

**A FOCUS ON MANAGEMENT:
OVERSIGHT OF THE OFFICE OF
MANAGEMENT AND BUDGET**

HEARING
BEFORE THE
**COMMITTEE ON
OVERSIGHT AND ACCOUNTABILITY**
U.S. HOUSE OF REPRESENTATIVES

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C O N T E N T S

	Page
Hearing held on April 30, 2024	1

WITNESSES

The Honorable Jason Miller, Deputy Director for Management, Office of Management and Budget Oral Statement	6
<i>Opening statements and the prepared statements for the witnesses are available in the U.S. House of Representatives Repository at: docs.house.gov.</i>	

INDEX OF DOCUMENTS

- * Statement for the Record; submitted by Rep. Connolly.
 - * Article, *Axios*, “Ex Trump Aide to lead WH Office of Personnel”; submitted by Rep. Crockett.
 - * Article, *Washington Business Journal*, “Benefits of PLAs Along with the Myths”; submitted by Rep. Raskin.
 - * Article, Center on American Progress, “How PLAs and Community Workforce Agreements are Good for Biden Agenda”; submitted by Rep. Raskin.
 - * Article, Economic Policy Institute, “PLAs on Fed Construction Projects Benefit 200k Workers”; submitted by Rep. Raskin.
 - * Questions for the Record: to Mr. Miller; submitted by Chairman Comer.
 - * Questions for the Record: to Mr. Miller; submitted by Rep. Cloud.
 - * Questions for the Record: to Mr. Miller; submitted by Rep. Palmer.
 - * Questions for the Record: to Mr. Miller; submitted by Rep. Foxx.
 - * Questions for the Record: to Mr. Miller; submitted by Rep. Biggs.
 - * Questions for the Record: to Mr. Miller; submitted by Rep. Mace.
 - * Questions for the Record: to Mr. Miller; submitted by Rep. Perry.
 - * Questions for the Record: to Mr. Miller; submitted by Rep. Raskin.
 - * Questions for the Record: to Mr. Miller; submitted by Rep. Connolly.
- The documents listed are available at: docs.house.gov.*

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Tuesday, April 30, 2024

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

The Committee met, pursuant to notice, at 10:09 a.m., in room 2154, Rayburn House Office Building, Hon. James Comer [Chairman of the Committee] presiding.

Present: Representatives Comer, Foxx, Grothman, Cloud, Palmer, Higgins, Sessions, Biggs, Mace, Perry, Timmons, Burchett, Burlison, Raskin, Lynch, Connolly, Krishnamoorthi, Brown, Stansbury, Frost, Lee, Crockett, Goldman, Tlaib, and Pressley.

Chairman COMER. This hearing of the Committee on Oversight and Accountability will come to order. I want to welcome everyone here today.

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

Before I recognize myself for the purpose of making an opening statement—OK, I will begin with my opening statement now, and I was going to recognize Mr. Sessions here in a moment.

This morning, we are here to review how the Federal Government is being run. Government performance impacts all Americans in one way or another, whether it is securing the border, issuing Social Security checks, or processing student financial aid forms. The Federal Government is the Nation's largest employer, with a 2 million strong civilian workforce headquartered here in Washington, DC. Each year those employees administer nearly \$2 trillion in grants and contracts. They operate and secure a vast network of Federal information systems and perform myriad other functions to keep the government's gears turning.

So, who is in charge of this operation? As much as any single individual, it is today's witness, Jason Miller, the Deputy Director for Management at the White House Office of Management and Budget. The management side of OMB, which Mr. Miller leads, advises and oversees the execution of the President's management agenda. That is the blueprint for how the President wants the government run: how to manage the workforce, the contracts, the IT, and the finances. OMB works with individual Federal agencies to ensure that vision is executed across the government.

The government exists to serve the American people, so it should always be managed with their best interest in mind. My constituents and those of the other Members of this Committee want government services delivered efficiently and effectively, and they do not want to pay for unnecessary overhead. I think we can all surely agree on that. We can probably also agree that to run efficiently, any large organization today must make data-driven decisions to ensure efficiency and cost-effectiveness, and the Biden Administration claims to be using data base management, but it is not showing its work. A prime example is telework.

At the onset of the COVID pandemic, massive Federal employee telework was a justifiable necessity. That necessity ended long ago, long ago, yet massive telework continues under the Biden Administration, who is intent on making it a permanent fixture of Federal work life. How do we know that this is in the best interest of the public? The only data we have seen on that is a survey of Federal employees themselves. They think it is working great. I am sure they do. And it came as a surprise to Committee Members that when the OPM director appeared before us to testify last year, she was unable to answer basic questions about how many Federal employees were going into their offices. How can telework levels be data driven if you do not even know how many employees are teleworking?

Since that OPM hearing, we have been requesting telework-related information from agencies, including what evidence they possess that agency productivity is maximized by elevated levels of telework. In other words, how are Americans benefiting from Federal employees staying at home? The collective responses were limited. They gave no assurance whatsoever that these policies are data driven or otherwise designed with the best interest of the public in mind. So, what is driving them?

Federal employee unions seem to be a major driver. The fact is, the President himself said 2 years ago in his State of the Union address that Federal workers would return to their offices, and the White House Chief of Staff has sent a few emails to agency heads prodding them to increase in-person work, but unions have continued to push back. Half of recent union grievance cases before the Federal Service Impasses Panel dealt with telework or similar workplace issues like hoteling or shared workspaces in Federal offices. The Administration often speaks of empowering Federal workers and their unions, and it has taken tangible steps to increase the strength of these unions. Well, they seem to have some muscle, and it is being flexed to resist the limited, belated attempts the Administration has made to get government employees back to work.

To be clear, it is not just Federal employee unions that the White House caters to in its management agenda. Unions operating in the private sector are also benefiting at the public's expense. We see that in the way Federal contract dollars are being managed. For instance, the White House issued an executive order requiring Federal contracting agencies to mandate project labor agreements or PLAs on Federal construction projects worth \$35 million or more. PLAs essentially require that union workers perform all labor on a project. This discriminates against the non-union majority of the

construction workforce, and it drives up project costs to taxpayers by 12 to 20 percent. By one estimate, this PLA policy will impact at least 180 Federal construction projects valued at \$16 billion.

In December, OMB issued a memo concerning the PLA executive order, and our witness today, Mr. Miller, was among the White House officials who met last month with major union representatives at a roundtable on PLAs. I am glad Mr. Miller is taking the time to meet with us today to have this important discussion where we can work together to ensure that our government is being well managed.

With that, I now yield to the Ranking Member for his opening statement.

Mr. RASKIN. Thank you, Mr. Chairman. Did you want to go to Mr. Sessions first?

Chairman COMER. Yes, thank you. Before I yield to Ranking Member Raskin, I want to take a moment to offer my condolences to our colleague, Chairman Sessions, on the loss of his district director and, more importantly, his longtime friend, Kevin Burnette. I learned of Kevin's passing yesterday, and I know it came as a shock to you, Mr. Sessions, your staff, and all those who knew Kevin. So, on behalf of this Committee, I want to offer my thoughts and prayers to you and especially Kevin's wife, Pat, and his daughters, Anna Grace and Callie.

Mr. SESSIONS. Mr. Chairman, thank you very much. Mr. Burnette and I have been friends with each other since 1976. He served as our district director with honor and distinction, with balance and grace. And while none of us saw this coming, the good Lord stepped into Kevin on Sunday night, and we are all in shock. And I want to thank you and my colleagues who have all expressed to me the loss not only of a district director, but a dear, dear, great and good, fine young man. Thank you, Mr. Chairman.

Chairman COMER. Thank you. We will be thinking of him. Now the Chair recognizes the Ranking Member, Mr. Raskin, for his opening statement.

Mr. RASKIN. Thank you, Mr. Chairman, and on behalf of the Minority, Mr. Sessions, we want to send you our sympathy and our love on the untimely loss of Mr. Burnette. And I never had the opportunity to meet him, but he sounds like just an extraordinary and wonderful man, and we know you have lost not just your district chief, but a close friend, and so our hearts are with you.

Thank you, Mr. Chairman. Thank you, Deputy Director Miller, for appearing today.

OMB sets the policies that guide executive branch agencies on how to spend the money that Congress appropriates. It is OMB that turns Administration policy priorities into the direct service of our constituents and our communities. So, what we are talking about today is the essential mechanics of how the Federal Government works and how it should work, how to ensure that government services reach all eligible recipients, how to prevent and detect and reduce improper access to Federal programs, and how to recruit and maintain the safety of the 2 million-plus people across America who comprise the largest and most diversely talented and skilled workforce in our country.

Under the Biden-Harris Administration, OMB has made excellent strides in modernizing and revitalizing a Federal Government that was demoralized and gutted after 4 years of undermining and mismanagement. When he was in office, ex-President Trump used OMB not as the transmission belt for getting government services to the people, but as the instrument for personal vendettas against enemies in the public sector workforce as a whole. As Deputy Director Miller affirms in his testimony today, OMB is now using data and feedback from stakeholders across America to ensure that its guidance is always rooted in facts and the demands of pragmatic public policy, not ideological litmus tests and political loyalty tests.

OMB's guidance and policies today are transforming how we interact with government. OMB is improving how our communities access Federal funding, including grants and loans. It is ensuring that Federal agencies use artificial intelligence equitably and ethically. OMB is setting excellent government-wide policies on recruiting and retaining a qualified Federal workforce. Federal workers provide medical care to veterans, they respond to natural disasters, and they ensure the safety of the Nation's food supply. They show up every day to provide essential services, and OMB is transforming the way the Federal workforce thinks about serving the people and improving access to government programs and services.

Here is a great example of the kind of innovation that is taking place. The IRS has launched the incredibly successful Direct File pilot, which allows taxpayers in several states to easily and quickly file their taxes directly with the IRS at no cost. The trick is that the IRS guides you through filling out your Form 1040 with all of your basic W-2 information, which is the major or only income that most people have to report. Taxpayers with additional questions about Direct File access customer service representatives directly for help, but in other words, the government comes to act as your tax preparer. People should not have to pay exorbitant fees to private companies for help filing a straightforward tax return. OMB is leading other similar government-wide efforts to reduce the cost and frustration of interacting with government. I look forward to the day soon, I hope, when we will have Direct File for the whole country and people will be able to open up a note from the IRS with their tax forms pre-populated. That is information that the government has.

Another critical way that individuals, businesses, and communities interact with government is through the Federal grants process. In Fiscal Year 2024 thus far, for example, state and local government entities, non-profits, and local businesses in Texas, for example, received more than \$29 billion in grants just from the Department of Health and Human Services. Despite all these investments, the reporting requirements and the complicated process required to secure Federal funding have slowed down access and innovation and kept many communities from getting critical funding. But OMB's updated guidance puts grant applicants, the people who we are elected to serve, in the driver's seat and adapts the capabilities of today's technology to modern-day constituent expectations.

When OMB announced this new guidance last month, the chief of the Division of Fiscal Management for Montgomery County,

Maryland, which I represent, spoke at the event and said, “Plain language, accessible information, and reduction in burdensome closeout requirements allows for those of us in local government to have broader and clearer conversations on grant implementation through our organizations.” As I am sure the distinguished Chairman can confirm, residents from Kentucky have also appreciated and lauded this new guidance, along with my constituents in Maryland. In the comment process for this new guidance, I noticed a consultant from Fort Knox, who helps museums, zoos, parks, and other cultural centers, who commented that the new guidance would reduce the burdens placed on nonprofits, allowing them to devote energies more toward doing the work that directly fulfills their missions.

The National Council of Nonprofits said that OMB’s new guidance is welcomed by the nonprofit community, particularly the improvements that reduce administrative burdens and require agencies to use plain language. Other nonprofit groups welcomed OMB’s updated guidance as well. I look forward to hearing more today about how OMB has modernized and updated its grants guidance to simplify the process for all of the communities and constituents that we serve.

I also look forward to hearing from Deputy Director Miller about how we can work together to make Federal programs even more effective by preventing fraud and waste in Federal spending. Earlier this month, I was proud to introduce the Government Spending Oversight Act of 2024, which would make more permanent the inspector general community’s ability to identify and to ferret out fraud in Federal programs.

Also very importantly, I want to highlight the vital role that a nonpartisan, merit-based Federal workforce plays for our country. The rejected Schedule F proposal would remove experts and replace them with an army of sycophants, and that proposal would disproportionately affect OMB’s workforce. Under the ex-President’s plan, nearly 70 percent of our nonpolitical workforce could have been fired simply because they did their jobs and followed their oath to defend the Constitution. Although President Biden has taken steps to prevent a future similar attack on our civil service, we cannot forget that an expert and nonpartisan Federal workforce is essential to a functioning democratic government.

With that, I look forward to hearing testimony this morning from Deputy Director Miller. I yield back, Mr. Chairman.

Chairman COMER. The Ranking Member yields back. Today, we are joined by Jason Miller, the Deputy Director for Management at the Office of Management and Budget, where he serves as the Federal Government’s chief operating officer. In this role, Mr. Miller coordinates management initiatives touching on all aspects of government operations, including, but not limited to, personnel and telework policies, grants management, procurement, agency IT modernization, and agency use of artificial intelligence. Prior to his role in the Biden White House, Mr. Miller served on the National Economic Council in the Obama Administration.

Pursuant to Committee Rule 9(g), the witness will please stand and raise his right hand.

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

Mr. MILLER. I do.

Chairman COMER. Let the record show the witness answered in the affirmative. Thank you. You may take a seat.

We certainly appreciate you being here, Mr. Miller, and look forward to your testimony. Let me remind the witness that we have read your opening statement, and it will appear in full in the hearing record. Please limit your oral statement to 5 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 4 minutes, the light will turn yellow. When the red light comes on, your 5 minutes have expired, and we would ask that you please wrap it up.

I now recognize Deputy Director Miller for his opening statement.

**STATEMENT OF JASON MILLER
DEPUTY DIRECTOR FOR MANAGEMENT
U.S. OFFICE OF MANAGEMENT AND BUDGET**

Mr. MILLER. Thank you, Chairman Comer, Ranking Member Raskin, and Members of the Committee for the opportunity to testify today. As the Deputy Director for Management at the Office of Management and Budget, I am responsible for overseeing government-wide management matters and ensuring that the Federal Government has the tools and processes to deliver for the American people.

Upon taking office, the Biden-Harris Administration confronted historic crises: a raging pandemic and an economy that had lost millions of jobs, requiring strong, immediate execution by Federal agencies while they strengthened and rebuilt. In response, this Administration has focused our management efforts on strengthening the Federal workforce, improving service delivery and customer experience, and protecting taxpayer funds.

First, the Federal Government's most important asset in delivering performance is its people, its workforce. Federal civil servants across the Nation have chosen to serve our country, but too often public discourse politicizes government personnel to the detriment of government performance, which, in turn, negatively impacts the American people they serve. For effective performance, we also need strong and healthy organizations. That is why last April, OMB issued guidance calling for agencies to substantially increase meaningful in-person work at Federal offices, particularly at headquarters and equivalents. Federal agencies are moving toward a posture where telework-eligible teams are working in-person at the office at least half of their hours. OMB will continue to push agencies to complete implementation.

Second, most Americans experience their government through the services that Federal agencies deliver. Under President Biden, the Administration has established the importance of simple, secure customer experiences. We have made substantial progress, but significant work remains. OMB's role includes driving an annual

improvement process for our largest service providers. Amongst many actions over the last year, the Administration has made it easier for Americans to file their taxes, reducing wait times on call lines from 28 minutes in 2022 to just 3 minutes this year, and piloting Direct File, a new, free, and simple digital solution for tax filing; issued the highest numbers of passports in a year while bringing the service commitment back down to pre-pandemic norms and piloting online passport renewals; reduced paperwork burdens for farmers applying for loans to USDA by more than half; and expanding the VA app so millions of veterans have simpler, more accessible tools to obtain health and benefits services.

Third, the Biden-Harris Administration has worked to ensure taxpayers get the best bang for their buck. On Federal procurement, our efforts have resulted in more than \$40 billion in savings and cost avoidance, and OMB launched the Better Contracting Initiative, which we estimate will result in at least \$10 billion more per year in savings and cost avoidance. On program integrity, the Administration has taken significant action to address the fraud we inherited in pandemic relief programs. Those actions included re-installing basic controls, rebuilding the relationship with the oversight community, and strengthening systems to prevent fraud. These actions, combined with the President's comprehensive anti-fraud proposal, would have prevented a substantial amount of the fraud experienced early in the pandemic.

On Federal financial assistance, earlier this month, OMB announced an overhaul of the Uniform Grants Guidance to streamline requirements on Federal funds, cutting red tape so recipients focus on outcomes, not overhead, while strengthening the ability to safeguard these funds. On Made in America, OMB created a first-ever Made in America Office, increased the share of Federal procurement to domestic workers and businesses, and implemented Build America Buy America requirements, which expand domestic content requirements to all Federal infrastructure. As part of the President's strategy to strengthen domestic manufacturing and supply chains, this approach is working, with more than \$600 billion in private investment to American manufacturing. And enabling all this work requires modern and secure technology systems. OMB has worked to accelerate the retirement and migration of legacy IT systems, strengthen technical talent in Federal agencies, raise standards for cybersecurity through OMB's zero trust strategy, and prepare agencies to harness the opportunities and mitigate the risks of artificial intelligence.

We have delivered real results for the American people, but there is much more work to do. I look forward to continuing to work with Congress across these management priorities.

Chairman COMER. Thank you. Now we will begin the questioning phase of the hearing. I recognize Mr. Grothman from Wisconsin for 5 minutes.

Mr. GROTHMAN. Thank you. A while back, I had a staffer leave me, really, a sharp guy, and I asked him for comments on what we could do to improve the office. And like a lot of offices, we went through a period of telework during the COVID, and he was critical of it. He felt he was a great worker, as good as he could be, but when you are at home, as soon as the kids are around, as soon as

the dogs are around, it is hard to really be honest and say you are getting as much done as you would be without it. In your opinion, is widespread Federal telework as effective, efficient, and good for the taxpayer as in-person work?

Mr. MILLER. Congressman, thank you. And as you noted, it was an important tool during the pandemic to navigate through that for some of the Federal workforce. It is important to put in context the Federal workforce. About half of Federal workers have to be at a worksite to perform their job responsibilities.

Mr. GROTHMAN. Right.

Mr. MILLER. Our approach in early 2023 was to release guidance to agencies to substantially increase the amount of in-person work. The purpose of that approach was to strengthen teams and organizations, make sure that we had strong culture, make sure that we had innovative teams, make sure that we are able to bring people on board. For office workers, the place where there is consistency across different agencies, we have been clear that our expectation is agencies are achieving at least 50 percent while giving them flexibility for how to deliver based upon their diverse mission space. That is consistent with where the private sector is, and we are going to continue to adjust as needed. We should compete for talent. We should be able to measure performance.

Mr. GROTHMAN. OK. So, you are saying a good target is half the people going to work every day?

Mr. MILLER. Our expectation is for office workers, headquarters and equivalents, that agencies are achieving at least 50 percent. To the extent they want to adjust to levels above that, we give them that flexibility. We set that target because it is consistent with where the private sector is. We think, given where the market is, that is the right answer.

Mr. GROTHMAN. I will ask you again. Do you feel Federal telework is effective, efficient, and as good for the taxpayer as in-person work, in your own opinion?

Mr. MILLER. I think that agencies have the ability to deliver on effective and efficient telework.

Mr. GROTHMAN. You do not want to answer that question. The White House Chief of Staff, Jeff Zients, sent an email to the Cabinet leadership in August 2023 calling for agency heads to aggressively increase in-person work, stating that doing so is a priority for President Biden. His email said that doing so would allow the executive branch to deliver better results for the American people by improving teamwork and productivity. Does Mr. Zients' email imply that teamwork and productivity within the Federal workforce had been negatively impacted by widespread telework?

Mr. MILLER. Thank you. The rationale for our approach to substantially increase in-person work was because we believed an amount of in-person work is critical for healthy teams. We have seen that in the private sector. We want that in our organizations going forward. We are trying to also make sure that leadership is focused on it, so it is not a check-the-box exercise. We want to make sure at least half of hours for comparable work is in-person based upon what we see in the market and what we have seen on the evolving research. We think that is the right answer that bal-

ances the flexibility, that gives strength to our teams, that increases employee engagement, and allows us to compete for talent.

Mr. GROTHMAN. So, that is the permanent state of affairs now for the Federal Government, half? Your average guy or, I will say even, management where I think it is even more relevant—is your policy for management of teams that they are there half the time and half the time they do not have to be?

Mr. MILLER. Our policy is for agencies to achieve at least and make sure that they are adjusting—

Mr. GROTHMAN. Well, again, I will narrow it down to management positions. I mean, in my opinion, it is more important for management to be there than someone else, OK? So, then management is kind of overlooking things. Are you satisfied if management only comes in half the time?

Mr. MILLER. Our focus is making sure that agencies have policies that are geared toward performance. If being in-person more for the management team improves their performance, that is exactly what they should do.

Mr. GROTHMAN. OK. I mentioned that the last email from Mr. Zients was January 19, 2024, pretty late in the game. Do you feel that your progress toward getting people back to work in-person is slower than desired? I mean, it seems to me like the COVID is ancient history right now, and I think that email dated January 2024, kind of recent. Does it imply that things are going slower than your expectations were?

Mr. MILLER. We expect agencies to completely follow through on their implementation, and we will hold them accountable for that.

Mr. GROTHMAN. OK. I will just make one more comment. I do feel that in government, sometimes they do not realize the degree to which in the private sector, in many areas, everybody was back to work, OK? And when I go home at night, it is kind of a stereotype, but I got Wisconsin, I got all these cheese factories I drive by, depending upon which way I go home. They were all packed even at 1 in the morning, you know? So, I just want to emphasize that I think in many private sector jobs, they were showing up at work in the teeth of the epidemic, and we should be back to where we want to be. Thank you.

Chairman COMER. The Chair now recognizes Mr. Raskin for 5 minutes.

Mr. RASKIN. Thank you, Mr. Chairman. The government distributes \$1.2 trillion a year in grants and loans through thousands of different programs that go out to the states and localities and tribal governments. All of us have constituents who benefit from Federal grant money going to fire safety, healthcare, domestic violence programs, afterschool programs, and so on. Traditionally, it has been very difficult to apply to get this money. The application process has been opaque, elusive, inscrutable, incomprehensible, poorly written, lots of unnecessary administrative burdens, and so on. But earlier this month, you announced significant updates to the OMB's uniform grants guidance process, and we have been getting rave reviews from different parts of the country about this.

Tell us, what are the changes that you have made to the uniform grants process to make it more transparent and accessible to the

mayors and the county commissioners and the people who end up applying for a lot of this money?

Mr. MILLER. Ranking Member Raskin, thank you for the question, and we were appreciative of having a Montgomery County resident speak at our event. OMB does not typically hold events when we announce new government-wide policy. We had about 10,000 people join on this event, and we had a packed room, over 150 people in the room, given the broad excitement across every single state.

The first thing we did was completely overwrite the grants guidance in plain language. Why does that matter? Agencies were interpreting specific components of it in different ways. So, that meant a recipient who had grants from two different places was getting two sets of requirements from two different agencies on the same words, or agencies were layering on compliance requirements that was discouraging people from ever even applying for Federal funds. The second thing is we are using this overhaul to also change our approach to notices of funding opportunities, NOFOs. We are trying to dramatically simplify them. We should give out dollars to the organizations that can best deliver on outcomes, not the organizations that can afford experts who can best fill out the paperwork to apply for those grants.

Mr. RASKIN. Is this going to help communities that have been traditionally underserved?

Mr. MILLER. Absolutely.

Mr. RASKIN. Why?

Mr. MILLER. We expect it will. We think the simplification of the process will open the door to more organizations. We like to say we want the dollars to focus on outcomes, not overhead. That will bring in more organizations who have traditionally thought that government funding was not an available resource for them. We have tried to make clear requirements from agencies to simplify. And by the way, we did this with the oversight community, so this was done in a way to also strengthen the safeguards we have in place while broadening the pool of potential applicants.

Mr. RASKIN. The Schedule F proposal would permit the President to replace career government workers and experts with political loyalists. Can you discuss what the return of Schedule F could do to the civil service and how it would affect the services to our people?

Mr. MILLER. Ranking Member Raskin, thank you. This is an important topic. Again, for well-performing organizations, whether in the private sector or the public sector, the most important thing is its workforce. We have for 140 years had an approach focused on experience and expertise, a merit-based system. Schedule F would have undermined that very system. We want to make sure that the people within our agencies bring experience and expertise irrespective of their personal political views or who sits in the White House so that we can deliver.

We have leaders in positions that are the decision-makers. The workforce is accountable to their managers and to the leaders. The approach that we have taken, the first week the President reversed that through executive order, would strengthen. The return of Schedule F would have a significant chilling effect on our ability

to retain and to recruit talents in a broad range of spaces, including critical skill areas the Federal Government badly needs.

Mr. RASKIN. Finally, I am looking at some data from the Congressional Budget Office, which shows that percentage of employees working to who typically work from home is actually higher in the private sector than in the Federal Government, although they are comparable to each other, it looks like around 20 or 25 percent, but both have been declining since COVID. Is that right?

Mr. MILLER. I am not familiar with the specifics. Again, about half of the Federal Government does not even have the opportunity to telework based upon their job requirements. There are some workers who are telework eligible that do not because it is not in the best interest of their teams and their organizations.

Mr. RASKIN. Thank you very much. I yield back, Mr. Chairman.

Chairman COMER. The Chair now recognizes Mr. Palmer from Alabama for 5 minutes.

Mr. PALMER. Thank you, Mr. Chairman. Mr. Miller, Federal News Network surveys over 6,300 Federal employees. Only six percent were entirely in office. There was an article in the last few days that showed the Department of Agriculture has space for 7,400 employees, but only 456 are actually coming into work. That is six percent. It is consistent with what Federal News Network survey found. OMB put out a memo encouraging people come back to work basically saying that you wanted purposeful, well planned in-person work. President Biden put out a memo telling people to return to the office. Why hasn't that been implemented?

Mr. MILLER. Thank you, Congressman. It is important that our agencies have policies that do—

Mr. PALMER. No, I am not going to let you lobby. I want you to do your job. I want you to answer questions, and the question I asked is, why haven't those policies been implemented? I do not want you to try to filibuster this.

Mr. MILLER. Agencies are currently implementing where we are today as a Federal Government. Again, 50 percent of our workforce is not eligible for telework based upon where they are. We measure—

Mr. PALMER. But why only six percent of the—

Mr. MILLER. Agencies are required to measure hours. Part of our guidance told agencies that they have to have monitoring systems in place.

Mr. PALMER. OK. Why are there only 456 employees showing up at the Department of Agriculture?

Mr. MILLER. I would have to direct you to USDA about their specific numbers.

Mr. PALMER. OK. Let me ask you something else. In 2019, Congress enacted the Foundations for Evidence-Based Policymaking Act, otherwise known as the Open Government Data Act. That is 5 years ago that that was enacted, and it was to make government transparent and accessible to public and private sector interests. But yet, here we are 5 years later, we still do not have the implementing guidance from OMB for Title II of the Open Government Data Act. What accounts for the delay in releasing the guidance?

Mr. MILLER. Congressman, we take implementation of the Evidence Act seriously. We have made a lot of progress. I have a team that reports to me that focuses——

Mr. PALMER. Five years. Is that because you do not have enough people in the office or you are just incompetent?

Mr. MILLER. Congressman, again, evidence——

Mr. PALMER. You have not implemented it in 5 years.

Mr. MILLER. Congressman——

Mr. PALMER. Mr. Chairman, I bet we could write this in just a matter of days, the implementation guidance, but 5 years later, you have not done it. Why?

Mr. MILLER. Congressman, again, we have been implementing the Evidence Act. I would be happy to follow-up with you with concerns with respect to the guidance specifically. We have been strengthening evidence building in agencies. We have launched learning agendas, both for our management agenda and within agencies, to bring in research to evaluate programs in terms of transparency and Government performance.

Mr. PALMER. Well, can you give me a date, a specific date that OMB will finalize and release the guidance?

Mr. MILLER. I would be happy to take that back and get back to you, Congressman.

Mr. PALMER. OK. Will you get back to us in writing, via email, text message? You are going to run an ad? What are you going to do?

Mr. MILLER. I would be happy to take that back and follow-up with you, yes.

Mr. PALMER. All right.

I want to ask you something else about this. I mean, I have sat here now and watched the Federal Government issue regulations, just a deluge of regulations and guidance, which is basically law-making bypassing Congress, yet 5 years later, you still have not been able to get the guidance written for a bill that we passed in 2019. I also want to ask you about, did OMB provide a strategic plan outlining the ways OMB would comply with the Executive Order 14019? Are you familiar with that?

Mr. MILLER. Not by the number, Congressman.

Mr. PALMER. It is an executive order, direction to mobilize voters and submit your plans directly to the White House. Is OMB engaging in a voter turnout effort? Maybe I should put it that way.

Mr. MILLER. Got it. Thank you, Congressman. I am going to have to take that back. I am not familiar with the specifics.

Mr. PALMER. And it is something I think we need to do additional work on. Mr. Chairman, it appears that we are using Federal resources for voter turnout efforts for the President. I yield back.

Chairman COMER. Very good. Thank you, Mr. Palmer. The Chair now recognizes Mr. Lynch from Massachusetts.

Mr. LYNCH. Thank you, Mr. Chairman. Mr. Miller, thank you for your willingness to come before this Committee and help us with our work.

So, let us talk telework first. We have often been urged to have government work more like the private sector for a very long time. And we have seen in the private sector that the shift to telework,

working from home, has transformed much of the business community in the private sector in major cities like New York City, Boston, Chicago, to the degree that 25 percent of the office space now in New York City is vacant because the private sector sees the value in working from home, and so they are capitalizing on that. They do not need all of this expensive space now, and so they are operating more efficiently. This is the private sector. The private sector. In Boston, 23 percent vacancy rates in expensive office space with workers working from home. Is that something that the government might take a lesson from in terms of having workers work more efficiently from home?

Mr. MILLER. In crafting our government-wide guidance, we have followed very closely the research and actions by the private sector. Ultimately, we need to compete for talent. Right now, we have a major effort underway in trying to implement AI and strengthen our use of AI in the Federal Government. That is going to require competing with the private sector for talent. In crafting our approach, we want to give flexibility to agencies based upon their diverse mission needs, but absolutely, we need to compete, and right now the research suggests that where we are landing is the right answer, but of course we are going to be dynamic going forward.

Mr. LYNCH. That is great. Let us switch over to project labor agreements. We have had project labor agreements in this country for a long, long time. The Hoover Dam, one of the largest, it was the largest construction project in the history of this country at the time. The Hoover Dam was a PLA, and the challenge for the authority building that project was to get as many workers as possible who were skilled. It was sort of a remote location. They had to get as many workers there. They wanted to have no work stoppages. They wanted to have high-quality construction, and it was a multi-year project. This thing went on for 7 or 8 years.

And so, the PLA model was a huge success in that project, and then the government started using it at other big and complex projects. As a union iron worker, and a former union president, I have been involved in multiple projects that have used PLAs, not just the government, but the private sector as well. I know there is a new Intel chip plant out in Ohio that is using a PLA to get as many workers as possible, and they have had great success there in recruiting workers. What are the advantages of using a PLA for the Federal Government?

Mr. MILLER. Yes. The Federal Government is a big buyer of large construction projects, and the simplest version is PLAs for public sector projects have been shown to bring down cost over time. It guarantees access to skilled talent. It meets the time requirements on projects—you do not have cost overruns at the same rate. It is just smart business for us to focus on encouraging agencies to leverage and utilize PLAs. I was in Cleveland with Congressman Brown announcing this effort on a \$48 million construction project overhauling a major Federal building in downtown Cleveland using a PLA, which was done because we believe it will lower the cost of the project and deliver the project on time.

Mr. LYNCH. And in the long-term project, talking about apprenticeship programs, wouldn't that give a worker working on a 2-or 3-year project an opportunity to complete an apprenticeship pro-

gram? So, not only have they been employed for 3 years, but at the end of that 3 years, they are a journey person. They are a young man or a young woman or maybe not so young, but coming out with a skill that can be redeployed and provide for a great career and a great quality of life.

Mr. MILLER. Absolutely. Absolutely. It is a win-win.

Mr. LYNCH. Thank you. Mr. Chairman, I yield back.

Chairman COMER. The Chair now recognizes Mr. Higgins from Louisiana.

Mr. HIGGINS. Thank you, Mr. Chairman. Mr. Miller, I am going to reference the Biden Executive Order 14063 from February 2022. The use of Project Labor Agreements for Federal construction projects is what we are going to discuss. Earlier, you stated you were not familiar with the executive order by number, so I am just clarifying. We are talking about the Biden Administration's mandate for Federal projects over \$35 million to use labor unions. Are you familiar?

Mr. MILLER. I am.

Mr. HIGGINS. OK. Good. Do you believe in state sovereignty, good sir? I am quite sure you are proud American.

Mr. MILLER. I am a proud American.

Mr. HIGGINS. Thank you very much. We are happy to hear that. Do you believe in state sovereignty? Do you recognize the sovereignty of our states?

Mr. MILLER. Yes.

Mr. HIGGINS. Absolutely. So, how would you in your position as a high officer within the Biden Administration, responsible for administering work and labor policies, how do you balance an executive order that mandates Federal projects, moving forward within the sovereign states, use labor unions when 24 of our states like Louisiana, the right-to-work state, has specific laws or existing executive orders within that state specifically forbidding a mandate for projects to use labor unions? How do you balance an executive order? You are a proud American. You believe in state sovereignty. You have stated that. How would you support an executive order that overwrite state sovereignty?

Mr. MILLER. The specifics of the executive order directed the FAR Council—

Mr. HIGGINS. I have read it.

Mr. MILLER. So, the FAR Council issued a rule encouraging PLAs. It is not a mandate. It is intended to promote competition.

Mr. HIGGINS. It is most certainly a mandate. We are not going to get into the weeds about that. That is going to be argued in court, and we are going to win. But in the meantime, the Biden Administration has effectively shut down large Federal projects that had been long planned, permitted, authorized, and funded within 24 of our sovereign states. It is a massive transfer of wealth from red states, not just to blue states, but actually to labor unions within the blue states in an election year. We are going to sue. Many states coming together, we are going to sue. We are going to win. You know we are going to win, the Biden Administration knows we are going to win, but in the meantime, billions and billions of dollars will be transferred from red states, not just to blue states, but to labor unions and their entire organization machine within those

blue states. Do you know, sir, or you should know, you know that about 80 percent of the American workforce is not union affiliated. What do you have to say to those 8 out of 10 American workers that cannot work on these jobs in these 24 states or elsewhere? What do you say to them?

Mr. MILLER. Congressman, the rulemaking encourages competition. It does not mandate that a construction project cannot move forward—

Mr. HIGGINS. Well, you are a talking point fellow. Listen, I am an American. You are an American. I am an Army veteran. Are you a veteran?

Mr. MILLER. I am not, sir.

Mr. HIGGINS. Oh, you are one of the civilians that I serve and protect.

Mr. MILLER. I appreciate your service.

Mr. HIGGINS. So, this is just two Americans talking. What do you tell one of the 80 percent of American workforce that no longer qualifies to work on billions of dollars' worth of Federal projects? What would you tell that man? I am not asking you, Jamie. I am asking Mr. Miller.

Mr. MILLER. I want every single American to have access to skills and a high-quality job.

Mr. HIGGINS. That is your answer? You want every American to have a high-quality job?

Mr. MILLER. Again, sir—

Mr. HIGGINS. That is a talking point.

Mr. MILLER. Congressman—

Mr. HIGGINS. How do you respond to the family that cannot work? You know what is going to happen? The Federal Government is going to push these states too far. If I was a Governor, I would seize those projects and put them 100 percent onto the sovereignty of my state. I would remove the Federal Government funding formula completely. Mr. Chairman, I yield.

Chairman COMER. Very good. The gentleman yields back. The Chair now recognizes Ms. Brown from Ohio.

Ms. BROWN. Thank you, Mr. Chairman. As part of its duties, the Office of Management and Budget oversees the annual release of the President's budget, which includes funding and direction for the entire Federal workforce. The Federal Government is the largest employer in the United States with over 10,000 employees alone in my district of Ohio's 11th congressional District. As a result, the Administration has a significant amount of leverage to promote changes in the workforce, making it more reflective for people of all backgrounds. Opportunities like remote or telework help increase diversity in the Federal workforce for people who face all types of barriers, like access to transportation, taking care of an aging relative, or having to pick up their children from school.

We are living in a post-pandemic 21st century, and we should make the most of the incredible advantages technology provides us all. As you said in your testimony, Deputy Director Miller, "It is in the interest of the American people to ensure that Federal jobs are attractive so that they can be filled by dedicated individuals with experience and expertise." So, Deputy Director, can you speak to how the Federal Government is competing for younger, diverse

employees of all backgrounds with opportunities like telework and other aspects of hybrid work?

Mr. MILLER. Great, Congresswoman. It is good to see you.

Ms. BROWN. Thank you.

Mr. MILLER. And thank you for that question. We are competing for talent. We increasingly need a set of highly technical skills—that is one area that we are competing in. Also, our Federal workforce is older than the workforce overall. We have been particularly focused on increasing early career talent in the Federal workforce, we have grown that by 13 percent, but we still have a long way to go. One of the ways that we are doing that is by trying to broaden the access to broader pools, broader talent pipelines across all of the country. If we are leaving some of the country on the bench and not giving them access, we are missing out on potential skills and expertise that could serve the American people in these roles.

OPM recently took action to drive to encourage skills-based hiring within Federal agencies—that is also a shift that is happening in the private sector—so that we are moving away from purely degree attainment as a proof point for accessing jobs to do you have the skills to do the work and the ability and the energy to come in and serve people. You know, ultimately, the President says this, our Federal Government should reflect the people that it serves, and, frankly, I believe that that would strengthen our performance on an ongoing basis.

Ms. BROWN. Thank you for that. On June 25, 2021, President Biden signed the executive order on diversity, equity, inclusion, and accessibility in the Federal workforce. As part of the executive order, the President directed the Office of Management and Budget to develop and issue a government-wide diversity, equity, inclusion, and accessibility strategic plan, and, consistent with merit system principles, identify strategies to advance diversity, equity, inclusion, and accessibility and eliminate barriers to equity and Federal workforce functions. So, Deputy Director Miller, can you speak to the progress on these efforts and how the Biden-Harris Administration is working to further diversity in the Federal workforce?

Mr. MILLER. Yes, absolutely. Thank you, Congresswoman. Again, making sure that we have access to a broader set of talents within our Federal agencies will strengthen Federal agencies. One of the places that we have also focused is on utilizing internships as a real pathway to bring people in. Recently, OPM finalized pathways regulation. That is the premier internship program with a major focus on increasing paid internships within the Federal Government that gives people from all backgrounds the ability to take on these roles. And we are encouraging and creating platforms for agencies to hire interns across agencies so that open roles can be filled by people who have proven their skills in an internship.

Ms. BROWN. Thank you. As a result of the executive order, you issued a memorandum last year to the heads of executive departments and agencies encouraging them to expand access to a diverse and resilient base of U.S. business suppliers for the Federal Government. I applaud this step to advance our national interests by promoting businesses which have been marginalized and yet provide essential, overlooked resources. So, how long has the Office of Management and Budget created a “diverse and resilient market-

place for American small businesses?" And finally, with my remaining time, I would yield you an opportunity to address any other questions my colleagues presented.

Mr. MILLER. Great.

Ms. BROWN. A challenge for you.

Mr. MILLER. Thank you. On small businesses—the President announced this yesterday—we achieved our goal of highest small business procurement on record, highest small, disadvantaged business procurement on record. That is important because our supply base has been declining over the last 10 years. And we want that diversity in our supply base so that we do not get locked into the same set of contractors on an ongoing basis, and we can make sure that we are high performing. We have got work to do, but we have made real progress and hit our goals thus far.

Chairman COMER. The gentlelady's time has expired. The Chair now recognizes the Chairman of the Government Operations Subcommittee, Mr. Sessions, from Texas.

Mr. SESSIONS. Mr. Chairman, thank you very much. Mr. Miller, I greeted you and you greeted me very warmly when you came in, and thank you very much. I stated to you that I felt like today might be some opportunity for us to provide you feedback and you us. But I would not like the time to go by without saying that you and I agreed that we need to get together on really specifics on some of the conversation that is around here, for instance, whether we are looking for younger, diverse workforce, rather than qualified workforce. We are talking about all sorts of things that deal with internships, bringing people in, even though they really do not fit and cannot do the job.

Exhibit A of that would be 18F, that organization within the GSA that came in of hiring young people to a job, for them to seek out what kind of opportunities would be in the government. And what happened was they created a front part to *Login.gov* that assured people that the person who signed in would be who they were based upon biometrics and other identifiers that they would qualify people. The IRS counted on it, the Social Security counted on it, and all sorts of other people. It was fraud.

Last year, we had a hearing that was Members of this Committee on the Republican and Democratic side, flayed the government for this kind of a mission, that they would bring people in—that instead of being qualified, they would bring them in as internships and finding ways to get diversity and equity and inclusion. And this is not "Howdy Doody" time, Mr. Miller. This is a direct conversation that you are having with Members of Congress. That happens on a regular basis, whether it is about passports, the IRS, or other areas of running the Government. I do not want to pick on your words. I told you I did not want to do that, and I will not. But this is not something where you can say, in my opinion, that you have met your goals, when, in fact, the time at the Social Security office is well over an hour, the IRS well over an hour, hundreds of billions of dollars that this Congress gave to the IRS, this Administration, to fix problems. Now, at the end of 4 years, we are struggling across the government.

And what do we hear back? We hear back, well, we are meeting our goals. Well, if that is the best that can be done, that is why

you and I had conversation up front. I think you have got to do better. I think to simply offer a parity that you do the same things like the private sector, I think that is wholly inadequate. And I had those conversations with the young Ambassador from the Passport Agency who did a great job on behalf of not just this Administration, but the American people when they turned around a disastrous circumstance that was built upon diversity, equity, and inclusion, was based on we will shut down these areas, and just go to a part-time workforce.

Mr. Miller, I think you have got a big job, and I respect that. Mr. Miller, I think that you need to head back to the White House at some point today and say I do not think our plan was well received up on the Hill, and the reason why it was not is because the American people talk to us every day. And during the last eight or nine hearings that my Subcommittee has held, it has been a bipartisan tap dance on the face of every single Administration official who chose to come forward. So, we would like to put you on notice again. We think you can do better. If they are meeting the goals that you had established, you need to reassess that because the goals are not good to the American people.

Last, I spent 16 years in the private sector. If we did not achieve what we needed to do, we were replaced. We did not ever do that with part-time people. We did it with qualified applicants, qualified applicants who understood what the American people would want and need. Last, there is a lot of conversation here about post-pandemic. Well, in Texas, we had people die also, and I am very sorry as COVID happened, but we went back to work. And we went back to work, and that is why we are in the hustle and bustle state that we are, that is growing exponentially, as a matter of fact, too fast. And I would suggest to you that some of these areas are more interested in trying to deal with internal problems that came from elected people rather than serving the people who they have.

So, Mr. Miller, I look forward to you and I getting together. I want to thank you for your time today. I tried not to make this personal, but what I would say is, I think this Administration, going all the way up to the top, needs to reexamine and look at their policies that are causing the outcome. Thank you very much. Mr. Chairman, I yield back my time.

Chairman COMER. The gentleman yields back. The Chair now recognizes Ms. Lee from Pennsylvania.

Ms. LEE. Thank you, Mr. Chair. My community, like so many others across the country, relies on Federal money for vital investments. Through these Federal funding grants, we can see Federal ideas and support actual work on the local level to improve our constituents' livelihood. We know that improvements to infrastructure, affordable housing, STEM innovation, clean air and clean water, good-paying jobs, food insecurity, and so much more can be addressed or at least we can begin to address them through Federal grants.

I am proud of my local research institutions, like Carnegie Mellon and the University of Pittsburgh, for bringing hundreds of millions of dollars back to the community to perform groundbreaking research, but we cannot forget the equally important smaller organizations that often have difficulty in getting and accessing Federal

funding. Some of these smaller organizations have difficulty using the grant money because they are subjected to unexpected costs and requirements that are not disclosed in the beginning. The financial costs of cutting through some of this red tape can be too big of a burden for so many.

OMB directs agencies' processes for administering grant applications and reporting requirements, and as I have heard in my community, the process was in serious need of an overhaul. Thankfully, it seems that the process for receiving and reporting on Federal funding is changing. Last month, OMB announced its new Uniform Grants Guidance. So, Mr. Miller, what other changes to the grant making process are in the new guidance, and how will they improve the process overall?

Mr. MILLER. Congresswoman, thank you for the question, and you highlighted a number of the reasons why we took on this overhaul, rewriting it from the bottom up. The goal very much was if we are giving out dollars to recipients, those dollars should be focused on delivering outcomes, not on low-value-add or no-value-add compliance requirements. As I noted to Ranking Member Raskin, we had agencies interpreting the same words in the guidance in multiple ways which creates confusion, and it discourages potential organizations, that would be the best at delivering on those dollars for the outcomes that we are trying to deliver, from even applying, and we wanted to change that.

Going forward, one of our major efforts, we are pushing very hard on Federal agencies to implement this guidance by the end of this fiscal year. That will be a sprint. We are also working with Federal agencies to overall how they do their grant announcements, their notices of funding opportunity, to simplify them, to make them clearer, to all be written in plain language. Those are things that should be no-brainers.

Ms. LEE. That sounds wonderful.

Mr. MILLER. But it is really important, and, again, we have had overwhelming positive feedback. We had over 6,000 comments when we put this out, and the comments, if I could sum them up, mostly were, "long overdue, thank you." We have work to do to implement. Guidance is not a light switch, but I am excited about where this can head, and we need to continue to execute.

Ms. LEE. Thank you. Another challenge that I am seeing in my community is the timelines getting in the way. So, when a project is time sensitive, even when a grant has been approved, sometimes the groups do not receive the funding with enough time to actually implement them. So, I am wondering, will the new grant process change? When the grant process changes, will they improve how quickly the organizations receive their grant money?

Mr. MILLER. We have set up a council of the key Federal financial assistance officials across agencies so that we can improve on those kinds of processes and that we can make sure that we are doing a better job of gathering feedback from recipients into the process. Ultimately, our approach is to make sure that we are getting more efficiency out of the dollars that we are spending. The dollars that we are giving out to these organizations, I think it has the potential to be a big win, but we need to execute.

Ms. LEE. OK. So, I would say we also have to stay focused on eliminating the barriers that many of the families, communities, and businesses encounter when they are trying to access those resources. That means meeting people where they are at, wherever that might be. So, finally, potential recipients who do not speak English as a first language, for instance, will have the opportunity to access the funding that their community needs. How will the new guidance help diverse districts, for instance, like mine, and underserved communities access Federal dollars?

Mr. MILLER. So, you noted one of the changes, which is removing the requirement that applications or notices be in English, to the extent that that is important in some communities in the United States, including, for example, in Puerto Rico. The other is by simplifying the overall approach and changing the way in which we do things like indirect costs. It will broaden the set of community-based organizations in particular, we believe, that will seek to access Federal funding.

Ms. LEE. Thank you. Thank you for your time, and I yield back.

Chairman COMER. The Chair now recognizes Mr. Perry from Pennsylvania.

Mr. PERRY. Thank you, Mr. Chairman. Good morning, Director Miller. I want to talk to you about Executive Order 14019 and your involvement in the implementation of that. Does OMB have a strategic plan to implement that Executive Order, and if you need me to characterize what it is, I will let you know.

Mr. MILLER. Congressman, one of your fellow Congressmen has asked me the same question, and I said I would come back on the specifics. That has not been a focus of mine.

Mr. PERRY. So, there is a plan, and you just have to get it to us, or you do not know of a plan, or what is the situation?

Mr. MILLER. Again, I am going to take that back and make sure that I get you a precise answer.

Mr. PERRY. OK. And assuming that there is a plan, can Congress have all of that unredacted? Would you commit to that at this point?

Mr. MILLER. Again, Congressman, I will happily take that back and get back to you with a specific answer.

Mr. PERRY. OK. Is there any reason to not provide Congress with an unredacted complete plan? Strategically, is there some national security interest or some other concern where Congress could not have the oversight of that plan?

Mr. MILLER. Congressman, I do not want to provide you with any inaccurate information, and I will take that back.

Mr. PERRY. We would just like to have any information. Let me ask you this. The United States Attorney General established a procedure for educating felons on how to register to vote, how to vote by mail, those type of things, and as you probably know, there is a Federal Bureau of Prisons, and Federal felons are ineligible to vote. Why would we have a plan under Executive Order 14019 to educate these folks ineligible to vote on how to vote and how to proceed with that? Why would that be? Do you know?

Mr. MILLER. Congressman, I would have to direct you to the Department of Justice for specifics around that. I am not familiar.

Mr. PERRY. But you oversee the rollout of these processes as one of the directors of OMB, right? So, you have to be aware of that, right?

Mr. MILLER. Congressman, on the specifics, I am very familiar with the Bureau of Prisons. The Bureau of Prisons has recently added to the High Risk List by GAO focus on management issues associated with the Bureau of Prisons. We take all of the issues across the high risk list very seriously, but on the specifics of that action, I would have to direct you to the Department of Justice.

Mr. PERRY. So, you are not going to do any oversight yourself on it. You are not going to look at what they are doing and inform Congress? You are not going to do any of that?

Mr. MILLER. I am happy to have my team follow-up with yours on the specific concerns, and on this specific action by DOJ, I would have to refer you to DOJ.

Mr. PERRY. OK. How about this one? What actions are you taking at OMB to ensure that people that are here illegally are not eligible to vote under this Executive Order?

Mr. MILLER. Congressman, again, I want to make sure that I give you a precise—

Mr. PERRY. Do you know anything about this executive order at all?

Mr. MILLER. I am familiar with the executive order.

Mr. PERRY. OK. So that should be easy. What actions are you taking, or have you taken in your office to ensure that people residing here illegally are ineligible to vote under the provisions rolled out by this Administration under this executive order, knowing that they have to have a strategic plan submitted?

Mr. MILLER. Congressman, I am happy to take back your questions and your concerns and make sure I get you a precise answer. I am happy to talk about my purview as management at OMB and the broad set of management priorities that we have been implementing.

Mr. PERRY. Is there any reason, at this point, that you know of, because we are here at the hearing, I get it, and maybe this is the first time you have been asked in public. But as you know—well, I hope you know—in Pennsylvania, 27 Pennsylvania legislators sued regarding this information. Now, they were found to not have standing, and, of course, Article I says that the states determine the manner, time, and place of election, so I do not know who has standing if they do not have standing. But it seems to me that time and time again on this occasion regarding this EO, that the plans remain unavailable to the public, unavailable to Congress. Why would that be?

Mr. MILLER. Congressman, again, on the specifics here, I am happy to take your concerns back. I want to make sure I provide a precise answer.

Mr. PERRY. Can you provide anything at all, any information whatsoever, on this executive order today at this hearing?

Mr. MILLER. I am happy to talk about my broad management purview and the specific priorities that I have been focused on, on the specifics here.

Mr. PERRY. And what are they? What are those regarding this executive order? If you want to talk about that since—

Mr. MILLER. Again, it has not been a major focus of my time. I am happy to take back your specific question.

Mr. PERRY. That is the limit of what you can talk about regarding your involvement.

Mr. MILLER. Congressman, I am happy to take back your question, and I will make sure that we provide you with specific information.

Mr. PERRY. OK. Last question, I promise. What is the timeline on the provision of these answers? What are we talking about, a week, 6 months? You know there is an election coming in November, so we would like to have that in a timely manner so we can evaluate how well you are doing and if you are out of bounds. So, what are we talking about?

Mr. MILLER. I fully understand that. I am required as part of this to respond to your questions for the record as well, and I am sure—

Mr. PERRY. Timeline, sir. What is the time? For a love of god, can you give me anything? Two weeks? Give me something that you feel comfortable with, even if I do not like it.

Mr. MILLER. Consistent with whatever Chairman Comer and we agree, and in terms of the questions for the record, that will be the timeline.

Chairman COMER. Well, we would like them.

Mr. PERRY. Soon. Can you commit to 2 weeks?

Chairman COMER. Today? Tomorrow?

Mr. RASKIN. Mr. Chairman, we are now over 55 seconds.

Mr. PERRY. I yield the balance.

Chairman COMER. And we look forward to getting the answers soon.

The Chair now recognizes Mr. Frost from Florida for 5 minutes.

Mr. FROST. Thank you, Mr. Chairman. Nearly 3 million Federal employees and 1.5 million private citizens—what is going on?

Chairman COMER. OK. Somebody told me Frost. I am sorry. I am now advised by staff—Mr. Connolly from Virginia.

Mr. CONNOLLY. Thank you so much, Mr. Chairman. Mr. Miller, what is your timeline for making sure Ukraine wins the war?

Mr. MILLER. Again, Congressman, I am happy to talk about the topics that are in my purview as the Deputy Director from Management.

Mr. CONNOLLY. That is not in your purview. Got it. All right. Then I will not belabor you with questions that are not relevant to your purview. Let me ask about Federal pay. Every year, I, with my colleagues from a number of states, especially Maryland and Virginia, have introduced the FAIR Act. This year, we recommend a 7.2 percent increase for both military and civilian. I have to admit, we were distressed that this year looks like we are going backward instead of forward after some real progress in the Biden Administration. Help us understand why you are only recommending two percent for Federal employees when inflation is higher than that? And second, why you have, in fact, widened the gap between military and civilian compensation? Pay parity has really been a goal we have had for a long time around here.

Mr. MILLER. Congressman, thank you. Thank you for your broader leadership. On our Federal workforce, it has been important,

under the Biden Administration, that we are working to close the longstanding gap. Our Fiscal Year 2025 budget had to comply with Fiscal Responsibility Act, and we took that very seriously. We also wanted to make sure that our pay policy decisions were not having negative impacts on near-term service levels. We are currently several months into implementing the newest, most recent pay increase, which is why we recommended the two percent pay increase as part of the Fiscal Year 2025 budget.

Mr. CONNOLLY. OK. I guess, I mean, when we looked at our analytics, there is no way we could have gotten the two percent, you know, and I hope we have an opportunity to dialog about that, but I think that is just a very inadequate number for hard-working Federal employees. So, as you know, we passed the FedRAMP legislation, which is the program, and we codified FedRAMP in law so that it is not just an orphan in the executive branch. And we worked well with your office as well as others in the executive branch, and OMB drafted a FedRAMP memo and solicited public comments, but that memo has not been finalized or issued.

And as you might imagine, after dissolving the JAB, the Joint Authorization Board, a number of companies that were sort of in process feel that they are now in limbo. And the whole point of trying to make the changes we made in law with respect to FedRAMP was to streamline and lower the cost and make it more predictable and reliable. By having a presumption of adequacy that if you get approved in one Federal window, it is pretty much good to go unless there is something very, very specialized. So, when can we expect that memo, and do we have your commitment that in the spirit of the FedRAMP law we passed and President signed, that we are going to do everything we can to meet the original goals of FedRAMP of 6 months, you know, reasonable cost and predictable?

Mr. MILLER. Yes, you have my commitment that hard work is underway to reform FedRAMP for the very reasons that you moved forward with legislation and for your ongoing leadership on this. You have my commitment that we will continue to make FedRAMP a priority and move expeditiously.

Mr. CONNOLLY. Good, because we care a lot about that. Final thing, in your purview, you chair the Security Clearance, Sustainability, and Credentialing Performance Accountability Council, a mouthful, if there ever was one. One of the biggest complaints, certainly in my district from Federal contractors in intelligence, defense, and homeland security, is how long it takes to, A) get a security clearance, B) to even transfer it, which ought to be the low-hanging fruit, right? I mean, if you have already got one, and you are going to move from Company A to Company B, it seems to me, that ought to be easy, and yet, that also consumes a lot of time and a lot of bureaucracy. What can I tell companies in my district and people living in limbo with respect to the security clearance? Is there hope on the way? Are we going to get into that backlog? Are we going to streamline the process as we move forward?

Mr. MILLER. Because of that mouthful, we refer to it as the PAC, to simplify.

Mr. CONNOLLY. Up here "PAC" means something else. But, all right.

Mr. MILLER. The transformation effort, we believe, will result in meaningful reductions in the overall timelines. We put out those goals. Last year, in terms of the reductions we have had at a stable place, the backlog has been at a stable place, and we have been making progress on the transfer of trust, the reciprocity, as you know, particularly at DoD, but we absolutely have more work to do.

Mr. CONNOLLY. All right. I am going to hold you to it. Finally, I wrote you a letter about OMB's compliance with FITARA. We do not have a response yet. When might we expect that response?

Mr. MILLER. I am aware of the letter. We will follow-up with you expeditiously, and we will give you clarity on a timeline quickly.

Mr. CONNOLLY. All right. Thank you.

Mr. MILLER. Thank you.

Chairman COMER. The Chair now recognizes Dr. Foxx from North Carolina.

Ms. FOXX. Thank you, Mr. Chairman. Thank you, Mr. Miller for being here. I have several questions, so I would like to try to get through as many of them as I can.

The November 2023 revisions to OMB Circular A-4 are a departure from the bipartisan and widely accepted practice and principles dating back to the Clinton era. The recent revision is little more than a thinly veiled attempt to stack the deck in favor of extremely costly new regulations. Why did the Biden Administration feel the need to depart from the established bipartisan framework and guardrails for considering different regulatory approaches seeking to give Americans an accurate representation of the true cost of new regulations?

Mr. MILLER. Congresswoman, thank you for the question. My purview is over our management apparatus, not our regulatory and information. What I will say is we take cost benefit analysis very seriously. The intent of updating A-4 was to update approaches that are used to modernize the way we do cost-benefit analysis to make sure that we are taking all of the costs and all of the benefits adequately when we are looking at regulation. Again, for specifics, I can come back to you. I do not oversee our regulatory creation.

Ms. FOXX. Well, I have got a follow-up. It seems to me that the OMB Circular A-4 revisions are just a ploy to allow agencies to overstate the benefits and undercount the cost regulations that we all know will bankrupt Americans so long as they contain certain buzzwords like "climate change" and "social costs of carbon." My concern is that this new framework will allow even more expensive regulations to be justified moving forward by "offsetting them" with inflated so-called benefits. Can you tell me the total projected cost of new regulations and rules cleared by OMB in the last roughly 6 months since the Circular A-4 was revised in November, and how does that figure compare to the 6-months' period before the Circular A-4 was revised?

Mr. MILLER. Congresswoman, again, the regulatory information activities of OMB are not under my purview. We take cost-benefit analysis very seriously in making sure that we are having the most accurate for both cost and benefits.

Ms. FOXX. OK. Well, this is a real specific question I am asking you, so I will ask you to give me the information within a week be-

cause it should not be any problem to compare what I just said to you with the other time.

Mr. MILLER. Understood.

Ms. FOXX. So, I am going to ask you, Mr. Chairman, for that information within a week.

One of the key points made in the Government Accountability Office's, or GAO's, High Risk List is that the Office of Management and Budget is critical to addressing high risk areas because of its role in leading and supporting agencies. How can Congress help OMB conduct more meaningful oversight to help improve high risk programs?

Mr. MILLER. Thank you, Congresswoman, and this is an area that I have been very focused on in partnership with GAO. I referenced a recent discussion that we had with the Bureau of Prisons, which is one of the newest issues added to the High Risk List. Our focus is making sure that there are two things happening on every single one of the High Risk List items: one, leadership attention. It is absolutely imperative that we have leadership attention in an area, making sure, that is, leaders have relevant agencies. If we do not, that would be a shared interest of OMB and Congress to make sure that we have leadership attention on every single one of those and that we are making positive progress everywhere we can.

In GAO's last High Risk List report, they noted that we are making progress on 16 of the High Risk List areas, which they noted was the most in a 2-year period. We still have work to do, and I would like to do better than that.

Ms. FOXX. Well, again, let me have a quick follow-up. OMB is one of the largest agencies that does not have an Office of Inspector General. What role do you think an inspector general at OMB would play, and how would it help make OMB more accountable?

Mr. MILLER. We have been very focused on the oversight community, both GAO and IGs. In late 2021, December 2021, we issued guidance to all agencies on the importance of collaboration between agencies and IGs. That has been a hallmark effort of this Administration.

Ms. FOXX. OK. One more question. I authored the GREAT Act, which set data standards for agency-driven data collection across the Federal Government. Can you tell me why each agency is left to its own devices, to design its own grant application processes and post-award forms without standardization, and are there efforts to standardize the grant application process across Federal agencies?

Mr. MILLER. Congresswoman, thank you for that, and this is a topic that has come up today and something that I appreciate your leadership on. We absolutely want to be moving toward a broader enterprise approach. We just overhauled our uniform grants guidance to drive that kind of consistency. We are pushing agencies to implement that guidance by the end of the Fiscal Year and to dramatically simplify their approaches to notices of funding opportunity for more consistency, especially for recipients that are receiving funds from multiple agencies.

Ms. FOXX. It is very important to our constituents all across the country that this be done. They are suffering as a result of your

not doing that and we need to do it. Thank you, Mr. Chairman. I yield back.

Chairman COMER. The gentlelady yields back. Mr. Miller, you quoted, I believe—I am going to quote you, too—“The hallmark of the Biden Administration has been working with the oversight community.” Could you bring, within a week, evidence of that? Because we have not seen that on our end.

Mr. MILLER. Yes.

Chairman COMER. Especially with this Committee.

They called votes, but we are going to try to get two more questions. The Chair now recognizes Mr. Frost from Florida.

Mr. FROST. Thank you, Mr. Chair. Nearly 3 million Federal employees and 1.3 million private sector contractors hold security clearances that allow them to work with sensitive Federal information and data. Each of these individuals underwent comprehensive and extensive background investigations to clear their credentials. Improving personnel vetting and onboarding for the most sensitive government positions is key to our national security, especially when the legacy system is about 70 years old. So, Mr. Miller, in your role as Chair of the Performance Accountability Council spearheading the implementation of Trusted Workforce 2.0, can you briefly describe what Trusted Workforce 2.0 is?

Mr. MILLER. Yes, thank you, and Trusted Workforce has been a project across multiple administrations, improving our overall personnel vetting system. It is a relook at how we do suitability and security clearance and a rebuild of the underlying systems, standards, and approaches. One of the major changes which we have implemented now for the entirety of the national security workforce is to move away from a periodic reinvestigation model to a continuous vetting model. The result of that is that agencies identify potentially problematic information years faster. That is a significant shift. We have a lot of work still to go. We put out a quarterly report on our progress around the Trusted Workforce 2.0 effort, but it is really imperative that we deliver through our overall implementation.

Mr. FROST. Thank you. I was actually going to touch on the continuous vetting, and, you know, we know in July 2021, not long after it was adopted, we heard about there was a defense, counterintelligence, and security agency that received an alert that somebody with security clearance was wanted in connection with an attempted murder. That individual was promptly removed, as we know, from security access, but if we had not had continuous vetting, they may have had access for another 5-and-a-half years. While this incident demonstrates the system’s potential, can you elaborate on how frequently such alerts have led to actionable intelligence since the program’s inception?

Mr. MILLER. I have been in discussions with agencies about their figures. I do not get into the specific personnel matters. But from our agencies, particularly our large agencies, they have seen meaningful increases in the number of alerts that has also required them to redo their business processes so that they can navigate through a different approach.

Mr. FROST. Roughly how many people in the Federal Government are still under the periodic review system or changes in their risk, you know, could go unnoticed for about half a decade?

Mr. MILLER. We have moved the national security sensitive workforce entirely into continuous vetting. Our next approach is to do the nonsensitive public trust population into continuous vetting. We are working to do that in the coming months.

Mr. FROST. Thank you so much. According to GAO, construction of the National Background Investigation Services, the underlying IT system, enabling Trusted Workforce 2.0 is several years behind schedule. Despite spending about half a billion dollars on the NBIS system since 2016, DoD had neither developed a reliable schedule for completion of the project nor a reliable cost estimate for the total project. And unsurprisingly, DoD recently told congressional staff that NBIS is off schedule and over budget again. How exactly will OMB and the Performance Accountability Council get these reforms on track?

Mr. MILLER. Thank you. And this has been an important focus, and late last year, DoD informed me in my role as Chair of the PAC that they were now behind on new timelines. They reset their timelines in 2020 per the challenges with the earlier years. In my role as PAC, I directed DoD, ODNI, and OPM to provide responses on specific actions in 30, 60, and 90 days, so that we can rebuild our schedule. I am sure you are aware DoD briefed staff that they have new leadership in place at DCSA, and this is their top priority. In my position as PAC Chair, I plan to hold them accountable.

Mr. FROST. Do you buy, you know, that the old leadership was the whole source of the problem, or have you identified other sources of the problem there?

Mr. MILLER. Oftentimes, within these large transformation efforts, there is inadequate technical talent. That has been a major focus of DoD, not just a leadership change, but bringing in more technical talent into the team to make sure that we are delivering.

Mr. FROST. Thank you. Reforming our decades-old security vetting system is crucial. We cannot allow poor planning in project management to affect our Nation's ability to improve security clearance vetting. I look forward to continuing this oversight work with my colleagues. Thank you. I yield back.

Mr. MILLER. Thank you, Congressman.

Chairman COMER. The gentleman yields back, and our last questioner before we take a recess for votes will be Ms. Mace from South Carolina.

Ms. MACE. Thank you, Mr. Chairman. I got a little sidetracked by your answers, or actually nonanswers, by Representative Perry this morning on EO 14019 about Federal agencies, political appointees, specifically at Federal agencies, electioneering that would be allowed under that Executive Order. Why did you choose not to answer his questions this morning?

Mr. MILLER. Again, Congresswoman, I am happy to take back specifics. This issue is not under my purview.

Ms. MACE. Do you believe that political appointees at Federal agencies should be able to register voters and distribute mail-in

ballots? Is that a kind of electioneering constitutional in your opinion?

Mr. MILLER. I have been a political appointee now under two administrations—

Ms. MACE. Do you believe you should be registering voters, like, Federal agencies, political appointees, at Federal agencies should be allowed to register voters?

Mr. MILLER. I have been a political appointee under two administrations, and we have very strict, clear restrictions on what we are allowed to do under the Hatch Act.

Ms. MACE. Right. And constitutionally, the power of elections and their oversight resides with the states. Is that correct?

Mr. MILLER. Again, I have restrictions—

Ms. MACE. The answer is “yes” there. OK. So, I have a few questions in the last 3-and-a-half minutes that I have this morning. I know that there is an effort afoot, as you mentioned today, talking about Federal jobs and requirements and the kinds of folks we need to hire in our Federal workforce. There are thousands of vacant Federal IT jobs, and the Federal workforce has 4 times as many IT workers over the age of 60 than under the age of 30. Huge problem. One part of the solution, I believe, is more creative hiring, thinking outside of the box. So, this particular Committee has voted out multiple bills of mine and almost unanimously, I think, both times, totally unanimously, bipartisan way.

And the bills that I have voted out of here, the MACE Act, H.R. 4502, which overwhelmingly passed actually out of the House last fall, also would waive and limit degree requirements for cybersecurity positions in Federal Government. And then just a couple of weeks ago, we passed out of this Committee, H.R. 7887, the ACCESS Act, which would do the same thing for Federal contracts and their workers. So, do you agree that these measures would be important to meeting our hiring goals for Federal agencies in cyber?

Mr. MILLER. First, I agree with you that we have a significant issue on IT. An approach that is more oriented toward skills-based hiring is absolutely the right approach that we should be taking.

Ms. MACE. I agree. We are doing it in the private sector. There is no reason why we cannot do it in Federal Government. Would you support both the MACE Act and the ACCESS Act and their passage and being signed into law?

Mr. MILLER. I am not familiar with all of the specifics, but we are very supportive of making sure that we have a more skills-based hiring approach, and we would welcome working with you on that.

Ms. MACE. OK. We need to protect the critical data in Federal computers such as personally identifiable information of tens of millions of Americans, but a series of reports show that too many Federal employees are lax in their password protection. In fact, there was a study done to look at passwords, and 1 in 5 agency email accounts, 18,000 in total, most commonly used password was “password1234,” some with a hyphen, some without a hyphen, and hundreds of accounts were using these passwords. Is there any way to hold Federal employees accountable for not using appropriate

cyber hygiene and putting America's data at risk when their accounts get hacked?

Mr. MILLER. We absolutely need to strengthen cyber hygiene, and one of the ways that OMB is focused on doing that is driving multifactor authentication across all of the Federal workforce.

Ms. MACE. Is that a requirement?

Mr. MILLER. We are driving agencies to have multifactor authentication across Federal personnel.

Ms. MACE. Do you know what percentage of Federal employees are doing multifactor? Or agencies?

Mr. MILLER. I do not have a specific number, but happy to follow-up.

Ms. MACE. When did you guys start doing that push?

Mr. MILLER. In 2021, the President issued an EO on cybersecurity with a broad range of measures. Our responsibility was over Federal systems. We issued guidance, what we call our zero-trust strategy, that has been focused on a range of actions for agencies to take on endpoint detection, on monitoring, on multifactor authentication. We have also built those strategies into our budget process, so we make sure that agencies have—

Ms. MACE. And then I have 30 seconds. Are there any consequences for Federal employees that do not follow guidance when it comes to password protection, cybersecurity issues, et cetera?

Mr. MILLER. All Federal employees are accountable to their managers on a broad range of—

Ms. MACE. How are they held accountable then? How is that done?

Mr. MILLER. I cannot speak to the specifics of any individual action, but Federal employees are responsible for following the guidance of their agencies and managers.

Ms. MACE. But then when they do not, what happens?

Mr. MILLER. I do not want to speak to a hypothetical about a specific situation, but our expectation is that agencies are moving forward on improving their cyber hygiene and multifactor authentication.

Ms. MACE. But do you get reports back on how many Federal employees are following guidance and cyber hygiene, like the numbers?

Mr. MILLER. I do not want to give you an imprecise answer, but I would be happy to follow-up.

Ms. MACE. But are you getting reports at least?

Mr. MILLER. Our OMB office monitors performance across agencies on things like multifactor authentication, yes.

Ms. MACE. OK. Thank you, and I yield back.

Chairman COMER. Pursuant to the previous order, the Chair declares the Committee in recess, subject to the call of the Chair. We plan to reconvene 10 minutes after the last vote.

The Committee stands in recess.

[Recess.]

[Audio malfunction in the hearing room.]

Mr. CLOUD. Do you have any sort of buzz around the office that anything is being done in regard to this?

Mr. MILLER. I understand the question. Again, the specifics here are not under my purview. I have not focused my time on issues that are not under my purview.

Mr. CLOUD. At the moment, I am asking are you aware of any sort of office buzz that anything is being done on this? Are the reports being done? Is the OMB office in general working?

Mr. MILLER. I am not—

Mr. CLOUD. Have you, in meetings, heard cross-pollination or any sort of conversations related to this executive order?

Mr. MILLER. I am not familiar with specific activities. It is not under my purview. I have not spent my time on this.

Mr. CLOUD. OK. Fine. Seems hard to believe, but moving on to something that definitely is under your purview. Last year, the Government Accountability Office released a report showing that during the first 3 months of 2023, 17 out of 24 agencies studied were using their buildings at 25 percent capacity due to telework policies. Is that still the case? Have you made progress on getting people back to work?

Mr. MILLER. Thank you, Congressman. Yes, we have made progress. Agencies are implementing. That data shows two issues. One is where agencies were in implementing updated telework policies and longstanding challenges we have with having too much real estate within the Federal Government, an issue that existed long before this Administration. With regards to where we are right now, in April 2023, so after that data, we directed agencies to take steps to substantially increase their in-person presence to reflect their mission space, organize that around making sure that they are performing where there are similarities, where we have office workers. So, we refer to it as headquarters and equivalents in our guidance, that they are achieving at least 50 percent in time with their ability to adjust accordingly. We are making progress. Agencies are still implementing.

Mr. CLOUD. OK. I mean, for most of America, 50 percent would still seem like a low mark. I mean, granted that would be progress compared to 25 percent. And you do mention, like, maybe the buildings are too big for the right size. You know, in the private sector we look at telework as, OK, you are going to maybe take a hit on productivity, but you are going to gain on, you know, you will not need the office space, and so you will save money there. But we never seem to see that same ROI, like, we do not have agencies coming to us and saying, well, we do not need this building anymore or we do not need this office space, so we can reduce our budget here to make up for it there. So, I would just encourage you to continue to work on that.

Along those lines, it was reported that President Biden's Chief of Staff had to personally exhort Cabinet secretaries to get their employees back to the office to just 50 percent of the time. Are we at 50 percent yet or how is that going?

Mr. MILLER. So, about half of the Federal workforce cannot telework because of their job responsibilities. Our guidance was a focus on office workers. Where we are and what we have directed agencies to do is to monitor by hours. So, what is the share of hours that are in-person? Where we are for the Federal Government overall, again, half of our workforce cannot telework due to

their job responsibilities. Where we are overall, it is about 80 percent based upon the discussions that we have had with agencies today.

Mr. CLOUD. OK. The Architect of the Capitol's Inspector General recently found eight percent of telework-eligible employees were getting improper locality pay, wasting hundreds of thousands of tax dollars. Is this occurring at AOC, or if it is, you would think it is also happening at other agencies as well. How many Federal employees have had their telework agreements revoked for misconduct, fraud or other improper behavior, or simply poor performance?

Mr. MILLER. Right. So, for Federal agencies, I think the specific issue you are speaking to is around appropriate locality pay or whether or not people are following their telework agreements.

Mr. CLOUD. Right.

Mr. MILLER. Each individual employee should have a telework agreement. They are responsible for upholding that. My expectation is agency leaders are holding them accountable to the telework agreements that they have signed. Similarly, if they have taken action where individuals are not in a consistent place with the locality that they should be, then agencies need to fix that. I am not aware of this being a widespread issue, no.

Mr. CLOUD. I can appreciate you expecting that the work would be done, but, you know, as has been said—President Reagan, “trust, but verify.” I have heard someone say unless you inspect what you expect, you will not get what you expect, so I think it is important that you be well aware of where we are on this. One of the things that we have seen in DHS, for example, 336 individuals applied for COVID-19 relief funds while also continuing to be employed, so they were getting unemployment benefits while continuing to be employed and actually receiving overtime pay. We have heard stories of like this through the IRS and those kinds of things. How many employees have been held accountable to that, have been fired for basically, essentially stealing from the taxpayer? What kind of accountability metrics have been put in place to not only make sure this does not happen again, but make sure that those who have done this are not in positions of public trust?

Mr. MILLER. I am not aware of the specifics of the DHS example that you cited. Federal employees, absolutely, are responsible for upholding the law, and they should be held accountable if they do not.

Mr. CLOUD. We agree that they should be. The question is we do not hear that they are being held accountable. So, my question to you is, do you know of cases where people are being fired for essentially defrauding the American people?

Mr. MILLER. Fraud during the pandemic was a challenge that we face? I am not familiar with the specifics of the DHS case. My expectation is that we also have, inside of agencies, IGs looking into issues such as that and agencies should.

Mr. CLOUD. Yes, a lot of this information comes from the IG reports, and the story we are getting is that nothing is being done to provide disciplinary action. So, I am asking you to, you know, if there has been and certainly could you look into that.

Mr. MILLER. I am happy to look into those cases.

Mr. CLOUD. Thank you very much.
Chairman, I yield back.

Chairman COMER. Thank you. The Chair now recognizes Ms. Pressley from Massachusetts.

Ms. PRESSLEY. Thank you, Mr. Miller, for joining us today. I want to take a moment to discuss the critical importance of DEI work. Colleagues across the aisle have waged an all-out war on diversity, equity, and inclusion. I am not sure if it is that they just hate one aspect of it, like diversity, or if it is the combination of all three. Regardless, this Republican Majority has demonstrated it is out of touch with the priorities of everyday people, and it has focused its effort on passing legislation and budgets to undermine DEI and entrench systemic discrimination against people of color, folks with disabilities, and other marginalized groups.

Republicans sought to defund the Office of Civil Rights in the Department of Education, which is essential to confronting the rise in antisemitism and islamophobia impacting our students. Republicans voted to stop the hiring of DEI personnel in the military despite evidence that it will improve military readiness. And Republicans consistently use harmful rhetoric at every opportunity to undermine the talent, knowledge, skills, and the training of professionals in every sector where DEI initiatives exist. And they often pervert, mischaracterize, and weaponize the words of Dr. Martin Luther King, Jr., despite the fact that his surviving children have repeatedly asked them to cease and desist from doing so.

It is no surprise that the same people complaining about DEI are the same people who complained about the Me Too movement, about Black Lives Matter, about the ERA, about the gay rights movement, and so much more. The fact that as soon as someone who was Black or gay or has a disability earns a promotion, Republicans complain that they are unqualified and begin ranting about how diversity, equity, and inclusion is ruining the country. It is shameful, it is untrue, it is discriminatory, and we must not back down in our efforts to create a Nation that respects all people. Might I add that the opposition is majority overwhelmingly White and male.

Now, President Biden signed a historic executive order on his first day in office to take a whole-of-government approach that embodies equity in the Administration's work to ensure all people benefit, not just the wealthy and well-connected. Mr. Miller, the Office of Management and Budget plays an outsized role in implementing and overseeing the executive orders on equity. Can you explain why equity is an important part of performance goals for agencies?

Mr. MILLER. Thank you, Congresswoman, and there was a phrase that you used that is central to explaining it, is that government should work for all Americans. So, one example of something that we are doing is around accessibility associated with government services. We have many government digital websites and services where it is hard for some people, including disabled individuals, to access those government services, and we are working to improve that. Our services are not working if they are not serving all of America.

Ms. PRESSLEY. Very good. I agree. What is an example of how President Biden's executive order on equity has helped folks across the country?

Mr. MILLER. Well, one of the things that we have done is to broaden, and discussed in this hearing, the way in which we are utilizing Federal financial assistance to reach more broadly into communities to improve performance of the dollars, to make sure that community-based organizations that might otherwise not have applied for Federal funds are able to access those funds, and better deliver because they are closer to those in their community. That means better results, that means more efficiency, and, frankly, that means less waste on useless overhead.

Ms. PRESSLEY. Thank you. The executive order, this is truly a first of its kind. I am proud to partner with Ranking Member Raskin on legislation to codify key aspects into law so that they will exist in perpetuity. The truth is that America needs DEI to disrupt systems of oppression that are active in every facet of our society. DEI initiatives are how we combat white supremacy, anti-semitism, ableism, sexism, transphobia, and more. In the face of this opposition, I applaud those who are committed to doing this work, from college presidents, corporate executives, to community organizers, and academic researchers. And to those who are against DEI, I would love to know really what you are so afraid of. What are you so threatened by? Thank you. I yield.

Chairman COMER. The gentlelady yields. I will now recognize myself for 5 minutes.

Mr. Miller, Chairman Sessions and I sent you a letter in January asking for documents and information around both telework and your healthy workplaces guidance. Your response did not include any of the documents we requested. Understanding how agencies are measuring their performance is important for the Committee's oversight as is understanding how their return to work plans are progressing. When we spoke yesterday, you expressed a willingness to share that information with us. I would like for you to confirm that for the record today, that you will work with us on getting that information. I know lots of other Members have asked the same question, so I will ask it again on the record. Will OMB provide the Committee the plans and relevant information agencies have provided pursuant to OMB's healthy workplaces guidance with the Committee?

Mr. MILLER. Chairman Comer, thank you. We are currently in the process of collecting updated information from agencies to develop a report for the Appropriations Committee as directed by Fiscal Year 2024 appropriations legislation that will include—

Chairman COMER. So, yes. That is it. OK.

Mr. MILLER. Yes. So, it will include telework policies and more.

Chairman COMER. And going back to telework, and you could see the frustration on our side of the aisle because we do not believe the Federal Government is any more efficient or productive with its new wide-open telework policy. We do not even know what the telework policy is. We just know that there is a significantly higher percentage of the Federal workforce that is working from home as opposed to working in the office. Now, if you can prove to us through data that it is more efficient, then we will accept that, but

we will start selling off unnecessary Federal property. That is something that Mayor Bowser strongly agrees with us on as well. So, one of the things that we have noticed is that President Biden and his Chief of Staff have called for agencies to get back to working within the office, but it does not appear the Federal employees are adhering to the President's policy. So, why has it been so difficult for the Biden Administration to get workers back in the office?

Mr. MILLER. Chairman, we share the goal of making sure that we have a data-oriented approach. That is why we had a whole—

Chairman COMER. But you agree, I mean, there is still a lot more people that are not coming into the office that I think every agency would hope would come into the office, right?

Mr. MILLER. We have set a standard for office workers where there is comparability, and agencies are still implementing which means we still have work to do.

Chairman COMER. What is taking so long? My god, COVID has been over 2 years, 3 years.

Mr. MILLER. And you noted this in terms of communication, pushing on agency leadership.

Chairman COMER. Is it a weak President? I mean, if the President says for them to come back to work and they do not come back to work, I mean why are the civil servants disobeying the orders of the President of the United States?

Mr. MILLER. Chairman Comer, as you know, about half of our Federal workforce already has to be at the worksite and has been at the site—

Chairman COMER. Are they?

Mr. MILLER [continuing]. Due to their job responsibilities every single day. Our expectation is that agencies are monitoring. Our expectation is also that agencies are responsive to your request.

Chairman COMER. Do you have data to support that because I do not think they are coming to work, and that is what our sources tell us. You know, if you talk to any caseworkers, the people on our staff that do the work, they have had significant difficulty getting people on the phone at the VA, at the IRS, at the U.S. Department of Agriculture, and the agencies go on and on, Medicare. It appears that is because they have a lot of their workforce still working from home. They are doing what they want. They are not obeying the directive of the President of United States, and I do not think you have any data after all this time to prove they are coming back to work. You sure do not have any data that shows it is a better deal to the taxpayers. We all work for the taxpayers. Whether we are in Congress, whether you work for the Federal Government, we work for the taxpayers of America, and the taxpayers are not getting their money's worth.

No one says we are totally opposed to telework. We just want to see data that shows it is more efficient, and I don't think you all have that data. I do not think you have tried to get the data because I do not think there is a willingness by this Administration to want to alienate the Federal workforce. That is not a good deal for the American taxpayers.

So, we have asked for this information. You say you are compiling it. With all due respect, you should have already compiled

it, and we should know exactly what percentage of the workforce is working from home. And we should also know whether or not that has provided more efficiency and effectiveness for the American taxpayer, which I do not think it has, but we would like to see that data. And I have used all of my time on this, but we are very frustrated with that.

And then with respect to Schedule F, I have to say this. One of the problems that a new administration often encounters is they come in, and if you talk about energy policy with the EPA, that is going to be an issue in this Presidential election. If we change administrations, we are going to have a significantly different energy policy in America. But if you have a Federal workforce that does not comply with the will of the American people, with the mandate that the American people have given a new administration, they continue to restrict drilling, restrict fracking, oppose, you know, any type of fossil fuel, then that is not a good deal for the American people. The American people are not getting what they voted for at the ballot. And we have a lot of Federal employees that spend all their time obstructing a new administration's policy directives, an administration elected by the people. So, we believe Schedule F is a good deal for the American people, for the taxpayer. So, I just want to throw that in there.

Do you all have another questioner?

[No response.]

Chairman COMER. If not, I will recognize Mr. Timmons for 5 minutes. Mr. Timmons from South Carolina.

Mr. TIMMONS. Thank you, Mr. Chairman. I thank you for holding this hearing today, and I want to thank the Deputy Director from OMB for being here today.

I am going to talk about debt. I ran for Congress 6 years ago, and I remember the line I used—the Chairman of the Joint Chiefs in 2010 said, testified before Congress, that the No. 1 national security threat facing the United States was our inability to spend within our means, Congress' inability to spend within its means. At the time in 2010—this is kind of shocking—our debt was \$13.5 trillion. Today, our debt is almost \$35 trillion. We have a \$1.8 trillion deficit annually, and we are adding \$1 trillion in debt to our debt every 100 days. It is just entirely unsustainable, and while Congress has to solve some of these problems, I do believe that OMB can lead in some of these areas.

So, I am going to talk about a bill that I sponsored with a friend of mine from Washington, Representative Kilmer. It was H.R. 7331, The Improving Government for America's Taxpayers Act, and it requires GAO to submit a report annually on the estimated cost savings of its unimplemented recommendations and report on high risk areas for waste, fraud, and abuse, and mismanagement, and OMB has a huge role in this. I mean, you all are leading the charge to try to root out waste, fraud, and abuse and save taxpayer dollars. So, this bill was signed into law in December 2022 as a part of the Fiscal Year 2023 NDAA. And so, I guess, my question to you is, are you aware of this GAO program, the high-risk-area program to try to save money?

Mr. MILLER. Sorry. Are you speaking to the specific report or to the High Risk List that GAO has?

Mr. TIMMONS. The High Risk List. I mean, technically, OMB has a huge leadership role in implementing those recommendations.

Mr. MILLER. Yes, and in my role I work closely with GAO, with the Comptroller General and his team on all of the High Risk List areas. We convene all of the relevant agencies. In some cases, we are the relevant agency on making sure that we are making meaningful improvements. In GAO's most recent High Risk List report, they noted that there was more improvement over the prior 2 years on high risk list items than there has ever been.

Mr. TIMMONS. That is great. We got to keep going in that direction. Would you agree that debt is one of the biggest challenges facing our country?

Mr. MILLER. The President believes deeply in fiscal responsibility and put forward a budget. Director Young was here in front of House Budget testifying on the President's approach.

Mr. TIMMONS. OK. Do you know of any steps that are being taken to address the high risk areas that you are referencing, specifically or just you are generally aware of the program and the affects?

Mr. MILLER. Yes. I work with GAO on bringing together our team at OMB, the GAO team, and the agencies on each of the high risk areas to make sure that we have visibility on whether they are making progress. And importantly, one of the areas I am particularly committed to is making sure that we have leadership attention on every single one of the High Risk List areas because without leadership attention, we are not going to get progress.

Mr. TIMMONS. Could you talk me through, like, who in your Agency is tasked with which areas of the High Risk List? How does that work?

Mr. MILLER. So, we, the Comptroller General and I, convene what we call tripartite meetings. That was something that had been done under previous administrations. It was something I committed to during my confirmation hearings in early 2021. We have worked through the vast majority of those within OMB. Both the management team and the resource management offices that oversee individual agencies participate in those so that we are monitoring progress. GAO has a rating system, a five-point rating system. Leadership attention is one of the five items in order to move things off of the High Risk List. So, the combination of GAO oversight and OMB working closely with agencies is how we have approached High Risk List areas.

Mr. TIMMONS. Thank you for that. Is there an opportunity to use technology, perhaps even AI, to try to further increase savings?

Mr. MILLER. I think there is real opportunity for AI. We are committed to making sure that we are doing that responsibly, including on tackling things like fraud. We have opportunities. There was an analytic center that was created by the PRAC, the oversight body for pandemic relief. We believe maintaining that analytic center across the Federal Government will enable us to use better analytics and the possibility for AI to look into that data so we can identify risks and reduce and prevent fraud.

Mr. TIMMONS. Thank you for that. The Federal Government is going to have to do more with less. We have to get our spending under control, and we got to grow the economy to create additional

tax revenue to pay our way out of the debt that we are under. I appreciate all that you are doing to help save tax taxpayer dollars. With that Mr. Chairman, I yield back.

Mr. BURCHETT. [Presiding.] Thank you, Mr. Timmons. At this point I will recognize myself, which I always think is kind of weird, because if I was looking at a mirror I would go, hey, there is Tim Burchett, and I go, yes, that is me, and then I would recognize myself, but I am not doing that. Mr. Miller, does the Office of Management and Budget comply with the executive order on promoting access to voting?

Mr. MILLER. Congressman, again, a number of your colleagues have asked this question to me. This is not—

Mr. BURCHETT. I know they always ask the number. They always give you the, whatever, the five-digit number, and I am, like, who is going to remember a dadgum number.

Mr. MILLER. I appreciate that. Again, this is an issue that is not under my purview. I will take this back to OMB, and I will make sure that we have a response to you.

Mr. BURCHETT. OK. And I would like in that response, to provide—I want you to keep track of how many Members it helps to register. And I want the details on showing the locations, the precincts that are targeted, whether they are rural or urban, and what states or cities that you all are doing that in. Can you do that?

Mr. MILLER. I understand your request. Again, this is not an issue that has been under my purview.

Mr. BURCHETT. OK. But it is under the Department. Is that correct?

Mr. MILLER. I am not familiar with the specific activities. It is not under my purview. To the extent we are directed actions under the EO, we will absolutely provide a response to you.

Mr. BURCHETT. OK.

Also, how does your office, the Management and Budget, reduce improper payments and fraud across the Federal Government?

Mr. MILLER. Congressman, thank you. On this topic, this is a major focus, particularly in 2021 when at the beginning of this Administration, we came in amidst the pandemic, major challenges still in the economy, and we are implementing a set of relief programs, some of which we had inherited from 2020. It was significant, there were historic levels of fraud in our pandemic relief programs. They provided critical relief, but there were also not basic controls put in place in 2020 that would have allowed us to do things to prevent the fraud while enabling timely implementation. We took steps to reinstate basic controls. The three main programs that experienced that fraud were PPP and EIDL at SBA, and UI programs, which are state-administered but overseen by the Department of Labor, things like utilizing the Do Not Pay List at the Department of Treasury, things like making sure that businesses have their tax transcripts so that we know that they are, in fact, real businesses.

The President has also put forward in 2023 a comprehensive anti-fraud proposal that would both provide the resources for inspectors general and the Department of Justice to go after the guys who took advantage of these programs, and also implement additional steps to prevent fraud going forward. We believe with the

combination of the steps that we have taken, including bringing the IGs in on the front end of program design and the President's anti-fraud proposal, we could have prevented a substantial portion of the fraud that occurred. We should never be in that situation where our systems are not prepared. This should be an issue that we can work together on to make sure that we are taking the steps and learning the lessons from those pandemic relief programs to strengthen our systems going forward.

Mr. BURCHETT. In your opinion, what agencies are most prone to the waste, fraud, and abuse?

Mr. MILLER. What we saw inside of the pandemic were the three programs I mentioned, at SBA and the UI programs. In part, the UI program, you had state systems that were overwhelmed, their systems were not able to keep up with the sizable number of individuals applying, and they did not have adequate controls on the front end. This is also an area where we report. We are pushing on agencies to strengthen their analysis around improper payments and annually re-release improper payments in major programs, both the level and rate for those major programs.

Mr. BURCHETT. What are the resources that are available to you all, as far as the Federal agencies, and are the agencies all aware of these resources?

Mr. MILLER. I am sorry. Could you clarify the question?

Mr. BURCHETT. Yes. The government-wide resources that are available to Federal agencies to reduce the risk of improper payments and frauds.

Mr. MILLER. Yes. Yes. So, one of the key resources that we have been working to buildup is the Do Not Pay List at the Treasury Department. That has meant us putting more data into it, so, for example, we have made the full Death Master File available in the Do Not Pay List. This was a story that was in 2020 where certain checks were going out to individuals that were deceased because we did not have updated data in the programs that could identify who had recently passed away. Strengthening the Do Not Pay List is something that we want to do going forward and make sure that we are utilizing more broadly across programs.

Mr. BURCHETT. OK. My time is just about up. I would remind the Members that I had just had a conversation with the Chairman about a situation at GW where the students felt threatened and where they felt like they were in danger, and the school asked for police presence there, and the Mayor turned them down. We are asking the Chairman if we can have a hearing on that tomorrow or in the next few days to get to the bottom of that. So, I am just putting the Members on notice. That was actually brought to me by a friend of mine across the aisle, so it is a bipartisan issue.

Next, we will recognize Representative Goldman. Is he here? Oh no, Representative Crockett. OK. I am sorry. I am just going by the list that was up here.

Ms. CROCKETT. Thank you so much. Before I begin my officially prepared remarks, there were some questions posed to you specifically about debt, and there seemed to be a concern about the mounting debt. And I am going out on a limb, and I am going to ask you if you are aware of how much debt we added under the

Trump Administration, out of curiosity. If you do not know, I know off the top of my head, but something tells me you may know.

Mr. MILLER. I have an imprecise number.

Ms. CROCKETT. OK.

Mr. MILLER. I bet you have the precise number in front of you, so I do not want to give you the imprecise number if you have the precise number.

Ms. CROCKETT. No, no, no, give me the imprecise number.

Mr. MILLER. No, no, please.

Ms. CROCKETT. Well, I am going off of my head because that was not part of what I was going to say. But long story short, \$8 trillion was added under the Trump Administration. And so, I think that it is important that we focus on making sure that we are keeping our debt under control, but I think it is also important that we are honest about how that debt is accrued and make sure that we do not continue to make the same mistakes.

I know that the election was brought up, and there are those that are standing by their man. But they also seem to be concerned about debt, which seems like the two do not go together because we know that their man actually is really good at running up the credit card debt for this country because he likes to give tax breaks to his very rich friends, which means that we do not get as much money coming through the door when they are not required to pay their fair share. So, I just wanted to make sure that we put that out there.

First and foremost, I recently was appointed to the Weaponization Subcommittee. And so, I am going to have plenty of long days ahead of me, kind of like what I have here on Oversight. But the point of the Weaponization Committee was to have a conversation about the government being weaponized in a way so that people could somehow get some personal gain because there is this theory that this Administration has somehow weaponized the government. There is not this acknowledgement that the other guy just is a criminal because that is just too hard to believe, even though he currently is sitting in New York facing criminal charges that were not brought not by the Federal Government, but instead by state government. Nevertheless, so when I think about weaponization, I honestly can only think about Trump and his Administration and all the work that he did to harm Federal employees.

So, to be clear, Trump's 2020 executive order would have effectively gutted civil service job protections for workers across the Federal Government. Trump would have created politically charged firings of potentially thousands of Federal workers and made these public servants subject to the whims of a political dictator and his posse rather than the adherence of the tenants of our Constitution. So let us be clear. Individuals pursuing public service do so largely because of their belief in Government. I am sure you can make a lot more money if you just decided to go elsewhere in private industry. A lot of us could, honestly, but if this rule was implemented, it would destroy the little bit of foundation and structure public servants still have that allow them to put people over politics. How do I know this? Because Trump and his Republican lackeys stated they felt nonpartisan bureaucrats were hampering Trump's policies

and he wanted to “shatter the deep state.” In fact, President Donald Trump’s personnel chief, John McEntee, told agency officials at a meeting to implement staffing changes and movements across the government.

Mr. Chairman, I would like to enter into the record an article from *Axios* stating that Mr. John McEntee, a 29-year-old at the time, a former body man to Trump who was fired in 2018 by then Chief of Staff, John Kelly, but then rehired and promoted to head the Presidential Personnel Office, directed staff to identify anti-Trumpers and stated that they will no longer get promotions and will be shifted around agencies.

Mr. BIGGS. [Presiding.] Without objection.

Ms. CROCKETT. Thank you so much. Now, Mr. Miller, can you tell us how the implementation of Schedule F would impact the morale and performance of all Federal employees?

Mr. MILLER. Thank you, Congresswoman. This is a critical issue and a critical question. In the first week in office, President Biden canceled Schedule F. This is real for OMB. The vast majority of our staff in 2020 was being considered to move to Schedule F. I think this would have a debilitating impact on the basic performance of Federal agencies. We already have a system where 3,000 different roles are for political appointees. Those political appointees are in leadership and decision-making roles, overseeing their agencies. If we were to go down the path that you outlined where there were arbitrary or political decisions made instead of decisions made around expertise and experience, it would deeply harm the institutional knowledge in our agencies, but it would also deeply harm our ability to recruit talent, going forward, into organizations that we want to organize around performance.

Ms. CROCKETT. Thank you so much for your answer, and I absolutely agree. My mother has worked in, I do not know how many, Federal agencies since I was a little girl in elementary school. And I promise you, we have changed from Democrats to Republicans to MAGA, back to all the things.

Mr. BIGGS. The gentlelady’s time has expired.

Ms. CROCKETT. But I can tell you that she is so very qualified to do her work, and this will be devastating. Thank you so much, and I yield.

Mr. MILLER. I thank her for her service.

Mr. BIGGS. The gentlelady yields. I recognize myself for 5 minutes. Thanks for being here, Mr. Miller.

So every year, the Federal Government obligates more than a trillion dollars in Federal financial assistance. Some go to grants, some go to cooperative agreements, other direct appropriations or property donations. I am trying to understand grants, if you can help me with grants.

Mr. MILLER. Yes.

Mr. BIGGS. In dollars, how much of that is going to grantees?

Mr. MILLER. Of the \$1.2 trillion?

Mr. BIGGS. Yes.

Mr. MILLER. I do not have the precise breakdown between grants and other forms of Federal financial assistance.

Mr. BIGGS. Would that be possible for you guys to grab and get to me?

Mr. MILLER. I would be happy to follow-up with you on specifics.

Mr. BIGGS. Great. Thank you, and I am thinking that there might be as many as 40,000 recipients. I would like to know the number of recipients as well.

Mr. MILLER. We can get back to you on the specifics there as well.

Mr. BIGGS. Very good.

And the reason I am going that way is because I want to know a couple of things. Are these grants pursuant to administrative regulatory creation or are they statutory animals?

Mr. MILLER. Our programs are operating under statutes, so Federal financial assistance programs, there is a wide array of them—

Mr. BIGGS. But I am focusing specifically on grants, not necessarily financial assistance benefits or that type of thing.

Mr. MILLER. Right.

Mr. BIGGS. So, grantees, and so the grant programs, it is my understanding some are statutorily created. Others are created through bureaucratic rulemaking that they believe that they have been delegated authority on. I am trying to get a breakdown on that. Is that possible for you to get for us?

Mr. MILLER. I will be happy to take back your question, make sure that we have response.

Mr. BIGGS. OK.

Mr. MILLER. Some grants are by formula.

Mr. BIGGS. Sure.

Mr. MILLER. Some grants are competitive grants in nature. All of these programs have the statutory authority to move forward on their Federal financial assistance.

Mr. BIGGS. So, on pages six and seven of your testimony, you talk about some of the anti-fraud measures that have been put in place, and those seem to focus on the benefits that are being given as opposed to grants. And I am wondering what kind of measures do you guys have? Because OMB has actually indicated that there is waste, perhaps, even in the grant program. And so I am trying to understand, do you have the same mechanism in place to recover money from grantees that have perhaps defrauded or gotten outside of their lane.

Mr. MILLER. So, we recently announced an overhaul to our Uniform Grant Guidance. We worked with the inspector general community on that, so that by simplifying the guidance, we made it easier for inspectors general to do their jobs and identify areas of waste, fraud, and abuse. One specific that I would note is—

Mr. BIGGS. OK. I am sorry. I do not want to cut you off, but there is another area I want to get into. So, I would love any additional details that you might want to send memo form to us that I would include as part of the record, if that would be possible, Mr. Miller.

Mr. MILLER. Understood. Thank you.

Mr. BIGGS. Thank you so much.

So, since the Hamas attacks on Israel of October 7, there have been reports of Federal employees calling for walkouts. Federal employees have also been circulating open letters, albeit anonymously, voicing strong opposition to the President's policies in Gaza. Federal employees have First Amendment rights, I recognize that, the

same as every American does, but they cannot strike. And with that in mind, what, if any, action has been taken to identify Federal employees who engage in illegal job actions in protest against the President's policies in Gaza?

Mr. MILLER. Chair, I understand, or Congressman, I understand that question and the concern. I am not familiar with specific actions that were taken. Agencies should——

Mr. BIGGS. Is there a way you could?

Mr. MILLER. Agencies should have procedures in place to make sure that their employees are complying with their responsibilities, including some of the responsibilities you noted.

Mr. BIGGS. So, you would be able to find out if there are policies in place and if there has been any action based on those policies for us?

Mr. MILLER. I am happy to take that back, yes.

Mr. BIGGS. Yes. Thank you. And so, when you take it back, everybody up here knows, everybody tells us we will take it back and we will get back with you. I would like to ask you if maybe in a couple weeks we can get an answer to these questions that I have been posing to you. Is that acceptable?

Mr. MILLER. Yes.

Mr. BIGGS. Great. And additionally, I would like to know more about anything related to any kind of these employee actions. So, look forward to hearing from you, Mr. Miller.

And with that, I am going to yield back the balance of my time, and I am going to recognize for a closing statement——

Mr. RASKIN. Mr. Chairman, before we do that——

Mr. BIGGS. Oh, Ms. Stansbury has gotten here, sorry.

Mr. RASKIN. Yes.

Mr. BIGGS. I did not realize that.

Mr. RASKIN. Yes. Before she goes, could I just——

Mr. BIGGS. You got to submit some——

Mr. RASKIN [continuing]. Submit for UC, yes. An article from the *Washington Business Journal* called, "The Benefits of Project Labor Agreements Along With the Myths;" an article from the Economic Policy Institute called, "Project Labor Agreements on Federal Construction Projects Will Benefit Nearly 200,000 Workers;" and an article on project labor agreements and community workforce agreements from the Center on American Progress.

Mr. BIGGS. Without objection, so ordered.

Thank you. I now recognize for 5 minutes the gentlelady from New Mexico, Ms. Stansbury.

Ms. STANSBURY. Great. Thank you, Mr. Chairman, and welcome, Mr. Miller. It is wonderful to have you here today. As a proud OMB alum and former civil servant serving in this great Nation's government of ours, I am especially happy to have the final word here in the Committee before closing statements. I served at OMB between 2011 and 2015, and I was a program examiner in the OMB Interior Branch. So, it is wonderful to be able to be on this side and to say thank you to all of your staff, and, of course, to anyone who is watching back in the EEOB or the NEOB, hi, friends.

I want to just take a few moments to talk about the importance of the civil service and the attacks that we saw in the previous Administration. As you are well aware, in October 2020, then-Presi-

dent Trump issued an executive order that sought to turn our Federal workforce into partisan loyalists. Thankfully, Democrats in Congress worked to prevent implementation, and the Biden-Harris Administration revoked this order almost immediately when they came into office, but it went far beyond that executive order. We saw during the Trump Administration that across the Federal service, you know, there were heads of agencies and departments that were moved within the SES bands, and whole agency headquarters were moved to different cities and states with the intention of trying to get civil servants to quit their jobs because they could not fire them. It was a massive disruption to the Federal workforce. Thousands of people left their jobs, and part of why we are still struggling under the current Administration to catch up on so many vital services is because of the actions that were taken.

And I know, Mr. Miller, you are serving in a political role, but talk to us about the importance of our civil service. What is their role within the Federal Government, and why is it so crucial that political appointees do not serve in every single role that the Federal Government does?

Mr. MILLER. Thank you, and thank you for your service at OMB. We are proud of all of our alumni. First, the effective performance of our organizations—this is true in public and private sector—is based on having strong teams and strong culture. Within the Federal Government, we have a 140-year tradition of a nonpartisan service system based on merit, that we look at people's skills, their expertise, and their experience. We want to cultivate that irrespective of what their personal views are. We want our teams to bring that to the office every day.

I know as a leader and a manager, I want a team that gives me their very best, that gives me their real views, even if those views are in disagreement with my own, because I want the best advice in making decisions about what we need to do going forward. We have 3,000 different roles where we have political appointees fill them in leadership positions across agencies, they are responsible for setting the agenda, for leading those agencies, for ultimately being the decision-makers. But the institutional knowledge and the expertise of our civil servants is critical to the well-functioning of our government, whether that is providing good customer experience at a call center or that is delivering relief after a disaster. Having our civil servants know that they are there based on their merit is critical to well-performing organizations, irrespective of who is in the White House.

Ms. STANSBURY. Thank you. And, you know, I would add to that not only are they kind of the heart and soul of these institutions themselves, they are the institutional memory, as well as the folks who know the law and compliance with the law. And, you know, I left OMB in 2015, as I said, and then went to the Hill before I moved home, and I was struck during the Trump Administration when some colleagues of mine who were civil servants within OMB were raising alarm bells about nefarious actions that were happening with politicals under the Trump Administration. And, in fact, months before the news broke, I was hearing from folks that the politicals at OMB were trying to use apportionments to violate the Budget Control Act, basically to withhold aid to Ukraine.

Now, there is probably no one in this room except for me, and you, and the staff sitting behind you that know what an apportionment is, and that is because that is the institutional memory and functioning of how OMB releases funds that are appropriated by Congress. So, if we need any example of why we need a civil service, how about following the law and making sure that no U.S. President ever again can violate the law and withhold aid to a foreign ally in its efforts to try to hold back an adversarial nation. I mean, this is literally global democracy on the line. So, I appreciate your service, I appreciate the service of all of our colleagues, and with that, I yield back.

Mr. BIGGS. The gentlelady yields. And now, for a closing statement, I recognize the Ranking Member for 2 minutes. Mr. Raskin?

Mr. RASKIN. Thank you very kindly, Mr. Chairman. I just want to clean up a couple of matters that may be hung over from prior questioning, one about project labor agreements. Those are only for Federal contracts and Federal projects, and they have been enormously successful in setting wages and benefits for workers and creating good employer-employee relations. So, for the life of me, I do not understand the nature of that attack. I want to echo my distinguished colleague from New Mexico about this whole effort in the last Administration and by a current candidate for President to basically ravage the civil service by replacing professional civil servants and experts with political flunkies. And to give another example—the gentlelady gave the example of what happened Ukraine—I want to give a closer-to-home example of what happened with Hurricane Dorian.

When the scientists at NOAA—the National Oceanic and Atmospheric Administration—and the National Weather Service made predictions about where the hurricane was going to hit on the East Coast, President Trump decided that the hurricane was really going to hit in Alabama, and that was just contradicted by the facts. And NOAA continued to put out notices to the public saying, no, that Alabama was not at serious risk for being a target and it was going to be on the coast and much further south. And then Trump got very mad about that, and he got the Secretary of Commerce to go after them and so on. And this is really what we are talking about. Do you want the Federal Government filled with a bunch of political flunkies, hacks, and sycophants who will say whatever the President wants, or do you want professional scientists and civil servants who are going to follow facts and follow the law?

The President's job is to take care that the law is faithfully executed, not that the law is disrupted and remade in his own royal image. And so, if you want a government that is going to be letting Donald Trump and his sharpie determine where a hurricane is going to hit as opposed to scientists, then you would be for Schedule F. But we view Schedule F as a serious danger to the professional civil service that has been built up over the last several decades. So, Mr. Chairman, I mean, I have got some comments on some of the other things that were said, but we agreed to just 2 minutes. I am happy to yield back to you, so.

Mr. BIGGS. Thank you. The gentleman yields. Now I recognize myself for 2 minutes on closing.

I just want to talk about a couple issues. One was raised by gentlelady from Texas. I am talking about the national debt. Well, according to the U.S. Treasury, over the past 366 days, the total national debt has increased by \$3.1 trillion, debt held by the public has increased by \$2.4 trillion, and inter-governmental debt by \$265 billion over that same period of time. I think that is important. And I will just say, when you start talking about political junkies, hacks, and sycophants, we do not want to see that. Yes, I do not disagree, but you know where we see that in abundance? On the border. On the border, and the people who are opposing the border security policy, which is why we have wide open border. I encourage my colleagues to get down there as often as I do. Just down there again last week, will be down there again next week.

So, Schedule F was mentioned earlier in the hearing, and OPM recently issued a final rule, which seems like it was an attempt to prevent President Trump from reissuing Schedule F should he win another term. Opponents of Schedule F like to talk about politicization of the Federal workforce, but from our perspective, that has already happened. And surely reports of Federal employees organizing at the beginning of the last Administration to plan how to block President Trump's policies have to be concerning. They are to us. The fact is, certain Federal employees have an ever-increasing amount of power to decide what does and does not happen with respect to an administration's policies. Earlier, telework was mentioned as an example of civil servants thinking they can do what they want. An unaccountable civil service is just as dangerous to our country as a patronage system. So, with all that said, we need something like Schedule F to ensure the people we elect are able to do what they were elected to do, and that is why we support Schedule F.

We have had a good hearing today. I appreciate you being here, Director Miller. Thank you, and I appreciate all the Members that came and those who came and sat in the gallery, and the staff that helped.

With that, we are adjourned.

[Whereupon, at 1:56 p.m., the Committee was adjourned.]

