



Katherine Bersch's Public Comment on OPM's Proposed Rule: "Improving Performance, Accountability and Responsiveness in the Civil Service"

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As a scholar of comparative public administration and democratic institutions, I write in strong opposition to the proposed rule that would reclassify a large swath of federal employees into a new policy-influencing category stripped of due process protections and merit-based safeguards.

Comparative research leaves little doubt about what happens when countries politicize their bureaucracies. I have spent my career studying how public administrations function around the world — and the evidence is remarkably consistent: expanding the number of political appointees beyond a narrow, top-level tier predictably undermines government capacity, increases corruption, and reduces performance and accountability. Reforms of this magnitude should go through Congress — not be unilaterally enacted through executive action.

The U.S. civil service is already highly politicized by international standards. Most peer democracies have a single top layer of political leadership. The U.S. uses approximately 4,000 political appointees, often filling the top five layers of agency leadership. The 1990 Volcker Commission recommended reducing this number, citing governance problems tied to inexperience and high turnover. Instead, the number of appointees has increased, even as the federal workforce has remained relatively flat.

Now, under this proposal, the number of at-will, politically controlled positions could exceed 50,000 — more than double Brazil's already excessive count of ~25,000 federal appointees. According to the author of the original Schedule F executive order, 50,000 is not a cap, but a floor:

"I think there are ways you could broaden the scope of the order... I think it could be somewhat broadened to sweep in more of those positions that have an influence on policy." —James Sherk, architect of Schedule F

In sharp contrast to this approach, recent research by Oliveira et al. (2024) — a systematic review of 96 empirical studies — shows that meritocratic recruitment, tenure protection, and bureaucratic professionalism are consistently associated with better outcomes: higher economic growth, reduced corruption, improved health services, and stronger citizen trust.

Creating a neutral, expert-based civil service is one of the most difficult but important feats a state can accomplish (see Fukuyama 2014). Undoing that achievement is easy — and dangerous. Replacing competence with loyalty undermines not only performance, but democracy itself. If the goal is to improve accountability, reform should be targeted, evidence-based, and legislated — not imposed in a way that bypasses congressional oversight.

This rule would set American bureaucracy on a path more commonly seen in backsliding democracies. I urge the Office of Personnel Management to reject this proposal and uphold the foundational principle of merit in public service.