the Excepted Service**

On June 3, 2026, President Trump signed Executive Order 14410, *Implementing Schedule Policy/Career in the Excepted Service*, directing OPM and federal agencies, consistent with OPM regulation (see *Improving Performance, Accountability and Responsiveness in the Civil Service*, 91 Fed. Reg. 5580 (Feb. 6, 2026)) and associated guidance documents, to quickly implement a significant reclassification of thousands of federal career civil service positions to excepted service for purpose of improving performance, accountability and responsiveness in the civil service. The Senior Executives Association (SEA) shares the Administration's interest in a high-performing federal workforce and in holding senior career leaders to rigorous standards. SEA also strongly supports meaningful, and long-overdue, civil service reform and modernization. For those reasons, SEA continues to be concerned that the reclassification of such a broad group of career civil service positions and removal of merit system protections and procedures will have the opposite result to the detriment of successful implementation of important Administration policies.

"SEA has supported strong accountability for senior leaders and policy-shaping career professionals for decades, and we have worked across administrations to strengthen federal performance management, including faster ways to address poor performance and clearer standards for results," said Mary Kate Whalen, President of the Senior Executives Association. "Accountability is most effective when it is fair, transparent, and grounded in a merit-based civil service. This order moves in the opposite direction. It strips procedural protections from named career positions without putting credible, enforceable alternatives in their place."

The Schedule Policy/Career initiative transfers positions across the federal government into the excepted service based on agency determinations that the roles are confidential, policy-determining, policy-making, or policy-advocating in character. As stated in OPM's implementing regulation, these positions "will be at-will positions excepted from adverse action procedures or appeals. This will allow agencies to quickly remove employees from critical positions who engage in misconduct, perform poorly, or obstruct the democratic process by intentionally subverting Presidential directives." (Again, see *Improving Performance, Accountability and Responsiveness in the Civil Service*, 91 Fed. Reg. 5580 (Feb. 6, 2026))

"Our concern is what happens to candid advice, institutional continuity, and the merit system when experienced career professionals can be removed without the safeguards Congress put in place. Career

senior leaders and policy-shaping professionals are responsible for developing, facilitating, and successfully implementing critical and complex policies throughout the federal government,” said Whalen.

“To do so effectively,” she continued. “They must be skilled problem solvers, communicators and thought partners, able to identify problems and obstacles in design and implementation, collaborate on effective alternatives, and effectively communicate those options to leadership. Removing merit system protections and procedures for challenging adverse actions is likely to dissuade these career professionals from speaking truth to leadership about problems out of concern that it would be interpreted not as problem solving, but as ‘intentionally subverting Presidential directives.’ Over time, that invites attrition among experienced leaders and weakens institutional capacity at the moment government faces its most complex policy, operational, and security challenges.”

The civilian career civil service is intended to support the continuity of government and its efficient execution of government services and programs across administrations. The Civil Service Reform Act of 1978 established career employee protections by a near-unanimous bipartisan majority, not to shield employees from accountability to the President, but to ensure that services are delivered to all Americans without regard for partisan affiliation. Removing those protections from career roles risks converting professional policy positions into de facto at-will employment vulnerable to changing political circumstances.

SEA urges safeguards that make implementation transparent and durable, including published criteria for designating positions as policy-determining or policy-advocating, documented justifications for each determination, and a defined, reviewable process for affected employees. Clear criteria and documentation protect both accountability and the merit system the order is meant to serve.

SEA remains committed to constructive engagement on reforms that improve performance and accountability. Reforms that weaken merit protections without replacing them with credible, enforceable alternatives jeopardize the professionalism and continuity on which effective government depends. SEA will continue working with Congress, OPM, and stakeholders to ensure that any changes uphold merit system principles, protect due process, and preserve the value the career workforce provides to the Administration and the American people. SEA welcomes the opportunity to work directly with OPM leadership on implementation, including the criteria and documentation that would govern these designations and the Presidential award and bonus provisions also directed by the Executive Order.

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About the Senior Executives Association The Senior Executives Association (SEA) is a professional association representing career members of the Senior Executive Service (SES) and other senior career leaders across the federal government. SEA promotes effective government leadership, accountability, and the preservation of a professional, nonpartisan civil service.