



PARTNERSHIP FOR PUBLIC SERVICE

Better government. Stronger democracy.

June 2, 2025

Office of Personnel Management
1900 E Street NW
Washington, DC 20415

Re: Docket Number: RIN 3206-AO81, "Assuring Responsive and Accountable Federal Executive Management"

Dear Acting Director Ezell,

On behalf of the Partnership for Public Service, I am writing to share comments on the Office of Personnel Management's (OPM) proposed rule to amend components of the Senior Executive Service (SES) performance management system.

The Partnership is a nonprofit, nonpartisan organization committed to building a better government and a stronger democracy. Core to our mission is the belief that a merit-based, nonpartisan civil service is central to our system of government. Since the Partnership's founding over two decades ago, we have advocated across administrations for changes to federal law, regulations, policies, and programs that improve our government's ability to attract, hire and retain a talented workforce that effectively serves the public.

For many years, the Partnership has amplified the incredible accomplishments of our nation's dedicated senior leaders while advocating for ways to modernize and strengthen the Senior Executive Service, including holding senior leaders accountable for their performance and that of their agencies.¹ Good leaders are a pre-requisite for agency success and effective day-to-day delivery of government services to the public. However, the current system governing the Senior Executive Service, in particular its performance management practices, falls short and needs an overhaul.

Fundamentally, broad changes to SES performance management are needed to enable agencies to make meaningful distinctions based on relative performance. Successful reform of the SES will require leaders to take a broader look at the performance management process, not just focusing on small pieces of the puzzle such as changes to performance plans and distribution of ratings.

The proposed rule as written will not solve the systemic performance management challenges it claims to address. Our past research has highlighted how inconsistent approaches to SES performance ratings across agencies, combined with concentrated ratings at the 4 and 5 levels

¹ Partnership for Public Service, Senior Executives Association and Volcker Alliance, "SES Joint Policy Agenda," <https://ourpublicservice.org/wp-content/uploads/2018/10/SES-Joint-Policy-Agenda.pdf>



PARTNERSHIP FOR PUBLIC SERVICE

Better government. Stronger democracy.

at some agencies, can impact the effectiveness of the SES as a government-wide resource. However, even the studies cited by OPM in its narrative supporting the rule show the pitfalls of forced distributions of ratings, and high-profile corporate users have moved away from such a system.

In these comments, we share our alternative proposals for SES performance management reform, emphasize the need for political leaders to be held accountable for systemic reform, and flag several concerns with the proposed rule.

Proposed Reforms to Address Systemic Performance Management Challenges in the Senior Executive Service

There is a long-standing narrative that the government is filled with problem employees who are never fired. While this narrative is far too simple to encompass the range of complexities that any organization, let alone federal agencies, must confront when dealing with its people, it does hold a kernel of truth—the current system to hold employees accountable for poor performance, and encourage stronger performance, is challenging for leaders, managers and employees alike. However, the administration’s suggestions for reforming the current system risk politicizing career senior leaders and fail to address key elements that produce strong leadership in any organization.

Performance management is commonly thought of as the setting of annual performance goals, conversations throughout the year between an employee and their manager, and annual reviews where the employee receives both feedback and a numerical rating based on their achievement of performance goals.

When performance management is done well, most employees will be assessed as meeting expectations, with some above and some below that median. But to have a successful performance management process, an organization needs several elements in place across the employee life cycle:

- Managers who are selected based on their supervisory qualifications and then given training on performance management;
- Human resource offices that are staffed to provide support to supervisors and employees in setting performance goals and standards, measuring performance, delivering feedback, receiving feedback, having difficult conversations and dealing with performance issues;
- An enterprise-wide framework and mutual understanding of how to set good performance goals and standards that have been clearly articulated by agency leaders;
- A rating system that is fair, clear, and easy to use, as well as a streamlined system to help employees achieve better performance or move out of their roles; and



PARTNERSHIP FOR PUBLIC SERVICE

Better government. Stronger democracy.

- A performance management system that applies to junior employees, senior executives, and political staff alike.

Unfortunately, few of these elements are universally at play across the federal government and this systemic dysfunction is further compounded at the SES level. The administration's proposals to change SES performance plans, emphasize loyalty to a president's policies, or implement forced distribution of rankings are simply workarounds to this broken system and represent a missed opportunity to fix ²root causes.² The Trump administration should instead focus on foundational elements like assessing leaders, providing adequate training, and ensuring that HR offices are appropriately resourced. In addition to these reforms, we offer several more recommendations below:

- *Require SES Candidates to have Varied Background Experience* – Members of the SES must take on complex challenges that are not neatly confined to one agency or one sector of our economy. To infuse the SES with broad perspectives and multiple skill sets, OPM should require that candidates for the SES have a variety of experiences before entry into the SES – for example, experience at multiple agencies and/or experience at the state or local levels of government or in the private or nonprofit sectors.
- *Reform the Performance Goal Setting Process* – Effective performance management requires a robust goal setting process. Senior executives must have performance goals that align with the missions of their agencies, as well as the statutory and regulatory requirements of their offices. Agencies should also conduct frequent performance conversations, supported by data and examples, with senior executives. Moreover, leaders should integrate results from performance reviews into talent development processes.³
- *Require Performance Plans for Political Appointees* – As the highest level of leadership across the government, political appointees should be held accountable for their performance and contributions like every other employee. Performance plans should address the accountability of leaders for managing well, supporting efforts to recruit, hire and retain highly-qualified talent, training and developing future leaders, engaging employees, and holding subordinate managers accountable for addressing employee

² Office of Personnel Management, "New Senior Executive Service Performance Appraisal System and Performance Plan, and Guidance on Next Steps for Agencies to Implement Restoring Accountability for Career Senior Executives," February 25, 2025, <https://www.chcoc.gov/content/new-senior-executive-service-performance-appraisal-system-and-performance-plan-and-guidance>

³ Partnership for Public Service, "A Pivotal Moment for the Senior Executive Service," June 2016, <https://ourpublicservice.org/wp-content/uploads/2016/06/4df40d1d237c9acd2f65a17085964206-1466544190.pdf>



PARTNERSHIP FOR PUBLIC SERVICE

Better government. Stronger democracy.

performance issues. Each of these criteria plays a role in building a high performing workforce and will drive leadership attention to pressing workforce and management issues.

Case studies cited in the proposed rule also reveal which tools can overcome performance management challenges. According to literature cited by OPM and examples from the private sector, continuous feedback,⁴ employee coaching, performance plans, individual goal setting,⁵ and incentivized collaboration have proven instrumental in improving organizational performance in the long run. Companies such as Amazon,⁶ Uber,⁷ Microsoft,⁸ Meta,⁹ and Google¹⁰ have replaced some or all of their forced distribution performance management models with a combination of the above attributes to obtain greater performance without incurring the harmful consequences.

Tying Performance Management to Implementation of a President's Policy Preferences Will Not Result in Better Outcomes for the Public

Senior executives must be evaluated on their ability to follow the law, not the president's political preferences

Civil servants are often called upon to offer impartial and objective advice, report illegal activity or misconduct, raise alarms about major issues, and propose uncomfortable solutions to

⁴ KPMG, "How to Motivate Your People," March 2021,

<https://assets.kpmg.com/content/dam/kpmgsites/uk/pdf/2021/07/psychology-of-reward-and-recognition.pdf>;

Business Insider, "Inside Amazon's complex employee-review system, where workers feel left in the dark and managers expect to give 5% of reports bad reviews," April 2021, <https://www.businessinsider.com/amazon-annual-performance-review-process-bonus-salary-2021-4>

⁵ Business Insider, "Microsoft Just Killed The Controversial 'Stack Ranking' Review System That Killed Employee Morale," Nov. 2013, <https://www.businessinsider.com/microsoft-just-killed-its-controversial-stack-ranking-employee-review-system-2013-11>; PerformYard, "How Does Uber Do Performance Management?," <https://www.performyard.com/articles/how-does-uber-do-performance-management>

⁶ Business Insider, "Inside Amazon's complex employee-review system, where workers feel left in the dark and managers expect to give 5% of reports bad reviews," April 2021, <https://www.businessinsider.com/amazon-annual-performance-review-process-bonus-salary-2021-4>

⁷ PerformYard, "How Does Uber Do Performance Management?," <https://www.performyard.com/articles/how-does-uber-do-performance-management>

⁸ Business Insider, "Microsoft Just Killed The Controversial 'Stack Ranking' Review System That Killed Employee Morale," Nov. 2013, <https://www.businessinsider.com/microsoft-just-killed-its-controversial-stack-ranking-employee-review-system-2013-11>; Steffen Maier via LinkedIn, "Microsoft Throws Employee Stack-Ranking Out The Window," Jan. 2016, <https://www.linkedin.com/pulse/microsoft-throws-employee-stack-ranking-out-window-steffen-maier/>

⁹ Corvisio, "Stack Ranking — All You Need to Know," April 2020, <https://medium.com/@corvisio/stack-ranking-all-you-need-to-know-a5339c27ad83>

¹⁰ Business Insider, "Google is shaking up its compensation to incentivize higher performance," April 2025, <https://www.businessinsider.com/google-employee-pay-incentivize-higher-performance-2025-4>



Better government. Stronger democracy.

complex problems. This sometimes means that non-political leaders must push back against political policy proposals, not to undermine them because of partisan preference, but because they can provide context, insights and awareness of other factors that impact that proposal.

OPM's February 2025 memo providing guidance on a new SES performance appraisal system outlined the critical elements and performance requirements used to evaluate executives. Those include, "whether they faithfully administered the law and advanced the President's policy priorities; promoted government efficiency; demonstrated merit and competence; held others accountable and treated them fairly; and achieved organizational goals."¹¹ These requirements are at odds with each other when senior executives receive politically motivated illegal orders or highly inefficient tasks meant to advance the President's policy agenda. Combined with a forced performance distribution system, these requirements could be used to mask politically motivated negative performance evaluations with later removal from the SES. This in turn creates poorer outcomes for the American people through politicalization of the civil service.

Moreover, OPM's recent memo, *Hiring and Talent Development for the Senior Executive Service*, directs OPM to create ¹²s uphold the Constitution and the rule of law. Considering that several courts have already found some of the current president's executive orders to be unconstitutional, it is deeply concerning that OPM plans to train SES to follow these policies as a prerequisite for upholding the Constitution.

Senior executives, like all federal employees, take an oath to support and defend the Constitution, and they honor this oath by being careful stewards of taxpayer dollars and committed to the public good. They bring their policy expertise and management experience to bear on the implementation of a range of complex mission requirements. Therefore, it is critical to ensure that the SES is comprised of nonpartisan experts who carry out their duties and missions—which are borne out of laws authorized by Congress, not just directed by each administration—regardless of who occupies the Oval Office.

Political appointees need performance plans to align goals and accountability

Performance management is also difficult to do well without proper accountability for the political appointees who oversee and assess the work of senior executives. Just as senior career executives need to be held to performance standards to effectively manage agencies, political

¹¹ Office of Personnel Management, "[New Senior Executive Service Performance Appraisal System and Performance Plan, and Guidance on Next Steps for Agencies to Implement Restoring Accountability for Career Senior Executives](https://www.chcoc.gov/content/new-senior-executive-service-performance-appraisal-system-and-performance-plan-and-guidance)," February 25, 2025, <https://www.chcoc.gov/content/new-senior-executive-service-performance-appraisal-system-and-performance-plan-and-guidance>

¹² Office of Personnel Management, "Hiring and Talent Development for the Senior Executive Service," May 29, 2025, <https://chcoc.gov/sites/default/files/OPM%20SES%20Hiring%20Memo%205-29-2025%20FINAL.pdf>.



PARTNERSHIP FOR PUBLIC SERVICE

Better government. Stronger democracy.

leaders who oversee senior executives must be held equally accountable. Political appointees often lack the training and experience to effectively manage senior executive performance, and there is currently no accountability mechanism in place for these individuals.

Many political appointees are new to government and lack detailed knowledge of government-wide and agency-specific laws, rules and practices that would allow them to hit the ground running at the beginning of their tenure. The administration should require agencies to provide consistent, in-person or virtual onboarding to new political appointees that covers agency mission and structure, key management processes, ethics guidance, and congressional, White House and career-political relations.¹³

Failing to require performance plans for political appointees can lead to a misalignment of agency goals and a lack of proper accountability for senior executives. Political leaders play a critical role in the successful management of federal agencies and should be held accountable for their contributions. To establish this sense of accountability and alignment with an agency's mission, Congress should require that all political appointees have performance plans that conform to OPM and agency standards and which align to agency performance goals developed as part of the Government Performance and Results Modernization Act of 2010.¹⁴

Proposed Rule Won't Solve Government's Performance Management Challenges

Evaluation of senior executives requires enterprise-wide insight

Evaluating senior executives without considering the impact of cross-government decision making and leadership is not an effective way to do performance management. A senior executive's ability to deliver services and outcomes can be directly impacted by decisions made by other leaders and political directives outside of their control.

For example, in its argument for this rule, OPM continues to highlight SES performance management challenges at the Department of Veterans Affairs. The Partnership believes that the VA's fundamental management and operational challenges involve many factors (such as antiquated IT systems and dispersed chains of command), but we note here that moving VA SES to at-will status has not solved performance management challenges at the agency.

Moreover, according to studies cited by OPM, the risks of using a forced distribution rating system typically outweigh the benefits within organizations requiring collaboration or task

¹³ Partnership for Public Service, Senior Executives Association and Volcker Alliance, "SES Joint Policy Agenda," <https://ourpublicservice.org/wp-content/uploads/2018/10/SES-Joint-Policy-Agenda.pdf>

¹⁴ Partnership for Public Service, Senior Executives Association and Volcker Alliance, "SES Joint Policy Agenda," <https://ourpublicservice.org/wp-content/uploads/2018/10/SES-Joint-Policy-Agenda.pdf>



PARTNERSHIP FOR PUBLIC SERVICE

Better government. Stronger democracy.

interdependence.¹⁵¹⁶share information.¹⁷ Similarly, forced distribution is not well-suited to entities that value security or long-term orientation, as it disincentivizes creativity and risk-taking and inhibits relationship building between employees.¹⁷ Organizations like the federal government that rely on data sharing and long-term planning are especially vulnerable to the culture created by forced distribution, which often strangles innovation and dissuades collaboration.¹⁸

Forced distribution of performance ratings, without systemic reform, is an ineffective regulatory workaround

According to reports cited by OPM, forced distribution is not the solution to performance management issues identified by the administration. Although benefits may be derived in the short-run—such as enhanced organizational performance, reduced bias in the appraisal process, and greater employee satisfaction—Wijayanti et al. argue that “sustaining this improvement may be challenging.”¹⁹ Additionally, the authors note that within organizations requiring heightened collaboration (a hallmark of the federal government), “the risks associated with forced distribution tend to outweigh the benefits.”²⁰ Such risks may include sabotage behavior and resentment amongst staff, extreme job dissatisfaction, hindered innovation and creativity, reluctance to take risks necessary for growth, an unwillingness to share knowledge and accusations of discrimination.²¹

Private sector tech companies, which rely on innovation and collaboration to maintain their competitive advantage, provide a valuable example for how forced distribution falls short in achieving goals set forth by the Trump administration. A 2020 article from *Medium* similarly notes that although 30% of Fortune 500 companies use “some sort” of forced distribution, implementation is often unsuccessful.²² Of the four private sector examples provided by *Medium*—Amazon, Meta, Microsoft, and Uber—three “gave up” using forced distribution roughly ten years ago, and the fourth does not use stack rankings “in the traditional sense.”²³

¹⁵ Sue H. Moon, Steven E. Scullen, and Gary P. Latham, “Precarious Curve Ahead: The Effects of Forced Distribution Rating Systems on Job Performance,” *Human Resource Management Review* 26, no. 2 (June 2016): 166–79, <https://doi.org/10.1016/j.hrmr.2015.12.002>.

¹⁶ Moon et al., “Precarious Curve Ahead,” 175.

¹⁸ Moon et al., “Precarious Curve Ahead,” 174.

¹⁹ Wijayanti et al., “What Do We Know about the Forced Distribution System,” 782.

²⁰ Wijayanti et al., “What Do We Know about the Forced Distribution System,” 775.

²¹ Wijayanti et al., “What Do We Know about the Forced Distribution System,” 749 and 775.

²² Corvisio, “Stack Ranking — All You Need to Know,” April 2020, <https://medium.com/@corvisio/stack-ranking-all-you-need-to-know-a5339c27ad83>

²³ Corvisio, “Stack Ranking — All You Need to Know,” April 2020, <https://medium.com/@corvisio/stack-ranking-all-you-need-to-know-a5339c27ad83>



PARTNERSHIP FOR PUBLIC SERVICE

Better government. Stronger democracy.

Before reconfiguring its performance management system in 2013, Microsoft’s forced distribution practices destroyed the organization’s culture and undermined teamwork. According to Kurt Eichenwald, a journalist for Vanity Fair, “every current and former Microsoft employee I interviewed... cited stack ranking as the most destructive process inside of Microsoft.”²⁴ Employees at Uber described forced distribution as pitting teammates against one another, claiming that “as one worker advance[d] in the company, another must fail.”²⁵ General Electric—often credited as the founder of stack ranking—scrapped the practice itself in 2015 after determining that forced distribution “failed to capture future potential, hurt morale, and did not boost performance.”²⁶

OPM’s description of the proposed changes in this rulemaking leave questions about implementation of the forced distribution system

OPM states that “whether and how to implement such a pre-established distribution would be a task for agencies to implement, consistent with applicable OPM guidance.” However, two sentences before this statement, OPM says that removing the categorical prohibition on forced distributions in the regulations “will allow OPM to require and enforce a pre-established agency-wide and governmentwide distribution of performance ratings among all SES members....” Thus, it appears likely that OPM will implement the regulation as a mandate that agencies use forced distributions.

Additionally, OPM does not explain how a governmentwide distribution of performance ratings would be implemented. The agency says it “anticipates” that forced distribution would be limited to levels 4 and 5 of the SES ratings system, but the proposed changes to the regulations do not limit forced distributions to levels 4 and 5, leaving the door open for forced distributions at lower levels. We agree that ratings that skew high can impact the morale of those who are genuinely top performers. Additionally, an²⁷SES member at an agency with a high number of 4 and 5 ratings may be reluctant to move to or do a detail to an agency with a higher percentage

²⁴ Vanity Fair, “Microsoft’s Lost Decade,” August 2021,

<https://www.vanityfair.com/news/business/2012/08/microsoft-lost-mojo-steve-ballmer>

²⁵ Quartz, “Uber is designed so that for one employee to get ahead, another must fail,” Feb. 2017,

<https://qz.com/918582/uber-is-designed-so-that-for-one-employee-to-succeed-another-must-fail>

²⁶ Fast Company, “[Ranking workers can hurt morale and productivity. Tech companies are doing it anyway.](#),” Feb. 2023, <https://www.fastcompany.com/90850190/stack-ranking-workers-hurt-morale-productivity-tech-companies>



Better government. Stronger democracy.

of 3 ratings, and thus, inflated ratings can undermine the original vision of the SES as a corps of leaders capable of moving across agencies to help solve government's biggest problems.²⁸

Conclusion

Successful reform of the SES and its performance management process will require thoughtful enterprise-wide, systemic updates to many policies governing senior leaders. As a whole, the changes proposed by this rule represent a troubling shift towards centralized, politically driven decision-making authority by OPM, and away from the agencies who best understand their own leadership needs. We hope that OPM will consider the many alternative approaches to reform we have outlined in this document, in addition to addressing our concerns about the rule itself.

Thank you again for the opportunity to submit these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Max Stier".

Max Stier
President & CEO
Partnership for Public Service

²⁸ Partnership for Public Service, "A Pivotal Moment for the Senior Executive Service," June 2016, <https://ourpublicservice.org/wp-content/uploads/2016/06/4df40d1d237c9acd2f65a17085964206-1466544190.pdf>