

Chairman Peters Opening Statement As Prepared for Delivery
Full Committee Hearing: OSC & MSPB Nominations
November 30, 2023

Today we are considering two nominations: Hampton Dellinger to be Special Counsel for the Office of Special Counsel, or “OSC,” and Henry Kerner to be a Member of the Merit Systems Protection Board, or “MSPB.” Welcome to each of the nominees and to your friends and family members joining us today. Thank you for your prior public service – and your willingness to fill these important positions.

OSC and the MSPB are both small, independent agencies that help to build a more effective and accountable federal government. In particular, both are essential to protecting whistleblower rights. Federal employees must be able to report waste, fraud, and abuse across government without fear of reprisal. Whistleblowers have exposed serious safety shortfalls, wasteful spending, and corruption. They are indispensable to the oversight work of Congress and Inspectors General.

The Special Counsel is the chief whistleblower advocate in the federal government, and is responsible for safeguarding whistleblower rights. OSC investigates whistleblower disclosures and prosecutes instances of retaliation for vulnerable employees. In addition, OSC helps to ensure that the federal government is free from improper partisan political activity, and protects our servicemembers and veterans from employment discrimination.

Mr. Dellinger, as you know, independence is critical to the success of OSC. I appreciate the commitments you have made to leading OSC in a nonpartisan manner if confirmed, and I look forward to learning more about your experience and vision for the office.

The Merit Systems Protection Board is an independent, quasi-judicial agency dedicated to upholding the merit systems principles at the heart of the federal civil service. The bipartisan three-member board evaluates cases of whistleblower retaliation and other violations of civil service laws. The Board also conducts government-wide studies of important civil service issues and provides oversight of the Office of Personnel Management.

Last year, the Senate confirmed three MSPB Members. Before that, the Board was left without a quorum for more than five years. These unprecedented vacancies led to an immense backlog of approximately 3,800 cases. I’m grateful for the hard work that the MSPB has done to resolve a significant portion of this backlog – providing long-awaited resolutions and relief for many federal employees. That said, there is still a lot of work to be done.

Mr. Kerner, your confirmation would give the MSPB its full complement of Board Members and allow it to carry out these essential responsibilities. I look forward to hearing more from you today about how you plan to approach this new role.

Each of these nominees will help our federal government remain accountable, efficient, and effective, and I look forward to further discussing their plans for each position.