

NOMINATION OF HOWARD C. WEIZMANN

HEARING

BEFORE THE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS UNITED STATES SENATE

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

ON THE

NOMINATION OF HOWARD C. WEIZMANN TO BE DEPUTY DIRECTOR,
U.S. OFFICE OF PERSONNEL MANAGEMENT

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NOMINATION OF HOWARD C. WEIZMANN

TUESDAY, MAY 1, 2007

U.S. SENATE,
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 9:38 a.m., in room 342, Dirksen Senate Office Building, Hon. Daniel K. Akaka, presiding.

Present: Senators Akaka and Voinovich.

OPENING STATEMENT OF SENATOR AKAKA

Senator AKAKA. The hearing will come to order. I want to say good morning to all of you, family and friends as well.

Today, the Committee on Homeland Security and Governmental Affairs meets to consider the pending nomination of Howard Weizmann to be Deputy Director of the Office of Personnel Management.

Mr. Weizmann is a native of Ohio and a graduate of Ohio University and the University of Michigan. He also earned a law degree from Georgetown University. Mr. Weizmann is a former executive of Watson Wyatt, a global consulting firm focusing on human capital and management issues. He currently heads the Private Sector Council at the Partnership for Public Service, which brings leaders from America's top companies together with Federal decisionmakers to improve the management, efficiency, and productivity of Federal agencies.

I want to welcome you, Mr. Weizmann, and your family and to congratulate you on your nomination. I know your family is here, for the record and for those who are present, may I ask you to introduce your family.

Mr. WEIZMANN. Thank you, Mr. Chairman. This is my lovely wife of 37 years, Jane Weizmann. This is my soon-to-be son-in-law, Ernest Voyard, my daughter, Brooke Weizmann, and my daughter, Haley Weizmann, and they are delighted to be here, I can assure you.

Senator AKAKA. Thank you so much, and welcome to your family here.

I believe each of us is here today because we care a great deal about improving the strength of the Federal workforce and supporting its ability to meet the various missions of all agencies. If confirmed, you will be central to carrying out Director Springer's operational plan and ensuring implementation of human capital strategies throughout the Federal Government.

Senator Voinovich and I have dedicated a considerable amount of time to addressing the human capital challenges in the Federal workforce, and I would tell you that I consider Senator Voinovich as a leader in that respect. We have listened to the needs and concerns of employee and management groups. We have heard the Administration's requests to provide greater workforce flexibilities to agencies and their proposals to carry out the largest civil service reform effort in more than 25 years.

If confirmed, your role with OPM is, no question, vital to the success of all of our collective efforts. The Federal Government is at a pivotal time in its history. Not since the Civil Service Reform Act of 1978 has its workforce undergone so many fundamental reforms. The new personnel systems underway at the Department of Defense and the Department of Homeland Security have struggled to get off the ground. Federal courts have questioned the fairness of the appeals system at both agencies and have enjoined each agency's regulations relating to collective bargaining.

Furthermore, both DHS and DOD, in addition to the Senior Executive Service, are implementing new pay-for-performance systems. My concerns with pay-for-performance are well known. As agencies continue to face diminished budgets that impact employee training and incentive programs, I fail to see how agencies will be able to properly train managers and employees on how to measure performance and make meaningful distinctions in performance, nor do I see how they will guarantee sufficient funds for performance bonuses or pay increases. Without strong training, there are no guarantees that employees will have fair and transparent appraisal systems. We need to get these systems right before we can move forward with broad sweeping reforms at other agencies.

Another issue facing the Federal Government is the fact that a generation of talented, knowledgeable, and dedicated civil servants is on the brink of retirement. A wave of new employees with similar aspirations but new expectations is ready to take on the call to service. The upcoming generation may not expect to work in the Federal Government for their entire career. It is the responsibility of OPM to help agencies implement management flexibilities and create an attractive work environment.

One reason I feel so strongly about this is that Senator Voinovich and I have successfully moved forward a number of significant workforce flexibilities. Unfortunately, as the Government Accountability Office recently reported, the use of these flexibilities by agencies is uneven. It will be up to you and Director Springer to help agencies find the ways of best utilizing these tools.

I am sure your many years of private sector experience will enhance our public sector management, and I am encouraged by your strong commitment to address the human capital challenges within the Federal workforce. The Federal Government is 1.8 million employees strong. In this role, you will be responsible for their rights, their paychecks, and their effectiveness as a workforce.

I look forward to working with you and hope that we can work together to address the challenges of the modern Federal workforce.

Before I call on my good friend and partner on human capital issues, Senator Voinovich, for his statement, I just want to note

that Senator Voinovich has been, and I repeat it again, a leader in these issues. I know that he is very interested in the work of OPM and your views on how to make the Federal Government an employer—and he likes to use this—an employer of choice. Senator Voinovich.

OPENING STATEMENT OF SENATOR VOINOVICH

Senator VOINOVICH. Thank you, Senator Akaka. I really appreciate being a part of this hearing. As you know, the two of us have worked for a long time on oversight of the Office of Personnel Management and have been somewhat inspired by the fact that Linda Springer seems to be doing some of the things that we would like her to focus on. We do know that she needs help.

Mr. Weizmann, thank you very much for your willingness to step forward at the end of an administration. I am interested in learning why you decided to step down from a private sector job to work for the government. Maybe you watched and said, instead of continuing to just watch, maybe I can go over there and help Linda Springer. It will be interesting to hear your testimony.

I want to thank your family for the sacrifices that you are going to make and the hours that you are going to put in, particularly since I know that Linda is going to not wind down, but wind up.

Again, I want to thank you for your interest in public service. Next week is Public Service Recognition Week, and I hope, Mr. Chairman, we can move the nomination along expeditiously so Mr. Weizmann can celebrate being part of the team.

I think you know that the Federal workforce has an increasing number of employees eligible to retire. As Senator Akaka has mentioned, we are implementing the new performance management and pay systems for the Senior Executive Service. Although we have had some testimony that it has been uneven, I will say, Senator Akaka, that the Defense Department's conversion of employees to NSPS has been good to date.

I have now visited several bases in Ohio to discuss NSPS, and the feedback is that it is very well received because of the training provided to employees. We are hoping we can get a report back from OPM on some of the unevenness that we have observed with the implementation of the new personnel system for the Senior Executive Service. We would like to get those wrinkles ironed out because if we don't, I am worried the SES system will cast a bad reflection on what we are trying to get done.

Mr. Weizmann, OPM ought to be the model for the rest of the government in terms of human resources and personnel practices. The Director has worked closely with this Committee and has demonstrated her commitment to leading the agency through transformation. OPM has been working with GAO on a series of reports to identify OPM's management challenges. OPM has also involved its employees and stakeholders in publishing a strategic plan with precise goals and target completion dates. Director Springer is very proud of the strategic plan, and I have been given the strong impression from the people that Director Springer works with that the plan was developed by them, not something that Director Springer did on her own, which I think is real important.

Mr. Weizmann, I am impressed with your background. You are a Bobcat, and my gosh, I have got to be for you. The Bobcat is Ohio University's mascot. [Laughter.]

Mr. Weizmann, we are very happy to have you here today and appreciate also your participation and your extracurricular activities, particularly your leadership in your synagogue.

[The prepared statement of Senator Voinovich follows:]

PREPARED STATEMENT OF SENATOR VOINOVICH

Good morning, and thank you Mr. Chairman. It is a pleasure to be here today to hear the testimony from Howard Weizmann, the President's nominee for Deputy Director of the Office of Personnel Management.

Mr. Weizmann, congratulations on your decision to join the honorable profession of public service. As we all know, next week is Public Service Recognition Week. I hope we can move your nomination expeditiously so you can be part of this select group of Americans during next week's celebrations.

The Federal civil service is in the process of a significant transition. We all know too well that the majority of the civil service soon will be eligible to retire. This will leave the government with a considerable knowledge gap within agencies and poses an immense succession planning challenge. In addition, agencies are implementing new performance management and pay for performance systems for the Senior Executive Service. The Department of Homeland Security and Department of Defense are designing new personnel systems to meet their national security missions.

OPM has a vital role to play in ensuring agencies are making strategic human capital management a priority. In addition, OPM has an important operational responsibility to work with Federal departments and agencies to ensure reforms of performance management systems provide employees a fair and transparent system, with meaningful opportunities to enhance communication and improve individual performance. These strategic human capital management challenges also exist for OPM itself. As OPM's role in the Federal Government continues to evolve, its workforce must be structured to tackle these challenges.

OPM Director Linda Springer has worked closely with this Committee and has demonstrated her commitment to leading the agency through the transformation. For example, OPM has been working with the Government Accountability Office on a series of reports to identify the management challenges within OPM itself. OPM also has involved its employees and stakeholders in publishing a strategic plan with precise goals and target completion dates.

Mr. Weizmann, I believe your background, including your experience in human resources, would be a great asset to OPM as it prepares for the challenges that lie ahead.

Thank you Mr. Chairman.

Mr. WEIZMANN. I am delighted to be here, and I thank you.

Senator AKAKA. Thank you, Senator Voinovich.

Mr. Weizmann has filed responses to biographical and financial questionnaires, answered pre-hearing questions submitted by the Committee, and had his financial statements reviewed by the Office of Government Ethics. Without objection, this information will be made a part of the hearing record, with the exception of the financial data. They are on file and available for public inspection at the Committee offices.

Our Committee, Mr. Weizmann, has rules that require that all witnesses at nomination hearings give their testimony under oath, and so I ask you to rise and take the oath. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give this Committee is the truth, the whole truth, and nothing but the truth, so help you, God?

Mr. WEIZMANN. I do.

Senator AKAKA. Thank you very much. Mr. Weizmann, you may proceed with your statement.

TESTIMONY OF HOWARD C. WEIZMANN, NOMINEE TO BE DEPUTY DIRECTOR, U.S. OFFICE OF PERSONNEL MANAGEMENT

Mr. WEIZMANN. Mr. Chairman, thank you. I want to thank you and Ranking Member Voinovich and the Committee for holding today's hearing. I also want to thank the Committee staff for the courteous and professional manner with which I have been treated throughout this process. I want to thank President Bush for the honor of being nominated as Deputy Director of the Office of Personnel Management. Finally, I want to thank OPM Director Linda Springer for her support throughout this process.

As noted, one does not have to be an expert to recognize that demographic trends will dramatically change the face of the Federal workforce. It is no longer news that the Federal Government faces a massive challenge as increasing numbers of older, experienced employees become eligible to retire or leave over the next few years. There is also a widespread belief that in the near future, there will be a lack of skilled workers affecting both the private and public sector. In sum, the demand for qualified workers is likely to exceed the supply.

In this emerging world, Federal employers will have to effectively compete for talent with the private sector. To do so, we need to change widely held perceptions about Federal employment. Surveys indicate that college-age individuals believe that the private sector offers greater opportunity than Federal employment. Private industry also inherently possesses more flexibility than government to structure positions or to employ foreign nationals, avenues generally limited or closed to Federal employers.

But crises also present opportunities, and those are the ones that really do excite me. The talent crunch creates a burning platform for forcing Federal employers to establish new career options for existing employees, new ways to recruit prospective employees, and new challenges to existing ways of doing things. This Committee has helped by creating hiring flexibilities that fast-track certain potential employees or that provide tools, such as educational loan relief, to attract talented workers.

As President of the Private Sector Council, part of the Partnership for Public Service, my organization worked closely with OPM to develop OPM's online hiring tool kit, which highlights ways to raise the effectiveness of the Federal recruiting process. I know OPM has also suggested that agencies use a 45-day target benchmark, measured from the closing date of the announcement to the date the offer is formally made, to speed up the process.

The challenge is not to fill empty seats with people, but to fill those seats with the right people. If confirmed in this position, I will work with Director Springer, OPM staff, and this Committee to help address the difficult issue of how to attract and retain Federal talent. I will do my best to support the new career patterns initiative, which may help to create more flexible work environments, appealing to workers at different career stages. I am also looking forward to exploring other ways to address the looming talent shortfall.

The future Federal workforce will be a mosaic of different generations and work arrangements. Experts tell us that younger workers entering Federal service will be better educated, with more

diverse backgrounds than in the past. They will be used to instant communication and impatient with people who refuse to adapt. They will be optimistic, hard working, and dedicated. They will be looking for opportunities to grow, but less likely to commit to a career with a single employer.

Retaining experienced Federal employees and attracting recent Federal retirees will also be a priority. Enticing these workers will not only require interesting work and flexible schedules, but financial incentives and arrangements that do not penalize retirees returning to work.

To address the future shortage of management and technical expertise, the Federal service will also need to rely on experienced knowledge workers, attracted to Federal employment from active or retired careers in the private sector. Skilled veterans are also another important source of future Federal employees.

The new Federal manager will have to be skilled at managing this diversity. They need to be supervisors, leaders, mentors, referees, negotiators, and contract managers. In my view, these demands will require greater investment in the selection and training of future Federal leaders. We will need to use OPM's good offices, working with agency partners, to support efforts to enhance managerial skills.

The Federal Government has also not been immune from the technological winds of today. I know that Director Springer is directly involved in supervising the automation of OPM's retirement system, using modern technology to improve the delivery of annuity payments to Federal retirees. The E-Government initiative is another dramatic effort to improve government effectiveness through information management technology. The evolution to automated benefit administration, online training, E-payroll systems, and other initiatives are well on their way to increasing the efficiency of the Federal processes. If confirmed, I would look forward to helping Director Springer advance OPM's efforts in this regard.

Everyone wants an effective, results-driven Federal service. In 1993, this Committee and Congress sought to underscore these expectations by passing the Government Performance and Results Act, or GPRA. The Act mandated, among other things, a new focus on results, service quality and delivery, and customer satisfaction in the achievement of program objectives. The President's Management Agenda and the Program Assessment Review Tool have taken GPRA a step further by establishing the means to measure progress in a number of critical areas consistent with the Act. I believe that OPM takes this responsibility under the PMA Strategic Management of Human Capital component seriously and that OPM monitoring of agency performance can and has made a real difference in helping agencies improve their human capital management capabilities.

I believe Director Springer has also gone a long way toward enhancing opportunities for agency coordination through her recent reorganization of the Chief Human Capital Officers Council. I look forward to learning more about OPM's and other agencies' efforts.

Establishing metrics to measure results, while a necessary step, is not sufficient to ensure effectiveness. The challenge is to use

these measures to focus agency efforts to create program success. Performance-based pay initiatives directly support this cultural shift. As Director Springer has previously noted, performance-based pay is not a particularly new idea. The private sector has successfully administered such systems for years.

I am also aware that OPM has identified more than 90,000 Federal employees, not including those covered by the DHS and DOD legislation we referred to earlier, as being covered currently by some form of performance-based pay system. Some of these programs date from as early as 1980 and are generally regarded favorably by a wide variety of employees. I believe that OPM has worked hard to promote and refine performance-based initiatives. If confirmed, I look forward to being of whatever assistance I can to support these efforts.

In the end, we cannot forget that when we talk about the Federal workforce, we are really talking about people. While attitudes may have changed, some things remain constant. People everywhere respond to incentives and recognition. People fear the uncertainties of change and value employers who meet their needs for income and benefit security. To ensure an effective civilian workforce requires addressing these attributes. OPM needs to support agency efforts to reward employees for their contributions to agency success. We should encourage efforts to communicate the reasons for and the impact of change and to help those who are affected by it.

In addition, OPM has direct responsibility to ensure that Federal benefits address the needs of Federal employees at a reasonable price. I recognize that your support is also critical to ensuring the effectiveness of these efforts.

In preparing my comments, I looked up synonyms for the word "deputy." I found that a deputy is an assistant, a representative, a surrogate, an agent, an emissary, and an envoy. As Deputy Director, it would be my job to act in many or all of these capacities to help Director Springer achieve the ambitious goals she has set for OPM.

I am also aware that, if confirmed, the relatively short time horizon allotted to me will not be sufficient to substantively address all the issues raised by the currents shaping the future Federal workforce. My more modest aim would be to work with Director Springer to identify areas where my experience would be helpful. My goal is to help the Administration make a lasting contribution toward advancing solutions to some or perhaps many of these issues.

If confirmed, you have my promise that I will be open, honest, and direct in dealing with this Committee specifically and the Congress in general. I will use my best efforts to work with all interested parties to craft useful solutions to the complicated issues of the day. I believe we all want the same thing, an effective, results-driven workforce populated by talented individuals who are proud to be called Federal employees.

Mr. Chairman, I look forward to any questions you or other members of the Committee may have. Thank you.

Senator AKAKA. Thank you very much, Mr. Weizmann, for your statement.

Let me begin by asking you some standard questions of the Committee. First, is there anything you are aware of in your back-

ground that might present a conflict of interest with the duties of the office to which you have been nominated?

Mr. WEIZMANN. As I mentioned to the Committee staff and I have answered in the written questions, as well, my wife, who is sitting to my right, does do work for the Federal Government and has in the past done work for OPM. I have signed an ethics agreement which has precluded certainly her working for OPM or directly communicating with OPM. At the same time, I have also agreed to recuse myself from any decisions involving Watson Wyatt while I am at OPM, where I used to work.

Senator AKAKA. The second question is do you know of anything, personal or otherwise, that would in any way prevent you from fully and honorably discharging the responsibilities of the office to which you have been nominated?

Mr. WEIZMANN. No, I do not, sir.

Senator AKAKA. Third, do you agree without reservation to respond to any reasonable summons to appear and testify before any duly constituted committee of Congress if you are confirmed?

Mr. WEIZMANN. Yes, Mr. Chairman.

Senator AKAKA. Thank you very much for your responses.

As you know, Mr. Weizmann, the previous OPM Deputy Director was charged with overseeing the Combined Federal Campaign and conducting outreach with veterans' service organizations. Have you and Director Springer discussed whether you will play a similar role at OPM, and if so, what are your goals in this area?

Mr. WEIZMANN. Mr. Chairman, Director Springer and I had a conversation in which I generally offered to fulfill the same duties that the former Deputy Director was doing. At this point, I do not think we have finalized anything specifically. And, of course, these are programs that I believe in, as well, and I would make whatever effort I could to the best of my ability to support the success of these programs.

Senator AKAKA. Thank you. For years, Congress has been told of an impending retirement tsunami bearing down on the Federal Government. The potential loss of thousands of Federal employees over the next 5 to 7 years could have a major adverse impact on Federal programs. What is your assessment of the Federal Government's preparedness for this retirement wave and what recommendations do you have for improving Federal agencies' preparedness?

Mr. WEIZMANN. Mr. Chairman, I can really only bring my experience in the private sector to bear and my observations from what I have read and certainly my service at the Private Sector Council in observing what is going on, and my knowledge is really, of necessity, limited in terms of the scope of agencies. I think there are—in my experience, or my understanding—some agencies better prepared than others, and yet I think there is a full recognition, at least from the Federal employers or the executives that I have spoken with, that there is an appreciation that, in particular areas, this is an issue.

The good thing about this, I think, is that it is forcing all human resource professionals within the Federal service to recognize that efficiencies need to be established in hiring people and incentives better used to attract willing or interested potential employees.

I noted in today's newspapers, for example, that the Federal Student Loan Repayment Program utilization among various Federal agencies has been, to date, increased significantly and been very successful in terms of attracting individuals to the Federal service. My understanding is that this Committee had a very instrumental hand in establishing that flexibility, in particular.

Those kinds of efforts to fast-track employees into the Federal service, but also to identify employees who are the appropriate ones to come in, I think are really critical. People will retire. In every organization, it happens, whether it is in the private sector or public sector. It is what we do to address the future that is most important. By bringing in talented employees at all levels, some with more experience, some with very little experience, and grooming them and training them into the Federal service, I think we can address the tsunami about which you have spoken.

Senator AKAKA. OPM is promoting new career paths or initiatives in the Federal Government whereby Federal employees no longer work a 40-hour week or work for 20 years. Rather, efforts are focused on part-time or temporary work. What changes in the Federal Government's benefit package do you believe are needed to recruit individuals to work in these new career patterns?

Mr. WEIZMANN. I do not know that I am in a position to tell you what changes need to be made because I am not yet very familiar with the benefit package of the Federal Government. In looking at survey responses, generally, the Federal Government fares very well when compared to private sector with regard to both retirement and health benefits. There are benefits within the Federal program that are what we refer to, in human resources terms, as security benefits, and those really go to the issue of health care and also retirement.

Retirement benefits, depending on the kind of plan, may retain employees, but generally employees or potential employees do not come to an employer, in my experience, for the benefits. They come to be a part of an exciting organization with a dynamic mission. In some instances, it is pay that attracts them, but pay, I will tell you, is probably one of the over-rated issues, certainly among private industry in terms of attracting people.

Overall, I would have to look at the benefit package to see if there is more that can be done or more that should be done in making that benefit package attractive to potential employees.

Senator AKAKA. Only last year, OPM had an initiative to have more flexible work arrangements and to make them more attractive. I think they have been working on that. Last year, OPM closed Hawaii's field office in Honolulu and also along with some other regional offices. I believe that having OPM's presence in a State with nearly 50,000 Federal employees and retirees is critical given its geographic location and also other Federal employees in the Pacific in addition to the 50,000.

For example, the President's proposal to replace a non-foreign COLA with locality pay, I believe that an OPM presence could better respond to questions from employees throughout the State of Hawaii and the Pacific, which in turn allays concerns about the proposal.

How do you propose for OPM to support the personnel needs of Hawaii Federal agencies when the nearest field office is 2,500 miles away?

Mr. WEIZMANN. Mr. Chairman, customer service, of course, is tremendously important. I am not really familiar specifically with the issues and the concerns that led to the closing of the office in Hawaii. However, I am eager to learn more should I be confirmed. I know this is an issue, Mr. Chairman, that is important to you, and as a result, it is something that I would be pleased to look at further.

Senator AKAKA. Thank you very much. Senator Voinovich.

Senator VOINOVICH. Thank you, Mr. Chairman.

What caused you to decide to give up your responsibility as chairman of the Private Sector Council and come to work at OPM?

Mr. WEIZMANN. At a very general level, I think the Federal Government is an exciting place to be, and one of the things I have come to appreciate at the Private Sector Council is the amount of good that can be done by the Federal Government in a way that the private sector can never match. So at a very general level, I was impressed, quite frankly, in working at the Private Sector Council, by the dedication and the intelligence of the Federal employees and the Federal executives with whom I worked.

Senator VOINOVICH. Did Director Springer recruit you? [Laughter.]

Mr. WEIZMANN. She knew I was interested in the directorship at one point, and she knew of my interest in that, and she ultimately was appointed as Director. White House personnel actually coordinated with her and called me to ask if I would be interested in this position.

And to be honest with you, on a very personal level, one of the things that attracts me about this position at OPM is Director Springer. The comments that you made earlier, Senator, are very telling. I think she is a very good leader. I think she has done things that I think will lead ultimately to success and a much more effective agency. And I think it would be a great opportunity to work with her.

At the same time, I have to say that I am coming to the end of my career, more or less. I may have another job after this, but my wife tells me not too many more.

Senator VOINOVICH. That is what my wife has been telling me for the last— [Laughter.]

Senator Akaka's wife, I am sure, has been telling him the same thing, but here we are. [Laughter.]

Mr. WEIZMANN. I have to tell you that I also do feel a sense of giving back. To the extent I have any expertise or have developed any experience that is useful to the Federal Government, I would like to do that. I would like to make a difference.

Senator VOINOVICH. That is good. Have you talked to Director Springer about your role as Deputy Director and how she is going to take advantage of your talents to enhance her ability to get the job done?

Mr. WEIZMANN. We have generally talked about the issues and about what she is dealing with. I certainly have read the strategic plan that she has put forth. There are areas in which I am inter-

ested, and I have expressed those areas of interest to her, and basically what we have agreed to, at least until the actual confirmation, rather than making specific assignments or addressing which areas I would go into, is to wait until after the confirmation.

I will tell you the areas that do interest me have to do with workforce management. Both the planning, the recruiting, the hiring processes are of great interest to me. I have some expertise in the use of technology in the workplace and the kind of impact that has. I think I could perhaps lend some expertise in that area, as well. Those areas are ones that I mentioned to Director Springer, and we just have not made any final decisions as of yet.

Senator VOINOVICH. How much help can and should the private sector give to a Federal agency? I know when I was mayor and governor, we used our Operations Improvement Task Force to bring the private sector in, asked them to spend time with people who had worked in the government for a long time, and get their best ideas on how we could improve. Have you given any thought to some of the management challenges that need to be addressed within our Federal Government and how you might be able to jump-start reform, or is there some reservation about having the private sector become involved? I am referring to pro bono assistance.

Mr. WEIZMANN. Certainly. I understand. I think there are things that the Federal Government can learn from the private sector for instance, with recruitment. As a senior VP of HR at one organization, I spent a good deal of time on the recruiting effort and trying to identify talent and trying to retain talent during the dot-com era. I think there are useful approaches that could be adapted to the Federal Government.

There are some things that are different. The number of stakeholders, for example, is much broader in the Federal Government and the number of people that you really do need to bring into the effort is much greater. As a consequence, I think things often take more time in the Federal Government than you would find in the private sector.

Senator VOINOVICH. As governor of Ohio, I had Xerox come in to help establish Total Quality Management in State Government. I convinced McKinsey and Company to examine the Ohio Bureau of Workers' Compensation and come back with a pro bono recommendation on how it could be reformed. Are you able to do this, or are there laws that would make this a conflict of interest?

Mr. WEIZMANN. My understanding is that, by law, I am not technically allowed to interact with the Private Sector Council for a year after my employment there because they are my former employer, technically. I do not know how substantial an impediment that really is.

The short answer is yes, in two areas. Again, I think the private sector has developed a lot of expertise in the recruitment area. I also think one of the understated areas that needs to be at least focused on is the impact of technology on Federal processes. It is one thing to adopt a new retirement system. It is another thing to scope out how you get information to people, what your expectations of them are in terms of self-service. The same thing with enterprise-wide financial systems.

There is a lot of expertise that I know personally where I could reach out to those folks. So from that standpoint, I think there is a lot the private sector has to offer. At the same time, the private sector folks are very skeptical about government, and the issues for government are different to some extent. But those issues really do coincide.

Senator VOINOVICH. Will we have a second round?

Senator AKAKA. Yes, we will do a second round.

Senator VOINOVICH. OK, good. Thank you.

Senator AKAKA. Thank you very much, Senator Voinovich.

Let me reach out and ask you about the Human Capital Survey of the Federal Government. In your pre-hearing questions for the Committee, you talked about the competitive environment for recruiting talented workers—

Mr. WEIZMANN. Yes.

Senator AKAKA [continuing]. Specifically the need to recruit a diverse and talented workforce. What do you see as the government's biggest challenge to hiring diverse talent?

Mr. WEIZMANN. There are a variety of levels, Mr. Chairman. One is the image of the Federal worker, I think, which really has suffered over the last 10 to 15 years. I am old enough to remember the John F. Kennedy years and the call to service that was placed on potential employees and remembering the sense of real dedication. Government at that time, I think, really did begin to focus on attracting the best and the brightest.

That is not to say that we do not have in the Federal Government the best and the brightest today; it is just that the image, at least according to the surveys that I am aware of and also just anecdotally, of Federal employment is not what it ought to be. So at that level, there is an image issue.

Beneath that level, there are very technical issues, which is that it takes too long to get people into Federal service at all levels, and I am not just talking about Presidential appointments, but at all levels, it takes, in many cases, way too long from the date that people first express an interest to the date they are actually made an offer to join the Federal service.

I think there is also not enough marketing for a variety of really specialized talent that I think that could be obtained. For example, in the area of science or engineers or other kinds of professionals, what we call knowledge workers, I think the Federal Government in that instance, I think, does not do as good a job as I have seen in the private sector in terms of going to the best schools and attracting really talented people. People still come because they are interested in what the Federal Government does, and quite frankly, there is no other place in the world where you can have the scope of activities as a scientist or an engineer or even, quite frankly, as a manager.

One curious statistic, I think, was a survey done by the Council for Excellence in Government which indicated that managers, people who are mid-career, who might, in fact, be attracted to the Federal service, by a very substantial margin are not attracted to Federal service, and I am curious as to why. But I think you, Senator Voinovich, and you, Mr. Chairman, have addressed quite eloquently the issue of the importance of having trained managers to

supervise performance-based systems, and I think that is a critical need. So that is another talented population that I think that we should really focus on and try to get more talented managers into the Federal service.

Senator AKAKA. Before I move to a training question, I just want to say that in the Human Capital Survey of Federal Government, it shows that the African-Americans were low in SES, and also Hispanics, across the government. I raise that just as another part of this diverse kind of employees for the Federal Government that we need to pay attention to.

As you may know, Mr. Weizmann, I recently introduced the Federal Supervisor Training Act, S. 967, on March 22, 2007, which is supported by the Federal employee unions, the Government Managers' Coalition, and the Partnership for Public Service. It is to require mandatory supervisor training for all managers on a recurring basis. In order to accomplish this, OPM will need to reach out to all agencies and provide them with the resources necessary to meet the training requirements.

The question is, what steps do you think OPM needs to take to ensure supervisors are receiving proper training?

Mr. WEIZMANN. Mr. Chairman, until I am confirmed, I do not know what specific steps I am prepared to recommend. I am also not directly familiar with the legislation that you introduced. Having said that, no performance management system anywhere can function without trained supervisory personnel who understand both the nuances of management and are able to address the issues I outlined in my statement. And so in general, I would think that any help that this Committee could do, or Congress, to support the whole effort around training would be quite useful.

Having said that, should I be confirmed, I will look into those issues you have raised to see, in fact, what OPM's responsibilities would be under your proposed Act and what our relations are with the various agencies so that we can foster that kind of effort.

Senator AKAKA. As the nominee to be Deputy Director of OPM, I assume you saw the Partnership for Public Service 2007 rankings——

Mr. WEIZMANN. Yes, I did.

Senator AKAKA [continuing]. Of the best places to work in the Federal Government. In the 2007 rankings, OPM placed 25 out of 30 large agencies. In regard to training and development, OPM placed 28 out of 30. As OPM is to be a leader to human capital management, I am deeply concerned by these survey results. Do you have any idea why OPM ranked so low?

Mr. WEIZMANN. Well, with regard to the first statistic that you quoted, I am also aware that if you take the populations of OPM that were in existence at the time that the survey was last done in 2004 as opposed to this 2006 survey, excluding the investigative services that moved over to OPM from DOD, it is my understanding that the improvement was actually better than any other agency referenced in the survey.

That said, the second statistic you quote, and there are other statistics, I believe, in there concerning OPM, there are still issues to be addressed, not only the specific issue that you identified in terms of training and development, and that is clearly an area that

I do believe in and I think is very important, but also to look at various segments of OPM and to see what the issues are that individuals have, whether it is uncertainty, whether it is a leadership issue, or whatever issues there might be and work to correct those.

In my own experience, I have been with organizations that, when I have taken them over as a manager, morale was low or a variety of issues for a variety of reasons, and I have worked hard to address those and successfully, I think. One area was recognized. We were named one of the best places to work in Washington, for an organization of about 325 people when I was at Watson Wyatt. A lot of it had to do with structural issues. A lot of it had to do with leadership. I believe in Director Springer. I think that over time leadership and that sense of direction and that sense of fairness ultimately will bring people's interest up.

At the same time, there are specific issues like training and so forth that I would like to look at more should I be confirmed. At this point, I am not prepared to discuss each issue, but certainly there are indications that this is an area that needs to be looked at more.

Senator AKAKA. Thank you very much. Senator Voinovich.

Senator VOINOVICH. Mr. Weizmann, once confirmed you have a year and a half or so to accomplish reform before the transition to the new Administration. To help guide this Committee's work in the future, it seems to me OPM should submit a list of reforms to the Committee and the Administration that will need to be given continued attention.

Mr. WEIZMANN. Right.

Senator VOINOVICH. We want to see them continued. It would, I think, help Senator Akaka and me to know the areas that need to be given continued attention so when the new team is in place, we can be part of the process of making sure that some of these reforms are carried out. I know that it takes a long time for transformation to occur, and I would just hate like heck to have, for example, your strategic plan left undone.

I would also like you to look at the extent to which agency-specific and government-wide flexibilities that we have legislated are being utilized.

For instance, agencies have made greater use of student loan repayment. Senator Akaka and I have introduced legislation to make student loan repayments nontaxable.

Another topic that Senator Akaka and I are interested in is training. When I first came to the Subcommittee, we asked agencies how much money they were spending on training, which is important to help employees grow in their jobs. I question where we are in terms of providing training and what percentage of agencies' budgets are being used for training.

I continue to be interested in the concept of a Chief Management Officer. Senator Akaka and I are working on GAO's high-risk list, with a focus on DOD supply chain management and the security clearance process. Our oversight work has led us to question whether these agencies have the capacity to continue transformation. Within the Department of Defense, I believe we need a Chief Management Officer to be in charge of transformation. Ab-

sent a strategic plan, the transformation will continue to have problems.

Again, pay-for-performance is important. Senator Akaka and I know that the unions don't want it. The biggest experiment in pay-for-performance in the Federal Government today is at TSA. We must be sure the system, known as PASS, is working well at each airport.

These are some of the concerns that I have, and I really hope that you would give some consideration to them.

Mr. WEIZMANN. Senator, all your concerns are concerns that I share. You asked me earlier about why I wanted to take this position. I am very concerned about not specifically my legacy, and I am not speaking about Republican or Democrat legacies, either. This Committee and this Congress, at least since 1993, if not before, has set forth a very direct statement, I think, of the kind of Federal service that we would all like to have.

It is very important to me that in those critical areas you identify, whether it is pay-for-performance or whether it is just improving the training, that any human resources system be like a garden. If you walk away from a garden, it gets overgrown tomorrow. You need continuous training of people in not only management skills but just skills to do their job every day. If you bring people in, including older, more experienced workers, as well, and train them, it is important that we keep making progress. It is undeniably spotty in places, and I think we need more information, and certainly if I am confirmed, I would like to know more about why some of these things are successful and some are not.

At the Private Sector Council, we are currently working with OMB to look at agencies who have been very successful in linking performance to program success, and there are some that are more successful than others, and we are trying to set up a system by which we can involve the agencies who have been successful to talk to the agencies who are struggling with those kinds of things to really have that kind of information shared.

Again, should I get to OPM, I would hope that we would be able to foster that kind of environment where there is a kind of information sharing between successful agencies and those agencies that are struggling to make sure the improvement is really over the entire Federal Government.

But the important thing to me, the most important thing is not to retreat from some of the good work that has been done by this Committee, by Congress, by this Administration, and by prior Administrations to making the Federal service a much more effective place to be.

Senator VOINOVICH. Thank you.

Senator AKAKA. Thank you very much, Senator Voinovich.

I want to thank you, Mr. Weizmann, for responding so well to our questions. I have further questions that I will submit for the record, which we will submit to you in writing. The hearing record, let me say, will remain open for 1 week for Members of this Committee to submit additional statements or questions that they may have.

I want to thank you and your family for being here today. Senator Voinovich and I are of the same mind, and we will make every

effort to move this confirmation process as expeditiously as we can here. Then we will have a vote on this in the near future, the vote on your nomination and confirmation.

Do you have any final words?

Senator VOINOVICH. No, Mr. Chairman.

Senator AKAKA. With that, again, thank you so much, and I wish you well in all that you do.

Mr. WEIZMANN. Thank you, Mr. Chairman. Thank you, Senator Voinovich.

Senator AKAKA. This hearing is adjourned.

[Whereupon, at 10:43 a.m., the Committee was adjourned.]

APPENDIX

Statement of
Howard Charles Weizmann

Nominee to be Deputy Director
Office of Personnel Management

Committee on Homeland Security and Governmental Affairs
May 1, 2007

Mr. Chairman, I want to thank you, Ranking Member Voinovich, and the Committee for holding today's hearing. I also want to thank the Committee staff for the courteous and professional manner with which I have been treated throughout this process.

I want to thank President Bush for the honor of being nominated to be Deputy Director of the Office of Personnel Management (OPM). Finally, I want to thank OPM Director Linda Springer for her support throughout this process.

The Shape of the Future

One does not have to be an expert to recognize that demographic trends will dramatically change the face of the federal workforce. It is no longer news that the federal government faces a massive challenge as increasing numbers of older, experienced, employees become eligible to retire or leave over the next few years. There is also a widespread belief that in the near future there will be a lack of skilled workers affecting both the private and public sector. In sum, the demand for qualified workers is likely to exceed the supply.

In this emerging world, federal employers will have to effectively compete for talent with the private sector. To do so, we need to change widely held perceptions about federal employment. Surveys indicate that college age individuals believe the private sector offers greater opportunity than federal employment. Private industry also inherently possesses more flexibility than government to structure positions or to employ foreign nationals--avenues generally limited or closed to federal employers.

But crises also present opportunities. The talent crunch creates a "burning platform" forcing federal employers to establish new career options for existing employees, new ways to recruit prospective employees and new challenges to existing ways of doing things. This Committee has helped by creating hiring flexibilities that "fast track" certain potential employees or that provide tools, such as educational loan relief, to attract talented workers. As President of the Private Sector Council--part of the Partnership for Public Service-- my organization worked closely with OPM to develop OPM's online hiring toolkit which highlights ways to raise the effectiveness of the federal recruiting process. I know OPM has also suggested that agencies use a 45-day target benchmark, measured from the closing date of the announcement to the date the offer is formally made.

The challenge is not to just fill empty seats with people, but to fill those seats with the right people. If I am confirmed in this position, I will work with Director Springer, OPM staff and this Committee to help address the difficult issue of how to attract and retain federal talent. I will do my best to support the new "Career Patterns" initiative which may help to create more flexible work environments, appealing to workers at different career stages. I am also looking forward to exploring other ways to address the looming talent shortfall.

The future federal workforce will be a mosaic of different generations and work arrangements. Experts tell us that younger workers entering federal service will be better educated, with more diverse backgrounds than in the past. They will be used to instant communication and easily frustrated with out-of-date technologies and with people who refuse to adapt. They will be optimistic, hard working, and dedicated. They will be looking for opportunities to grow, but less likely to commit to a career with a single employer.

Retaining experienced federal employees and attracting recent federal retirees will also be a priority. Enticing these workers will require not only interesting work and flexible schedules, but financial incentives and arrangements that do not penalize retirees returning to work as well. To address the future shortage of management and technical expertise, the federal service will also need to rely on experienced "knowledge workers" attracted to federal employment from active or retired careers in private industry. Skilled veterans are also another important source of future federal employees.

The new federal manager will have to be skilled at managing this diversity. They need to be supervisors, leaders, mentors, referees, negotiators and contract managers. In my view, these demands will require a greater investment in the selection and training of future federal leaders. We will need to use OPM's good offices, working with agency partners, to support efforts to enhance managerial skills.

The federal government has also not been immune to the technological winds of today. I know that Director Springer is directly involved in supervising the automation of OPM's retirement system, using modern technology to improve the delivery of annuity payments to federal retirees. The E-Government initiative is another dramatic effort to improve governmental effectiveness through information management technology. The evolution to automated benefit administration, online training, e-payroll systems and other initiatives are well on their way to increasing the efficiency of federal processes. If confirmed, I would look forward to helping Director Springer advance OPM's efforts in this area.

Supporting a Results-Oriented Culture

Everyone wants an effective, results-driven federal service. In 1993, this Committee and Congress sought to underscore these expectations by passing the Government Performance and Results Act (GPRA). The Act mandated, among other things, "a new

focus” on results, service quality and delivery, and customer satisfaction in the achievement of program objectives.

The President’s Management Agenda (PMA) and the Program Assessment Review Tool (PART) have taken GPRA a step further by establishing the means to measure progress in a number of critical areas consistent with the Act. I believe that OPM takes its responsibilities under the PMA Strategic Management of Human Capital component seriously and that OPM monitoring of agency performance can make a real difference in helping agencies improve their human capital management capabilities. I believe Director Springer has also gone a long way towards enhancing opportunities for agency coordination through her recent reorganization of the Chief Human Capital Officers Council. I look forward to learning more about OPM’s and other agencies’ efforts.

Establishing metrics to measure results, while a necessary step, is not sufficient to ensure effectiveness. The challenge is to use these measures to focus agency efforts to create program success. Performance-based pay initiatives directly support this cultural shift. As Director Springer has previously noted, performance-based pay is not a particularly new idea. The private sector has successfully administered such systems for years. I am also aware that OPM has identified more than 90,000 federal employees (not including those covered by the DHS/DOD legislation) as being currently covered by some form of a performance-based pay system. Some of these programs date from as early as 1980 and are generally regarded favorably by a wide variety of employees.

I believe that OPM has worked hard to promote and refine performance-based initiatives. If confirmed, I look forward to being of whatever assistance I can to support these efforts.

In the end, we cannot forget that when we talk about the “federal workforce” we are really talking about people. While attitudes may have changed, some things remain constant. People everywhere respond to incentives and recognition. People fear the uncertainties of change and value employers who meet their needs for income and benefit security. To ensure an effective civilian workforce requires addressing these attributes. OPM needs to support agency efforts to reward employees for their contributions to agency success. We should encourage efforts to communicate the reasons for, and the impact of, change and to help those who are affected by it. In addition, OPM has direct responsibility to ensure that federal benefits address the needs of federal employees at a reasonable price. I recognize that your support is also critical to ensuring the effectiveness of these efforts.

Final Thoughts

In preparing my comments, I looked up synonyms for the word “deputy”. I found that a deputy is an “assistant, a representative, a surrogate, an agent, an emissary and an envoy.” As Deputy Director, it would be my job to act in many, or all, of these capacities to help Director Springer achieve the ambitious goals she has set for OPM.

I am also aware that, if confirmed, the relatively short time horizon allotted to me will not be sufficient to substantively address all the issues raised by the currents shaping the future federal workforce. My more modest aim would be to work with Director Springer to identify those areas where my experience might be helpful. My goal is to help the Administration make a lasting contribution towards advancing solutions to some, or perhaps many, of these issues.

If confirmed, you have my promise that I will be open, honest and direct in dealing with this Committee specifically, and the Congress, in general. I will use my best efforts to work with all interested parties to craft useful solutions to the complicated issues of our day. I believe we all want the same thing--an effective, results-driven workforce, populated by talented individuals who are proud to be called federal employees.

Mr. Chairman, I look forward to any questions you or other Members of the Committee may have.

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

A. BIOGRAPHICAL INFORMATION

1. **Name:** (Include any former names used.)
Howard Charles Weizmann
2. **Position to which nominated:**
Deputy Director, Office of Personnel Management
3. **Date of nomination:**
January 10, 2007
4. **Address:** (List current place of residence and office addresses.)

 Residence:
 1524 Gordon Cove Drive
 Annapolis, MD 21403

 Office:
 Partnership for Public Service
 1725 Eye Street, NW
 Washington, DC 20006
5. **Date and place of birth:**
June 12, 1948, Akron, Ohio
6. **Marital status:** (Include maiden name of wife or husband's name.)
Married, Jane Kathleen Tice
7. **Names and ages of children:**
Brooke Suzanne, 26
Haley Kathleen, 21
8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.

 Howland High School, 1962 -66, HS Diploma, May 1966
 Ohio University, 1966-70, AB, 1970
 University of Michigan, AM (Anthropology), 1970-71
 University of Michigan, Doctoral Candidacy (Anthropology), 1971-73
 Georgetown University Law Center, JD, 1974-77
9. **Employment record:** List all jobs held since college, and any relevant or significant jobs held prior to that time, including the title or description of job, name of employer,

location of work, and dates of employment. (Please use separate attachment, if necessary.)

Please note: While the dates listed below are substantially accurate, they are based on my unaided recollection and may contain some slight errors.

- Busboy, Middleton's Tavern 1973, Annapolis, MD
- Telex Operator, Delegation of the European Communities, 1973-74, Washington DC
- Area Studies Associate, American University, 1973, Washington, DC
- Customs Law Intern, US Customs Service, 1974, Washington, DC
- Law Clerk, Silverstein and Mullins, 1976-77, Washington, DC
- Associate Lawyer, Cohen, Shapiro, Polisher, Shiekman and Cohen, 1977-78, Philadelphia, PA
- Associate Lawyer, Drinker Biddle & Reath 1978 – 81, Philadelphia, PA
- Compensation and Benefits Attorney, Sun Company, Inc., 1981-1984, Philadelphia, PA
- Manager of Benefits Planning, Sun Company, Inc., 1984-1988, Philadelphia, PA
- Executive Director, Association of Private Pension and Welfare Plans (now the American Benefits Council), 1988-1992, Washington, DC
- Vice President (headed benefits consulting organization), Aetna Life Insurance Company, 1992, Hartford, CT
- Account Manager, the Wyatt Company (later Watson Wyatt Worldwide), 1992-95, Washington, DC
- Managing Consultant, Watson Wyatt Worldwide, 1995-2000, Washington, DC; Richmond, VA; Philadelphia, PA (2000)
- Vice President/Senior Vice President, Human Resources, Digex, Inc. (2000-2004), Laurel, Md
- Senior Vice President, European Business Operations, Digex, Inc, 2003-04, Laurel, Md/London, UK
- Principal, Gordon Cove Consulting, 2004-05, Annapolis, MD
- President, Private Sector Council (part of the Partnership for Public Service) 2005 - present

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with federal, State, or local governments, other than those listed above.

None

11. **Business relationships:** List all positions currently or formerly held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.
- Executive Director, Association of Private Pension and Welfare Plans (now the American Benefits Council).

Vice President, Aetna Life Insurance Company
 Account Manager/Managing Consultant, Watson Wyatt Worldwide
 Senior Vice President Human Resources/European Business Operations, Digex, Inc.
 President, Private Sector Council (Partnership for Public Service)
 President, Temple Beth Shalom

12. **Memberships:** List all memberships, affiliations, or and offices currently or formerly held in professional, business, fraternal, scholarly, civic, public, charitable or other organizations.

Past President, Temple Beth Shalom, Arnold, MD
 Smithsonian Museum, member
 Holocaust Museum, member

13. **Political affiliations and activities:**

- (a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None

- (b) List all memberships and offices held in and services rendered to any political party or election committee during the last 10 years.

None

- (c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$50 or more during the past 5 years.

1/8/04	RNC	\$ 50
3/22/04	Bush/Cheney '04	\$100
2/20/05	RNC	\$120

Please note: These are all the contributions of which I have a record. I may have made some further contributions on behalf of candidates and/or the RNC, using a credit card, but I have been unable to find these records. I would estimate that these would have amounted to less than \$500 total.

14. **Honors and awards:** List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Columbia-Downing Knight Scholarship
 Danforth Graduate Fellowship
 Maccabee Award for Outstanding Leadership in the Jewish Community

15. **Published writings:** Provide the Committee with two copies of any books, articles, reports, or other published materials which you have written.

See attachment

16. **Speeches:**

- (a) Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated. Provide copies of any testimony to Congress, or to any other legislative or administrative body.
- (b) Provide a list of all speeches and testimony you have delivered in the past 10 years, except for those the text of which you are providing to the Committee. Please provide a short description of the speech or testimony, its date of delivery, and the audience to whom you delivered it.

On May 5, 1998, I testified in support of the then proposed Retirement Security for the 21st Century Act which was a bipartisan bill which among other things proposed to reduce the complexity associated with the administration of privately-sponsored retirement plans. A copy of my testimony is attached

17. **Selection:**

- (a) Do you know why you were chosen for this nomination by the President?
Yes
- (b) What do you believe in your background or employment experience affirmatively qualifies you for this particular appointment?

I have broad human resource experience in the private sector and hope to bring that experience to bear to help address human resource issues in the federal government.

B. EMPLOYMENT RELATIONSHIPS

1. Will you sever all connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?

Yes

2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.

No

3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization, or to start employment with any other entity?

No

4. Has anybody made a commitment to employ your services in any capacity after you leave government service?

No

5. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?

Yes

6. Have you ever been asked by an employer to leave a job or otherwise left a job on a non-voluntary basis? If so, please explain.

No.

C. POTENTIAL CONFLICTS OF INTEREST

1. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

My wife is a senior consultant for Watson Wyatt Worldwide. She has been the lead consultant on a project for OPM. My ethics agreement addresses this issue.

2. Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration or execution of law or public policy, other than while in a federal government capacity.

See above response to question 16(b).

3. Do you agree to have written opinions provided to the Committee by the designated agency ethics officer of the agency to which you are nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position?

Yes

D. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

No

2. Have you ever been investigated, arrested, charged or convicted (including pleas of guilty or nolo contendere) by any federal, State, or other law enforcement authority for violation of any federal, State, county or municipal law, other than a minor traffic offense? If so, provide details.

No.

3. Have you or any business of which you are or were an officer, director or owner ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.

Shull v Digex, Inc. Civil Action No. 236799-V (Montgomery County Cir. Ct., Md) The former Digex CEO, Mark Shull, was terminated by the Digex Board without an explicit statement that it was done "for cause" which would have exempted Digex from paying a contractual stay bonus. The case went to arbitration and I was called as a witness to discuss the circumstances surrounding his firing. The arbitrator awarded Mr. Shull his stay bonus.

Ward v Digex. Civil Action No. 0300908 (Prince George's County Cir. Ct. Md) The former President of Digex' Engineering and Marketing, Rebecca Ward, sued Digex over her failure to gain the CEO position when Mr. Shull was released, and her subsequent demotion. I was deposed and provided information relevant to the claim. The case was settled before trial.

Heinrich v Digex, Inc. Case No. CGC-030416471 (Superior Court of California, San Francisco County) Named defendant in suit over payment of stay bonus, leading to a variety of claims, suit was settled. Heinrich was the VP of Marketing at the time Digex became a wholly owned subsidiary of WorldCom/MCI and her position was eliminated.

She was eligible for a stay bonus and severance payments upon termination of employment. Due to restrictions placed on the payment of large employment settlements by the court-appointed monitor of WorldCom/MCI affairs, Digex was prevented for a time from releasing Ms Heinrich from employment or to pay her stay bonus. During this period, Ms Heinrich continued to receive her \$200,000 a year salary, although she had no specific duties. She sued Digex, Inc, the CEO and myself individually, to force her termination and the payment of her related severance benefits. The case was settled and the WorldCom Monitor later approved the payments.

Weizmann v Bank of America. Betsy Pratt was a household employee who embezzled approximately \$15,000 from me. She was prosecuted and served a jail sentence. I sued Bank of America for negligence in cashing my personal checks with my forged signature. The case was settled.

Although substantially accurate, this summary is based on my unaided memory of these actions. With the exception of the BOA case, these suits were incurred pursuant to my position as Senior VP of HR at Digex, Inc. and none involved personal impropriety on my part.

4. For responses to question 3, please identify and provide details for any proceedings or civil litigation that involve actions taken or omitted by you, or alleged to have been taken or omitted by you, while serving in your official capacity.

See above

5. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

E. FINANCIAL DATA

All information requested under this heading must be provided for yourself, your spouse, and your dependents. (This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee's files and will be available for public inspection.)

AFFIDAVIT

Howard Charles Weizmann being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.

[Signature]

Subscribed and sworn before me this 25th day of January,
20 07

[Signature]

Notary Public

My commission expires November 30, 2011



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

January 19, 2007

The Honorable Joseph I. Lieberman
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510-6250

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Howard C. Weizmann, who has been nominated by President Bush for the position of Deputy Director, Office of Personnel Management.

We have reviewed the report and have also obtained advice from the Office of Personnel Management concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is a memorandum dated January 11, 2007, from Mr. Weizmann to the agency's ethics official, outlining the steps Mr. Weizmann will take to avoid conflicts of interest. Unless a specific date has been agreed to, the nominee must fully comply within three months of his confirmation date with any action he agreed to take in his ethics agreement.

Based thereon, we believe that Mr. Weizmann is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert I. Cusick", written over a horizontal line.

Robert I. Cusick
Director

Enclosures

**U.S. Senate Committee on Homeland Security and Governmental Affairs
Pre-hearing Questionnaire
For the Nomination of Howard C. Weizmann to be
Deputy Director, Office of Personnel Management**

I. Nomination Process and Conflicts of Interest

- 1. Why do you believe the President nominated you to serve as Deputy Director of the Office of Personnel Management (OPM)?**

I have an extensive background in human resource issues and management.

- 2. Were any conditions, expressed or implied, attached to your nomination? If so, please explain.**

No.

- 3. What specific background and experience affirmatively qualifies you to be Deputy Director of OPM?**

I am a human resource professional with broad experience. I have served as the senior vice president of human resources, run a large human resources consultancy with revenues of nearly \$100 million dollars, and have also managed operational business units. For the last year and a half I have served as President of the Private Sector Council of the Partnership for Public Service, whose mission is to work with public and private sector resources to improve federal processes.

I am a published author on the topic of building performance-based cultures and have successfully implemented such programs as a manager. I am also a recognized thought leader on workforce and related issues and have spoken frequently on these topics. I have experience in the design and implementation of innovative human resource and benefit programs. Additionally, I have extensive experience working with congressional and executive branch staffs and a variety of stakeholders to craft legislation dealing with human resource issues.

- 4. Have you made any commitments with respect to the policies and principles you will attempt to implement as Deputy Director of OPM? If so, what are they, and to whom were the commitments made?**

No

5. **If confirmed, are there any issues from which you may have to recuse or disqualify yourself because of a conflict of interest or the appearance of a conflict of interest? If so, please explain what procedures or criteria you will use to carry out such a recusal or disqualification.**

My wife is a senior consultant with Watson Wyatt Worldwide, a human resource consulting firm which does business with the federal government. As per my ethics agreement, I have pledged to recuse myself from any decisions involving the employment of Watson Wyatt Worldwide and my wife has agreed to have no direct communications with OPM during my tenure.

II. Role and Responsibilities of the Deputy Director of OPM

6. **How do you view the role of Deputy Director of OPM? Have you discussed with Director Springer what responsibilities you would have, if confirmed, and how your responsibilities would relate to hers?**

My role is to support the Director in furtherance of OPM's stated goals. While we have talked generally about the challenges facing OPM, we have not set forth specific duties or areas, pending my confirmation. She has indicated to me that she would like to use my private sector expertise to look at existing issues from a fresh perspective.

7. **What challenges currently face OPM? How will you as Deputy Director address these challenges, and what will be your top priorities?**

OPM has publicly issued its Strategic and Operational Plan for 2006 through 2010 which outlines OPM's stated strategic and operational goals. In my role as Deputy, I will support the accomplishment of these goals to the best of my abilities, lending what knowledge and leadership I can to their achievement.

III. Policy Questions

Human Capital Management

8. **Management of federal personnel resources has emerged in recent years as an issue of the highest concern. GAO has designated strategic human capital management as a government-wide "high-risk" area, and identified challenges in the areas of leadership; strategic human capital planning; acquiring, developing, and retaining talent; and results-oriented organizational cultures.**

- a. What is your assessment of the progress that has been made, and the remaining challenges, in the area of human capital management in the federal government?

My experience with federal performance in these areas is limited. During my tenure, I will support the efforts of the Director to improve federal human capital management processes throughout the federal service.

- b. What philosophy and perspective would you bring to OPM regarding federal human capital management?

The role of human capital management is to improve the effectiveness of human capital in achieving organizational mission. To be effective, human resource management needs to focus on building a performance-based culture. Establishing clearly stated program goals that define success, linking individual goals to the accomplishment of these goals, building an effective management infrastructure which measures performance, and rewarding success are all critical building blocks in this effort. Issues such as leadership development, training, recruitment, organizational development are all subsets of this process.

- c. How will you assist the OPM Director in assuring that the federal government continues to make progress in this area?

Director Springer has clearly articulated OPM goals and is actively measuring progress towards those goals. I believe I bring a different perspective and knowledge base that will be useful in supporting the achievement of these goals.

9. **Some believe that the workforce best suited to providing human capital services has been transitioning from narrowly focused specialists to generalists who have the skills necessary to play an active role in determining the overall strategic direction of the organization.**

- a. Do you agree with that characterization of how the profession is evolving?

In the private sector, transformation in the human capital services function has come about from the automation and consolidation of traditional administrative personnel and transactional functions and the increased reliance on systems that support employee self service in a wide variety of personnel areas. The consequence is that the human resource function has become more dependent on those who understand how to manage contractor performance in areas as diverse as health care, pension/401(k) administration, disability, recruitment and Human Resources Information Systems.

I believe there has been a recognition in the private (and public) sector that strategic human capital management is an essential element to achieving organizational success. This has led to a greater reliance on human resource strategists who can help improve organizational performance.

- c. How do you envision OPM assisting federal agencies' human capital professionals and officials in determining the roles and functions that will best serve their agencies?

OPM's Mission Statement identifies four ways in which it will act to achieve its mission of ensuring an effective civilian workforce. These are:

- *Providing human capital advice and leadership to the President and federal agencies;*
- *Delivering human resources policies, products and services;*
- *Ensuring compliance with merit system principles and protection from prohibited personnel practices; and*
- *Holding agencies accountable for their human capital practices.*

These provide a broad framework from which to influence positive agency growth. In the first instance, OPM leads by example, i.e. by instituting internal policies that create employee engagement. OPM also leads by promoting best practices. Recently OPM has created online roadmaps to better hiring practices through its "Hiring Toolkit" and its "Career Patterns" initiatives. OPM also works through other senior human capital officers to address current and long term issues through its leadership of the Chief Human Capital Officer Council and other venues. Finally, OPM serves to challenge agency performance through its monitoring of the President's Management Agenda human capital goals.

10. **In January 2007, OPM released the results of the 2006 Federal Human Capital Survey. The Survey showed that several areas identified in the 2004 survey as needing improvement still require action. For example, only 49 percent of federal employees have a high level of respect for senior leaders in their agencies, and only 41 percent say they are satisfied with their leaders' policies and practices. Less than half of federal employees said they were satisfied with the information they get from management and only 38 percent believed their leaders generate high levels of motivation and commitment in the federal workforce.**

- a. What steps do you believe need to be taken to address the situations evidenced by these survey results?

I am not familiar with the specific survey results cited in the question. In my experience in the private sector, efforts at improving the perception of supervisors involve improving the management and leadership skills of managers. Selection of those who possess the ability to manage and the monitoring of the performance of supervisors is also a critical element. While I do not know of specific efforts in this regard, I will support the agency's efforts to improve management competency throughout the government.

- b. What steps do you believe need to be taken to address the issues at OPM?

I believe that at OPM the first step, communicating organizational direction, has been put in place. There is a clear strategic and operational plan, widely disseminated, with rigorous monitoring of progress against the plan. It is my understanding that these organizational goals have been incorporated into individual performance plans. It is important to follow through on managing objective performance against these goals, and I will support the Director in her efforts to do so.

11. **What can OPM do to ensure that human capital considerations are systematically integrated into its program decisions and goal-setting? What efforts can OPM take to ensure that it has identified its critical strategic human capital management challenges and has strategies in place to address those challenges – for example, in addressing demographic and succession planning issues?**

As previously noted, OPM has put in place its Strategic and Operational Plan. Many of the elements suggested by the question are identified in that document. It is my understanding that Plan goals were shared with various constituencies before they were finalized. By doing so, OPM can be assured it has identified relevant, critical strategic human capital targets. Since the publication of the Plan, it is my understanding that steps, including interim reports, are being taken to ensure that the enumerated goals are being met. At the same time, it is important that the Plan be continually reviewed and updated to address changed circumstances and new challenges. In this regard, I understand that an Addendum to the Plan, expanding upon the original goals, has recently been issued.

12. **GAO has reported leading organizations go beyond a succession planning approach that focuses on simply replacing individuals. Rather, these organizations engage in strategic, integrated succession planning and management efforts that focus on strengthening both current and future organizational capacity. What steps would you take to help agencies further develop integrated succession planning and management efforts?**

Succession planning in the private sector is not directly comparable to that of the public sector. Companies with formal succession plans seek to identify one or a limited number of individuals who will succeed to a given position. In federal service, vacancies are open to competition and subject to Veterans' Preference, making a private sector-type succession plan impractical. I am aware that recommendations for the development of succession planning tools is among the goals of the Chief Human Capital Officers Council Subcommittee on Hiring and Succession Planning. I hope to work with the Director and the Council on the continued development of such plans in my role as Deputy.

- 13. The Government Performance and Results Act (GPRA) envisions that agencies will link their human capital planning with their strategic and annual plans. How do you plan to build and maintain the human capital OPM needs to achieve results?**

This is an area of particular interest to me. Currently the Private Sector Council (of which I am the President) is working on a project with OMB which seeks to identify agencies which have successfully linked human capital planning with strategic program plans so they can share their expertise with other agencies. I am looking forward to learning more about OPM's plans and will do what I can to support those efforts.

- 14. The total workforce that accomplishes the mission of the federal government is comprised not only of permanent full-time federal employees, but also of contractors, federal employees hired under non-standard agreements and individuals serving under grants or other arrangements. How should these differences be recognized and addressed in how OPM fulfills its mission of ensuring the federal government has an effective workforce?**

All organizations, public or private, are being challenged by the need to develop and retain the expertise to accomplish its total mission. This results, in some cases, from a loss of talent and experience due to increased employee mobility, demographic peaks and valleys, shortages in select professions or the retirement of critical skill workers. At the same time, organizations have come to recognize that necessary ancillary services that were once provided in-house are better supplied through specialized contractors (e.g., cafeteria service). Federal agencies need the ability to address critical human capital needs through a variety of work arrangements. OPM's Career Patterns Initiative impresses me as one innovative approach to attract talent from a wide variety of sources and provides strategies for tailoring employer-employee work arrangements to individual needs. If confirmed, I will work with the Director in supporting efforts to attract and retain a talented workforce to government service.

- 15. Over-reliance on contract employees can make it harder for an agency or department to develop and maintain critical institutional knowledge and organizational culture. Do you believe that OPM has a role to play in helping agencies and departments achieve a proper allocation of functions between federal employees and contractors?**

I believe OPM and the Office of Federal Procurement Policy at OMB both have roles in this area. Should I be confirmed I will have an opportunity to obtain a greater understanding of this issue.

- 16. Many personnel flexibilities, such as student loan repayments, pay for performance, and recruitment and retention bonuses, require dedicated funding for their successful use. What do you think can be done, in light of fiscal pressures, to ensure that funding will be adequate for employee recruitment and retention and to truly reward good performance?**

I understand that the effective use of personnel flexibilities is evaluated by OPM as part of its assessment of agency human capital programs. OPM also provides annual reports to Congress on the student loan repayment program and recruitment, relocation and retention incentives. These reports should identify any reported barriers using these flexibilities, include fiscal barriers.

- 17. In 2002, the Government Accountability Office reported in a report titled, "Foreign Languages: Human Capital Approach Needed to Correct Staffing and Proficiency Shortfalls," that federal agencies have shortages in translators and interpreters and an overall shortfall in the language proficiency levels needed to carry out their missions (GAO-02-375). What do you believe is the role of OPM in addressing this government-wide shortfall, and what suggestions do you have for increasing the number of language proficient employees in the federal government?**

OPM can help agencies identify special skill needs, including foreign language deficiencies, and work with agencies to support their efforts at recruiting those with needed skills, ensuring those agencies are aware of the flexibilities provided for in current law.

- 18. Mentoring programs can hasten the learning curve for new employees, improve employee performance, and alter the culture of the organization by creating a collaborative, team-based, and results-oriented structure. Moreover, according to an article titled, "USPS Must Provide Mentor As Promised In Settlement Agreement," in the April 10, 2006, issue of Federal Human Resources Week, mentoring opportunities are welcomed by federal workers and help in recruitment and retention efforts. What do you believe is the value of mentoring programs, and what actions, if any, do you believe OPM should take to expand or improve employee mentoring programs in the federal government?**

I believe mentoring programs can be a useful way to transfer both content and cultural information to developing employees. However, in my experience, such programs often fall victim to other demands of the organization on would-be mentors. I understand that OPM is developing information on successful mentoring programs in the public sector. OPM might also consider working with interested agencies to share best practices.

19. In fostering a performance-oriented culture, agencies may work with employee groups and employee representatives to develop buy-in on goals and strategies. Moreover, through collective bargaining, agencies can resolve disputes and establish procedures and arrangements that are perceived by employees as fair and accommodating to employee needs.

- a. Describe your experiences in working with groups that represent employees and employee representatives.

At Sun Company (Sunoco) I worked in an environment in which a sizable portion of the workforce was collectively bargained. At that time, my principal role was to provide information and advice regarding bargaining positions and the implementation of new benefit plans and/or amendments to existing plans. Later in my career, I had significant experience in dealing with labor organizations in the development of legislation in the human resource/benefit areas.

- b. What will you do to foster effective labor-management relations at OPM and elsewhere in the federal government, especially in agencies where relationships have been strained?

It is my view that unions can play an important role in creating a positive work environment within the federal service. It is my understanding that OPM regularly communicates with a number of national unions regarding employee-related issues. If confirmed as Deputy, I would support the Director in her efforts to maintain an open dialogue between management and labor generally within the federal service. I would also support the Director's efforts to keep OPM bargaining units appropriately advised regarding issues affecting the unions' membership.

- c. What is your opinion of the value of collective bargaining at federal agencies for the effective conduct of public business?

I believe that both management and labor have a responsibility to ensure that employees are treated fairly and to support the agency in the furtherance of agency programs and mission. It is important to build trust between all parties through open dialogue and to seek valuable input from employee representatives when appropriate. In this regard, employee

organizations and their representatives have an important role to play in articulating issues from an employee perspective.

Hiring Flexibilities

- 20. The federal government's hiring process has been described as slow and cumbersome. What additional steps should OPM take to help ensure agencies are aware of the hiring flexibilities available to them, such as direct hiring authority and category ranking?**

Reforming the hiring process is a critical first step to recruiting top talent to federal service. I know this is a high priority for Director Springer. For example, OPM worked with the Partnership for Public Service's Private Sector Council to design an online Hiring Toolkit which highlights ways to improve the federal hiring process. Among other issues, it offers advice on recruitment, job posting and selection. It also suggests how to measure success in the hiring process. I am also aware that OPM administers regulations designed to implement the Federal Workforce Flexibility Act of 2004 which provides additional flexibility to help attract qualified employees to federal service. I understand that the Hiring and Succession Planning Subcommittee of the Chief Human Capital Officers Council is working on ways to improve the hiring process. As Deputy Director, I would work with the Director to explore additional ways to make agencies aware of available hiring flexibilities and to explore other ways to improve the federal hiring process.

- 21. Federal agencies are authorized to offer a number of programs and benefits that support the recruitment and retention of employees. What, if anything, do you believe OPM can and should do to foster greater and more effective use of these programs, in order to attract and retain top talent?**

OPM should continue its efforts to encourage agencies to make use of the recruitment and retention flexibilities currently available to help address workforce issues (e.g., recruitment and retention bonuses, student loan repayments), and to use the hiring flexibilities such as those suggested in its Hiring Toolkit to streamline the hiring process. If confirmed, I would support efforts to make agencies more aware of these flexibilities and to encourage their use to address hiring needs.

Merit Principles and Equal Opportunity

- 22. The increase in personnel flexibilities at DHS and DOD, among other agencies, by affording greater discretion to supervisors in the areas of pay and performance management, raises questions as to whether the merit system principles are followed. What role do you see OPM playing in ensuring agency compliance with the merit system principles? What mechanisms do you envision to hold agencies accountable?**

Both the Homeland Security Act of 2002 and the National Defense Authorization Act for Fiscal Year 2004 expressly require compliance with merit system principles. OPM is also statutorily charged with enforcing merit system principles. To my knowledge, nothing in these Acts limits OPM from taking corrective actions to address compliance under the Merit Principles. I believe that OPM personnel routinely monitor and audit agency compliance with merit system principles and are familiar with crafting remedial mechanisms to address issues as they arise. I would expect that these activities would include both DOD and DHS. If confirmed, I will support these efforts.

23. What are the “lessons learned” from the introduction of performance-based pay into the Senior Executive Service? What steps can OPM take to ensure this system, and the performance-based systems at DHS and DOD, are seen by employees as credible and fair?

While it is too soon to assess “lessons learned” from the introduction of performance-based pay into the Senior Executive Service, it is possible to make some general observations. Performance-based systems have been commonly used for many years in the private sector. I have also been informed that approximately 90,000 federal employees (not including those covered by the DHS/DOD legislation) are currently covered by some form of performance-based pay system and that some have been in place for as long as 25 years. A January 2004 GAO report based on an examination of pay-for-performance demonstration projects strongly endorsed the need to expand such systems in the federal government. Generally, experience tells us that successful systems depend on:

- *Clearly stated and communicated organizational goals;*
- *A performance process which enumerates measurable individual objectives that support organizational goals and personal development;*
- *Competent managers who can establish individual performance targets at the beginning of the performance period and provide meaningful reviews of individual performance at the end;*
- *Pay and recognition systems which reward good performance; and*
- *Continuous review and improvement of existing performance and related pay systems.*

OPM can work with various agencies, including DHS and DOD, to ensure the above factors are in place and to identify issues as they arise in the administration of such systems.

24. **The efforts of the Departments of Homeland Security (DHS) and Defense (DOD) to implement the MAX HR and the National Security Personnel System programs have been largely frustrated by adverse court decisions. What would be your suggestions for changing how OPM approaches these kinds of efforts in the future, or for changing the policies incorporated in to the regulations in the future?**

I have no detailed knowledge of these court actions. Therefore, it would not be appropriate for me to comment on these issues.

25. **Last year the Senior Executives Association released a survey of senior executives which reported that 53 percent of respondents claimed their agencies use quotas to determine the number of individuals who may receive a particular performance rating despite the fact that federal regulations prohibit their use. If confirmed, what will you do to ensure that either quotas are not used, or that employees do not perceive the use of quotas?**

As noted, "forced distributions" are prohibited. It is my understanding that guidance to this effect has been given to federal agencies regarding Senior Executive Service performance assessments. It is important that agencies work to make meaningful performance distinctions as Congress intended, based on individual performance evaluations relative to pre-established objectives. If confirmed as Deputy Director, I will work with the Director to ensure that the SES performance system is properly and fairly administered and is in accord with all legal requirements.

26. **In the August 2006 report, "The Federal Workforce: Additional Insights Could Enhance Agency Efforts Related to Hispanic Representation" (GAO-06-832), GAO reported that education and citizenship had the greatest effect (of measurable factors) on representation of Hispanics in the federal workforce. The report also provided illustrative examples of actions that selected agencies are taking to address Hispanic representation. In your view, what actions should OPM take to further assist federal agencies in their efforts to recruit, retain, and advance Hispanics in the federal workforce?**

The federal service is in competition with the private sector for talent. The result has been providing increased opportunities for minorities in industry. While I am not specifically familiar with specific agency recruiting efforts, I am aware that OPM is supportive of agency efforts at more effective outreach to under-represented populations, including those of Hispanic heritage. If confirmed, I would support the Director's efforts to sustain these efforts.

27. **In June 2006, the Equal Employment Opportunity Commission (EEOC) reported on the state of equal employment opportunity and diversity in the federal workforce in the previous year. Major findings show that the number of federal employees with targeted disabilities dropped 16 percent from 1996, that the number of Hispanics and women remained their overall availability in the national civilian labor force, and that the average General Schedule grade for women was 9.2, which is 1.5 grades below the average grade level for men of 10.7.**

- a. What are your views on federal agencies' current EEO practices and on the assistance and guidance that OPM provides in this area? What changes, if any, would you make if you are confirmed?

I am unfamiliar with the EEO practices of individual agencies or the guidance provided by OPM, and as such I am not qualified to offer my thoughts on potential changes. I would hope to learn more on this topic, if confirmed as Deputy Director.

- b. What are your views on the coordination and collaboration between EEOC and OPM with respect to diversity? If you are confirmed, what will you do to enhance cooperation in this area?

I have no direct knowledge of the existing level of collaboration between EEOC and OPM. If confirmed, I would be happy to explore ways to enhance cooperation with EEOC.

- c. Generally, what steps do you believe OPM should take to improve equal employment opportunity and diversity management within the federal workforce?

Merit system principles make it clear that all employees and applicants "should receive fair and equitable treatment in all aspects of personnel management" regardless of, among other things, minority, gender, or handicapping condition. I believe that OPM takes its role in safeguarding this principle seriously. If confirmed, I will support the agency's efforts.

Personnel Management Legislation

28. **Existing statutes and regulations applicable generally to federal agencies provide a variety of personnel flexibilities, including opportunities to reward employees for superior performance. What is your opinion of the extent to which agencies make use of the flexibilities they currently have, and what do you believe should be done to encourage agencies to make better use of them?**

I understand that existing statutes, including statutes passed in the last few years, have provided agencies with useful personnel flexibilities. I also understand that the Director has taken steps to increase OPM's outreach to agencies to ensure they are aware of these flexibilities, and to share "best practices" between agencies. I believe she has also taken steps, as the chair of the Chief Human Capital Officers (CHCO) Council to raise awareness about these flexibilities at the senior human resource level across the Federal Government. Upon confirmation, I would look forward to assessing the extent to which agencies are using various flexibilities to address agency mission requirements in addition to looking at what else OPM might be able to do to assist agencies in this area.

29. **OPM has long stated the positions that employment discrimination based on sexual orientation is a prohibited personnel practice under 5 U.S.C. §2302(b)(10), and that agencies and managers should commit themselves to promoting a work environment that is free from discrimination based upon sexual orientation. (See "Addressing Sexual Orientation Discrimination In Federal Civilian Employment: A Guide to Employee's Rights," www.opm.gov/er/address2/guide01.asp). If confirmed as Deputy Director, would you continue to support these existing interpretations and policies?**

Yes.

30. **On March 30, 2006, the Senate Subcommittee on the Oversight of Government Management held a hearing on the use of veteran's preference in the federal government. At that time, representatives from Veteran Services Organizations expressed their concern over the use of federal hiring programs that they believe circumvent veteran's preference and the perceived lack of enforcement of veteran's preference laws. What do you see as the largest challenge to ensuring full compliance with veterans preference laws, and what steps do you believe need to be taken address those challenges?**

I support the agency's efforts to work with agencies to address their hiring issues in accordance with veteran's preference laws. I am aware that OPM provides training on veteran's preference to agency managers and HR professionals. I also understand that OPM periodically reviews agency hiring practices. I am looking forward to learning more about the issues concerning veterans groups.

31. **The Chief Human Capital Officers (CHCO) Act of 2002 (P.L. 107-296) established the role and responsibilities of both the agency CHCOs and the CHCO Council.**
- a. **What value have such senior positions brought to the management of the organizations that you are familiar with?**

I believe the creation of the Chief Human Capital Officer position has helped to elevate human capital issues within federal agencies. The CHCO's can make a difference in making their agencies successful. At the same time, the CHCO Council can play an important role in providing a forum to discuss HR policy issues.

- b. How do you believe OPM can best support the integration of CHCOs' contributions to improved agency management?

I believe that Director Springer's reorganization of the Council and the creation of six subcommittees to address various human capital issues has increased opportunities for coordination of activities. If confirmed, I look forward to working with the Director and the CHCO Council on shared human capital issues.

Information and Technology Management

32. **The role of technology in delivering human capital services is key to greater organizational effectiveness, economy, and efficiency. For example, within the last several years, improvements to technology and assessment techniques have made it possible to examine human capital issues more thoroughly, with fewer costs. What, if any, actions do you believe should be taken to ensure that OPM is leveraging the most useful technology, and has staff with the right technical capability, to assist agencies in cost effectively assessing their human capital needs? More generally, what challenges do you see to OPM's success in using technology to achieve results?**

I have dealt with similar issues in my experience in the private sector. I do not have in-depth knowledge about OPM's efforts in the technology arena, but, if confirmed, I look forward to learn more about this critical area.

33. **Reviews by OPM's Office of Inspector General, including its Government Information Security Reform Act Review for Fiscal Year 2001, identify weaknesses and opportunities for improvement in OPM's information security, such as the need to perform formal risk assessments and to implement an agency-wide security program. What steps should OPM take to strengthen its information security program? How will you help foster a strong management commitment to information security in OPM?**

While I am not familiar with the OIG review, as a former senior executive of a managed information hosting company, I appreciate the necessity to manage information security in today's modern technology environment. I am aware that OPM takes this responsibility very seriously. In fact, I have been informed the House Committee on Government Relations Reform has recently rated OPM's efforts as superior in this regard. If confirmed, I will vigorously support existing

OPM efforts to periodically review information security, to identify new challenges and to address identified problems.

Federal Employee Benefits

- 34. What suggestions do you have for management of the Federal Employees Health Benefits Program (FEHBP) program to obtain high quality, affordable benefits?**

I am generally aware that OPM is committed to maintaining high quality health benefits at reasonable consumer cost. To do this, OPM has focused on setting high standards of quality care, controlling administrative costs, maintaining insurance carrier competition, and carefully managing health plan experience. If confirmed, I would look forward to learning more about what OPM is doing to create networks of efficient providers and hospitals; health prevention efforts; and OPM's efforts at controlling prescription drug costs and competition among suppliers.

- 35. In January 2007, the Government Accountability Office (GAO) released a report titled "Federal Employee Health Benefits Program: Premium Growth Has Recently Slowed, and Varies Among Participating Plans" (GAO-07-141), which noted that if OPM had decided to apply for the 2006 Medicare employer prescription drug subsidy provided for by the Medicare Modernization Act the 2006, FEHBP premium growth could have been 3.5 to 4 percentage points lower for particular plans. What is your view on whether OPM should participate in the subsidy?**

I am not specifically familiar with this issue and if confirmed, I look forward to learning more about it.

- 36. According to testimony given to the Senate Oversight of Government Management Subcommittee on February 1, 2007, the Health Insurance Portability and Accountability Act (HIPAA) may not provide sufficient protection to FEHBP plan participants as electronic health information becomes more easily transmitted. What steps should OPM take to ensure that FEHBP insurance carriers protect the private health information of federal employees?**

My understanding is that all FEHB carriers are required to be in compliance with HIPAA and are subject to OPM regulations on confidentiality of records. I also understand that HHS is taking additional steps to address the privacy and security of personal health information through the American Health Information Community. If confirmed, I will support efforts to work closely with HHS to address any potential gaps in consumer privacy resulting from increased reliance on the electronic transmission of health data.

Internal OPM Management Issues**37. In regards to OPM's internal human capital management:**

- a. How do you plan to build and maintain the human capital OPM needs to achieve results?

While I am not specifically familiar with efforts within the agency, my experience would suggest that the following are some key elements to making any organization an employer of choice:

- *Clearly defined and communicated organizational objectives and measured progress against those objectives;*
- *Individual performance goals linked to agency goals and rewards for successful performance;*
- *Rigorously selected and trained supervisory personnel and continuous assessments of management performance;*
- *Use of individual performance plans to identify professional growth opportunities and work to see that they are achieved;*
- *Whenever possible, promotion from within;*
- *Identified skill gaps and aggressive recruitment of high levels of talent;*
- *Frequent open and direct communications; and*
- *Celebrations of individual, program and agency success.*

By developing OPM's Strategic and Operational Plan and measuring progress towards the accomplishment of the goals contained therein, I believe Director Springer has taken critical steps towards building employee commitment. If confirmed, I look forward to working with her to make OPM a special place to work.

- b. What attributes and competencies of the OPM workforce do you believe can be helpful in enhancing a results-oriented culture?

While I am not as familiar with the competencies of the OPM workforce as I hope to be, my sense is that in general, OPM employees are highly dedicated and experienced regarding OPM's many roles. In my brief dealings with senior OPM staff, I have been impressed with their sense of purpose and commitment. In talking with these individuals, it would appear that OPM has made significant advances in assuring clear communication of strategic objectives, training of supervisors in performance management roles and processes, and reinforcement of performance expectations through appropriate rewards and related management areas. All of these are necessary prerequisites for building a results-oriented culture.

- c. What challenges does OPM face in attracting, hiring, and retaining staff with those competencies and what mix of strategies could be used to address those challenges?

OPM, like many federal agencies, is faced with a generational exodus as many of its key employees reach retirement eligibility. The loss of experienced agency personnel represents a threat to sustaining a stable human capital environment within the federal service. The first step in addressing this issue is to identify short and long term critical skill needs. Next, OPM should address succession plans within the existing workforce and aggressively pursue fresh talent across the board, from entry level to seasoned professionals. OPM should work to attract and retain existing critical skill employees using some of the suggestions in OPM's own Career Patterns Guide to create flexible work arrangements. As OPM itself becomes more reliant on technology and outside expertise in numerous areas, it is important to train staff to effectively manage diverse employee populations. The final key is to make OPM an employer of choice. Some of the necessary strategies for this are outlined in sub paragraph (a) of this question.

Many of these strategies may already be in place, and I look forward, if confirmed, to working with Director Springer and OPM personnel in workforce planning efforts.

- 38. OPM has been working on an effort to modernize the federal government's retirement system which processes over \$50 billion in benefits annually. What do you see as the biggest risks to this modernization? What processes will you put in place to mitigate these risks?**

I am aware that this is one of Director Springer's highest priorities and that she regularly monitors project progress. I hope that, if confirmed, some of my private sector experience will be useful in supporting her efforts.

- 39. During the 1990s, OPM was downsized, its budget was reduced, and – through delegation and deregulation – its role and mission changed. With today's continued emphasis on human capital flexibilities, OPM's role is continuing to evolve. What do you see as OPM's role in the future? What do you foresee regarding restructuring of the OPM workforce?**

My expectation is that OPM will become a greater partner in agency efforts to address their respective human capital needs. In this role, OPM will have increasing responsibility for providing guidance on how to increase the effectiveness of agency workforces and can serve as an active change agent. As administrative functions become increasingly automated and centralized, OPM will need to work with both service providers and agencies to make sure that

human capital issues are being addressed. Since I do not have great familiarity with OPM's current personnel or structure, it would be inappropriate for me to comment in that regard.

40. **OPM has major initiatives underway to shift the orientations of its efforts – focusing less on ensuring compliance with procedures and more on assisting agencies achieve results. What are your thoughts on how OPM can strike the best balance between “rules and tools?”**

In today's challenging human resource environment, human capital managers are increasingly called upon to be problem solvers, whose definition of success is to achieve results within the existing regulatory framework. In this regard, rules should be perceived less as barriers to action, than as a means of directing a particular result (e.g., an unbiased hiring process). In my tenure at the Private Sector Council, I have observed, at times, a lack of awareness of new flexibilities or a reluctance to try new ways of doing things permitted under the rules. If confirmed, I will support OPM efforts at educating agency personnel in innovative, appropriate ways to achieve positive results.

IV. Relations with Congress

41. **Do you agree without reservation to respond to any reasonable summons to appear and testify before any duly constituted committee of the Congress if you are confirmed?**

Yes

42. **Do you agree without reservation to reply to any reasonable request for information from any duly constituted committee of the Congress if you are confirmed?**

Yes

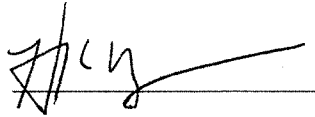
V. Assistance

43. **Are these answers your own? Have you consulted with OPM or any interested parties? If so, please indicate which entities.**

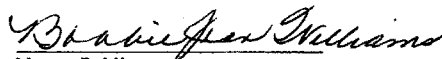
The answers contained herein are solely my own. I have received general background information on selected topics from OPM personnel and where appropriate, used this information in constructing my answers.

AFFIDAVIT

I, Howard C. Weizmann, being duly sworn, hereby state that I have read and signed the foregoing Statement on Pre-hearing Questions and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.



Subscribed and sworn before me this 14th day of March, 2007.


Notary Public

Bobbie Jean Williams
Notary Public, District of Columbia
My Commission Expires 11/30/2011

**Senator Mary L. Landrieu
Questions for the Record
Pre-Hearing Questions for Mr. Howard C. Weizmann
Deputy Director, Office of Personnel Management**

Preamble

The Federal Wage System (FWS) was developed to make the pay of Federal blue-collar workers comparable to private sector rates in each local wage area established by the Office of Personnel Management (OPM) nationwide. However, the FWS is flawed and nowhere is it more evident than in Louisiana.

There are three separate local wage areas in Louisiana. The New Orleans (061) Wage Area sets the wages for Federal blue-collar workers for all Parishes from the Mississippi state-line to West Baton Rouge Parish, and south to the Gulf coast. The Lake Charles-Alexandria Wage Area (060) sets the wages for all parishes from West Baton Rouge to the Texas state-line and from the Gulf coast to Alexandria. The Shreveport Wage Area (062) sets the wages for all Parishes north of Alexandria.

Ironically, and for quite some time now, the New Orleans Wage Area has had the lowest set wages out of the three regions. Federal workers in the New Orleans wage area make, on average, \$2.00 less per hour than Federal workers in the Shreveport wage area. The discrepancy is even greater between the New Orleans wage area and the Lake Charles-Alexandria wage area, where workers make a staggering \$7.00 more per hour for exactly the same job and grade.

Prior to Katrina, the cost of living in the New Orleans area was already high, compared to other Metro Areas in the U.S. with the same population. And in relation to Shreveport and Lake Charles-Alexandria, the cost of living in New Orleans was at least 10% higher than the other two regions. The 2005 hurricane season increased the cost of living in New Orleans further still, separating it even more from the other two FWS wage areas in the State. Setting wages for FWS employees in the New Orleans wage area can no longer be treated as "business as usual".

For the first time in American history a major urban area was destroyed by natural disaster, affecting every citizen's efforts to make a living and restore basic necessities of life. A significant number of Federal agencies have dispersed employees to locales less affected by Katrina, and commuting patterns have been drastically altered for a large percentage of federal and private sector employees. The industrial base has been shattered in the current survey area, especially in the parishes of Plaquemines, St. Bernard and Orleans, and to a somewhat lesser extent, in Jefferson and St. Tammany Parishes. Federal work locations, as well as private sector employment, have trended westward toward Baton Rouge, doubling that city's population post-Katrina. Employees are also traveling great distances to workplaces, while contending with heavy increases in the price of fuel.

The cost of owning a home anywhere in the Greater New Orleans Area has increased over 40%, and energy, goods, and services have also experienced sharp increases in cost since the storm. These increases are forcing Federal workers in New Orleans to take on second jobs or just relocate. In addition to existing employees in the area being forced to leave due to their inability to live on such low wages, the inadequacy of pay is also discouraging applications to fill these vacated positions. Those who stay have to seriously consider the option of seeking employment elsewhere, not because they want to, but because their financial situation dictates such action. The effects of this mass-exodus of labor from the region are far reaching. Fewer workers means less money being spent in the local economy, which means less business for the corner store or the shopping center, declining revenue for local businesses, and a consequent reduction in workforce or outright closure, thus shrinking job growth even further. The erosion of Louisiana's federal workforce must be reversed.

I am aware that some businesses are booming right now and some people are spending money at a rate that other economies envy. However, many of the funds for these expenditures are not being generated as a result of permanent employment. Much of the money floating around the local economy is being spent by temporary workers taking part in reconstruction efforts or by recipients of insurance settlements, which is obviously not recurring income. These revenue streams do not have the staying power that a well paid, stable workforce provides to a lasting economic recovery.

I have major concerns about the New Orleans survey area and the ability to obtain representative data leading to a fair and equitable pay schedule for federal employees. The current survey area is limited to Orleans, Jefferson, St Bernard, Plaquemines, and St Tammany. The Parishes used as the sample area for setting wages in southeast Louisiana were established in the 1970's when the FWS was first implemented. The economic make-up of the New Orleans area has changed drastically since 1970, and especially since Hurricane Katrina.

Questions

1. The 2006 Survey showed that the weighted per-hour increase in the New Orleans area should be 10% over FY 2006 hourly wages. However, extended provisions contained in Public Law 109-115, enacted in November of 2005, provided that pay increases for prevailing rate employees in FY 2007 could not exceed 2.32%. If confirmed, would you allow the unrestricted results of the 2006 Full-Scale Wage Survey to be applied to the New Orleans Wage Area immediately, in accordance with (IAW) Title 5 CFR Section 532.801?

I am unfamiliar with this issue and would require additional background information before making any recommendation. If confirmed, I look forward to learning more about this issue and helping to determine what OPM's appropriate response should be regarding its resolution.

2. The wage area currently excludes the Parishes of St. John the Baptist and St. Charles, but these parishes are included in the U.S. Census Bureau's Metropolitan Statistical Area for the City of New Orleans. If confirmed, would you allow adjustment of the New Orleans Survey Area to include all the Parishes that make up the New Orleans Metropolitan Statistical Area according to the U.S. Census Bureau, namely Jefferson, Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, and St. Tammany, in accordance with the Federal Wage System Operating Manual - Appropriated Funds, Section S5-4 Criteria for Establishing Wage and Survey Areas (a) (3) & (4)?

As noted, if confirmed, I would look forward to learning more about this issue.

3. If confirmed, would you allow the New Orleans Wage Area to be combined with the Lake Charles-Alexandria Wage Area, in accordance with the Federal Wage System Operating Manual - Appropriated Funds, Section S5-4 Criteria for Establishing Wage and Survey Areas (c) (1), (2) & (3)?

As noted, if confirmed, I would look forward to learning more about this issue.

4. If confirmed, would you allow a Special Pay Schedule determination for full-time federal employees in the 061 New Orleans Wage Survey Area, pending a more permanent resolution to these issues?

As noted, if confirmed, I would look forward to learning more about this issue.

5. If confirmed, would you be receptive to a request that the area along the Gulf Coast impacted by Hurricanes Katrina and Rita be designated as a distinct area for purposes of locality pay increases?

If confirmed, I would look forward to learning more about this issue and any recommendations to be presented to the agency.

6. National Guard employees are subject to the Federal Wage System which surveys similar private sector positions in the area to determine prevailing wage rates. However, there are not many jobs in the private sector that involve military tasks and training in preparation for national, state, and local defense. If confirmed, would you be receptive to a request that OPM review and report on whether the FWS wage survey instrument is still a viable means of setting wages for Title 32 Military Technicians of the National Guard.

These types of reports have been commissioned in the past:

- House Report 107-152 accompanying H.R. 2590 (enacted as Public Law 107-67, November 12, 2001) directed OPM to review and report to Congress on how Federal Wage System (FWS) wage surveys instrument quantifies the cost of labor with respect to "mixed wage grade jobs" at the Bureau of Prisons (BOP), U.S.

Department of Justice. The Committee expressed concern that FWS wage surveys may be inadequate with respect to setting pay for BOP employees.

- House Report 107-152 accompanying H.R. 2590 (enacted as Public Law 107-67, November 12, 2001) directed OPM to report on its intention concerning the geographic wage area definition of the Salinas-Monterey FWS wage area.

If confirmed, I would look forward to learning more about this issue and any recommendations to be presented to the agency.

Senator Daniel K. Akaka
Additional Questions for the Record
Nomination Hearing for Mr. Howard C. Weizmann
May 1, 2007

1. As you know, the Office of Personnel Management (OPM) is promoting new career paths in the federal government whereby federal employees no longer work a 40-hour week for 20 years. Rather, efforts are focused on part-time, temporary, or flexible work arrangements. What impact will these proposed changing career patterns have on federal employee ethics rules and regulations?

I am generally familiar with the ethics rules. It is my understanding that these rules are applied on a case-by-case basis to prevent conflicts of interest and favoritism in hiring and review. While I believe the rules are not inherently incompatible with the type of flexible work arrangements described in the question, I know that OPM has a great deal of expertise in this area and I would support efforts to ensure that agencies' use of these new arrangements is consistent with existing ethics rules and regulations.

2. One of OPM's critical roles in the federal government is administering the Federal Employees Health Benefits Program. The Government Accountability Office recently reported that if OPM had participated in the Medicare prescription drug subsidy employee premiums would have been reduced. How do you propose to ensure the best quality of care for all participants at the lowest possible cost without losing any services?

I am not specifically familiar with the Medicare prescription drug subsidy issue noted in the question or the GAO report. A large proportion of health cost growth is determined by utilization of services and prescription drugs. New trends in cost control in the private sector, such as the establishment of consumer driven health plans and second generation managed care approaches, are having some impact on slowing cost increases; however, it would be premature for me to speculate on potential solutions within the federal environment or their potential impact on FEHB costs. If confirmed, I would look forward to learning more about current efforts at cost management and exploring other opportunities for making the FEHB more cost efficient, without sacrificing plan quality.

3. I am a strong supporter of employee mentoring and apprentice programs. Studies have shown that mentoring programs improve recruitment and retention as well as productivity. For example, the Pearl Harbor Naval Shipyard apprentice program has been a huge success in transferring knowledge and skills from more senior employees to younger workers. The shipyard receives a record number of applicants each year for the program. What is your assessment of the federal government's mentoring programs, and what recommendations would you make for expanding such programs?

I also believe mentoring programs can be a useful way to transfer both content and cultural information to developing employees. I understand that OPM is developing

information on successful public sector mentoring programs. If confirmed, I would support OPM's efforts at working with interested agencies to share best practices.

4. In your many years of experience in human capital management, you have studied and made recommendations on many personnel systems in the private and possibly public sectors. What trends in human capital management do you see in your private sector experience that would be of benefit to the federal sector?

I have listed a few trends that might be of interest to the federal sector:

Customer Focused Organizations

Today's private sector organizations are more customer-focused than at anytime in the past. Technology has made it easier to connect disparate organizations in an integrated supply chain to deliver goods and services to the customer. Improving service delivery has moved interaction from the vertical—up one corporate chain of command and down another—to the horizontal, across separate organizations, each owning a piece of the process. Such organizations are often not linked by formal organizational structures, but by functional responsibilities to the customer. These organizations are more flexible and can adapt more quickly to customer requirements. This is taking place in the public sector as well, but on a limited basis. If confirmed, I would support efforts to review the success of such strategies and look for opportunities to use such approaches to improve service delivery by the federal government.

Centralized Benefit Administration and Employee Self Service

The centralization and automation human resource administrative functions have been already accomplished by most large private sector organizations. These systems have been structured to be user friendly to facilitate employees' ability to access information without an HR intermediary. The E-Government and Line of Business efforts in the federal government are positive steps in the same direction. We should support these efforts and explore new ways of making information about pay and benefits available directly to employees, retirees and dependents.

Pay

Private sector organizations are increasingly using total cash (or at least the inclusion of lump sum incentive rewards) in the calculation of retirement benefits. This reduces the pressure on increasing base pay at the expense of greater performance incentives. As performance management takes greater hold within federal employment, consideration could be given to whether it would be appropriate to move in a similar direction.

Benefits

Private health plan sponsors have been aggressive in managing health and prescription drug costs using a variety of mechanisms such as health care savings accounts, preferred provider networks and drug purchasing arrangements. I am not familiar with current cost containment efforts within the FEHB program, but I am looking forward to learning more and helping to determine which, if any, of these private sector approaches could be integrated into the federal health benefits program.

Paid time off (PTO) is also a popular trend in private industry. Under such plans, pay and sick leave are combined, generally resulting in longer leave availability. Under these programs, employees are permitted to take leave without designating it as either sick or vacation time. Longer illnesses are addressed under short term disability programs. PTO programs are generally popular with younger, shorter service employees. Employers like such programs because they reduce the liability of accruing sick leave and are less burdensome to administer. If confirmed, I would look forward to exploring whether or to what extent such programs might be considered as an option to attract younger workers to the federal service.

5. As you know, the Department of Defense and Department of Homeland Security are implementing pay for performance systems. One of the concerns with pay for performance is the potential for quotas or forced distribution. This could unfairly deny pay increases for high performing employees. The use of quotas was found to be a major concern of senior executives with the Senior Executive Service pay system last year. How do you define the terms “quota” and “forced distribution?” What can OPM do to help agencies understand how to make meaningful distinctions in performance and not resort to quotas or forced distributions?

In the context of performance management, the term “quota” generally refers to permitting only a fixed number or a specified percentage of employees to receive a particular (usually the highest) performance rating. A “forced distribution” of performance ratings is a mandated percentage of ratings across all rating categories. A “natural distribution” is one in which the ratings distribution accurately reflects the relative job performances of employees. The danger of quotas or of forced distributions is that a redistribution of ratings occurs not on merit, but based on predetermined percentages for each rating’s category. Forced distributions—and by extension, quotas—are, I believe, prohibited by law. At the same time both Congress and OPM have encouraged agencies to make “meaningful distinctions” in measuring employee performance.

I believe the best way to ensure fair and accurate appraisals of performance is to train managers in how to administer performance plans. My understanding is that OPM currently encourages agencies to train their managers to manage performance and to identify meaningful performance distinctions. The training focuses, in part, on understanding how to initially set meaningful and measurable performance objectives against which individual accomplishment is to be measured. In my experience, as trained managers gain expertise at administering such programs, they get better at identifying meaningful distinctions in performance among the employees they supervise. If confirmed, I would support continued efforts at such training and would work with the Director to encourage agencies to take advantage of training opportunities for federal managers. I understand OPM also works with the Chief Human Capital Officers Council and other human capital executives to share best practices.

6. The Merit System Principles specifies that all employees and applicants should receive fair and equitable treatment in all aspects of personnel management. However, concerns over the diversity of the federal workforce remain. What is your view of the level of diversity in the federal workforce and what do you see as the government's biggest challenge to improving diversity?

I am generally familiar with the recent Federal Equal Opportunity Recruitment Program (FEORP) report for fiscal year (FY) 2006 to Congress which contains statistics on the representation of women and minorities in the federal workforce. The report shows the federal government continues to be a leader in providing employment opportunities to minorities in FY 2006. Overall, the report indicates that minorities are better represented in the federal workforce than in the civilian labor force. While Hispanics remain underrepresented in the federal workforce when compared to the civilian workforce and women are also slightly underrepresented, improvements in both categories continue to be made. I would support OPM's efforts to assist agencies by providing policy guidance and technical support. I will also support efforts to encourage agencies to remain committed to attracting a high-performing diverse group of Federal job applicants.

7. Most foreign nationals employed by the Federal government are located in U.S. embassies overseas. In your opening statement, you spoke about the increased flexibility private companies have to hire foreign nationals and that the federal government lags behind in being able to attract this group of potential employees. I would like you to clarify further what you meant by this. Do you believe that the Federal government needs increased flexibility to hire foreign nationals in the United States and, if so, what gaps in our workforce do they need to fill?

My testimony did not intend to imply that the federal government needs more flexibility to hire foreign nationals. The reference was only intended to suggest that the pool of available talent is more limited for the federal government than for the private sector.

8. According to a Council for Excellence in Government report (*Within Reach . . . But Out of Synch, The Possibilities and Challenges of Shaping Tomorrow's Government Workforce*, December 5, 2006), non-federal workers see the private sector and non-profit organizations as a better path to conducting meaningful work than the federal government. The report further indicates that this is largely a perception problem due to a lack of information on federal employment for non-federal workers. How can OPM engage the non-federal workforce to improve the education and perceptions on federal employment?

Perceptions are changed in large measure by increased communications. I am aware that OPM has designed a limited communications program to target potential employees in selected markets. I also understand anecdotally that this effort has been helpful in creating an interest in federal employment. If confirmed, I would support similar, expanded efforts at direct communication. I would also support reviewing current employment outreach practices at college campuses to determine if these practices could

be made more effective. I have outlined my understanding of OPM's efforts to work with other agencies to use increased hiring flexibilities in my testimony and in previous responses to staff questions. These efforts are critical to meeting the needs of federal employers. If confirmed, I would support continuation of these efforts and would look forward to exploring what other actions can be taken to improve the perception of federal employment.

9. You have signed an Office of Government Ethics statement saying you would recuse yourself from any OPM dealings that may have a financial impact on you or your spouse pertaining to Watson Wyatt Worldwide since you were a former employee of the company and your wife is a current employee. Can you elaborate on the potential conflict of interest and situations which may require your recusal? For instance, would you have to recuse yourself from major policy decisions at OPM that involved or may involve Watson Wyatt and their work? Would you need to recuse yourself from the design or approval of a request for a consultant, which Watson Wyatt could bid on?

My Ethics Agreement provides that I will not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interests or those of any other person whose interests are imputed to me. Because the agreement references a "direct and predictable" impact, it is conceivable that I would participate in reviewing or evaluating policy recommendations that could eventually result in an OPM procurement. Because I am committed to avoiding even the perception of a conflict of interest, however, I would refrain from participating in the development or approval of any requests for proposals for contract services. Similarly, I would recuse myself from any role in the selection process that would result in OPM making an award for such services. In addition, I would not attend any meetings between representatives of OPM and officers or employees of Watson Wyatt Worldwide. I do not interpret my ethics agreement as precluding me from participating in the review or evaluation of any policy recommendations based upon work performed by Watson Wyatt, however, so long as there will be no direct and predictable financial benefit that could result to Watson Wyatt. As particular situations arise, I would expect to seek the guidance of OPM's General Counsel (who is OPM's Designated Agency Ethics Official) and his staff.

**Senator Tom Coburn
Additional Questions for the Record
Nomination Hearing for Mr. Howard C. Weizmann
May 1, 2007**

Questions for Mr. Weizmann

1. What are you specifically prepared to do and accomplish within the next 18 months to put forward in a meaningful, measurable and accountable way to the American tax payers to modernize and overcome the Office of Personnel Management's growing backlog of security clearance actions?

I understand that improving the security clearance process is a major priority of OPM's and of great concern to this Committee. I am also aware that OPM takes this initiative very seriously. In 2005, OPM prepared a specific plan for improving the security clearance process. OPM's 2007 Strategic and Operational plan contains specific targets to be achieved for 2007 and has monitored progress against these goals. Similarly, to speed the clearance process, I understand that OPM has begun trial efforts to transmit completed investigations electronically to the requesting agencies. In February of this year, the OMB/OPM-led Security Clearance Oversight Group submitted a report to Congress documenting progress made in reducing the clearance backlog. If confirmed I will support Director Springer's efforts to achieve success in reducing the clearance backlog and to report progress to this Committee. Further, I would look forward to learning more about this issue.

2. How do you plan on putting the security clearance process onto a path for real improvement without compromising public trust?

If confirmed, I will work with Director Springer to ensure that existing plans to address the backlog are appropriate and are being implemented properly. I understand that removing inefficiencies and unnecessary requirements in the current process is important, but not at the expense of compromising the public trust.

3. What do you have specifically in mind to realizing the modernization of the security clearance and hiring process?

Until I am confirmed, I am not in a position to comment on what further needs to be done. It may be that existing issues, if any, are related to the execution of a good plan or that the plan itself needs to be amended. If confirmed, I will support the Director's efforts to address any issues and lend any help I can to improve existing efforts.

4. What would you need from Congress to support you in the above effort?

I am not yet in a position to answer this question; however, I will work with Director Springer and relevant OPM personnel to identify where further help and/or resources might be needed to meet the Congressionally mandated deadline.