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ONE HUNDRED TWELFTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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March 1, 2012

The Honorable John Berry
Director
U.S. Office of Personnel Management
1900 E Street, N.W.
Washington, D.C. 20415

Dear Director Berry:

The Presidential Management Fellowship Program (formerly the Presidential Management Internship) is the flagship leadership development program for advanced degree candidates entering the federal government. Since President Jimmy Carter established the Program through Executive Order 12008¹ in 1977, the Program has selected and trained thousands of outstanding individuals for a future in public service. Many of these Fellows go on to hold some of the most important leadership roles in the executive branch.

The approximately 500 graduates selected each year as Fellows not only bring new energy and talent into the agencies in which they work, they also serve a vital role in agency succession planning. As the Office of Personnel Management (OPM) states in its mission statement, we need to recruit and retain a world-class workforce to serve the American people; the Program helps the government meet that mission.

Unfortunately, recent problems with OPM's administration of the Program threaten its prestige and the government's ability to recruit future Fellows.

- On January 23, 2012, OPM mistakenly sent 300 semifinalists, who had not qualified as finalists, emails congratulating them on their acceptance into the

¹ United States. Executive Office of the President. *Executive Order 12008 - Presidential Management Intern Program*. By President Jimmy Carter. *The American Presidency Project*. 25 Aug. 1977. <<http://www.presidency.ucsb.edu/ws/index.php?pid=7993#axzz11zd0xu3N>>.

Program.² OPM sent follow-up, form emails that apologized for the “uncertainty this may have caused” applicants.

- On November 1, 2011, OPM sent out blank emails that did not identify whether or not applicants qualified for the in-person assessment.
- Between October 7 and October 10, 2011, qualified applicants could not access the online assessment.³

These errors have caused real harm to applicants – some had even made plans to attend the PMF Job Fair in Washington, DC.

One applicant, whom OPM mistakenly congratulated on being accepted into the Program, told a reporter, “As someone who is dedicated to public service, I was really excited when I was named a finalist, and devastated when OPM told me the next day that I was not actually a finalist. However, I may have dodged a bullet, because this incident really highlights the incompetence, inefficiency, disorganization and lack of accountability of the PMF program.”

Another applicant wrote, “I wonder if those in the PMF office have any idea how heart-wrenching it is for applicants to deal with such uncertainty. For a program focused on management, it seems kind of strange that they seem to have information management /communications problems every year.”

Such sentiments are not only representative of the frustration and disappointment applicants experienced; they also negatively impact the federal government’s ability to recruit future fellows and ultimately, our ability to serve the American people.

The Committee is concerned that these problems are indicative of larger IT failures within OPM, which include Retirement Modernization and USAJobs.gov. Further, these technology issues come a year after OPM increased the “appointment reimbursement fee” it charges other agencies to \$7,000⁴ per Fellow hired. The

² Winter, Jana. “Prestigious Federal Fellows Program Mistakenly Sends Acceptance Emails to 300 Applicants Who Were Rejected Read More: <http://www.foxnews.com/politics/2012/02/09/prestigious-fed-program-pulls-vassar/#ixzz1mH7pgYIN>.” *FoxNews.com*. Fox News Network, 9 Feb. 2012. Web. <<http://www.foxnews.com/politics/2012/02/09/prestigious-fed-program-pulls-vassar/>>.

³ Weblog comment. *Presidential Management Fellows Program (Facebook Page)*. Office of Personnel Management. Web. <<https://www.facebook.com/PMFProgram>>.

⁴ United States. Office of Personnel Management. *Presidential Management Fellow Program. Hiring a Presidential Management Fellow (PMF) Fact Sheet*. Web. 9 Feb. 2012. <http://pmf.gov/media/979/hiring_a_pmf_factsheet_04-06-11_final.pdf>.

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Committee assumed that the revenue generated from these increased intergovernmental fund transfers could have gone towards the prevention of the above mentioned problems.

The Committee is also concerned that OPM is not successfully educating agencies on how to effectively utilize Fellows. Alumni, current fellows, and applicants still express the following concerns, which were first identified by the U.S. Merit Systems Protection Board in 2001⁵:

- A lack of consensus on the Program's purpose.
- OPM doesn't sufficiently demonstrate (especially to applicants) the validity and fairness of its assessment process.
- Training, development, and work assignments sometimes fall short of the Program's objectives.

Given the importance of the Program as part of the government's ability to successfully recruit and retain top talent from our nation's best graduate schools, I write to request the below information.

1. A description of all issues that may have adversely affected a candidate's ability to apply for the Program and what specific actions OPM took to remedy those issues.
2. A timeline for any changes to the PMF program (including new pending program regulations that affect Student Pathways).
3. A list of training or training materials OPM provides Agency PMF Coordinators to help them better administer the Program within their own agencies.
4. A description of what, if any, steps OPM takes to:
 - a. Qualify an individual as an Agency PMF Coordinator.
 - b. Ensure that Agency PMF Coordinators provide adequate guidance and supervision of the Program and Fellows within their respective agencies.
5. The retention rate for Fellows (compared to all new employees, all new employees hired directly from college or graduate school, and all employees in general).

⁵ United States. Merit Systems Protection Board. *Growing Leaders: The Presidential Management Intern Program - A Report to the President and the Congress of the United States*. By Beth Slavet. 2001. Print.

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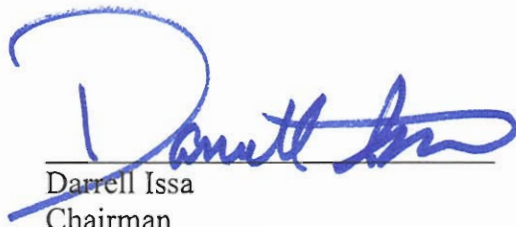
6. A list of formal complaints received by OPM regarding the Program.

We respectfully request that you provide the requested information no later than April 13, 2012.


The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and may at "any time" investigate "any matter" as set forth in House Rule X. An attachment to this letter provides additional information about responding to the Committee's request.

If you have any questions about this request, please contact Jennifer Hemingway of the Committee staff at (202) 225-5074. Thank you for your prompt attention to this matter.

Sincerely,



Darrell Issa
Chairman



Dennis Ross
Chairman, Subcommittee on Federal
Workforce, U.S. Postal Service and
Labor Policy

Enclosure

cc: The Honorable Elijah E. Cummings, Ranking Minority Member

The Honorable Stephen Lynch, Ranking Minority Member
Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy

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Responding to Committee Document Requests

1. In complying with this request, you should produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Requested records, documents, data or information should not be destroyed, modified, removed, transferred or otherwise made inaccessible to the Committee.
2. In the event that any entity, organization or individual denoted in this request has been, or is also known by any other name than that herein denoted, the request shall be read also to include that alternative identification.
3. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, or thumb drive) in lieu of paper productions.
4. Documents produced in electronic format should also be organized, identified, and indexed electronically.
5. Electronic document productions should be prepared according to the following standards:
 - (a) The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
 - (b) Document numbers in the load file should match document Bates numbers and TIF file names.
 - (c) If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.

6. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, box or folder is produced, each CD, hard drive, memory stick, thumb drive, box or folder should contain an index describing its contents.
7. Documents produced in response to this request shall be produced together with copies of file labels, dividers or identifying markers with which they were associated when they were requested.
8. When you produce documents, you should identify the paragraph in the Committee's request to which the documents respond.
9. It shall not be a basis for refusal to produce documents that any other person or entity also possesses non-identical or identical copies of the same documents.
10. If any of the requested information is only reasonably available in machine-readable form (such as on a computer server, hard drive, or computer backup tape), you should consult with the Committee staff to determine the appropriate format in which to produce the information.
11. If compliance with the request cannot be made in full, compliance shall be made to the extent possible and shall include an explanation of why full compliance is not possible.
12. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.
13. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (stating its date, author, subject and recipients) and explain the circumstances under which the document ceased to be in your possession, custody, or control.
14. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you should produce all documents which would be responsive as if the date or other descriptive detail were correct.
15. The time period covered by this request is included in the attached request. To the extent a time period is not specified, produce relevant documents from January 1, 2009 to the present.
16. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data or information, not produced because it has not been located or discovered by the return date, shall be produced immediately upon subsequent location or discovery.

17. All documents shall be Bates-stamped sequentially and produced sequentially.
18. Two sets of documents shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2471 of the Rayburn House Office Building.
19. Upon completion of the document production, you should submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control which reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, email, regular mail, telexes, releases, or otherwise.
3. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might

otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.

4. The terms "person" or "persons" mean natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, or other units thereof.
5. The term "identify," when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.
6. The term "referring or relating," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is pertinent to that subject in any manner whatsoever.