



AMERICANS FOR LIMITED GOVERNMENT

10332 MAIN STREET, BOX 326 · FAIRFAX, VA 22030 · PHONE: 703.383.0880 · FAX: 703.383.5288 · WWW.GETLIBERTY.ORG

December 11, 2018

House Speaker Paul Ryan
H-232 The Capitol
Washington, DC 20515

Senate Majority Leader Mitch McConnell
317 Russell Senate Office Building
Washington, DC 20510

Dear Members,

With Nancy Pelosi poised to take over as House Speaker in January, the December funding bills represent the last chance for Congressional Republicans to drain the swamp by funding their agenda and setting policy priorities while still having majorities in both chambers of Congress.

One such opportunity is the MERIT Act, H.R. 559 and S. 3200 respectively, which expedites the firing of bad federal employees. It applies the same reforms that were enacted at the Department of Veterans Affairs, and sets them as the standard for all federal employees, who currently do not believe they can ever be fired. Since the VA Accountability and Whistleblower Act (which the House Committee passed version of the MERIT Act mirrors) became law, for cause firings increased at the VA by 26 percent.¹

To get this across the finish line, the House Oversight and Government Reform Committee passed language for H.R. 559 needs to be attached as a rider to the December spending bills. There's no other way to pass it under regular order.

Under current civil service rules, it can take years just to complete a single firing. Under the VA reforms and the MERIT Act should it pass, that process is sped up.

According to data compiled via the Office of Personnel Management's FedScope the federal workforce maintains a separations rate of 3.37 percent.² Conversely, data from the Bureau of Labor Statistics JOLT Survey reveal private sector separations average 17.27 percent annually.³

Making matters worse, FedScope reveals the termination for cause rate within the public sector is a mere 0.53 percent. This means public sector employees have a 99.47 percent chance of never being fired for cause. That is simply pathetic.

Congress can do better, and Congress has done better. Under the VA reforms, firings were up initially by 26 percent while preserving the rights to due process under the civil service system. Taxpayers have a right to expect that lazy and incompetent federal employees be discharged rather than being able to effectively retire in place due to the difficulty in removing them from their positions.

¹ <http://algresearch.org/2018/09/abuse-and-inefficiency-rampant-within-u-s-civil-service/>

² <https://www.fedscope.opm.gov>

³ https://www.bls.gov/news.release/archives/jolts_11062018.htm

Congress needs to pass a MERIT Act rider now; as it will become exponentially harder when Nancy Pelosi has the Speaker's gavel.

Sincerely,

A handwritten signature in black ink that reads "Rick Manning". The signature is written in a cursive style with a large, sweeping initial "R" and a distinct "M" and "Manning" following.

Rick Manning
President
Americans for Limited Government

CC: House and Senate Republican Conferences