

United States Senate

WASHINGTON, DC 20510-3205

January 30, 2025

Mr. Charles Ezell
Acting Director
U.S. Office of Personnel Management
1900 E St NW
Washington, DC 20415

Dear Mr. Ezell,

We are writing today to express concern regarding the consequences of an email sent to federal employees from the U.S. Office of Personnel Management (OPM) on January 28, 2025.¹ As you are aware, the email offered two million federal employees² a “deferred resignation program” allowing employees to resign and continue to receive pay and benefits until September 30, 2025. It is clear that the Administration is seeking to undermine federal programs by eliminating career public servants. We have grave concerns for how these personnel decisions will affect the programs that serve the American people, especially those served by the Social Security Administration (SSA).

Social Security is the nation’s most effective anti-poverty program, without which, four in 10 older adults would have incomes below the poverty line.³ In 2025, SSA will serve approximately 72.5 million beneficiaries, including retirees and their families, individuals with disabilities, and low-income older adults.⁴ As our Nation’s population continues to age, the number of beneficiaries served by Social Security, and the demand placed on SSA field offices, will increase.⁵ While the agency should be prepared to meet this surge in beneficiaries, with limited resources and personnel, SSA has historically struggled to provide essential services in a timely manner. In 2024, the average wait time for service via phone was 45 minutes;⁶ in 2023 the average wait time for disability determinations was 230 days,⁷ and SSA staffing was at a 25-year low.⁸

The origin of these challenges can be traced back to the previous Trump Administration; under the leadership of then-SSA Commissioner Andrew Saul, SSA imposed harsh union contracts and undermined employees’ workplace rights, failed to prioritize training and retention of SSA staff, and failed to deploy modernization efforts to improve delivery of benefits to eligible Americans, resulting in a notable decline in employee morale and an increase in staff departures. Surveys have shown that more than half of SSA employees considered leaving the agency due to burnout and poor compensation.⁹ Under the Biden Administration, SSA Commissioner Martin O’Malley worked to invest in the workforce, improve morale, and reverse failing policies imposed by President Trump— in six months, he successfully lowered the average phone wait time to under

13 minutes¹⁰ and succeeded in reducing the number of pending disability determination hearings to the lowest number in 30 years.¹¹

But—years of decline cannot be fixed overnight, and challenges remain at SSA. Recent Executive Orders issued by President Trump, including the return-to-work mandate, the hiring freeze, and others, threaten to reverse improvements in SSA staff morale and staff retention. On top of these Executive Orders, your January 28th email could result in a staffing crisis at SSA. Workers who were already burned out and underpaid will likely be tempted by the resignation program, as will the one in four SSA employees who are eligible for retirement.¹² This will have a tangible impact on beneficiaries, who will experience longer wait times and declining service quality. Given the significant impacts this proposal could have on one of the Nation's most valuable programs and the Nation's most vulnerable individuals, we ask that you respond to the following questions:

1. Is the Administration planning to calculate the impact that these resignations could have on SSA's ability to process applications and pay out benefits?
2. Further, P.L. 118-273, the Social Security Fairness Act, which would provide an estimated three million retired first responders, teachers, and other public servants¹³ with an average boost of \$360¹⁴ in their monthly benefits, was signed into law by President Biden at the end of last year. The law's effective date was January 2024, and as a result, SSA will not only need to adjust current monthly benefits for these retirees, but also past benefits to ensure they are provided their entitled backpay. How does the Administration plan to ensure that resignations will not interfere with implementation of this law?
3. Should it become apparent that the number of "resignations" at SSA endanger the agency's ability to serve Americans, does OPM plan to reject resignations from any employees?
4. Given that the Administration plans to afford benefits and pay through September 30, 2025 to employees who agree to resign, how does the Administration plan to attract, hire, and pay new SSA employees between now and September 30th to continue to meet service demands? Does the Administration plan to work with Congress to request supplemental funds for SSA's operational budget?
5. The Administration has stated that it "insist[s] on excellence at every level." How does the Administration plan to evaluate whether this rash deferred resignation policy is not resulting in the loss of well-qualified, federal employees who exhibit excellence in serving the American people and harm access to Social Security for the millions of Americans served by the program?
6. Will OPM instruct SSA to monitor changes in key metrics for customer satisfaction and benefit delivery after February 6th? If not, please explain why. If OPM does instruct SSA to monitor the impact of the deferred resignation program on customer satisfaction and benefit delivery processes, please describe the metrics that will be used. For example, will SAA monitor for an increase in call times to SSA, an increase in wait time at SSA

field offices, and an increase in wait time for processing Social Security applications? Please also describe how OPM will instruct SSA to publicize any changes in customer satisfaction and benefit delivery to the public and Congress.

7. Has the Administration worked with labor unions representing SSA employees, like the American Federation of Government Employees (AFGE), as well as organization representing beneficiaries, like AARP, in developing the deferred resignation policy?

Thank you for your attention to this urgent matter. We ask that you reply no later than Friday, February 7, 2025.

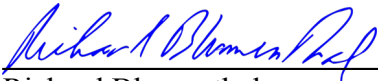
Sincerely,



Kirsten Gillibrand
United States Senator



Jeanne Shaheen
United States Senator



Richard Blumenthal
United States Senator



Mazie K. Hirono
United States Senator



Chris Van Hollen
United States Senator



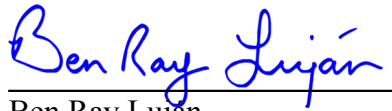
Raphael Warnock
United States Senator



Tammy Duckworth
United States Senator




Alex Padilla
United States Senator



Ben Ray Lujan
United States Senator



Sheldon Whitehouse
United States Senator



Jack Reed
United States Senator



Angela Alsobrooks
United States Senator

CC: Social Security Administration Acting Commissioner Michelle King

- 1 <https://www.opm.gov/fork>
- 2 <https://x.com/katierosemiller/status/1884371288648560889>
- 3 <https://www.cbpp.org/research/social-security/social-security-lifts-more-people-above-the-poverty-line-than-any-other>
- 4 <https://www.ssa.gov/cola/#:~:text=Social%20Security%20and%20Supplemental%20Security,increase%202.5%20percent%20in%202025.&text=Read%20more%20about%20the%20Social,of%20DLiving%20adjustment%20for%202025.>
- 5 https://www.ssa.gov/legislation/testimony_112024.html
- 6 <https://www.ssa.gov/agency/commissioner/100-days-accomplishments.html>
- 7 <https://www.aarp.org/retirement/social-security/info-2024/disability-claim-wait-times.html#:~:text=The%20average%20wait%20for%20a,which%20Jose%20finally%20won%20approval.>
- 8 <https://www.afge.org/article/ssas-staffing-crisis-hurts-beneficiaries-workers/>
- 9 <https://www.afge.org/article/ssas-staffing-crisis-hurts-beneficiaries-workers/>
- 10 https://www.ssa.gov/legislation/testimony_112024.html
- 11 <https://www.ssa.gov/agency/commissioner/100-days-accomplishments.html>
- 12 <https://www.afge.org/article/ssas-staffing-crisis-hurts-beneficiaries-workers/>
- 13 <https://www.ssa.gov/benefits/retirement/social-security-fairness-act.html?tl=0>
- 14 <https://www.afge.org/article/retirees-to-receive-average-360-more-per-month-after-biden-signs-afgebacked-social-security-bill/>