# White House's OPM-GSA Merger Bill Gives an Unconfirmed Appointee Authority Over Personnel Rules

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The Trump administration on Thursday formally proposed to reorganize the Office of Personnel Management into the General Services Administration, sending legislative language to Congress that would move existing authorities from the OPM director to a non-Senate confirmed position within the White House Office of Management and Budget.

In a May 16 [letter](https://cdn.govexec.com/media/gbc/docs/pdfs_edit/051619ew1.pdf) to House Speaker Nancy Pelosi obtained by Government Executive, acting OMB Director Russell Vought said the move would allow OPM to serve federal agencies more effectively. The document includes language for a proposed bill, entitled the Administrative Services Merger Act, and explains it section by section.

“GSA will create a new Personnel Service to house the human resources and employee lifecycle management shared service offerings,” Vought wrote. “Agencies will benefit from GSA helping them to obtain more strategic and comprehensive support for their needs.”

The bill transfers most of OPM’s existing functions and authorities to GSA, and creates a new Office of Federal Workforce Policy within OMB, which architects said is modeled after the existing Office of Federal Procurement Policy. This new unit would take on OPM’s existing policy responsibilities.

Acting OPM Director Margaret Weichert this week unveiled her “case for change” to justify the planned OPM-GSA merger, citing financial problems and aging IT infrastructure at the HR agency. She and Deputy Director Michael Rigas said the OPM director position would continue to exist at GSA, and it would remain a presidential appointment subject to Senate confirmation.

But the White House’s bill is more complicated than that. Although the leader of the personnel service at GSA would be a Senate-confirmed deputy administrator position, the director of the Office of Federal Workforce Policy would be a presidential appointee not subject to the confirmation process. That position would have the rulemaking authority currently vested in the OPM director, although the administration stated that “by delegation and in practice, GSA will conduct a significant majority of this rulemaking.”

Unlike this proposed position at OMB, the director of the Office of Federal Procurement Policy is a position that is subject to Senate confirmation.

Additionally, the position of deputy director of OPM would be abolished, and the bill would remove the requirement for OPM to have a chief financial officer. The chairperson of the Chief Human Capital Officers Council would be replaced by OMB’s deputy director for management, while the vice chairperson would be the GSA administrator. The OPM and GSA offices of the inspector general also would merge under the proposal.