

United States Senate

WASHINGTON, DC 20510

November 4, 2021

The Honorable Kiran Ahuja
Director
Office of Personnel Management
1900 E Street N.W.
Washington, D.C. 20415

The Honorable Shalanda D. Young
Acting Director
Office of Management and Budget
725 17th Street N.W.
Washington, D.C., 20503

The Honorable Robin Carnahan
Administrator
General Services Administration
1800 F Street N.W.
Washington, D.C. 20006

Dear Director Ahuja, Acting Director Young, and Administrator Carnahan:

We wish to express our concern about the widespread lack of responsiveness and accessibility across the federal government on account of current agency work plans. We request immediate action to transition federal workers back to in-person operations.

The pandemic has affected all Americans who participate in the workforce. Every working individual was forced to adapt quickly during the onset of the pandemic to do their part to reduce the spread of the virus and protect capacity in our health care systems. Fortunately, with the widespread availability of vaccines, testing, and other safety measures, new COVID-19 cases, deaths, and hospitalizations are all now steadily declining. The Centers for Disease Control and Prevention predicts deaths and hospitalizations will continue to fall.¹

Businesses have now reopened, children and teachers have returned to in-person learning, and health care and public safety workers continue to show up for work. Yet we continue to hear from constituents in our states about a lack of responsiveness from federal agencies.

Members of Congress from both parties have raised concerns about backlogs and productivity issues across agencies. For example, since the beginning of the pandemic, Social Security offices throughout the country have been closed except for those beneficiaries who make an appointment and are deemed to be in “dire need.” Furthermore, Social Security recipients have been forced to use unreliable mail services to send personal identifying information or paperwork to local field offices as most offices will not accept these documents in person.

As of August 30, 2021, there were almost 182,000 claims at the Department of Veterans Affairs that were backlogged because of a pause of in-person Compensation and Pension examinations last year. As of October 2, 2021, the IRS had 6.8 million unprocessed individual 2020 tax year returns.² The wait time to get a new passport is now 12 to 18 weeks.³

¹ [COVID-19 Forecasts: Cases | CDC](https://www.cdc.gov/media/releases/2021/s0915-covid-19-forecasts.html)

² <https://www.forbes.com/sites/ashleaebeling/2021/10/10/millions-still-due-2020-tax-refunds-as-october-15-extension-deadline-nears/?sh=2befb6828b58>

³ <https://www.state.gov/briefing-with-deputy-assistant-secretary-for-passport-services-rachel-ardt-bureau-of-consular-affairs-on-the-state-departments-passport-services/>

As you know, on June 10, 2021, the Biden Administration, in conjunction with the Office of Personnel Management (OPM), the Office of Management and Budget (OMB), and the General Services Administration (GSA), released OMB Memorandum M-21-25 outlining the procedures for the safe return of federal workers and contractors to their workplace. This memorandum required the agencies to submit their reentry plan no later than July 19, 2021. Additionally, Memorandum M-21-25 states that agencies should be “seeking and considering data and information regarding the impact of personnel policies and procedures on employee engagement, mission delivery and outcomes.”⁴

On August 6, 2021, Senate Congressional offices were invited to join a call with OPM, OMB, and GSA on this issue. Unfortunately, the majority of staff questions were left unanswered, including whether or not every agency had complied with the July 19 deadline set by the Memorandum M-21-25. On September 9, 2021, President Biden issued the Executive Orders on Requiring Coronavirus Disease 2019 Vaccination for Federal Employees (EO 14043) and Ensuring Adequate COVID Safety Protocols for Federal Contractors (EO 14042). The latter order requires all federal employees and federal contractors be vaccinated against COVID-19 by December 8, 2021.

We understand the unique challenges that COVID-19 has presented, but Americans continue to face unprecedented delays in accessing their federal government. This is unacceptable, particularly since agency heads have had the ability to address productivity since June 2021, when the Biden Administration lifted its 25 percent cap on the number of federal employees allowed to report to worksites.

Additionally, if agencies are pivoting to more permanent off-site work, there are a number of costs that must be considered. For example, field and operational office spaces have maintained their leases during the period that a regular in-person presence has lapsed and employees continue teleworking. This office space footprint is a drain on taxpayers who are ultimately paying the price for empty offices.

In our efforts to contact more than 20 federal agencies about their plans to return to work, or even a general outline, only one agency could point to an outline of their reentry plans on their website. Others have either cited ongoing negotiations with their unions or said they had no plan to share with our offices at this time. This lack of transparency is a disservice to the taxpayers that these agencies were created to support and protect.

We therefore request a response to the following questions by the appropriate agencies no later than November 11, 2021.

1. How many and which agencies have submitted a reentry plan as of October 27, 2021?
2. How many and which agencies have submitted a post-reentry plan as of October 27, 2021?
3. Which agencies have submitted organization-wide data collecting on remote work productivity in order to inform decision-making regarding reentry and post-reentry work?
4. Which agencies were staffed at below 25 percent in-person operations, on average, between March 1, 2020 and January 24, 2021?

⁴ <https://www.whitehouse.gov/wp-content/uploads/2021/06/M-21-25.pdf>

5. How many buildings are owned or leased by the General Services Administration? Of those buildings, which and how many were staffed at below 25 percent in-person operations, on average, between March 1, 2020 and January 24, 2021?
6. Have OMB, OPM, GSA, and any other agencies involved in federal workforce guidance postponed the request for reentry plans because of vaccine hesitancy among employees?
7. Do OMB, OPM, GSA, and any other agencies involved in federal workforce guidance have immediate plans to issue additional guidance or deadlines to have the workforce return on site to pre-pandemic levels?
8. What measures do agencies have in place to protect individuals' personal identifying information while employees work remotely?
9. How many positions have been shifted to full-time remote optional since January 2021?
10. How many employees have requested to return to in-person work but been denied due to current agency operating status?

We appreciate the work of America's federal workforce and maintain that the health and safety of those employees and their families are a priority. However, with the resources available to each agency and every federal employee, it is now time to bring back our federal workers and deliver the service that the American people have been promised and expect of their government.

Sincerely,



ROGER F. WICKER
United States Senator



ROGER W. MARSHALL, M.D.
United States Senator



CYNTHIA M. LUMMIS
United States Senator



BILL CASSIDY, M.D.
United States Senator



JAMES LANKFORD
United States Senator



THOM TILLIS
United States Senator



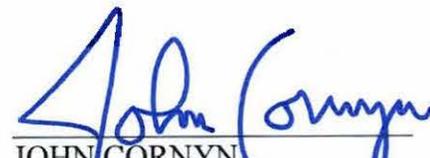
DAN SULLIVAN
United States Senator



KEVIN CRAMER
United States Senator



BILL HAGERTY
United States Senator



JOHN CORNYN
United States Senator



ROY BLUNT
United States Senator



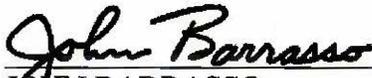
JOHN BOOZMAN
United States Senator



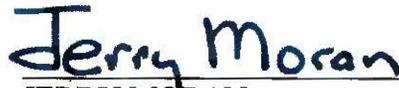
JAMES N. INHOFE
United States Senator



JOSH HAWLEY
United States Senator



JOHN BARRASSO
United States Senator



JERRY MORAN
United States Senator



MIKE BRAUN
United States Senator



TED CRUZ
United States Senator



JOHN HOEVEN
United States Senator



SUSAN COLLINS
United States Senator



MARSHA BLACKBURN
United States Senator



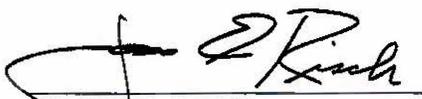
ROB PORTMAN
United States Senator



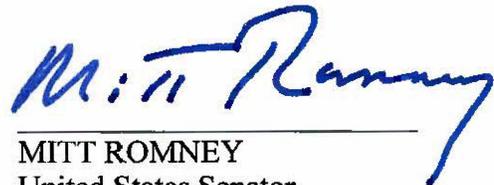
JOHN KENNEDY
United States Senator



CHARLES E. GRASSLEY
United States Senator



JAMES E. RISCH
United States Senator



MITT ROMNEY
United States Senator



MICHAEL S. LEE
United States Senator



JONI K. ERNST
United States Senator



LINDSEY O. GRAHAM
United States Senator



MIKE CRAPO
United States Senator



JOHN THUNE
United States Senator



TODD YOUNG
United States Senator



PAT TOOMEY
United States Senator



RAND PAUL, M.D.
United States Senator



SHELLEY MOORE CAPITO
United States Senator



CINDY HYDE-SMITH
United States Senator



MARCO RUBIO
United States Senator



BEN SASSE
United States Senator



STEVE DAINES
United States Senator



RICK SCOTT
United States Senator



DEB FISCHER
United States Senator



RICHARD BURR
United States Senator