

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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### Opening Statement Chairman Gerald E. Connolly Subcommittee on Government Operations Hearing on “Revitalizing the Federal Workforce” February 23, 2021

Almost exactly two years ago, I sat on this very dais for my first hearing as Chairman of this Subcommittee. It focused on a little-known board in the executive branch that ensures our civil service is vested with knowledge and expertise. That board is known as the Merit Systems Protection Board (MSPB).

At the time, the MSPB had been without a quorum since January 2017, the longest it had been unable to operate since it began operations in 1979.

Despite our efforts to highlight the significant role of MSPB in adjudicating federal employee appeals of actions taken against them when they blow the whistle on waste, fraud, abuse, and political retaliation, the MSPB still remains without a single board member. It has a backlog of more than 3,000 petitions from employees who claim they have been retaliated against or that their leadership has failed to uphold the very merit-system principles that serve as the foundation of our civil service.

**This hearing serves as a critical inflection point — the end of the Trump Administration’s four-year assault on the federal workforce — and a celebration of the resiliency of those served our nation through the constant attacks and degradation. It’s also the beginning of a new Administration that has highlighted the vital role federal employees play in making this nation work.**

**We will use what we learn here today to better understand weaknesses in the federal laws that are meant to enshrine merit system principles in perpetuity. We seek to protect the statutory right to collectively bargain. We want to strengthen whistleblower protections, to empower those who see wrongdoing to come forward. And we want to prioritize the health and safety of the workforce that continued to serve us in the midst of a catastrophic and deadly pandemic.**

The Trump administration began its attacks on the federal workforce from the very start, with a hiring freeze. President Trump quickly followed those freezes with repeated budget requests to freeze federal pay. Congress refused to listen to these requests, providing at least a 1% increase each year of the Trump administration.

President Trump followed up pay freezes with three executive orders that severely undermined federal employees' rights to bargain collectively. He nominated two individuals who were outright hostile to public sector unions at the helm of the Federal Labor Relations Authority (FLRA) and stacked the Federal Services Impasses Panel with anti-union stalwarts.

The Trump administration also orchestrated an illegal attempt to abolish the very agency that serves as our nation's Human Resources hub. Without legal justification or analysis, the Trump team began to move components of the Office of Personnel Management (OPM) into the General Services Administration and the Executive Office of the President.

This Subcommittee held [two hearings](#) and sent [multiple oversight letters](#) and on a bipartisan basis Congress rejected and defeated the plan to eliminate OPM.

Then the Trump administration sunk even lower. The President released an executive order that asked federal agencies to strip anyone who could be construed as involved with policy making or policy implementation of their statutory due process rights. This action, known as Schedule F, struck at the very pith of what makes our civil service a crown jewel across the globe.

OPM, the MSPB, and the FLRA, established collectively in statute by the Civil Service Act of 1978, are fundamental reforms to the corrupt patronage system of our nation's past and the Trump administration unleashed an all-out assault on those foundations. I led my colleagues in running the clock out on this so-called Schedule F initiative.

But much damage remains. Clearly, we have a lot of work ahead of us to rebuild our civil service.

I'm supporting the Biden administration's laudable efforts to reverse many of the previous administration's actions by taking essential steps to revitalize of our civil service.

**First, today I am reintroducing the Merit Systems Protection Board Empowerment Act, which reauthorizes the board through 2026 and provides it authority to survey federal employees to find ways to improve its ability to protect expertise in government.**

**Today I am also reintroducing the National Security Diversity and Inclusion Workforce Act, which requires each national security agency to provide a public report on its diversity and inclusion efforts and encourages agencies to expand development and career advancement opportunities for its workforce.**

**Over the past few weeks, I have reintroduced legislation to prevent any future administrations from attempting something like Schedule F from happening ever again. The bipartisan Preventing a Patronage System Act would require the executive branch to get explicit statutory authority to establish any categories of federal employee outside of the general schedule.** The executive branch has established a new schedule only five times in the last 138 years, so I hardly see this as an overly burdensome requirement on any administration.

And while we overturn the catastrophic policies of the previous administration, and nourish a federal workforce starved of resources, we must simultaneously find ways to rebuild our civil service and attract the next generation to public service.

As of December, only 6.8% of the federal workforce was under the age of 30. In the private sector, about 23% of the workforce is under 30. According to OPM data from just last week, 29.4% or nearly a third of the federal workforce will be eligible for retirement by the end of 2025.

So, we have an aging workforce — and the young people don't want to stay.

In terms of diversity, the workforce needs improvement. While women comprise 43.3% of the full-time career workforce, they comprise only 35.5% of the Senior Executive Service — the leadership ranks of our career workforce. People of color comprise 38.3% of our federal workforce. But they comprise only 22.6% of our SES.

An analysis from Georgetown University that uses OPM data shows the net loss of people of color across several agencies within the federal government during the Trump administration. It shows an exodus of black/African American employees from the Social Security Administration, the Bureau of Prisons, and the Office of Personnel Management. Note too that people of American Indian descent or Alaskan Natives left the Bureau of Indian Affairs during the Trump administration

**It's a picture of an aging workforce that is failing to hire, welcome, and promote young people, women, and people of color.**

Strategic human capital management has been on the GAO High Risk List since 2001. We are in the midst of record job losses across the nation. Now is the time to recruit the best and brightest to federal service.

And while we are at it, let's also find ways to reduce the 98.3 days on average it takes to hire a new employee.

**We can do better. We must do better. I'm here to help get the right talent into the right seats to solve this country's most intractable problems.**

I look forward to hearing from this expert panel on how we get that done.

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