

## **FEDERAL CIVIL SERVICE ACT OF 2024**

### AN ACT

To establish an apolitical federal civil service that ensures continuity of government and allows for individuals to build permanent expertise.

### INTRODUCED BY

MR. COASTBREEZE of the great state of California introduced this bill on 9 August 2024 (for himself, VICE PRESIDENT CABOT and PRESIDENT TEASOUPS) which was later referred to the Committee on Government Affairs.

**Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled—**

## **TITLE I – GENERAL PROVISIONS**

### **Section 101. Short Title.**

- (a) This Act shall be referred to as the ‘Federal Civil Service Act of 2024’ as its short title.

### **Section 102. Enforcement and Severability.**

- (a) This Act remains ‘severable’ in accordance with the severability doctrine maintained and developed by the courts of the United States.
- (b) This Act shall immediately come into effect.

## **TITLE II – THE FEDERAL CIVIL SERVICE**

### **Section 201. Senior Executive Service.**

- (a) It is the purpose of this Title to establish a Senior Executive Service to ensure that the executive management of the Government of the United States is responsive to the needs, policies, and goals of the Nation and otherwise is of the highest quality. The Senior Executive Service shall be administered so as to—

- (i) ensure the opportunity of employees of federal agencies to advance to senior leadership roles within their agencies, or to be assigned to senior leadership roles within related agencies to best meet the needs of the federal government;
- (ii) ensure that retention and tenure are contingent on executive success which is measured on the basis of individual and organizational performance;
- (iii) assure that senior executives are accountable and responsible for the effectiveness and productivity of employees under them;
- (iv) recognize exceptional accomplishment and talent;
- (v) enable the federal government to reassign senior executives to best accomplish the agency's mission;
- (vi) protect senior executives from arbitrary or capricious actions;
- (vii) provide for program continuity and policy advocacy in the management of public programs;
- (viii) maintain a merit personnel system free of prohibited personnel practices; (9) ensure accountability for honest, economical, and efficient Government;
- (ix) ensure compliance with all applicable civil service laws, rules, and regulations, including those related to equal employment opportunity, political activity, and conflicts of interest;
- (x) provide for the initial and continuing systematic development of highly competent senior executives;
- (xi) provide for an executive system which is guided by the public interest and free from improper political interference; and
- (xii) appoint career executives to fill Senior Executive Service positions to the extent practicable, consistent with the effective and efficient implementation of agency policies and responsibilities.

## **Section 202. Administration of the SES; Appointments.**

- (a) The Senior Executive Service shall come under the primary control and administration of the National Employment and Labor Authority.
- (b) The President may, on the advice of the National Employment and Labor Authority, designate any position within any executive department or agency as a position to be

filled via the Senior Executive Service if such position does not require the advice and consent of the Senate, excepting positions requiring the advice and consent of the Senate if such position constitutes an inferior officer of the United States.

(c) Excepting positions filled via the Senior Executive Service as required by this Act, the President may, upon a report to the Congress, redesignate a position requiring the Senior Executive Service to no longer requiring filling via the Senior Executive Service.

(i) Such re-designation shall take effect no less than one month after such a report.

(ii) Such a report shall include the reasons for such redesignation.

### **Section 203. Filling SES Positions.**

(a) Positions designated to be filled via the Senior Executive Service shall be filled by a bidding system taking into account the preferred agencies or positions of the Senior Executive and preferred candidates of agencies for which there is a vacancy in a position filled via the Senior Executive Service.

(b) Directors of agencies and secretaries of executive departments shall promptly report to the National Employment and Labor Authority when a position filled via the Senior Executive Service is vacant.

### **Section 204. Appointment of Senior Executives.**

(a) The National Employment and Labor Authority shall establish the requirements for appointment to the Senior Executive Service, such appointees shall be titled "Senior Executives" within the Senior Executive Service.

(b) Such requirements for appointment to the Senior Executive Service shall be on the basis of—

(i) recommendation from a current director of a federal agency, or secretary of an executive department on the basis of work done within such agency or department;

(ii) application to the Senior Executive Service on the basis of prior work within the executive branch;

- (iii) selection by the National Employment and Labor Authority on the basis of proven work experience.

#### **Section 205. Transfer of Executives.**

- (a) Senior Executives may request transfers to a position filled via the Senior Executive Service. Such transfers shall be on the basis of standards established by the National Employment and Labor Authority.
- (b) Any agency director or secretary of an executive department may request the transfer of a Senior Executive under their purview on the basis of standards established by the National Employment and Labor Authority.

#### **Section 206. Removal of Senior Executives.**

- (a) The removal of a Senior Executive shall only be on the basis, and in compliance with, the standards set forth in 5 U.S. Code § 2301 and 5 U.S. Code § 2302.
- (b) Any agency director or secretary of an executive department may request the removal of a Senior Executive under their purview on the basis of the standards set forth in 5 U.S. Code § 2301 and 5 U.S. Code § 2302.
- (c) The removal of a Senior Executive shall be only by the National Employment and Labor Authority.

#### **Section 207. Appeal of SES Actions.**

- (a) A Senior Executive may appeal any action relating to their status or position within the Senior Executive Service on the basis of the standards set forth in 5 U.S. Code § 2301 and 5 U.S. Code § 2302 to the National Employment and Labor Authority.

#### **Section 208. Incompatibility with the U.S. Code.**

- (a) In any case where there is ambiguity as to the application of transferred application of the U.S. Code into ROBLOX or roleplay standards regarding the enactment of this act, the Tribunal of Statutory Compatibility shall have original jurisdiction.

### **TITLE III – REORGANIZATION OF THE NATIONAL EMPLOYMENT AND LABOR AUTHORITY**

#### **Section 301. Transfer of Authorities.**

- (a) The National Employment and Labor Authority shall be organized administratively under the Executive Office of the President.
- (b) The National Employment and Labor Authority shall be headed by an Administrator, appointed by and with the advice and consent of the Senate.
- (c) Requirements for the Adjudicators of the National Employment and Labor Authority to hold prior, or current, positions under Section 105(c) of the National Employment and Labor Act of 2024 are abolished.
- (d) Adjudicators of the National Employment and Labor Authority shall be redesignated as Administrative Law Judges.
- (e) The National Employment and Labor Authority shall be subdivided into the Tribunal Division, composed of the offices of Administrative Law Judges, and the Civil Service Division, composed of the Office of the Administrator of the National Employment and Labor Authority.
- (f) The functions of the Chief Adjudicator of the National Employment and Labor Authority are transferred to the Administrator of the National Employment and Labor Authority in a manner not inconsistent with this Act.

#### **Section 302. Employment Actions against the United States.**

- (a) No action concerning the employment of an employee of the United States, nor any action concerning disciplinary actions against employees of the United States, shall proceed in the District Court.
- (b) Any action filed in the District Court concerning employment, or disciplinary action against, an employee of the United States shall be referred to the National Employment and Labor Authority by the Clerk of the District Court *as a matter of law*.

#### **Section 303. Appeal of a NELA Decision.**

- (a) A final decision of a panel of three Administrative Law Judges of the National Employment and Labor Authority may be appealed to a panel of five Administrative

Law Judges of the National Employment and Labor Authority.

- (b) Final decisions of a panel of five Administrative Law Judges of the National Employment and Labor Authority may not be appealed and all decisions shall be final.

#### **Section 304. Tenure.**

- (a) The tenure of Administrative Law Judges in this act shall be for a term of nine months before reauthorization as described in the National Employment and Labor Act of 2024 is required.

#### **Section 305. Repeals; Amendments.**

- (a) Godsent's Employee Protection Act (S. 26) is hereby repealed in full and declared null and void for its conflict and mootness following the ratification of the NELA.
- (b) Godsent's Judicial Reform Act (H. R. 93) is hereby repealed in full and declared null and void for its unnecessary complication of recusal motions. All associated Amendments with this Act are hereby repealed in full as well.
- (c) The following is inserted under Section 6(a) of the Employment Protection and Regulation Act of 2024 and it shall read:
  - “(iii) This section shall not apply to employees of the Intelligence Community (i.e., CIA, NSA, DIA, ODNIA) and in cases where exigent circumstances require the removal of an individual—for example if someone is rogue.”