



Jessica A. J. Rich's Public Comment on OPM's Proposed Rule: "Improving Performance, Accountability and Responsiveness in the Civil Service"

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As a scholar who studies executive agencies around the world, I am writing to strongly oppose the proposed rule that would reclassify a significant portion of the federal workforce into a new job category lacking key civil service protections. By removing due process and merit-based safeguards, this rule would open the door to political interference, reduce the effectiveness of the federal bureaucracy, and threaten the integrity of public service.

Research has made clear that removing civil-service protections undermines government capacity, weakens performance, and opens the door to politicization. I would like to illustrate these risks with an example of a disaster that resulted from a hollowed out federal bureaucracy: Brazil's failed response to the COVID-19 pandemic.

Prior to the pandemic, Brazil's public health system was widely regarded as one of the most capable in the Global South. The 2019 Global Health Security Index ranked Brazil the most prepared country in Latin America to prevent and manage a disease outbreak. The government even allocated the equivalent of 92.6 billion USD in extra-budgetary spending between March and July 2020.

However, after Jair Bolsonaro was elected president of Brazil in 2018, his administration had removed a large number of personnel from the Ministry of Health. By the time the Covid-19 pandemic arrived in 2020, the ministry's workforce had been reduced by 18%—a cut of 18,315 out of 102,000 staff (Pinto and Mali 2022).

None of Brazil pandemic-response infrastructure was enough to make up for a hollowed-out workforce. The ministry struggled to coordinate basic tasks. In some states, entire health systems collapsed.

The results were catastrophic. Hospitals lacked ventilators and oxygen. Brazil experienced one of the highest Covid-19 death tolls in the world. People were buried in mass graves.

How was President Bolsonaro able to dismiss so many employees so quickly? Because a large share of the health ministry workforce had been hired under special contracts as "project consultants" rather than as formal civil servants—despite performing the same work. These flexible contracts allowed agencies to bring in skilled experts, but they also excluded those workers from civil service protections, making them easy to fire without cause.

Conclusion:

The Brazilian case offers a sobering lesson. Stripping civil servants of job protections, even under the guise of performance or responsiveness, creates a brittle bureaucracy—one incapable of mounting effective responses in moments of crisis. If the United States adopts similar measures, it risks not only weakening its federal workforce, but also undermining the public's health, safety, and trust in government. I urge you to reject this proposed rule.