

MEMORANDUM

To: FMA Regional Directors

From: Greg Stanford and Katie Maddocks

Re: FMA Government Affairs Update for June 2015

Date: July 13, 2015

The purpose of this memorandum is to provide a brief narrative and status of ongoing government relations and public affairs activities the FMA government relations department worked on in June 2015 on behalf of FMA members. Please share this information with chapter presidents, legislative action team leaders and others in your region.

OPM Data Breach

On June 4, the Office of Personnel Management (OPM) announced that over four million current and retired federal employees' personally identifying information (PII) was compromised by a cyber data breach against personnel data systems. Those whose data was stolen would be notified either via e-mail or post, and would be offered 18 months of free credit monitoring from CSID, a private company that provides identity and fraud protection.

In the following weeks, it was discovered more were affected and there was a second breach, in which data from security clearance forms, SF-86, SF-85, and SF-85P was stolen. This included data not only on current and retired federal employees, but also separated and prospective employees as well as their family members. This includes Social Security Numbers, residency and employment history, personal information of family members, as well as personal and business associates, criminal and financial history, and in some cases, fingerprints. It is estimated that now the data breaches affects more than 22million people. In response, the Federal Managers Association (FMA) issued letters to OPM, President Barack Obama, and Congress, calling for better protections offered to those whose data was jeopardized, and to hold those accountable responsible for their negligence.

FMA Action on the breach:

- FMA wrote OPM Director Katherine Archuleta, calling upon OPM to provide the following: lifetime credit monitoring for all current, separated, retired, and perspective federal employees and their families; guidance to federal departments and agencies on how government time and resources can be used by those affected to set up credit monitoring offered by OPM without the employee being penalized; and, the address those responsible for the breach and hold them accountable.

- FMA wrote a similar letter to all Senators on the Homeland Security and Governmental Affairs Committee (HSGAC).
- FMA, along with other federal employee groups on the Federal-Postal Coalition, issued a letter to President Barack Obama on the matter.
- FMA Director of Government Affairs Greg Stanford attended at face-to-face sit down meeting with OPM Director Archuleta and OMB Deputy Director for Management Beth Cobert.
- FMA Government Affairs Representative requested OPM officials include the data breach be addressed at the July 15 meeting of the National Council on Federal Labor-Management Relations.
- FMA will continually update the FMA website on any new data and contact information for FMA members to see if their PII was compromised and how they can sign up for credit monitoring.

Questions For the Record

As noted in the last Government Affairs Update, National President Niehaus testified before the HSGAC Subcommittee on Regulatory Affairs and Federal Management on May 20. In June, Subcommittee Chairman James Lankford (R-OK) and Subcommittee Ranking Member Heidi Heitkamp (D-ND) submitted additional questions for the record (QFR).

Chairman Lankford requested an expansion on the idea of a dual track personnel system that allows for technical and management development, on which Pat provided oral testimony.

Ranking Member Heitkamp requested more information on issues of recruitment and retention; quick separation among younger federal employees; and, Pat's experience with NSPS--what she found beneficial, and what she found to be disadvantageous.

HSGAC Markup

On 24 Jun 15, HSGAC marked up and voted on multiple pieces of legislation impacting the Federal workforce:

- S. 742, Stop Wasteful Federal Bonuses Act, introduced by Senators Kelly Ayotte (R-NH) and Claire McCaskill (D-MO), which prohibits a federal agency from awarding a bonus to any employee for five years after the end of a fiscal year in which the Inspector General of the agency or another senior ethics official or the Comptroller General makes an adverse finding relating to the employee. Requires repayment of a bonus awarded in any year in which an adverse finding is made. FMA and the Federal-Postal Coalition both issued letters in opposition. This bill passed committee, with only Senator Jon Tester (D-MT) voting against it.

- S. 1550, Program Management Improvement Accountability Act, introduced by Senators Joni Ernst (R-IA) and Heidi Heitkamp, which calls for government wide standards, policies, and guidelines for program and project management for executive agencies. FMA wrote a letter in support and the bill passed committee.
- S. 1580, Competitive Service Act, introduced by Senators Jon Tester and Rob Portman (R-OH), which calls for federal agencies to review and select job candidates from other federal agencies' "best qualified list" of applicants, cutting down on duplication for applicants who have already undergone a competitive assessment process and are certified as eligible for selection. FMA wrote a letter of support and has been working with the Partnership for Public Service on the legislation. President Niehaus also endorsed this legislation in her testimony before the HSGAC Subcommittee in May. The bill passed committee.

Administrative Leave

In a June 9 letter to OPM, FMA called upon then-Director Katherine Archuleta for better reforms to administrative leave. The Government Accountability Office issued a report which found the federal government spent more than \$3 billion on salaries for those on administrative leave between fiscal years 2011-2013. FMA recommended that OPM institute a time limit to complete investigations and shorten the length of leave. Additionally, FMA commented that unless the employee poses an immediate security risk, they should remain working.