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Opening Statement of Jo Ann Davis, Chairwoman Subcommittee on Civil Service and Agency Organization “*Esprit de Corps: Recruiting and Retaining America’s Best for the Federal Civil Service*” February 11, 2004

Thank you all for joining us today. We begin the second term of the 108th Congress in much the same way we did the first – with an exploration of what steps we can take to attract, motivate and retain the best qualified workers to the federal government.

Last year, this Subcommittee’s first hearing focused on the broad subject of compensation reform. Today, we will be looking at two specific legislative proposals. These legislative proposals, if enacted into law, would enhance management flexibilities, to attract and retain the best and the brightest across the government and would alleviate the problem of pay compression for administrative law judges.

Taken together, these two initiatives represent the major point of our recruitment and retention strategy: to address the very real pay, benefit and personnel issues that keep potential employees from joining the civil service and sometimes drive our best employees and managers away.

The first piece of legislation is H.R. 1601, the Federal Workforce Flexibility Act, which I introduced last year. This bill would do many things to improve the effectiveness of the federal government, including expanding agencies’ abilities to offer recruitment, retention and relocation bonuses, allowing agencies to offer enhanced annual leave benefits to mid-career hires, emphasizing training, streamlining critical pay authority, and making it easier for agencies to establish personnel demonstration projects. A companion bill, S. 129, has made its way through the Senate Governmental Affairs Committee with some changes.

The second bill is H.R. 3737, the Administrative Law Judges Pay Reform Act, which I introduced earlier this year. This legislation addresses the large problem of pay compression among administrative law judges. The 1,400 ALJs across the government are responsible for hearing disputes over their agency’s decisions. Most of them work at the Social Security Administration, where they make judgments on citizen appeals. They play a crucial role. Pay compression – caused by a statutory cap on ALJ salaries – is especially worrisome in high-cost areas such as Boston, Chicago, Los Angeles, New York, and San Francisco. This problem threatens the ability to hire and retain an appropriate number of administrative law judges. Until recently, members of the Senior Executive Service were subject to the same cap – but that problem was remedied for the SES last year. That legislation, however, failed to address the ALJ situation.

I want to again thank our witnesses for being here today. I look forward to hearing your thoughts on these pieces of legislation.