

2017-01-10 JEC to 18 Agencies - Agency Hiring (18 letters) sent to:

Position	First Name	Last Name	Agency
Secretary	Thomas J.	Vilsack	U.S. Department of Agriculture
Secretary	Penny	Pritzker	U.S. Department of Commerce
Secretary	Ashton B.	Carter	U.S. Department of Defense
Secretary	John B.	King, Jr.	U.S. Department of Education
Secretary	Ernest	Moniz	U.S. Department of Energy
Secretary	Julian	Castro	U.S. Department of Housing and Urban Development
Secretary	Thomas E.	Perez	U.S. Department of Labor
Secretary	John F.	Kerry	U.S. Department of State
Secretary	Sally	Jewell	U.S. Department of the Interior
Secretary	Jacob J.	Lew	U.S. Department of Treasury
Secretary	Anthony	Foxx	U.S. Department of Transportation
Secretary	Robert	McDonald	U.S. Department of Veteran Affairs
Administrator	Gina	McCarthy	U.S. Environmental Protection Agency
Administrator	Denise Turner	Roth	U.S. General Services Administration
Administrator	Maria	Contreras-Sweet	U.S. Small Business Administration
Secretary	Jeh C.	Johnson	U.S. Department of Homeland Security
Attorney General	Loretta E.	Lynch	U.S. Department of Justice
Director	Shaun	Donovan	U.S. Office of Management and Budget

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074
MINORITY (202) 225-5051

<http://oversight.house.gov>

January 10, 2017

The Honorable Sally Jewell
Secretary
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Madam Secretary:

Federal agencies are accelerating the hiring of civil service positions and compressing hiring timelines in anticipation of a possible hiring freeze in 2017, according to a recent news account.¹ The report states that certain agencies are “racing” to fill vacancies after advertising jobs “for periods of as little as five to six days.”² In fact, federal job postings in the last two months of 2016 rose 16 percent compared to the last two months of 2015.³ In contrast, the Office of Personnel Management (OPM) establishes a 45-day hiring model between a vacancy announcement and making a job offer.⁴ Such reports raise questions. The Department cannot disregard the merit principles undergirding the civil service for political considerations. Hiring decisions must be legitimate, justified, and free from political influence.

The hiring push described in the report is borne out by data on the federal government’s official employment site, usajobs.gov. These new job postings, however, come with strings attached that contravene the merit principles of civil service. For instance, several agencies posted job openings for as little as two weeks —during the holidays.⁵ The accelerated hiring timelines create the appearance that some federal

¹ Lisa Rein and Juliet Eilperin, *Federal agencies rush to fill job openings before Trump takes office Jan. 20*, WASH. POST, Dec. 31, 2016, https://www.washingtonpost.com/powerpost/federal-agencies-rush-to-fill-job-openings-before-trump-takes-office-jan-20/2016/12/30/de0c1030-cdd8-11e6-a747-d03044780a02_story.html?utm_term=.993ddf0c0b2.

² *Id.*

³ *Supra* note 1.

⁴ *Office of Personnel Mgmt Frequently Asked Questions*, <https://www.opm.gov/faqs/topic/employment/?cid=5d9058d6-78fb-42a2-9d2a-9d14c22982f0&page=2> (last visited Jan. 4, 2017).

⁵ Federal jobs available in and around Washington, D.C., USAJOBS.GOV, <https://www.usajobs.gov> (search “Washington, D.C.” in “Location” search field). For example, the Department of Labor posted a GS-15

agencies are pushing to fill as many slots as possible without regard for identifying and hiring the most qualified applicants. Additionally, more than half of the jobs available in the Washington, D.C., area are not available to applicants from outside the federal government.⁶ This restriction favors current federal employees at the expense of applicants from the public.

To help the Committee understand your agency's recent hiring practices, please provide the following documents and information:

1. A list of all job openings, GS-13 and higher, announced since November 9, 2016. For each position, include:
 - a. the job announcement, including name and grade of the position;
 - b. the description of the position, including any necessary skills and qualifications;
 - c. the number of applicants;
 - d. whether the position was a competitive service position, and if so, the number of individuals that were on the certification list for each such position; and
 - e. the date of hire.
2. All documents submitted to OPM referring or relating to employee hiring after November 9, 2016, including any and all documents seeking Direct-Hire Authority or approval to convert non-career political staff to career positions; and
3. For each GS-13 position opening during calendar year 2015, please identify the number of days between the vacancy announcement and the date the Department selected a candidate.

level position on December 22, 2016 that closed twelve days later. Similarly, the Bureau of Land Management posted a GS-15 level position on December 22, 2016 that closed two weeks later.

⁶ Federal jobs available to non-federal employees in and around Washington, D.C., USAJobs.gov, <https://www.usajobs.gov> (search for jobs "Open to the Public" in "Washington, D.C."). On Jan. 3, 2017, a search for jobs open to the public in Washington, D.C. returned 999 openings, whereas jobs open to "Federal Employees" in Washington, D.C. returned 2,006 openings.

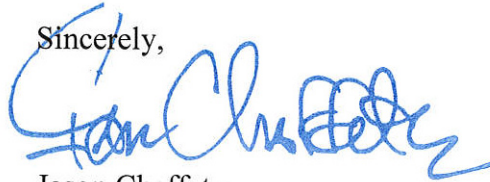
The Honorable Sally Jewell
January 10, 2017
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Please produce this information to the Committee by no later than 5:00 p.m. on January 19, 2017. When producing documents to the Committee, please deliver production sets to the Majority staff in Room 2157 of the Rayburn House Office Building and the Minority staff in Room 2471 of the Rayburn House Office Building. The Committee prefers, if possible, to receive all documents in electronic format. An attachment to this request provides additional information about responding to the Committee's request.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X.

Please contact Drew Feeley of the Committee staff at (202) 225-5074 with any questions about this request. Thank you for your prompt attention to this matter.

Sincerely,



Jason Chaffetz
Chairman

Enclosure

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

[Create an account](#) to get started — build your profile, create or upload resumes and apply for jobs.

Division Chief (Public Affairs)

BUREAU OF LAND MANAGEMENT

Agency Contact Information

1 vacancy in the following location:

Washington DC, DC

Work Schedule is Work Schedule is Full Time. -
This is a permanent position.

Opened Thursday 12/22/2016
(12 day(s) ago)

Closes Thursday 1/5/2017
(2 day(s) away)

Salary Range

\$128,082.00 to \$160,300.00 / Per Year

Series & Grade

GS-1035-15/15

Promotion Potential

15

Supervisory Status

Yes

Who May Apply

- All current or former federal employees with competitive/reinstatement eligibility;
- CTAP and ICTAP eligibles within the local commuting area;
- [Veteran Employment Opportunity Act \(VEOA\) eligibles](#);
- All former PLC members who within the past 120 days have completed all requirements of a creditable PLC project;
- Current or former time-limited employees eligible under PL-114-47, [Land Management Workforce Flexibility Act \(LMWFA\)](#) ; and
- [Persons eligible under Special Hiring Authorities](#).

Control Number

460691600

Job Announcement Number

WO Merit-2017-0062

Print

Save

Apply

Job Overview

Summary

[About the Agency](#)

Explore a new career with the BLM - where our people are our greatest natural resource. For additional information about the BLM, please visit [Our website](#).

This position reports to the Communications Directorate (WO-600) in Washington, DC. Information

[Create an account](#) to get started — build your profile, create or upload resumes and apply for jobs.

Chief of Staff

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

Agency Contact Information

1 vacancy in the following location:

Washington DC, DC

Work Schedule is Full-time - Permanent

Opened Thursday 12/22/2016

(12 day(s) ago)

Closes Tuesday 1/3/2017

(0 day(s) away)

Salary Range

\$128,082.00 to \$160,300.00 / Per Year

Series & Grade

GS-0301-15/15

Promotion Potential

15

Supervisory Status

Yes

Who May Apply

All current, federal Department of Labor employees with competitive status. CTAP eligibles in the local commuting area. Qualified Land Management Eligibles.

Control Number

460563200

Job Announcement Number

MS-17-HRC-OF-106

Print

Save

Apply

Job Overview

Summary

[About the Agency](#)

DOL seeks to attract and retain a high performing and diverse workforce in which employees' differences are respected and valued to better meet the varying needs of the diverse customers we serve. DOL fosters a diverse and inclusive work environment that promotes collaboration, flexibility and fairness so that all individuals are able to participate and contribute to their full potential.

This position is located in the Office of the Director, Office of Federal Contract Compliance Programs (OFCCP) within the Department of Labor (DOL) located in Washington, DC. The mission of OFCCP is to enforce, for the benefit of job seekers and wage earners, the contractual promise of affirmative action and equal employment opportunity required of those who do business with the Federal government.

This position is located in the immediate Office of the Director and if selected you will serve in a close and confidential working relationship with the Director and other managers within OFCCP concerning all program and administrative issues.

Responding to Committee Document Requests

1. In complying with this request, you are required to 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.
 - (d) All electronic documents produced to the Committee should include the following fields of metadata specific to each document:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH,
PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE,
SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM,
CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE,
DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,
INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,
BEGATTACH.
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 the request was served.
8. When you produce documents, you should identify the paragraph in the Committee's schedule 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 by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
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 are required to produce all documents which would be responsive as if the date or other descriptive detail were correct.
15. Unless otherwise specified, the time period covered by this request is 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 (desktop or mobile device), text message, instant message, MMS or SMS message, 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.
7. The term “employee” means agent, borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, permanent employee, provisional employee, subcontractor, or any other type of service provider.