

January 30, 2017

The Honorable Jason Chaffetz
Chairman
Committee on Oversight & Government Reform
U.S. House of Representatives
Washington, DC 20515

The Honorable Elijah Cummings
Ranking Member
Committee on Oversight & Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Chaffetz and Ranking Member Cummings:

On behalf of the undersigned organizations, we write to express our support for H.R. 559, the Modern Employment Reform, Improvement, and Transformation Act (MERIT), introduced by Rep. Barry Loudermilk (R-Ga). By establishing an alternative dismissal protocol that enables agency management to more easily dismiss poorly performing civil service employees, the MERIT Act will decrease waste and inefficiency in our federal agencies while improving government accountability.

Under current federal law, it often takes more than 300 days to dismiss and replace a federal employee who underperforms or engages in misconduct. Because the process for dismissing civil service employees is both expensive and arduous, agencies often choose to retain bad employees or transfer them to other posts rather than initiate difficult termination proceedings. A 2015 Government Accountability Office (GAO) report found that only .18 percent of the federal work force was fired for poor performance or bad conduct during the previous year. In the private sector, employees are *expected* to work hard and maintain high performance standards to keep their jobs. It is thus indefensible that federal employees are, in effect, granted professional life tenure. This fosters a culture of low morale and productivity and undermines the good work done by the vast majority of civil service employees who work hard.

Under the provisions of the MERIT Act, if an agency head determines an employee's conduct warrants removal, he or she must provide the employee with 7-14 days' notice, allowing the employee an opportunity to respond to the merits of the



termination. Terminated civil service employees retain the right to appeal their removal and remain shielded by whistleblower protections currently in federal law.

The alternative dismissal protocol outlined in the MERIT Act has already been enacted for senior officials at the Department of Veterans Affairs with promising results. By extending it to all federal employees, we can cut down on corruption and inefficiency in our government agencies so that they can better carry out their mission to serve the American people.

Sincerely,

R Street Institute
Council for Citizens Against Government Waste
Americans for Tax Reform
Campaign for Liberty
FreedomWorks
Less Government
National Taxpayers Union
Taxpayers Protection Alliance