

Carl Malamud, Prepared Remarks  
Session on “How Do We Avoid the Next Healthcare.Gov?”  
Code for America, Civic Hall, April 8, 2015

When I think of how to avoid the next healthcare.gov, the first thought that comes to my mind—here on the great streets of New York City—is Theodore Roosevelt.

When I invoke Theodore Roosevelt, I don't necessarily mean we should take a big stick and start whomping on the venal, greedy, incompetent contractors that screwed up healthcare.gov so badly—and blindsided our President—though a little big stick action might be a good place to start.

Theodore Roosevelt's second big job was here on these streets of New York City, where he served as Police Commissioner. He really did walk these streets, often late at night, going into bars to drag officers napping on the job back to their posts, insisting that the police were meant to serve, not be served.

Before coming back here to New York City, however, Theodore Roosevelt did a tour of duty in Washington, where he took a position on the Civil Service Commission and aggressively addressed the most pressing problem of his day—a dysfunctional federal bureaucracy that had achieved a state of perfect gridlock. He was relentless and unreasonable and he got results.

The reform of the civil service in Washington—and in our states and cities—was a crucial first step, it rebooted the government and laid the foundation that made the great changes of the progressive era possible.

Without civil service reform, it would not have been possible for scientists at the Department of Agriculture to create a skunk works that blossomed into the Food and Drug Administration and began to address the sorry state of our food supply: the poisoned bread, the tainted milk, the filthy, diseased meatpacking houses.

Without civil service reform, Frances Perkins could not have led the effort to create fire codes to protect us from the dreadful conflagrations that destroyed whole cities in Chicago and Baltimore and San Francisco, that killed so many in needless tragedies like the Triangle Shirtwaist Fire.

Without civil service reform, Herbert Hoover could not have mobilized the Department of Commerce and the U.S. Postal Service to create our modern aviation industry.

Today, I am reminded that change begins in our cities. The cities are our laboratories of change. It was in Chicago that Jane Addams reached out to address the poverty of our slums, and in Chicago today we see community organizers going on to reach the highest office in our land.

It was in New York and Boston and Philadelphia that a new generation of leaders was groomed who went to Washington to change our federal government. Today, we see another new generation of leaders in our cities. We see people like Jen Pahlka and Megan Smith going to Washington, a dramatic change in the technical clue level of the people who work in the White House.

But we must not think the excitement that we feel means we have won this fight, for now we have only the promise of change that might lie ahead. We have not yet gone nearly far enough down that road.

Today, in Washington—and in our states, in our cities—even in great cities like New York City—the gears of government all too often grind to a halt. Our information technology practices are as insidious, as paralyzing, as damaging as the civil service crisis of a century ago.

The way we buy and use information technology is fundamentally broken. The systems we build for our civil service are so inadequate, it becomes impossible for even the most dedicated public servant to practice the art of bureaucracy.

They cannot do their jobs because we have failed, we have failed to give them the tools they need to do their jobs.

This means not just the farce that was healthcare.gov, it means the travesty we see in the Veterans' Administration where our soldiers wait—and wait and wait and wait—for the care they deserve.

It means our defense systems cost tens of billions of dollars more than they should, it means our Internal Revenue Service tries to serve our country on systems that don't work and never did, it means our federal judiciary builds pay walls around our courts, a practice so antithetical to the rights of due process and equal protection it amounts to a poll tax on access to justice, a crime against the constitution.

I am always amazed by the talent and dedication of our civil servants, but we are failing them with contractors who build systems for personal profit not for public service, with legislators that will not take the time to learn the mechanics of government and boast proudly of having never sent email.

We must address this problem first in order to clear the way for the next Theodore Roosevelt to be able to lead us to greatness. We must reboot our use of computers and networks, the engine that makes our bureaucracy hum, we must do so in order that the next William O. Douglas, the next Louis Brandeis, the next Cady Stanton, the next Thurgood Marshall can realize the great promise that lies within them.

Will we clear that way so a leader like Elizabeth Warren—who speaks with the passion and eloquence of a modern-day William Jennings Bryan—can reach the heights she is capable of reaching?

Only if we address our broken infrastructure can we begin to address the problems of our day: the emergency of global climate change, the numbing poverty throughout our own country and across the world, the mass incarceration that populates our jails, the shameful way we treat the immigrants who come to work in our farms and factories, the shocking state of our schools.

When I see Code for America, when I hear people like we heard this evening, when I see all of you gathered here, I see a bright light illuminating that road to change. But it is not enough to see that light, we must all walk down that road together.

We must speak much louder, so that our mayors, our governors, our senators—our Presidents—understand that when we speak of information technology we speak of the very essence of government, not some ministerial task that should be left to clerks and secretaries and tech support.

We—as a people—we own our government, we must not be absentee landlords. Each and every one of us must do our part. We are—each and every one of us—we are all civil servants. We are our government.

If we all pitch in, we can build that better road, and then we can walk on that road until we reach that shining city on the hill, a place where our civil servants can say “I will do that!” instead of “I wish I could do that,” a place where we reach across the aisle instead of shouting across it, a place where code flows like water and good government like a mighty stream.

We must demand that change.

Thank you.