

GAO

Fact Sheet for the Chairman, Committee
on Governmental Affairs, U.S. Senate

April 1994

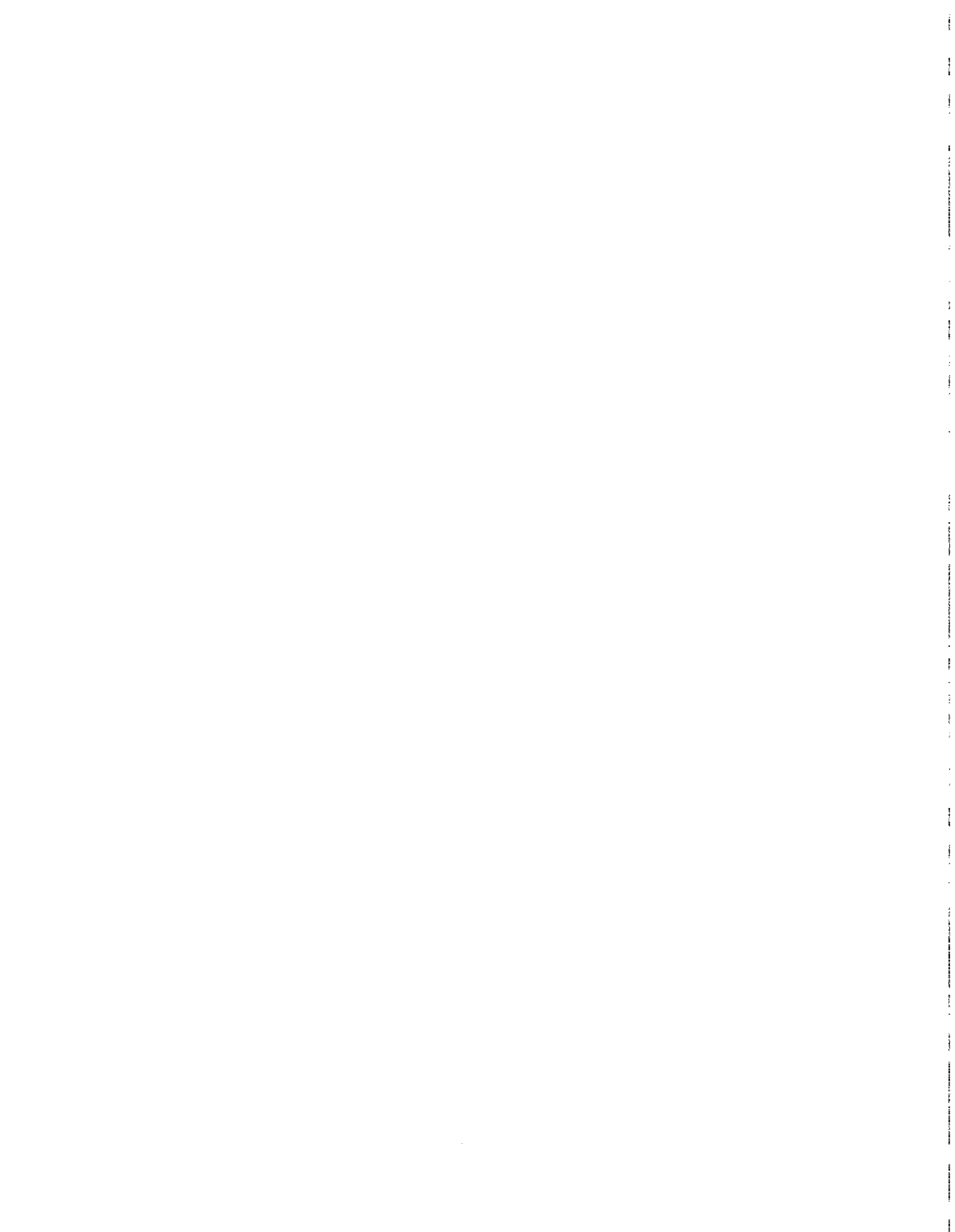
POLITICAL APPOINTEES

Turnover Rates in Executive Schedule Positions Requiring Senate Confirmation



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

General Government Division

B-249785

April 21, 1994

The Honorable John Glenn
Chairman, Committee on
Governmental Affairs
United States Senate

Dear Mr. Chairman:

Many public administration authorities have expressed concerns about the tendency of senior political appointees in the Executive branch to serve for periods that are significantly shorter than a presidential term.¹ These authorities believe that frequent changes in key leadership positions can (1) cause disruption in program management, (2) lead to key positions remaining vacant for long periods, and (3) prevent clear assignment of accountability for program outcomes.

To help address this issue, you asked us to obtain information on the periods of service for persons appointed by the President to federal Executive Schedule positions with the advice and consent of the Senate during a recent 10-year period. This fact sheet provides that information.

BACKGROUND

Under the law,² the Executive Schedule, which includes many of the most senior positions in the federal government, is composed of positions in five pay levels. These range from Level I (currently \$148,400 annually) to Level V (currently \$108,200 annually).

¹A bibliography of related materials is provided following appendix VII.

²5 U.S.C. section 5311 establishes the authority for positions in the Executive Schedule. The specific positions in the Executive Schedule, which are usually identified in agency authorizing legislation, are listed at 5 U.S.C. sections 5312-16.

Executive Level I positions include the secretaries of the cabinet departments, the U.S. Trade Representative, the Director of the Office of Management and Budget, and the Director of National Drug Control Policy. Executive Level II positions include the deputy department secretaries and the heads of agencies such as the Central Intelligence Agency, the Federal Aviation Administration, and the Environmental Protection Agency (EPA).

Executive Levels III, IV, and V positions include the heads of many other federal agencies, various undersecretaries and assistant secretaries, regulatory commission and board members, and other senior political appointees. Most Executive Schedule positions are filled by persons appointed by the President with the advice and consent of the Senate (referred to here as EX-PAS positions).

The Office of Personnel Management (OPM) and the federal agencies we contacted provided information identifying a total of 567 EX-PAS positions governmentwide as of September 30, 1991:³ 409 positions in which the appointee serves indefinitely at the pleasure of the President, and 158 positions in which the appointee has a statutorily prescribed, fixed term of office. Virtually all of the indefinite-tenured positions were found in the cabinet departments and independent agencies, while most of the term-limited positions were found in the various independent boards and commissions. EX-PAS positions in each agency are shown in appendix I.

RESULTS IN BRIEF

Governmentwide, the median length of appointees' service in the indefinite-tenured EX-PAS positions was 2.1 years,⁴ and the average turnover rate--the average number of times an incumbent left a given position over the 10-year period--was between 2 and 3 (2.30 calculated average).⁵ Generally, the median length of

³When we began our review, fiscal year 1991 was the most recent year for which OPM had reasonably complete data available on the federal government's EX-PAS positions.

⁴This figure does not include the service periods of appointees who were still in their positions beyond September 30, 1991, the end of the 10-year period we reviewed.

⁵These data do not include U.S. attorneys in the Department of Justice, U.S. ambassadors in the Department of State, and certain other categories of appointees. See appendix VI for details.

service of appointees in cabinet departments was below the governmentwide median. Cabinet departments also generally had higher-than-average turnover rates.

Because of differences in the statutorily prescribed lengths of fixed-term ("term-limited") positions, a governmentwide turnover rate or median length-of-service figure for such positions would not be meaningful. We noted, however, that term-limited appointees generally served longer in their positions than their indefinite-tenured counterparts.

INDEFINITE-TENURED EX-PAS APPOINTEES'
LENGTH OF SERVICE AND TURNOVER RATES

During the 10-year period from October 1, 1981, through September 30, 1991, a total of 940 appointees separated from the 409 EX-PAS indefinite-tenured positions. Governmentwide, the median length of these former appointees' service in their positions was 2.1 years, and the turnover rate was between 2 and 3 appointees per EX-PAS position (2.30 calculated average). The number of turnovers in any one such position during the 10-year period varied from none to as many as seven. Eighteen of the 409 EX-PAS indefinite-tenured positions experienced a total of 5 or more turnovers. In some instances, significant periods of time elapsed between the point that an appointee left an EX-PAS position and the point that a replacement was sworn in.

Cabinet Agency Appointees Generally
Served Shorter Periods and Had Higher
Turnover Rates

The shortest tenures and the highest turnover rates generally occurred in the cabinet-level departments. By either measure, cabinet departments generally exhibited the greatest disruption of leadership continuity.⁶

Table 1 identifies the agencies (with at least 10 appointee turnovers during the 10-year period) that had median length-of-service figures lower than the governmentwide median figure.

⁶Although we determined an agency's average turnover rate by calculating the mean of all turnovers in each agency's EX-PAS positions, we used a median figure for length-of-service determinations. We used the median measure because it is less sensitive to data extremes ("outliers"), of which there are a number in the length-of-service data.

Table 1: Agencies Whose Indefinite-Tenured EX-PAS Appointees had Lower Median Length-of-Service Figures than the Governmentwide Median Figure From October 1, 1981, Through September 30, 1991

Agency ^a	Total indefinite positions	Total appointee turnovers ^b	Median length of service ^c
Governmentwide	409	940	2.1
Department of Veterans Affairs ^d	9	11	1.6
Department of Commerce	32	76	1.7
Department of Labor	16	49	1.7
Office of the Secretary of Defense	26	52	1.7
Arms Control and Disarmament Agency	10	17	1.8
EPA	13	35	1.8
Department of Housing and Urban Development	13	34	1.8
Department of the Navy	7	15	1.8
Department of Education	18	54	1.9
Department of the Interior	17	39	1.9
Department of Justice ^e	30	61	1.9
Department of Energy	22	58	2.0
Department of the Treasury	17	48	2.0

^aHighlights only those agencies experiencing at least 10 indefinite-tenured EX-PAS appointee turnovers during the 10-year period. A complete listing of the turnover and median length-of-service figures of the 42 agencies with 1 or more indefinite-tenured EX-PAS appointee turnovers appears in appendix II.

^bIncludes appointees who served 1 or more days in their EX-PAS positions between October 1, 1981, and September 30, 1991, and who left their positions on or before September 30, 1991.

^cAgencies are listed in ascending order by the median length of service, expressed in years of service, of each agency's former EX-PAS appointees.

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^dThe Veterans' Administration was redesignated as the Department of Veterans Affairs in 1989.

^eDepartment of Justice figures do not include the 94 U.S. attorneys.

Similarly, the cabinet-level departments generally exhibited turnover rates higher than the governmentwide rate. Table 2 lists the agencies with turnover rates higher than the governmentwide turnover rate.

Table 2: Agencies Whose Turnover Rates Among Their Indefinite-Tenured EX-PAS Positions Were Higher than the Governmentwide Turnover Rate From October 1, 1981, Through September 30, 1991

Agency ^a	Total indefinite positions	Total appointee turnovers ^b	Turnover rate ^c
Governmentwide	409	940	2.30
ACTION	3	11	3.67 ^d
Department of Labor	16	49	3.06 ^e
Department of Education	18	54	3.00
Department of Transportation	16	46	2.88
Department of the Treasury	17	48	2.82
Department of State ^f	27	76	2.81
EPA	13	35	2.69 ^g
Department of Energy	22	58	2.64
Department of Housing and Urban Development	13	34	2.62 ^h
United States Information Agency	7	18	2.57
Department of Commerce	32	76	2.38 ⁱ
Department of Agriculture	15	35	2.33

*Highlights only those agencies experiencing at least 10 indefinite-tenured appointee turnovers during the 10-year period. Agencies are listed in descending order by turnover rate. A complete listing of the turnover rates of the 42 agencies with 1 or more indefinite-tenured appointee turnovers appears in appendix III.

^bIncludes appointees who served 1 or more days in their EX-PAS positions between October 1, 1981, and September 30, 1991, and who left their positions on or before September 30, 1991.

^cTurnover rate is determined by dividing the total number of indefinite-tenured EX-PAS appointees leaving their agency positions between October 1, 1981, and September 30, 1991, by the total number of EX-PAS positions existing in the agency on September 30, 1991.

^dACTION's turnover rate would be 1.83 if the 3 EX-PAS positions ACTION abolished during the 10-year period are included in the computation.

^eThe Department of Labor's turnover rate would be 2.88 if the 1 EX-PAS position Labor abolished during the 10-year period is included in the computation.

^fDepartment of State figures do not include U.S. ambassadors.

^gEPA's turnover rate would be 2.50 if the 1 EX-PAS position EPA abolished during the 10-year period is included in the computation.

^hThe Department of Housing and Urban Development's (HUD) turnover rate would be 2.27 if the 2 EX-PAS positions HUD abolished during the 10-year period are included in the computation.

ⁱThe Department of Commerce's turnover rate would be 1.95 if the 7 EX-PAS positions Commerce abolished during the 10-year period are included in the computation.

Additional information about agencies' indefinite-tenured EX-PAS appointees' lengths of service and turnover rates is presented in appendixes II and III.

Some Positions Experienced Relatively High Turnover Rates

Because the individuals who serve as EX-PAS appointees in these senior government positions play critically important roles in

the management and accomplishment of federal agencies' missions, we believe it is vital that there be stability and continuity of leadership at this top organizational level. Nevertheless, we found that some of these key positions experienced relatively high turnover rates during the 10-year period we reviewed.

More specifically, we identified 18 indefinite-tenured EX-PAS positions with 5 or more appointee turnovers during the 10-year period we reviewed. We found that the position with the highest number of turnovers--seven incumbents left the position in 10 years--was the Department of Commerce's Assistant Secretary for Trade Development. The position with the next highest turnover rate was the Department of Justice's Deputy Attorney General position, with six appointee turnovers (seven incumbents in total) in 10 years.

Of the 16 remaining positions with 5 appointee turnovers each in 10 years, 3 were in the Department of Education, and 2 each were in the Departments of Health and Human Services (HHS), Transportation, and Treasury. The Departments of Commerce, Energy, Housing and Urban Development (HUD), Justice, Labor, and State and the Executive Office of the President each had one such position.

Appendix IV provides a list of the specific agency positions with five or more turnovers during the 10-year period we reviewed.

Some Positions Remained Vacant for
Extended Periods of Time

We found that EX-PAS turnovers sometimes resulted in vacancies in key positions for extended periods of time--in one case, 33 months⁷--until a new appointee took office.

We judgmentally selected eight federal agencies--four agencies from among those whose indefinite-tenured EX-PAS appointees collectively served a shorter median service period than the governmentwide service median of 2.1 years and four agencies from among those whose indefinite-tenured EX-PAS appointees collectively served a longer median service period than the governmentwide median. As shown in table 3, the elapsed time for filling individual indefinite-tenured EX-PAS positions ranged from zero days to 33 months in the agencies whose vacancy experiences we reviewed. The average length of time that these

⁷When the position of Commissioner, Social Security Administration, became vacant in mid-September of 1983, a new appointee was not sworn in until late June of 1986.

positions remained vacant at the 8 agencies ranged from approximately 6 months to 20 months.

Collectively, these data indicated a wide variation in the time that agencies took to fill their vacant indefinite-tenured EX-PAS positions. However, we cannot establish from the information we have why such variations occurred or why some of these positions took longer than others to fill.⁸ In addition, we noted no clear correlation between how long an agency's indefinite-tenured EX-PAS appointees tended to serve and how long (in total months) indefinite-tenured EX-PAS positions tended to remain vacant between appointees during the 10-year period we reviewed.

Table 3: Vacancy Periods Between Incumbents in EX-PAS Indefinite-Tenured Positions in Eight Selected Agencies

Agency ^a	Median length of service (years)	Minimum vacancy period (days)	Maximum vacancy period (months) ^b	Mean vacancy period (months) ^b
Governmentwide	2.1	c	c	c
Department of Commerce	1.7	0	14	11
EPA	1.8	17	16	17
Department of the Navy	1.8	0	25	11
Department of Education	1.9	0	30	18
Department of State ^d	2.3	0	12	6
Department of the Air Force	2.5	0	7	9
HHS	2.5	0	33	20
Department of Agriculture	2.9	0	21	12

^aAgencies are listed in ascending order of agencywide median

⁸We also could not determine from the data we obtained whether the position of an appointee who had left was temporarily filled by a detailee or "acting" official until a new appointee was in place.

length of service.

^bExpressed in rounded months.

^cBecause of problems with overlapping service dates in agencies' appointee data that could not readily be resolved, governmentwide vacancy statistics cannot be accurately determined.

^dDepartment of State figures do not include U.S. ambassadors.

INCUMBENTS IN TERM-LIMITED POSITIONS
GENERALLY SERVE LONGER

We found that during the 10-year period we reviewed, a total of 282 appointees separated from the 158 term-limited EX-PAS positions.⁹ The computation of a governmentwide turnover rate or median length-of-service figure for such positions would not be meaningful because of differences in the statutorily prescribed terms of office across agencies and positions as well as other varying tenure-related factors.¹⁰

We noted, however, that the median length-of-service figure among the EX-PAS term-limited positions in 19 of the 39 agencies having such positions with at least 1 appointee turnover during the 10-year period was longer than a full 4-year presidential term. We also noted that the median length-of-service figure for such appointees approached a full presidential term in 7 other

⁹Statutorily prescribed terms of office for commission and board members vary substantially, from as few as 3 years for members of the Board for International Broadcasting to 14 years for members of the Federal Reserve Board. Several other agency and subagency heads also serve statutorily prescribed terms. For example, the Director of OPM serves a 4-year term. Appendix VI lists several reports by the Congressional Research Service containing additional information about positions with statutorily prescribed terms.

¹⁰According to agency officials, some term-limited appointees, such as members of the Federal Election Commission, are permitted by law to serve beyond the prescribed term of office until a replacement appointee is sworn in. Others, such as the Commissioner of Labor Statistics, cannot serve at all beyond their specified term without being reappointed. Some term-limited appointees, such as members of the Merit Systems Protection Board, are limited by law to a single term, while others, such as the commissioners at the Federal Communications Commission, may be reappointed for successive terms.

agencies with such positions.¹¹ The median length-of-service figure for EX-PAS term-limited positions was less than the governmentwide median figure for EX-PAS indefinite-tenured positions (2.1 years) in only 5 of these agencies.

Additional information about the EX-PAS term-limited positions and turnover in those positions in the 41 agencies in our database having term-limited positions is presented in appendix V.

SCOPE AND METHODOLOGY

Our analysis was based on data originally obtained from OPM on EX-PAS positions and appointees in 71 executive agencies. We verified the data for each of the 46 agencies that had 5 or more EX-PAS positions as of September 30, 1991 (the end of the 10-year period that we reviewed), and for 3 other agencies where we identified possible accuracy problems by asking agency personnel officials to review and verify the applicable appointee and position data. This process resulted in our verification of 90.8 percent of the appointee and position data, a level of verification we deemed sufficient for our analysis. We did not directly review agencies' personnel records. Additional information about the data and our verification procedures are provided in appendix VI.

We did our review at OPM headquarters and through telephone and mail contacts with agency headquarters personnel officials between November 1992 and March 1994, in accordance with generally accepted government auditing standards.

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As agreed with the Committee, unless you publicly release its contents earlier, we plan no further distribution of this fact sheet until 30 days after its issue date. At that time, we will send copies to the Ranking Minority Member, Senate Governmental Affairs Committee; the Chairman and Ranking Minority Member, Senate Governmental Affairs Subcommittee on Federal Services, Post Office, and Civil Service; the Chairman and Ranking Minority Member, House Government Operations Committee; the Chairman and Ranking Minority Member, House Post Office and Civil Service Committee; the directors of the Office of Personnel Management and the Office of Management and Budget; and other interested parties. Copies will also be made available to others upon request.

¹¹The median length-of-service figure for these agencies fell within the range of 3.0 to 3.9 years.

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Major contributors to this report are listed in appendix VII. Please contact me at (202) 512-5074 if you have any questions about the data presented in this fact sheet.

Sincerely yours,

A handwritten signature in cursive script that reads "Nancy Kingsbury". The signature is written in dark ink and is positioned above the typed name.

Nancy Kingsbury
Director
Federal Human Resource Management
Issues

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ABBREVIATIONS

CAB	Civil Aeronautics Board
CCR	Commission on Civil Rights
CRS	Congressional Research Service
EIS	Executive Information System
EOP	Executive Office of the President
EPA	Environmental Protection Agency
EX-PAS	Executive Schedule position requiring Senate confirmation
FEMA	Federal Emergency Management Agency
FHLBB	Federal Home Loan Bank Board
HHS	Department of Health and Human Services
HUD	Department of Housing and Urban Development
IDCA	International Development and Cooperation Agency
NARA	National Archives and Records Administration
OPM	Office of Personnel Management
VA	Department of Veterans Affairs

EXECUTIVE SCHEDULE POSITIONS REQUIRING SENATE CONFIRMATION
IN 71 EXECUTIVE AGENCIES AS OF SEPTEMBER 30, 1991

Agency ^a	Indefinite tenure	Term- limited	Total positions	Agency rank ^b
Governmentwide	409	158	567	N/A
ACTION ^{a,c}	3	0	3	47
Administrative Conference of the United States	0	1	1	64
Department of Agriculture ^a	15	1	16	13
Department of the Air Force ^a	7	0	7	22
Appalachian Regional Commission	2	0	2	59
Arms Control and Disarmament Agency ^a	10	0	10	18
Department of the Army ^a	8	0	8	20
Board for International Broadcasting ^a	0	9	9	19
Department of Commerce ^a	32	0	32	2
Central Intelligence Agency	2	0	2	59
Commodity Futures Trading Commission ^a	0	5	5	32
Consumer Product Safety Commission ^a	0	5	5	32
Defense Nuclear Facilities Safety Board ^{a,d}	0	5	5	32
Department of Education ^a	18	0	18	8
Department of Energy ^a	22	0	22	6
EPA ^a	13	0	13	15
Equal Employment Opportunity Commission ^a	0	6	6	26
Executive Office of the President ^a	24	0	24	5
Export-Import Bank ^{a,e}	0	5	5	32

APPENDIX I

APPENDIX I

Agency ^a	Indefinite Tenured	Term-limited	Total positions	Agency rank ^b
Farm Credit Administration	0	3	3	47
Federal Communications Commission ^{a,f}	0	5	5	32
Federal Deposit Insurance Corporation	0	3	3	47
Federal Election Commission ^a	0	6	6	26
Federal Emergency Management Agency ^a	8	0	8	20
Federal Energy Regulatory Commission ^a	0	5	5	32
Federal Labor Relations Authority	0	4	4	45
Federal Maritime Commission ^a	0	5	5	32
Federal Mediation and Conciliation Service	1	0	1	64
Federal Mine Safety and Health Review Commission ^a	0	5	5	32
Federal Reserve System ^a	0	7	7	23
Federal Trade Commission ^a	0	5	5	32
General Services Administration	2	0	2	59
HHS ^a	17	0	17	10
HUD ^a	13	0	13	15
Department of the Interior ^a	17	1	18	8
International Development Cooperation Agency ^a	15	0	15	14
International Trade Commission ^a	0	6	6	26
Interstate Commerce Commission ^{a,g}	0	5	5	32
Department of Justice ^{a,h}	30	5	35	1
Department of Labor ^a	16	1	17	10

Agency ^a	Indefinite tenured	Term-limited	Total positions	Agency rank ^b
Merit Systems Protection Board ^a	0	3	3	47
National Aeronautics and Space Administration	3	0	3	47
National Archives and Records Administration ^{a, i}	1	0	1	64
National Credit Union Administration	0	3	3	47
National Foundation on the Arts and the Humanities ^j	1	2	3	47
National Labor Relations Board ^a	0	6	6	26
National Mediation Board ^a	0	3	3	47
National Science Foundation ^a	5	1	6	26
National Transportation Safety Board ^a	0	5	5	32
Department of the Navy ^a	7	0	7	22
Nuclear Regulatory Commission ^a	1	5	6	26
Occupational Safety and Health Review Commission	0	3	3	47
Office of Government Ethics ^k	0	1	1	64
OPM	2	1	3	47
Office of Special Counsel ^l	1	0	1	64
Office of the Federal Inspector, Alaska National Gas Transportation System	1	0	1	64
Office of the Secretary of Defense ^a	26	0	26	4
Overseas Private Investment Corporation	2	0	2	59
Panama Canal Commission	1	0	1	64
Peace Corps	2	0	2	59

Agency ^a	Indefinite tenured	Term-limited	Total positions	Agency rank ^b
Postal Rate Commission ^a	0	5	5	32
Railroad Retirement Board	1	3	4	45
Securities and Exchange Commission ^a	0	5	5	32
Selective Service System	1	0	1	64
Small Business Administration	3	0	3	47
Department of State ^{a,m}	27	0	27	3
Tennessee Valley Authority	0	3	3	47
Department of Transportation ^a	16	1	17	10
Department of the Treasury ^a	17	2	19	7
United States Information Agency ^a	7	0	7	22
Department of Veterans Affairs ^{a,n}	9	3	12	17

^aEX-PAS position and appointee data were verified with agency personnel officials.

^bAgencies are ranked in descending order by total number of EX-PAS positions. Agencies with equal numbers of positions share a common ranking.

^cPosition and appointee data were verified in ACTION when our original EIS database documented six EX-PAS positions. ACTION officials subsequently informed us that three of the six EX-PAS positions had been abolished as PAS positions between 1986 and 1988.

^dThe Defense Nuclear Facilities Safety Board was established as an independent agency in 1988.

^eAccording to an agency official, Export-Import Bank board members were appointed for indefinite terms before November 30, 1983. The official added that, by law, new board members appointed on and after November 30, 1983, were appointed for 4-year terms.

^fAccording to an agency official, the law was amended in 1982 to reduce the number of commissioners at the Federal Communications Commission from seven to five.

⁹According to an agency official, the law was amended in 1982 to reduce the number of commissioners at the Interstate Commerce Commission from seven to five.

^hDepartment of Justice figures do not include the 94 U.S. attorneys.

ⁱThe National Archives and Records Service was a part of the General Services Administration until 1985, when it became the National Archives and Records Administration, an independent agency.

^jIncludes the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum Services.

^kThe Office of Government Ethics was a part of OPM until 1989, when it became an independent agency.

^lThe Office of the Special Counsel was a part of the Merit Systems Protection Board until 1989, when it became the Office of Special Counsel, an independent agency.

^mDepartment of State figures do not include U.S. ambassadors.

ⁿThe Veterans' Administration was redesignated as the Department of Veterans Affairs in 1989.

MEDIAN LENGTH OF APPOINTEES' SERVICE IN
INDEFINITE TENURED, EXECUTIVE SCHEDULE POSITIONS
REQUIRING SENATE CONFIRMATION IN 42 EXECUTIVE AGENCIES
FROM OCTOBER 1, 1981, THROUGH SEPTEMBER 30, 1991^a

Agency	Total indefinite positions	Total appointee turnovers ^b	Median length of service ^c	Agency rank ^d
Governmentwide	409	940	2.1	N/A
ACTION	3	11	2.4	23
Department of Agriculture	15	35	2.9	30
Department of the Air Force	7	12	2.5	26
Appalachian Regional Commission	2	3	7.1	38
Arms Control and Disarmament Agency	10	17	1.8	8
Department of the Army	8	15	2.2	20
Department of Commerce	32	76	1.7	5
Central Intelligence Agency	2	4	3.4	33
Department of Education	18	54	1.9	12
Department of Energy	22	58	2.0	15
EPA	13	35	1.8	8
Executive Office of the President	24	45	2.1	17
Federal Emergency Management Agency	8	15	3.3	32
Federal Mediation and Conciliation Service	1	2	3.5	34
General Services Administration	2	3	2.8	28
HHS	17	36	2.5	26
HUD	13	34	1.8	8

Agency	Total indefinite positions	Total appointee turnover ^b	Median length of service ^c	Agency rank ^d
Department of the Interior	17	39	1.9	12
International Development Cooperation Agency	15	29	2.2	20
Department of Justice ^e	30	61	1.9	12
Department of Labor	16	49	1.7	5
National Aeronautics and Space Administration	3	6	3.0	31
National Archives and Records Administration ^f	1	1	<0.1 ^g	1
National Foundation on the Arts and the Humanities ^h	1	2	1.0	2
National Science Foundation	5	9	2.4	23
Department of the Navy	7	15	1.8	8
Nuclear Regulatory Commission	1	0	N/A	N/A
OPM	2	3	1.4	3
Office of Special Counsel ⁱ	1	2	2.4	23
Office of the Federal Inspector, Alaska National Gas Transportation System	1	2	4.5	36
Office of the Secretary of Defense	26	52	1.7	5
Overseas Private Investment Corporation	2	2	7.8	39
Panama Canal Commission	1	1	10.2	40
Peace Corps	2	3	6.7	37
Railroad Retirement Board	1	0	N/A	N/A

Agency	Total indefinite position	Total appointee turnover ^b	Median length of service ^c	Agency rank ^d
Selective Service System	1	2	3.8	35
Small Business Administration	3	8	2.7	28
Department of State ^j	27	76	2.3	22
Department of Transportation	16	46	2.1	17
Department of the Treasury	17	48	2.0	15
United States Information Agency	7	18	2.1	17
Department of Veterans Affairs ^k	9	11	1.6	4

^aAgencies without indefinite-tenured EX-PAS positions are not listed.

^bIncludes appointees who served 1 or more days in their EX-PAS positions between October 1, 1981, and September 30, 1991, and who left their positions on or before September 30, 1991.

^cExpressed in years of service.

^dAgencies are ranked in ascending order by the median length of service of each agency's EX-PAS appointees. Agencies with equal median length-of-service figures share a common ranking. Agencies with no appointee turnovers are not ranked.

^eDepartment of Justice figures do not include the 94 U.S. attorneys.

^fThe National Archives and Records Service was a part of the General Services Administration until 1985, when it became the National Archives and Records Administration (NARA), an independent agency.

^gAccording to a NARA personnel official, the Archivist position, to which this statistic refers, changed from SES to EX-PAS status on April 1, 1985, when NARA became an independent agency. The incumbent career SES member left the position on April 15, 1985, 15 days after it became an EX-PAS position.

^hIncludes the National Endowment for the Arts, the National

Endowment for the Humanities, and the Institute of Museum Services.

¹The Office of the Special Counsel was a part of the Merit Systems Protection Board until 1989, when it became the Office of Special Counsel, an independent agency.

²Department of State figures do not include U.S. ambassadors.

³The Veterans' Administration was redesignated as the Department of Veterans Affairs in 1989.

TURNOVER RATES IN INDEFINITE-TENURED, EXECUTIVE
SCHEDULE POSITIONS REQUIRING SENATE CONFIRMATION
IN 42 EXECUTIVE AGENCIES FROM OCTOBER 1, 1981,
THROUGH SEPTEMBER 30, 1991^a

Agency	Total indefinite positions	Total appointee turnovers ^b	Turnover rate ^c	Agency rank ^d
Governmentwide	409	940	2.30	N/A
ACTION	3	11	3.67 ^e	1
Department of Agriculture	15	35	2.33	13
Department of the Air Force	7	12	1.71 ^f	31
Appalachian Regional Commission	2	3	1.50	33
Arms Control and Disarmament Agency	10	17	1.70	32
Department of the Army	8	15	1.88	27
Department of Commerce	32	76	2.38 ^g	12
Central Intelligence Agency	2	4	2.00	18
Department of Education	18	54	3.00	3
Department of Energy	22	58	2.64	9
EPA	13	35	2.69 ^h	7
Executive Office of the President	24	45	1.88	27
Federal Emergency Management Agency	8	15	1.88 ⁱ	27
Federal Mediation and Conciliation Service	1	2	2.00	18
General Services Administration	2	3	1.50	33
HHS	17	36	2.12 ^j	16
HUD	13	34	2.62 ^k	10
Department of the Interior	17	39	2.29	14

Agency	Total indefinite positions	Total appointee turnovers ^b	Turnover rates ^c	Agency rank ^d
International Development Cooperation Agency	15	29	1.93 ¹	26
Department of Justice ^m	30	61	2.03	17
Department of Labor	16	49	3.06 ⁿ	2
National Aeronautics and Space Administration	3	6	2.00	18
National Archives and Records Administration ^o	1	1	1.00	38
National Foundation on the Arts and the Humanities ^p	1	2	2.00	18
National Science Foundation	5	9	1.80	30
Department of the Navy	7	15	2.14	15
Nuclear Regulatory Commission	1	0	0.00	41
OPM	2	3	1.50	33
Office of Special Counsel ^q	1	2	2.00	18
Office of the Federal Inspector, Alaska National Gas Transportation System	1	2	2.00	18
Office of the Secretary of Defense	26	52	2.00	18
Overseas Private Investment Corporation	2	2	1.00	38
Panama Canal Commission	1	1	1.00	38
Peace Corps	2	3	1.50	33
Railroad Retirement Board	1	0	0.00	41
Selective Service System	1	2	2.00	18
Small Business Administration	3	8	2.67	8
Department of State ^r	27	76	2.81	6
Department of Transportation	16	46	2.88	4
Department of the Treasury	17	48	2.82	5

Agency	Total indefinite positions	Total appointee turnovers ^b	Turnover rate ^c	Agency rank ^d
United States Information Agency	7	18	2.57	11
Department of Veterans Affairs ^e	9	11	1.22 ^t	37

^aAgencies without indefinite-tenured EX-PAS positions are not listed.

^bIncludes appointees who served one or more days in their EX-PAS positions between October 1, 1981, and September 30, 1991, and who left their positions on or before September 30, 1991.

^cTurnover rate is determined by dividing the total number of indefinite-tenured EX-PAS appointees leaving their agency positions between October 1, 1981, and September 30, 1991, by the total number of indefinite-tenured EX-PAS positions existing in the agency on September 30, 1991.

^dAgencies are ranked in descending order by turnover rate. Agencies with equal turnover rates share a common ranking.

^eACTION's turnover rate would be 1.83 if the 3 EX-PAS positions ACTION abolished during the 10-year period are included in the computation.

^fThe Department of the Air Force's turnover rate would be 1.33 if the 2 EX-PAS positions Air Force abolished during the 10-year period are included in the computation.

^gThe Department of Commerce's turnover rate would be 1.95 if the 7 EX-PAS positions Commerce abolished during the 10-year period are included in the computation.

^hEPA's turnover rate would be 2.50 if the 1 EX-PAS position EPA abolished during the 10-year period is included in the computation.

ⁱThe Federal Emergency Management Agency's (FEMA) turnover rate would be 1.36 if the 3 EX-PAS positions FEMA abolished during the 10-year period are included in the computation.

^jHHS' turnover rate would be 1.89 if the 2 EX-PAS positions HHS abolished during the 10-year period are included in the computation.

^kHUD's turnover rate would be 2.27 if the 2 EX-PAS positions HUD abolished during the 10-year period are included in the computation.

^lThe International Development and Cooperation Agency's (IDCA) turnover rate would be 1.81 if the 1 EX-PAS position IDCA abolished during the 10-year period is included in the computation.

^mDepartment of Justice figures do not include the 94 U.S. attorneys.

ⁿThe Department of Labor's turnover rate would be 2.88 if the 1 EX-PAS position Labor abolished during the 10-year period is included in the computation.

^oThe National Archives and Records Service was a part of the General Services Administration until 1985, when it became the National Archives and Records Administration, an independent agency.

^pIncludes the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum Services.

^qThe Office of the Special Counsel was a part of the Merit Systems Protection Board until 1989, when it became the Office of Special Counsel, an independent agency.

^rDepartment of State figures do not include U.S. ambassadors.

^sThe Veterans' Administration was redesignated as the Department of Veterans Affairs (VA) in 1989.

^tVA's turnover rate would be 1.00 if the 2 EX-PAS positions VA abolished during the 10-year period are included in the computation.

INDEFINITE-TENURED, EXECUTIVE SCHEDULE POSITIONS REQUIRING
SENATE CONFIRMATION WITH FIVE OR MORE TURNOVERS FROM
OCTOBER 1, 1981, THROUGH SEPTEMBER 30, 1991

Position title ^a	Agency	Number of turnovers ^b
Assistant Secretary for Trade Development	Commerce	7
Deputy Attorney General	Justice	6
Deputy Secretary	Commerce	5
Assistant Secretary for Postsecondary Education	Education	5
Deputy Undersecretary for Management	Education	5
Undersecretary of Education	Education	5
General Counsel	Energy	5
Deputy U.S. Trade Representative	EOP ^c	5
Assistant Secretary for Legislation	HHS	5
Deputy Secretary of Health and Human Services ^d	HHS	5
Assistant Secretary for Housing, Federal Housing Commissioner	HUD	5
Associate Attorney General	Justice	5
Executive Assistant and Counselor to the Secretary	Labor	5
Assistant Secretary for Legislative and Intergovernmental Affairs	State	5
Assistant Secretary for Public Affairs	Transportation	5
General Counsel	Transportation	5
Assistant Secretary (Deputy Undersecretary) for Legislative Affairs	Treasury	5

Position title ^a	Agency	Number of turnovers ^b
Assistant Secretary (Public Affairs and Public Liaison)	Treasury	5

^aPositions are listed in descending order by number of turnovers in the position. Positions with identical numbers of turnovers are listed alphabetically by agency and then alphabetically within an agency.

^bIncludes appointees who served 1 or more days in their EX-PAS positions between October 1, 1981, and September 30, 1991, and who left their positions on or before September 30, 1991.

^cExecutive Office of the President.

^dAccording to an HHS official, a 1990 change in the law retitled the position of Undersecretary of Health and Human Services to Deputy Secretary of Health and Human Services and redesignated the position from Executive Level III to Level II. The official added that these two positions were exactly the same in terms of their duties, and that the incumbent Undersecretary continued to serve as Deputy Secretary when the change became effective. Accordingly, for turnover analysis purposes, we treated these as a single position.

MEDIAN LENGTH OF APPOINTEES' SERVICE IN TERM-LIMITED, EXECUTIVE SCHEDULE POSITIONS REQUIRING SENATE CONFIRMATION IN 41 EXECUTIVE AGENCIES FROM OCTOBER 1, 1981, THROUGH SEPTEMBER 30, 1991^a

Agency	Total term-limited positions	Total appointee turnovers ^b	Prescribed term of office ^c	Median length of service ^d
Governmentwide	158	282	N/A	e
Administrative Conference of the United States	1	1	5	4.2
Department of Agriculture	1	1	10	7.2
Board for International Broadcasting	9	12	3	3.9
Commodity Futures Trading Commission	5	9	5	4.4
Consumer Product Safety Commission	5	11	7	2.7
Defense Nuclear Facilities Safety Board ^f	5	1	5	1.9
Equal Employment Opportunity Commission	6	12	5	3.1
Export-Import Bank ^g	5	11	4	2.8
Farm Credit Administration	3	3	6	2.5
Federal Communications Commission ^h	5	10	5	4.1
Federal Deposit Insurance Corporation	3	2	6	4.4
Federal Election Commission	6	5	6	5.6
Federal Energy Regulatory Commission	5	11	4	2.9
Federal Labor Relations Authority	4	11	5	2.9

APPENDIX V

APPENDIX V

Agency	Total term-limited positions	Total appointee turnovers ^b	Prescribed term of office ^c	Median length of service ^d
Federal Maritime Commission	5	10	5	3.1
Federal Mine Safety and Health Review Commission	5	5	6	5.8
Federal Reserve System	7	13	14	5.3
Federal Trade Commission	5	11	7	3.5
Department of the Interior	1	0	3	ⁱ
International Trade Commission	6	14	9	2.0
Interstate Commerce Commission ^j	5	9	5	6.5
Department of Justice	1 1 3	1 1 6	10 4 3	^k
Department of Labor	1	1	4	12.1
Merit Systems Protection Board	3	6	7	4.3
National Credit Union Administration	3	7	6	2.5
National Foundation on the Arts and the Humanities ^l	2	4	4	4.1
National Labor Relations Board	6	15	5	4.1
National Mediation Board	3	5	3	4.8
National Science Foundation	1	3	6	1.9
National Transportation Safety Board	5	15	5	3.8

Agency	Total term-limited position	Total appointee turnover ^b	Prescribed term of office ^c	Median length of service ^d
Nuclear Regulatory Commission	5	11	5	4.6
Occupational Safety and Health Review Commission	3	10	6	1.4
Office of Government Ethics ^m	1	3	4	2.7
OPM	1	2	4	3.9
Postal Rate Commission	5	5	6	5.9
Railroad Retirement Board	3	5	5	5.4
Securities and Exchange Commission	5	12	5	3.6
Tennessee Valley Authority	3	4	9	4.8
Department of Transportation	1	2	7	10.3
Department of the Treasury	2	2	5	1.9
Department of Veterans Affairs ⁿ	2 1	0 0	4 6	°

^aAgencies without term-limited EX-PAS positions are not listed.

^bIncludes appointees who served one or more days in their EX-PAS positions between October 1, 1981, and September 30, 1991, and who left their positions on or before September 30, 1991.

^cThese data depict the statutorily prescribed length of a full term. Persons appointed to such positions to serve the balance of an unexpired term may serve for less than a full term.

^dExpressed in years of service.

^eBecause of differences in the statutorily prescribed lengths of

term-limited positions, a governmentwide median length-of-service figure for such positions would not be meaningful.

^fThe Defense Nuclear Facilities Safety Board was established as an independent agency in 1988.

^gAccording to an agency official, Export-Import Bank board members were appointed for indefinite terms before November 30, 1983. The official added that, by law, new board members appointed on and after November 30, 1983, were appointed for 4-year terms.

^hAccording to an agency official, the law was amended in 1982 to reduce the number of commissioners at the Federal Communications Commission from seven to five.

ⁱSince this Department of the Interior position did not experience a turnover during the 10-year period, a median length-of-service figure cannot be computed.

^jAccording to an agency official, the law was amended in 1982 to reduce the number of commissioners at the Interstate Commerce Commission from seven to five.

^kSince the Department of Justice has three categories of positions with fixed terms of different lengths, an overall median length-of-service figure would not be meaningful.

^lIncludes the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum Services.

^mThe Office of Government Ethics was a part of OPM until 1989.

ⁿThe Veterans' Administration was redesignated as the Department of Veterans Affairs in 1989.

^oThe Department of Veterans Affairs has two categories of positions with fixed terms of different length. None of these positions experienced a turnover during the period. Thus, a median length of service figure would not be meaningful.

APPROACH AND METHODOLOGY

To assemble our database of Executive Schedule positions and the Senate-confirmed appointees who served in those positions, we obtained data from OPM's Executive Information System (EIS).¹ These data included the position titles, pay levels, and position establishment dates (where available) of each position existing during any part of the 10-fiscal-year period from October 1, 1981, through September 30, 1991. The data also included the names and incumbency dates of all appointees to those positions during the 10-year period but did not include persons who were detailed to or acting in a position without actually having been appointed by the President to the position.

We selected this particular 10-year period for review because, in our judgment, 10 years of data would provide a representative picture of the federal government's recent EX-PAS positions and appointee tenure experiences and because fiscal year 1991 was the most recent year for which OPM had reasonably complete data available at the time we began our review.

For our analysis, we divided the EX-PAS positions into two broad categories, on the basis of the tenure of office for each position. We categorized positions in which appointees serve for indefinite periods of time (i.e., for as long as the President wishes to have them serve or until they resign) as indefinite-tenured positions. Alternatively, we categorized positions with statutorily prescribed fixed terms of office as term-limited positions.

We analyzed these two categories of positions (and their incumbency histories) separately because positions with prescribed terms, in effect, have periodic turnover "built in" to them, while indefinite-tenured positions have no such limitations. Previously published studies we found on appointee turnover and related issues have usually not differentiated between indefinite-tenured and term-limited positions. A bibliography of such studies (and related materials) follows appendix VII.

To determine the prescribed tenure of office of each position, we abstracted information from published reports prepared in 1993 by the Congressional Research Service (CRS) on presidential

¹The EIS is an OPM-established and managed automated database containing appointment data on past and present federal executives and executive-level positions governmentwide. OPM obtains these data from periodic reports sent in by executive agencies.

appointments made to the executive departments, independent agencies, boards, and commissions.² We also consulted the 1993/94 edition of The United States Government Manual, published by the National Archives and Records Administration (NARA), to obtain information on the structure and organization of the various employing agencies. We then combined the CRS and NARA data with OPM's EIS data on positions and appointees to obtain a complete picture of each individual position's prescribed tenure and appointee service history.

As agreed with the Committee, we excluded several categories of Executive Schedule positions and appointments from our database. We excluded U.S. ambassador and U.S. attorney positions and appointments because OPM's EIS database contained information on only a few such positions and appointments. We also excluded Executive Schedule positions whose appointees do not require Senate confirmation.³

In addition, we excluded EIS data on positions and appointees in the former Civil Aeronautics Board (CAB), the former Federal Home Loan Bank Board (FHLBB), and the Commission on Civil Rights (CCR). The CAB and FHLBB data were excluded because these two agencies no longer exist. These agencies were abolished by the Congress in 1984 and 1989, respectively. The CCR data were excluded when we determined, from discussions with a CCR administrative official, that the law governing the appointment of Commission members had been amended in 1983 to no longer require that these members be appointed with the advice and consent of the Senate.⁴

To determine the rates of turnover of appointees who served in the Executive Schedule positions in our database, we obtained from the EIS the names, appointment dates, and separation dates of each person appointed to such a position who served for 1 or more days between October 1, 1981, and September 30, 1991, and

²Presidential Nominations to Full-Time Positions on Regulatory and Other Collegial Boards and Commissions, 1991-1992 (93-158 GOV, Feb. 4, 1993); Presidential Appointments to Full-Time Positions in Independent and Other Agencies, 102nd Congress (93-159 GOV, Feb. 4, 1993); and Presidential Nominations to Full-Time Positions in Executive Departments During the 102nd Congress (93-160 GOV, Feb. 4, 1993).

³OPM's EIS documents a total of 33 such positions, and a total of 63 appointees who served in those positions, during the 10-year period for which we did our review.

⁴P.L. 98-183, enacted November 30, 1983.

who separated from such position on or before September 30, 1991. We did not include persons detailed to or acting in such positions, since such information is not maintained in the EIS and could not readily be obtained from other sources.

Because OPM officials advised us that OPM does not independently verify the accuracy or completeness of the Executive Schedule position and appointee data provided to it by the agencies, we contacted the original source agencies directly to verify most of the pertinent EIS data received from OPM. More specifically, during July 1993, we mailed GAO-prepared printouts showing individual agency positions and appointee service histories to officials in each of the 46 agencies with 5 or more Executive Schedule positions. We also verified appointee and position data for three agencies with fewer than five positions, (1) the Merit Systems Protection Board, (2) the National Archives and Records Administration, and (3) the National Mediation Board, when our preliminary review of these agencies' EIS data raised questions about the data's accuracy.

In written instructions accompanying the printouts, we asked each agency official that we contacted to compare the information contained in our printout for each Executive Schedule position and appointee with the corresponding information in their agency's records systems. We asked the officials to report to us any needed additions, deletions, or corrections. Because of the large volume of position and appointee data involved and the decentralized nature of the agency source records, we did not visit individual agencies to personally audit their records systems.

All 49 of the agencies we contacted for verification assistance responded to our request. In instances where an agency reported position or appointee data differing from that contained in our EIS database, we substituted the agency-provided data. We did not, however, add positions or appointee data that were outside the scope of the EIS.⁵

Following this procedure, we verified the appointee and position information relating to 515 positions out of the 567 total positions in our database, representing 90.8 percent of the total positions. In our judgment, this procedure validated a sufficiently large sample to ensure that our database would be

⁵The EIS generally does not include positions (and appointees) filled by Foreign Service personnel; international organizations with U.S. participants; or independent boards and commissions in which federal agencies (or their personnel) participate but which are not an organizational part of the agency.

reliable for analysis purposes. Appendix I identifies the specific agencies in which the data were verified.

To analyze our position and appointee database, we established several operational definitions. An "appointee turnover" was defined as the separation of an appointee from any position in our database occurring at any time during the 10-year period from October 1, 1981, through September 30, 1991. In instances where an appointee (1) separated from a position but was subsequently reappointed to it before anyone else was appointed to it or (2) was appointed to consecutive terms in a position with a statutorily fixed term of office, we treated the service as continuous for purposes of counting the number of turnovers.

Additionally, in instances where a change occurred in (1) a position's title, (2) an OPM-assigned position number, and/or (3) a position's pay level during the 10-year period and the affected agency informed us that essentially the same position that existed before the changes occurred still existed after the changes were made, we treated the old and new positions as a single, continuously existing position for turnover purposes.

We calculated each agency's "turnover rate" by dividing the total number of indefinite-tenured EX-PAS appointees leaving their agency positions between October 1, 1981, and September 30, 1991, by the total number of EX-PAS positions existing in the agency on September 30, 1991. We selected the total number of EX-PAS positions existing in each agency on September 30, 1991, as our denominator for two reasons. First, these were the most recent data available at the time we began our work, and would therefore be the most representative data we had reflecting the existing situation in agencies today.

Second, our verified database documented relatively few EX-PAS positions that were abolished outright during the 10-year period we reviewed.⁶ Accordingly, we concluded that because the total number of EX-PAS positions had been stable over the period, significant differences would not result whether we used the position totals existing on September 30, 1991, or some other point during the 10-year period. However, to cover situations where an agency did abolish one or more indefinite-tenured EX-PAS positions during the period, we did a second turnover rate computation for each such agency that took into account the abolished position(s). These turnover rate calculations are presented in this report in table 2 and appendix III.

⁶We identified a total of 28 EX-PAS positions abolished in the 49 agencies whose OPM-provided position and appointee data we verified.

To determine whether EX-PAS turnovers resulted in vacancies in key positions for extended periods of time (i.e., until a new appointee was nominated, confirmed, and sworn in), we judgmentally selected 8 agencies to determine the periods of time that their indefinite-tenured EX-PAS positions remained vacant during the 10-year period we reviewed.

Four agencies--the Departments of Commerce, Education, and Navy and EPA--were selected because we deemed these generally representative of agencies having a median length-of-service figure below the governmentwide median of 2.1 years. In a similar manner, four additional agencies--the Departments of Agriculture, Air Force, HHS, and State--were selected because we deemed these generally representative of agencies having a median length-of-service figure above the governmentwide median.

For each of these eight agencies, we calculated the length of time (rounded in whole months) elapsing between the point that an EX-PAS incumbent left an indefinite-tenured position and a new appointee filled that position.⁷ Except where agencies expressly identified successor positions to positions abolished before September 30, 1991 (the end of our 10-year review period), we did not include the incumbency histories of abolished positions in our vacancy calculations. Where successor positions were identified by the agencies, the predecessor and successor positions were treated as a single, continuously existing position for vacancy calculation purposes.

In most cases, we could not determine from the information we gathered specifically why an appointee left a position.⁸ We also could not identify situations where a position may intentionally have been left vacant for an extended period of time for fiscal or other management reasons.

Tracking appointee turnover in most of the regulatory boards and commission positions presented special analysis problems. Most of these agencies have from three to nine member positions that, within the agency, are largely identical in character and

⁷In five cases--one in the Department of Commerce, one in EPA, and three in the Department of State--the agency data documented two appointees serving concurrently in the same position. These data were deemed faulty, and the affected positions were excluded from our vacancy analyses.

⁸An OPM official informed us that, in most cases, an appointee's service records will document that the appointee's period of service ended with a resignation, regardless of whether that was the actual reason why the appointee left the agency.

function. Our review of the EIS and agency-provided data showed that the regulatory boards and commissions often did not link specific appointees to specifically numbered board or commission positions.

From the data available, we could determine who was serving as a board or commission member, as well as how many members in total were serving, at any time during the 10-year period we reviewed. However, we generally could not determine which specific board or commission appointee served in which of the several identical (but individually numbered) board or commission positions. This limitation precluded us from calculating turnover rates for most individual board and commission member positions. As an alternative, we examined overall turnover in such agencies as a whole (i.e., total turnover and median service length among all board or commission members in an agency).

Additionally, in many of these regulatory boards and commissions, a chairman and vice chairman are designated by the President from among the appointed board or commission members. Such designees serve terms of from 1 to 4 years as chairman or vice chairman, running concurrently with their board or commission appointments. Since changes in the designation of an agency chairman and vice chairman from among the members of a board or commission do not meet our operational definition of appointee turnover, as previously discussed, we did not include such changes in our analyses of appointee tenure or turnover.

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