

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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### Opening Statement Ranking Member Elijah E. Cummings

#### H.R. 1132, the Political Appointee Burrowing Prevention Act

November 2, 2017

Mr. Chairman, I have significant concerns about H.R. 1132, the Political Appointee Burrowing Prevention Act, and the substitute amendment.

The bill would make it very difficult to hire former political appointees into career positions. It would prohibit hiring a political appointee for a career position for two years following separation from the political position.

It would also add a significant hurdle for agencies seeking to hire an applicant to a career position who separated from a political appointment in the last five years. The agency would be required to certify, in writing, to the Office of Personnel Management that the appointment is quote, "critical to the agency's ability to meet its mission." It is not clear that these additional obstacles to hiring qualified career staff are necessary.

There are several controls in place already to ensure that when former political appointees are hired into career positions, the selection process is fair, open, and based on skills, knowledge, and ability. For example, agencies currently must seek approval from OPM prior to appointing former political appointees to a career position. OPM ensures the appointment process quote, "was fair, open, and free from political influence." OPM also reports the results of its reviews to this Committee and the Senate Homeland Security and Governmental Affairs Committee.

A February 2017 report found that OPM reviewed just 16 requests by agencies to hire former political appointees from October 1, 2016, through January 20, 2017, and did not find reason to deny any of these requests.

Making it harder to hire former political appointees may dampen the interest of qualified applicants for political jobs, and prevent highly qualified and experienced people from applying for the federal civil service.

We all want the best people in federal service. According to the Government Accountability Office, quote, “the ability to convert political appointees to career positions is an appropriate and valuable means of achieving a highly skilled workforce.”

I am concerned this bill would be an impediment to that.

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