



# Policy Agenda 117<sup>th</sup> Congress

## STATEMENT OF PURPOSE

The federal career executive corps provides leadership and skills to accomplish the work of the federal government effectively and efficiently. SEA acts as the voice and advocate for the integrity and sustainment of the SES corps. To this end, SEA actively supports a federal career leadership corps that is highly qualified, accountable, and focused on ensuring agencies meet their missions. To do so, SEA advocates for tools and policies to strengthen the federal workforce as a whole, reform the SES performance management system, ensure appropriate accountability and incentivize strong organizational performance. As a representative of government leaders, SEA is also dedicated to overall civil service modernization to ensure to capability of the federal workforce at all levels. SEA is committed to advancing the principles of good government so taxpayers can trust our federal government to deliver services equitably, efficiently, and effectively.

Since its founding, SEA has had as its mission to:

- Improve the efficiency, effectiveness and productivity of the federal government.
- Advance the professionalism of career executives.
- Advocate the interests of career federal executives, especially members of SEA.
- Enhance public recognition of the contributions of federal career executives.

In the 117<sup>th</sup> Congress SEA will pursue the following legislative goals:

### **REVITALIZE THE MERIT SYSTEM**

For 137 years, the policy of the United States government has been to hire career civil servants on the basis of merit. The merit system is in desperate need of attention, with less than 1/3 federal career appointments being made through a competitive hiring process according to a recent OPM study. OPM has no authority nor oversight over the majority of federal personnel systems.

- Restore a quorum to the Merit Systems Protection Board (MSPB) – over 3,500 Americans have been deprived of access to justice, some for up to 3 years, and hundreds of thousands of non-unionized federal employees have no forum in which to enforce their rights.
- Strengthen the capacity and independence of the Office of Personnel Management (OPM) – appoint a strong, competent, qualified Director. Elevate OPM Director to a Cabinet-level position and have Director serve as the Federal Chief People Officer. For more information on strengthening OPM, please review the SEA report on [Transforming the Governance of Federal Human Capital Management](#).
- Strengthen and expand whistleblower protections.
- Restore whistleblower rights to VA Senior Executives.
- Study on Inherently Governmental Functions – what roles and decisions must be the responsibility of civil servants versus contractors and consultants.
- [10 Considerations for Civil Service Modernization](#) – eliminate internal bureaucratic red tape that holds dedicated civil servants back and inhibits innovation.

## END THE WAR ON EXPERTISE AND COMPETENCE IN PUBLIC SERVICE

Non-competitive appointment of unqualified and unprepared individuals into the Executive Branch as political appointees threatens the effectiveness of federal agency operations, responsible stewardship of taxpayer funds, and ultimately diminishes Presidential control over the Executive Branch.

- Immediately halt the implementation of President Trump's Executive Order creating a Schedule F in the federal workforce. This order [deeply undermines](#) merit principles and politicizes the deliverance of critical services to the American people.
- Designate senior mission support positions as SES career-reserved, consistent with [Joint Policy Agenda on SES](#) by SEA, Partnership for Public Service, and the Volcker Alliance.
- Require political appointees to have individual performance plans, consistent with requirements in GPRM Modernization Act of 2010 (GPRAMA).
- Mandate OPM to produce a website that serves as a virtual Plum Book, providing real-time data and visibility into political appointments and vacancies. (PLUM Act)
- Reevaluate the necessity of all PAS positions
  - Save taxpayers billions by eliminating 1,000 unnecessary political appointments, especially in operational and mission (non-policy) roles.
- Engage a study on the total number, type, cost and benefits of political appointments below the PAS level.

## CREATE A NATIONAL CULTURE OF SERVICE & EXPAND SERVICE OPPORTUNITIES

Union-initiated lawsuits annihilated the government's young talent pipeline when the Federal Career Internship Program (FCIP) was shut down in 2010. The hiring programs that have replaced the viable internship program have largely been failures, and the government workforce under age 30 is now a paltry 6%. The government must repair its talent pipeline.

- Pursue implementation and passage into law of recommendations of the National Commission on Military, National, and Public Service (H.R. 6415, the Inspire to Serve Act).
- SEA identified a subset of these [recommendations for policymakers to prioritize](#).
- Implement the recommendations of the [National Security Commission on Artificial Intelligence](#) (NSCAI), the [Cyberspace Solarium Commission](#) (CSC), and the [National Commission on Military, National, and Public Service](#) (NCMNPS) to strengthen the national security and federal workforces, including addressing hiring. ([letter](#))

## INVEST IN THE CAPABILITY OF THE FEDERAL WORKFORCE

The federal government faces significant [systematic risks and mission failure](#) due to lack of attention to cultivating its workforce over the past several decades. The governance of federal human capital management needs a reboot. Reimagined attention to the workforce can drive improvements to management quality.

- Modernization in technology, data, and management practices will not come without sustained investment in the federal workforce. Commit a minimum 2% of agency budgets to protected annual federal employee development accounts.
- Strengthen Career Leadership. The government must cease promoting employees with technical expertise into management and leadership roles and instead pursue a robust assessment program while identifying the skillsets needed to do the work of each position.
- Broadening Participation – above GS-13 in the federal government, diversity precipitously drops. This must be addressed to have a leadership cadre reflective of the American people.
- De-link SES pay from Executive Schedule Level III. Enable agencies to more appropriately compensate executive and other mission-critical talent, remaining under the POTUS cap. The contractor compensation limit is set to \$589,000, which taxpayers pay for, on top of fees for contracted services.
- Conduct a government-wide talent development study to understand what is working in agencies, what is being spent overall, as well as to identify duplicative programs and those that should be eliminated. [Agency practices vary widely](#).

## OVERHAUL THE FEDERAL BUDGET

During the modern budget era, Congress has only been able to fully fund the government on-time with the rules it sets for itself 4 times, and has shut down the government 4 times in the past decade. Constant Continuing Resolutions and the inability to address issues by portfolio dramatically limit the effectiveness of taxpayer dollars.

- Use the budget process, not policy, to drive real change.
- Move to biennial budgeting, provide agencies with workforce funding target levels to facilitate planning and investment.
- Mobilize capital investment to accelerate government modernization.
- Totally rethink budget process and agency/program structure. Does every Department need each of its bureaus to have their own fully staffed HR, IT, Finance, Procurement mission support operations? Consider a FITARA type law for each of the mission support functions.
- Address duplication, fragmentation and overlap in programs and organizational structure.
- Create within OMB a Human Capital cross-cutting RMO that looks at human capital spending and policy across the federal government to ensure alignment and effectiveness across the

enterprise and at individual agencies as well as at the traditional civil service oversight agencies.

### **ADVOCATING FOR STRONGER, ACCOUNTABLE GOVERNMENT**

The federal government, and the civilian workers who support it, provide valuable services that the American people rely upon. To ensure that agencies are able to meet their missions and deliver on strong customer service goals, SEA calls for the following:

- Appropriations legislation that is completed in a timely manner to ensure agencies can budget to achieve the best use of taxpayer funds.
- Multi-year budgets that allow agencies to make long-term, strategic budget and contracting decisions to ensure the most effective use of funds.

### **ENSURING EMPLOYEE ACCOUNTABILITY**

Employees are best held accountable, for both positive and negative actions, through ensuring that employees understand the systems that govern the workforce and by ensuring necessary tools are made available to train, develop, and oversee performance. Moreover, numerous barriers often prevent supervisors from dealing effectively with poor performing and problem employees. The following proposals are designed to reduce or remove these barriers, providing supervisors the tools necessary to ensure accountability:

- Creation of a program to provide “onboarding” for all new political appointees to include information on ethics, agency functions, SES and other workforce performance management systems, etc.;
- Hold political appointees accountable for the timely administration of SES performance management, including ratings and performance plans;
- End the abuse of administrative leave during personnel actions by requiring employees to remain in a duty status during an investigation or personnel action unless the employee is a threat to the agency;
- Require training for all executives, managers and supervisors in rehabilitating or removing problem employees;
- Creation of a Federal Employee Court of Appeals to eliminate the multiplicity of appeal routes currently available to employees;
- Expansion of the probationary period to two years for those jobs that require extensive training periods;
- Ensure managers are supported to take actions to deal with poor performers through the Federal Managers Fairness Act;

## REFORMING SES PAY AND PERFORMANCE MANAGEMENT SYSTEM

The SES performance management system is the basis for determining pay levels, performance awards and annual ratings for each Senior Executive. The current system requires reform to ensure that it is applied consistently, fairly, and transparently. Reforms to the system would restore the confidence of employees and Congress that the system is holding Senior Executives accountable for individual and organizational performance. SES proposes several solutions:

- End the balkanization of senior level pay systems to ensure consistent application across government;
- Increased transparency in the ratings process, including explanation of ratings levels and requiring agencies to publicly post ratings and performance data;
- Restore locality pay and delink SES pay from the Executive Schedule to provide an annual increase based on the General Schedule increase;
- Assured increase for new entrants into the Senior Executive Service.

SEA will be vigilant in opposing legislation that unfairly targets federal employees, including broad pay freezes, changing annuity calculations from a High-3 to High-5, and across the board workforce reductions.

### Contact SEA

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