

**Congress of the United States**  
Washington, DC 20510

SEPTEMBER 15, 2021

The Honorable Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Madam Chairwoman Maloney:

We write requesting the House Committee on Oversight and Reform hold a hearing on the operational capacity of certain United States Federal Agencies as it pertains to their duty to process the requests of American citizens in a timely and efficient manner.

The Biden-Harris Administration in partnership with the Office of Management and Budget (OMB), the Office of Personnel Management (OPM), and the General Services Administration (GSA) released a memorandum on June 10<sup>th</sup>, 2021 outlining the procedures for a safe return of Federal employees and contractors to the physical workplace. OMB Memorandum M-21-25 stipulates that “[a]gencies should continue to update...policies and procedures to align with current guidance from the Task Force and CDC”.<sup>1</sup> The current Centers for Disease Control and Prevention guidelines for workplace safety with respect to COVID-19 include recommendations for proper ventilation, cleaning and disinfecting, testing, and mitigation and prevention.<sup>2</sup> These guidelines **do not recommend a continued shut down of in-person services** or encourage any lock-down or halt in normal operating capacities.

If OMB, OMP, and GSA are calling on Federal Agencies to comply with CDC guidelines then why do thousands of Social Security Administration offices (SSA) remain closed to in-person services? For over 15 months, the SSA has continued its shut-down of in-person services while requiring thousands of American citizens to mail them documents, like a driver’s license, that are needed for everyday life. Likewise, elderly Americans attempting to make corrections on their Medicare deductions from Social Security Income have been completely sidelined, left without a response and without essential documents for months on end. The Veterans Affairs backlog has

---

<sup>1</sup> *M-21-25: Memorandum for the Heads of Executive Departments and Agencies*. June 10, 2021. Found Here: <https://www.whitehouse.gov/wp-content/uploads/2021/06/M-21-25.pdf>

<sup>2</sup> *Workplaces and Businesses*. Centers for Disease Control and Prevention. August 25, 2021. Found Here: <https://www.cdc.gov/coronavirus/2019-ncov/community/workplaces-businesses/index.html>

risen to its highest since 2014 with over 181,000 claims<sup>3</sup>. Pensioners and beneficiaries, including disabled veterans, have been needlessly neglected due to the reduced operational capacity of federal agencies. Antiquated methods, absence of on-site staff, and the amassing backlog of casework in these agencies are chilling the public's trust in our government. Oversight of this issue is immediately needed, and we implore you, Chairwoman Maloney, for the sake of the public service, to hold a hearing on this matter that a resolution may be found. These are real issues affecting everyday Americans and limiting their ability to work, travel, and receive medical care.

The current nationwide operating status for Federal Executive Agencies, as per the Office of Personnel Management, is "open with maximum telework flexibilities to all current telework eligible employees, pursuant to direction from agency heads."<sup>4</sup> This operating status has outlived its usefulness to protect federal employees and is now causing a serious strain on the American public. During the height of the COVID-19 pandemic, halting in-person meetings, expanding telework, and focusing on emergency cases was a negotiable policy. Now, as of August 26, 2021, the CDC sites 73.5% of adults in the United States have been vaccinated, 172.2 million fully vaccinated, and over 365 million vaccine doses administered.<sup>5</sup> Additionally, we know that vaccinations provide a high degree of protection against known strains of the Coronavirus.<sup>6</sup> Are federal agencies aware of these facts? If so, their current conduct is a dereliction of duty.

Furthermore, the agencies heads have expressly stated, in M-21-25:

[P]rior to increasing the number of employees in the physical workplace, an agency must complete its phased plan for reentry and post-reentry, ensure it has an updated COVID-19 workplace safety plan pursuant to current CDC guidelines, satisfy any applicable collective bargaining obligations, and provide ample notice to any affected employees. An agency may, on a limited basis, increase the number of employees or contractors in the physical workplace prior to taking one of those steps where necessary to meet urgent, mission-critical needs—any such action must be approved by the head of the agency, in consultation with OMB and OPM.

The OPM and the OMB have clearly outlined a pathway to increased physical workplace attendance. Every federal agency should be actively pursuing to meet these standards and increase their physical staff. It is reasonable for this Committee to seek answers to the following questions from the Office of Management and Budget, the Office of Personnel Management, and

---

<sup>3</sup> *Veterans Benefit Administration Reports, Claims Backlog*. U.S. Department of Veterans Affairs. September 2021. Found Here: [https://www.benefits.va.gov/reports/mmwr\\_va\\_claims\\_backlog.asp](https://www.benefits.va.gov/reports/mmwr_va_claims_backlog.asp)

<sup>4</sup> *Operating Status, Current Status*. Office of Personnel Management. August 25, 2021. Found Here: <https://www.opm.gov/policy-data-oversight/snow-dismissal-procedures/current-status/>

<sup>5</sup> COVID Data Tracker: COVID-19 Vaccinations in the United States. Centers for Disease Control and Prevention. August 26, 2021. Found Here: [https://covid.cdc.gov/covid-data-tracker/#vaccinations\\_vacc-total-admin-rate-total](https://covid.cdc.gov/covid-data-tracker/#vaccinations_vacc-total-admin-rate-total)

<sup>6</sup> COVID-19 Vaccine Effectiveness. Centers for Disease Control and Prevention. August 16, 2021. Found Here: <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/effectiveness/how-they-work.html>

The Honorable Carolyn Maloney

SEPTEMBER 15, 2021

Page 3 of 4

the General Services Administration. As well as any federal agency that has a duty to exact quality and timely services to taxpaying Americans.

- How many agencies have submitted a reentry and post-reentry plan?
- Has the Social Security Administration adopted all necessary plans, followed guidelines, and increased physical workplace staff?
- Do teleworking employees have the necessary equipment, access to online files, and programs to effectively execute their daily duties?
- What, if any, is the delay in producing reentry and post-reentry plans?
- What expeditious actions must be taken to amend their physical workplace staffing issues?
- Are agencies aware of the burden they are placing on American citizens?
- Are agencies aware that in certain cases they are forcing Americans to break state laws? Namely, in cases where a new Social Security Card has been requested and customers must send in their driver's license and are then forced to be without a driver's license until their case has fully been addressed.

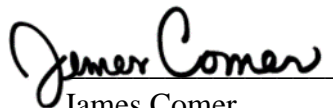
We have more questions to ask on behalf of our constituents that we believe will provide us with the understanding necessary to properly oversee relevant federal agencies. We respectfully request a full Committee Hearing on this matter.

Thank you for your attention to this important request.

Sincerely,



Pat Fallon  
Member of Congress



James Comer  
Ranking Member  
Oversite and Reform Committee



Jake LaTurner  
Member of Congress



Pete Sessions  
Member of Congress



Paul A. Gosar, D.D.S.  
Member of Congress



Ralph Norman  
Member of Congress



Jody Hice  
Member of Congress



Michael Cloud  
Member of Congress



Fred Keller  
Member of Congress



Andrew Clyde  
Member of Congress