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**ATTORNEY GENERAL ANNE LOPEZ OPPOSES NEW PROPOSED
RULE THAT WOULD STRIP CIVIL SERVICE PROTECTIONS FROM
THOUSANDS OF FEDERAL EMPLOYEES**

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HONOLULU – Attorney General Anne Lopez today led a coalition of 19 attorneys general in submitting a [comment letter](#) opposing the Office of Personnel Management’s (OPM) proposed rule to create a new employment classification in the federal civil service, Schedule F. This classification, if implemented, would strip workplace protections from tens of thousands of federal civil service employees.

Under the current federal civil service system, approximately 2,000,000 federal employees serve in the “competitive service,” meaning they are hired through a merit-based process and protected by civil service laws that guard against arbitrary dismissal or political interference.

Schedule F is a new employment category that would reclassify a broad range of policy-related civil servants — such as analysts, attorneys, scientists and regulators — into an at-will employment status. Unlike traditional Schedule C political appointees who change with each new presidential administration, Schedule F would apply to federal civil servant career staff not normally subject to such turnover. This reclassification

would remove long-standing due process protections and open these employees up to being fired on political grounds.

In the comment letter, the attorneys general argue that the OPM's proposed rule is unlawful, unconstitutional, and harmful to states. Schedule F violates the Civil Service Reform Act of 1978, which Congress passed to protect federal employees from arbitrary dismissal and ensure merit-based hiring. It also raises due process concerns under the Fifth Amendment by retroactively stripping career civil servants of vested employment rights.

The attorneys general also emphasize the rule's dangerous impact on states, which depend on consistent, professional federal partners to administer shared programs. States rely on civil servants at agencies like the Environmental Protection Agency, Department of Health and Human Services and Department of Education to implement laws, distribute funds and provide technical guidance and continuity for long-term projects that span administrations.

This reclassification would also affect civil servants at agencies that states rely on to manage disasters, such as the Federal Emergency Management Agency and the Centers for Disease Control and Prevention. The comment letter warns that politicizing these positions would undermine cooperation, destabilize federal-state programs like Medicaid and environmental enforcement, and significantly degrade the effectiveness of the federal government, as well as its adherence to the rule of law.

"The proposed rule is yet another attack aimed at career public servants," said Deputy Solicitor General Lauren Chun with the Department's Appellate Division. "States work closely with and depend on these federal employees to deliver crucial services and benefits to their residents. The proposed rule thus threatens to undermine the efficient and effective delivery of important federal services to the states."

In the letter, Attorney General Lopez and the coalition are urging OPM to withdraw this unlawful proposal that will jeopardize the efficiency of federal programs and harm the states that depend on them.

This letter was co-led by Attorney General Lopez and Attorney General Keith Ellison of Minnesota. They were joined by the attorneys general of Arizona, California, Connecticut, Colorado, Delaware, Maine, Maryland, Massachusetts, Michigan, Nevada, New Jersey, New York, Oregon, Rhode Island, Vermont, Washington and the District of Columbia.

A copy of the comment letter can be found [here](#).

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