

**PARTNERSHIP
FOR PUBLIC SERVICE**

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**“Ensuring a Trustworthy Government:
Examining the National Security Risks of Replacing
Nonpartisan Civil Servants with Political Appointees”**

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Introduction

Chairman Peters, Ranking Member Paul, and members of the Committee on Homeland Security and Governmental Affairs, thank you for the opportunity to appear before you today to discuss the importance of a strong, nonpartisan federal workforce—particularly the national security workforce—as well as the areas where significant reforms are needed to ensure that agencies can effectively meet their missions while delivering easy to access services built with your constituents in mind.

During the past 24 years and across four administrations, the nonpartisan, nonprofit Partnership for Public Service has been dedicated to building a better government and a stronger democracy. The Partnership was founded on the premise that any organization’s best asset is its people and that the federal government needs dedicated, qualified talent to best deliver mission outcomes.

We also believe that the federal government should continually modernize its practices and earn the trust of the public. We’ve recently outlined five key areas for reform in our “Vision for a Better Government”¹: develop better government leaders; make it easier to hire and keep great public servants; hold poor performers accountable; unleash the power of data and technology to achieve better public outcomes; and provide efficient, customer-friendly services to the public.

These priorities also are critical to solving the crisis of public trust in government. Today, too many people believe our government is wasteful, lacking in transparency and accountability, and indifferent to public needs. What we know from our years recognizing government’s untold stories² is that across the country there are federal employees who go above and beyond to meet their missions and protect national security.

As a recent Washington Post series³ highlights, the impacts made by individuals that work in government can happen in the places we least expect and don’t typically think of as the federal government at work. For example, the employee based in Pittsburgh who developed a method to prevent mine roofs from collapsing, saving thousands of lives, or the national security employee who developed and launched the main innovation arm of the U.S. Air Force, improving pilot safety, saving taxpayers hundreds of millions of dollars and strengthening our national defense. Changing public perceptions of the federal government requires telling these stories of the work it does, but also being clear-eyed about the places where reform is needed and working to change the status quo so government works effectively.

¹ “Vision for a Better Government,” Partnership for Public Service, August 15, 2024, <https://ourpublicservice.org/publications/vision-for-a-better-government/>

² Service to America Medals, Partnership for Public Service, <https://servicetoamericamedals.org/>

³ “The Canary,” Michael Lewis, The Washington Post, September 3, 2024, <https://www.washingtonpost.com/opinions/interactive/2024/michael-lewis-chris-marks-the-canary-who-is-government/>

Snapshot of the Federal Workforce

The people who serve inside the federal government are the backbone of the services provided to your constituents and the effective mission delivery of agencies. In fact, they often are your constituents as well, since most federal employees live and work outside of Washington, D.C.

The federal government currently employs over 2 million people⁴ who deliver a wide range of essential services to the public.⁵ Federal employees work in all fifty states and around the world, serving an American population that has more than doubled since 1949⁶ when the government's pay and classification system was created. However, analysis of the federal workforce as a percentage of the total U.S. population for the past 15 years reveals the workforce has represented approximately 0.6% of the population, a significant decrease from 1945 when the workforce represented a historic 2.5% of the entire population.

Their roles are increasingly diverse, covering the missions of every federal agency. Federal employees ensure our food is safe to eat, fight wildfires, process Americans' passports, prevent cybercrime, work in mines, national parks, and rural communities, and provide countless other vital services that the public may never know about. Their work directly impacts our national security and safety, as dedicated federal employees investigate child labor violations, prosecute individuals supplying chemicals to drug cartels, develop encryption standards to prevent and respond to cyberattacks, and arrest drug distributors and members of violent transnational criminal organizations, among many other things.

Defense and national security-related agencies account for nearly 71% of the entire civilian federal workforce.⁷ These are defined as agencies that have protection of the United States and its security as one of their primary missions – either through defense, intelligence, upholding of the law, or care of the veterans that have enabled that defense. This includes the Department of Veterans Affairs, Department of Defense (including Departments of the Army, Navy and Air Force), Department of Homeland Security, and the Department of Justice.

At the end of fiscal year 2023, 80% of the federal workforce was located outside the Washington, D.C., metropolitan area – living and working in states across the country, including in your home states. The locations with the largest federal employee populations were Washington, D.C. (7.3%), Virginia (6.6%), California (6.5%), Maryland (6.4%), Texas (5.7%) and Florida (4.2%). Some work in

⁴ Unless otherwise noted, data in this analysis are for full-time, nonseasonal, permanent civilian employees of the executive branch as of September 2023. The data does not include employees of the legislative or judicial branches, the intelligence community, the U.S. Postal Service, foreign service officers or locally employed staff within the Department of State, or uniformed military personnel. Contractors also are not included.

⁵ "Fed Figures," Partnership for Public Service, <https://ourpublicservice.org/fed-figures/a-profile-of-the-2023-federal-workforce/>

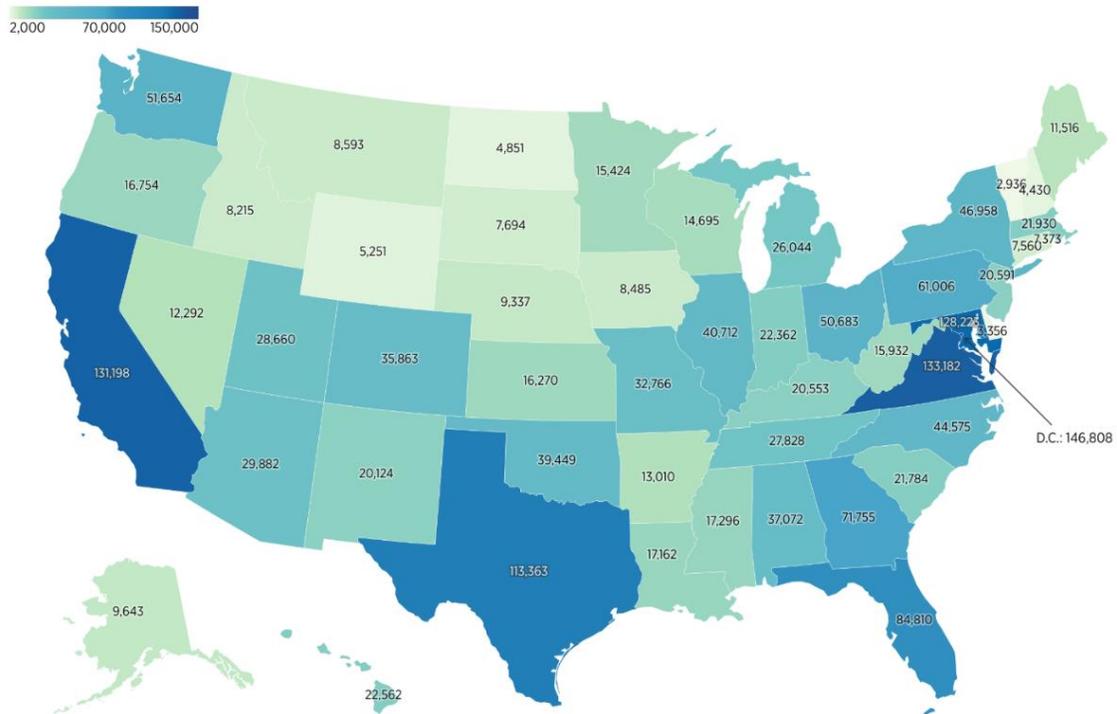
⁶ "Population," USA Facts, <https://usafacts.org/data/topics/people-society/population-and-demographics/population-data/population/>

⁷ Not including employees of the U.S. Postal Service.

offices, but many are frontline workers in the field in roles such as federal transportation security officers, national park rangers, clinical biologists, or food inspection workers.⁸

Federal Employment by State

The federal workforce spans the entire country, with employees located in every state.



Note: For security purposes, FedScope does not provide location information for employees in the following agencies: Federal Bureau of Investigation; Drug Enforcement Agency; Bureau of Alcohol, Tobacco, Firearms and Explosives; Secret Service and Bureau of the Mint. As a result, states may have a higher number of federal employees than what is listed above. Data as of September 2023.
Map: Partnership for Public Service • Source: FedScope



Individuals who served in the uniformed military service constitute a considerable segment of the federal workforce. At the end of fiscal 2023, 30% of federal employees were veterans compared to 5% of the total employed U.S. civilian labor force. In the same year, 25% of new federal hires were veterans.

The Importance of a Nonpartisan Civil Service

Career federal employees remain in their roles regardless of which political party occupies the White House and they serve as the bridge to preserving America’s security when transitions occur. This continuity is particularly important for agencies supporting our national security interests where expertise, established relationships, and in-depth understanding of the complex dynamics impacting our safety at home and abroad are critical.

While career federal employees can be disciplined or fired for performance (although that system requires significant reform), they cannot be fired based on politics. This is to ensure that there is

⁸ “Focus on the Front Line or Fall Behind: A Fresh Look at Federal Employee Engagement,” Partnership for Public Service, August 29, 2024, <https://ourpublicservice.org/publications/focus-on-the-front-line-or-fall-behind-a-fresh-look-at-federal-employee-engagement/>

continuity when political appointees turnover with a new administration and to ensure that services are delivered to the public fairly and impartially. Congress authorizes the programs and appropriates funding for agency budgets – which drive the implementation work of federal employees who ensure services are provided to all Americans.

The public rightfully expects that these services work effectively – after all, they are funded by taxpayer dollars. Yet none of these services would exist without skilled federal employees, the dedicated Americans who serve the public interest and take an oath to the Constitution. Across administrations and regardless of which political party is in office, they carry out the policies of our elected leaders, enforce our laws, protect our rights, and promote our safety and security.

The American people want a nonpartisan workforce that is effective, and there’s broad lack of support for policies like Schedule F. Research from the Partnership shows that people do not believe that further politicizing the civil service is a good way to improve our government’s ability to deal with national problems. Across the political spectrum, the public believes civil servants should be hired and promoted based on merit rather than their political beliefs – fully 95% of the public agree with that idea, including 96% of Democrats, 95% of Republicans and 94% of independents.⁹ In addition, only 25% say that presidents should be able to fire “any civil servants that they choose for any reason.” Finally, almost 90% say that the federal government is less effective when decisions are “driven by politics.”

Plans for an increasingly politicized workforce would undermine our government’s ability to deliver fair and responsive services, as well as destabilizing the national security workforce. A federal workforce filled with employees hired for their political beliefs rather than their skills and qualifications would move us further away from the type of government the public deserves. It would strip federal agencies of expertise and hamper their ability to provide good service to everyone, not just to those who support the president of the day.

Furthermore, creating a system of employment without significant guardrails to prevent politically motivated hiring and firing for thousands of civil servants would in effect drastically increase the number of politically appointed individuals across government. While we often talk about the career civil service, political appointees are an important part of the workforce as well – and they are primarily responsible for bringing an administration’s priorities into agencies and serving directly at the pleasure of the president.

Each president has around 4,000 political appointments to make, over 1,300 of which are currently subject to the advice and consent of the Senate. Filling these positions is a daunting task for any president, and the Partnership, through our Center for Presidential Transition, has produced a series of reports detailing vacancies and raising concerns about the effects that these vacancies have on agency performance and national security.¹⁰

⁹ “The State of Public Trust in Government 2024,” Partnership for Public Service, <https://ourpublicservice.org/publications/state-of-trust-in-government-2024/>

¹⁰ See, e.g., Chris Piper, “Taking stock of the vacancy crisis across cabinet departments,” April 25, 2024, <https://presidentialtransition.org/blog/taking-stock-of-the-vacancy-crisis-across-cabinet-departments/>;

Typically, political appointees only serve an average of two to three years in a four-year administration.¹¹ This causes constant churn at agencies, which—combined with an increasingly slow Senate confirmations process—creates vacancies which slow decision-making, long-term strategic planning and modernization efforts. A sense of impermanent leadership also can undermine employee morale.¹² This harms the performance of agencies and impacts services from veterans’ care to support for America’s farmers.

A stable, professional career civil service is also imperative to protecting our national security. There are serious implications when there are vacancies of key national security political appointees, which is why it’s invaluable to have nonpartisan professionals with institutional knowledge and relationships to maintain continuity in turbulent times.

The findings and recommendations of the bipartisan 9/11 Commission are just as relevant as when the Commission issued its report.¹³ One of the 9/11 Commission’s most notable findings was that the Bush administration “like others before it— did not have its team on the job until at least six months after it took office.” Key deputy Cabinet and subcabinet positions remained empty until the spring and summer of 2001, less than two months before 9/11. The Commission concluded that because “a catastrophic attack could occur with little or no notice, we should minimize as much as possible the disruption of national security policymaking during the change of administrations by accelerating the process for national security appointments.”

Despite the 9/11 Commission’s call to action, the percentage of top national security positions confirmed by the twentieth anniversary of the attack in 2021 was only 27%, compared to 57% on the day of the attack in 2001. Although the percentage rose to 67% by the end of President Biden’s first year,¹⁴ we still fall short in addressing the 9/11 Commission’s concern. Numerous other crises during times of transition or early in presidential terms point to the need for strong collaboration between incoming political leaders and seasoned career experts in the civil service: the 1961 failed Bay of Pigs invasion, the 1993 World Trade Center bombing, the financial crises of 2008-2009, the

Partnership for Public Service, Center for Presidential Transition, “Layered Leadership: Examining How Political Appointments Stack Up at Federal Agencies,” Feb. 20, 2024, <https://presidentialtransition.org/reports-publications/layered-leadership-examining-how-political-appointments-stack-up-at-federal-agencies/>; Carlos Galina, Paul Hitlin, and Mary-Courtney Murphy, “Slow Nominations and Confirmations Pose a Threat to National Security,” May 24, 2022, <https://presidentialtransition.org/reports-publications/slow-presidential-nominations-and-senate-confirmations-pose-a-threat-to-national-security/>

¹¹ See, e.g., Dull, M., Roberts, P.S., Keeney, M.S. and Choi, S.O., 2012, “Appointee Confirmation and Tenure: The Succession of U.S. Federal Agency Appointees, 1989–2009,” *Public Admin Rev*, 72: 902-913, <https://doi.org/10.1111/j.1540-6210.2012.02676.x>

¹² Chris Piper and David E. Lewis, “Do Vacancies Hurt Federal Agency Performance,” June 24, 2022, *Journal of Public Administration Research and Theory*, <https://doi.org/10.1093/jopart/muac029>

¹³ “The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States,” July 22, 2004, <https://www.9-11commission.gov/report/911Report.pdf>

¹⁴ “Joe Biden’s First Year in Office: Nominations and Confirmations,” Partnership for Public Service, Center for Presidential Transition, January 9, 2022, <https://presidentialtransition.org/reports-publications/joe-bidens-first-year-in-office/>

potential terrorist threat to the 2009 inauguration, and, most recently, the COVID-19 pandemic.¹⁵ With the Senate confirmation process becoming increasingly slow, the need for stability in career staff to help our nation despite the large amount of turnover of political appointees during presidential transitions is all the more important.

Our government is not perfect, but we need to modernize it rather than break it. It will harm our system of government—and the public—more by moving to a less effective, less stable and more politically motivated workforce. Based on more than 20 years of expertise in government reform, the Partnership recommends prioritizing customer experience, modernizing outdated data and technology, improving accountability by modernizing performance management, and developing stronger government leaders to improve how our government serves the people.

These reforms would provide our government with what it needs most: a way to offer the public simple and timely access to services like Social Security, veterans benefits and health care; modern, secure IT systems that help keep our country safe and secure; and highly qualified federal leaders and employees who are committed to the public trust and are good stewards of taxpayer dollars. As a result, the improvements we propose should be the basis for any discussion about enhancing our government’s ability to better serve the public – a goal supported by political leaders on both sides of the aisle, even in this era of increased polarization.

Rebuilding Trust by Modernizing Government and Making it More Effective

A strong democracy requires a government that is trusted and trustworthy. Over the past several years, the Partnership has conducted research to understand the public’s views about the federal government and federal employees. What we have found is that the public overwhelmingly views a nonpartisan and competent civil service as critical to a well-functioning democracy. One Partnership survey shows that fully 91% say that “competent civil servants” are important for a strong democracy, including 94% of Democrats, and 91% of Republicans and independents.¹⁶

Yet, polling conducted by the Partnership found that only 35% of Americans trust the federal government to do what is right at least some of the time. On a brighter note, people view the federal government more positively when asked about specific agencies and their missions and services, or non-elected government officials and their work in public service.

In addition, we know from our polling that that the public overwhelmingly wants a more accountable, transparent and responsive government, and also believes civil servants should be hired based on merit, not their political beliefs. A nationally representative survey conducted by the Partnership in spring 2024 found that the American public overwhelmingly believe that civil servants should serve the people and the Constitution more than any individual president. This

¹⁵ For a discussion of lessons learned from crises during times of transition, see Sasha Blachman and Paul Hitlin, “Presidential Transitions are a Perilous Moment for National Security,” August 16, 2023, <https://presidentialtransition.org/reports-publications/presidential-transitions-are-a-perilous-moment-for-national-security/>

¹⁶ “The State of Public Trust in Government 2024,” Partnership for Public Service, <https://ourpublicservice.org/publications/state-of-trust-in-government-2024/>

remained true across party lines, with 91% of Democrats, 90% of Republicans and 83% of independents agreeing that civil servants should serve the people more than any president, and fully 86% saying civil servants should serve the Constitution first.

To truly boost public trust in government, it needs to work well and be accountable to taxpayers – not just one president or political party. We need a modern, responsive government that provides user-friendly and accessible services to the public. Ultimately, this will require a whole of government approach, with political appointees and career professionals working together to help agencies to achieve their missions and deliver on those services that the public expects and deserves.

What we know, and what years of reports such as the GAO High Risk List¹⁷ show, is that many of the business practices essential to any high-performing organization are outdated and in need of investment and significant reform. In order to identify how best to make the government more effective and to better hold career employees accountable for strong service delivery, it is useful to look at the laws underpinning human capital and performance management across agencies and when they were last updated. For instance, today’s pay and classification system was created in 1949. The country was just coming out of World War II, its population was 149 million (compared to over 333 million now)¹⁸ and the federal workforce was largely clerical.

As federal jobs became more advanced and the needs of the public grew, Congress passed the Government Employees Training Act in 1958 to boost efficiency and federal operations. This 1950s law hasn’t been updated in light of decades of research and practice across the private sector on better training and development of employees – it still serves as the foundation for training federal employees to advance mission performance.¹⁹

The 1970s and 1980s saw advancements in federal management issues—including the Civil Service Reform Act, Privacy Act and Paperwork Reduction Act—and in hiring and performance practices. The 1978 passage of the Civil Service Reform Act, which established the Office of Personnel Management and directed performance appraisal systems for General Schedule employees and the Senior Executive Service, stands as the last time Congress comprehensively addressed federal personnel management – more than four decades ago.

What followed were sporadic updates to performance management regulation into the 1990s, with limited laws and changes to training, pay and appraisal systems in the early 21st century. Today, many of these legal and regulatory relics persist, standing in stark contrast to the continuous investments made by private sector companies to update their systems. Critics of federal

¹⁷ “High Risk List,” Government Accountability Office, <https://www.gao.gov/high-risk-list>

¹⁸ “Population,” USA Facts, <https://usafacts.org/data/topics/people-society/population-and-demographics/our-changing-population/>

¹⁹ The [Government Employees Training Act](#) is codified in [Chapter 41 of title 5](#) and gives federal agencies general authority for employee training. The Act was amended by the [Federal Workforce Restructuring Act of 1994](#) to permit agencies to take advantage of training from non-government entities. Further updates and regulatory changes occurred in response to the [Federal Workforce Flexibility Act of 2004](#).

operations often claim that the government should mirror the private sector, but no modern private sector company could operate under such outdated policies and resource constraints.

Private sector companies routinely invest in talent – making sure they recruit, hire and develop highly-qualified individuals, iterating on performance management systems so they can set goals to motivate employees to higher performance, training supervisors to hold employees accountable for good performance and outcomes, and creating incentives and performance practices that help move poorly performing employees out the door. All while also making sure employees have the tools, technology and data to do their jobs and meet their bottom line.

Lawmakers and federal leaders must commit to modernizing outdated laws and regulations that hamstring IT, human capital management and performance management practices, and should invest in updated systems and tools.

Fixing Root Causes, Not Building Workarounds

Proposals to fire federal employees en masse are a workaround to a system that is broken. It would create chaos, particularly in the national security space, make the process less effective and result in worse outcomes for the American people. It would also deepen the decline of trust in the federal government.

When a company's services or products do not work well or an employee does something wrong in the workplace, people generally expect the problem to be dealt with quickly. These same expectations hold true for our federal government – and the bar is even higher because the public has a vested interest in ensuring its tax dollars are put to good use. I understand the committee's continued focus on dealing with poor performers, and it is imperative that they are held accountable and that necessary actions are taken.

One of the merit principles—the core values of the civil service which are enshrined in law—is that employees who cannot or will not improve their performance to meet standards should be separated. In fact, according to data collected by the Office of Personnel Management, agencies formally discipline an estimated 17,000 employees annually for misconduct.²⁰ Federal employees must also follow strict ethics and political interference laws, including potential criminal penalties for violations of conflicts of interest statutes.

Yet the current process for addressing poor performers in government is difficult for managers and confusing for workers, leading to a lack of accountability for government employees who do not carry out their roles and responsibilities effectively. The vast majority of federal employees are doing their jobs well, but a small number who don't make it challenging for everyone else to achieve mission success. Only about 10% of respondents to the 2023 Federal Employee Viewpoint

²⁰ "Federal Employee Misconduct," Government Accountability Office, July 2018, <https://www.gao.gov/assets/d1848.pdf>

Survey reported that poor performers are usually removed or transferred from their work unit.²¹ It is important to ensure that federal employees cannot be fired for politically motivated or unjust reasons, but there are ways to update and simplify the current system that would make it easier to manage performance issues.

Despite the range of work locations, job responsibilities and skillsets among federal employees, we have a one size fits all system of incredibly outdated laws that still govern this modern workforce. Policy proposals like Schedule F or the other bills and ideas that have been floated over the past decade to make all or portions of the workforce at-will—able to easily be hired and fired for personal or political reasons regardless of performance or a business case—won't meet the goal of ensuring that agencies carry out the work that Congress authorizes and appropriates funding for, and is a workaround to a broken system. Updating archaic processes, policies and systems is fundamental to agency and individual performance.

It's also useful to reframe our approach to accountability and performance management. If we get to the point of firing someone, then there have been multiple breakdowns in the process along the way. I encourage the committee to focus on the entirety of employee accountability – from fixing the hiring process to ensure we are hiring highly-qualified individuals, to developing employees and training managers, to modernizing the systems that allow employees to effectively work across the enterprise. These elements are crucial components for any high-performing organization and are all critical parts of accountability.

It's not just the federal government – performance management is a challenging component of any organization. Even private sector companies haven't cracked the code on how to do it best. For example, comparably sized companies like Walmart, Home Depot, and FedEx have adapted their performance management systems many times over the years. However, the private sector clearly views these functions as worth investing in, evidenced by how these companies have established clear cultural values, employee development programs, and performance appraisal, enforcement and reward systems.

At its core, the federal government is a huge, complex organization staffed by professionals. They come to work to do important, mission-driven jobs and they need business systems in place to support them. The bar is high because they must be good stewards of taxpayer dollars and the public trust, serving all Americans who pay into the system – including your constituents. And ultimately, they must be held accountable for their performance in service of the public.

Charting a Constructive Path Forward

Being good stewards of taxpayer dollars and public trust means we need to focus on the pieces that are most resource intensive and fix them. Dealing with poor performers is necessary, but isn't the only reform needed. High performing organizations invest in the employee lifecycle and the tools employees need to do jobs well – recruitment, hiring, development, performance goals and

²¹ “2023 Federal Employee Viewpoint Survey Results,” Office of Personnel Management, <https://www.opm.gov/fevs/reports/governmentwide-reports/governmentwide-reports/governmentwide-management-report/2023/2023-governmentwide-management-report.pdf>

conversations, strong supervisors and leaders, and resources (such as modern IT systems, data infrastructure, etc.).

Here are five ways that Congress can modernize the federal workforce and improve performance management:

1) Hold managers and leaders accountable for employees' performance

More than 40% of respondents to the 2023 Federal Employee Viewpoint Survey, the annual nationwide survey of federal employees, reported that poor performers usually remain in their work unit and continue to underperform. This shows that the process is broken and not utilized as intended to deal with legitimate performance issues.

Often managers don't know where to turn when dealing with performance issues. That's partly because we've given people the wrong tools — a single check-the-box supervisor training will not equip someone with the necessary information and resources to take action to hold people accountable. Government needs to develop new, data-driven performance management practices and agencies should be granted the ability to do pilots in conjunction with OPM, following the example of companies in the private sector which continually work toward better systems.

Additionally, agencies need robust human resource functions with HR specialists dedicated to helping employees and supervisors navigate performance management (from setting performance goals, to appropriately rating employee performance, to dealing with poor performance). Agency HR offices are currently not staffed or resourced to provide this type of consultative support that employees need.

Managers should be skilled and supported to hire, onboard, develop, set performance goals, and fairly address performance issues and discipline when needed. Employees who are identified as possible supervisors or those who want to manage people should have to take supervisor training courses along with meeting supervisory skills requirements – and there should be alternate non-supervisory paths for technical experts to progress in their careers. Members of the Senior Executive Service (SES) and political leaders should also have performance plans weighted toward leading people, in addition to driving results.

2) Reform use of the probationary period

While supervisor development, training and leadership attention are critical to holding employees accountable for performance and outcome delivery, there are other areas the committee should consider when streamlining accountability processes. An initial step is to strengthen managers' use of the probationary period for new employees.

The probationary period for new employees is meant to give supervisors time to evaluate whether someone is a good fit for the job. It's typically one year long and is designed to be the final assessment in the hiring process. However, supervisors often do not use this period to ensure new employees have the skills they need to thrive in their new role or take proactive steps, including removal, if someone isn't the right fit. If an employee is not performing well, agencies should have a

process to provide them with additional training, move them to a different position where they are a better fit or terminate them before the probationary period ends.

3) Streamline the employee appeals process

The current federal process for dealing with employee complaints and appeals is fundamentally flawed and does not adequately serve the needs of either managers or employees. Federal employees have access to multiple and sometimes overlapping dispute resolution forums on a wide range of issues and it can routinely take over a year or more to receive a final answer, confusing both managers and employees, and delaying resolution. In fiscal year 2023, it took agencies an average of 102 days to process an employee's initial appeal, according to the Merit Systems Protection Board that adjudicates some employment cases.

For managers, the process of removing or disciplining an employee is daunting in terms of the time and effort required, and often discourages managers from taking appropriate actions. They are not properly trained in handling these situations and often lack the will and the top-level support to act because of the concern about the personal toll and disruptive impact it may have on the work unit. For employees who have been terminated, face disciplinary action or have some other appealable dispute, it can take many months or well over a year to achieve resolution. This system leaves employees in limbo and is demoralizing for the large majority of workers who are performing well.

If an employee is disciplined or terminated for poor performance or misconduct, there needs to be a quick and streamlined review and appeals system, one that provides due process protections and ensures decisions are not politically motivated. The process should be easy to understand, leading employee and employer alike to a fair and expeditious resolution. One option would be to limit most types of employee complaints and appeals to a single authority. Currently, employees can file grievances or appeals with a wide range of bodies, including the MSPB, the Federal Labor Relations Authority, the Equal Employment Opportunity Commission, the Office of Special Counsel and certain federal courts. Streamlining these options while upholding due process rights would reduce the chance of delays or inconsistent rulings.

4) Reform the political appointments process

While the focus of this testimony is on preserving a merit-based civil service, an important related area in need of reform is the process by which a president installs top political leaders. These leaders help a president carry out priorities across the government and set a vision for the career federal workforce to follow. With each successive president, though, the confirmation process for over 1,300 positions requiring Senate confirmation has become lengthier and more arduous. The average time to confirm a nominee in President Reagan's first term was 49 days. For President Trump's term the average was 160 days and now for President Biden it is 182 days. Meanwhile, scores of positions simply go vacant because the number of positions subject to confirmation is unwieldy for both the White House and the Senate.

Many of these positions, while important, report to other layers of Senate-confirmed positions, and therefore could be converted to positions not requiring Senate confirmation. Other procedural reforms could make the confirmation process more efficient, while preserving the Senate's role in

advice and consent. The Partnership has laid out recommendations for improving the appointments process both before this Committee and the Senate Committee on Rules and Administration.²² We look forward to continuing to work with you as we try to create the kind of bipartisan agreement that emerged in 2011 and 2012, when Congress reduced the number of positions subject to Senate confirmation and the Senate created the Privileged Calendar to expedite nominations for positions that are typically not controversial.

5) Prioritize improvements to how our government serves the public

To build a truly effective government, it's critical to prioritize areas that will improve how it serves people. In addition to performance management, these are four additional reforms that would provide our government with what it needs most – a way to offer the public simple and timely access to services like Social Security, veterans benefits and health care; modern, secure IT systems that help keep our country safe and secure; and highly qualified federal leaders and employees who are committed to the public trust and are good stewards of taxpayer dollars.

- *Make it easier to hire and keep great public servants:* Agencies should evaluate current hiring processes to discover where they are not working for applicants, hiring managers and human resources specialists and then take steps to make the system work better, including identifying areas where a change in law is necessary.
- *Modernize leadership requirements:* All federal executives and managers, including political appointees, should be required to meet a consistent standard for leadership that holds them accountable for running healthy and high-performing agencies. The government should adopt a framework that requires leaders to prioritize and demonstrate skills essential to effective federal service, including the foundational value of being a steward of the public good.
- *Build modern, customer-friendly services:* Federal employees at all levels should be held accountable for providing first-rate customer experience. Agencies should identify senior officials to lead customer experience work, fund and staff customer experience teams, and encourage the adoption of best practices across the organization.
- *Make better use of artificial intelligence, technology and data:* Congress must work with federal agencies to implement a long-term funding strategy to modernize outdated technology systems, collaborate to develop uniform rules around the responsible use of emerging technologies like artificial intelligence and use data more effectively to inform federal policies, services and programming.

²² Testimony of Kristine Simmons, Partnership for Public Service, before the Committee on Homeland Security and Governmental Affairs at hearing entitled, "Examining the Senate Confirmation Process and Federal Vacancies," March 3, 2022, <https://presidentialtransition.org/our-priorities/reducing-confirmed-positions/>; Testimony of Jenny Mattingley, Partnership for Public Service before the Committee on Rules and Administration at hearing entitled, "Senate Procedures to Confirm Nominees," July 30, 2024, https://www.rules.senate.gov/imo/media/doc/c0b04070-9fc6-0bf3-2ea7-c0d4a3ca93fd/Testimony_Mattingley.pdf.

Conclusion

Thank you again for holding this hearing and focusing on how to build a more trustworthy government, support a stronger federal workforce, and preserve a nonpartisan national security workforce. As outlined, we believe that constructive, forward-looking reform efforts—like addressing performance management challenges and boosting customer experience efforts—will be most effective in accomplishing this goal.

While dealing with poor performers is a process every organization needs to be prepared for, it is impossible to fire one's way to success. As this subcommittee has shown through its oversight, accountability means tracking and improving outcomes over the entirety of an employee's time at the agency, as well as investing in the workforce population as a whole—from hiring to professional development and growth, to strategic workforce and succession planning—and streamlining the systems and tools they need to work effectively.

We appreciate the Committee's important role in reviewing possible solutions and updates to significantly outdated laws to best help our federal government serve the American people. We have identified reform opportunities in our "Vision for a Better Government"²³ and throughout this testimony, and we look forward to working with you to further identify and implement reforms.

²³ "Vision for a Better Government," Partnership for Public Service, August 15, 2024, <https://ourpublicservice.org/publications/vision-for-a-better-government/>