

**OVERSIGHT OF OUR NATION'S
LARGEST EMPLOYER:
REVIEWING THE U.S. OFFICE
OF PERSONNEL MANAGEMENT**

HEARING
BEFORE THE
COMMITTEE ON
OVERSIGHT AND ACCOUNTABILITY
HOUSE OF REPRESENTATIVES
ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

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**OVERSIGHT OF OUR NATION'S
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Thursday, March 9, 2023

HOUSE OF REPRESENTATIVES,
COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY,
Washington, D.C.

The Committee met, pursuant to notice, at 9:38 a.m., in room 2154, Rayburn House Office Building, Hon. James Comer [Chairman of the Committee] presiding.

Present: Representatives Comer, Gosar, Foxx, Grothman, Palmer, Higgins, Sessions, Biggs, Mace, LaTurner, Fallon, Donalds, Perry, Timmons, Burchett, Greene, Boebert, Fry, Luna, Edwards, Langworthy, Burlison, Connolly, Norton, Lynch, Krishnamoorthi, Khanna, Mfume, Ocasio-Cortez, Porter, Brown, Gomez, Garcia, Frost, Balint, Lee, Casar, Crockett, Goldman, and Moskowitz.

Chairman COMER. The Committee on Oversight and Accountability will come to order. I want to welcome everyone here this morning.

Without objection, the Chair may declare a recess at any time.

I recognize myself for the purpose of making an opening statement.

Today's hearing is an opportunity to conduct oversight of our Nation's largest employer, the Federal Government. The U.S. Office of Personnel Management oversees human resource and personnel management policies for a work force of over 2.1 million employees across this country, many of whom are in or near the Washington, DC. area. Three years after the start of the COVID-19 pandemic, most of America has returned to in-person work. However, while the Capitol and congressional office buildings have reopened to the public and are back to in-person work, the same cannot be said for a large portion of the Federal Government.

The President himself said during his 2022 State of the Union address—yes, last year—“It is time for America to get back to work.” People working from home can feel safe again and begin to return to their offices. That was what President Biden said. Clearly, the President has at least stated that this is a priority for the Administration, and it is a priority for this Committee as well. And yet reports have shown that only 1 in 3 Federal employees have returned to the workplace since the start of the pandemic. Return-

ing to in-person work means returning to the core mission of each Federal agency, which is to serve the needs of the American people. Unfortunately, casework backlogs and slow response times have become routine complaints since the pandemic.

In the private sector, negative feedback is damaging to a company's brand and often leads to sweeping reforms to ensure that issues like these do not persist. When customer service plummets in the Federal agencies, where can American people go for redress? That is why we are holding this hearing today. Accountability, whether it is in the form of dismissing poor performers or modernizing merit-based hiring systems, must be a core feature of this discussion as we work to improve the functionality of government. Without the public's trust in knowing that the Federal bureaucracy can and will be held accountable for the delivery of service, we will continue to see poor performers erode public confidence in the entire Federal work force at the expense of those Federal employees who are putting forth their best efforts to serve.

Additionally, recent reports have highlighted how lack of oversight in programs, such as the Federal Employee Health Benefits Program, have led to ineligible payments of between \$1 billion and \$3 billion annually. Could you imagine if this error were to occur in the private sector? It is important that we continue to ask tough questions and reflect on how we can do better because that is when we start to see real reform. In fact, last year, Congress passed the largest postal reform package in over 20 years with wide bipartisan support. I am proud of what we were able to accomplish with my friends on the other side of the aisle, and I look forward to discussing the implementation of that bill later today as well.

We have a moral responsibility to be good stewards of Federal resources and to provide the best standard of service possible for the American people. We must work to ensure that the Federal work force can attract talented, service-minded Americans, who work diligently and efficiently to deliver results for the American people. I look forward to hearing from Director Ahuja today on how we can work together to improve the Federal Personnel Management System and hopefully create a work force that Americans are proud and excited to be a part of. Director, thank you so much for being here to testify today.

I now yield to Ranking Member Connolly for his opening statement.

Mr. CONNOLLY. Thank you, Mr. Chairman. Today's hearing is about the Federal Government's most important resource: 2.1 million employees. The Federal work force's expertise and experience are the lifeblood of our government. Each day, the Office of Personnel Management led by today's witness, Director Kiran Ahuja, makes our government an efficient instrument of the public interest by performing critical services, setting governmentwide policies to protect the merit system, administering the largest employer-sponsored health insurance program in the world, serving 8 million Federal employees, retirees, and family members, processing retirement services for 2.5 million Federal retirees and survivors, training Federal leaders who hold our Nation's most important civil servants positions.

This independent agency serves the people who serve the people. Federal civil servants live in every state. They work in every congressional district. In fact, 80 percent of the Federal work force works outside of the Washington Metropolitan Area. If you look behind me, you will see OPM has a heatmap of Federal employees showing a head count of where Federal employees work in each state as of September 30. And just a few examples that might be particularly pertinent to our Committee: 24,572 work in your home state Mr. Comer, Kentucky, 84,142 work in Georgia, 107,143 work in Florida, 158,121 work in Texas. So, you can see the dispersal of Federal employees throughout our districts and throughout the country. They build rockets, inspect food supplies, provide medical care for veterans, they help small businesses thrive, they support our military, and as you can see in this photo, they help rebuild communities all over America in the aftermath of natural disasters.

For too long OPM and the Federal work force it serves have been the target of baseless political attacks. Upon taking office for example, Mr. Trump attempted to abolish OPM entirely. As Chairman of the Government Operations Subcommittee at that time, I made sure that we built bipartisan opposition to that plan, including my friend, Mr. Meadows, who subsequently became the Chief of Staff to President Trump and helped us make sure we put a period on that bad idea. Once that plan failed, many continued to denigrate Federal employees, disparaging them as the deep-state, and fueling violent threats against Federal workers. They sought to eliminate collective bargaining rights, and attack our Federal union partners, and made a mockery of good-faith negotiations. These attacks left OPM scrambling to fill critical leadership positions after scores of experienced officials left the Agency. These reports are indeed profoundly troubling at a time when we need to restore the bonds of trust after efforts to shut down the government and demonize our own workers have failed. OPM must be the model employer of the Federal Government and never be hiring individuals with well-documented histories of workplace misconduct.

I agree with my friend, the Chairman, and my Republican colleagues that these reports raise important questions that must be answered by OPM. My request for Ms. Ahuja is that to the extent you are unable to discuss personnel decisions in this public forum because of the Agency's ongoing internal probes, that we immediately set up a time to meet with Members of this Committee to find solutions, to appropriately address those two particular hires, and, more importantly, to establish procedures and protocols to ensure we can avoid that happening in the future.

While I would hope that two problematic hires would not be used to smear the remarkable and indispensable work of 2.1 million civil servants, I hope my colleagues will resist that temptation. At the start of this Congress, many sought to roll back Federal telework to pre-pandemic levels regardless of evidence and data showing that telework was in place for many years before the pandemic, and it has been, by and large, a significant success. Telework policies save the Federal Government money, approximately \$1 billion, and reduced real estate costs from Federal building and space.

So, I look forward to this hearing today. I look forward to examining how we can make the workplace safer so that Federal work-

ers can return to work. And I, of course, introduced legislation to do just that, a bill named after a constituent of mine who worked at Quantico who died from COVID because there were no protocols in place. I also look forward to working, I hope, with the Chairman on my internship bill that I think will help streamline and further professionalize the opportunity for people to serve the Federal Government. I thank the Chair, and I yield back.

Chairman COMER. The gentleman yields back. I am pleased to introduce today's witness, Director Kiran Ahuja.

Ms. AHUJA. Ahuja.

Chairman COMER. Yes, who has testified before the Committee in the past. We are grateful that she joins us here today. Director Ahuja serves as the Director of the U.S. Office of Personnel Management and has served in this capacity since her confirmation in June 2021. She previously served as OPM Chief of Staff from 2015 to 2017 and has over two decades of experience in public service and executive nonprofit work. I look forward to our discussion this morning.

Now, pursuant to Committee Rule 9(g), the witness will please stand and raise her right hand.

Do you solemnly swear or affirm that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Ms. AHUJA. I do.

Chairman COMER. Let the record show that the witness answered in the affirmative.

Again, we appreciate you being here today and look forward to your testimony. Let me remind the witness that we have read your written statement, and it will appear in full in the hearing record. Please limit your oral statement to five minutes. As a reminder, please press the button on the microphone in front of you so that it is on and the Members can hear you. When you begin to speak, the light in front of you will turn green. After four minutes, the light will turn yellow. You are a pro at this.

I recognize the Director to begin her opening statement.

**STATEMENT OF KIRAN AHUJA, DIRECTOR
U.S. OFFICE OF PERSONNEL MANAGEMENT**

Ms. AHUJA. Chairman Comer, Ranking Member Connolly, and Members of the Committee, thank you for the opportunity to update you on the work of the Office of Personnel Management. I am proud to lead this Agency as we work to support Federal employees, Federal agencies, and Federal retirees and their families.

The non-partisan career civil service is the backbone of the Federal Government and has been for over a century. It was established with the principle that even as Presidential administrations change, a work force with expertise and institutional knowledge would ensure the Federal Government continually delivers for the American people. Of the more than 2 million Federal employees serving our Nation, over 85 percent work outside the National Capital Region. They work in your communities as firefighters, police officers, researchers, medical professionals, and many other professions. Their expertise must remain safe from improper partisan influence.

I recognize and appreciate the entire Federal work force for their dedication and commitment to mission and service to the American people. OPM's mission is to champion this diverse and talented work force, and in doing so, position the Federal Government as a model employer. This means using the tools available to us to recruit and retain a talented work force to meet Agency's mission. Workplace flexibilities are one of those tools. While COVID-19 is no longer driving our work force decisions, employers have updated tools and knowledge about managing employees in a hybrid work environment and the benefits to their customers. They have also seen the positive impact workplace flexibilities have on areas such as productivity engagement and diversifying the talent pool. To that end, OPM is focusing on how we can better assist agencies to meet their work force needs.

We are prioritizing data collection regarding workplace flexibilities, governmentwide training for supervisors to better manage performance in a hybrid work environment, and further supporting agencies in making data informed human capital decisions. And like the private sector, we are placing a strong emphasis on attracting a diverse work force to the Federal Government, diversity of thought and experience, geography and background. The American public benefits when the Federal Government fully embraces the principles of diversity, equity, inclusion, and accessibility.

We must also deliver high-quality Federal employee benefits, including the Federal Retirement Program. OPM has been working diligently to improve customer service and modernize this program, but there is also a longstanding critical need to invest in moving from paper to a digital system. This is an important long-term effort to improve efficiency and better serve customers' needs. We can only accomplish this with the help of Congress. I know there is interest in discussing the other benefit programs that OPM oversees and the work we are doing as a result of the Postal Service Reform Act of 2022. I have addressed these topics in more detail in my written testimony and look forward to further conversation today.

Before closing my remarks, I would like to briefly address news reports regarding two career officials hired by OPM. I understand and appreciate the concerns expressed here. These are highly sensitive personnel matters, and I am not in the position to discuss the details of them today, but we are certainly happy to work with you on the closed briefing that you have requested. But I also want to be clear. These reports are alarming, and I and my senior leaders are taking them very seriously. We are conducting a thorough review of these matters, and we will take any steps needed to strengthen our hiring processes and to afford our public servants a safe, respectful workplace that is free from harassment. I consider that to be among my most fundamental obligations as a leader.

With that, I thank you for this opportunity. I look forward to working with the Members of this Committee to advance OPM's efforts.

Chairman COMER. Thank you. We will now begin our questions, and the Chair recognizes for first questions, Chairman of the Government Operations Subcommittee, Mr. Sessions.

Mr. SESSIONS. Mr. Chairman, thank you very much. Director, thank you, and welcome today.

Mr. Chairman, before we get started, I would like to enter into the record two letters, a letter that I sent the Director on March 8 and what might be a memorandum that was sent out to her agencies on March 7. I would like to enter those into the record.

Chairman COMER. Without objection, so ordered.

Mr. SESSIONS. Mr. Chairman, thank you very much. Director, thank you for joining us today. I hearken back to the things that Mr. Connolly said. This is not an attack against a group of people who worked for the government. It is direct conversation with people who make a determination about who is going to come to work. The circumstances of making sure the American people receive the things that their taxes have paid for, and that is a timely relationship with their Federal Government and agencies.

And this Committee, among others, in this Congress, including Members, are distraught with what we have seen as the corresponding work that would be produced by what I will say this Administration or the Federal work force over the last few years. The Federal Government is not at work. The Federal Government is not producing the results that we think would be necessary. Forget going to passport office and finding out what a disaster that is. Try doing business with the State Department overseas. Try doing business with the IRS. Try doing business with day-to-day people who may be at SBA, OPM, and all these other organizations are taking advantage of, in my opinion, and I think our observations are, the American people. We respect this work force, but there was a discussion that Mr. Connolly had with us about working in good faith. That good faith is a job with benefits that you have chosen to speak about—we believe that—a regular, safe work environment, but coming to work is a critical part of providing that good faith back.

So, Madam Director, I provided you a list of questions that I would be asking for you to discuss today, but I want to on the high side say that we believe this has been driven from an agenda that is high, not low. We believe that the behavior that is taking place in agencies, embodied by employees, is one where they say we are entitled to telework and we are doing that, and we as Republicans, a Member of this Committee, get that. We understand that. However, when we look at their performance, more people are on telework than are actually allowed by the guidelines, and we do not believe that this Administration is up to this opportunity to effectively have the Federal Government work.

So, I have got two minutes left here. Please take on question No. 1 because that is an important question that we have in the letter that I sent you. And if you need for me to refresh that question, please let me know.

Ms. AHUJA. Sir, thank you very much, Congressman. Let me first say that, you know, COVID-19 no longer dictates workplace arrangements. We have, throughout the pandemic, more than 50 percent of the work force showed up every day and continues to do so. I would like to also say that in the 2022 FEVS, almost 60 percent of the respondents indicated significant in-person time. Now just as a pointer here, more than 85 percent of the work force works out-

side of the National Capital Region. But with that, since really before reentry and planning reentry, we were very clear with agencies and a memo from OMB, OPM, and GSA that agencies needed to consider their organizational health and performance when it comes to workplace arrangements, and to ensure that those workplace arrangements supported the performance within their organization.

Mr. SESSIONS. So, Director, what is going to happen in my remaining time is, we want to make sure that you have the visibility, I assume through, among others, your payroll system, to have the visibility to know actually what is going on. So, the bottom line of today is, we see government inefficiency. We think it is time for the needs of the business, and I was involved for the private sector for almost 20 years, the needs of the business should dictate the ability of this Administration to get people back to work just like free enterprise system. I look forward to engaging you from my Subcommittee Chairmanship role, and our Subcommittee on a bipartisan basis looks forward to being with you. Mr. Chairman, I yield back my time.

Ms. AHUJA. Thank you.

Chairman COMER. The gentleman yields back. The Chair recognizes Mr. Connolly for five minutes.

Mr. CONNOLLY. Thank you, Mr. Chairman. Ms. Ahuja, picking up on Mr. Sessions' questions, I guess I am confused. Is it accurate that nobody's going to work? No one is in the offices? IRS is not staff? Social Security is not staff? Passport office is not staff? How in the world are we functioning as a government?

Ms. AHUJA. Ranking Member Connolly, people have been going to work they have been working throughout the pandemic. I mean, they have been able to utilize the workplace flexibilities to continue to do so.

Mr. CONNOLLY. So, has guidance changed as the pandemic has improved?

Ms. AHUJA. Well, certainly COVID-19 no longer dictates the workplace arrangements. We have been very clear with agencies since before.

Mr. CONNOLLY. All right. So, if that is the case, what is the current guidance about our expectations of you showing up for work?

Ms. AHUJA. Our guidance is, is that agencies need to ensure that their workplace arrangements support the organizational performance and ensuring they can deliver on mission for the American people. And they need to determine if that is not the case, whether it is looking at telework or other things, what changes they need to make. That is the current guidance that has been in place since June 2021, and it is the conversations that we are also having at the leadership level that we continue to emphasize.

Mr. CONNOLLY. So, for example, the President has said I am going to end the National Emergency with respect to the pandemic in May. Does that change your policies? Are you drafting new guidelines for employees in light of that?

Ms. AHUJA. No, we are not. We are simply emphasizing what we have been emphasizing since the beginning is that to utilize these workplace flexibilities so they can serve agencies. We have seen in a number of cases where telework has actually improved produc-

tivity, improved performance, and employee engagement scores are actually tied to and actually have much higher scores for teleworkers. So again, really, this is about analyzing every agency in its unique space, I mean, the work that they do to determine how best they can deliver on mission.

Mr. CONNOLLY. I understand that, but I will tell you, if the President states the same, the emergency is over, I assure you my friends on the other side of the aisle, probably joined by a fair number of people on this side of the aisle, are going to expect that the workplace requirements change with that change without dictating what those are. But the same guidance can't be true in June of this year as was true in, say, the depths of the pandemic in early 2020. I also think you can corroborate this, but there is a distinction, is there not, between an organized, overseen, managed telework program versus near universal remote working because of a pandemic. Those are two different things. Is that not correct?

Ms. AHUJA. Absolutely, and I think, you know, what you do see across, and you can look at the FEVS 2022, is a mix of situational telework, remote work, and in-person work. I would like to remind this Committee again that throughout the pandemic and still now, more than 50 percent of the work force shows up in-person every day. In my opinion, FaceTime is not a proxy for performance. We actually need to utilize these workplace flexibilities in order to take advantage of what we have learned throughout the pandemic, that we have actually seen greater engagement by employees. We have seen increased productivity and performance. And I will tell you also, because I know the Congressman mentioned what other data are we collecting, and we have actually just released or announced a new data variables that we are going to collect that will give us more granular data on telework and remote work for agencies to be able to use to discern productivity, performance, recruitment, and retention.

Mr. CONNOLLY. So, Mr. Chairman, I ask unanimous consent to enter into the record at this point the report of the National Academy of Public Administration on elevating human capital, and the report by Micah Kraus called Transforming the Federal Workplace.

Chairman COMER. Without objection, so ordered.

Mr. CONNOLLY. I thank the Chair. In the brief time left, I have introduced legislation to try to codify the recommendations here, and have you looked at that, and what are you doing to try to implement those recommendations? And I will yield back after Ms. Ahuja's response. Thank you, Mr. Chairman.

Ms. AHUJA. Congressman Connolly, are you talking about the OPM Reform Act or the NAPA report?

Mr. CONNOLLY. Yes, the report we just entered in the record from the National Academy.

Ms. AHUJA. OK. Yes. So, specifically about the NAPA report, we have been using that as really a barometer for the work that we have been doing inside the Agency. We have tied really every recommendation. We have pretty much concurred with every recommendation and incorporated into our entire strategic plan. So, it is about positioning OPM as the strategic human capital leader in government, and we are very much doing that and the work that we are doing with agencies, as well as the work and our relation-

ships with the Chico Council, which I know that you consider very important, Congressman.

Chairman COMER. The Chair recognizes the gentleman from Arizona, Mr. Biggs, for five minutes.

Mr. BIGGS. Thank you, Mr. Chairman, and thank you, Director, for being here. And I also thank your office for recently responding to a letter I wrote concerning delays in the processing of retirement paperwork for Customs and Border Protection employees. When 13 of my colleagues and I wrote to you in November, we outlined issues facing our constituents, some of whom were experiencing delays as long as 13 months for the processing of the retirement paperwork and individuals who are receiving partial monthly payments as low as 13 percent of their full annuities while they waited for their paperwork to be completed. That is outrageous.

When these retirees contacted Members of Congress for assistance, our staff are directed to submit casework to a congressional portal, which may as well be a black box. I appreciate that OPM took some time to provide briefings to staff earlier this week. However, my team reports that OPM staff provided conflicting information on current processing times, refused to provide an update on the existing backlog, and referenced the hope that OPM will onboard two additional staff by the end of the fiscal year. In short, we came away very dissatisfied. Requests for updates on actual cases by email and phone go unreturned, and our constituents feel like no one can help them.

I am going to read to you now some recent communications to my office. I have redacted the identification so they won't have faced retaliation, which is one of their big fears. From just a couple of months ago, "Here is a data point to consider if you are considering retiring any time soon. My last day was a year ago. I am still waiting for my back pay and my full monthly retirement payments. Calling OPM doesn't help. Contacting your Congressman doesn't seem to help either." Another: "OPM's response is this: 'OPM has recently received a significant amount of retirement applications. These applications are processed in the order in which they are received by OPM. We are diligently working to process these claims in a timely manner'."

Another also from a couple of months ago: "I guess I will have to try to sell my house and extremely downsize my family's lifestyle. It is going to be hard because the housing market is starting to crash and mortgage rates are sky high. Going to be rough the next two years. I have so many bills, urgent needs that need attention right now." Next one, "Our sector's retirement SMSs recently told me if you have ever had a divorce, it has to go to a special OPM legal review, regardless of whether or not FERS/TSP is part of the divorce decree."

Another: "This whole retirement backlog is a special kind of FU to the people who have given decades backs and knees to the country. Retirement calculations are just picking math. There is no reason to not at least get a partial out to someone within 30 days." Another: "OPM has now advised me that they have finished my paperwork as of December. They have advised me that my first full monthly payment will be February this year. That will be 13 months from retirement to first full payment."

Another from last month: "It is official. I received my first full payment today, 13 months after I retired. I have a friend who retired before I did, by a month or so, and another retired the same day I did, and the last I spoke to them, they were still waiting for their first full payment as well. So, I am guessing it is taking 14 to 15 months for some to receive full payment." Another: "Retired six months ago. First partial annuity, September. Still waiting on full annuity, but with divorce, I am not hopeful of seeing any full annuity till 2024."

Another, "I was hoping to get an update on the issue with the Office of Personnel Management and see if anything was ever corrected in writing. We discussed the extremely long wait times that Border Patrol agents specifically were waiting for their retirement checks. After several discussions with recently retired agents, it appears this problem is just as bad, if not worse. Morale is horrible. Suicides are way up." Another: "This is one of the greatest stressors in my agency, especially the ones like me. We are very close to retiring. We have given our lives at the expense of our families over the years to our country and agency, and we feel we are being screwed over badly."

Now Director Ahuja, something needs to be done here. And I want to know what your plans are to solve this problem?

Ms. AHUJA. Thank you, Congressman Biggs. I first want to say that I take these issues very seriously and very much feel for the responses that you have received from your constituents. We have had challenges and we absolutely can do better, and we are working through those processes. I do want to say that during my confirmation a year-and-a-half ago, I made a commitment to focus on retirement services. This Agency is, as Congressman Connolly mentioned, has gone through a period of some serious challenges, most recently facing a dissolution before the beginning of this Administration, so we have not had the resources. And I want to thank Congress for providing us a budget in Fiscal Year 2023 that is giving us those resources in order to hire staff. I will tell you we have improved processing times, and we are making a considerable dent in the inventory, and I have those data points. And we are making progress on digitization of our records because it is a paper-based process, but it is going to take time to work through these challenges.

Mr. BIGGS. I appreciate that, and I am going to have to yield back because as my time has expired, but I would just say that I did not hear specific responses on how you are going to solve this. And these individuals who retire given their life's service to this country, they deserve immediate response. And, quite frankly, I know people have retired at state level, and they don't wait. As soon as their paperwork is processed—it is usually pretty quickly—they start receiving it. So, we are going to have to get more direct answers, Director, and with that, I have to yield back.

Chairman COMER. The gentleman yields back. The Chair recognizes the gentlelady from Washington, DC, Ms. Norton, for five minutes.

Ms. NORTON. Thank you, Mr. Chairman. Before I ask my questions, I want to speak about a couple of my constituents. First, Daniel Kim, a lifelong resident of the area whose parents emi-

grated from Korea. Two weeks after he graduated high school, Daniel enlisted in the U.S. Navy and served faithfully for eight years. Today, Mr. Kim works in Washington, DC. as a supervisory business management specialist within the often overlooked General Services Administration. Mr. Kim helps agencies find ways to purchase the IT they need to perform their missions and loves thinking about ways the Federal Government can better serve its customers every day.

Another constituent is Greg Robinson, who oversaw the successful launch of the revolutionary James Webb Telescope, which helped us reimagine the possible and discover more about the origins of our universe. Mr. Robinson started working at NASA in 1989, helping to plan and organize missions into outer space after helping supervise the James Webb Space Telescope mission that involved more than 10,000 scientists, engineers, and private sector partners. Mr. Robinson retired after more than 30 years of public service.

I highlight my constituents because I want to remind everyone that Federal employees do amazing work every day, and while many Federal employees live and work here in the Nation's capital, more than 80 percent do not. Federal employees live and work in every town across the United States. What makes the Federal workforce the crown jewel of government is its non-partisan expertise. Mr. Kim doesn't only help agencies that serve Democrats, he helps agencies that serve everyone who qualify for help. Mr. Robinson didn't build a telescope that only fueled the imagination of school children living in conservative leaning districts. Ms. Ahuja, what makes a non-partisan civil service so important?

Ms. AHUJA. Thank you, Congresswoman, for that question. I think it is important to emphasize that we have had long standing policies across 26 Presidential administrations set in stone 140 years ago that we should have a nonpartisan civil service and that it provides real benefits to the Federal Government. It allows the continuity of operations. It ensures that we have the expertise and institutional knowledge that is required in order to ensure that we are serving the American people as fully as possible. It is critical that we have individuals in our workforce who feel that they can provide frank feedback and tell us what is the best course of action to ensure that we are serving the American public well.

Ms. NORTON. Well, what concerns would you have if Congress decided to replace nonpartisan civil servants with those who were political or even felt like they could be removed if they provided a nonpartisan advice or expertise?

Ms. AHUJA. Well, Congresswoman, thank you for that question. My first concern would be that it is inserting undue political influence within the civil service. The civil service was set up to support Federal agencies to provide their expertise, to ensure, again, that we are focused on delivering the services, that their main mission which they are very focused on is the service at hand and the work they are doing in those agencies. Second, I would say that there could be real challenges around recruitment and retention of those individuals if there was fear that if they were in these particular policy-influencing positions and they needed to provide frank feed-

back on their assessment of whatever sort of course of action, that they could do that without the fear that there would be some sort of retribution or disagreement. I will tell you, I as a leader, I am looking all the time for my team to tell me how it is and to ensure that I am getting all viewpoints so that I know that I can make the best decision.

Ms. NORTON. Thank you very much. I yield back.

Chairman COMER. The Chair recognizes Mr. Gosar of Arizona for five minutes.

Mr. GOSAR. Thank you, Mr. Chairman. Now Director, Ahuja. Did I say it right?

Ms. AHUJA. You did.

Mr. GOSAR. OK.

Ms. AHUJA. OK.

Mr. GOSAR. Now, the Office of Personnel Management has a two-pronged approach to reshape the bureaucracy into a “woke force” totally bereft of conservative viewpoints. Now, let me go over the first problem. On February 15, 2023, OPM released “a diversity, equity, inclusion, and accessibility annual report” for the first time. This means OPM is committed to hiring people not based exclusively on merit, but on uncontrolled physical characteristics like skin color and gender or if you mistakenly believe you were born in the wrong gender.

Now for the second problem. Mr. Chairman, I would like to enter into the record the following by Hans von Spakovsky, titled, “Conservatives Need Not Apply Under Biden’s Administration’s Proposed Hiring Rules.”

Chairman COMER. Without objection, so ordered.

Mr. GOSAR. Now, the language in OPM’s recent proposed regulations defines “treason” so broadly so as to disqualify the hiring of any applicant with a dissenting viewpoint. Instead of participating in race baiting, and sexual discrimination, and the persecution of conservatives, OPM should hire exclusively on merit and qualifications. Better yet, they should implement former President Trump’s reforms that would reclassify a large amount of employees into a new category called Schedule F, which allows employees to be fired for poor performances.

I am also the sponsor of the MERIT Act, which prohibits agencies from hiring based on anything other than merit. Now, why would I say that? You just made several comments. FaceTime is not a proxy for performance, so obviously, we need to have that performance as a key to that process. No. 2, you said it should be nonpartisan. So, how are we taking out conservatives? And then we don’t want undue political pressures. Well, if you are not having everybody’s viewpoint, how can you come with a perfectly good solution? That is problematic for me, no matter for my questions. Does the Federal Employee Health Benefits Program pay for the sex change of minors?

Ms. AHUJA. Congressman, thank you for that question. We have—

Mr. GOSAR. It is either a “yes” or “no?”

Ms. AHUJA. Well, it is a difficult question to provide a “yes” or “no” because we provide guidance to carriers to set up programs based on leading medical advice, scientific evidence, and those car-

riers determine the services that they provide. Now, I don't know the specifics of those services and certainly wouldn't because that is a conversation that would take place between a physician and his or her patient.

Mr. GOSAR. So, let me ask you a question then. Do you believe that paying for sex change surgeries of minors is a good use of taxpayer dollars?

Ms. AHUJA. Congressman, again, our focus is on providing advice to these healthcare carriers, and it is really dependent on the physician's medical advice to his or her patient.

Mr. GOSAR. No, but it also applies to you as the employer and the dictation of what the healthcare plan pays for, so, I mean, there is a tie here. So, I only ask the next question. How old is the youngest person who has had a sex change surgery, and has it been reimbursed by the Federal Employees Health Benefits Program?

Ms. AHUJA. Congressman, I wouldn't know the answer to that question.

Mr. GOSAR. Would you get back to me?

Ms. AHUJA. Congressman, I am happy to talk with my team, but those aren't the type of details that we gather as a part of—

Mr. GOSAR. So, it is part of a benefit package. I mean, I was an employer once, and so, you know, part of the payroll is your benefits package, and what is included in that benefit package means an awful lot. So, did you know that puberty suppressors and cross-sex hormones, like estrogen and testosterone, cause infertility? Are you aware of that?

Ms. AHUJA. Could you repeat the question again?

Mr. GOSAR. Did you know that puberty suppressors and cross-sex hormones, like estrogen and testosterone, cause infertility?

Ms. AHUJA. I was not aware, Congressman.

Mr. GOSAR. So, does this research give you pause in your decision to allow these drugs to be covered by the Federal Employee Health Benefits Program?

Ms. AHUJA. Congressman, I do appreciate this line of questioning, and I do want to emphasize here I am not in the medical profession. We provide guidance through our Healthcare Insurance Department and the individuals who work there.

Mr. GOSAR. But once again, you made the magic word. You "provide guidance," so there are a relationships here, so I would love to have those questions answered for us. I yield back, Mr. Chair.

Chairman COMER. The gentleman yields back. The Chair now recognizes Mr. Mfume of Maryland for five minutes.

Mr. MFUME. Thank you, Mr. Chairman. My thanks to you and Ranking Member Connolly for calling us together for this hearing, and I want to try to cover a few things in the short time that I have. Madam Director, thank you very much for being here as well.

The gentlewoman from the District of Columbia made a point that all Federal workers, despite what people think, are not here in Washington, D.C. In fact, I have got quite a few in my own district, whether it is the Veterans Administration, Health and Human Services with a large operation in Baltimore, the FBI. The Social Security headquarters are right in the center of my district. And what I have found in working with Federal employees is that

their positions can sometimes be misconstrued to suggest that they are not doing all they can when, in fact, they are doing what they can, while they can, in every way they can, to do their job. Federal employees, more than anything else, have no tolerance for other Federal employees that are not doing their work. That gives them a bad name, a bad title, a bad assumption. And fortunately, the American Federation of Government Employees has been working over and over again, year after year, to deal with those things that people don't understand about the Federal workforce in order to make sure they do.

Now I just want to say to the gentleman from Texas, Mr. Sessions, who Chairs the Subcommittee of which I am Ranking Member on, that I really look forward to having some dialog with the Director on the subject matter that came up earlier that I won't revisit, but I look forward to that. In fact, the gentleman from Texas and I are going to be holding hearings later on waste, fraud, and abuse. And I also want to commend the gentleman from Virginia, Mr. Connolly, for working over and over again to put in place a bipartisan OPM Reform Act, which I am honored to co-sponsor, and the gentleman has made a point to make sure that he does in that bill all that we should do to help Federal employees, but also to make sure that there is real efficiency.

I don't know, Madam Director, if you are familiar with a bill that sort of came and died last year. It was the bipartisan Preventing a Patronage System Act to make sure that we didn't have a situation where patronage was growing in the executive ranks by people who were holdovers from one administration or another. And I don't know whether OPM took a position on that, but I wanted to raise it. And Mr. Chair, I have in front of me letters of support for the new version of that from the National Federation of Federal Employees, the National Association of Assistant United States Attorneys, the Senior Executives Association, and the Partnership for New Americans. I would ask unanimous consent that they all be entered into the record.

Mr. MFUME. Now, Madam Director, I don't have a lot of time left, but I want to get back to the early comments that were made here, which two are very, very troubling, and they are troubling to Democrats and troubling to Republicans. And I know that you are somewhat prohibited from what you can say on the record in this open forum, but I would hope that you would take this next moment or two to let me know and to put on the record for those who may not know just what OPM's policy is for individuals who are engaged in racially insensitive or racially offensive conduct, as well as those who have allegations against them for being sexually insensitive, and those who have been found to have made anti-Semitic remarks and jokes and other remarks aimed at Latinos and Asian and Pacific Islanders. How are they treated, and how are those allegations treated?

Ms. AHUJA. Thank you, Congressman, for that question, and let me say at the outset, like I mentioned in my statement, that I take these issues very seriously, and I am committed to a workplace free from harassment. The reports are alarming to me as well as they are to everyone else, and they do not represent OPM values, nor do they represent, Congressman, the work that I have done in the

past, historically, before coming in to government. We are conducting a very careful and thorough review at this point, which is why I am not in a position to be able to share details, but we would be happy to share more in an enclosed briefing.

But as a part of that, we continue to find ways to make improvements to our hiring processes, to our vetting guidelines, and so that is related to these two particular matters. I will say more broadly, we are a leader in supporting the efforts within this Administration to promote diversity, equity, and inclusion, and accessibility. Our FEVS scores, a new DEIA Index within the Federal Employee Viewpoint Survey, has the governmentwide score at 69 percent. We are above that at OPM. We have promoted employee resource groups, other opportunities for individuals to be able to express themselves, to support and promote differences, to create an environment that is fair and inclusive to everyone, and that is the goal of what we are doing inside what we call small OPM and what we seek to promote and the work that is captured in our recent DEIA Report across government.

Mr. MFUME. OK. I would just ask, and I assume that that also includes sexual insensitivity and sexual allegations.

Ms. AHUJA. Absolutely.

Mr. MFUME. OK.

Ms. AHUJA. Absolutely.

Mr. MFUME. Thank you very much. Thank you, Mr. Chair.

Chairman COMER. The Chair recognizes Mr. Grothman for five minutes.

Mr. GROTHMAN. Sure. Maybe I missed these numbers in the beginning. Percentage wise, how many of the employees under your purview are working remotely now, and how many of you expect to be working remotely, say, two years from now on this, by any standard, COVID has passed us?

Ms. AHUJA. Thank you, Congressman. Just for clarification, are you asking for numbers within OPM or broadly?

Mr. GROTHMAN. Broadly.

Ms. AHUJA. So, the number that I quoted is first that this is based on FEVS scores throughout the pandemic.

Mr. GROTHMAN. Yes.

Ms. AHUJA. More than 50 percent come in, you know, into the office every day. That is what there—

Mr. GROTHMAN. Would that mean 52 percent or?

Ms. AHUJA. I don't know. I know it is more than 50, but that has been the case. You know, we have almost more than 2 million individuals in the workforce, and many of their occupations require them to be onsite. And then the other data point is with the FEVS 2022, the respondents, 60 percent indicated that they have, you know, significant in-person time in the office, which is a mix of being in the office and telework.

Mr. GROTHMAN. OK. So, what is your goal? Where are we going to be in six months? What is your goal? Say, what was it before this COVID began? What percent were not in the office before the COVID began are teleworking, and what percent are we at now?

Ms. AHUJA. Well, Congressman, I don't know the numbers from before the pandemic. What I can say is that it significantly shot up, as we all know. Those numbers increased exponentially.

Mr. GROTHMAN. OK.

Ms. AHUJA. But there is—

Mr. GROTHMAN. And you are still near 50 percent are back at work. I mean, I would just say why it bugs me. In the middle of the pandemic, and I am all for them maybe. I mean, I got a lot of manufacturing in my district. Some days away, I go home. I go through three cheese plants. Man, the parking lots are packed with people working third shift. I know somebody who is running a big packaging plant. Nobody ever took a day off. I mean, that is the word is in the real world. And when we have been at this thing for three years, and three years, you are seeing some people can't come to work, I mean, it is just an insult to the hardworking people in this country. And so, I hope you give me the exact numbers—you should have the exact numbers anyway—of the people, who three years after this thing broke, are still working telework, and you think should be or eventually will be back at work. OK. And it does affect the quality of the work you do.

Mr. GROTHMAN. Next question. Merit is concerned. Again, how many employees you think you guys supervise overall, 2 million? What did you say?

Ms. AHUJA. There are more than 2.1 million civilian non-postal employees.

Mr. GROTHMAN. OK. And of those who are, say, past their probationary period, how many were let go for cause in the last year?

Ms. AHUJA. Congressman, unfortunately, I don't have that information.

Mr. GROTHMAN. Can you get us that information?

Ms. AHUJA. I can certainly take the request back to my staff and have them follow-up with your office.

Mr. GROTHMAN. OK.

Mr. GROTHMAN. You got this diversity thing going. How many people are in charge of administering this diversity program or trying to promote people or hire people for reasons other than merit?

Ms. AHUJA. Congressman, could you clarify your question when you are saying how many people are working on this?

Mr. GROTHMAN. Yes, yes, yes. Well, you have this diversity program. You are proud of the diversity program. You are trying to promote people, you know, based on diversity. How many people are involved in administering such a program or overseeing such endeavor?

Ms. AHUJA. Well, we have a small office within OPM, but there is also the Chief Diversity Council, so there are individuals across the government. But, Congressman, if I could just make one point here, which is the way we define "diversity" is quite broad in the executive order. It includes veterans, military spouses, individuals with disabilities, geographic diversity, of course, race, ethnicity. But I want to emphasize here that we have made some great strides in employment of individuals with targeted disabilities. We have increased the number of military spouses in government—

Mr. GROTHMAN. Yes.

Ms. AHUJA [continuing]. Because of this executive order focused on DEIA.

Mr. GROTHMAN. OK. I only got five minutes. So, you are kind of dodging the question. I will give you another thing. I talked to a

guy recently. His son is a good guy, went to college, got his dream job with the Federal Government. He is waiting for his promotion, waiting, waiting, waiting. Finally, somebody tells him, look, you are a White guy who is not a veteran, and you just said that you hire veterans first. OK. A White guy, not a veteran, you know, it is going to be almost impossible for him to be promoted. He wasn't even mad. He just wishes the government would have told him up front, hey, you are a White guy is not a veteran. You don't have much of a future around here. How many people do you think are being promoted or hired by the government for reasons other than merit, proportionately?

Ms. AHUJA. Congressman, the very core of our Agency is to ensure that we uphold merit system principles, and that is a big part of the work that we do with agencies every single day, and there are requirements for H.R. specialists. There is a rigorous review of every register—

Mr. GROTHMAN. I just need more time, and, you know, you never know in this job whether people are telling the truth or not. Do you believe what the guy ran into told me, that it would be very difficult today, or much more difficult, if you are a White guy who is not a veteran to get promoted in Federal Government compared to not?

Ms. AHUJA. Congressman, that has not been my experience. We do emphasize and we oversee, we have an entire department of oversight focused on reviewing, hiring across the government to ensure that agencies are abiding by merit system principles.

Mr. GROTHMAN. You are not answering the question. Is that a believable situation today given your obsession with diversity?

Ms. AHUJA. Congressman, it is hard for me to answer based on my personal opinion. What I did say to you was that I have not personally experienced or heard any of that characterization from any of my colleagues in the Federal Government.

Mr. GROTHMAN. You are just in an opposite of what you were just saying one minute ago, but OK. Thank you.

Chairman COMER. Thank you. The Chair recognizes Mr. Frost from Florida for five minutes.

Mr. FROST. Thank you, Mr. Chairman, and thank you so much for being here, Madam Director. You know, earlier, I heard Mr. Sessions say that the people deserve to hear from Federal employees in a timely manner, and a hundred percent completely agree with that. But I think the interesting thing is House Republicans' first act in this Congress was to pass a bill to eliminate the 87,000 new IRS agents from the Inflation Reduction Act. You hear that people watching at home, they are clapping when we are talking about people who will help you get your information in a timely manner, answer the phones, and process what needs to be done, and that is really important to know. That is what is being clapped about right now. Mr. Sessions and all House Republicans voted for it.

And so, I want to ask you, would more employees at the IRS to help with the backlogs, help with the missed calls, help with the poor customer service that could be better, would that help for working class families, people that are listening at home right now?

Ms. AHUJA. Congressman, absolutely, and we have been helping IRS and other agencies around what we call surge hiring in order to manage capacity. We ourselves at OPM have benefited from that hiring and retirement services that we didn't have before in order to deal with and manage the backlog and case processing, similar to IRS where they are trying—

Mr. FROST. Yes.

Ms. AHUJA [continuing]. To work through some of their challenges. And a big part of that is having the staffing to do that.

Mr. FROST. Are the backlogs, missed calls, poor customer service, in your opinion, the result of the IRS' telework policy?

Ms. AHUJA. Congressman, I am not familiar with the specifics with IRS—

Mr. FROST. Yes.

Ms. AHUJA [continuing]. So, I couldn't say. What we do say, in determining the best workplace arrangement for an agency, is to look at all of those factors. What is the best workplace arrangement, and if a workplace arrangement like telework is affecting the performance, then you need to make adjustments. But oftentimes it is resources and staffing, which is what—

Mr. FROST. Yes.

Ms. AHUJA [continuing]. You have spoken about.

Mr. FROST. Yes. I think the Republicans' attack on telework is interesting because it is actually specifically damaging to military families, specifically military spouses that do their best to support their partners in a career that is dangerous. People serving our country helps keep us safe as a Nation, but the thing of military spouses, they often have a struggle in maintaining a career. What we see from that across the country is military spouses oftentimes rely on telework to ensure that they can keep up with their family's expenses because of the multi-income households that we see, especially with the military people in my own district.

In September 2022, a memorandum from the senior Pentagon leadership commanders took significant steps to improve Federal career opportunities for military spouses by authorizing remote work and telework. We see many different anecdotes, stories, people talking about how this has been fundamentally lifechanging for them supporting their families, military families, working-class people across this country. The goal, according to DOD, was to further expand remote work and telework options that help military spouses build portable careers. The Biden Administration has increased these opportunities as well.

Madam Director, active duty military members cite spousal employment as their No. 1 reason for leaving military service. So, when my colleagues talk about the deficit going on with recruitment, we have to look at a lot of the conditions that impact families. My question is, do telework opportunities help us retain active duty military members?

Ms. AHUJA. Congressman, I really appreciate that question because we are very proud of the work we have done for military spouses at OPM. We have issued a special hiring authority, direct hire for military spouses so they can take advantage of the Federal employment opportunities. It has a part of our DEIA initiative. And I want to mention that we did a study of remote jobs over the

last six months of last year, and on average, with the remote job, you had 25 military spouse applications compared to 1 to 2—

Mr. FROST. Wow.

Ms. AHUJA [continuing]. Of a duty location.

Mr. FROST. Yes.

Ms. AHUJA. So, you see this huge, you know, pick up and—

Mr. FROST. Yes.

Ms. AHUJA [continuing]. Interest because you have the ability to have that portability of that job.

Mr. FROST. You know, I ask unanimous consent, Mr. Chairman, to enter into the record a statement provided to me from a group of the spouses of military service members, all who rely on the support of expanded telework and remote work for opportunities in Federal service.

Chairman COMER. Without objection, so ordered.

Mr. FROST. Thank you. You know, just a quick story. I will leave a few seconds here. Wendy Rayham had served in the Federal Government for about 22 years and is currently a State Department Foreign Service officer. She hails from the great state of Florida. Her husband is about to be assigned to be an executive officer aboard a command ship and is preparing to move to San Diego for that assignment. Thank God Wendy has a 100-percent telework remote job with the State Department where she is able to continue her work, continue to support her family, continue to support her partner.

There are real-life examples that show outside of the military, too, why telework is so important, but because it is being politicized for political reasons, people are attacking it. But just know, and for people watching at home, when we attack things like telework, we are also attacking the people disproportionately impacted on that or rely on it, military spouses being at the top of that list. Thank you. I yield back.

Mrs. LUNA. Will the gentleman yield for a question? I just want to know if you ever were a spouse or served, if you can maybe provide some input in that because I can just tell you that a lot of people actually have access—

Ms. OCASIO-CORTEZ. Order. Point of order.

Mrs. LUNA. I am not done yet until the Chairman calls it.

Ms. OCASIO-CORTEZ. Point of order.

Mrs. LUNA. You are not the Chairman.

Ms. OCASIO-CORTEZ. Point of order.

Mrs. LUNA. You are not the Chairman.

Ms. OCASIO-CORTEZ. Point of order. I am—

Mrs. LUNA. I am on my own time. Thank you.

Ms. OCASIO-CORTEZ. Point of order.

Chairman COMER. Actually, Mr. Frost's time has expired, so the Chair now recognizes Mr. Palmer for five minutes.

Mr. PALMER. Thank you, Mr. Chairman. Director Ahuja, are you aware of what percentage of D.C.-based Federal employees relocated out of state during the COVID-19 pandemic?

Ms. AHUJA. I am sorry, Congressman. Could you repeat the question, please?

Mr. PALMER. Are you aware of what percentage of D.C.-based Federal employees relocated out of state during the COVID-19 pandemic?

Ms. AHUJA. I am not, sir.

Mr. PALMER. Are you aware of what percentage of D.C.-based Federal workers are currently teleworking out of state? Do you keep up with that? Do you know where your people are?

Ms. AHUJA. Congressman, these data points are managed by agencies. We do provide at a high level an annual telework report that we issue at the end of the year. I did mention that we are now going to be collecting additional data variables that will provide more granular information that will actually pull this information from payroll centers so we will have a better sense.

Mr. PALMER. I am glad you mentioned payroll because that is the point here is if you got Federal employees who were D.C. based, they were getting locality pay, which is higher than what you would if you were working out of state or out of the district, if you had moved to another state and you were teleworking. So, I think OPM needs to look into this because we shouldn't be paying D.C. locality pay for people who are not working in D.C., and I really don't think we should, in many respects, if they are teleworking from their home. So, can you look into that and report back to this Committee what percentage of D.C.-based Federal employees are no longer working in D.C., that they are teleworking from other localities?

Ms. AHUJA. Congressman, I am happy to take that request back, and I will have my team follow up with you. I am not sure at this point what the data will reveal specific to your question.

Mr. PALMER. Well, Cushman and Wakefield, a commercial real estate firm, compiled keycard data from the General Services Administration and concluded only five percent of the pre-pandemic Federal workforce had swiped into a government-leased office on an average workday in October/November, and that doesn't include government-owned buildings. They are office space outside of the Washington metro area, and the GSA in an email statement disputed the accuracy. I will give them that, but it is unable to provide attendance data. Somebody has got to keep up with where our Federal workforce is, and I don't dispute the data on the lease properties because you either swipe in or you don't. So, I am requesting that OPM look into this and provide a report back to this Committee, and if I need to, I will put it in writing.

Ms. AHUJA. Congressman, we will definitely take it back.

Ms. AHUJA. I do want to emphasize is that much of this data still resides with the agencies specific to the telework and remote work arrangements.

Mr. PALMER [continuing]. With the agencies, but I am requesting it from OPM. I also want to ask you something, and, again, this may be more agency specific. But the acting Social Security commissioner admits that seniors are facing extraordinary delays when they try to contact Social Security by phone, and when they finally get through, the advice that you are getting is often incorrect. And I think this might, again, be a problem with telework because I have worked in offices before. I have worked for a couple of international engineering firms, and when I had a question about some-

thing, I could go to another office or to the cubicle next to me to get an answer, but when you are teleworking, you can't always get that answer. I might not be able to get that person on the phone in a timely manner.

And you have got people who are depending on not only getting an answer in a timely manner, and many of these people are in their 80's maybe or older, they are getting inaccurate information, and I want to know if OPM is concerned about that. And again, I think a lot of it could be not just the incompetence of the employee. I think it may be that they are not in a position where they can get the information that they need in a timely manner.

It has gotten to a point where they are making mistakes and overpaying some of these benefits, and if that happens, if the individual who is depending on the monthly check can't pay it back, the Social Security agency just stops sending the checks. That is a huge problem. We need to look out for our seniors, and I think this conversion to telework may be a big part of this problem. What is your response to that?

Ms. AHUJA. Congressman, let me mention, as I have mentioned earlier, that at the forefront for agencies and what we have communicated should be how are we delivering on customer service. How are we ensuring that we are delivering on mission, and we need to ensure that the workplace arrangements allow for that.

Now, I can't speak specifically to what is happening at SSA, but I will tell you at the Presidential Management Council level, we talk about these issues and includes the acting commissioner of SSA. And oftentimes we need to ensure we are looking at every factor to determine is it telework, is it staffing, are there other issues, the need to make IT enhancements in order to be able to streamline some of those processes. So, I think we are on the same page here. We need to ensure that agencies can deliver.

Mr. PALMER. I appreciate your response. Mr. Chairman, I just think that we need to address these issues with a greater sense of urgency. There are a lot of people depending on the Federal Government, particularly senior citizens and others, as have been mentioned here. So, Mr. Chairman, I look forward to getting their response to my request and to us maybe looking into this deeper. I yield back.

Chairman COMER. Absolutely. The gentleman yields back. The Chair recognizes Ms. Ocasio-Cortez from New York for five minutes.

Ms. OCASIO-CORTEZ. Thank you, Mr. Chair. I appreciate that. You know, we have about—what is it—seven, eight hearings just in this Committee and subcommittees later this week, which is, you know, a very high number, and I have no qualms with this Committee working hard. I have no qualms with this Committee doing everything that it can, but I think we need a conversation about priorities here.

We are having a hearing right now, and it is about that the Federal Government is too woke. I mean, that is seriously what we are hearing. And then there is no definition of what "woke" is, but on paper, what is actually being criticized in this hearing, is that the so-called woke policies are remote work for Federal workers, especially those that live in rural areas and those who have disabilities,

paying interns so that critical opportunities don't just go to privileged kids whose parents can afford to pay for their rent while they go on a free internship. That is what is woke here.

That is what the other side is calling woke here, making sure that that OPM can create opportunities in Federal careers for partners of military service members. That is woke. This is the woke alleged to take over, that we want wildland firefighters who are putting their lives at risk, increasingly so, year after year, that we want to make sure that they stay on the job, and have dignified conditions and not leave because they can earn more money as a greeter at Walmart. This is what this whole term "woke" means or "diversity and inclusion" so that the people who work in our Federal workforce are actually in proportion to the people that live in this country. This is this horrifying woke agenda that the other side is trying so hard to block.

But, you know, on top of priorities, what I can't help but communicate that I find frustrating is that there are actual crises happening in this country. A couple of weeks ago, there was a devastating, devastating derailment in East Palestine, Ohio, and yesterday, I was just lucky enough to wrap up a hearing early, and I was going back to my office. It was not scheduled. It wrapped up early, and there were people from East Palestine at my door because they weren't getting a response in their own other levels of government. And so, they were just roaming around waiting for anybody to open their door to them to talk to any Member of Congress to talk to them. And so, we sat down, and they explained what is going on.

And this Committee needs to hold a hearing on the derailment in East Palestine. This is not just a disaster site. It is a potential crime scene. People are poisoned, and their respiratory issues are getting worse day after day, and I really make this plea on a bipartisan basis truly. I truly do. The chemicals that were spilled in East Palestine have short half-lives. Every day that we do not act on this is a day that the evidence evaporates from the scene, and I really plead for this Committee to get together and not pursue this on a partisan basis.

We need to have executives from the rail company from Norfolk Southern here. We need to have independent scientists here. We need to have the EPA or whichever agencies, the CDC, DOT, whatever it may be, but this cannot be a political food fight. Evidence is evaporating and people are getting sick, and every day that we go on without accountability, I mean, it is not even partisan because, in my view, and I will take ownership as well, both parties are failing in this moment to address the needs of people.

And I just sincerely ask that we take this seriously because it is not getting handled at the level that it needs to be handled. We need to know why there hasn't been a disaster declaration that has been requested yet, you know. I do know that the President is willing to offer one, but we need to cut through the red tape. And if I can just make that plea because I do believe that this Committee—this Committee—the Oversight Committee—has the unique jurisdiction and power in this body to be able to do that, to cut through that red tape.

And so, you know, Mr. Chairman, I sincerely make that plea, me as a Democrat to you as a Republican. I really don't want us to drag this out because, again, the half-lives on these chemicals. We don't let folks return to the scene of a crime, and we have been letting that potentially, potentially, for almost a month now. So, for the folks that are there, you know, and for the folks that came in yesterday, I just sincerely ask that we put things aside and we get to work. We had eight hearings this week. You know, we all showed up. We did this job, but let's get this to the top of the docket, please.

Chairman COMER. The lady yields back, and, listen, let me add, I agree completely with what you said. And with respect to East Palestine, we have a bipartisan briefing set up with Norfolk Southern next week coming in, so I assume minority staff will be there, and we will certainly work with you on questioning. And we couldn't agree more on—

Ms. OCASIO-CORTEZ. And if we may, I think, especially what is needed is transparency on that.

Chairman COMER. Absolutely.

Ms. OCASIO-CORTEZ. I appreciate that that briefing is being established, but I think the public needs answers on this.

Chairman COMER. I agree, absolutely. I look forward to working with you on that. The Chair recognizes Mr. Fallon from Texas, for five minutes.

Mr. FALLON. Thank you, Mr. Chairman. Director, we have 2.1 million employees, and some are going to be outstanding and some are going to not be up to the task. How do you fire one? What is the process? Can you just kind of, say a supervisor, just go in and say, listen, sorry, it is not working out, you are fired, and then they leave that day?

Ms. AHUJA. Congressman, I appreciate the question. There are processes in place. If you are managing someone who is not performing at the level of expectation, you know, you have to ensure that those requirements and metrics are put in that individual's performance plan. You have to ensure that you are putting together a PIP for that individual, Performance Improvement Plan, you know, over a period of time to see if remedial efforts can rectify the situation. Oftentimes, I find that in poor performance, it is indicative of other things—lack of engagement, not the right fit for that individual, the need for additional training. But as you know, and this is not just the case with the public sector, even the private sector, there are policies that you have to follow to avoid litigation, to avoid other expenses for that company. And that certainly is the case here for the Federal Government.

Mr. FALLON. It sounds like it takes a long time for someone that is underperforming and consistently underperforms, regardless of the remediation efforts, as you just mentioned. But do you have any kind of a rough estimate as to how long that takes?

Ms. AHUJA. Congressman, I do appreciate the question, and I want to emphasize, too, that we take it as a priority and a focus around performance. That is a part of the work we do at OPM and the communication that we give to agencies. It is very hard because, to answer your question specifically, because every individual is different, and there is no general timeline—

Mr. FALLON. Well, Director, with all due respect, the reality of the situation is when I was in the military, we had civilian employees that we worked with. And I had a supervisor come in as a lieutenant colonel, and he said this particular person is absolutely worthless. They do nothing at all, and have Fallon just babysit him because it is so hard to let him go, have him fired, it is not worth the effort. That is the reality on the ground, and it wasn't just this case. We had a myriad of different examples of that, and the guy really didn't do anything, and it was a cush job as a GS-11, back then making about \$40 grand, and just we couldn't get rid of him.

And that is what concerns me is because whether it is the private sector and public sector, there are going to be folks that just do not perform well and don't really belong there, don't deserve to be there. But there doesn't seem to be any way in which we can realistically, I mean, because you kind of said it in your answer. There are so many different processes and procedures in place, they just kind of pass it along. And so, do you have any idea how many Federal employees were fired last year out of the 2.1 million?

Ms. AHUJA. Congressman, I don't have those specifics right now.

Mr. FALLON. I would love to get that. I am going to formally request that via letter because that would be fascinating to see that.

Mr. FALLON. You know, and it is interesting. I just got a text from a constituent, ironically while you were here, and how long do you think, like, an acceptable wait time is when you are calling in should be for, let's say, a passport and you have an issue with a Federal agency? How long do you think the wait time should be? Do we have a goal as to what we should keep that at?

Ms. AHUJA. Congressman, I appreciate that question, and it is important, like we have been talking about today, to ensure that we provide good customer service to American citizens and to American public. I am not familiar with the processes at the passport office and couldn't speak with any particular expertise on the processing time or the wait time.

Mr. FALLON. Because, you know, they took a screenshot and texted it to me, and it was on three hours, 46 minutes, and 51 seconds they were on hold. I don't think that is acceptable. Would you agree with that?

Ms. AHUJA. Congressman, I definitely understand their concern, and absolutely, there is a question here about the need to improve customer service.

Mr. FALLON. See, one of my Democratic colleagues was mentioning that, you know, the workforce in the Federal Government should look like America. So, what happens? Let's just say percentage wise—I don't know rough math would be—let's say 32 percent of Americans are White males. If we go below that in the Federal workforce, is there going to be in the diversity and inclusion an effort to recruit White males? We see how absurd this is. Why don't we just hire the best people?

Ms. AHUJA. Well, Congressman, we are not following any particular quotas or markers. We are simply wanting to ensure that we bring in the best and brightest with diverse opinions and experiences. And like I mentioned before to your colleagues, in the executive order that the President signed, focus on diversity, equity, inclusion, and accessibility it is a very broad definition of "diversity,"

not just race, ethnicity, or gender. So, we are looking at all those factors.

In fact, we have actually increased the number of individuals we have hired with disabilities actually due to the fact that we have more workplace flexibilities. We have increased those numbers with veterans and military spouses. So, it is an interesting dynamic here and a balance, but we are seeing the fact that these workplace flexibilities are giving us the ability and the geographic representation. If I can mention, Congressman, the same study we did on remote jobs over the past six months, I mentioned to your colleague, Congressman Frost, we had, for every application that was remote, an average of 37 states represented in the applicant pool. For a duty location, it was only seven states.

Mr. FALLON. And my time has expired, but with all due respect, I don't care if everybody is from Mississippi, I don't care about regionally. I don't care what somebody looks like. I don't care about anything other than better and more efficient performance for the American taxpayer. Thank you, Mr. Chairman. I yield back.

Chairman COMER. The gentleman yields back. The Chair recognizes Ms. Lee of Pennsylvania for five minutes.

Ms. LEE. Thank you, Mr. Chair. We can all agree that the pandemic created unprecedented opportunities, moments, and challenges. Can you just explain what would have happened if we just did not have telework during the COVID-19 crisis?

Ms. AHUJA. Thank you, Congresswoman, for that question. Well, we would have had a real challenge in operating the Federal Government. I think what we learned with telework is we now have the ability in times of emergency to actually have the government run when we are away from a building.

Ms. LEE. Thank you. Of the 103 million cases of COVID in the United States, there were over 1 million people who died. One of every 100 people died, and our government found a way to continue operating, so telework is effective, allowed agencies to serve this Nation at the time when people in our communities needed our government the most. A unilateral decision of telework just seems punitive and foolish. You know, as Members of the Oversight Committee, we can address where agencies are not meeting the mark, but the SHOW UP Act does not seem to hit the mark. Ms. Ahuja, you discuss in your testimony you are mission driven in your approach. Could you share more on how you have seen telework impact organizational health and organizational performance?

Ms. AHUJA. I appreciate that question. There is a lot to say here on how the workplace flexibilities have allowed employees to be able to do their job and do their job well. First of all, let me say that it allows the flexibilities that we have now appreciated, especially for families taking care of children, elders, so the ability to be able to manage those responsibilities while working full-time, and that is important. I think it has allowed us to actually accelerate the IT enhancements within our agencies in order to be able to do that.

I have been mentioning all these ways to recruit from across the country in ways that we just were not able to do before, and I think that will give us a cutting edge because oftentimes we are competing with the private sector. And I always say we went on mis-

sion. When it comes to the Federal Government people, we score high when people are committed to their jobs, but this even gives us the ability to be more competitive.

Ms. LEE. So, it increased your likelihood of being able to attract the best and the brightest, irrespective of their race or their gender or their ability status?

Ms. AHUJA. Absolutely. We do have data from that analysis I mentioned, which across the board, just increased those numbers in every population.

Ms. LEE. Thank you. It is unsurprising that folks who would deny the realities of COVID would also pretend work can only happen in an office. I yield back, Mr. Chairman.

Chairman COMER. The Chair recognizes Mrs. Luna for five minutes.

Mrs. LUNA. Thank you, Chairman. OPM recently hired a senior leader who was found to have previous sexual harassment on two individuals in his role as executive director of Louisiana Housing Corps. Mr. Chairman, I ask for unanimous consent to submit to these for the record.

Chairman COMER. Without objection, so ordered.

Mrs. LUNA. OK. You know, I hate having to really bring this up because I feel like this should have been handled somewhat how we do in the military at the lowest level. But unfortunately, because of the fact that some of the policies in place at your organization seem to have failed some of the employees, these people were placed in position of power, which ultimately ended up allowing them to victimize people.

So, this and the ones that I submitted actually come after a second *Washington Post* released in January 2023 highlighted how a former high ranking DOD official was hired by OPM in 2021 to serve as the Chief Financial Officer while under investigation by the DOD's Office of the IG for misconduct as well. We should all be concerned about these instances, of which significantly hinder OPM's ability to establish and maintain a trusted workforce as outlined in their vetting guidelines, which is why I would like the Chairman to submit these for record on which he has.

And I guess this leads me to my next question for you, ma'am. I am sure you are aware of the recent situation in which an individual who has previously been investigated for sexual harassment on two subordinates was actually hired for a role with OPM Retirement Services Division. We are also aware that on February 10 of last year, you signed on to a document which outlined the vetting procedures to establish and maintain a trusted workforce. Were these procedures used when hiring this individual in line with guidance that you issued on February 10, 2022?

Ms. AHUJA. Thank you, Congresswoman, for that question. I would like to say at the outset that I do take these issues in these matters very seriously. I am committed to a workplace that is free from harassment. And we do find these reports alarming, and we are conducting a careful review right now. And because of that, I am limited in going into the details of these particular matters. What I can tell you is that, you know, these were two distinct matters that we don't think indicates any particular flaw in the vetting

procedures that we have been administering at a governmentwide level.

Mrs. LUNA. Just on average, how long do these reports take to close out, though, because when people, especially in positions of power, whether or not they are placed on leave, there is a certain aspect of, I think, something that you guys owe the victims because once something like that happens, you are forever changed. How long does it take for these people to get fire, because, in my opinion, if I found this in my office, and I am sure if you had a subordinate that was making sexual comments to you or racial comments to you, you would probably fire that individual immediately. But unfortunately, sometimes these people, it seems like they get a slap on the wrist, they are dismissed, and then that is it.

Ms. AHUJA. Thank you, Congresswoman. Like I mentioned, you know, these allegations are alarming, and I am frustrated as well to have to manage the situation. But I do want to emphasize that as a part of my role as an OPM Director, I have to ensure that there is a fair and thorough process in place as a part of this review and to let that take its course. And so, it is absolutely frustrating and I acknowledge that, but that is what I am required to do, the responsibility of this role.

Mrs. LUNA. Are you aware that a senior former Pentagon official now serving as the executive leadership at OPM was subject of a report finding that he had repeatedly sexually harassed women and used racial slurs during his tenure at the Pentagon? And you guys hired him.

Ms. AHUJA. Congresswoman, like I mentioned, I am aware of the allegations, and that is why we are conducting—

Mrs. LUNA. I want to specify real quick, though, these were not allegations this person was found to be doing this and he was hired. The reason I mentioned that, though, is that that, to me, is not a qualification of someone that we need to be giving a government job to that is potentially in a very senior position that can exploit that position of power.

Ms. AHUJA. Well, Congresswoman, let me just say that when these individuals were hired, I was not aware of the circumstances.

Mrs. LUNA. Do I have your word that you will be looking into it and seeing that these people will be handled accordingly?

Ms. AHUJA. Absolutely. Absolutely.

Mrs. LUNA. My final question is, how will OPM ensure that other Federal agencies do not onboard individuals to be known to either engage in sexual harassment or racial comments?

Ms. AHUJA. Congresswoman, just to confirm, you are asking about how we would ensure that across government or in the Agency?

Mrs. LUNA. Just in your practices for hiring people.

Ms. AHUJA. Well, we continue to do, not just in this particular circumstance, but of course, the learnings, and what we will find here, we will make adjustments and changes. But we are continuously reviewing our hiring processes and our vetting processes to determine where changes need to be made, and this particular matter and review will inform that. We have a multi-layered, multifaceted, like, process in place when it comes to hiring senior officials, and we also have a commitment, like I mentioned, to a

workplace free from harassment, and we are committed. As I have mentioned, we have a governmentwide role around diversity, equity, inclusion, and accessibility, and we have the same within our organization. We have a DEIA Council. We have high scores when it comes to the DEIA FEVS Index for the work that we are doing in this area.

So, you have my commitment to address these issues. And this is the work also within the Agency, again, how we are conducting a thorough review and ensuring that we want to take what we learned from this and where there might be gaps or improvements that we make those changes.

Mrs. LUNA. Thank you.

Chairman COMER. The gentlelady yields back. The Chair recognizes Mr. Casar for five minutes.

Mr. CASAR. Thank you, Chairman. There is important conversation happening today about instances of harassment or racial slurs within the Federal workforce. But my concern is that those examples get brought up as a way of trying to slash the Federal workforce who reduced union protections when, in fact, my experience with public employees throughout my career is that those Federal employees and public employees often are the ones that want to root out harassment, and sexual harassment, and discrimination more than anyone else. That oftentimes are union leaders that are pushing to make sure that harassment and discrimination are taken seriously.

And so, in my view, it is really important for us to highlight the amazing Federal employees that are doing the right thing for this country because if we highlight their work, it becomes clear why we shouldn't be slashing those employees, but recruiting them, retaining them, and celebrating their work.

Today, I want to highlight one of those public servants, my constituent named Lynn. She is a single mom of two, a volunteer at our local animal shelter, an avid gardener, and she spent 16 years working for the IRS in Austin, Texas. She has contributed to recovering millions of dollars from big corporations who would have preferred to skip out on their obligation to the American taxpayer. Some of my Republican colleagues seem to be insinuating that we should further slash the Federal workforce and cut important programs. But the reality is that cutting workers and services, like Lynn's, would not serve the American people, but it would serve those corporate interests that are trying to skip out on their tax bill. These Federal workers have done incredible work, especially during the pandemic, whether they were teleworking or not. Their resilience really was on full display during the pandemic. Mail continued to be delivered. The VA adapted and expanded telehealth options. We provided stimulus payments so families could pay for their food, and their rent, and prescription medication. It saved the lives of people in my community. Federal employees rose to that challenge, and their engagement scores, as I understand it, actually went up during the pandemic. So, Ms. Ahuja, why do you think that Federal employee engagement scores actually increased during the pandemic?

Ms. AHUJA. Congressman, I appreciate that question. I think it was a feeling of we are all in this together. We are able to continue

to deliver on mission for the American people. If you look at the scores in 2018, 2019, there is a spike in 2020. And they had the workplace flexibilities in order to protect their families, protect themselves, be able to balance what was happening at home, but also to continue to ensure checks go out the door, calls get answered, all the things you just mentioned.

Mr. CASAR. In Texas, we are a famously independent community, but I think during the pandemic as I was serving in the city government, people said this is the moment where we really need government and could really see how it could work for us. Also, Ms. Ahuja, the Biden Administration has raised the minimum wage to \$15 an hour for Federal workers. How has this initiative impacted our Federal workforce?

Ms. AHUJA. Well, Congressman, I will mention that it was a significant effort by our Agency to put as a floor the \$15 minimum wage. It affected about 67,000 individuals in the Federal Government, so compared to 2.1, maybe it doesn't feel like a lot, but it certainly was a lot for those individuals, but the larger point here is that it sends a strong message. We are the largest employer in the country. We have an opportunity to be that model, to set the standard for pay, for benefits, for workplace flexibilities, for our commitment to diversity, equity, inclusion, and accessibility.

Mr. CASAR. Thank you for your testimony. The Federal Government has helped build the middle class in this country for decades and decades, also while serving the American people. And I believe that by continuing to have good workforce policies, by supporting our unions within the Federal workforce, we can actually improve our services for the American people, hold the powerful accountable, stand up for the little guy, and root out things like, harassment and discrimination by actually supporting our employees who are out there doing the right thing. Thanks so much.

Chairman COMER. The Chair recognizes Mr. Edwards from North Carolina for five minutes.

Mr. EDWARDS. Thank you, Mr. Chair. Thank you for being here. I appreciate you taking time. I know that sometimes we don't make this easy on you, but running government should not be easy. Much to my chagrin, I think that we have already established that we don't have a really good handle on how many remote employees that we still have out there, and many of my questions were going to be around that. But since we don't know that, let me lead with this.

It occurs to me that almost every business that is out there today has had to reinvent itself through the pandemic and will maintain those inventions past the pandemic because we simply do not have the workforce that we had going into the pandemic, nor do we expect it to return anytime soon. Can you give me any examples of how the Federal Government may have really invented itself, in light of the fact that we don't have the workforce that we had three years ago?

Ms. AHUJA. I appreciate that question, Congressman. First and foremost, I will say that I think one thing we don't talk about as much is that we had a huge acceleration of IT enhancements in our Agency because our agencies needed to be able to continue to provide services during the pandemic with the fact that we couldn't be

in a collective office space. And that is significant and is driving more of those efforts across government right now. It is supporting the work we are doing around recruitment. I think we are thinking about it differently. Agencies are expanding their talent pools because they have the ability to think more broadly about where they might have their employees situated.

Mr. EDWARDS. OK. Are you aware of any studies that have been conducted regarding the productivity of employees that are working from home?

Ms. AHUJA. We just released a future of the workforce memo that lays out the work we are doing in a lot of different areas around specifically this issue, looking at policy and training and resources. Part of that is also the research piece. There are a number of studies that are looking at the private sector, as well as the work that we are doing internally in government that shows the connection between telework and productivity. You have the USPTO. You have got other companies as well. There is documentation that links, in some cases, where they are seeing higher levels of productivity. I don't have a specific, like, research, but we are compiling that.

Mr. EDWARDS. I think that would be important because it appears that there will be some degree of folks working from home when we come out of this. My belief is that folks are far less productive, and I would love to see somebody prove me wrong there. I have heard stories of, and I envision folks working at home, sitting in their pajamas on the edge of the couch, watching television while they are reading documents or email, and doing their laundry, and walking their dog, and all those kinds of things that they would not be doing if they were in an office.

Can you tell us the investment in equipment and technology that the U.S. Government has made to send people home to work? I know that in business, folks have had to buy computers, and printers, and routers, and security software, and all these other things. Can you give us a number and what it has cost us to send everyone home to work?

Ms. AHUJA. Congressman, I don't have that number available. I can also say there are numbers out there of the cost savings when there are savings related to less space utilization.

Mr. EDWARDS. I am sorry. I am going to run out of time.

Ms. AHUJA. Sure.

Mr. EDWARDS. I don't want to cut you short, but I am going to get cutoff here in just a minute. I think we should know that number, and I think we should be insisting that as people come back to work, they return that equipment to our inventory.

Mr. Chair, I would just like to make a comment that through this pandemic, we have been told over and over that we were going to use science and data to manage us out of this. And I am extremely disappointed that we have science and data so specific as to tell us that the pandemic is going to be over on May 11, yet we don't have the data to support how many people we have got working, at home and what it cost us to send them home, and we are going to bring them back, and that sort of things. So, with that, I yield back. Thank you.

Chairman COMER. The gentleman yields back. The Chair recognizes Ms. Crockett for five minutes.

Ms. CROCKETT. Thank you, Mr. Chair, and good morning. I am over to your left. Sorry about that. I do want to make sure that I could clarify for my colleague that just finished up before I begin my specific questioning. You were about to say that you do have data as it relates to the fact that we have actually saved money because most of us understand that when you are housing people and, say, a building, it cost us, whether it is the amount of money to lease that space, whether it is a cost of the energy in that space. But essentially, I am sure you would agree with me that renting out a space to maybe house 300 people, say, in one agency may be a little bit more expensive than just giving them computers, computers that they were already going to be required to work on to do their jobs in the first place. I mean, am I missing something or does that sound almost accurate?

Ms. AHUJA. It does, Congresswoman. I was going to mention earlier that, you know, giving that equipment and ability to work from home, if someone is under a telework arrangement, also allows if there are any issues around continuity of government, that they can easily shift, or when the OPM closes the government because of snow or other things, there is no longer really a day off. In fact, you really can't say, well, I can't work because I can't come into the office.

Ms. CROCKETT. Absolutely. And in fact, you may not be aware, but here at the House, I am just a freshman, but when I swore in, I was given a bunch of laptops to give out to my staff as well, and there is actually equipment on our laptops that allow my staff to answer calls from anywhere. If anybody calls into one of our official numbers, we can absolutely answer those calls directly from our laptops. So, even here in the U.S. House of Representatives, we make it to where our staff have the ability to actually work, even if they are not in the office here.

But what I want to talk to you about is solutions over scare tactics and scarcity. It is my understanding that funding has been continually gutted specifically to the IRS, and more so to the tune of the fact that there was a reduction in your staff levels at the IRS to about a 1974 level, despite the fact that there are more people in this country, which means that we have more people to service. But because there was a lack of funding and it is my understanding, if I remember correctly, that a little bit earlier last month we voted, or actually maybe in the very first bill that we voted on, I believe Maxwell was referencing it was a defund the IRS bill. It seems to me that there are some people, they just don't want you all to be successful because it is hard to hire people when somebody ties your hands behind your back and tells you we don't have any money for that.

Nevertheless, I do want to make sure I tell a couple of stories because, honestly, I think you have made it pretty clear to anybody that is paying attention and really cares to listen about the work that you are doing and what you are trying to do. And I don't believe for two seconds that you want on your watch specifically for people to feel as if you are a failure to the American people. No one

goes to work and wants to have that on their record, so I do thank you for your service.

I am from Dallas, Texas, and there is a woman by the name of Susan. Susan is a financial operations specialist in the Office of Grants Management within the Administration for Children and Families in HHS in Dallas. She served for four years in the U.S. Navy and worked in the ACF Region 2 Office before being transferred to Dallas. Susan is currently a single mother of three school-aged children. Susan is a high-performing employee and continues to receive high ratings on her employee performance appraisal, despite the fact that she has a crippling disability because of her service to our country. To make performing her duties easier, Susan requested to work remotely, and with the help of her union, NTEU, she was recently approved for five days of remote work.

Now, I am going to tell you about another person. Her name is Gwen, and Gwen has worked for the IRS. That was her very first job, and then she went on to work for DOD. She worked for Army. She worked for Navy. And, in fact, she was working for Navy when they had the shooting at the Navy Yard. Gwen is an older African-American woman who, when the pandemic happened, she was high risk, and she was given an opportunity to work at home. Gwen also managed to raise a new freshman Congresswoman by the name of Jasmine Crockett.

And so, it is offensive when people want to say that the face of Federal Government employees are lazy and ridiculous when my mom graduated from high school at 16, and then she went on to WashU and graduated at the age of 19. So, let me tell you, this is not about making villains out of the people that make this country go. And I will do everything that I can to make sure that you have the resources that you need to make sure we take care of the people. Thank you, and I yield back.

Chairman COMER. The gentlelady yields back. The Chair recognizes Mr. Donalds from Florida for five minutes.

Ms. AHUJA. Chairman, would it be possible to take a quick break, if at all possible?

Chairman COMER. OK. At the request of the witness, we will recess for five minutes.

Ms. AHUJA. Just a quick bio-break.

Chairman COMER. Five minutes. Without objection, we stand in recess.

[Recess.]

Chairman COMER. The Committee will come back to order.

The Chair now recognizes Mr. Donalds from Florida for five minutes.

Mr. DONALDS. Thank you, Mr. Chairman. Director, thanks for coming in. I appreciate it. You said earlier in your oral testimony that about 50 percent of the Federal workforce was actually showing up in the office during the pandemic. Do you know which agencies in particular actually showed up?

Ms. AHUJA. Congressman, thank you for that question. It is tied to those agencies that have occupations that require—

Mr. DONALDS. OK. But like which ones? You tell me.

Ms. AHUJA. Well, DHS or DOD. I don't know all the agencies, but it is tied to the occupation that requires onsite presence, so it is oftentimes Border Patrol other—

Mr. DONALDS. So, if you are Border Patrol, Homeland, DOD, over at the Pentagon, FBI, ATF—

Ms. AHUJA. Facilities for—

Mr. DONALDS [continuing]. Facilities, because, you know, you got to actually keep the staff working, they had to come in to work?

Ms. AHUJA. And there are, of course, other occupations. I don't have the whole list of them.

Mr. DONALDS. So, what is the difference between a worker at DOD or Homeland, or actually the better example, what is the difference between a Federal employee with Border Patrol and a Federal employee at the Department of State?

Ms. AHUJA. Congressman, I don't quite understand your question.

Mr. DONALDS. What is the difference between a Federal employee that is on our southern border, with Border Patrol that shows up for work every day, mind you, under terrible immigration policies by Joe Biden, and an employee working at the Department of State? What is the difference between those two employees?

Ms. AHUJA. And still, I don't mean to be disrespectful—

Mr. DONALDS. OK. Director, let me simplify. Why is it OK for an employee at the Department of State to not show up when somebody who actually has to secure the southern border under Border Patrol has to show up? Why does the border agent have to show up every single day, in, frankly, in some office buildings down on the southern border, which are extremely confined, but somebody over at the Department of State doesn't have to show up to do their job? Why the distinction?

Ms. AHUJA. Well, Congressman, I, respectfully, don't agree with that characterization. Department of State employees aren't showing up. I have shared on our FedData that we have employees, at least for that particular survey, 60 percent of the respondents said they have significant in-person time, but they are showing up whether they telework or—

Mr. DONALDS. Hold on. Reclaiming my time. Can you define "significant?" What does "significant mean?" Is that 30 hours a week because I would define "significant" as at least 35 hours a week, maybe 40, but that is me. What do you guys define "significant" as?

Ms. AHUJA. I don't have the report in front of me, but it is specified in the report.

Mr. DONALDS. So, you don't have, OK. Can you make sure you get us that because I think the definition of "significant" is an important criteria for us to understand if we have half the Federal workforce during the pandemic, actually didn't go into the office.

Mr. DONALDS. Let me ask you this question post-pandemic. I know what the President is doing about May 11 is the end of the pandemic. That is just because the President wants to send out \$600 billion in American Rescue Plan money. That should not actually be going out, by the way, because we are hitting the debt ceiling with \$31 trillion in debt, so sending \$600 billion out the door for the "pandemic" which is already over, to me, is budgetary foolishness, but that is what the President wants to do. That being

said, now that the pandemic is over, what percentage of the Federal workforce is actually back in the office?

Ms. AHUJA. Congressman, like I have shared before, that number is based on workplace arrangements within those agencies, and those agencies have to continually assess what—

Mr. DONALDS. Director, I got 1 minute and 10 seconds left. I will sharpen the question. Do you know today what percentage of the Federal workforce is actually back in the office place?

Ms. AHUJA. Congressman, I don't know that information. We have a telework report data—I mean, sorry—report that we have issued at the end of the year.

Mr. DONALDS. Director, here you are testifying in front of Oversight. You don't have the data in front of you about what percentage of the Federal workforce is actually back in the office?

Ms. AHUJA. Congressman, it varies from agency to agency.

Mr. DONALDS. But, Director, you are a head of OPM. You are head of all personnel management. You should be knowing who is in and out of the office, at a minimum, on a month-to-month basis. This is data you should have from a month ago, not even today. From a month ago, do you have the data?

Ms. AHUJA. Like I mentioned, Congressman, it is captured in this report. I don't have those details in front of me, and that report is public to look at, so, and the question here—

Mr. DONALDS. But, Director, you are here now. It being public is great, but we are talking now. Last question. I got 10 seconds. Last question. Do you think that Federal employees should be back in the workforce at an 80-percent clip, or actually, do you think they should be back in the workforce according to work protocols pre-COVID-19 pandemic? Yes or no?

Ms. AHUJA. Congressman, our workforce is back to work. They have been working—

Mr. DONALDS. According to pre-COVID-19 protocols?

Ms. AHUJA. Protocols, meaning?

Mr. DONALDS. I mean, Democrats opposed our bill in the SHOW UP Act. They opposed it. All we said was go back to pre-COVID-19 protocols. They said no. Do you think we should go back to pre-COVID-19 protocols? Yes or no.

Ms. AHUJA. Congressman, it is a more complicated question than a yes or no answer.

Mr. DONALDS. That is not complicated at all. People got to show up for work. Thank you, Director.

Ms. AHUJA. Thank you.

Chairman COMER. The Chair recognizes Ms. Balint for five minutes. Balint, I apologize. I did that again. Sorry.

Ms. BALINT. That is all right. Rhymes with “talent.” Director, thank you so much for being here. I am concerned because our Republican colleagues want to take steps that would remove protections for Federal workers, allowing for them to be removed if they refuse to essentially buckle to political demands of a President, even if science or the law are on their side, and these concerns are not theoretical. As we know, back in 2019, then President Trump circled areas on a map with a Sharpie that he claimed were dangerously in the path of Hurricane Dorian, but that assertion was not based on fact and was contrary to what expert scientists at

NOAA forecast. Fortunately, the scientists at NOAA's Birmingham office tweeted a correction and pointed out the President's error.

I ask unanimous consent to include the Department of Commerce inspector general report from June 26 that found Trump Commerce Secretary, Wilbur Ross, among others, discounted expert weather predictions and harmed trust in NOAA and the National Weather Service.

Chairman COMER. Without objection, so ordered.

Ms. BALINT. So, while #sharpiagate made for a very funny day on Twitter, the consequences really could have been catastrophic, and ultimately, it is not funny. It is not funny at all. It is dangerous, and it erodes our norms. It cuts at the credibility of our government. And so, what if FEMA was deployed to the wrong region because experts were too scared of losing their jobs to contradict a President? What if millions of taxpayers dollars had been wasted sending Federal help where it was actually not needed? And what if families in the storm's path were stranded because first responders in the Federal workforce had to cater to the whims of a President? Not the policies of a President, the whims of a President. So, in that instance, civil servants saved the day like they do every single day. So, Director Ahuja, would a partisan civil service filled with only loyal Democrats help you perform your job more effectively? Why or why not?

Ms. AHUJA. Thank you, Congresswoman for that question. Like I have shared, I think it is important to have a nonpartisan civil service so we can utilize the expertise and institutional knowledge of these individuals to get the frank feedback and conversations. And I think that it is impossible to do your job well if you don't have those varying in viewpoints. I often say that I want difference of opinion around me to tell me if the decisions I am making are really going to have the impact that I intend for them to have, and a part of that is leaning on career leaders in my Agency, who have had the knowledge over a period of years to tell me what will be the impact, how should we think about these policies? I may not always agree, but I think it is important to have that.

Ms. BALINT. So, to follow up on that, can you tell us a little bit more about these career civil servants, who have served both Republican and Democratic presidents, who show up in your office to do their level best to give you advice? Tell me what that looks like when you have a diversity of opinion.

Ms. AHUJA. Absolutely, Congresswoman. I think that is the only way I can be an effective leader is to have those varying in viewpoints. I don't want to know who is Democrat or Republican. I don't know, actually, and that is really not the basis. It is really, you know, you are working in a particular department, you have the knowledge and skill over a period of time, and I think it is critical to have that carryover. It is critical to encourage that level of frankness and that we can have that type of relationship between the political leaders and the career leaders.

Ms. BALINT. I really appreciate that. And the other thing I want to ask you is, you know, what kind of chilling effect does it have when you have someone who is the Commander-in-Chief getting on national television with a sharpie on a map? What does that do for

the people who show up every day, day in and day out, to do their job and they feel like they are being asked to lie, essentially?

Ms. AHUJA. Congresswoman, I appreciate what you have shared today. I think, in all of these cases, it is important that as a leader, that you respect and value the input and perspective, and that you are OK when you have made a mistake, that you actually can be corrected, and you don't fear correcting that leader. I think that is particularly important, and I would worry, as we have seen in the last administration, where you did have individuals leave their agency, and we are still rebuilding those agencies today.

Ms. BALINT. Thank you. I yield back.

Chairman COMER. The Chair recognizes Mr. Perry from Pennsylvania for five minutes.

Mr. PERRY. Thank you, Mr. Chairman. Director, I want to reset the conversation a little bit and focus our attention. Generally speaking, why do government agencies exist? Just generally speaking. It is not a "gotcha" question.

Ms. AHUJA. OK. That is good.

Mr. PERRY. Yes, sure.

Ms. AHUJA. To serve the American people?

Mr. PERRY. Yes, sure. Right. Yes. To do the job of the American people, you get different agencies doing different things. And what is the role of the good folks, whether they work in your office or mine, they are Federal employees. What is their role in this whole thing? Again, it is not a "gotcha" question. I think we are probably going to agree.

Ms. AHUJA. Well, it is to deliver on mission for those agencies. It is to deliver good customer service. What is really interesting is in the FEVS scores, Federal employees score really high on their commitment to mission.

Mr. PERRY. They want to do a good job, right? They are there for a mission. They want to service the American people. They are bosses, right? They are all our bosses. How much time do you think it is acceptable? I imagine you look at this stuff. How much time is it acceptable for Federal employees to spend on their own interests while on Federal time? And that could be anything from looking up the price of a new car to whatever, but they are at work not on break. Is there a certain amount of time that is acceptable for them to be working on their own interests as opposed to the interest of the agency and the American people?

Ms. AHUJA. Congressman, I appreciate that question. I am not aware of any particular quantity of time.

Mr. PERRY. OK. Can I give you some figures here? So in 2019, so this is Fiscal Year 2019. We are now in 2023, but in 2024 fiscal year, but in 2019, 2.6 million hours. In that year alone, 2.6 million hours were spent on interests other than the American people by Federal employees, particularly union activity. And look, we want our Federal workers to be protected, we want them to be represented. But understand there is a different dynamic when Federal employees are negotiating with other Federal employees and taxpayers that pay the bill are over here, they are not in the negotiation. Take DOD for example: 60 years, 527,000 hours. That is equivalent of 60 years of time were spent in that year working on their own stuff. Is that acceptable? Is there a limit?

Ms. AHUJA. Well, Congressman, I am not familiar with those data points from those agencies—

Mr. PERRY. OK. Even if you are not familiar—

Ms. AHUJA [continuing]. Or the arrangement they may have experienced.

Mr. PERRY. What is acceptable? So, you take the VA. There are veterans in the room. I happen to be one. You know, if you are working at the VA, God bless you, you are trying to service members, whether you are a nurse practitioner or some specialist. I would think you would want to spend the bulk of your time doing that, but in the same year, 2019, 500,000 hours at the VA. In that year, that is 57 equivalent years of time were spent negotiating for their own benefits.

I am just asking, what is appropriate? Is there some level, like, of an average employee's time, 40 hours a week, 1 hour a week, 10 hours a week? How many hours a week is acceptable? Is there any limit?

Ms. AHUJA. Congressman, you are speaking about union activity in particular.

Mr. PERRY. Yes.

Ms. AHUJA. And often, that is dictated by the collective bargaining agreement with, between the union and that agency, and it would vary, so—

Mr. PERRY. But do you have any personal thought? You are managing this thing, and we are trying to get the most efficiency for the Agency for the good people working there for their bosses, the American people. You are in charge of all that. What is cool with you?

Ms. AHUJA. Well, Congressman, I appreciate that question again, but—

Mr. PERRY. I know you do, but what is the answer?

Ms. AHUJA. Right, but oftentimes, and really the case is, you know, we provide technical assistance to the agencies—

Mr. PERRY. OK. All right. So, you don't have an answer. I got it. Let me ask you this. Is it OK and acceptable to use Federal facilities for private activities? Like, let's say that one of us here wants to have the NRA show up down at the EPA and use their facility, Monday, for some convention from 8 to 5. Good to go or not good to go?

Ms. AHUJA. Congressman, I can't speak to that particular situation. I don't manage—

Mr. PERRY. OK. Pick your own situation, some private organization working at a Federal facility during work hours.

Ms. AHUJA. This is the purview of the General Services Administration around Federal buildings and spacing, and I couldn't speak with expertise. It is not under my purview.

Mr. PERRY. OK. Fair enough. Then what if it was union activity on behalf of Federal employees, is a union, a Federal organization, or it is a private organization?

Ms. AHUJA. Well, unions have a special status in their relationship with the employer, and oftentimes—

Mr. PERRY. So, are you telling me that unions are Federal organizations?

Ms. AHUJA. No, I am saying through the collective bargaining agreement, there are—

Mr. PERRY. So, it is OK for them to use Federal facilities and not pay for them?

Ms. AHUJA. Congressman, again, this will be laid out in collective bargaining agreements. I don't—

Mr. PERRY. So, it is OK. It is OK as long as it is in the collective bargaining agreement? So, if the NRA calls itself a union, it can then go down and use Federal facilities during work time?

Ms. AHUJA. Well, Congressman, unfortunately, I don't have enough information to answer your questions.

Mr. PERRY. All right. Mr. Chairman, I yield the balance.

Chairman COMER. The gentleman yields back. The Chair recognizes Ms. Brown for five minutes.

Ms. BROWN. Thank you. First of all, I want to set the record straight on a couple of things. First, President Biden's budget, which he will release tomorrow, will cut the deficit by nearly \$3 trillion over the next 10 years. That is a stark contrast to congressional GOP's proposal, which adds \$3 trillion to the deficit over the next 10 years with handouts for the ultra-wealthy, well-connected, rich big corporations, and special interests. Second, President Biden took office after his predecessor signed a reckless and unpaid tax handout for the wealthy and large corporations, which added nearly \$2 trillion to the deficit. Third, thanks to President Biden's unprecedented vaccination program and economic recovery, the deficits fell by \$1.7 trillion in the first two years of the Biden-Harris Administration, and the President's Inflation Reduction Act, will reduce the deficit by more than \$200 billion over the next decade.

Building on that record of fiscal responsibility, the President's budget cuts the deficit by nearly \$3 trillion over the next decade. The budget achieves this while lowering costs for families, investing in America, and protecting programs Americans have paid into because it proposes tax reforms to ensure the wealthy and large corporations pay their fair share, while cutting wasteful spending on special interests, like Big Oil and Big Pharma.

So, now that I have cleared up a few things, I want to highlight an outstanding Federal employee in Ohio's 11th congressional District. Kortney Mosley was born and raised in Cleveland, Ohio, where she is a trial lawyer for the United States Department of Labor. As a trial attorney, she works to further the Department of Labor's mission by fostering, and promoting, and developing the welfare of wage earners and job seekers, improving conditions, and assure work related benefits and rights. She joined the DOL in 2021 after serving as an assistant law director and housing prosecutor for the city of Cleveland. Her previous experience helped her navigate in a new practice area where she has effectively and successfully handled all phases of litigations, including areas of Fair Labor Standards Act, Occupational Safe and Healthy Administration, Employment Retirement and Security Income Act, Mine Safety Health Administration. She has also successfully handled multiple settlement negotiations, and in doing so, she conducted herself in a professional manner, maintained proper perspective, recog-

nized the policy and objectives of the clients, and ultimately reached fair and equitable outcomes to all involved.

Her desire to give back to her community began at an early age, but it was during law school when she found her calling for public service. In addition to her work at the DOL, she serves as the president of the Northeast Ohio Young Black Democrats, recorder for the Norman S. Minor Bar Association, co-parliamentarian and counsel for the Cuyahoga County Democratic Party, and a member of the Alpha Kappa Alpha Sorority, Incorporated.

Our dedicated public servants and their families deserve timely processing of their retirement benefits, and the OPM serves nearly 2.7 million survivors and eligible family members and paid \$83 billion in retirement benefits in Fiscal Year 2021. OPM's retirement service has its challenges: a high processing backlog, complaints about its customer services and call center, and improper payments. The system also relies on paper-based manual processing, has an insufficient staffing, and old IT. It currently takes 90 days. That is three full months for the OPM to process a retirement application. It is unacceptable. OPM's strategic plan includes goals to improve customer service for retirement services and strategies for strengthening customer engagement.

So, Ms. Ahuja, have processing times and customer satisfaction improved for concerned retirees?

Ms. AHUJA. Thank you, Congresswoman. Related to processing times, and we are certainly appreciative of our Fiscal Year 2023 that allows us to do some considerable staffing up. But even with that, with the surge in retirement, we have increased production of cases by 20 percent, so we have brought down the inventory there. And we are doing work toward addressing some of the customer service challenges with our call center, in particular, trying to move more of the common questions online. And we have just launched a chatbot to be able to manage some of these easier questions we find with the particular clientele we have, and I have listened to some of these calls myself. It is truly the volume of calls that come in. But when they get a customer service representative, there is that wholesome exchange of whatever question they are asking that they are getting the full attention of that customer service rep.

Ms. BROWN. Well, thank you. I see my time has expired. I do want to correct the record. All these days run together, but the President's budget will be released at 2:30 today, and I just want to say, yes, we do need to do better for our Federal employees who have earned their benefits from their years of service, but we do thank you for the years of public service that you have given us. And with that, I yield back. Thank you, Mr. Chairman.

Chairman COMER. The Chair recognizes Ms. Greene for five minutes.

Ms. GREEN. Thank you, Mr. Chairman. Director Ahuja, I would like to talk to you a little bit. Over 20 years I have been an employer. I own a commercial construction company. Our primary objective is to serve our customer and provide the best service and product possible. That is pretty much how businesses work in the private sector. I am also a big believer in hiring the best people that I can hire because whether they are one of my top employees

or the lowest person in my business, they represent our company, and we want them to represent us well and do the best job for our customer who is paying us.

So, I would like to talk to you a little bit about work, hiring people on merit and firing people. President Trump's executive order, E.O. 13957, removed many job protections for poorly performing or insubordinate officials in important Federal jobs. It made it easier to take action against at-will employees, up to and including firing them for performance issues, and denied at-will employees the ability to appeal disciplinary procedures and firings. On the third day of President Biden's presidency, he rescinded this executive order along with many others.

You are a big supporter of diversity, equity, and inclusion, as you stated in the beginning of this hearing, but on January 31, 2023, Director, you released a proposed rule to update Federal hiring procedures for determining suitability and fitness. I am quoting you: "knowing engagements and acts or activities with the purpose of overthrowing Federal, state, local or tribal government; two, acts of force via violence, intimidation, and coercion with the purpose of denying others the free exercise of their rights under the U.S. Constitution or any state constitution; attempting to indoctrinate others or to incite them to action in furtherance of illegal acts; active membership or leadership in a group with knowledge of its unlawful aims, or participation in such a group with specific intent to further its unlawful aims." You said, "Anyone that fits these characteristics should not be hired." Director, in your opinion, is a person who participated in the riot at the Capitol on January 6 fit to serve in the Federal workforce?

Ms. AHUJA. Thank you, Congresswoman, for that question. I can't speak to that specific instance, but what I can tell you is we look at the whole conduct case by case, and we are, with this particular revision of the questionnaire, seeking to balance the First Amendment rights and also the conduct that would be of concern by individuals coming into the Federal Government. So, it is a balance—

Ms. GREEN. Director, specifically, if anyone was involved in activities on January 6, could they be employed by the Federal Government?

Ms. AHUJA. Congresswoman, I can't give a "yes" or "no" answer here. We look at each individual on a case-by-case basis, and look at the set of conduct and their background.

Ms. GREEN. Well, according to your proposed rule of Federal hiring procedures, you are determining their suitability and fitness. What about a person who rioted at a BLM or Antifa riot, and attacked police officers, burned or vandalized Federal buildings?

Ms. AHUJA. The same would hold true, Congresswoman. We would look at the whole set of circumstances, review that case, again, of that individual. I couldn't speak to a hypothetical situation in this instance because it is a pretty vigorous review, and so—

Ms. GREEN. Director, you are in charge of hiring and firing people for the Federal Government. I would think this is a question that you could answer.

Ms. AHUJA. Well, Congresswoman, we manage the policies, but I don't manage the hiring and firing of individuals in the Federal Government.

Ms. GREEN. I think you could answer this since you set the policy. This is a "yes" or "no" question.

Ms. AHUJA. Congresswoman, I do appreciate your question, but I am not able to answer a hypothetical. It truly is based on all the set of information that comes in to our adjudicators and our investigators to look at that individual.

Ms. GREEN. OK. Director, on June 3, 2020, you wrote a blog supporting BLM and a call to action for people to donate to the Northwest Community Bail Fund, which is dedicated to ending cash bail and pretrial detention in Washington State of BLM and Antifa rioters in 2020. These were rioters that, you know, took over the streets of Portland, Oregon, attacked police officers, Federal courthouses, and local government. They had the autonomous zone. Do you support pretrial detention, and do you think the January 6 pretrial defendant should continue to be held in pretrial detention?

Ms. AHUJA. Congresswoman, my understanding here is I am here as the Director of OPM, and that is the basis of this hearing, and I am happy to answer questions based on my role in this Agency.

Ms. GREEN. Director, you avoided all my questions today, so I hope you do better with my colleagues. Thank you.

Chairman COMER. The Chair recognizes Mr. Moskowitz from Florida for five minutes.

Mr. MOSKOWITZ. Mr. Chairman, thank you. Well, what an exciting hearing today. You know, we heard that we should go back to Trump's hiring procedures, and that, you know, we have heard that, you know, we should hire people on merit, you know, like Trump did. Well, it certainly wasn't merit when he hired his children into the White House or his stepson, all right? I assume you weren't the one who approved Jared Kushner's security clearance when security experts said he shouldn't have security clearance, I shouldn't have listened to you.

Ms. AHUJA. Congressman, I wasn't in the Administration at that time.

Mr. MOSKOWITZ. Yes. No, I know. You know, I assume you also weren't the person who hired General Michael Flynn. You know, that wasn't your hire.

Ms. AHUJA. We do career civil service and not political.

Mr. MOSKOWITZ. Right. You know, I am not the only one who thought the hiring procedures from the Trump Administration were pretty bad. I mean, one of Trump's own allies just said a couple of weeks ago that he loves President Trump, but his H.R. was horrible. In fact, quite frankly, it is President Trump himself that says, quite frankly, his hiring procedures were quite terrible. John Bolton, who worked in the Trump Administration, Trump called him a wacko and a sick puppy. Jeff Sessions, who was hired by Donald Trump, was called mentally unqualified. John Kelly, who was hired by Donald Trump, Trump said he was way over his head. Rex Tillerson who was hired by Donald Trump, he was dumb as a rock. You know, Mick Mulvaney, who was hired by Donald

Trump says, "If there is one criticism that I would level against the President is he didn't hire very well."

So, I am again perplexed. Here we are yet again at another hearing where we want to talk about, you know, going back to, you know, Trump's good old days, and now we want to bring back Trump's hiring procedures because, you know, they are trying to score some points for you. But, you know, H.R. wasn't really a strong suit in the Trump Administration. Don't listen to me. I just listened to Donald Trump. He admits the people he hired were terrible. He hates all of them, in fact, which is an unbelievable sort of event, and so with that, I yield back. Thank you.

Mr. CONNOLLY. Would my friend yield?

Mr. MOSKOWITZ. Absolutely, Mr. Chair. Oh, I am sorry, Mr. Connolly. Yes.

Mr. CONNOLLY. I thank my friend. Ms. Ahuja, going back to questions about looking at backgrounds and who we might hire, and we understand you don't hire for individual agencies, right?

Ms. AHUJA. No, I don't, Congressman.

Mr. CONNOLLY. Right. You are the H.R. agency of the whole Federal Government, but the hiring is done agency by agency?

Ms. AHUJA. Yes, sir.

Mr. CONNOLLY. And they set their own needs and parameters. They set the criteria. They have individual specific requirements, depending on the mission of the agency and that division and so forth. Is that correct?

Ms. AHUJA. Certainly we set the broader policy.

Mr. CONNOLLY. Right.

Ms. AHUJA. But agencies will have their own policies around hiring.

Mr. CONNOLLY. Are there flags, however, that OPM either sets for agencies or that might go off for you, for example, somebody with a history of violent engagement?

Ms. AHUJA. Well, we serve as a part of the Performance Accountability Council with OPM, OMB, the ODNI, and DOD, so we are the suitability executive agent for the Federal Government. So, we do set broad policies in conjunction with our partners on how to determine certain conduct that was—

Mr. CONNOLLY. Right. So, I am trying to get at the question you were accused of evading. If somebody, for example, were involved in a violent, let's use the word, insurrection, and pled guilty to it, and is going to jail for it, might that affect that person's future as a prospective Federal employee, or do we just turn a blind eye to that and we don't pay any attention to the fact that you were arrested, convicted, you pled guilty, and you served time or you are going to serve time for a violent activity?

Ms. AHUJA. Well, Congressman, it certainly would be a part of the investigation. If that individual applied to the Federal Government, look at the conduct, there is—

Mr. CONNOLLY. And let me just say, I think for most of us, it should be. I don't want you hiring people who have harmed other people in a violent activity, especially when one as public as an insurrection here at the U.S. Capitol. So please, to speak up for this side of the aisle, I think we would applaud you using that filter, and carefully, so thank you. I yield back.

Chairman COMER. The Chair recognizes Mrs. Boebert of Colorado for five minutes.

Mrs. BOEBERT. Thank you, Mr. Chairman, and thank you, Director, for being here with us today.

Ms. AHUJA. Thank you.

Mrs. BOEBERT. On March 1, 2021, Joe Biden said that it is time for the American people to get back to work. More than a year later, only 1 in 3 Federal workers has returned to the workplace since the start of COVID and far fewer than that right here in Washington, DC. In fact, a leaked memo that I have here from January 2021 to the then Chief of Staff at the Department of Health and Human Services showed that between 20 and 30 percent of the Department's employees did not even log into work on any given day between March and December 2020.

Mr. Chairman, I do ask for unanimous consent to submit this into the record.

Chairman COMER. Without objection, so ordered.

Mrs. BOEBERT. Thank you. Because these bureaucrats have basically joined the pajama party, the Federal Government has somehow gotten even worse at serving the American taxpayers from significant backlogs in case management and lengthy response times. These are issues that I deal with on a regular basis with my constituents who are having frustrations with Federal agencies. These Federal agencies have been unable to process retirement paperwork for seniors, correct errors on tax returns, and even fulfill requests for veterans to access files in order to access lifesaving medical care. Now, Director Ahuja, do you know as up to date, what percentage or the number of Federal employees that have returned to work full time, in person at their agency office?

Ms. AHUJA. Thank you, Congresswoman. I have mentioned before, I don't have that specific data.

Mrs. BOEBERT. Thank you, Director. So, you had mentioned that there is a public report, correct?

Ms. AHUJA. The telework report that we issue every year.

Mrs. BOEBERT. Correction. So, we have gone through that report, that public report. It is the remote telework enhancement to enterprise human resources, integration data files. That number is not in there.

Ms. AHUJA. Well, I did mention also that we just released new data variables that we are going to be collecting through the payroll service providers in order to be able to have more specific data.

Mrs. BOEBERT. So, are you telling me that Federal agencies track this percentage or they are going to begin tracking the percentage of employees that returned to work in person?

Ms. AHUJA. Well, the data is there. We just want to be able to bring it into one house and to be able to automate it.

Mrs. BOEBERT. Where is it currently if it is not under one house?

Ms. AHUJA. Well, the agencies house that data through their payroll providers, and that is—

Mrs. BOEBERT. And you weren't able to collect those and bring them in before your report was submitted yesterday? Why is this something that is brand new that you are looking into providing?

Ms. AHUJA. Well, I think what you are referring to is the memo that we announced that we are actually going to be setting up the collection, and we want to be able to give agencies time—

Mrs. BOEBERT. I just don't understand why OPM, the Director, would not know how many Federal employees have returned full time to work, in person. Even if other agencies have this information, why don't you have that information, Director?

According to the OPM website, it is official policy for the Federal employee to receive a lump sum payment for any unused annual leave when he or she separates from Federal service, meaning if any employee does not use all of their vacation time, they will receive payments, sometimes totaling multiple thousands of dollars. Now, normal vacation days no longer have to be reported in the traditional sense under agency telework policies, allowing employees to claim that they will be teleworking, and instead, well, they're spending all day at a swim up bar in Cabo, so, with over 25 percent of department employees not logging into work without agency officials or even the director of the OMB noticing. Can you tell me, Director Ahuja, are the American taxpayers paying bureaucrats thousands of dollars to vacation under the guise of agencies' telework policies?

Ms. AHUJA. Well, Congresswoman, I actually take issue with the characterization that there is a change in policy. I will tell you at OPM, individuals have to document their hours every pay period, and so I am not aware of the policy change that you are speaking of.

Mrs. BOEBERT. You are not aware of any employee taking something that one would consider a vacation time and bringing their computer and maybe logging in just a portion of that time or not at all? We have more than 25 percent of Federal employees not logging into work, and they are teleworking.

Ms. AHUJA. Congresswoman, I do take issue with the characterization that 25 percent of individuals are not logging in.

Mrs. BOEBERT. It is in this leaked document right here that we just submitted into the record.

Ms. AHUJA. You are basing that from 2020, which is in the last administration, and I can't speak to that particular incident, and I don't know the particular—

Mrs. BOEBERT. Do you currently know how many employees are logging in for telework? Do you have that number?

Ms. AHUJA. Congresswoman, that is not a number that I would know.

Mrs. BOEBERT. So, we don't know anyone who's working full time, part time, in person, telework? We have no idea?

Ms. AHUJA. Well, that is based on the agencies, and the supervisors, and managers, and they would know that.

Mrs. BOEBERT. Do you or do not oversee personnel in the Federal Government?

Ms. AHUJA. We oversee personnel policy. Agencies manage their employees.

Mrs. BOEBERT. And you have no documentation of what employees are actually working in person or telework?

Ms. AHUJA. Agencies manage their telework and remote worker demands.

Mrs. BOEBERT. I hope that this gets straightened out. I hope that you get reports under one house, and, please, do it soon for the sake of the American taxpayer. Thank you, and I yield.

Chairman COMER. The gentlelady yields back. The Chair recognizes, Ms. Porter, from California, for five minutes.

Ms. PORTER. Thank you, Mr. Chairman. I would like to start by recognizing a Postal Service letter carrier in my district named Bea Lee. For 38 years, Bea has connected constituents to their essential medicines, ballots, notes from loved ones. With so many hospitals and medical offices on her route, she is proud that her work helps keep our communities healthy and safe. As we discuss ways to improve the Federal workforce, I want us all to remember that Federal employees are dedicated public servants and valued members of our communities. I thank my constituent, Bee, for her years of service to Orange County.

Second, I want to take up a partial response to what my colleague, Mrs. Boebert, was discussing an article alleging that 25 percent of HHS employees did not actually telework, and I just want to flag for everyone here that VPN and using a VPN login as a way to measure employee engagement and productivity is notoriously inaccurate and misleading. It does not necessarily reflect an employee's access to their email, the internet. They can be working on Microsoft Word, drafting a document. They can be in Excel inputting data without being connected to the internet at all, much less to VPN. It also fails to reflect the work of the thousands of doctors, researchers, scientists, and other HHS employees who spend much of their time working in the field not logged on to a computer.

I now like to turn to an area that I have worked on before, which is—

Mr. CONNOLLY. Would my colleague just real quick yield?

Ms. PORTER. Real quick.

Mr. CONNOLLY. Yes. I am not even sure if VPN is required, by the way. Thank you.

Ms. PORTER. Correct. I want to turn to an issue I have worked on before, which is wildland firefighter classification. We know that wildfires in California get worse and worse each year. We don't even talk about a season anymore. It is an all-year-round risk, and we owe our wildland firefighters debts of gratitude for what they do. Director, would you agree that achieving equity across the wildland firefighter workforce is an important goal?

Ms. AHUJA. Absolutely, Congresswoman.

Ms. PORTER. So, we should expect that wildland firefighters, who do the same work, to have the same job descriptions, pay benefits, et cetera. Would you agree?

Ms. AHUJA. Yes, I would.

Ms. PORTER. OK. So, as you know, the Bipartisan Infrastructure Law directed coordination between OPM and the Departments of Interior and Agriculture on developing a distinct job series for Federal wildland firefighters. And the goal here is to accurately describe their duties and what they should be paid for the hard work that they do. Last June, OPM issued guidance for developing this job series, which includes employees in the Forest Service Bureau of Land Management, Fish and Wildlife, Bureau of Indian Affairs,

and National Park Service, five agencies. Is OPM facilitating inter-agency coordination on this classification process to make sure that it is completed properly and fairly?

Ms. AHUJA. Thank you, Congresswoman. We are. We helped with the, like you mentioned, the job series and now we are working through the classification, the occupation series, and now working through the classification aspect of it.

Ms. PORTER. Would you characterize your role here as hands-on in helping the agencies come to consistent descriptions?

Ms. AHUJA. Absolutely. We do see that as our role to ensure continuity. We also might want to make sure that we see as our role to ensure there is a career path and trajectory for firefighters.

Ms. PORTER. Wonderful, because we don't want the U.S. Forest Service to end up short of people because BLM has a different classification. We want all of these agencies to have the ability to have trained and skilled wildland firefighters to keep us all safe. Can you talk a little bit about whether you have worked with Federal wildland firefighters directly to get their input to make sure that what the agencies are doing and what those in Washington or field offices might be doing matches what is happening on the ground, what the challenges that our firefighters are facing?

Ms. AHUJA. Absolutely, Congresswoman. We have a, what I would hope, is a good relationship with the associations and unions that support the firefighters. I had the opportunity to meet them in person and hear firsthand about some really challenging stories about how they are managing just their livelihood with the current pay. And so, we want to ensure as a part of our role, not only this occupation, but to ensure that the pay is a permanent feature. That is now through the BIL, but will expire soon.

Ms. PORTER. Wonderful. I just want to encourage OPM to continue taking a leadership role so that we don't have agencies acting kind of independently and leave the wildland firefighters with the short end of the stick here.

I want to use my remaining time. We hear so much about the cost of Federal employees, the cost of their wages, the cost of their benefits. Has OPM formerly studied the costs of recruiting and training for when employees leave? Can we weigh the cost of paying an existing trained, qualified, excellent employees which we hear a lot about? What does it cost us when that person leaves to get a new person and to train them to the same level?

Ms. AHUJA. Absolutely. There are significant costs when it comes to recruitment and also retention, the knowledge that you have lost, and getting that person up to speed. Congresswoman, I do know that there have been a documentation at individual agencies. I would have to check to see if our agency has done something across government.

Ms. PORTER. I would really encourage that as a way of making sure we have all of the data so that we can come to the right conclusions as we think about workforce issues. I would encourage you to think about how to make that more of an initiative and how to coordinate that data across agencies, I think, Mr. Chairman, and I yield back.

Chairman COMER. The lady yields back. The Chair recognizes Mr. Burlison from Missouri for five minutes.

Mr. BURLISON. Thank you, Mr. Chairman. First, I want to say you look very healthy for someone that was up until 3 a.m. last night. Thank you, Director, for coming. I wanted to say it is clear from this hearing a few things, right, that we have been moving in a direction toward remote work before the pandemic, that it was greatly expedited during the pandemic, and then now we are at a situation where we have a lot of employees that are working remote.

So my question, and I think what is coming out of this hearing is not the fact that people are working remote. The question is, are the parameters in place that normally anyone would see in the private sector. Having been someone myself who worked in IT and worked remote, you have specific expectations of a workforce, and you put into place tools, policies, procedures, that then enable you to take your work workforce remote. And I am wondering if we didn't get the cart before the horse here, right? And it may be because we have the pandemic, but the question is, and this is from your testimony, you indicated that there are individual agencies that have had success, right? So, but when you read between the lines, what agencies have not had success in remote working?

Ms. AHUJA. Well, I was speaking to, Congressman—thank you for that question—of where I have seen reports and studies. That is not to say that other agencies haven't been able to document it. What I have sought to emphasize during this hearing, and maybe not as effectively as I would like to, is that we have really emphasized to agencies that they have to continue to assess to ensure their organizational health, I mean, organizational performance is on par for them to be able to deliver on mission. And I think a part of that is also ensuring that they have the tools. They have considerable IT enhancements. The pandemic has allowed for individuals to work away from the office. We are doing trainings government-wide focused on how to manage in a hybrid work environment, all the things that I think are important.

Mr. BURLISON. Right. And so, I want to just kind of get down to that. First, before I forget, I want to ask, we have heard that there is a great percentage of workforce that is now working remote. How much space has that freed up? Has that freed up office space that we are either leasing or potentially could sell?

Ms. AHUJA. Well, that is not my area. It is with GSA, but we are working closely with them. And that is certainly part of the effort is to determine, now with the new work place arrangements and the new environment, what space is being utilized and what isn't in order to build in that cost savings. The USPTO, that has been really the longest running.

Mr. BURLISON. So, there is potential there is what you are saying.

Ms. AHUJA. Yes.

Mr. BURLISON. And something that we could get information from you in the future?

Ms. AHUJA. From GSA.

Mr. BURLISON. OK. From GSA.

Ms. AHUJA. Yes.

Mr. BURLISON. OK. Back to the performance metrics. So, for example, it sounds like you have given the goal, but have you given

any objective measurable goals to these different agencies to say if you are not hitting, you know, this level of satisfaction, this level of turnaround time, this level of call wait time, are you giving those kind of levels of objective goals for each of these agencies to achieve?

Ms. AHUJA. Well, OMB manages kind of performance across government, and so we serve on the President's Management Council. We also work closely with OMB, and these are conversations we are having at the senior leadership level, and it is going to be dependent on each agency, right, every sub-component. We have more than 2.1 million individuals in the Federal Government, so it is really going to vary, component by component, what those performance metrics need to be, but they absolutely need to be articulated.

Mr. BURLISON. Right. And, well, I understand that, like, they can't be universal, but there are certain things that can be. For example, satisfaction, like customer, or in this case, the taxpayer, and their satisfaction at the end of whatever service is performed is something that could be universally adopted, right?

Ms. AHUJA. Absolutely. There is a GSA customer service survey that is a barometer, and we use that at OPM, and we have actually increased those numbers—

Mr. BURLISON. But that is inner office, right? It is not sent to taxpayers. So at the end of, for example, the passport issue, is that individual sent a survey saying are you pleased that you were on the phone for four hours?

Ms. AHUJA. Well, for retirement services, we send out a customer survey. So, I would presume, but I don't know for sure—

Mr. BURLISON. OK.

Ms. AHUJA [continuing]. From what State Department and for the passport—

Mr. BURLISON. And then the other question is, is any of that information, could it be made transparent because in the private sector, the very idea of sending employees remote is that you have to have these tools in place. Otherwise, employees are really not managed. And if you have these tools in place, then the transparency is the final part, and the goal is, are you making this information transparent. Are the taxpayers able to see what are the satisfaction scores? What is the ticket turnaround time? What is the average wait time?

Ms. AHUJA. What I can do, Congressman, is and certainly take this back to our colleagues at OMB because they manage Performance.gov where there are a number of metrics that are out for public purview. And certainly we have a customer experience executive order, which is also setting a certain standard that OMB helps coordinate. So, I would be happy to take that back as well the request that you have made.

Mr. BURLISON. Thank you.

Chairman COMER. The Chair recognizes Mr. Garcia for five minutes.

Mr. GARCIA. Thank you very much, Mr. Chairman, and, Director, thank you so much for appearing before us. I just want to just first start off just by addressing some of the comments that were made earlier in the Committee and, really, the shameful attack on trans kids and families that we saw that happened earlier today. And it

is also really disturbing to see that so much energy is spent by the Republican conference attacking and bullying these families. And I am grateful personally that there is some level of gender-affirming care that is accessible to Federal employees through their insurance plans.

And I served personally as mayor of my city for eight years prior to coming to Congress. I had 6,000 city employees. They are incredibly hardworking folks. I am proud that they were represented, and I was also grateful that we were able to work with a different insurance plan, that those employees also were able to receive gender-affirming care through decisions made between the doctors and the employees. We know that issues and support around trans-inclusive healthcare is made between doctors and patients, not between employers, in this case, the Federal Government, and those patients. So, I think it is really important to clarify that, and I appreciate your answers earlier today. And just to make it even more clear for our other colleagues here in the Committee, does the Federal Government directly recommend gender-affirming care to its employees?

Ms. AHUJA. Congressman, thank you for that question. As a part of our communication with healthcare carriers, we have encouraged that they cover gender-affirming care, and that if an employee seeks to get that care, we have 80 plus carriers to ensure that they have those services available to them.

Mr. GARCIA. That is exactly right, and those are just the services as part of the insurance plan. But the decision to get affirming care is made directly between the doctor, and I think that is important to clarify because I think there is this misconception that somehow the Federal Government is directing folks to receive certain types of care. And as a personnel professional, which you are, is it your opinion, which it certainly was mine as mayor, that the only folks that should be making any decision about trans-inclusive healthcare, gender-affirming care, should be directly doctors or healthcare professionals to those employees?

Ms. AHUJA. I do.

Mr. GARCIA. Well, thank you. I think that is really, really critical to clarify. I think that these constant attacks on this community is something that is quite disgusting that we find not just in this Committee, but also in the rest of the Congress. So with that, I yield back the remainder of my time.

Mr. CONNOLLY. Yield? Would my friend yield?

Mr. BURLISON. Absolutely, sir.

Mr. CONNOLLY. Thank you. I want to second what he just said, and, Ms. Ahuja, to make the point here, I said in my opening statement, but perhaps you can reaffirm it, the Federal Employee Health Benefit Program, which you manage, you oversee. Is that correct?

Ms. AHUJA. Yes, it is.

Mr. CONNOLLY. And it extends to 8 million people. Is that correct?

Ms. AHUJA. A little over 8 million, yes.

Mr. CONNOLLY. A little over 8 million people, and you have got over 80 vendors providers—

Ms. AHUJA. Carriers, yes.

Mr. CONNOLLY [continuing]. Each of which has multiple offerings?

Ms. AHUJA. They do. They have different geographic regions.

Mr. CONNOLLY. Right. So, to get in the business of telling OPM, you will provide this, don't provide that legislatively is a strange kind of mission for us to play, it seems to me, given the enormous number of people you serve, the complexity and diversity of that number. And your goal is to try to provide the widest array of services that might be needed at the most reasonable cost. Is that not your mission?

Ms. AHUJA. It is true. We are the largest employer-sponsored healthcare program in the country, but we contract with private healthcare companies.

Mr. CONNOLLY. Right.

Ms. AHUJA. Yes.

Mr. CONNOLLY. So, I might not think it is a good idea for somebody to have, I don't know, cosmetic surgery, but I am not going to legislate that because it happens not to be my choice or even a choice I approve of. That is not really my role here. It is to protect that workforce and to provide them with the best quality care we can, understanding that we can't anticipate every need, nor should we judge every need, it seems to me. And I think that is really the mission of OPM, and to ask otherwise is to impose on you a judgmental role, a kind of substantive role that is really not appropriate for OPM. Your comments in the last five seconds?

Ms. AHUJA. Thank you, Congressman. You know, we certainly want to ensure that we are providing the most comprehensive services. And similar to ensuring telehealth COVID-19 vaccine protections, maternal health, this is a part of the package of what we provide Federal employees to ensure that they feel that they are getting the benefits that they deserve, but also they consider the Federal Government a good place to work.

Chairman COMER. The Chair recognizes Mr. Timmons for five minutes.

Mr. TIMMONS. Thank you, Mr. Chairman. Director Ahuja, what is your mission at OPM?

Ms. AHUJA. Sorry about that. Just looking across the room.

Mr. TIMMONS. OK. What is your mission?

Ms. AHUJA. So, thank you for the question. Really, we are the H.R. arm of the Federal Government, and being a strategic human capital leader to support Federal agencies and also benefits for employees and their families.

Mr. TIMMONS. So basically, your job is to make sure that the Federal employees are healthy, happy, hardworking, have the resources they need to do their job. Fair?

Ms. AHUJA. Well, we do our best to kind of set the broader kind of framework, but, you know, a lot of that is managed at the agency level as well.

Mr. TIMMONS. OK. So, we have a healthcare crisis in this country. We spent twice as much as the average country. Just our obesity rate is actually three times the average. Forty-two percent of Americans are obese, and that costs us trillions and trillions of dollars in both lost work hours because of health concerns. During COVID, it was the No. 1 indicator of your likelihood to succumb to

COVID, so it is a problem. And I think it is interesting, the previous Congressman was talking about the transgender concern. And I am looking at your Federal benefits highlight for this year, and if you take out the intro page and a couple of the graphs and lists, it is really about 6 pages long. You spent one sentence on obesity, and page-and-a-half. About 20 percent of the entire thing is on transgender-affirming care.

So, I guess I think that is a problem, and let's go back. Again, 42 percent of Americans are obese, let's just assume, of the 8 million. Some studies say it is actually higher. Zero-point-three percent individuals in this country identify as transgender. So, there is a resource issue here. We need to be facilitating health and wellness, maybe fighting obesity. And again, it is one sentence first, almost 20 percent of the entire Federal Benefits Open Season highlights. Is that a problem?

Ms. AHUJA. Well, Congressman, I do want to just emphasize here that we have had a significant focus on helping employees manage obesity for a number of years. It is in prior call letters and built out, so we carry it forward every year. So some years, it may not have as much of a presence, but we have put a significant focus on specialized medications. We have focused on other areas as well. So, just to assure you, on obesity, we have had a significant emphasis on that particular issue.

Mr. TIMMONS. So, the one sentence you have in here is about anti-obesity medications and how they have to have adequate coverage. But I think the general consensus is that diet and exercise is generally the best way to fight the obesity epidemic. Do you all have health and wellness programs? Do you facilitate individuals making healthier eating decisions? Do you facilitate allowing them to appropriately exercise? Are there programs like this that you all facilitate?

Ms. AHUJA. Well, I can't speak to what is the most appropriate way to manage weight or obesity.

Mr. TIMMONS. Well, the American way is to take a pill for everything, so, and that doesn't seem to be going very well.

Ms. AHUJA. Well, we have a broader part of OPM which is focused on wellness. In many ways we focus on the Employee Assistance Program, which has been around for quite some time. There has been more of an emphasis on mental health counseling, and so that has been a focus as well.

Mr. TIMMONS. Do you think that OPM could create best practice health and wellness program that can be pushed down to your agencies? Is this something that Congress could help you with?

Ms. AHUJA. We have certainly been talking about, among other agency H.R. officials, about what would be helpful, and there is an interest certainly and a focus on mental health. So, we would appreciate the partnership with Congress.

Mr. TIMMONS. There is a program on Capitol Hill, it is coming out next few weeks, you get a basically a Fitbit and you have to log hours, and it is a competition between the House and the Senate and each office. I mean, something like that could be effective in agencies. Could OPM look into something like that?

Ms. AHUJA. Well, I will say that there are a lot of activities happening across the agencies that I may not know about, so it is not

something where we would coordinate a one-size-fit-all. What we are doing specifically in wellness is around really in the mental health space where we are trying to set some standards and encourage really a wholesale change in how we are supporting the Employee Assistance Programs, which are in every agency.

Mr. TIMMONS. Sure, thank you. Mr. Chairman, I am out of time. I yield back.

Chairman COMER. The gentleman yields back. The Chair recognizes Mr. Goldman for five minutes.

Mr. GOLDMAN. Thank you, Mr. Chairman. I yield my time to Ranking Member Connolly.

Chairman COMER. The gentleman yields.

Mr. CONNOLLY. I thank my friend from New York. We keep hearing stories from our colleagues on the other side of the aisle about the need to show up for work, return to pre-pandemic telework levels because of processing backlogs at certain Federal agencies, but I think it is important to remind ourselves of a little context, for example, passport services, which I would point out does not allow its staff to telework. They talked about backlogs at IRS, an agency that was starved for almost a decade by my friends on the other side of the aisle, such that they are still using 60-year-old legacy systems, IT systems. They have had trouble replacing retirees or employees who leave, let alone getting ready to hire the next generation of employees.

They talk about access to veterans records. It is the National Archives and Records Administration. Those records we are talking about are stored at the National Personnel Records Center. They are vital to veterans, proving that they qualify for medical treatment, homeless shelter access, and burial sites. Each year NPRC receives 1.1 million requests, and that is about 4,000 per day. During the pandemic, access to those paper records was curtailed because staff were getting ill. By March 2022, the records backlogs stood at 604,000.

Many of my friends on this dais are aware that this Committee on a bipartisan basis came together to try to address that problem. And through our support for the TMF, that Technology Modernization Fund, an idea that came out of this Committee, we encouraged the leadership at NARA to apply for a TMF grant. They did, and guess what? They got \$9.1 million, and they reduced the backlog by 33 percent as of today and going down. So, Ms. Ahuja, you have a backlog at OPM in your Retirement Services processing, as we have discussed, Mr. Biggs brought up. Is that correct?

Ms. AHUJA. Yes, we do.

Mr. CONNOLLY. And is that backlog because so many employees are teleworking? What is causing that backlog?

Ms. AHUJA. Well, it has been from a number of years of underfunding within Retirement Services. I think, as you had spoken to, Congressman Connolly, the period of time that we lost when there were efforts to dissolve the agency certainly had a huge impact on Retirement Services. We have not had the investments around staffing and also doing the modernization efforts that we are now doing. That is going to take time.

I will say, though, that even with the surge in retirement, we have with situational telework, with folks in the office—it is a

paper-based process—we have actually improved processing. Actually, the number of cases that we have processed, we have actually improved that by 20 percent, so we have brought the inventory down. So, we have done that even with employing workplace flexibilities with some in-office time and some telework.

Mr. CONNOLLY. I mean, I would echo what Mr. Biggs says because I get it. As you might imagine, I represent a lot of Federal employees and would-be retirees, and we get a lot of concerns and complaints about the backlog because that backlog translates into income for families, right? If they are retiring December 31 and they haven't been processed come January 1, they can go months without a paycheck or a retirement check. Can you just describe, in the 56 seconds I have got left, what kind of prioritization are you putting on eating into that backlog and trying to make sure people are whole when, in fact, they retire in a timely fashion?

Ms. AHUJA. Absolutely. So, we have a number of efforts in place to manage the backlog, but even with that, like I mentioned, we are making progress. We have brought the inventory down by 12,000. I do want to give this data point to the Committee. Fifty percent of our cases are processed in less than 60 days, so we have done a fast-track, tiger teams, over time. The challenge becomes when we have these more complex cases that extend out our timeline to 90 days or close to 90 days, and that is also an area that we are focused on. But truly, Congressman, it has been the challenge around resources.

We are going grateful for that support. I would also say that the other efforts we are focused on is the IT modernization. We are working on an online retirement application we are going to launch later this year, a pilot, a chat box, annuity calculator. There are a number of efforts because of the support of this Congress to allow us to start to make those investments.

Mr. CONNOLLY. Thank you, and I thank Mr. Goldman for yielding.

Chairman COMER. The Chair recognizes Mr. Fry for five minutes.

Mr. FRY. Thank you, Mr. Chairman. Thank you, Director, for being here. In President Biden's 2022 State of the Union, he declared that it is time for the American people to get back to work, people working from home can feel safe again and begin to return to their offices, yet this has not happened for Federal workers in the Federal Government.

According to an article in October 2022, just last year in the *Federal Times*, it was said that only one-third of Federal employees have returned to work since the start of the pandemic, and far fewer in the D.C. Metro area. OPM obviously issued guidance in the 2021 guide to telework and remote work in the Federal Government, even though certain agencies rely on paper copies only accessible in the physical building. For example, the National Personnel Records Center went full remote despite the fact that all records are on paper. In fact, in NPRC's extended telework policy, based on the guidance, pushed the backlog to grow to more than 600,000. Director, was there any consideration in the guidance for specific agencies and the missions that they have when talking about telework?

Ms. AHUJA. Congressman, a part of the guidance is that agencies are the best position to determine what workplace arrangement is going to work. And like I have been mentioning here to this Committee, we have been very clear since before reentry that agencies have to ensure they have the right workplace arrangement in order to ensure good customer service and they are delivering on their mission. So, that is not something that we can dictate to agencies. It is 2.1 million, more than 2.1 million, and there are so many different occupations in government, it is impossible to say that these are the areas. We need to be able to entrust our agency partners. They know the work the best to determine what is going to be the best arrangement.

Mr. FRY. You issue, I would say, blanket guidance for all agencies, but not specific to that agency's individual requirements?

Ms. AHUJA. That is correct.

Mr. FRY. Does OPM recognize the challenges associated with remote work?

Ms. AHUJA. Well, we certainly understand that there are challenges with management, and that is why we have put together a governmentwide training for managers on how to manage in a hybrid work environment that is actually focused on performance. That particular training, we provide resources. We issued a memo earlier this week. We have a website with resources and other support. We provide technical assistance. So we do understand, but there have been a lot of benefits as well.

Mr. FRY. Right. So, but you understand, though, at least from a concept standpoint and in your own guidance, that there are challenges associated with remote work from an accountability standpoint. I think you even issue that in the guidance, somewhere in there—let's see here, page 65—that there are challenges associated from an accountability standpoint with remote work. Is that correct?

Ms. AHUJA. Well, we come from the perspective of there is accountability whether you are in the office or whether you are remote or telework. And we want to ensure that there is an emphasis, of course, on performance management, but as well, it is a balance again, Congressman, on ensuring that you are providing workplace flexibilities that we know employees want because oftentimes there is a fear of losing individuals and having to compete in the private sector, but also as well, ensuring that agencies have the tools and the resources to be able to manage their employees. So, it is an emphasis on both.

Mr. FRY. What do you think some of the challenges of remote work are from an agency perspective?

Ms. AHUJA. Well, I think it is requiring managers to manage differently, and, listen, I was an—

Mr. FRY. But there is also, I would say, a manager monitoring their employees' conduct and progress on whatever they are working on. There is an accountability component to that, too. There is a challenge. Would you agree with that?

Ms. AHUJA. I am sorry. Could you repeat your—

Mr. FRY. I mean, in your own guidance—let me just pull it up, this will probably easier—it says, "To some degree, remote work may pose a greater challenge for effective performance manage-

ment of remote workers for supervisors to successfully navigate within the structures and procedures.” Yadda, yadda, yadda. So, within your own guidance, you acknowledge that remote work poses greater challenges to those management, I guess, say, upper-level management, in supervising the work of their subordinates.

Ms. AHUJA. Well, the way I would like to explain that particular part of the report is that it is requiring a different set of tools and a different way of managing that we are not used to. I mean, we want to ensure managers have those tools.

Mr. FRY. Right. Obviously people have had challenges with this. Obviously we have just highlighted the NPRC’s challenge. To your knowledge, has anyone ever been terminated or disciplined for abuse of remote work procedures within their agency?

Ms. AHUJA. I wouldn’t have that information, Congressman.

Mr. FRY. Mr. Chairman, thank you. I yield back.

Chairman COMER. The gentleman yields back. The Chair recognizes Mr. Gomez for five minutes.

Mr. GOMEZ. Thank you, Mr. Chairman. Before I start on my question, I do want to focus on just all the comments that have been made regarding gender-affirming care and the transgender community. And the reason why is that, you know, I think is a deliberate attack on this community. It is not just in this Committee. It is in the Budget Committee. It is in Appropriations. It is in floor speeches. It is a concerted strategy by the Republican majority to scapegoat this community, and they are just being, in my opinion, bullies, right?

You are picking a fight, literally, with one of the most marginalized, one of the most discriminated groups in our country. That is what they are picking a fight with, you know. They are picking a fight with the transgender community who has one of the highest rates of suicide. It has one of the highest rates of unemployment, it has one of the highest rates of poverty, and it has one of the highest rates of homelessness, but yet, you know what? That is where we should focus our attention, you know, but that is not going to create a single job. That is not going to put people back to work or lift up our communities. You are just doing this in order to score political points for the 2024 elections. That is it. And so, I find it personally offensive when they continuously go after this community. You are not being tough. You are not being patriots. You are being bullies, and I think that they need to stop, and we are going to keep taking them head on.

So, one of the questions now, I want to focus on how do we retain workforce, you know, because that is what it is about. And I know there are concerns about telework, but even the private sector, my colleagues love to say they are the champions of the private sector, but even the private sector knows in order to compete with amongst each other and also get employees, they have to adopt new policies that meet the demands and the preferences of a workforce that is changing. All right. So, that is from telework, but also to paid family leave and childcare.

I started a Dads Caucus to focus on those issues, but I focused on paid family leave from back when my days when I was in the state legislature. Why? Because when I grew up, my parents working four to five jobs a week without health insurance, you know,

couldn't take me to the hospital when it was needed, and I ended up spending about seven days in the hospital with pneumonia. And because my parents took shifts off from work and lost that income and the hospital bills, we almost bankrupted my family, and we didn't have paid family leave then and we don't have it now.

So, but in 2019, Congress passed the Federal Employee Pay Leave Act, which did ensure the Nation's public servants had access to paid leave following the birth or adoption of a child. And this is something that spared them the decision do I give up my paycheck or do I use my vacation time or sick time in order to take time off to bond with that new child or adopted child. I know that it can be life changing.

So, one of the things I want to know is, like, how did it impact, in that short period of time, having paid family leave for the Federal branch? I believe we need to mark up the Comprehensive Paid Family Leave for Federal Employees Act, and we need to do a national paid leave program for everybody. But, Director, my question is, what benefits have you seen from the implementation of the paid parental leave for Federal employees, and how would expanding access to paid caregiving and medical leave benefit the Federal workforce?

Ms. AHUJA. Thank you, Congressman, for that question. You know, part of one of our goals at OPM and really across government with our agency partners is to make every Federal job a good job, and that includes pay benefits, the right set of policies that you have mentioned. I will say with the paid parental leave, we do a biannual survey that has documented that because of parental leave for, you know, for women under the age of 40, it was a high consideration. It was an important factor in them staying in the Federal Government. So, that is an important piece of data point that I saw that I took back and said, OK, we are moving in the right direction.

I will also say that we have a workforce where less than seven percent of our workforce is under the age of 30. So, if we think about what we want to bring in the next generation, we want to attract early career talent, we want to have the policies in place that are ones that they want to see as an employer. This is an important effort, I think, to continue to attract both early career talent, but also see the individuals in our organizations that want to stay because of the policies that we have.

Mr. GOMEZ. Yes, I think it is one of the major issues on how do we compete for that talent. The private sector is ahead of us, but there are other issues like affordable childcare that we have to look at, just not even for retaining talent, but economic growth in the country as a whole. Thank you, and I yield back.

Ms. FOXX. [Presiding] Thank you. Ms. Mace, you are recognized for five minutes.

Ms. MACE. Thank you, Madam Chair, and quite honestly, Director Ahuja, I don't know where to start today. You can't or won't answer our questions, or maybe you are ignoring me right now as I am speaking to you. You can't or won't answer questions about whether or not the Federal Government funds sex change surgery on kids. Some on the left are calling that gender-affirming care. Quite frankly, it is worse than that. There is no scientific data to

support it, and just because someone doesn't agree with the chopping off the private parts of a 15-year-old doesn't mean we are bullying children. I find it ridiculous. Do whatever you want to do as an adult, but by God, don't do it to our kids. And I find it offensive that my colleagues on the other side of the aisle are calling us bullies because we don't want to chop off the breasts of a 15-year-old girl, and we certainly don't want the Federal Government funding it.

You can or won't answer questions on how many Federal employees work from home. You are the director of the Office of Personnel Management. I don't know how you don't know the answer to this question. You have obfuscated today. You can't even tell us the most basic data about how many Federal employees worked from home before COVID, during COVID, and now after COVID. Like, why are you here if you can't even answer our questions?

You can answer questions all day long related to DE&I, but you won't answer questions about bargaining agreements. You just hide behind them and won't answer those questions. Do you know what happens when you have a job in the private sector and you don't show up? What happens?

Ms. AHUJA. Congresswoman, I don't quite understand the question.

Ms. MACE. OK. You are the director of the Office of Personnel Management and you don't know in the private sector if you don't show up to work you know what happens? You get fired. Like, you oversee Federal employees, and you can't even answer the simplest most basic questions here today. Like, why are you here if you can't answer our questions? Why are you here if you can't or won't answer our questions?

Ms. AHUJA. Congresswoman, I am trying my best to provide—

Ms. MACE. You are not. You are obfuscating. You are filibustering. You are refusing to answer the most basic of questions that the taxpayers, quite frankly, on both sides of the aisle deserve to hear. Federal employees are not showing up to work. That is a fact. You are physically here today, but you are not actually showing up to work because you are not answering any of our questions. So, I would like to know, my first question, my second question, why the director of the Office of Personnel Management doesn't know what is happening with Federal employees.

Ms. AHUJA. Well, Congresswoman, I do take issue with that characterization. I have shared a lot today on our guidance, our processes, how we are supporting agencies, whether it is telework, remote work, the benefits—

Ms. MACE. You haven't. Do you think the American taxpayers who sign the front of your paycheck, do you think that they deserve answers?

Ms. AHUJA. We serve the—

Ms. MACE. Do you think they deserve to know how many people aren't showing up to work? Do the American taxpayers deserve to know that answer?

Ms. AHUJA. Well, Congresswoman, our employees show up every day and they—

Ms. MACE. They don't. They absolutely do not, and there is data showing that, supporting that. We have mentioned that data today, and you have ignored it, and, in fact, you are not telling the truth.

Cybersecurity is very important to this Committee. I am going to move on to another subject. Cybersecurity is very important to this Committee. I had a hearing yesterday as a Subcommittee Chairman of technology and cybersecurity on Oversight. We had a hearing with Dr. Eric Schmidt and others from MIT on AI. Do you know how many of our IT workers in the Federal workforce are over the age of 60?

Ms. AHUJA. I don't know that exact number, but I know we trend within the cyber IT workforce—

Ms. MACE. Do you know how many of our Federal employees in the IT space in our Federal workforce are under the age of 30?

Ms. AHUJA. I believe it is four percent or a little less than four percent.

Ms. MACE. Correct, it is just under four percent. Did you know that there are four times as many IT workers over the age of 60 than IT workers under the age of 30?

Ms. AHUJA. I do know we swing in a certain direction—

Ms. MACE. Yes or no. That wasn't a filibustering question. Yes or no, did you know that?

Ms. AHUJA. I knew about the—

Ms. MACE. Yes or no? Answer the question. It is a simple question. So, my last question to you is what are you doing to reform the hiring process to take on these jobs when all these individuals retire who are over the age of 60?

Ms. AHUJA. Thank you for that question. We actually have a robust cyber talent management plan that we are looking to submit to Congress very soon that is going to focus on hiring flexibilities and other efforts across government, similar to what we have done with DOD and DHS. It is about increase in pay, other flexibilities so we can bring in cyber talent.

Ms. MACE. Does that include, like, education as well because there are a lot of IT workers who don't need a four-year college degree to do those jobs?

Ms. AHUJA. I am sorry. Could you repeat?

Ms. MACE. Does it include education considerations? Like, you don't need a four-year degree to be a computer IT engineer.

Ms. AHUJA. No, absolutely, we have a whole effort around skills-based hiring, and the IT cyber community is a perfect example of it. It doesn't matter, like, where you get your skills or, you know, whether you have got a particular degree or education, but actually that you have those skills.

Ms. MACE. Thank you, Madam Chair, and I yield back.

Ms. FOXX. Thank you. Thank you, Ms. Mace. I now recognize myself for five minutes.

Director Ahuja, last Congress I was pleased to be part of the bipartisan coalition to help bring about passage to the Postal Service Reform Act. As you know, that legislation requires employees, dependents, and retirees of the Postal Service obtain health insurance coverage through the Postal Service Health Benefits Program by 2025. Is OPM on track to implement the Postal Service Health Benefits Program by 2025 as required by law?

Ms. AHUJA. Thank you for that question. We are certainly on track. It is a very aggressive timeline, Congresswoman, but we will be issuing an interim final rule in April that is really going to govern the entire program. We just put on the streets an RFP for the entire IT infrastructure to manage enrollment and eligibility. So, we are meeting our performance metrics on this particular pretty sizable effort within our agency.

Ms. FOXX. Do you have any serious concerns about the implementation?

Ms. AHUJA. Well, like I mentioned, we are managing in a very aggressive timeline, and we will do our best to get the basic requirements up for postal reform and then add to that. I do want to mention, Congresswoman, that we will be coming back on our Fiscal Year 2024 budget, which was already anticipated.

Ms. FOXX. Yes. That was my next question.

Ms. AHUJA. OK.

Ms. FOXX. Can you provide us with an estimate of the annual cost to administer this program?

Ms. AHUJA. Yes, I can. I know the particulars are in the budget that haven't been officially released, but we have laid them out.

Ms. FOXX. OK. All right. Will you also provide us with an estimate of how many staff will need to be hired to implement the program?

Ms. AHUJA. Yes, we would be able to do that.

Ms. FOXX. Good. As this Committee knows all too well, new programs must have proper oversight and safeguards in place so that they do not become rife with waste, fraud, and abuse. GAO recently highlighted significant concerns about waste, fraud, and abuse in FEHB enrollments. How will OPM make sure that these same issues are not carried over into the Postal Service Health Benefits Program?

Ms. AHUJA. I appreciate that question, Congresswoman. I do want to mention one thing that is distinctive with the FEHB program that will not be with the Postal Health Benefits Program, is that the FEHB program has been a decentralized program for 60-plus years, meaning that every agency manages the enrollment of their employees. And so, while we have issued guidance and communication to agencies to manage eligibility, it is a challenge from our end because it is decentralized. The Postal Service Health Benefits is actually going to centralize that enrollment, and we will see it as a test case for what we would like to actually incorporate with the FEHB to manage improper governance.

Ms. FOXX. Well, that is also a question that I have. Will you be able to apply any lessons learned with the implementation and creation of the Postal Service Health Benefits Program to improve FEHB?

Ms. AHUJA. Oh, absolutely. I think we are really taking from the things that we would like to improve with FEHB and incorporating them in the Postal Service Health Benefits Program, such as centralized enrollment, being able to check eligibility. We will have a decision support tool that will be much more customer friendly. These are all the things that we would then, Congresswoman, like to take back and make those improvements with the support of Congress.

Ms. FOXX. Well, I haven't been here for the whole hearing, but I have heard enough from my colleagues to know that they have shared with you the frustrations all of us have about the incredible backlogs and delays in response to requests, including congressional casework. So, I am going to give you a chance again to talk about what OPM is doing to alleviate delays and backlogs in response times and congressional casework because this is not the way a Federal agency should work. And I support my colleagues in saying these employees need to be back in their offices answering calls from constituents.

Ms. AHUJA. Thank you, Congresswoman, for that question. I have said also here today that I have given a lot of attention to retirement services. I said this during my confirmation that I am focused on it. We have a number of efforts underway around improving the inventory, which we have been able to bring the inventory down and actually improve the number of cases that we have processed by 20 percent. Obviously you have heard that.

Ms. FOXX. I heard that. Twenty percent when it is nothing isn't anything, I mean, if you are improving from such a low bar, so we don't want to hear about improving percentages when the bar was set so low. Just tell people to come back to work and answer the needs of the constituents. They need to be in their offices. Just like Ms. Mace was saying, if you don't show up in the private sector, you lose your job, and that is what should happen in the public sector. It is hardworking taxpayer dollars that are hiring these people who refuse to come back to work. Fire them if they don't come back to work. My time is up.

I now recognize Mr. Burchett. You are recognized for five minutes.

Mr. CONNOLLY. Mr. Lynch.

Ms. FOXX. I am sorry. Yes, they told me. I recognize Mr. Lynch.

Mr. LYNCH. Thank you very much, Madam Chair. Director Ahuja, thank you very much for your willingness to testify and to help this Committee with this work. I would like to talk to you a little bit about the use of telework in the Federal Government.

In April 2021, a McKinsey report found that 48 percent of the Federal workforce would actually like to work telework full-time, while 86 percent of the entire U.S. workforce would like at least one day of telework per week as we continue moving on from the pandemic. And a 2022 FlexJobs' Career Pulse Survey, 65 percent of the respondents reported that they prefer to work telework full time, and 32 percent of the respondents reported that they prefer a hybrid work environment, working both in the office and telework.

Flexible workplace policies are not new to the Federal Government. For many years, Federal agencies have used telework. However, in 2020 it was recorded that only three percent of Federal employees were teleworking daily. I was wondering, last year during your testimony before the Subcommittee on Government Operations you stated, "I think we have learned that employees really do want to be able to have the flexibility to manage their personal responsibilities and exercise telework option." Is there any evidence that telework or remote jobs are attracting applicants? Is that an incentive that we are using in our hiring model? Is there a dif-

ference, for example, in how many individuals apply to jobs advertised as telework or remote work eligible when compared to those who are not, and how does telework increase the Federal Government's ability to compete for the top talent that is out there?

Ms. AHUJA. Thank you, Congressman, for that question. I had mentioned earlier that we have done a study on remote job announcements over the last six months of 2020, and it showed an incredible uptick in applications for those remote positions. It included a significant number of military spouses who applied. They represented 37 states, over seven states if you just listed a specific duty location. So, it has truly expanded our already pretty expansive geographic footprint, and it has allowed us to bring the diversity of perspectives, making sure that we are providing the opportunity for a Federal job really no matter where you might be in the country. I will say that it has also allowed us to, you know, compete. We know, like you mentioned, there are studies out there that this is a priority, and we want to make sure that we can pull in.

Just in the prior question, cyber IT is a huge area where we leave a lot of jobs on the table, and in this case, you know, now we have got the tech layoffs. We have been doing a huge push to bring in this tech talent. They are, frankly, the ones leading the way on the workplace flexibilities that they want. And so, we have to be able to accommodate, if we can't always accommodate on pay, for certain occupations.

Mr. LYNCH. All right. And I am curious, you know, when we first approached the subject of telework in the Federal workforce, there was some apprehension about losing the, you know, physical control of employees. Do we have any data on productivity and retention and performance with respect to employees that are operating remotely?

Ms. AHUJA. Well, I do know, Congressman, that those are efforts that have been happening and underway agency by agency, that they are managing the data around performance metrics whether it is tied to someone's performance plan or something they have set for the entire organization. I will say that in the FEVS, there are a number of questions where you will see teleworkers score higher on their responses to their agency being more effective and performing at a certain level. And so I do think, you know, there is a correlation between high employee engagement scores and high productivity and high performance. An engaged employee is someone who is committed to that agency and who will perform no matter where they might be.

Mr. LYNCH. Yes. OK. Madam Chair, my time has expired, and I yield back. Thank you.

Chairman COMER. [Presiding.] The gentleman yields back. The Chair recognizes Mr. Burchett for five minutes.

Mr. BURCHETT. Thank you, Mr. Chairman. Director Ahuja, did I say that name right?

Ms. AHUJA. You did.

Mr. BURCHETT. All right. Thank you. What percentage or number of OPM staff are currently assigned to work remotely?

Ms. AHUJA. So, we have about 70 percent coming into the office with a mix of full-time in-person and telework arrangement, and about a little less than 30 percent remote.

Mr. BURCHETT. Thirty percent. OK. If you send an email to a member of your team and they fail to respond for months until you have sent at least two subsequent emails, would you find that acceptable?

Ms. AHUJA. I would not.

Mr. BURCHETT. Would it be acceptable for it to take four months for you to get a response to an email?

Ms. AHUJA. I would not.

Mr. BURCHETT. Why then does my caseworker who handles OPM issues consistently report that it takes months and months and multiple emails in order to get someone from your legislative affairs team to respond to her emails?

Ms. AHUJA. Well, if you are speaking about Retirement Services, Congressman, that is not the customer service that we want to have on display.

Mr. BURCHETT. Well, you got to understand our frustration. I mean, this one young lady who works in my office, she continuously complains about that, and I wish you all can fix that. Surely you are aware that every Member of Congress has a team of caseworkers whose job it is to help their constituents to navigate the Federal bureaucracy and that network and to seek resolution to issues they face.

Ms. AHUJA. I am aware, yes.

Mr. BURCHETT. Would you agree that if the Federal Government operated more efficiently, Congress wouldn't need to have so many taxpayer-funded caseworkers to help them fix the mess-ups in the Federal Government? I mean, literally that is their full-time job, is just dealing with the mess-ups that are in there. Would you—

Ms. AHUJA. Well, I take issue with the characterization. And I was a constituent service rep for a Member of Congress in my early in my career, so I understand the importance of them being a conduit and managing the bureaucracy, and, you know, figure out who to talk to in an agency.

Mr. BURCHETT. Right, and I get that, but still, it is just not acceptable. I think we need to get people back to work, as mentioned before, in the office. The idea that the Federal Government can operate from people's apartments, or their back porches, or parents' basement to me is bogus. If the Federal Government was more efficient than the taxpayers, then everyday Americans wouldn't have to deal with the headaches at the VA, the State Department, or at your Agency, Director Ahuja. Director, if the very agency responsible for issuing personnel policies for the entire Federal Government is run so poorly that it takes congressional offices months, and I mean months, to even get a response to an email, how can we possibly begin to trust the OPM to make decisions that are in interest of the American taxpayer?

Ms. AHUJA. Well, Congressman, I appreciate your frustration, and we certainly want to address the particular issue that you mentioned and set a standard for customer service. We have actually improved on our customer service surveys, the one that GSA issues. We are certainly working to make strides in other areas. I hope that you would have the confidence that we have a commitment to the Federal workforce and to supporting agencies, which we have done through search, hiring, ensuring that we have bene-

fits that are affordable and comprehensive, that we can ensure that we stay competitive, especially around cyber and IT talent.

These are all the things that we would love to work with you in partnership because we do think, especially IT security, cybersecurity in the Federal Government, is absolutely important, and if we have 2,500 jobs over a few years that never get filled, that is a challenge that we should care about. And so, I look forward to sharing our cyber talent proposal with you and others to work in partnership.

So, I hope that you see this as a partnership. We may not agree on everything, but in some ways, what you all are talking about with telework and remote work, we have individuals, like I mentioned, who spend considerable time in the office. I didn't have the data before, but our Fiscal Year 2021 telework report, which was issued at the end of last year, includes 47 percent of our Federal employees that do some in-person time and also telework. So again, we want to balance here, staying competitive, giving flexibility—

Mr. BURCHETT. I understand it. I am running out of time, but the point is the accountability. You know, I know, literally multi-millionaires, who go to work every day, and they work in a cubicle next to the people in their businesses, and the reason they are in that cubicle is because they can have eye-to-eye contact and there is an accountability. There is zero accountability when someone is not in the office. I appreciate all these studies that you all have done. And we are talking about your trusting somebody's integrity that maybe doesn't have integrity that is doing this testing, so I question all of that. And when I have constituents on the other end of the line that are in a desperate situation, that cannot get an answer, ma'am, that is pitiful, and it needs to be corrected. Thank you.

Chairman COMER. The gentleman's time has expired. The Chair recognizes Mr. LaTurner from Kansas for five minutes.

Mr. LATURNER. Thank you, Mr. Chairman. Director Ahuja, thank you for being here today. The Office of Personnel Management serves as the chief human resources agency for the entirety of the Federal Government, supporting a workforce of approximately 2.1 million people. It suffices to say the policies and protocols of the OPM have far-reaching implications over the day-to-day endeavors of the Federal civilian workforce. So, I was alarmed when I learned of OPM's January 31 rulemaking entitled, "Federal Suitability and Fitness," and your Agency's Diversity, Equity and Inclusion manifesto published February 15.

When it comes to Federal hiring practices, you and other OPM decisionmakers seem determined on sacrificing mediocracy for a litmus test with a political agenda. Your Agency's budget justification for Fiscal Year 2023 even lists fostering a diverse, equitable, inclusive, and accessible workplaces its second-highest strategic priority above other directives, such as building the skills of the Federal workforce and attracting skilled talent. How can Americans have faith in their government when its H.R. agency prioritizes DEI initiatives over the skill set of the workforce?

Ms. AHUJA. I am sorry, Congressman. Would you repeat that question, please?

Mr. LATURNER. How can the Americans have faith in their government when its H.R. agency prioritizes DEI initiatives over the skill set of the workforce?

Ms. AHUJA. Congressman, I assure you that there are a number of priorities that we list as top priorities and that are a focus of our agency. We have been spending quite a bit of time on skills-based hiring.

Mr. LATURNER. But you listed diverse, equitable, inclusive, and accessible workplaces above building the skills of the Federal workforce and attracting skilled talent. Your Agency requested over \$415 million in discretionary spending alone, but, frankly, I am not certain I can trust your Agency's discretion with the Americans hard-earned tax dollars. I believe in competency over quotas. The Federal workforce should be comprised of our Nation's best and brightest, not hindered by reductionist hiring practices predicated on one's demographics or political beliefs.

I am sure some of my Republican colleagues may also take issue with OPM standards of employment, so rather than belabor the point, I would like to turn your attention to another issue—the Federal Employees Health Benefits Program. Billions of dollars in drug spending annually contribute to FEHB cost and premium growth, weighing heavily on the Federal budget. I understand that OPM has previously directed carriers to offer pharmaceutical cost transparency tools as a service enhancement, but also perhaps to achieve incremental savings through smarter consumer behavior. Have you considered placing more emphasis here given the enormous spend and waste attributed to pharmaceuticals? For example, have you considered being more prescriptive to carriers as far as what a tool like this should ideally look like to achieve true maximum savings?

Ms. AHUJA. Congressman, I appreciate that question. I don't feel at this time I have enough details to be able to give you an appropriate response, but I would be happy to take your question back to the team and follow up.

Mr. LATURNER. I would appreciate that. I am aware of third party drug cost transparency and decision-making support tools in the market. And I think this is a topic worth exploring. If we could communicate with your office and—

Ms. AHUJA. Certainly.

Mr. LATURNER [continuing]. Give more detail on it, I would very much appreciate that.

Mr. LATURNER. Mr. Chairman, I yield back the remainder of my time.

Mr. CONNOLLY. Would my friend just yield for one thing on FEHBP?

Mr. LATURNER. Of course.

Mr. CONNOLLY. I thank my friend. Ms. Ahuja, you are going to get heat today and you have got some, but, you know, I do an annual open season town hall for my constituents. It is attended by hundreds of people, Federal employees and retirees. And I just want to say with respect to FEHBP, you have been sending, I think, the head guy. He has been outstanding. He has given his personal cellphone number to hundreds of people at this meeting, and it is livestreamed. He has answered all questions, he has fol-

lowed up, and I really want to commend you for that kind of service. Hopefully we can replicate that in other services provided by OPM, but on that one, and that has been a number of years now, he and OPM have done a really great job, and I thank you. Thank you for yielding.

Mr. LATURNER. Of course. I yield back, Mr. Chair.

Chairman COMER. The gentleman yields back. I recognize myself for five minutes of questions, and, Director, again we thank you for being here.

On January 23, I sent you a letter in response to a report that GAO released in December, again talking about the billions of dollars of ineligible payments made to the Federal Employees Health Benefit Plan. A lot of our Members have mentioned that. According to our research, the ineligible payments were documented by the OPM's IG in 2018 with estimates as high as between \$1 billion and \$3 billion annually. Now, how was this issue not raised with Congress sooner?

Ms. AHUJA. Thank you, Chairman, for that question. Well, we have been focused on this issue. It is a very decentralized health benefits program, and we have been working with agencies and carriers to be able to ensure that we manage any ineligibility.

Chairman COMER. Is the problem fixed, or are these payments to eligible employees going to continue to happen? Do we know?

Ms. AHUJA. Well, actually we have created a Master Enrollment Index that will focus on actually determining, now that we have the data, where there might be discrepancies in the enrollment from agencies and from carriers, and that is going to be a way forward. Our challenge, frankly, Chairman, has been that this particular department has been under resourced. Certainly the prior years were challenging, and that this audit was going to be three times the budget of this particular office. So, we were certainly navigating those issues as well and figuring out a solution.

Chairman COMER. The Committee has made several document requests, as was included in the letter. Can we have a commitment from you that you will work with us to ensure that we receive the documents in a timely manner because this is a big issue for this Committee that we are looking into.

Ms. AHUJA. Certainly, Chairman, and my understanding is our team is also going to be setting up some time to also speak more fully about this.

Chairman COMER. Then on the telework issue, I think we have been very clear on this side of the aisle we are not happy with the performance of the Federal Government, especially when you deal with what our caseworkers deal with every day. For those of us who have been here pre-COVID and post-COVID, there is a difference. There is a difference with the Social Security Administration. There is a difference with the State Department. There is a difference with VA. There is a difference with the IRS. There is a difference with the U.S. Department of Agriculture, and I know that agency very well. And from who we talk to and the research that we have done, we believe that that is because there is a significant number of employees who are teleworking. So, obviously we would love to see some research and data from OPM regarding the impact of telework in the Federal Government.

Is that something you are doing because the reason we passed the SHOW UP Act, which, as you know, would take the telework numbers back to pre-pandemic levels, which was around 21 percent of the Federal workforce was working telework pre-pandemic, is we didn't ever see a plan from the Biden Administration as to why this person was teleworking and this person wasn't, whether or not this plan was saving money or improving efficiency, when they were going to go back to work, if they were going to go back to work, you know, no plan. And it was very concerning because we have to answer to our constituents, and it has been very difficult doing case work and we believe because there is a significant number of Federal employees who aren't working.

I don't quote Bloomberg very often, but I would like to enter into the record this Bloomberg story that says Washington Suffers as Federal Employees Work From Home.

Without objection, so ordered.

Chairman COMER. This is a big issue for the Majority on this Committee. Last, I want to mention postal reform, something Mr. Connolly and I worked very closely on and will continue to work closely on. I just wanted to ask about the Postal Service Health Benefits Program, which was established through the recent postal reform package signed into law last year. Based on what we know now, is OPM on track to implement these reforms by 2025, and why or why not?

Ms. AHUJA. We are, Chairman. I had mentioned to your colleague earlier that we have met our timeline in issuing an RFP on the major IT infrastructure that is going to support the centralized enrollment, which also is going to be really a test case for what we would like to do with FEHB around also managing improper payments, to have that more centralized. We will be issuing an interim final rule in April which, again, is going to cover the entire program. So, those were two of the major milestones that we have met.

As you know, you are a sponsor of the bill. I appreciate your support there. It is a huge effort. It is an aggressive timeline. We have to enroll a little less than 2 million individuals when we have this stood up. An example of the difference, when we have open season for FEHB, we usually just enroll five percent when either, you know, they are changing healthcare carriers. So, it is a massive undertaking, and we hope to work in partnership with you and your colleagues.

Chairman COMER. Any information you can give us on that, we would appreciate because we are going to have the postmaster general in very soon, probably for a subcommittee hearing, just to give us a report. We have got a lot invested in this. We want to see some performance from him as well. Performance would, in my opinion, indicate cutting the losses and improving postal performance, so that is something. I will yield.

Mr. CONNOLLY. Mr. Chairman, I look forward to working with you because I think you are going down the right track. And we need some sort of post-passage Oversight hearings of that postal reform bill in terms of implementation, so I look forward to working with you on that.

Chairman COMER. Thank you. My time has expired. I recognize the gentleman from New York, Mr. Langworthy, for five minutes. Did you want to follow up? Yes.

Ms. AHUJA. Could I just mention just there is a great working relationship that we have with the U.S. Postal Service. It has been really hand-in-glove the entire time, just to let you know. That is an important working relationship that we have.

Chairman COMER. OK. Very good. Mr. Langworthy you are recognized for five minutes.

Mr. LANGWORTHY. Thank you, Mr. Chairman. As Federal employees, we owe it to the American people to do our jobs to the best of our ability. And after all, the taxpayers of this great country pay our salary, and they expect that we uphold our centuries-old agreement that we work for them. However, it seems to me that the Biden Administration has forgotten about this. The Biden Administration has put forth policy that has degraded the level of our once very high-performing and highly talented Federal workforce in the name of woke policies. Director, yes or no, do you believe that there has been discrimination in the Federal hiring process?

Ms. AHUJA. Congressman, that doesn't really lend to a yes or no answer. I wouldn't know how to answer that question.

Mr. LANGWORTHY. OK. Are you aware that President Biden issued Executive Order 14035 entitled, the Diversity Equity, Inclusion, and Accessibility in the Federal Workforce?

Ms. AHUJA. Yes, I am aware.

Mr. LANGWORTHY. OK. Are you aware that this was passed to increase diversity and inclusion in the workplace?

Ms. AHUJA. Yes.

Mr. LANGWORTHY. OK. Concerns have been raised, however, that overly emphasizing DEIA principles could result in unequal treatment of Federal workers or applicants merely on account of their race or sex, neither of which have anything to do with a person's ability to serve their country. Now, Director, would you agree that the Federal Government should attract talented individuals into Federal service without regard to an applicant's immutable characteristics?

Ms. AHUJA. Absolutely. We at OPM uphold merit system principles, and that is a big part of ensuring merit-based hiring. I will say just, Congressman, that in the executive order, we define "diversity" very broadly. It includes veterans, military spouses, individuals with disabilities, geographic representation. So, when we talk about building the diversity in the Federal Government, it is with that lens.

Mr. LANGWORTHY. Do you agree that it is essential that the Federal Government be able to attract top talent into Federal service on behalf of the American people?

Ms. AHUJA. Absolutely.

Mr. LANGWORTHY. Are you familiar with the statistics regarding Federal Government employee performance, like the fact that once an employee is beyond the first year of service, the chance of a Federal employee being dismissed declined to 0.054 percent, or a 1 in 1,800 chance of being dismissed for cause?

Ms. AHUJA. You asked whether I was familiar?

Mr. LANGWORTHY. Yes.

Ms. AHUJA. Could you repeat that point again, please?

Mr. LANGWORTHY. After a Federal employee has passed their first year of service, that their chance of being dismissed declined to 0.054 percent, or a 1 in 1,800 chance of being dismissed for cause?

Ms. AHUJA. I wasn't familiar with that statistic.

Mr. LANGWORTHY. Are you aware that former President Trump signed multiple executive orders which were intended to institute general workforce reforms, including some that increased the accountability of civil servants and others that strengthened discipline and removal procedures for poor performance in the workplace?

Ms. AHUJA. I am familiar with those executive orders. I take issue with how they are being characterized, Congressman.

Mr. LANGWORTHY. OK. Are you aware that the Biden Administration, through Executive Order 14003, rescinded those President Trump's executive orders calling for increased consequences for poor performance?

Ms. AHUJA. I am familiar that we did rescind those executive orders with the purpose of rebuilding the relationships with our union partners. And also I think, you know, there is a really a difference of opinion about how we should be tackling performance management in the Federal Government.

Mr. LANGWORTHY. Well, Director, can we at least agree that our Federal Government needs the most talented employees that it can track regardless of race, gender, age or identification?

Ms. AHUJA. Absolutely.

Mr. LANGWORTHY. Do you agree that we owe the best service possible to the hardworking taxpayers of my congressional district and all the congressional districts of the Nation?

Ms. AHUJA. Absolutely.

Mr. LANGWORTHY. OK. Thank you, and I yield back.

Chairman COMER. The gentleman yields back, and this concludes our questions. And in closing, I want to thank you, Director, again, for being in attendance today for this important and insightful testimony. We are going to follow up with a lot of questions. Several of our Members asked questions that they weren't satisfied with the answers or want more detail. Obviously any data you can get on teleworking and the postal reform, we would appreciate that, too, in our ongoing efforts for reform with those agencies. We are very concerned about the health benefit ineligibility payments that were sent out, so please keep us posted on that.

With that, and without objection, all—

Mr. CONNOLLY. I just have some stuff.

Chairman COMER. You what?

Mr. CONNOLLY. I just have some stuff to put in the record.

Chairman COMER. Yes, go ahead. I yield to the Ranking Member.

Mr. CONNOLLY. I thank the Chair, and I echo his sentiments. I look forward to follow up. I will make the point I made a little earlier. When we talk about telework, there are two different things going on here. The frustration I think we are hearing from a lot of our colleagues is the aftermath of universal remote working in a pandemic. That is not a telework program. In fact, that began in almost chaos because there wasn't enough direction going out to

Federal agencies in terms of what do we do. And so, we—I think, rightfully so—my friends on this side of the aisle are saying, hey, when do we go back to work in a more normal style, and that is a fair question. And I think OPM has to reevaluate guidelines, especially in light of the fact that President Biden has said, I am, you know, vitiating the national emergency as of May. I think that then calls for new guidelines for personnel.

But robust telework programs existed before the pandemic and will exist after the pandemic, and we want them. We want them well-managed. We want them overseen. We want them productive. We want them improving morale. And we want to use those programs as part of the toolkit when we are recruiting the next generation of Federal employees who expect it because they get it in the private sector. So, I just wanted to make that distinction because some of the conversation we have had today conflates the two, and they are different.

Mr. Chairman, and thank you for your indulgence, I just want to ask unanimous consent to insert a number of statements into the record: a statement from the American Federation of Government Employees, AFL–CIO, remarks from the International Federation of Professional Technical Engineers, a letter from the National Active and Retired Federal Employees Association, NARFE, a letter from the Partnership for Public Service, a statement from a group comprised of the spouses of military service members, visual and written statements I have referenced already from Mika Cross, who wrote the Federal workplace report, a statement from Ms. Kate Lister, the president of Global Workplace Analytics. And with that—

Chairman COMER. Without objection, so ordered.

Mr. CONNOLLY. And with that, I yield back. Thank you, Mr. Chairman.

Chairman COMER. The Ranking Member yields back. And just to touch on what he said on the telework, we would support telework if we have evidence that it saves money and doesn't cost efficiency and productivity in the Federal Government. If telework is the way to go, and it saves money, and doesn't do anything to harm the productivity of the Federal employees, we will go along with it. But then we are going to sell those buildings that are empty in downtown Washington, like Mayor Bowser has suggested, to try to save money because we are serious about saving money. That is a big role in this Committee. We are looking for every way, shape, or form to save taxpayer dollars, so this is something that we are very concerned about that falls squarely under you. So, we look forward to hearing back from you and working with you in the future.

With that and without objection, all Members will have five legislative days within which to submit materials and to submit additional written questions for the witnesses, which will be forwarded to the witnesses for their response.

Chairman COMER. If there is no further business, without objection, the Committee stands adjourned.

