

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051  
MINORITY (202) 225-5074

<http://oversight.house.gov>

### Opening Statement

**Chairman Gerald E. Connolly**

### Hearing on "The Administration's War on a Merit Based Civil Service" Subcommittee on Government Operations

**Tuesday, May 21, 2019**

The federal government's most essential resource is its 2.6 million employees, who comprise the most professional, non-partisan civil service in the world.

Developing and enforcing the policies that protect them from political interference has been the task of an independent agency called the Office of Personnel Management (OPM).

OPM also administers the largest employer-sponsored health insurance program in the world and processes retirement benefits for 2.5 million federal retirees and survivors. It vets and trains candidates for some of our nation's most important civil service positions.

OPM is the agency that serves the people who serve the American people. Today's hearing is about the administration's plan to abolish OPM.

This hearing is about the administration's plan to eliminate the independence of the civil service. The administration wants to take over the merit policy-making functions and put them into the highly politicized environment of the White House, away from direct congressional oversight and inspector general review.

It is clear the Administration decided a priori to undermine civil service protections and developed this reorganization proposal to obscure its objective.

This hearing is about the administration's plan to reverse more than a century of reforms implemented to professionalize the civil service and insulate it from political influence.

This hearing is also about how the administration has hidden its plans and intentions from Congress. So today is a reckoning. Much is at stake.

OPM was created to make the rules that define what constitutes a prohibited political activity by a federal employee. Do we as a nation want the President determining what constitutes political activity for federal employees?

OPM crafts the rules that protect federal employees from racial, political, or religious discrimination. Do we want the President interfering with rules that protect employees from discriminatory practices?

OPM regulates the standards by which federal job candidates are assessed, like skill level, experience, and fitness for the position. Do we want the President to make the rules that govern merit and skill?

OPM's roots run through the Civil Service Reform Act of 1978, all the way back to the assassination of President Garfield and the creation of the Pendleton Act of 1883.

OPM is the grandchild of reforms to the corrupt patronage system of that era.

The independence of OPM and the merit-based civil service system of today are the legacy of American reformers, and their institutions are just as relevant today as they were when they were created. The administration's proposal ignores history and would undo these carefully evolved reforms.

The administration's proposal was developed without input from key stakeholders, including Congress, federal employees, federal annuitants, and the private sector. Without any notice from agency leaders, OPM employees woke up to a budget request that eliminated their agency – and perhaps their jobs — starting October 1.

This proposal was released without any data or evidence to support its goals. It's a reckless endgame in search of a rationale. We know this because OPM Director Weichert continued to push back our hearing date to provide time for the Administration to generate tortured justifications for this ill-conceived plan.

Although Ms. Weichert originally agreed to testify before this Subcommittee on May 1<sup>st</sup>, she quickly rescinded that agreement to push for a later date. She and her staff also repeatedly refused to provide documentation to demonstrate even a minimal amount of due diligence in developing and executing a massive change to our federal government's operations. They ignored essential management practices and have already done damage to our federal workforce. This isn't even building the plane while flying it. This is landing without landing gear and hoping no one sees the sparks.

This proposal is short-sighted, inadequate, and unconvincing.

Nearly a year after the Administration issued its government-wide reorganization plan, which included the plan to dismantle OPM, the Administration has not provided this committee a clear and convincing reason for dismantling this key federal agency.

The administration has not provided even basic information, such as:

- a compelling reason why eliminating OPM is necessary;
- a clear plan and a timeline for their desired changes;
- a report on the alternative plans considered and why they were rejected;
- a legal analysis of the authorities they have and those they would need to make their preferred changes;
- a cost/benefit analysis of their plan;
- an analysis of how such a move would affect federal employees – including possible reductions in force;

- a risk assessment and contingency plan should they not get the authorities they need;
- a timeline of how and when they engaged key stakeholders throughout this process; or
- a detailed plan for how will protect the huge amount of incredibly sensitive data and information currently curated by OPM.

We have not seen anything from this Administration to convince us that any part of this plan is a good idea and would make our federal government more effective and efficient.

We are not here to pretend that OPM is perfect. OPM's inspector general has found that the agency struggles with data security, claims processing, and information security governance. The Government Accountability Office has identified 18 priority recommendations to the improve the agency, including improving data quality, improving the antiquated federal job classification system, and strengthening controls over information technology systems.

This hearing is not a partisan attack. In fact, it is bipartisan.

This hearing is a wake-up call. Our federal workforce is our greatest asset. Improving OPM is a bipartisan goal. But revitalizing OPM requires careful planning and a clear understanding of its problems. Successful government transformations take long-term, consistent and transparent stakeholder engagement, quality data and metrics, and performance milestones.

The Administration has taken none of these basic steps. I look forward to hearing how we can work across the aisle with my partner Mr. Meadows to improve OPM the right way.

---

---

Contac: Aryele Bradford, Communications Director: 202.226.5181