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# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS  
WASHINGTON, DC 20510-6250

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September 23, 2021

The Honorable Shalanda Young  
Acting Director  
Office of Management and Budget  
725 17<sup>th</sup> Street NW  
Washington, DC 20503

Dear Ms. Young:

I am writing to request information regarding the Office of Management and Budget (OMB), the Office of Personnel Management (OPM), the General Services Administration (GSA), and the Safer Federal Workforce Task Force (Task Force) feedback and guidance for agency reentry. While I understand that the plans submitted by agencies to OMB are not intended for publication, I am increasingly concerned about backlogs of essential government services. As Ranking Member on the Senate Homeland Security and Governmental Affairs Subcommittee on Government Operations and Border Management, it is my responsibility to conduct oversight to ensure our Federal agencies are faithfully and effectively serving the American people. Currently, my constituents are feeling the pain of slow or non-existent responses for essential Federal services.

While the Internal Revenue Service (IRS) has made progress on the number of unprocessed individual returns it has, with 8.5 million unprocessed returns as of September 9, 2021 (down from 15.6 million as of July 17), I remain concerned that, to my understanding, only 25 percent of IRS office personnel in Kansas City are at work on location. My office has received, and continues to receive, complaints and concerns from constituents who filed their 2020 tax returns and have still not received their tax refunds. Likewise, the backlog of passport applications at the State Department is currently 1.8 million with wait times as long as four months. I have many constituents who have called to report they have had to reschedule or postpone travel because their passport applications are stuck.

The Archivist of the United States reported that the National Personnel Records Center (NPRC) currently has a backlog of over 500,000 requests for veterans' records<sup>1</sup> – timely responses to these requests are essential for delivering vital care and benefits to our veterans and their families. While NPRC estimates that it could eliminate the backlog by the end of 2022, most cannot wait that long for a response from a Federal agency – especially considering NPRC has reverted to COVID Phase 0 as of August 3<sup>rd</sup>. My office is tracking 10 cases of veterans over the

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<sup>1</sup> Letter from David S. Ferriero, Archivist of the United States, to Members of Congress (July 19, 2021) (on file with the Subcommittee).

age of 75 who have been waiting on records from NPRC for nearly a year and a half. They need these records to file claims and to receive essential services from the VA.

The issues my constituents raise confirm that this disruption is not limited to IRS, the State Department, or NPRC. One constituent requested the Social Security Administration (SSA) correct her birthdate on her Social Security card. Instead of simply making this routine correction, she received a letter indicating that SSA did not read her request but instead issued her a new card without the correction; she would then have to resubmit the request and her documents through the U.S. Postal Service. In addition, I understand that SSA backlogs continue, with the backlog of initial disability cases growing by 115,000 cases between September 2019 and April 2021.<sup>2</sup> At the same time, SSA received nearly 190,000 fewer disability applicants in FY2020 than projected – expecting that many individuals will apply once the pandemic subsides. This is very concerning – SSA has a backlog of cases and they received thousands *fewer* applicants than expected. Without staff in the office, I worry that SSA will be unable to eliminate the current backlog and prepare for a possible influx of applicants to come.

Another constituent applied for an Economic Injury Disaster Loan (EIDL) increase through the Small Business Administration (SBA). He heard nothing for 75 days. SBA informed my office that SBA cannot provide a timeframe for when the request will be fully processed due to the high volume of requests for EIDL increases. While some of backlogs existed prior to the pandemic, the scale and negative impact of these service backlogs are particularly acute as families and small businesses try to recover from the COVID-19 pandemic and the ensuing economic disruption.

I am additionally concerned about the metrics that OMB, OPM, GSA, and the Task Force are using to establish reentry guidance. Through official guidance and in multiple conversations with myself and with my staff, the Administration has indicated that it is using local infection rates as the exclusive data point to determine whether reentry is viable. However, the Administration is also increasing pressure on civilian employees to become fully vaccinated. In short, if a Federal employee is vaccinated, their risk of severe symptoms or death is significantly diminished. As such, reentry should not be solely determined by local infection rates, but should account for other factors including vaccination rates and the ability of local health care providers to adequately provide care.

Ultimately, it has become clear that many essential services cannot be adequately performed remotely. Without a return to full-time, in person work, I do not have confidence that these backlogs will be reduced and that my constituents' concerns will be addressed.

In light of these concerns, please provide answers to the following questions by October 8, 2021:

- 1) What steps is OMB taking to ensure the State Department, IRS, SSA, NPRC, and all other agencies reduce backlogged services?
- 2) Is OMB collecting data on which agencies have service backlogs?
- 3) Is OMB taking any steps to accelerate return to work for agencies with backlogs?

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<sup>2</sup> Social Security Administration FY2022 Justification of Estimates for Appropriations Committees  
<https://www.ssa.gov/budget/FY22Files/FY22-JEAC.pdf>

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- 4) Please describe in detail the metrics the administration is using to accomplish safe re-entry, specifically:
  - a. Are vaccination rates the primary determining factor?
  - b. Has the administration identified any other dataset or standards which would allow a full re-entry across the Federal workforce?

Please reach out to Clark Hedrick on my staff at [Clark\\_Hedrick@hsgac.senate.gov](mailto:Clark_Hedrick@hsgac.senate.gov). Thank you for your attention to this matter.

In God We Trust,



James Lankford  
Ranking Member  
Subcommittee on Government  
Operations and Border Management

cc:

Kiran Ahuja  
Director  
U.S. Office of Personnel Management

Robin Carnahan  
Administrator  
U.S. General Services Administration