



AFGE Congressional Testimony

STATEMENT BY

**J. DAVID COX, SR.
NATIONAL PRESIDENT
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO**

BEFORE

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THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA**

**SENATE COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS**

ON

INVESTING IN AN EFFECTIVE FEDERAL WORKFORCE

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**American Federation of Government Employees, AFL-CIO
80 F Street, NW, Washington, D.C. 20001 ★ (202) 737-8700 ★ www.afge.org**

Mr. Chairman and Members of the Committee: My name is J. David Cox, Sr., and I am the National President of the American Federation of Government Employees, AFL-CIO (AFGE). On behalf of the more than 670,000 federal employees represented by AFGE, I thank you for this opportunity to testify today.

We have been asked to discuss our union's view of the short-term and long-term needs of the federal workforce with respect to our relationship with agency management, and to comment on the compensation -- in terms of both pay and benefits -- that federal employees receive. We were also asked that we discuss issues such as employee training and work-life balance for federal employees. These are all vital issues that are at the forefront of my mind every day as I work with my union colleagues to try to help create conditions for federal employment that promote not only my members' interests, but also the interests of the public we serve.

AFGE represents federal workers who perform an enormously broad array of functions on behalf of the American people. We are the doctors, nurses, food service workers and appointment makers in our veterans' health care system. We are the EPA scientists studying the effects of contaminants in our air and water who propose ways to protect the health of America's children. We are the border patrol agents and federal corrections officers who guard public safety. We are the claims processors who get Social Security and Veterans Benefits checks out on time. We are the biomedical researchers at the National Institutes of Health and the Centers for Disease Control and Prevention who come up with new treatments for cancer and ways to stop epidemics. We are the meat and poultry inspectors who make sure our food supply is safe, and the Transportation Security Officers who protect air travelers from terrorist threats. We are the civilian workers at the Department of Defense who handle everything from military logistics to the repair and maintenance of sophisticated weaponry on which our warfighters and national security depend.

So you see that the stakes are very high when it comes to maintaining a well-trained and capable federal workforce. And these are the things that don't promote a well-trained and capable workforce: Freezing or cutting salaries, threatening layoffs and furloughs through sequesters and personnel ceilings, forcing new and current employees to pay more for retirement benefits and contemplating various ways to cut those benefits, bullying us with disparaging comments about the quality of our work and work ethic -- in fact they have the exact opposite effect.

Current Budget Situation

Over the next several months, the Congress will likely consider ways to adhere to the ill-conceived Budget Control Act of 2011 that do not involve sequesters in either the Department of Defense (DoD) or any part of the discretionary budget outside of DoD.

AFGE is unequivocally opposed to sequester. We consider it a foolish, damaging, and extraordinarily unfair and inappropriate way to reduce the deficit. As horrendous as the prospect of sequester is for federal employees, with the implied threat of Reductions in Force (RIF), furloughs, and reduced resources for carrying out agency missions; just as ominous is the prospect of any or all of the recommendations of the co-chairs of the President's deficit commission, Morgan Stanley director Erskine Bowles and former Wyoming Senator Alan Simpson. Despite the fact that the co-chairs' recommendations did not win the support of an adequate number of the commission's members, their failed plan is undergoing a rehabilitation in the press as journalists and pundits insist that it is the *only* menu of policy options that should be considered by the Congress or either presidential candidate.

Simpson-Bowles's recommendations for federal employees are as cruel as they are pointless; they inflict pain on one vulnerable group of Americans without doing much of anything to reduce the deficit, either in the short or long term. Chairman Akaka is to be commended for singling out one particularly idiotic and damaging proposal from the co-chairs: the idea of turning the Federal Employees Health Benefits Program (FEHBP) into a voucher system so that it can serve as a model for the eventual voucherization of Medicare. The Simpson and Bowles plan would shift the basis for calculation of retirement annuities from the average of the highest three years of salary to the average of the highest five years, would require FERS-covered employees to pay as much as six percent of salary for their annuities, shift to the inferior "chained consumer price index" for cost of living adjustments for annuities and Social Security, charge retirees more for continuing FEHBP coverage, cut ten percent of federal jobs, and extend the pay freeze for an additional year. It is a diabolical list, a litany of punishment intended to decimate the living standards of federal employees, obliterate even the concept of fairness in spreading the burden of deficit reduction, and destroy the government's ability to recruit or retain a high-quality workforce.

Non-Foreign COLA

For 61 years, federal employees who lived and worked outside the Continental United States in Alaska, Hawaii, Puerto Rico, Guam, and the US Virgin Islands received a cost of living adjustment (COLA) in addition to their base salaries to compensate them for the exceptionally high cost of living in what had been considered "remote" areas. While the COLA program constituted an important component of compensation for these employees, especially because it received favorable tax treatment, the annual payments were not counted as salary for purposes of calculating retirement annuities, the government's contribution to the Thrift Savings Plan (TSP), or any other salary or wage-based benefit or program. Thus, while the non-foreign COLA ensured a fair standard of living during one's working life, federal retirement benefits of employees in the non-

foreign COLA areas constituted a far smaller percentage of their pre-retirement incomes than those of other federal retirees.

Chairman Akaka's 2009 legislation, *The Non-Foreign Area Retirement Equity Assurance Act* resolved this disparity by bringing federal employees in the non-foreign COLA areas into the locality pay system. The law allowed for a gradual transition from COLAs to locality pay, requiring employee to give up only 65 cents of the COLA that the employee would receive under the frozen COLA rate for every dollar of locality pay, in order to help offset the new tax liability and additional retirement contributions due on locality pay. The full transition to locality pay has occurred this year. Thanks to the transition formula insisted upon by the Chairman, no federal employee's take-home pay declined during the transition.

The Chairman also succeeded in adding to the legislation a provision instructing the Bureau of Labor Statistics to conduct pay surveys Alaska and Hawaii so that good data could be obtained to measure the difference between salaries in the federal and non-federal sectors for the jobs performed by federal employees in those locations. As a result, federal employees in both locations are receiving locality pay commensurate with the pay gaps in their states, and are continuing to receive a residual COLA as well, as their locality pay has not yet risen to a level that fully offsets the COLA. It is no exaggeration to say that these protections are due to the extraordinary efforts of the Chairman.

In addition to maintaining take-home pay, and improving retirement benefits, an extremely important provision of this law required that every federal employee who received a non-foreign COLA prior to enactment be eligible for the transition to locality pay, including Transportation Security Officers (TSO) of the Transportation Security Administration (TSA). The law explicitly prohibits TSA from withholding locality pay from its employees on the basis of "performance." Federal managers at TSA and all other agencies have numerous opportunities to award or deny employees additional pay on the basis of performance, but the extraordinary, gross discretion on individual pay adjustments granted to TSA's managers was restricted in this legislation. TSO's were, for the first time since the establishment of the agency, granted a pay status equal to other federal employees living and working in these areas. While the struggle continues to upgrade the status of the employees of TSA so that they are treated the same as other executive branch employees in all aspects of employment and compensation, this legislation marks an important milestone in establishing the principle that Transportation Security Officers deserve full equality.

Sick Leave Equity for FERS Employees

It would be difficult to overstate the importance federal employees place on the Chairman's legislation to equalize the treatment of unused sick leave between the Civil Service Retirement System (CSRS) and the Federal Employees Retirement System (FERS). This inequity produced so many perverse incentives that the change was supported as strongly by management groups as it was by AFGE. Equalizing this treatment was an excellent example of the type of "win-win" policies on federal employment promoted and ultimately enacted through the Chairman's efforts. When fully phased in in 2013, federal employees who had the good fortune to be able accumulate sick leave over the course of their careers will no longer face a "use it or lose it" choice as they approach retirement. Employees will spend their last months at work helping to train their successors and finishing up projects, rather than catching up on doctor's appointments and medical screenings, thanks to the Chairman's efforts.

Thrift Savings Plan

The Chairman was also responsible for legislation that allows enrollment in the Thrift Savings Plan at any time, and a bill that provided for mandatory financial literacy and retirement planning education for federal employees so that they can make the most of their TSP accounts. In every case where Congress has passed a law granting a new benefit to holders of 401 (k) accounts, such as the Pension Protection Act of 2006, he has introduced or supported legislation, such as the *2009 TSP Enhancement Act*, to provide equivalent benefits for federal employees with TSP accounts. Examples of this include granting federal employees over age 50 the ability to make "catch up" TSP deposits, the ability of non-spouse beneficiaries to inherit TSP funds without a tax penalty if they transfer the money into an IRA, immediate agency contributions and automatic enrollment, and the option to save for retirement through a Roth-type of IRA.

The "*Save More Tomorrow Act*," which Chairman Akaka introduced in May of this year, would improve the TSP even further by providing for automatic escalation of an employee's, and therefore the government's, contributions to a TSP account. This bill is also an attempt to grant TSP participants the same opportunities private sector workers have as a result of the Pension Protection Act. Many federal employees contribute too little to their TSP accounts to qualify for the maximum government match. Although a significant portion of those who fail to maximize their TSP benefits do so because they simply cannot afford the additional savings, some portion of the workforce likely stops saving at two to three percent of salary because of inertia or a dislike of thinking about retirement planning. This bill would provide automatic increases in employee contributions of one percent of salary per year, with an opt-out provision for those who actively decide not to increase their investments.

Inertia aside, a reluctance or failure to participate fully in the TSP and take advantage of the maximum government match is one of the many pernicious effects of the pay freeze and the mandatory increase in FERS contributions that employees hired after January 1, 2013 will face. While it is clear that every federal employee *should* save at least five percent of their salaries each year in the TSP, it is equally clear that many cannot do so because of the pay freeze. Federal employees who must spend nearly all of their salaries on necessities such as health insurance, food, rent, child care, transportation and utilities simply cannot afford to save the full five percent when these costs of living rise but their pay does not. Likewise, with salaries effectively 2.3% lower than those paid to coworkers' hired in previous years, federal employees hired after 2012 will have an even harder time constructing their budgets in order to take full advantage of the government match for TSP. And as everyone knows, politicians from both parties have advanced plans to force federal employees to pay even more of their salaries toward future retirement benefits. All these proposals amount to permanent salary reductions, and all of them would make full participation in the TSP even less affordable than it is today.

Last week's *New York Times* included a supplement on retirement, in which the difficulties of living on just Social Security or even Social Security plus 401 (k) and IRA retirement savings. The booms and busts in the stock market over the last twenty years, including the dot-com bust and the 2008 financial crisis, combined with job cuts and employer decisions to stop matching, have left many retirees with too little income in retirement. The lone success story in the Times involved someone who was able to sell her "paid for" house and live off the proceeds in a smaller apartment in a less expensive real estate market. The bursting of the housing bubble makes this an unlikely scenario for most homeowners.

With the current retirement system, and the persistence of politicians' efforts both to cut benefits and raise financing obligations on the part of workers, the only choice left for federal employees to help secure their own retirement prospects is to save more. The *Save More Tomorrow Act* will undoubtedly help this along.

TSA, DHS, and DoD Personnel Systems

I would be remiss if I did not mention the Chairman's courageous, determined, and unwavering support for the collective bargaining rights and right to appeal disciplinary matters to a third, independent party, for federal employees in the Transportation Security Administration (TSA), the Department of Homeland Security (DHS), and the Department of Defense (DoD). Whether it was during the creation of the TSA, the consolidation of over 20 agencies under DHS, or changes in leadership at the Pentagon, Chairman Akaka stood firm so many times on behalf of our nation's dedicated employees when their rights were being threatened. When we lost some important

battles, under MAX^{HR} and the National Security Personnel System (NSPS), the Chairman never gave up. And as we all know from having spent so much time on these matters in the legislative trenches, we have finally prevailed in all three instances.

Today, TSOs have collective bargaining rights, a new disciplinary appeals system, and will be voting shortly on the ratification of a new contract that addresses numerous issues of TSOs, from uniform allowances to shift bidding, and from rational leave policies to transfers and shift trades. It is a new day at TSA, and we are truly grateful for the Chairman's support for more than a decade while we fought to establish for TSOs the same rights and opportunities as other federal employees.

NSPS and MAX^{HR} were created by people with ulterior motives, who tried to hide their real agenda from DoD and DHS employees, their unions, Congress and the public. After September 11, 2001, the two departments exploited the national fear of another terrorist attack and determination to protect our country to advocate for what was in reality a profound erosion of civil service protections and collective bargaining rights that had nothing whatsoever to do with national security. The Chairman recognized the dangers early and were among the very few Senators who voted against the bills that allowed for NSPS and MAX^{HR}.

Although the laws creating the Department of Homeland Security and authorizing the DoD National Security Personnel system required that collective bargaining be ensured, both Departments tried to gut it. They did this by insisting that they were ensuring collective bargaining while redefining it beyond recognition. Under the regulations they promulgated, an internal Board whose members would be chosen by the Department Secretaries, would decide labor-management disputes; there would be no neutral third party. The Departments could override collective bargaining agreements by unilaterally issuing an internal document. These unilateral internal documents also could render non-negotiable any subject the Departments did not want to talk about at the bargaining table. The unions' right to protect employees in management meetings, investigations, or grievances was greatly diminished. The rules involving information requests, standards of evidence in employee appeals and many other issues of due process and labor relations were revised to tip the scales heavily in favor of the Departments.

We and other unions filed suit against the Departments. The Courts found in favor of the unions in the DHS case and the Department chose not to appeal further. The unions' initial win in the DoD case was overturned on appeal. With DoD poised to strike down employee and union rights in its workplaces, we turned to Congress for help and once again, the Chairman came through for us. In the National Defense Authorization Act of 2008, the Chairman made sure Federal employees' collective bargaining and

other rights were restored. The Secretary of Defense had announced that for the coming year, NSPS employees would get no annual increase, but the Chairman put in a floor that gave all good employees at least some increase. The NDAA 2010 finally repealed NSPS in its entirety and we note that the Chairman has been closely watching the transition to make sure it is fair and complete.

During this difficult period, the Chairman's constant insistence on appropriate oversight by this subcommittee ensured that the Department had to answer for its irrational and counterproductive personnel decisions, and now, the employees at DHS, including Border Patrol agents, ICE agents, Federal Protective Officers and employees at FEMA, have had their rights to bargain and appeal disciplinary matters fully restored to the original Title 5 provisions.

The same can be said of the Pentagon's ill-conceived and punitive NSPS. The day NSPS was enacted was a grim one for the hundreds of thousands of dedicated, patriotic civilians in DoD. But because of the Chairman's foresight, determination and commitment, we were finally successful in repealing this dangerous system that had demoralized the DoD civilian workforce beyond all imagining.

Labor-Management Issues Today

Today, Federal workers are facing more challenges than ever. With pay freezes, high retirement rates, and severe budget cuts, it is crucial that labor and management work together to solve problems and accomplish the mission while maintaining employee rights and protections. A positive labor-management relationship saves money that might otherwise be spent in litigation and appeals; improves employee morale; and uses time more effectively as frontline employees, their union representatives, and managers bring their ideas, their expertise, and their efforts together towards common goals.

In December 2009, President Obama issued Executive Order 13522, "Creating Labor-Management Forums to Improve Delivery of Government Services." I sit on the National Council on Federal Labor-Management Relations, created by the Executive Order. We have seen some successes; some workplaces where labor and management have a constructive relationship and work together in accordance with the E.O. But we see many more workplaces where management has stalled on carrying out the Order, does only the bare minimum, or actively dismisses it. The E.O. calls for the creation of labor-management forums at various levels in agencies. Some are up and running and doing good work. In other cases, managers have refused to establish forums, or refused to let the forums take on meaningful issues that could help the agency cut costs, work more efficiently, and deliver better services to the public. Where forums are working well, it is usually because the boss believes in the importance of good labor-

management relations and sends the message out loud and clear to subordinates. I hope to see more vigorous implementation of the letter and spirit of the Executive Order.

Collective bargaining is an orderly process for labor and management jointly to determine some of the processes and procedures that help customize the workplace to meet their needs. Negotiating, weighing options, reaching agreement, putting it in writing, and then making the contract available to all employees helps create rules and practices that are more fair, equitable and workable than ones that are unilaterally developed. A contract helps employees and managers understand their rights, and it provides mechanisms for employees to appeal if they believe they have been treated wrongly or unfairly. When labor and management comply with the laws governing the labor-management relationship and deal with each other in good faith, workplaces run more smoothly and unnecessary disputes are avoided. When they go beyond compliance and collaborate on finding better ways to meet the agency's goals – even better.

All too often, however, we deal with managers who evade their labor-management responsibilities and higher-ups who don't hold them accountable. The very institution of collective bargaining is under attack today, especially in the public sector, by those who do not want workers to have a say in their workplaces. As the Chairman has always done, AFGE will continue to work to ensure that Federal employees have strong rights and protections, including fair and transparent appeal procedures and collective bargaining rights, and are free from arbitrary adverse personnel actions. We can only hope that future senators will have even half the energy, dedication and courage that the Chairman has shown in fighting for Federal employees.

Workplace Flexibilities

AFGE is grateful to the Chairman for co-sponsoring the *Telework Enhancement Act*, which was signed into law in December 2010. AFGE has long pushed for expanded telework opportunities for Federal employees. It is a benefit that improves job satisfaction and morale and helps employees create a better balance between work and home. By offering telework, Federal agencies can improve their ability to recruit and retain talented employees. The community benefits as well if telework results in less gridlock and pollution on the roads.

Over the years, however, we have been frustrated by how slow the progress has been in expanding the use of telework. Many obstacles and barriers have kept employees from fully enjoying the benefits of having a flexible workplace. Many supervisors don't know

how to manage employees remotely and fear losing control of their workers. Some don't believe people are really working unless they have them in their sight. The key is in the results. If employees do good work and produce results, it doesn't matter how or where they did their job. Experience has shown that employees are as productive and frequently more productive working at home than in the workplace.

In the past, outfitting a home office to allow a Federal employee to work at home could be difficult and cumbersome. Over the last couple of decades, technology has made astounding progress. The internet, emails, social media and the ever-expanding new features and programs make communication instant, wherever you are, and provide almost limitless access to information. It is easier than ever to enable employees working remotely to connect to agency networks and be productive at home. There are security concerns, of course, but great progress is being made in this area as well.

As part of the April survey conducted by the U.S. Office of Personnel Management and shared in its annual report to Congress on the Status of Telework in the Federal Government, agencies were asked to "identify problems/barriers associated with increasing the number of telecommuters in your agency." The survey uncovered the following barriers to telework, presented in descending rank order:

- managerial concerns about maintaining performance and productivity,
- funding for equipment and services at the remote site and the cost of telework centers,
- fair and equal treatment for those who telework and those who work on site,
- concerns about the security of classified or sensitive documents,
- employee concerns about feeling isolated from colleagues,
- electronic connectivity to the office.

The *Telework Enhancement Act* goes far to ensure that agencies expand the use of telework and overcome the barriers. The Act puts a new emphasis on telework and reinforces the sense of Congress that telework is important for employees and is in the public interest. It requires everyone who teleworks to have a written agreement that helps both management and the employee have a clear understanding of their expectations. It maintains the voluntary nature of telework. The Act calls on the National Institute of Standards and Technology and OMB to determine what agencies must provide to enable their employees to telework. The Act requires agencies to make decisions about the eligibility of every position but it also allows for episodic telework. AFGE prefers to look at the tasks employees do and make determinations about whether or not they can be done at home. We don't think that positions should be deemed to be wholly ineligible for telework. Obviously, there are some jobs that cannot

be done at home – but there may be some tasks that can, such as writing reports, studying for and taking an online test, or participating in an online class.

AFGE is confident that in collaboration with the agencies whose employees we represent, we can work to break down the barriers and allow the maximum number of employees to telework if they choose. Many of the barriers listed above can be eliminated by training and focusing on a cultural shift, highlighting the rewards to both the workers and the agency. The benefits of flexible workplace arrangements have been proven time and time again. We thank the Chairman for his tireless efforts on promoting flexible work arrangements for federal employees and AFGE will continue to work with the agencies to ensure that the Telework Enhancement Act is implemented to its fullest. Our challenge in these difficult times is attracting and retaining bright, dedicated Federal workers. Providing a flexible workplace is one benefit, as the Chairman knows, that we need to take advantage of and make available to as many workers as possible.

Other Workplace Flexibilities

Workplace flexibilities that help attract and retain good employees go beyond telework. In our bargaining units, we bargain for many different flexibilities, all of which benefit both the agency and employees. Where we have labor-management forums under E.O. 13522, we also discuss ways to improve the work of our agencies and the job satisfaction of our members. These flexibilities include such things as flexible work schedules; child care and elder care; smoking cessation programs; awards (including time-off awards for special achievements); transit subsidies; tuition reimbursement and access to training and development opportunities; and other things that make the workplace more rewarding for employees.

Privatization

I must also thank the Chairman for his unstinting support for federal employees in their fight against privatization. During the last ten years, several historic sourcing reforms have been enacted. And he has either been the champion or the leading supporter in every instance: Requiring a formal cost comparison before any work can be converted to contractor performance in order to protect taxpayer interests against thoughtless privatization. Excluding health care and retirement costs from the cost comparison process to ensure that contractors don't receive unfair advantages from short-changing their employees on benefits. Imposing a suspension on the infamous OMB Circular A-76 privatization process until documented problems are finally corrected. Requiring agencies to develop inventories of their service contracts in order to better identify and control privatization spending. And directing agencies to give "special consideration" to

insourcing functions that cost too much, are poorly performed, or include functions inappropriate for privatization.

The Chairman has even played a leading role in trying to reduce the billions of dollars taxpayers spend every year on compensation for contractors above that of even the President of the United States. I also thank the Chairman for his staunch opposition to arbitrary reductions in the size of the federal workforce. One such proposal—an arbitrary cut of 5% in DoD's civilian workforce—was included in the committee-passed FY13 National Defense Authorization Act. Because this document would be unrecognizable as AFGE testimony if we did not ask for further assistance, I urge the Chairman to be an original cosponsor of legislation to be introduced by Senator Ben Cardin (D-MD) to oppose such thoughtless downsizing.

Veterans' Issues

When I reflect on Chairman Akaka's extraordinary record as Chairman of the Senate Committee on Veterans' Affairs, my admiration for his vast accomplishments is further enhanced by a deep sense of personal appreciation. I spent 23 years as a nurse at the VA Medical Center in my hometown of Salisbury, North Carolina, prior to becoming a national officer of AFGE. To me, what best characterizes Chairman Akaka's tenure on the Senate VA Committee as Chairman, Ranking Member and Senior Member, are his tireless efforts to address every deficiency in our nation's support system for veterans, and his equally steadfast commitment to the VA workforce providing those services.

Even before assuming the Chairmanship, Chairman Akaka's zero tolerance of underfunding of the VA health care system was well known. When lawmakers learned of the billion dollar plus shortfall in veterans' health care dollars in 2005, then Ranking Member Akaka demanded immediate action to ensure that veterans were shielded from faulty budget predictions, short staffing and closed hospital beds. Chairman Akaka's never-ending quest to fund the full "cost of war" by providing adequate and predictable funding for the VA health care system culminated in one of the most important pieces of veterans' legislation in this nation's history. The Veterans Health Care Budget Reform and Transparency Act of 2009, cosponsored by Chairman Akaka (and House VA Chair Bob Filner) finally put an end to the yearly uncertainty that plagued every VA hospital and clinic through advance appropriations and more reliable budget forecasting. I was deeply honored to be present at the bill signing, and to know that President Obama's commitment to AFGE to bring about VA health care funding reform played an important role in reaching this milestone.

The impressive list of veterans' issues that Chairman Akaka championed throughout his tenure on the VA Committee reveals both his resolve to leave no veteran behind as well as his personal connection to the struggles of wounded warriors, through his own

military experience. After he cosponsored the *Post 9/11 GI Bill of Rights*, he continued to fight for improvements in these critical benefits, because as he noted, "The World War II GI Bill changed my life, and my generation." He fought for adequate treatment and compensation for PTSD and traumatic brain injury, and his landmark legislation to provide support to caregivers of wounded warriors has had a profound impact on these families.

Although Chairman Akaka regularly called for substantial funding increases in the VA health care budget, for both direct care and specialized veterans' research, he never tolerated the misuse of taxpayer dollars, especially when it adversely impacted veterans. He led the fight to protect VA health care dollars from privatization studies in 2005, and later, brought to light the excessive management bonuses being paid to VA officials while basic health care services for veterans were underfunded. Chairman Akaka was equally outraged at the Bush Administration's attempt to prohibit voter registration at VA facilities and led efforts to reverse this unfair policy as Chairman.

As the National President of the largest federal employee union, I am especially grateful for Chairman Akaka's interest in the unique perspective our members lend to the legislative process, and his courageous efforts to protect the rights of all front line employees who risk their careers to speak up for veterans. I had the privilege of testifying before Chairman Akaka on VA health care and benefits issues, as did several of our members. Chairman Akaka understood so well that listening to front line employees is not only critical to workplace morale, but to ensuring that veterans are properly cared for. He also had great sensitivity to the hazards of whistleblowing. At the 2005 budget shortfall hearing, Chairman Akaka recounted all the examples he had solicited from our members on the front lines of VA health care to illustrate the harsh impact of short funding on the quality and access of veterans' care. He also always recognized the sacrifices of these whistleblowers. As he stated at the 2005 hearing, "[d]espite the tremendous pressure to keep quiet, VA's dedicated providers have been forthright about the fact that they [management] were raiding capital accounts just to make ends meet."

AFGE is still fighting to protect the rights of whistleblowers, including a VA psychologist who has faced intense retaliation for her recent testimony. Chairman Akaka's eloquent remarks on the witness' behalf at that hearing, coupled with his steadfast commitment to work with Chairman Murray to protect her right to speak up for patients, have been invaluable in our efforts to protect all the brave employees who come forward.

Thank you for the opportunity to testify. I will be happy to respond to any questions.