

**“Oversight of Federal Agencies’ Post-Pandemic Telework Policies: Part II”**  
**Subcommittee on Government Operations and the Federal Workforce**  
**2:00PM, Wednesday, November 29, 2023**  
**2154 RHOB**  
**Rep. Gerald E. Connolly (D-VA)**

Democrats have not once, but twice, supplied the lion’s share of votes in a Republican controlled-House to keep the government open, and yet our country is still just a mere 51 days away from the beginning of a total government shutdown. And yet Republicans continue to stay locked in an intraparty struggle. Earlier this month, Speaker Johnson was forced to pull four appropriations bills from the floor extending the United States’ legislative branch’s appropriation paralysis. My Republican colleagues attack hybrid work and accuse our dedicated civil servants of not doing their jobs while simultaneously not doing their own jobs as elected legislators. As they yell at federal workers to “get back in the office,” they also play budget brinksmanship that threatens to send hundreds of thousands of federal employees home on furlough. In one breath they say one thing, and in the next they say another. The duplicitousness, the contradictions – it defines their Majority and has been a central cause of their paralysis over the past several weeks.

A Republican shutdown is bad for the economy full stop. The 2018-2019 Trump shutdown reduced our GDP by \$11 billion, including \$3 billion that will never be recovered and \$2.3 billion in loans for small businesses. A Republican shutdown is also bad for federal employees. If Republicans are unable to fund the government, 737,000 of our federal workers will be furloughed adding to the already cumulative 56,940 years’ worth of lost productivity from federal workers during the collective past three government shutdown furloughs. A Republican shutdown is also bad for contractors. It is estimated that if we enter a shutdown, it will disrupt the average \$13 billion per week in federal contracts, nearly \$3 billion of which goes to small businesses, throughout the country. And finally, a Republican shutdown is bad for critical government services. The FDA stops routine food inspections, the EPA halts inspections at drinking water systems, food assistance for needy families gets cut, and loans for many farmers, small businesses and homeowners are halted. And this does not even include the eye-popping \$338 million sticker price the government will incur from additional processing costs and late fees.

Republicans’ decision is particularly hypocritical as they lament our national debt, and yet their shutdown ultimately adds to our federal deficit. Based on the total cost of furloughed federal workers, the 16-day shutdown in 2013 cost the U.S. government at least \$2 billion, and the two 1995-96 shutdowns cost the U.S. government \$1.4 billion, or \$2.2 billion in today's dollar. I can only imagine how much Republican’s infighting might cost Americans across the country this year. In addition, a shutdown would continue to rattle consumer confidence, further exacerbating the effects of inflation that we are just starting to leave behind. Lastly, Republicans are choosing to do this right after the credit agency Fitch recently downgraded the United States of America's Long-Term Foreign-Currency Issuer Default Rating (IDR) to 'AA+' from 'AAA' in the aftermath of our last Republican driven debt limit crisis. From my view, there are many other pressing issues this body should focus on before we blanketly attack federal teleworkers.

Before the pandemic, and despite attacks on telework by the Trump Administration, the federal government administered a federal telework program that produced happier, more engaged, and more productive federal employees. In the years following enactment of the seminal Telework Enhancement Act of 2010 (P.L. 111-292), which I was proud to coauthor, telework participation in the federal government increased by more than 50 percent.

The federal government's pandemic era telework policy – maximum telework – was something entirely different than what we created with the Telework Enhancement Act. For more than three years, agencies defaulted to a more remote or hybrid posture for their employees as a public health imperative. At the height of the pandemic, 90 percent of federal employees participated in telework. Maximum telework in the federal government was an emergency response to a public health crisis that killed more than 1 million Americans. The policy kept people healthy and helped ensure continuity of operations of federal agencies.

In April 2023, the Biden Administration announced its intent to end the national emergency and public health emergency associated with the COVID-19 pandemic and issued guidance to direct agencies to update their work environment plans, including hybrid or remote work policies put in place during the pandemic. Agencies are developing and rolling out new work environment plans as we speak.

Though maximum telework is not here to stay, there will be, however, an enduring demand among both the public and private workforce for additional workplace flexibility. Where appropriate, the federal government must accommodate this demand to remain competitive when recruiting and retaining talent. We cannot accept mindless approaches to federal work environments that place across-the-board restrictions on telework or policies that require in-person work at the expense of satisfied, engaged, and productive employees. That does not make sense and we must resist the urge to overcorrect.

Instead, the federal government must continue to administer a robust and growing telework program that incorporates the lessons learned of the pandemic. To make maximum telework function, federal offices established new workflows, procured remote work technology, and developed better supervisory training. These new strategies were implemented across the federal government, including in offices that had limited telework participation prior to the pandemic. This is a great opportunity to capture what worked – new telework opportunities that improved agency functions. Alternatively, we must address areas where offices had to sacrifice functionality to implement maximum telework. Paper tax return processing, passport application adjudication, in-person customer service operations, and veterans service record retrieval are not functions that lend themselves to remote work. These jobs are best done in-person, and post-pandemic those employees can move back into the office.

Republicans' initial approach to post-pandemic telework policies would functionally forfeit all our hard-won progress on telework and revert the federal government back to an archaic time completely out of step with the rest of the country's modernized workplace. Congressional Republicans, at one point in May 2021, attempted to mandate that 100 percent of federal employees return to in-person work. Their proposal envisioned federal offices as 19<sup>th</sup> century workplaces. The only thing missing was a requirement that everyone punch a physical

timecard. The SHOW UP Act (H.R. 139), which the majority passed earlier this year, would quite literally roll back the clock to December 31, 2019, and institute, across the board, all federal telework policies in place at that time. We must find a smarter way to promote a 21<sup>st</sup> century federal workforce and that includes robust federal telework programs.

I am proud to be the number one proponent of federal telework programs in the United States Congress. My advocacy for telework started even before I came to Congress, when I took up the issue as a regional priority for the National Capital Region and helped establish nationwide goals for telework participation. As Chairman of the Fairfax County Board of Supervisors I led the effort to expand telework programs for our county employees. We found what was essential to every telework program was support for staff and supervisors, evaluating work outcomes, and setting metrics and goals for telework participation. And we know these practices work because companies continue to embrace them. Just as telework rates across the country are twice what they were before the pandemic, in Northern Virginia telework rates remain elevated above their pre-pandemic levels, increasing from 7 percent in 2019 to 27 percent in 2022.

I have also authored the Telework Metrics and Cost Savings Act, which would reform the administration of federal telework programs by empowering the Office of Personnel Management (OPM) to develop standards for the collection and use of federal agency data to expand telework; help develop supervisor and manager training on telework; and publish guidance to help agencies manage their telework programs. The bill would also promote transparency and accountability for federal telework programs by requiring agencies to report annually to OPM on their goals and priorities to expand telework access—including to military spouses; report to Congress and OPM within 30 days if the agency head has the intention to reduce telework access for any reason; track cost savings achieved through the expansion of telework; train managers and supervisors on how to effectively engage teleworking employees; and consistently review and update existing telework guidance. These provisions were largely bipartisan, commonsense reforms that could help further improve federal telework programs.

It is unfortunate that Republicans have politicized federal telework programs. It was not that long ago telework was a source of bipartisan agreement. As recently as January 2021, Senator James Lankford and Representative Jody Hice, both Republicans, helped me enact my legislation, the Telework for U.S. Innovation Act, which reauthorized a popular and successful remote work program at the U.S. Patent and Trade Office. It is my hope we can avert a shutdown and return to that commonsense approach to making government work better.