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GAO

United States
General Accounting Office
Washington, D.C. 20548

Resources, Community, and
Economic Development Division

B-272816

August 8, 1996

The Honorable Pat Roberts
Chairman, Committee on Agriculture
House of Representatives

Dear Mr. Chairman:

The U.S. Department of Agriculture (USDA) developed the Team Nutrition initiative to teach children about choosing healthy food in their diets and to help elementary and secondary schools plan and prepare nutritious school meals that are attractive to students. The initiative is administered through the Department's Food and Consumer Services (FCS).

In the spring of this year, the Chairman of the House Committee on Agriculture's Subcommittee on Department Operations, Nutrition and Foreign Agriculture asked us to review the contracting practices associated with the Team Nutrition initiative. On May 8, 1996, we testified on the results of our review of one Team Nutrition subcontract before the House Committee on Agriculture.[1] Our broader review of Team Nutrition's contracting practices is still ongoing. During the course of this work, you also asked us to review several issues related to the employment of three Team Nutrition officials and the travel of the Department's Under Secretary for Food, Nutrition, and Consumer Services. This report addresses these latter issues.

Specifically, as you requested, this report provides information on issues concerning the employment of Team Nutrition's former Project Manager,[2] former Assistant Project Manager,[3] and Project Coordinator,[4]

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[1]Food Stamp Program: Focus Group Research and Procurement Problems (GAO/T-RCED-96-157, May 8, 1996).

[2]The former Project Manager, who was initially hired in April 1995, resigned effective July 12, 1996. This report refers to her as the former Project Manager. Pending readvertisement of the position and selection of a new Manager, FCS has named an interim Project Manager.

including whether (1) FCS complied with federal regulatory procedures in establishing the positions into which these employees were hired; (2) these employees met the qualification requirements for these positions; (3) FCS had an adequate basis for establishing salaries for these employees; and (4) these employees complied with federal regulatory requirements for submitting financial disclosure statements. This report also provides the information you requested on the official travel of the Under Secretary for the period January 1, 1994, through February 29, 1996, including the number of her trips, their destinations, the cost of the lodging that was chosen, and the extent to which the Under Secretary combined personal and business travel.

In summary, our review of the employment of Team Nutrition's former Project Manager, former Assistant Project Manager, and Project Coordinator showed the following:

- Federal regulatory procedures required FCS to take certain steps in establishing the initial, temporary positions for the former Project Manager, former Assistant Project Manager, and Project Coordinator; federal regulatory procedures also required the agency to take certain steps in establishing, advertising, and considering applicants for the term positions to which these employees were subsequently appointed. FCS complied with these regulatory procedures.

- FCS judged each of these employees as qualified for the positions for which they applied, and the Office of Personnel Management certified that these applicants met the general standards for the positions for which they applied. However, our review of the former Project Manager's employment application raises several concerns about her qualifications for the position she held. These concerns include the length of time she spent in a previous job that FCS considered to be crucial experience in judging her qualifications, her apparent misrepresentation of her academic credentials, and her lack of answers to some questions on her application and her incomplete answers to others. Because FCS performed only a perfunctory review of the former Manager's paperwork, it was unaware of the potential problems with her experience and her academic credentials. The matter of

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[3]The former Assistant Project Manager, who was initially hired in February 1996, resigned effective July 31, 1996. This report refers to her as the former Assistant Project Manager.

[4]The Project Coordinator was hired in September 1995 and remains in the position today.

the former Manager's academic credentials is now the subject of an investigation by the U.S. Attorney's office. The employment applications of the former Assistant Project Manager and the Project Coordinator appear to be complete and in compliance with the requirements of the vacancy announcements for those positions.

- FCS did not have an adequate basis for establishing the former Project Manager's salary. FCS did not require her to submit documentation sufficient for it to assess this salary, as required by USDA's procedures. The former Project Manager may have overstated her prior salary by including in it the estimated value of pro bono consulting work, payments allegedly made to her husband, and projected earnings for several months in which she did not earn a salary. FCS was unaware of the former Manager's potential overstatement of her prior salary. As a result of her representation of her prior salary, FCS appointed her to a significantly higher pay level than might have otherwise been justified. The matter of the former Manager's representation of her prior salary is now the subject of an investigation by the U.S. Attorney's office. We found no problems with the manner in which FCS established salaries for the former Assistant Project Manager and the Project Coordinator.

- Although the former Project Manager and the former Assistant Project Manager were required to submit financial disclosure statements within the first 30 days of their employment at FCS, neither employee did so. The former Project Manager did not submit a statement until a year after it was due, and the statement covered only a small portion of the period in which she was employed at FCS. The former Assistant Manager submitted a complete form 5 months after being hired, but only after the threat of disciplinary action. The Project Coordinator is not required to submit this statement because of her limited responsibilities.

Between January 1, 1994, and February 29, 1996, the Under Secretary took 40 official business trips and stayed at 45 different hotels. The states visited by the Under Secretary were California (11 times), Florida (5), New York (5), Illinois (4), Pennsylvania (3), Georgia (2), Texas (2), Indiana (1), Louisiana (1), Maryland (1) , Michigan (1), Missouri (1), Ohio (1), Tennessee (1), Virginia (1), West Virginia (1), and Wyoming (1). On 16 of her trips, the Under Secretary stayed over a weekend; 9 of these trips included personal travel at her own expense; and 5 corresponded with federal holidays.

With respect to costs, the Under Secretary claimed and was reimbursed for travel expenses that exceeded the established government per diem rate

allowed by as much as 50 percent on 29 of the 45 hotel stays and by more than 50 percent on 6 additional hotel stays. The Under Secretary's travel expenses were within the established per diem rate for the remaining 10 hotel stays. Under USDA's travel regulations, the Under Secretary may approve her own travel. The Under Secretary may also approve expenses that exceed the established per diem rate by as much as 50 percent by making an annotation on her voucher. According to federal travel regulations, expenses exceeding the established per diem rate must be justified. In addition, these regulations provide that expenses that exceed the established rate by more than 50 percent can only be approved by the Administrator of General Services. The vouchers for 5 of the 35 hotel stays in which the Under Secretary exceeded the established per diem rate by as much as 50 percent show the necessary approval and justification; the remaining 30 do not. For the six hotel stays in which she claimed expenses that exceeded the established rate by more than 50 percent (by between $1.75 and $69.75, for a total of $198.86), the Under Secretary did not obtain the necessary approvals from the Administrator of General Services.

## BACKGROUND

In USDA, responsibility for conducting programs relating to food assistance and nutrition education rests primarily with the Under Secretary for Food, Nutrition, and Consumer Services. Organizationally, the Under Secretary oversees the operation of FCS and the Center for Nutrition Policy and Promotion. FCS is managed by an Administrator, who oversees both the agency's headquarters office and seven regional offices. FCS has approximately 1,800 employees. The Center for Nutrition Policy and Promotion is managed by an Executive Director, who reports to the Under Secretary. The Center has a staff of 33 and is the focal point within USDA for linking scientific research on nutrition to the consumer. The Under Secretary's office is made up of nine employees, six of whom are on detail from FCS or the Center for Nutrition Policy and Promotion.

Since assuming her duties, the current Under Secretary has made integrating nutrition concerns into each of the Department's food assistance programs one of her highest priorities. In this context, FCS established the initiative that has come to be commonly known as Team Nutrition. Team Nutrition is a nationwide initiative that has as its goal improving the nutrition and health of American schoolchildren. FCS is attempting to achieve this goal through a two-pronged approach: (1) a multimedia nutrition education campaign designed to promote healthy food choices among schoolchildren and (2) a training and technical assistance program for school food service workers to help them provide lunches that are nutritious and appealing. The Under Secretary

considers Team Nutrition to be a key component of FCS' efforts to improve the diets of schoolchildren. About $20 million in federal funds was made available for Team Nutrition in fiscal year 1995. The initiative's fiscal year 1996 federal funding is about $10 million.

Consistent with the high priority placed on Team Nutrition by the Under Secretary as well as a USDA-wide desire to more closely relate individual performance objectives to organizational objectives,[5] the Under Secretary has proposed adding to the individual performance plans of all the Senior Executive Service staff under her jurisdiction a provision relating to their achievement of Team Nutrition's objectives. This provision calls for evaluating managers on their efforts to improve the nutrition and health of schoolchildren by, among other things, supporting Team Nutrition's initiatives and enrolling Team Nutrition schools. While she made the proposal in February, the Under Secretary had not incorporated the provision into the plans as of July 24, 1996.[6]

Since Team Nutrition's inception in 1994, the individuals responsible for managing the initiative have been organizationally placed under the supervision of the Administrator of FCS. However, the Administrator said that, in practical terms, these individuals have reported personally to, and received most of their programmatic direction from, the Under Secretary.

Several months after Team Nutrition's implementation, the Under Secretary said that she became concerned about the quality of the initiative's management, procurement practices, and the progress being made in implementing the initiative's objectives. She concluded that a new management team was needed. Accordingly, in early 1995, FCS began the process of bringing in another individual to manage the initiative. To this end, in April 1995, FCS

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[5]The Government Performance and Results Act of 1993 (P.L. 103-62, Aug. 3, 1993) requires each federal agency to prepare an annual performance plan governing each program activity set forth in the agency's budget. This requirement triggered the idea of including Team Nutrition objectives in the plans for Senior Executive Service managers, according to USDA officials.

[6]USDA's guidance on appraising Senior Executive Service staff requires that a performance provision must be in a plan for at least 90 days before a senior manager can be evaluated against it. Because the appraisal year corresponds with the federal fiscal year, the provision would have had to have been implemented by June 30 in order to be in the 1996 plans as a basis for evaluation. As of July 24, 1996, the Under Secretary said that she had not decided whether this provision would be included in the 1997 plans.

brought in a new manager, hiring this individual into a temporary appointment position with the title Assistant to the Administrator. According to FCS' Administrator, the individual he hired (now the former Project Manager) to fill this position was recommended to him by the Under Secretary. According to the Under Secretary and the former Project Manager, the two had a prior working relationship in the late 1980s. On the basis of observations made during this prior relationship, the Under Secretary believed that this individual had the type of skills needed to successfully lead Team Nutrition.[7] After the 60-day term of this temporary appointment expired, this individual was appointed to a term appointment position that was limited to 3 years and had the title Project Manager.

USDA subsequently established two other Team Nutrition positions--Assistant Project Manager and Project Coordinator. The individuals hired into these positions were also hired initially into temporary appointment positions and later appointed to term appointment positions limited to 2 years each. According to the Under Secretary, she also had a prior working relationship with the individual appointed to the Assistant Project Manager's position. In the late 1980s, both were employed at Public Voice for Food and Health Policy.[8] Again, on the basis of this experience, the Under Secretary said that she believed that this individual had writing skills that would be beneficial to producing Team Nutrition's written materials. The Under Secretary said that she did not have a prior working relationship with the Project Coordinator.

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[7]According to the Under Secretary and the former Project Manager, the two had previously worked together on a conference on child nutrition that was cosponsored by, among others, Public Voice for Food and Health Policy, a consumer advocacy group, and Feeling Fine Programs, Inc., an organization that promoted consumer health education. At that time, the Under Secretary was the Executive Director of Public Voice, and the former Project Manager was the Vice President for Communications and National Promotions at Feeling Fine Programs, Inc. In addition, the Under Secretary said that the two knew each other through their participation on an advisory committee on women's health issues, which was sponsored by, among others, Feeling Fine Programs, Inc.

[8]In the late 1980s, the individual selected for the Assistant Project Manager's position was Public Voice's Director of Government Affairs, reporting directly to the Executive Director, who is now the Under Secretary.

## FCS FOLLOWED REGULATORY PROCEDURES FOR ESTABLISHING TEMPORARY POSITIONS AND FOR ESTABLISHING, ADVERTISING, AND CONSIDERING APPLICANTS FOR TERM POSITIONS

Federal regulatory procedures required FCS to take certain steps in establishing the initial, temporary positions for the former Project Manager, former Assistant Project Manager, and Project Coordinator;[9] federal regulatory procedures also required the agency to take certain steps in establishing and then advertising and considering applicants for the term positions to which these employees were subsequently appointed.[10] FCS complied with these procedures. For the temporary positions, FCS identified critical hiring needs that had to be filled quickly. An agency can meet these needs by creating temporary appointment positions. These appointments may be to both short-term and continuing positions that an agency must fill on an interim basis pending the completion of competitive examinations, clearances, or other procedures required for a longer appointment. FCS made these temporary appointments for 30 days, as allowed by the procedures. Also as allowed by the procedures, FCS extended the appointments of the former Manager and the Project Coordinator for an additional 30 days.

Before the temporary appointments of these Team Nutrition employees expired, FCS advertised the positions for competitive selection as term appointments and selected each of these temporary employees for the term appointments. Generally used for special projects, term appointments are filled on the basis of competitive selection and have a specified ending date.

In making these term appointments, FCS complied with federal regulatory procedures for establishing, advertising, and considering applicants for term positions. For example, FCS established these term appointment positions for less than 4 years, the maximum allowed under the procedures. The term appointment for the Project Manager position was established for 3 years; the term appointments for the Assistant Project Manager and Project Coordinator positions were established for 2 years each. Furthermore, FCS advertised the openings through the Federal Job Opportunity Listing database, which resulted in the announcements' placement with state and local employment offices,

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[9]Federal regulatory procedures regarding temporary appointments are found at 5 C.F.R. 213.3102(i)(2).

[10]Federal regulatory procedures regarding term appointments are found at 5 C.F.R. 316.301 and 302.

colleges and universities, and grassroots organizations. In addition, FCS requested a list of potential candidates from the Office of Personnel Management's Interagency Placement Program.[11] Finally, FCS referred the nonstatus applicants–those lacking Civil Service tenure–to the Office of Personnel Management for further consideration.

The positions of Project Manager and Project Coordinator were established as full-time positions, although the former Project Manager was permitted to work a compressed schedule.[12] The position of Assistant Project Manager was established as a part-time position.[13]

Enclosure I provides information on the beginning and ending dates for the temporary and term appointments associated with each of these Team Nutrition officials. It also provides information on the grade and salary in effect for these officials as of June 30, 1996.

## CANDIDATES JUDGED TO BE QUALIFIED, BUT APPLICATION OF FORMER PROJECT MANAGER RAISES QUESTIONS

FCS and the Office of Personnel Management judged the former Project Manager, the former Assistant Project Manager, and the Project Coordinator as qualified for the positions for which they applied. However, our review of the

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[11]The Interagency Placement Program seeks to place into new federal jobs those former federal employees who have lost their jobs because of reductions-in-force.

[12]The former Project Manager was granted permission to work a compressed schedule consisting of 4 days a week, 10 hours a day. The FCS Administrator approved this schedule at the former Manager's request, although, according to the Administrator, FCS normally does not permit senior managers to work compressed schedules because of their supervisory and program management responsibilities. The Administrator said that he approved the former Manager's request because she was commuting to and from her permanent residence in New York City, where her husband was also residing.

[13]According to the former Assistant Project Manager, she worked 3 days per week for a total of 19-1/2 hours per week. FCS officials said that the Assistant Project Manager's position was established as a part-time one because they did not believe there was sufficient work to justify a full-time position.

former Project Manager's employment application[14] raises several concerns about her qualifications for the position she held. These concerns include the length of time she spent in a former job that FCS considered to be crucial experience in judging her qualifications, her apparent misrepresentation of her academic credentials, and her lack of answers to some questions on her application and incomplete answers to others. We found that FCS' review of her application was perfunctory in nature. As a result, before hiring her, FCS did not identify or address the issues we found. Furthermore, the Office of Personnel Management did not question the information provided on the former Project Manager's application.[15] Knowledge of the issues we identified might have called into question the former Project Manager's qualifications for the position. We found that the employment applications of the former Assistant Project Manager and the Project Coordinator were complete and in compliance with the requirements of the vacancy announcements for those positions.

Our first concern is that FCS might not have had a sound basis for concluding that the former Project Manager met a key criterion in the job vacancy announcement for her position. This criterion, known as a "selective placement factor," provided that applicants must have experience in planning or implementing a national nutrition, health, or education project or program. According to FCS personnel officials, the experience needed to satisfy this criterion must have occurred for at least 90 days. In this regard, these officials said that they considered the former Manager's prior work as a consultant for the Childhood Immunization Initiative to be the qualifying experience for this criterion. The former Manager stated on her application that, in 1994, she had directed planning workshops on strategic marketing for the Initiative, which she described as an outreach program designed to assist state and local health departments in their efforts to immunize children. However, as indicated on a

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[14]The former Project Manager's employment application included an "Optional Application for Federal Employment" (OF 612) and attached documentation, including the former Manager's resume.

[15]The Office of Personnel Management's review of an application is designed to determine whether the applicant's qualifications meet the general standards associated with the appropriate federal job series and grade for the open position. The Office also compares the application with the requirements detailed in the vacancy announcement to assess the applicant's qualifications for the position. However, the Office does not replicate the in-depth review that should be conducted by the hiring agency.

worksheet she provided to FCS officials after she was hired[16] the former Manager worked at the Initiative only part-time, for a total of 16 days over a 3-month period (Aug. through Oct. 1994).

FCS officials should have had concerns about the amount of time the former Project Manager spent at the Initiative because (1) she did not specify the extent of this experience on her application and (2) information provided on her application suggested that this experience coincided with full-time work in another area. The former Manager indicated on her application that she had worked 60 or more hours a week to promote soccer as National Director of the World Cup Legacy Tour USA during all of calendar year 1994. We asked FCS personnel officials if they had contacted the former Manager before she was hired to inquire about the extent of her experience with the Childhood Immunization Initiative and how she was able to work 60 or more hours per week at the Legacy Tour and at the Initiative simultaneously. These officials stated that they had not and that they had assumed that the former Manager's experience at the Initiative was for at least 90 days. They also said that they had not recognized the apparent contradiction between the former Project Manager's working full-time at the Legacy Tour and at the Initiative simultaneously when they reviewed her application.

Second, the former Project Manager apparently misrepresented on her employment application that she had received an Associate of Arts degree from Polk Community College in Winter Haven, Florida. This was the only degree listed on the application, and the former Manager also told us this was her only degree. After noting that the former Manager had slashed through the section of the application form requesting information on the year the degree was received and after the former Manager told us that she could not recall the year of her degree, we contacted Polk Community College to inquire about the year of this degree. According to the College's Supervisor of Records, the former Manager was formerly a student at Polk but had not received a degree from the college. As stated on the type of federal application the former Project Manager completed, the provision of false or fraudulent information could have been grounds for not hiring the applicant.

We referred this matter of the former Project Manager's representation of her

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[16]She provided this worksheet to FCS officials in June 1996, approximately 14 months after the former Project Manager's initial hiring. The purpose of the worksheet was to document the former Manager's salary before she was employed at FCS.

academic credentials to USDA's Office of Inspector General on July 3, 1996, for further investigation. The Inspector General presented the results of its initial investigation to the Office of the U.S. Attorney for the Eastern District of Virginia, which accepted this matter for investigation on July 12, 1996.

Finally, the former Project Manager's employment application was incomplete. For example, she did not (1) provide requested job-related salary information, (2) answer a series of general questions, such as whether she had previously been a federal employee, or (3) provide requested information on prior job-related training, honors, and awards, including applicable dates. In addition, she gave minimal treatment to a key requirement contained in the job vacancy announcement for the position she held. To satisfy this requirement, applicants were instructed to attach a separate sheet of paper providing examples of their prior experience, training, and awards that would demonstrate possession of certain skills associated with several evaluation criteria described in the announcement.[17] The former Manager did not provide examples of prior training or awards for any of the evaluation criteria. In addition, she listed prior jobs by year and title under two of the three criteria, with little explanation in one case and none in the other as to what she did during those jobs that demonstrated possession of the skills described in the criteria. In comparison, the other applications we examined contained detailed explanations of the applicants' qualifications with respect to the evaluation criteria. As stated on the type of application she used to apply for this position, the failure to provide all information requested on the form and in the job vacancy announcement could have resulted in the applicant's losing the chance to be considered for the job.

In commenting on the concerns we noted with the former Manager's application, the Director of the Human Resources Division stated that, although there were matters that his staff apparently overlooked in reviewing this application, these staff are usually very thorough in reviewing employment applications. The Director cited the agency's desire to hire a Project Manager quickly as a possible reason that some matters were overlooked.

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[17]These criteria were the ability to (1) plan, coordinate, and manage national media campaigns; (2) supervise staff and obtain and allocate financial resources; and (3) communicate verbally in order to meet, deal, and negotiate effectively with management and other officials.

## FCS DID NOT HAVE AN ADEQUATE BASIS FOR ESTABLISHING THE FORMER PROJECT MANAGER'S SALARY

FCS did not require the former Project Manager to submit documentation sufficient for it to assess her prior salary, as required by USDA's procedures;[18] as a result, the agency did not have an adequate basis for establishing her salary for the Project Manager's position. Our review showed that the former Project Manager may have overstated her prior salary by including in it her estimated value of pro bono consulting work, payments allegedly made to her husband, and projected earnings for several months in which she did not earn a salary. As a result, FCS appointed her to a significantly higher pay level than might have otherwise been justified. FCS was unaware of the former Manager's potential overstatement of her prior salary.

Before it hired the former Project Manager on April 24, 1995, FCS asked her to provide documentation of her salary for the 12 months preceding her FCS employment. In response, she submitted a one-sentence notarized memorandum stating that her salary was approximately $85,000 for the period "April 1, 1995 [sic] to March 31, 1995."[19]

As a result of our inquiries in June 1996 regarding the former Project Manager's previous salary, FCS asked her to provide further documentation of that salary. In response, she provided a letter dated June 20, 1996, from an individual that she identified as her accountant. The letter stated that her salary "computed as cumulative compensation, annualized," is correctly stated as approximately $85,000 for the period April 1, 1994, to March 31, 1995. No other explanation was provided in the letter.

FCS did not accept this letter as sufficient documentation and asked the former

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[18]Federal regulations require an agency to justify appointments above the minimum rate--that is, appointments at a pay step greater than step 1. They also require agencies to establish documentation and recording procedures sufficient to allow reconstruction of the action taken in each case. These regulations are found at 5 C.F.R. 531.203(b)(4)(ii). USDA's procedures for establishing salaries above the minimum rate are found in Personnel Letter No. 338-9, dated July 26, 1991.

[19]FCS officials indicated that they did not question the obvious error in the dates stated in the former Project Manager's memorandum; rather, they assumed that "April 1, 1995" should have been April 1, 1994.

Project Manager for additional explanation. In response, the former Manager prepared a handwritten worksheet listing the sources and amounts of her income during the period. According to FCS officials, the former Manager said that this worksheet showed that she was paid $63,570 for 9 months of work. On the basis of the information contained in her worksheet and the related explanations she offered to FCS officials, as well as USDA's guidance on making appointments above the minimum rate, we believe that (1) some of the sources of potential or actual income the former Manager cited should not be considered in calculating her prior salary and (2) the methodology she used to project earnings on salary paid for less than 12 months is incorrect.

The former Project Manager cited income from a number of consulting sources as part of her previous salary. We found that the income associated with two of these sources was questionable: 2 months of pro bono consulting work for the White House that the former Manager said would have paid her $20,000 had she been under contract[20] and $17,500 associated with a consulting contract that she said was in her husband's name. The former Manager told FCS officials that the $17,500 was claimed by her husband for tax purposes but that she had actually done the work associated with this contract and therefore had included it in the calculation of her prior salary. We did not find any apparent problem with the income received from the other consulting sources.

The former Project Manager then used the following methodology to extrapolate the salary that she claimed for 9 months to 12 months. First, the former Manager calculated a monthly income by dividing the $63,570 by 9 months, resulting in a monthly salary of $7,063. She then calculated projected earnings for the 3 months in which she apparently did not earn a salary by multiplying $7,063 by 3, achieving a result of $21,189. Adding $21,189 to $63,570, the former Manager calculated her salary for the period April 1, 1994, to March 31, 1995, to be "$84,579." (Actually, the sum would be $84,759.) This was the basis for the former Manager's claim that she had made approximately $85,000. While federal regulations provide that prior salary is a valid consideration in setting a new employee's pay above the minimum rate, the computation sheet used by USDA to justify salaries above the minimum rate states that an applicant's prior salary should not include projected earnings on

[20]FCS officials said the former Project Manager told them that she received only per diem reimbursements for this White House consulting.

salary paid for less than 12 months a year.[21]

FCS personnel officials stated that they asked the former Project Manager in late June 1996 to prepare a typed version of her worksheet, including the various explanations that she had provided to them verbally. Although these officials said that the former Manager had agreed to do so, she did not furnish this document to FCS prior to resigning from the agency on July 12, 1996.

The former Project Manager's apparent overstatement of her previous salary had financial consequences for FCS. On the basis of the former Manager's qualifications and the prior salary of $85,000 that she claimed, the agency hired the former Manager for her temporary appointment position as a GS-15, Step 9 ($90,777 per annum) rather than as a GS-15, Step 1 ($71,664 per annum).[22] Moreover, when the former Manager was hired for her term appointment position (60 days after she was initially hired by FCS), the agency increased her salary to that of a GS-15, Step 10 ($93,166 per annum). According to FCS officials, this was done at the suggestion of the FCS Administrator, who believed that the former Manager should be paid as much as her predecessor. In retrospect, these FCS officials acknowledged in August 1996, that, on the basis of the documentation and explanations recently provided by the former Manager concerning her prior salary, the agency would have appointed her as a GS-15, Step 1, at the time of her initial employment at FCS.

We referred this matter of the former Project Manager's representation of her prior salary to the Department's Office of Inspector General on July 3, 1996, for further investigation. The Inspector General presented the results of this initial investigation to the Office of the U.S. Attorney for the Eastern District of Virginia, which accepted this matter for investigation on July 12, 1996.

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[21]This computation sheet, "Salary Computation Sheet for Appointments Above the Minimum Rate," is found in Department Personnel Manual Letter No. 338-9, issued by USDA's Office of Personnel on July 26, 1991.

[22]The Project Manager's position was classified by FCS' Human Resources Division as a GS-15 position and advertised at this grade. Salary figures in parentheses are based on white-collar pay schedules in effect for calendar year 1995.

## FORMER MANAGER AND FORMER ASSISTANT MANAGER DID NOT SUBMIT FINANCIAL DISCLOSURE FORMS IN ACCORDANCE WITH ESTABLISHED REQUIREMENTS

Although the former Project Manager and the former Assistant Project Manager were required to submit financial disclosure forms[23] within the first 30 days of their employment at FCS, neither official did so, according to FCS personnel officials. The submission of these forms, as required by federal regulations,[24] is necessary for an agency to assess whether an employee's investments or outside employment create any potential conflicts of interest with the employee's duties and responsibilities at the agency. According to FCS personnel officials, the Project Coordinator was not required to complete a financial disclosure form because of her limited responsibilities.

According to FCS officials and related records, the former Project Manager was asked several times during the course of the year following her hiring to submit a financial disclosure form, but she failed to do so.[25] Finally, in May 1996–about 13 months after she was initially hired–the former Manager sent FCS' personnel office a financial disclosure form. The former Manager had signed and dated this form May 20, 1995, and she told FCS officials that she thought she had sent a copy of this form to the personnel office a number of months before. These officials told us that they had no record of having received a copy of the form prior to May 1996. The FCS official who reviewed the former Manager's form signed and dated it on May 20, 1996.

Because her financial disclosure form covered only 27 days of her FCS employment–from her initial hiring on April 24, 1995, to the date she signed the form, May 20, 1995–FCS officials told us that they had asked the former Project Manager to submit another financial disclosure form covering the period May

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[23]The financial disclosure form that these Team Nutrition officials were asked to complete is Standard Form 450, "Confidential Financial Disclosure Report."

[24]Federal regulations regarding the submission of confidential financial disclosure statements are found at 5 C.F.R. 2634.901-909.

[25]These requests were generally made in memorandums addressed to the former Project Manager from either the Senior Employee Relations Specialist in FCS' Human Resources Division or the Division's Director. The memorandums were dated April 20, 1995, and September 28, 1995. An FCS official also sent the former Manager an electronic message on October 30, 1995, reminding her that her financial disclosure form was due.

21, 1995, through May 31, 1996. These officials told us in August 1996 that the former Manager had not submitted this form as of her resignation date, July 12, 1996. We have referred matters concerning the former Project Manager's financial disclosure form to the Department's Office of Inspector General for further investigation.

The former Assistant Project Manager was asked twice to submit a financial disclosure form during the first 5 months of her employment at FCS, but she failed to do so.[26] The former Assistant Manager told us, as she had told FCS personnel officials, that she had declined to complete the form because she did not think that it applied to her, given her part-time status and limited responsibilities. Regarding her responsibilities, the former Assistant Manager said that her actual duties were much more limited than those described in her position description,[27] and that these duties--primarily drafting and editing Team Nutrition's written materials and correspondence--did not include any contracting or other similar duties that would have financial impact on an outside entity. The former Assistant Manager also told us that she and her husband regarded the financial disclosure form as intrusive.

As a result of our inquiries in June 1996 regarding the former Assistant Project Manager's failure to submit a financial disclosure form, the Director of FCS' Human Resources Division sent the former Assistant Manager a memorandum dated July 2, 1996, advising her that if she did not submit a completed financial disclosure form by July 8, 1996, FCS would initiate action to terminate her employment with the agency. In his memorandum, the Director explained that any difference between an employee's actual duties and responsibilities and those described in the employee's position description was immaterial. According to the Director, the decision as to whether an employee should be required to file a financial disclosure form is based on the duties and responsibilities outlined in the position description. The former Assistant Manager complied with the Director's instruction and submitted her form, which was dated July 8.

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[26]These requests were made in memorandums addressed to the Assistant Project Manager from the Senior Employee Relations Specialist in FCS' Human Resources Division. The memorandums were dated March 22, 1996, and June 24, 1996.

[27]The duties and responsibilities listed in the position description for the Assistant Project Manager's position are similar to those listed in the description for the Project Manager's position. In fact, the former states that the Assistant Project Manager serves as the "alter-ego" to the Project Manager.

## INFORMATION ON TRAVEL BY THE UNDER SECRETARY

Federal travel regulations specify established per diem rates for lodging and meals and incidental expenses and the conditions under which employees can be reimbursed for expenses in excess of these established rates. Of the 45 hotel stays the Under Secretary for Food, Nutrition, and Consumer Services made between January 1, 1994, and February 29, 1996, 35 were reimbursed on an actual expense basis that was higher than the established per diem rate. For most of these stays, the Under Secretary's vouchers did not show that reimbursement of actual expenses was approved.

### Travel Regulations and Comptroller General Decisions Prescribe Conditions Under Which Per Diem Allowance May Be Exceeded

Under the Federal Travel Regulation (FTR),[28] a federal employee is generally entitled to a per diem allowance instead of actual expenses for lodging, meals, and related incidental expenses.[29] The FTR also prescribes established per diem rates for various cities and localities and limits an employee's reimbursement to the per diem rate for the area to which the employee has traveled.[30] Under special or unusual circumstances, however, the FTR allows employees to claim actual subsistence expenses of up to 150 percent of the per diem rate.[31] The employee is responsible for requesting authorization or approval for reimbursement of actual subsistence expenses when conditions warrant and for providing the information necessary to support the request.[32] According to the regulations, authorization for the reimbursement of actual subsistence is to be provided "only after appropriate consideration of the actual facts existing at the time the travel is directed and performed."[33] In order to be reimbursed for expenses in excess of 150 percent of the per diem rate, an

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[28]This regulation is found at 41 C.F.R. Chapter 301.

[29]The per diem allowance is provided for at 41 C.F.R. 301-7.1(a) and (b)(6).

[30]The regulation prescribing the established per diem rate by location is found at 41 C.F.R. Chapter 301, app. A.

[31]These regulations are found at 41 C.F.R. 301-8.1(a) and 301-8.3 (a)(1).

[32]This regulation is found at 41 C.F.R. 301-8.4(a).

[33]This regulation is found at 41 C.F.R. 301-8.1(a).

employee must receive the approval of the Administrator of General Services.[34] The provisions of the FTR have the force and effect of law and may not be waived or modified by an employing agency.[35]

Under the FTR, travel on an actual expense basis usually should be authorized in advance, and the daily maximum rate authorized by the agency shall be stated in the travel authorization.[36] However, in the absence of a statement of advance authorization, reimbursement of actual expenses may be approved after the completion of travel.[37]

The Agriculture Travel Regulation (ATR) supplements the FTR and is the primary source of policy for USDA on travel regulations. (Under the ATR, the Under Secretary has the authority to approve her own travel, including whether the basis for reimbursement will be the per diem rate or actual subsistence expenses.[38]) The ATR provides that "post approval of actual subsistence is limited to emergency situations or to travel where unusual, unforeseen circumstances caused actual and necessary subsistence expenses (usually lodging costs) to be significantly greater than that allowed under per diem."[39] This regulation also states that postapproval must be noted on the face of the travel voucher by adding the statement "reimbursement of actual subsistence expenses post approved." Thus, the relevant regulations contained in the FTR and the ATR provide that the travel orders for such travel must show that actual subsistence was approved in advance or that the actual subsistence was approved after the fact because of an emergency or other unforeseen circumstances.

An employee's actual expense reimbursement for lodging can be 150 percent of the maximum per diem allowance (maximum per diem rate for lodging and meals and incidental expenses), less the amount claimed for meals and

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[34]This regulation is found at 41 C.F.R. 301-8.3(c).

[35]Ernest L. Harper B-259657, Aug. 15, 1995.

[36]This regulation is found at 41 C.F.R. 301-8.4(b).

[37]This regulation is found at 41 C.F.R. 301-8.4(b).

[38]This regulation is found at ATR 301-1.1(c)(1).

[39]This regulation is found at ATR 301-8.4(c).

incidental expenses.[40] Furthermore, the reimbursement for the amount claimed for meals and incidental expenses must be prorated when travel is for less than a day.[41] However, if the traveler is authorized actual subsistence expenses over 100 percent for meals and incidental expenses, then partial days need not be prorated but the traveler must itemize these expenses. In addition, an employee may be paid per diem or actual subsistence expenses over a weekend when the employee is to be engaged in official business just prior to and after the weekend.[42]

## Some of the Under Secretary's Trips Exceeded Established Per Diem Rates Without Evidence That Authorization Was Obtained

Between January 1, 1994, and February 29, 1996, the Under Secretary took 40 official business trips that included stays in 45 different hotels. Among the states visited by the Under Secretary were California (11 times), Florida (5), New York (5), Illinois (4), Pennsylvania (3), Georgia (2), Texas (2), Indiana (1), Louisiana (1), Maryland (1) , Michigan (1), Missouri (1), Ohio (1), Tennessee (1), Virginia (1), West Virginia (1), and Wyoming (1). On 16 of her trips, the Under Secretary also stayed over a weekend; on 9 of these trips she combined personal travel, which she properly paid for at her own expense, with business travel. Five of these trips corresponded with federal holidays.

The Under Secretary's expenses exceeded the established per diem rate allowed (lodging and prorated meals and incidental expenses) for 35 of her 45 hotel stays. Actual subsistence expenses were properly approved for 5 of the 35 hotel stays; however, for 30 they were not. For 24 of these 30 hotel stays, the associated vouchers did not show the approval needed by USDA for reimbursement of actual subsistence expenses, nor did the files show the required justifications for actual subsistence expenses. In addition, vouchers for six of her hotel stays, on which she had claimed actual subsistence expenses exceeding 150 percent of the established per diem rate (by between $1.75 and $69.75, for a total of $198.86), did not show that she had obtained the required approval from the Administrator of General Services.

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[40]Our decision at 71 Comp. Gen. 433 (1992), which interprets relevant federal regulations, supports this conclusion.

[41]This regulation can be found at 41 C.F.R. 301-8.3.

[42]Our decision found at 63 Comp. Gen. 268 (1984), which interprets relevant federal regulations, supports this conclusion.

On July 24, 1996, we referred the matter of whether the Under Secretary may have received reimbursement payments for which she was not entitled–for subsistence expenses she claimed that exceeded the established per diem rates, but for which she did not have the necessary approvals–to USDA's Office of the Inspector General for further review .

Enclosure III provides detailed information on the Under Secretary's travel.

## AGENCY COMMENTS

We provided a copy of a draft of this report to USDA for its review and comment. During a meeting held on August 2, 1996, we obtained oral comments from a number of USDA officials, including the Administrator of FCS; the Acting Chief Financial Officer; the Associate General Counsel for Legislation, Litigation, Research, and Operations; and several representatives from the Office of the Under Secretary.

With respect to the personnel issues, these officials stated that the report was fair, factual, and balanced. According to the Administrator, our review demonstrated that FCS needs to improve its personnel practices in several areas. Accordingly, FCS plans to (1) tighten procedures for examining the qualifications of applicants for senior-level positions; (2) strengthen its procedures for obtaining and properly reviewing documentation submitted by applicants that is sufficient for making appointments at salaries above the minimum rate; and (3) intensify its efforts to collect financial disclosure statements by aggressively following through with disciplinary action if its requests are not successful. In addition, the Administrator told us that he has directed the Human Resources Division to conduct an internal review of its personnel practices and that the Under Secretary had directed the Regional Administrator for FCS' Mid-Atlantic Region to conduct a similar review. The Administrator and the Under Secretary's staff also made suggestions for several technical changes with respect to the personnel issues, which we incorporated as appropriate.

With respect to the travel issues, members of the Under Secretary's staff and the acting Chief Financial Officer disagreed with our position that postapproval of actual subsistence expenses should have been noted on the Under Secretary's travel vouchers. They stated that USDA, under a grant of authority from the FTR (301-1.102(a)(1)) has issued its own guidance allowing the Under Secretary an unlimited open authorization for travel, and therefore the Under Secretary does not have to receive a special authorization on a trip-by-trip basis for reimbursement of actual subsistence expenses. However, the grant of

grant of authority from the FTR upon which the Department relies only authorizes agencies to issue unlimited open authorizations, which allow employees to travel "for any purpose" without further authorization. This provision does not delegate to the agency the authority to grant automatic pre-approval and justification for reimbursement for actual subsistence expenses. The regulation clearly provides that actual subsistence expenses must be either authorized in advance or approved after the fact when conditions warrant such reimbursements, on a case-by-case basis, and a justification must be provided. We spoke with officials at the General Services Administration, who concurred with our view.

Furthermore, the Under Secretary's staff and the Acting Chief Financial Officer said that they disagreed with the way we calculated the maximum subsistence expenses allowable for cases when the Under Secretary was on travel for part of a day and was claiming actual subsistence expenses. In these cases, the staff believe that the Under Secretary was entitled to 150 percent of the established per diem rate, including the full amount of the established rate for meals and incidental expenses. Using this method of calculation, the staff said that the number of hotel stays for which the Under Secretary claimed actual subsistence expenses exceeding 150 percent of the established per diem rate dropped from six to three. However, under the FTR, the Under Secretary cannot receive reimbursement for meals and incidental expenses for that portion of the day in which she was not actually on travel, unless she is authorized to exceed the established per diem allowance for her meals and incidental expenses and itemized these expenses, which she did not do. We spoke with officials at the General Services Administration, who concurred with our view.

The Under Secretary's staff also made suggestions for technical changes to the report, which we incorporated as appropriate.

## SCOPE AND METHODOLOGY

To obtain information on issues related to FCS' employment of the former Project Manager, former Assistant Project Manager, and the Project Coordinator, we interviewed these Team Nutrition employees; the Under Secretary for Food, Nutrition, and Consumer Services; the FCS Administrator; the Director of FCS' Human Resource Division; and members of the Director's staff. We also reviewed relevant agency files and documentation, including the Official Personnel Folders for these Team Nutrition officials and the merit promotion case files for the positions they were hired to fill.

To obtain information on the Under Secretary's travel, we interviewed the

Under Secretary and members of her staff and analyzed the Under Secretary's travel vouchers and related itineraries for January 1, 1994, through February 29, 1996. We did not, however, conduct a detailed review of the purposes, circumstances, or results of these trips.

We conducted our review from June through August 7, 1996, in accordance with generally accepted government auditing standards.

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We are sending copies of this report to the Senate Committee on Agriculture, Nutrition, and Forestry; other appropriate congressional committees; the Secretary of Agriculture; and other interested parties. Copies will also be made available upon request.

Major contributors to this report were Luther L. Atkins, Victor B. Goddard, James R. Jones, and Roberto R. Pinero. Please contact me at (202) 512-5138 if you or your staff have any questions.

Sincerely yours,

Robert A. Robinson
Director, Food and
Agriculture Issues

Enclosures - 3

## BEGINNING AND ENDING DATES FOR APPOINTMENTS OF TEAM NUTRITION EMPLOYEES

This enclosure presents information on the beginning and ending employment dates for Team Nutrition's former Project Manager, former Assistant Project Manager, and Project Coordinator at the Food and Consumer Service (FCS) and on the job series, grade, and salaries of these officials.

Table I.1: Beginning and Ending Dates of Employment for Team Nutrition's Former Project Manager

| Position | Appointment date | Ending date |
|---|---|---|
| Assistant to the Administrator--30-day temporary appointment | 04/24/95 | 05/23/95 |
| Assistant to the Administrator--30-day extension of temporary appointment | 05/24/95 | 06/22/95 |
| Project Manager--term appointment not to exceed 3 years | 06/23/95 | 06/22/98 (resigned, effective 7/12/96) |

Source: FCS' Human Resources Division.

Table I.2: Beginning and Ending Dates of Employment for Team Nutrition's Former Assistant Project Manager

| Position | Appointment date | Ending date |
|---|---|---|
| Assistant Project Manager--30-day temporary appointment | 02/13/96 | 03/13/96 |
| Assistant Project Manager--term appointment not to exceed 2 years | 03/14/96 | 03/14/98 (resigned, effective 7/31/96) |

Source: FCS' Human Resources Division.

Table I.3: Beginning and Ending Dates of Employment for Team Nutrition's Project Coordinator

| Position | Appointment date | Ending date |
|---|---|---|
| Project Coordinator--30-day temporary appointment | 09/13/95 | 10/12/95 |
| Project Coordinator--30-day extension of temporary appointment | 10/13/95 | 11/11/95 |
| Project Coordinator--term appointment not to exceed 2 years | 11/12/95 | 11/11/97 |

Source: FCS' Human Resources Division.

Table I.4: Series, Grade, and Salary for Team Nutrition Officials, as of June 30, 1996

| Title | Series | Grade | Salary |
|---|---|---|---|
| Former Project Manager | GS-0301 | 15, step 10 | $95,531[a] |
| Former Assistant Project Manager | GS-0301 | 14, step 05 | $70,804[b] |
| Project Coordinator | GS-0301 | 12, step 01 | $44,458[c] |

[a]Salary includes $90,090 (basic pay) and $5,441 (locality pay).

[b]Salary includes $66,771 (basic pay) and $4,033 (locality pay); this official was working part- time (19-1/2 hours per week) so her annual salary was $35,402.

[c]Salary includes $41,926 (basic pay) and $2,532 (locality pay).

Source: FCS' Human Resources Division.

## REQUIREMENTS FOR TEAM NUTRITION POSITIONS AND PRIOR WORK EXPERIENCE OF TEAM NUTRITION EMPLOYEES

This enclosure presents information on the requirements for the positions of the Team Nutrition Project Manager, Assistant Project Manager, and Project Coordinator, as discussed in the vacancy announcements for these positions. It also summarizes the successful applicants' work experience prior to joining FCS.

Table II.1: Information on Requirements for Project Manager's Position

| Vacancy announcement elements | Description of position and requirements |
|---|---|
| Position | Project Manager, GS-0301-15 |
| Promotion potential | None |
| Area of consideration | All sources (without geographical limitation) |
| Opening date | 5/30/95 |
| Closing date | 6/13/95 |
| Principal duties | Responsible for directing FCS' work on Team Nutrition, including developing and implementing (1) public/private partnerships to carry Team Nutrition's message to children, (2) a strategic plan for integrating technical assistance and the Children's Nutrition Education effort, and (3) a training and assistance plan to help schools serve healthy meals that taste good. |
| Minimum requirements | Meet selective placement factor and have 1 year of specialized experience that has provided applicant with knowledge, skills, and abilities needed to perform the duties of the position. |
| Selective placement factor | Experience in planning or implementing a national nutrition, health, or education project or program. |
| Evaluation criteria | Ability to (1) manage national media campaigns, (2) supervise staff and obtain and allocate financial resources, and (3) communicate verbally in order to negotiate effectively with diverse public and private sector officials. |

Source: FCS' Human Resources Division.

Table II.2: Former Project Manager's Prior Work Experience and Education as Reported on Her Employment Application

| Position | Employer | Duties | Time period |
|---|---|---|---|
| Consultant | Childhood Immunization Initiative | Directed planning workshops; advised on marketing strategies | 1994 |
| National Director, Legacy Tour '94 | World Cup USA, Inc. | Managed national and regional marketing promotions to increase awareness of soccer | 1993-94 |
| Consultant | White House Special Projects | Planned presidential activities; coordinated with press and event hosts | 1992-94 |
| Event Director | Presidential Inaugural Committee | Organized dinner for 2,200 persons | 1992-93 |
| Consultant | Vote for a Change | Directed nationwide voter registration event | 1992 |
| Vice President, Communications and National Promotions | Feeling Fine Programs, Inc. | Promoted consumer health education activities nationwide | 1987-92 |
| Consultant | Pope John Paul II's U.S. Visit | Produced national "Youth Teleconference" with Pope | 1987 |
| (Not Provided) | Olympic Torch Relay | Staff and sponsorship management | 1984 |
| (Not Provided) | Up With People Leadership Program | Trained staff in press relations and promotions | 1981 |
| Education | [a] | | |

[a]The former Project Manager listed an Associate of Arts degree in Journalism from Polk Community College in Winter Haven, Florida. According to the Polk Community College's Supervisor of Records, the former Project Manager attended the College but did not receive a degree from it.

Source: FCS' Human Resources Division.

Table II.3: Information on Requirements for Assistant Project Manager's Position

| Vacancy announcement elements | Description of position and requirements |
|---|---|
| Position | Assistant Project Manager, GS-301-14--part-time--20 hours/week[a] |
| Promotion potential | GS-14 |
| Area of consideration | All sources--local commuting area only |
| Opening date | 2/12/96 |
| Closing date | 2/26/96 |
| Principal duties | Responsible for managing special events and projects for Team Nutrition, with an emphasis on media outreach. |
| Minimum requirements | Meet selective placement factor and have 1 year of specialized experience that has provided applicant with knowledge, skills, and abilities needed to perform the duties of the position. |
| Selective placement factor | Experience in marketing and consumer-based communications activities related to food and nutrition. |
| Evaluation criteria | Knowledge of (1) marketing and consumer-based communications to develop public/private partnerships in support of USDA's Child Nutrition Campaign, (2) food and agricultural industries and nonprofit health and consumer groups in order to plan a USDA stakeholders' conference with public and private sector organizations, and (3) complex nature of government, public/private/nonprofit partnerships regarding technical, ethical, and political issues. In addition, ability to set up and manage multiple public/private partnerships to achieve health objectives. |

[a]According to the former Team Nutrition Project Manager, the Assistant Project Manager's position was advertised as a part-time position because the anticipated workload was insufficient to justify a full-time position. The Assistant Project Manager indicated that she would not have applied for this position if it had been advertised as full-time; this official said that she was only interested in part-time work.

Source: FCS' Human Resources Division.

Table II.4: Assistant Project Manager's Prior Work Experience and Education, as Reported on Her Employment Application

| Position | Employer | Duties | Time period |
|---|---|---|---|
| Consultant | A number of clients, such as the Institute for Science in Society; Institute of Medicine/National Academy of Sciences; the National Consumers League (pro bono counsel); and, Proctor & Gamble | Among other things,worked on projects related to food and health issues, including food labeling, inspection, and safety; arranged regional workshops on food issues; and, developed public relations strategies for private firms on food regulatory issues | 1989-96 (part-time, up to 16 hours per week) |
| Director of Government Affairs | Public Voice for Food and Health Policy | Directed public policy campaigns; chaired Consumer Federation of America's Food Policy Section | 1985-89 |
| Associate (Attorney) | Lobel, Novins, and Lamont | Regulatory petitions and litigation on behalf of state governments; policy work for generic drug industry | 1983-85 |
| Education | J.D. 1983, Georgetown University Law Center<br>A.B. 1980, American Civilization, Brown University | | |

Source: FCS' Human Resources Division.

Table II.5: Information on Duties and Requirements for Team Nutrition Project Coordinator's Position

| Vacancy announcement elements | Description of position and requirements |
|---|---|
| Position | Project Coordinator, GS-301-12 |
| Promotion Potential | GS-13 |
| Area of consideration | All sources--local commuting area |
| Opening date | 10/02/95 |
| Closing date | 10/16/95 |
| Principal duties | Responsible for coordinating FCS' work on Team Nutrition in the Office of the Administrator, including (1) developing public/private partnerships while ensuring compliance with legal requirements and furtherance of Team Nutrition's goals, (2) coordinating the design and implementation of a training and assistance plan to help schools serve healthy meals that taste good, (3) planning and implementing Team Nutrition's special events, and (4) analyzing potential public/private partnerships in support of USDA's Children's Nutrition Campaign. |
| Minimum requirements | Meet selective placement factor and have 1 year of specialized experience that has provided applicant with knowledge, skills, and abilities needed to perform the duties of the position. |
| Selective placement factor | Experience in marketing and consumer-based communications activities. |
| Evaluation criteria | Knowledge of (1) marketing and consumer-based communications to develop public/private partnerships in support of USDA's Child Nutrition Campaign, (2) food and agricultural industries and nonprofit health and consumer groups in order to plan a USDA stakeholders' conference with public and private sector organizations, and (3) complex nature of government, public/private/nonprofit partnerships regarding technical, ethical, and political issues. In addition, ability to set up and manage multiple public/private partnerships to achieve health objectives. |

Source: FCS' Human Resources Division.

Table II.6: Project Coordinator's Prior Work Experience and Education as Reported on Her Employment Application

| Position | Employer | Duties | Time period |
|---|---|---|---|
| Promotion Manager | Up With People | Directed staff in sale of tickets through promotional programs combining advertising with purchase incentives | 1994-95 |
| Scheduler | Jim Beddow for Governor Campaign | Planned and executed fundraisers; acted as media/press liaison; scheduled meetings and appearances | 1994 |
| Manager of Promotion and Operations | University of Kansas Concert Series | Managed staff, operations, and daily transactions | 1989-92 |
| Education | B.A. 1992, Communications Studies, University of Kansas | | |

Source: FCS' Human Resources Division.

## ANALYSIS OF OFFICIAL TRAVEL OF THE UNDER SECRETARY FOR FOOD, NUTRITION, AND CONSUMER SERVICES

This enclosure presents information on the travel undertaken by the Under Secretary for Food, Nutrition, and Consumer Services between January 1, 1994, and February 29, 1996. Table III.1 summarizes the information for the destinations visited by the Under Secretary. Table III.2 provides information on 15 hotel stays that were within the established per diem rate or had the necessary USDA approval for subsistence expenses exceeding this rate. Table III.3 provides information on 24 hotel stays that exceeded the established per diem rate but did not have the necessary USDA approval. Table III.4 provides information on six hotel stays that exceeded the maximum subsistence expenses allowable and should have been approved by the Administrator of General Services in order for the Under Secretary to claim reimbursement.

Table III.1: Summary of the Destinations Visited by the Under Secretary on Trips Made Between January 1, 1994, to February 29, 1996

| Destination | Calendar year 1994 | Calendar year 1995 | Calendar year 1996[a] | Total |
|---|---|---|---|---|
| California | 7 | 3 | 1 | 11 |
| Florida | 4 | 0 | 1 | 5 |
| Georgia | 1 | 1 | 0 | 2 |
| Illinois | 3 | 1 | 0 | 4 |
| Indiana | 1 | 0 | 0 | 1 |
| Louisiana | 0 | 1 | 0 | 1 |
| Maryland | 1 | 0 | 0 | 1 |
| Michigan | 0 | 1 | 0 | 1 |
| Missouri | 0 | 1 | 0 | 1 |
| New York | 2 | 3 | 0 | 5 |
| Ohio | 1 | 0 | 0 | 1 |

| Destination | Calendar year 1994 | Calendar year 1995 | Calendar year 1996[a] | Total |
|---|---|---|---|---|
| Pennsylvania | 1 | 1 | 1 | 3 |
| Tennessee | 0 | 1 | 0 | 1 |
| Texas | 1 | 0 | 1 | 2 |
| Virginia | 1 | 0 | 0 | 1 |
| West Virginia | 1 | 0 | 0 | 1 |
| Wyoming | 0 | 1 | 0 | 1 |
| **Total destinations** | **24** | **14** | **4** | **42** |
| **Total trips made by the Under Secretary[b]** | **22** | **14** | **4** | **40** |

[a]Trips made in calendar year 1996 are as of February 29.

[b]On each of two trips, the Under Secretary traveled to two different state destinations.

Table III.2: Hotel Stays That Were Within the Established Per Diem Rate or Had the Necessary USDA Approval for Subsistence Expenses Exceeding This Rate, for the Period January 1, 1994, to February 29, 1996

| Date | City and state | Hotel | Lodging and meals and incidental expenses claimed by Under Secretary | Established per diem rate allowed (lodging and prorated meals and incidental expenses) | Maximum subsistence expenses allowed without approval of Administrator of General Services (150% of established per diem rate) |
|---|---|---|---|---|---|
| 1/16/94 | Los Angeles, CA | Hilton Hotel and Towers | $128.00 | $140.00 | $210.00 |
| 1/17/94[a,b,c] | | | 128.00 | 140.00 | 210.00 |
| 2/10/94[a,b] | Ft. Lauderdale, Fl | Sheraton Design Center Hotel | 93.48[d] | 94 | 141.00 |
| 2/13/94 | McAllen, TX | Best Western Palm Aire Motor Inn | 60.50 | 78.50 | 117.75 |
| 2/19/94 | San Diego, CA | Hotel Del Coronado[e] | 102.46 | 97.00 | 145.50 |
| 2/20/94[a] | | | 121.46 | 116.00 | 174.00 |
| 2/21/94 | West Hollywood, CA | Bel Age Hotel[e] | 149.38 | 140.00 | 210.00 |
| 2/22/94 | | | 149.38 | 140.00 | 210.00 |

| Date | City and state | Hotel | Lodging and meals and incidental expenses claimed by Under Secretary | Established per diem rate allowed (lodging and prorated meals and incidental expenses) | Maximum subsistence expenses allowed without approval of Administrator of General Services (150% of established per diem rate) |
|---|---|---|---|---|---|
| 3/10/94 | Monterey, CA | Doubletree Hotel | 91.00 | 91.00 | 136.50 |
| 3/11/94 | | | 108.00 | 108.00 | 162.00 |
| 3/12/94[a] | | | 108.00 | 108.00 | 162.00 |
| 4/10/94 | Chicago, IL | Park Hyatt[e] | 141.32 | 123.00 | 184.50 |
| 4/28/94 | New York City, NY | Garden City Hotel[e] | $172.65 | $170.50 | $255.75 |
| 5/12/94[a,b] | Coconut Grove, FL | Mayfair Hotel[e] | 126.50 | 90.00 | 135.00 |
| 6/25/94 | Hopland, CA | Thatcher Inn | 110.50 | 125.50 | $188.25 |
| 6/26/94 | | | 120.00 | 134.00 | 201.00 |
| 6/27/94[a] | | | 120.00 | 134.00 | 201.00 |
| 9/24/94 | Los Angeles, CA | Ritz Carlton Hotel | 138.00 | 140.00 | 210.00 |
| 9/25/94[a] | | | 138.00 | 140.00 | 210.00 |

| Date | City and state | Hotel | Lodging and meals and incidental expenses claimed by Under Secretary | Established per diem rate allowed (lodging and prorated meals and incidental expenses) | Maximum subsistence expenses allowed without approval of Administrator of General Services (150% of established per diem rate) |
|---|---|---|---|---|---|
| 6/13/95 | Atlanta, GA | Westin Peachtree Plaza | $100.00 | $100.00 | $150.00 |
| 7/17/95 | New York City, NY | Marriott Marquis | 152.12[f] | 161.00 | 241.50 |
| 8/27/95 | Los Angeles, CA | Biltmore Hotel | 120.56 | 121.00 | 181.50 |
| 8/28/95 | | | 139.56 | 140.00 | 210.00 |
| 8/31/95[a,b,c] | Pasadena, CA | Doubletree Hotel | 140.00 | 140.00 | 210.00 |

[a]Trip extended over the weekend.

[b]Combined official trip with personal time at own expense.

[c]Coincided with federal holiday.

[d]The Under Secretary's office made an addition error in totaling the charges for lodging, meals and incidental expenses, calculating these expenses to be $94.48.

[e]Had the necessary USDA approval for actual subsistence rate.

[f]The Under Secretary's office made an addition error in totaling the charges for lodging, meals, and incidental expenses. The amount claimed should have been $133.12.

Table III.3: Hotel Stays That Exceeded the Established Per Diem Rate but Did Not Have the Necessary USDA Approval, for the Period January 1, 1994 to February 29, 1996

| Date | City and state | Hotel | Lodging and meals and incidental expenses claimed by Under Secretary | Established per diem rate allowed (lodging and prorated meals and incidental expenses) | Maximum subsistence expenses allowed without approval of Administrator of General Services (150% of established per diem rate) |
|---|---|---|---|---|---|
| 5/5/94 | Easton, MD | The Tidewater Inn | $95.00 | $74.00 | $111.00 |
| 5/6/94[a] | | | 95.00 | 89.00 | 133.50 |
| 7/10/94 | Chicago, IL | Park Hyatt Hotel | 155.73 | 123.00 | 184.50 |
| 7/17/94 | Charlottesville, VA | The Boar's Head Inn | 130.14 | 87.00 | 130.50 |
| 7/30/94 | San Francisco, CA | Westin St. Francis Hotel | 125.40 | 124.50 | 186.75 |
| 7/31/94[a] | | | 144.40 | 134.00 | 201.00 |
| 8/1/94 | Chicago, IL | Park Hyatt Hotel | 174.73 | 142.00 | 213.00 |
| 9/22/94 | Pasadena, CA | Pasadena Doubletree Inn | 132.72 | 121.00 | 181.50 |
| 9/23/94 | | | 151.72 | 140.00 | 210.00 |

| Date | City and state | Hotel | Lodging and meals and incidental expenses claimed by Under Secretary | Established per diem rate allowed (lodging and prorated meals and incidental expenses) | Maximum subsistence expenses allowed without approval of Administrator of General Services (150% of established per diem rate) |
|---|---|---|---|---|---|
| 9/28/94 | Lake Buena Vista, FL | Wilderness Lodge | $108.50 | $88.50 | $132.75 |
| 10/13/94 | Atlanta, GA | Ritz Carlton Hotel | 140.50 | 100.00 | 150.00 |
| 11/30/94 | Los Angeles, CA | Ritz Carlton Hotel | 167.86 | 130.50 | 195.75 |
| 12/1/94 | | | 177.36 | 140.00 | 210.00 |
| 12/2/94[a,b] | | | 177.36 | 140.00 | 210.00 |
| 1/19/95 | New York City, NY | St. Moritz on the Park | 181.82 | 161.00 | 241.50 |
| 1/26/95 | Nashville, TN | Opryland Hotel | 80.11 | 75.00 | 112.50 |
| 4/18/95 | Reading, PA | Inn at Reading | 66.00 | 64.00 | 96.00 |
| 4/23/95 | New York City, NY | Paramount Hotel | 192.71 | 170.50 | 255.75 |
| 5/2/95 | Oakland, CA | Claremont Resort | 128.00 | 94.00 | 141.00 |
| 5/3/95 | | | 145.00 | 113.00 | 169.50 |
| 8/29/95 | Napa, CA | Marriott Hotel | 111.00 | 107.00 | 160.50 |
| 8/30/95 | Sacramento, CA | Hyatt Regency | 156.08 | 109.00 | 163.50 |
| 9/27/95 | St. Louis, MO | Airport Hilton | 130.00 | 93.00 | 139.50 |

| Date | City and state | Hotel | Lodging and meals and incidental expenses claimed by Under Secretary | Established per diem rate allowed (lodging and prorated meals and incidental expenses) | Maximum subsistence expenses allowed without approval of Administrator of General Services (150% of established per diem rate) |
|---|---|---|---|---|---|
| 10/22/95 | Ann Arbor, MI | The Bell Tower | 98.81 | 89.50 | 134.25 |
| 10/31/95 | Chicago, IL | Westin Hotel | $172.13 | $132.50 | $198.75 |
| 11/20/95 | Pasadena, CA | Ritz Carlton Hotel | 167.86 | 130.50 | 195.75 |
| 11/21/95 | | | 177.36 | 140.00 | 210.00 |
| 11/22/95[abc] | | | 177.36 | 140.00 | 210.00 |
| 12/11/95 | New Orleans, LA | Westin Hotel | $116.68 | $83.00 | $124.50 |
| 12/12/95 | | | 133.68 | 100.00 | 150.00 |
| 2/13/96 | San Francisco, CA | Fairmont Hotel | 148.50 | 118.00 | 177.00 |
| 2/14/96 | St. Helena, CA | The Wine Country Inn | 109.50 | 102.00 | 153.00 |
| 2/15/96[a,b,c] | Monterey, CA | Hyatt Regency Monterey Hotel | 113.00 | 108.00 | 162.00 |

[a]Trip extended over the weekend.

[b]Combined official trip with personal time at own expense.

[c]Coincided with federal holiday.

Table III.4: Hotel Stays That Exceeded the Maximum Subsistence Expenses Allowed but Did Not Have Needed Approval From the Administrator of General Services, for the Period January 1, 1994, to February 29, 1996

| Date | City and state | Hotel | Lodging and meals and incidental expenses claimed by Under Secretary | Established per diem rate allowed (lodging and prorated meals and incidental expenses) | Maximum subsistence expenses allowed without approval of Administrator of General Services (150% of established per diem rate) |
|---|---|---|---|---|---|
| 6/11/94 | White Sulphur Springs, WV | The Greenbrier Hotel | $159.00 | $59.50 | $89.25 |
| 6/12/94[a] | | | 159.00 | 66.00 | 99.00 |
| 6/28/94 | San Francisco, CA | Fairmont Hotel | 204.88 | 134.00 | 201.00 |
| 6/29/94 | | | 204.88 | 134.00 | 201.00 |
| 10/2/94 | New York, NY | Sherry-Netherland Hotel | 257.50 | 170.50 | 255.75 |
| 10/3/94 | | | 266.50 | 180.00 | 270.00 |
| 5/25/95 | Jackson Hole, WY | Snow King Lodge | 144.30 | 85.50 | 128.25 |
| 5/26/95[a,b,c] | | | 152.80 | 94.00 | 141.00 |

| Date | City and state | Hotel | Lodging and meals and incidental expenses claimed by Under Secretary | Established per diem rate allowed (lodging and prorated meals and incidental expenses) | Maximum subsistence expenses allowed without approval of Administrator of General Services (150% of established per diem rate) |
|---|---|---|---|---|---|
| 1/18/96[a,b] | West Palm Beach, FL | Palm Beach Airport Hilton Hotel | $147.90 | $86.00 | $129.00 |
| 1/28/96 | San Antonio, TX | Marriott Rivercenter Hotel | 153.85 | 94.00 | 141.00 |

[a]Trip extended over the weekend.

[b]Combined official trip with personal time at own expense.

[c]Coincided with federal holiday.

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