

**“Please Leave Your Message at the Tone:
Addressing Post-Pandemic Backlogs and Delays at Federal Agencies”
Committee on Oversight and Accountability
Wednesday, June 21, 2023
Rep. Gerald E. Connolly (VA-11)**

After a long weekend, my district office had several dozen voice messages. Ninety percent of them were regarding new or ongoing passport cases. The phone in the district office rings nonstop throughout the day, often taking up every phone line we have. Over the past several years, our case numbers have quadrupled. Often times, sending emails to the Passport Agency sometimes feels like throwing a rock down a well as they are unable to answer inquiries seemingly 90% of the time. Furthermore, the majority of cases that are often responded to in a timely fashion are life and death, but that leaves many others missing important life moments with their loved ones such as weddings, funerals, graduations or dangerous or uncertain surgeries. The continuous ambiguity of how passports are being processed, and the efficiency of their shipping and delivery, often leaves my staff in limbo with no answers for our constituents who are desperately waiting.

As someone who served in local government, the most immediate form of government where accountability and proximity to the public are most closely felt, I value the importance of responsive constituent casework. From tracking misdirected social security payments to helping veterans apply for disabilities to resolving immigration cases, a successful constituent services operation relies on a skilled and well-resourced federal workforce.

Unfortunately, our public servants and the people they support are under attack. Republicans’ vilification of career employees has made it clear; Republicans do not want to govern; they want to dismantle the government. Furthermore, their blind commitment to defunding federal programs, the central theme of their debt ceiling hostage taking, has manifested into chronically underfunded federal agencies. Then the pandemic hit, transforming resource and staffing challenges into full blown crises. While the coronavirus outbreak suspended some aspects of daily life, constituent casework exploded, overwhelming call systems, online portals, and caseworkers.

Without sufficient resources, hamstrung, constituent-facing agencies were unable to perform their responsibilities and some of these issues continue today. In fiscal year (FY) 2022, the Social Security Administration (SSA), which is tasked with administering retirement, disability, and survivor benefits, reported its smallest workforce in 25 years. Simultaneously its number of beneficiaries increased by more than 10 million in the past decade alone.¹ In addition, the SSA also experienced numerous concerning incidents including a problematic program which targeted the poor and disabled with financial penalties. I and this Committee will continue to raise concerns regarding the integrity of Inspector General (IG) Gail Ennis and her office,

¹ American Federation of Government Employees, SSA’s Staffing Crisis Hurts Beneficiaries, Workers (Apr. 17, 2023) (online at www.afge.org/article/ssas-staffing-crisis-hurts-beneficiaries-workers/).

especially considering the recent whistleblower retaliation allegations against employees who criticized the SSA program for imposing heavy fines on disabled and poor elderly people.

Furthermore, Trump's vicious attacks against the Department of State's (State) staff, paired with a 16-month hiring freeze, resulted in the attrition of about 1,000 employees and the irreparable loss of deep institutional knowledge and diplomatic relationships. Moreover, because staff was unable to process passports in a remote capacity due to IT modernization constraints, the State's Bureau of Consular Affairs which provides fee-based passport services to allow American citizens to travel or temporarily reside in foreign territories, ceased operations and lengthened the Bureau's processing time to 10-13 weeks from six to eight weeks for routine service and seven to nine weeks from two to three weeks for expedited service.²

Finally, the National Archives Records Administration (NARA), an agency charged with the preservation and documentation of government and historical records, has had an essentially flat budget over the last 30 years. This stagnant funding has made it difficult for the agency to keep pace with the increasing magnitude of collecting, retaining, and making both paper and electronic records available.³ The Republican crusade to slash agencies' budgets and assault on federal employees creates a vicious cycle of public mistrust that undercuts the agencies and programs that serve the public.

In response to these issues, agencies worked to respond to unprecedented case loads and significant operational challenges. The SSA and State ramped up their staffing, tested drop boxes and express appointments, and added online request services. They also coaxed employees out of retirement, employed case workers to process claims on weekends, and provided telephone and online hearing options to address appeal cases with administrative law judges.

Democrats also led many efforts to support these vital agencies. In the Consolidated Appropriations Act, 2023, Democrats voted to provide \$14 billion for the SSA operating expenses, an increase of \$785 million above the FY 2022 enacted level, to enable the agency to rebuild its workforce and address the disability hearings backlog. I also wrote a letter to the SSA last November, urging their leadership to apply to the Technology Modernization Fund to upgrade their IT systems.

During the past two Congresses, I introduced the Passport Backlog Elimination Act, which would require State to submit and implement a plan containing specified actionable strategies to eliminate the passport application backlog. This bill, which I will be reintroducing, pushed State's FY 2023 performance plan to include a goal for annual average processing times under 11 weeks for routine service and six weeks for expedited service by the end of FY 2026, as directed in the James M. Inhofe National Defense Authorization Act for FY 2023, but more assistance is needed. In their FY 2024 request, State requested \$100 million to backfill vacancies

² State Dept. IT modernization delays leave passport services staff unable to telework (Sep. 7, 2021) (online at <https://federalnewsnetwork.com/it-modernization/2021/09/state-dept-it-modernization-delays-leave-passport-services-staff-unable-to-telework/>).

³ National Security Archive at George Washington University, U.S. National Archives' (NARA) Budget: The 30-Year Flatline, (Mar. 11, 2022) (online at <https://nsarchive.gwu.edu/foia-audit/foia/2022-03-11/us-nationalarchives-nara-budget-30-year-flatline>).

and add 300 new positions as they face a new predicted record high of more than 21 million for FY 2023.⁴

Additionally, as the Government Operations Chair, my Subcommittee helped lead a bipartisan letter urging the NARA to apply for funding from the Technology Modernization Fund (TMF). The NARA's proposal was later accepted, and the agency was awarded \$9.1 million to accelerate the delivery of records and improve customer service. Democrats also helped passed the James M. Inhofe National Defense Authorization Act for FY 2023, which authorized \$60 million for the NARA to address its veterans' records backlog and plans to update its information technology and increase staffing levels.

While actions have been taken, they have not successfully stymied the flood of casework which continues to add to the already extensive backlogs. At the SSA, processing centers are still experiencing many challenges including slow response times due to manually calculated benefit assessments and recalculations. Furthermore, the SSA's Developmental Disabilities Administration (DDA) is taking a baseline of six months, but often longer, to confirm disability submissions. This timeline is unrealistic for people who depend on these benefits. To address this issue, we should allow constituents to check the status of their cases online, which would alleviate the floods of emails and calls inquiring about their status. I am also aware of a backlog of appeal cases due to the lack of administrative law judges. We must do all we can to properly hire and train employees to meet constituents' needs, which is why I am also introducing the Administrative Law Judges Competitive Service Restoration Act. This bill would restore administrative law judges to the competitive service and ensure candidates are selected on their qualifications and competence. Preserving the integrity of the position is one step in the right direction to attracting the talent we need to serve the public.

At State, passport renewal has become close to impossible to secure as passport applications have reached unprecedented levels. One of my constituents, who was a former intern on the Hill, passed away unexpectedly last year. Her family hoped to take some of their daughter's ashes to Spain to hold a memorial with family but had to wait several months to save enough money to make the trip. After speaking to a passport agent at their local post office four months prior to their date of travel, they were advised not to apply for a passport. The employee even refused to serve them as they did not believe the family would receive their papers in time even with expedited service. The family then tried to apply one more place before waiting a month for an appointment. When that deadline finally arrived, the Passport Agency told them they could not apply for a passport until the travel date was within a two-week window. They then spent two days calling the help line until they were finally able to reach a live agent who informed them the closest appointment was in San Francisco.

Amid their grief, the passport application process should not be an additional burden this mourning family should have to navigate. It is outrageous that my constituent did everything they were instructed to do correctly and on-time, and yet the Passport Agency remained unable

⁴ Briefing by Rachel Arndt, Deputy Assistant Secretary for Passport Services, Department of State to Staff, Committee on Oversight and Accountability (May 4, 2023).

to uphold its commitment. Then to add insult to injury, these constituents were denied yet again and learned after months of effort that in person appointments are restricted to only life/death cases. This left them in limbo, waiting in hopes for a local appointment cancelation.

At the NARA, the COVID-19 pandemic prompted a backlog of records requests because of limited on-site staffing. Total unanswered requests for military service records peaked at 604,000 in March 2022, and as of May 2023, NPRC reported 285,000 backlogged requests, which they define as unanswered requests past 20 workdays. While the NARA's initial NPRC backlog reduction plan is encouraging, this Committee must continue to conduct vigilant oversight of the backlog.

It is crystal clear that all three agencies before the Subcommittee today lack the appropriate staff, funding, and technological capabilities to carry out their respective missions. Whether hiring up or providing for telework flexibility, approving more overtime hours or staff transfers, or improving technology capabilities to assist with passport approvals and auto issued refunds for those who once again did everything right but did not receive their materials in time, something needs to change, and it needs to change today.