

**GAO**

Briefing Report to the Chairman,  
Subcommittee on Intergovernmental  
Relations and Human Resources,  
Committee on Government Operations,  
House of Representatives

March 1987

**PERSONNEL  
PRACTICES**

**Use of Consultants and  
Experts in the  
Immediate Office of  
the Secretary, HHS**



THIS PRODUCT IS NOT TO BE RELEASED OUTSIDE THE GENERAL ACCOUNTING OFFICE OR TO BE REPRODUCED ON THE BASIS OF SPECIFIC APPROVAL BY THE OFFICE OF CONGRESSIONAL RELATIONS.

**RELEASED**

538306

---

---

.....

.....



General Government Division

B-226126

March 18, 1987

The Honorable Ted S. Weiss  
Chairman, Subcommittee on Intergovernmental  
Relations and Human Resources  
Committee on Government Operations  
House of Representatives

Dear Mr. Chairman:

This briefing report summarizes information on the use of consultants and experts by the Immediate Office of the Secretary (IOS), Department of Health and Human Services (HHS) during Margaret M. Heckler's tenure as Secretary (March 7, 1983, to December 13, 1985) and the extent that consultants and experts had been used throughout the Department during that same period. This information was requested in your May 17, 1985, letter and in a December 16, 1985, meeting with a representative of the subcommittee. In a September 25, 1986, briefing on the results of our work, the subcommittee representative said that a written report would be useful to the subcommittee in exercising its responsibilities with respect to HHS, even though Mrs. Heckler was no longer Secretary.

SCOPE AND METHODOLOGY

To respond to your request, we identified, from a listing of IOS personnel supplied by HHS, consultants and experts hired under the provisions of 5 U.S.C. 3109 (the governmentwide authority for employment of experts and consultants). Through discussions with the subcommittee representative, we learned that consultants and experts appointed under this authority were your primary concern. This authority does not include consultant services obtained through contractual arrangements. We accepted the HHS listing as complete without further verification. We then reviewed the official personnel folders of 29 of the 32<sup>1</sup> consultants and experts

<sup>1</sup>The official personnel folders for all 32 consultants and experts were requested from HHS, but 3 could not be located. We were able to obtain some information on these three consultants from other sources such as the listing of IOS personnel.

identified from the listing<sup>2</sup> to determine the services they were to perform, the period or periods of service, and the previous employment of the consultants and experts. We also asked HHS to respond in writing to questions dealing with such matters as how HHS monitored the performance of IOS consultants and experts, products they produced, how time and attendance reports were certified, and total costs to the government of each of the IOS consultants and experts, including support costs. We did not verify the accuracy or completeness of the written responses.

We also obtained information from HHS' automated payroll system on amounts paid to consultants and experts throughout HHS for calendar years 1983,<sup>3</sup> 1984, and 1985.

Our audit work, which took place from June 1985 through October 1986, was done in accordance with generally accepted government auditing standards except as noted above.

---

<sup>2</sup>Five of these consultants were appointed before Mrs. Heckler became Secretary of HHS but served during her tenure.

<sup>3</sup>For calendar year 1983, HHS was only able to provide compensation information on consultants and experts still on the payroll at the end of the year. Similar information on consultants and experts who had worked and left during 1983 was not available.

EMPLOYMENT OF CONSULTANTS AND EXPERTS BY IOS

Of the 32 consultants and experts<sup>4</sup> employed in IOS during Mrs. Heckler's tenure, 16 were employed solely as consultants or experts, and had not previously or did not subsequently hold other appointments in IOS. The others either (1) held noncareer appointments during the previous Secretary's tenure and were converted to consultants or experts either shortly before or after Mrs. Heckler became Secretary; (2) held temporary appointments in IOS immediately prior to serving as consultants or experts; (3) held noncareer appointments in IOS during Mrs. Heckler's tenure, resigned those positions and were subsequently hired as consultants or experts; or (4) in the most common situation (eight instances), served as consultants or experts immediately prior to their appointment to noncareer positions. According to HHS, the 32 consultants and experts in IOS were paid a total of \$757,879 in salary and benefits and \$91,940 for travel, lodging, and meals while serving in IOS during Mrs. Heckler's tenure.

Services performed by IOS Consultants and Experts

The Federal Personnel Manual and HHS instructions on the employment of experts and consultants say that statements of duties must be sufficiently detailed to show that the services to be rendered are ones for which it is appropriate to use the expert/consultant appointment

<sup>4</sup>The Federal Personnel Manual, issued by the Office of Personnel Management, and HHS Instruction 304-1 on "Appointment of Experts and Consultants" define a consultant as a person who serves in an advisory capacity as distinguished from a person who carries out the Department's duties and responsibilities. He or she gives views or opinions on problems or questions but does not perform, or supervise the performance of, operating functions. Consultants are to be persons with a high degree of competence. Their expertise may derive from broad administrative, professional, or technical experience which makes their advice of distinctive value to the Department. An expert is defined as a person with excellent qualifications and a high degree of attainment in a professional, scientific, technical, or other field. The individual's attainment is to be such that he or she usually is regarded as an authority, or as a person of unusual competence by others in the profession, occupation, or activity.

authority. However, the descriptions of services to be performed by the IOS consultants and experts were very general, without enough explanation to show that the consultants and experts were needed.

Appendix I summarizes the statements of duties for each of the IOS consultants and experts as well as their periods of service, cost, and available employment history.

#### HHS responses to questions

We asked HHS a series of questions about controls over IOS consultant and expert appointments and the services rendered. The written responses received were general. For example, in response to a question asking what products or documents each of the consultants and experts produced, HHS replied:

"Services of appointees were limited to providing specialized opinions, views or advice on a variety of issues of importance to the Secretary and the Administration. The specific duties performed were those shown on the individual HHS Forms 410 'Supplemental Information-Expert or Consultant.'<sup>6</sup> No examples of work products are available."  
(Footnote added)

In response to a question asking how IOS determined that consultants and experts were satisfying work requirements when responsibilities under their appointments were not specifically detailed, HHS replied:

"Consultant's work requirements were satisfied through daily interaction with the Secretary and her key staff, and regular and intermittent meetings with them."

Appendix II includes all of the questions we asked HHS and its responses.

---

<sup>6</sup>HHS Form 410 is required by HHS instructions to be completed when an expert or consultant appointment is made. One section of the form requires the preparer to "explain in full the services to be performed."

OVERALL USE OF CONSULTANTS AND EXPERTS IN HHS

During Mrs. Heckler's tenure as Secretary, about 1,800 consultants and experts were employed throughout HHS. About 1,400 of these were employed under the authority of 5 U.S.C. 3109 (the governmentwide authority for employment of experts and consultants) which limits appointments to temporary (1 year or less) or intermittent (not more than 130 days), or 42 U.S.C. 209(f) (an authority for appointment of consultants and experts to advise and assist in the operations of the Public Health Service).

About 400 were "special experts" employed by the National Institutes of Health (NIH) for such purposes as developing or evaluating new procedures, techniques, or programs; training existing staff in new techniques and procedures or providing critical or scarce expertise to a program or project. They were paid over \$29 million during Mrs. Heckler's tenure. NIH has statutory authority to hire special experts who have the needed "scientific or professional qualifications" without the usual limitations on number of days worked or period of service. We did not do any analysis of the compensation paid to these individuals.

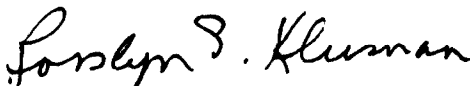
According to information provided by HHS, the consultants and experts hired under the governmentwide authority and the authority for the Public Health Service were paid over \$5 million during calendar years 1983, 1984, and 1985. Information on the compensation paid these consultants and experts by the various units of HHS is included in appendix III.

- - - -

As requested by your office, we did not obtain official comments from HHS on this report. However, the report was discussed with appropriate officials who stated that the report was accurate. Also, as arranged with your office, unless you publicly announce its contents earlier, we plan no further distribution until 30 days from the date of this report. At that time we will send

it to interested parties and make copies available to others upon request. If you have questions, please contact me at 275-6204.

Sincerely yours,

  
Rosslyn S. Kleeman  
Senior Associate Director



## CONTENTS

	<u>Page</u>
APPENDIX	
I      Consultants and Experts Employed in the Immediate Office of the Secretary	8
II     HHS Responses to GAO Questions on Use Of Consultants And Experts in IOS During Margaret Heckler's Tenure as Secretary	25
III    Consultants and Experts Employed in HHS During Calendar Years 1983-1985	29

### TABLES

III.1    Consultants and Experts Employed in HHS During Calendar Years 1983-1985	29
III.2    Number of Consultants and Experts Paid \$20,000 or Less	30
III.3    Number of Consultants and Experts Paid Over \$20,000 in Calendar Year 1983, 1984, or 1985	30

### ABBREVIATIONS

HHS	Department of Health and Human Services
IOS	Immediate Office of the Secretary

CONSULTANTS AND EXPERTS EMPLOYED IN THE  
IMMEDIATE OFFICE OF THE SECRETARY

Consultant 1

Period of service and cost<sup>1</sup>: November 27, 1984, to September 30, 1985; \$58,102.

Services to be performed: "Will advise and consult with the Secretary on large number of issues which require imagination, and thorough analysis in formulating, recommending and advising on the implementation of policies, approaches and procedures necessary to implement program reforms necessitated by REFORM 88 and OMB's Reduced Federal Spending Directives."

Other IOS or HHS employment:

--Temporary appointment in IOS as Staff Assistant from May 9, 1983 to July 18, 1983;

--Temporary Schedule C<sup>2</sup> appointment in IOS as Special Assistant to the Senior Advisor from July 18, 1983, to August 22, 1983;

--Schedule C appointment as Special Assistant to the Senior Advisor from August 22, 1983, to June 9, 1984.

Other previous employment:

--Administrative Assistant/Chief of Staff for a Member of Congress;

--Field Director, National Republican Congressional Committee.

Consultant 2

Period of service and cost: May 2, 1984, to August 13, 1984; \$10,556.

Services to be performed: "Will provide assistance and advice to the Secretary on the management and organizational structure of the Department, with particular emphasis on Regional operations and budget planning."

<sup>1</sup>Salary and benefits only unless otherwise noted.

<sup>2</sup>Schedule C positions are positions at grade 15 and below which are excepted from the competitive civil service because of their confidential or policy-determining nature.

Other IOS or HHS employment: Appointed Under Secretary of HHS, August 13, 1984.

Other previous employment:

- Various positions with a management consulting firm, Boston, Massachusetts (President, Vice Chairman, Chairman) from 1971;
- Assistant Secretary, Department of Transportation, 1970-1971.

Consultant 3

Period of service and cost: January 16, 1985, to January 20, 1985; \$1,128.

Services to be performed: No official personnel folder was available for review. Other documents show that the individual received a Senior Executive Service (SES) noncareer appointment<sup>3</sup> in IOS on January 20, 1985, and on March 5, 1985, was appointed to a position at the White House.

Consultant 4

Period of service and cost: May 16, 1984, to June 10, 1984; \$4,081.

Services to be performed: "Ms. \*\*\* will advise the Secretary on policy and legislative initiatives from within and outside the Department that impact upon women consumers of HHS program services. Will advise on the feasibility of revised joint ventures and agreements among HHS and other Federal and private agencies."

Other IOS or HHS employment: Appointed Schedule C Assistant to the Secretary on June 10, 1984.

Other previous employment:

- Executive Assistant to Deputy Assistant Secretary, Department of Housing and Urban Development from February 1983 to May 1984.

---

<sup>3</sup>SES noncareer appointments are made noncompetitively and the noncareer appointees' executive qualifications do not have to be approved by the Office of Personnel Management.

--Research Assistant and subsequently Executive Assistant to Congresswoman Margaret Heckler from 1974 to January 1983.

Consultant 5

Period of service and cost: June 8, 1983, to June 7, 1984; \$17,959. (Includes \$2,910 for travel expenses.)

Services to be performed: "Incumbent will provide the Secretary with expertise in developing innovative approaches and strategies in the development and coordination of public information products designed to carry health and human services messages to the public."

Other IOS or HHS employment: None.

Previous employment:

--Political consultant, political consulting firm, New York, New York;

--Consultant, software design company, Cambridge, Massachusetts;

--Deputy Campaign Manager, Margaret Heckler congressional campaign.

Consultant 6

Period of service and cost: October 28, 1984, to October 27, 1985; \$71,219.

Services to be performed: "Mr. \*\*\* will provide expert advice to the Under Secretary<sup>4</sup> regarding his personal efforts in gaining cooperation and understanding of Departmental initiatives, specifically those which have a nature, breadth, importance and sensitivity of national significance. He will also advise the Under Secretary on potential areas that the Department should undertake to identify and strengthen [sic] pertinent issues which will be the real basis for new policies, procedures, and systems for Departmentwide application."

Other IOS or HHS employment: None.

---

<sup>4</sup>This individual's name was included on the listing of IOS personnel. However, his HHS-410 shows he was to perform services for the Under Secretary, a separate office.

Previous employment:

- Attorney in private practice;
- President, transportation trade association;
- Member of Reagan-Bush Transition Team, Department of Transportation;
- Director (self-employed) of a regulatory impact analysis firm;
- Principal, transportation consulting division of a consulting firm;
- Assistant Secretary, United States Department of Transportation.

Consultant 7

Period of service and cost: May 9, 1983, to January 6, 1984; \$28,620.

Services to be performed: "Ms. \*\*\* will provide the Secretary with an ambitious agenda of program reforms and policy initiatives in order to improve the performance of existing programs that serve the DHHS community. She will advise the Secretary on a structure for relations with other governmental institutions that depends upon an active and effective partnership in implementing national policies and delivering needed services to people."

Other IOS or HHS employment: Appointed consultant in Office of Child Support Enforcement in January 1984.

Other previous employment:

- Policy and management consultant to various Federal agencies (Department of Commerce's Minority Business Development Agency, ACTION, and Peace Corps);
- Executive director of a governor's task force on small and rural communities;
- Executive director of a governor's volunteer commission;
- Special Assistant to a governor.

Consultant 8

Period of service and cost: May 14, 1983, to July 10, 1983;  
\$12,513.

Services to be performed: "Ms. \*\*\*'s duties will be to act as an advisor to the Secretary concerning diverse topics related to Departmental programs which require the Secretary's decision. She will review related materials including letters intended for the Secretary's signature, decision memoranda, congressional reports, etc. In reviewing these materials, she will provide expert analysis to the Chief of Staff as he prepares these materials for the Secretary's attention. Ms. \*\*\* will make recommendations and attend meetings necessary to provide background for summary memos prepared for the Secretary."

Other IOS or HHS employment:

--Temporary appointment as Staff Assistant in IOS from March 16, 1983, to May 14, 1983;

--Schedule C appointment as Special Assistant to the Secretary from July 10, 1983, to May 4, 1984.

Other previous employment:

--Communications Director for a Senate Committee;

--Press Secretary to a Congressman;

--Assistant Director, Congressional Relations, for a private company;

--Legislative Assistant to a Congressman.

Consultant 9

Period of service and cost: December 27, 1983, to April 25, 1984; \$806.

Services to be performed: "Will advise the Secretary and the Acting Administrator of Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA) on a variety of health related public policy issues facing ADAMHA. This advice will be of great value to the Secretary in the upcoming Congressional hearings during the FY 1985 legislative cycle."

Other IOS or HHS employment: Appointed consultant in ADAMHA on April 25, 1984.

Other previous employment:

- Vice President, (Development), for a consulting and business development service firm, Washington, D.C.;
- Staff Director and Research Director, Republican Conference, United States Senate;
- Professor and Chairman, Department of Public Administration of a university.

Consultant 10

Period of service and cost: January 8, 1984, to April 13, 1984; \$19,082.

Services to be performed: "Will advise the Secretary and the Acting Commissioner of the Food and Drug Administration on a variety of public policy issues facing FDA. This advice will be of great value to the Secretary in the upcoming Congressional hearings during the FY 1985 legislative cycle."

Other IOS or HHS employment: None.

Previous employment:

- Vice President, Government Relations, for a brewing company;
- Director, Government Affairs, for a pharmaceutical company.

Consultant 11

Period of service and cost: March 19, 1984, to February 28, 1985; \$52,634.

Services to be performed: "Will provide advice to the Secretary on legislative strategies surrounding women's issues."

Other IOS or HHS employment: None.

Previous employment:

- Consultant providing general advisory services relating to government (self-employed);
- Assistant Director, Office of Management and Budget;
- Assistant Minority Counsel for a Committee of the House of Representatives.

Consultant 12

Period of service and cost: February 4, 1983, to July 19, 1983; \$10,632.

Services to be performed: "Will prepare briefing materials for the transition team and the Secretary-designate's use on behalf of Secretary \*\*\*; will advise and consult on transition matters."

Other IOS or HHS employment: Schedule C appointment as Special Assistant to the Chief of Staff, IOS, from January 1981 to February 4, 1983.

Other previous employment: Assistant Administrator and various other positions on the staff of a United States Senator.

Expert 13

Period of service and cost: April 22, 1984, to March 29, 1985; \$5,123.

Services to be performed: "Expert will advise the Secretary on studies aimed at identifying the special needs of women within a particular target population and strategies for addressing those needs. Will focus on psychological impact of current social programs on women."

Other IOS or HHS employment: None.

Previous employment:

- Self-employed psychologist;
- Research Associate at a college;
- Research Postdoctoral Fellow.

Consultant 14

Period of service and cost: December 1, 1983, to July 3, 1984; \$794.

Services to be performed: "Will provide advice to the Secretary, HHS, on policies and programs regarding children, families, and the elderly. He will provide immediate and particular emphasis on Reyes [sic] Syndrome."



Other IOS or HHS employment:

- Director, Office for Civil Rights, Department of Health, Education and Welfare (predecessor to HHS) from November 1975 to January 1977;
- Deputy Director, Office for Civil Rights (1974-1975);
- Special Assistant to HEW Secretaries Finch, Richardson, and Weinberger (1969-1974).

Other previous employment:

- Partner in a law firm;
- President of a nonprofit corporation;
- Special Counsel to an organization of Members of Congress;
- Member of a commission on the financing of free and appropriate education for special needs children.

Consultant 15

Period of service and cost: February 4, 1983, to May 22, 1983; \$7,978.

Services to be performed: "Will prepare briefing materials for the transition team and the Secretary-designate's use on behalf of Secretary \*\*\*; will advise and consult on transition matters."

Other IOS or HHS employment: Schedule C appointment as Special Assistant to Executive Secretary, IOS, from January 22, 1981, to February 4, 1983.

Other previous employment: Press Aide/Legislative Correspondent for a United States Senator.

Consultant 16

Period of service and cost: April 17, 1983, to April 16, 1984; \$1,325.

Services to be performed: "Will consult with and provide advice to the Secretary on new directions the Department should take in crucial political and policy areas."

Other IOS or HHS employment: None

Previous employment:

- President-Owner of a health and sport center, Roy, Utah;
- Director, Political Division, Republican National Committee.

Expert 17

Period of service and cost: July 19, 1983, to January 19, 1984; \$21,228.

Services to be performed: "Expert will provide consultation to the Secretary and senior officials of the Department on briefing materials for the Assistant Secretary for Public Affairs designate on overall communication strategies for the HHS public affairs program."

Other IOS or HHS employment: Temporary appointment as writer from May 19, 1983, to July 19, 1983.

Other previous employment:

- Communications Consultant;
- Free-lance Writer;
- Consultant, White House Conference on Aging;
- Assistant to a Congressman.

Consultant 18

Period of service and cost: February 4, 1983, to April 16, 1983; \$8,357.

Services to be performed: No official personnel folder was available for review. Other documents showed the individual held various positions during the previous Secretary's tenure before the individual's appointment as consultant.

Expert/Consultant 19

Period of service and cost: April 11, 1983, to May 1, 1983 (Expert); December 3, 1984, to April 30, 1985 (Consultant); \$37,196.

Services to be performed (Expert): "Will assist the Secretary in the reorganization and structuring of the Immediate Office of the Secretary, particularly with regard

to the interrelationships among competing programs, policies, legislation and areas of imbalance. His services are needed in the interest of improved management and better organization which will more clearly define responsibilities and enable the IOS to perform its duties with increased effectiveness."

(Consultant): "Will advise and consult with the Secretary on a large number of issues which require imagination, and thorough analysis in formulating, recommending and advising on the implementation of policies, approaches and procedures necessary to implement program reforms necessitated by REFORM 88 and OMB's Reduced Federal Spending Directives."

Other IOS or HHS employment: SES Noncareer appointment as Senior Advisor to Secretary from May 1, 1983, until October 15, 1983.

Other previous employment:

- Political Director, Republican National Committee;
- Regional Political Director, Republican National Committee;
- Executive Director of a State Republican Committee;
- Senior Field Director for a presidential candidate.

Consultant 20

Period of service and cost: July 22, 1984, to October 19, 1984; \$12,863.

Services to be performed: "Will advise and consult with the Secretary on HHS economic policy issues."

Other IOS or HHS employment: None.

Previous employment:

- Staff Assistant to a Congressman;
- Staff Director, National Governors' Association;
- Economic Consultant, consulting firm;
- Economist for a Joint Committee of Congress.

Consultant 21

Period of service and cost: March 21, 1983, to December 24, 1983; March 28, 1984, to March 27, 1985; March 28, 1985, to December 11, 1985; \$148,402. (Includes \$54,106 for travel expenses.)

Services to be performed:

First appointment: "Mr. \*\*\* will provide advice and counsel to the Secretary regarding her personal efforts in gaining public understanding of major Departmental programs. These efforts will be aimed at the general public, organizations with expressed interest in Departmental programs or activities, public interest groups and state and local governments. Mr. \*\*\* will assist the Secretary in presenting ideas or positions the Department has on such controversial issues as abortion, family planning notification rule, handicapped infant rule, etc., in a personalized manner. This will also include the preparation for presentations to legislative officials and the Executive Branch and special speaking engagements."

Second appointment: "Mr. \*\*\* will provide the Secretary advice and counsel regarding insuring public understanding of Departmental program reforms and new policy initiatives."

Third appointment: "Will provide advice to the Secretary on the necessity of creating a new mechanism for the objective of projecting anticipated demands and making early analyses of implementation plans necessary to deal with real and perceived issues related to the Department's programs and activities."

Other IOS or HHS employment: From January 1, 1984, to March 15, 1984, this individual had an IOS contract for speech writing services at \$1,500 a speech.

Other previous employment:

- Producer for a news organization, Great Falls, Virginia;
- Senior Consultant for Issues, Media and Strategy, Heckler for Congress, Newton, Massachusetts;
- Senior Advisor for Issues, Media and Strategy for a candidate for the United States Senate, Newton, Massachusetts;
- Media Consultant, private company, Sharon, Massachusetts.

Expert 22

Period of service and cost: July 24, 1983, to December 6, 1983; \$20,238.

Services to be performed: "Advise the Secretary and senior officials of the Department on overall communications strategies for the Health and Human Services public affairs program, with particular emphasis on relating them to the goals and objectives of this Administration."

Other IOS or HHS employment: Appointed Assistant Secretary for Public Affairs on December 6, 1983.

Other previous employment:

--Special Assistant/Public Affairs, Office of the Secretary, Department of Commerce;

--Owner/Partner of a California public relations firm and concurrently served as a Director of the NAACP Legal Defense and Educational Fund;

--Director of Communications Programs for a foundation, Los Angeles, California.

Consultant 23

Period of service and cost: August 12, 1984, to August 11, 1985; August 12, 1985, to January 7, 1986; \$65,908 through December 13, 1985, the end of Mrs. Heckler's tenure. (Includes \$32,817 for travel expenses.)

Services to be performed:

First appointment: "Will advise the Secretary on communication strategies that will best amplify and enhance the Department's image and public perception on national and international issues. Will provide the Secretary with a calendar of objectives the Department should take relative to the broad scope of programs and issues encompassing HHS."

Second appointment: "Will continue to advise the Secretary on communication strategies that will best amplify and enhance the Department's image and public perception on national and international issues. Will advise the Secretary on critical issues of current importance and those which are likely to become important."

Other IOS or HHS employment: None.

Previous employment:

- President of communications consulting company, Longboat Key, Florida;
- Vice President and Director of Marketing of a realty company, Holmes Beach, Florida;
- Chairman of the Board and Chief Executive Officer of an advertising agency, Boston, Massachusetts.

Consultant 24

Period of service and cost: March 5, 1983, to May 31, 1983; \$20,094.

Services to be performed: "Will prepare briefing materials for the transition team and the Secretary-designate's use on behalf of Secretary \*\*\*; will advise and consult on transition matters."

Other IOS or HHS employment: SES Noncareer Assistant to the Secretary from January 21, 1981, to March 5, 1983.

Other previous employment: Executive Assistant to a United States Senator.

Consultant 25

Period of service and cost: October 21, 1985, to February 20, 1986; \$18,747. (Includes \$2,107 for travel expenses.)

Services to be performed: "To analyze the Secretary's initiatives on Technology and the Disabled and develop a plan for transferring objective of improving the quality of life for the handicapped to the private sector. Advise on improved strategies for social marketing, and new and innovative public awareness efforts."

Other IOS or HHS employment: None.

Previous employment:

- President of a national education organization, Cambridge, Massachusetts;
- Vice President, Public Affairs, of a college, Cambridge Massachusetts.

Consultant 26

Period of service and cost: August 12, 1984, to August 11, 1985; August 12, 1985, to March 30, 1986; \$60,440 through December 13, 1985, the end of Mrs. Heckler's tenure.

Services to be performed:

First appointment: "Will advise the Secretary on the scope and effect of national issues at the community, state and local levels, including key social and economic areas. Will provide core information on health and social hazards and economic obstacles to the various task forces operating from the Immediate Office."

Second appointment: "Will advise the Secretary to heighten public awareness and related activities including the advise sic] or [sic] established services to victims of domestic violence and to the perpetrators to discourage domestic violence."

Other IOS or HHS employment: None.

Previous employment:

(According to information in the official personnel folder, any money received for previous employment was donated to charity or returned to the paying organization.)

--Researcher/Speechwriter for Republican National Committee with emphasis on Hispanic sector;

--General office management for Reagan-Bush Campaign Headquarters;

--Free-lance lecturer on contemporary fiction.

Expert 27

Period of service and cost: July 6, 1983, to July 24, 1983; \$2,992.

Services to be performed: "Will provide assistance to the Secretary's office of the Department on the management and organizational structure of the Department, particularly as they relate to administrative operations and budget planning."

Other IOS or HHS employment: Received SES Noncareer appointment as Special Assistant to the Secretary on July 24,

1983; appointed Assistant Secretary for Management and Budget on October 2, 1983.

Other previous employment:

- Minority Staff Director of a Committee of the House of Representatives;
- Defense Analyst for a Committee of the House of Representatives;
- Assistant for Strategy Analysis and Long Range Planning, Office of Planning and Analysis, Office of the Secretary of Defense.

Expert 28

Period of service and cost: November 3, 1983, to November 2, 1984; November 3, 1984, to November 2, 1985; \$16,279.

Services to be performed:

First appointment: "Advise the Secretary of Health and Human Services on various health-related issues in furtherance of Secretary's goal to promote good health and nutrition throughout the country."

Second appointment: "Will provide the Secretary with additional access to the opinions and recommendations of health care providers and professionals as she deals with complex issues of medical policy. Additionally, the expert will provide the Secretary expertise in dealing with issues that reflect both the practical and human side of medicine."

Other IOS or HHS employment: None.

Previous employment:

- Pediatrician and Director of Education of a hospital in Massachusetts;
- Associate Clinical Professor of Pediatrics of a medical school.



Consultant 29

Period of service and cost: July 30, 1984, to July 29, 1985; July 30, 1985, to July 29, 1986;<sup>5</sup> \$50,890 through December 13, 1985, the end of Mrs. Heckler's tenure.

Services to be performed:

First appointment: "Will provide the Secretary with an analysis of her presentations on HHS policies to assess message construction, audience analysis, and delivery. Will advise the Secretary on advanced techniques which will best communicate her position on health and human services issues."

Second appointment: "Will advise on the significance of the content of scientific and sociological literature on violence, homicide, suicide and other injuries among minority populations (Blacks, Hispanics, Native Americans, and Asian Pacific Islanders) to illustrate the disparity in health status."

Other IOS or HHS employment: None.

Previous employment:

- Teaching Assistant in department of philosophy of a university;
- Restaurant Manager, Laramie, Wyoming;
- Teaching Assistant in department of communication of a university.

Consultant 30

Period of service and cost: February 3, 1985, to May 26, 1985; \$14,846.

Services to be performed: "Will advise the Secretary on the legal ramifications surrounding the sensitive initiative known as the T-Bear Infection Control Program."

---

<sup>5</sup>This consultant received a third 1-year appointment as consultant, IOS on July 30, 1986. However, since this appointment was received after Mrs. Heckler's tenure, we did not obtain further information on it.

Other IOS or HHS employment: Received SES Noncareer appointment as Executive Administrative Assistant on May 26, 1985.

Other previous employment:

- Chief of Staff for a United States Senator;
- Chief Minority Counsel and Staff Director for a United States Senate Committee;
- Chief Legislative Assistant for a United States Senator.

Consultant 31

Period of service and cost: April 17, 1983, to August 14, 1983; \$20,189.

Services to be performed: "Will prepare briefing materials for the transition team and will assist the Senior Advisor to the Secretary/Executive Officer in assuring an orderly transition of power. Also assist the Senior Advisor to the Secretary/Executive Officer in review of the FY84 and 85 budgets for the Immediate Office of the Secretary."

Other IOS or HHS employment: Schedule C appointment in IOS as Assistant to the Secretary for Special Programs from January 21, 1981, until appointment as consultant on April 17, 1983.

Other previous employment:

- Assistant Administrator for a United States Senator.

Consultant 32

Period of service and cost: February 4, 1983, to July 19, 1983; \$28,598.

Services to be provided: No official personnel folder was available for review. This individual was Deputy Executive Assistant to the Secretary and then Executive Assistant to the Secretary (both SES noncareer positions) during most of the previous Secretary's tenure, and held the latter position at the time of the consultant appointment.

HHS RESPONSES<sup>1</sup> TO GAO QUESTIONS ON USE OF  
CONSULTANTS AND EXPERTS IN IOS DURING MARGARET M. HECKLER'S  
TENURE AS SECRETARY

- Question: What products or documents did each of the consultants and experts produce? (Provide copies of any such products. If no products were produced, explain specifically what services were performed.)
- Response: Services of appointees were limited to providing specialized opinions, views, or advice on a variety of issues of importance to the Secretary and the Administration. The specific duties performed were those shown on the individual HHS Forms 410 "Supplemental Information - Expert or Consultant." No examples of work products are available.
- Question: Why were each of the consultants and experts used instead of regular government employees?
- Response: Consultants were used instead of regular government employees due to the nature of the assignments and the advisory services required by the Secretary. The Secretary's personal interest in programs of particular concern to her, and the Administration's priorities, required unique expertise on her immediate staff to be available to her at all times without the demands of priorities and activities of Operating Division program staff. These talents and capabilities could not be accommodated by the regular workforce.
- Question: Who in IOS certified the time and attendance reports submitted by each of the consultants and experts and upon what basis were these individuals able to make such certifications?
- Response: Time and attendance reports for IOS consultants were approved for the supervisor by the IOS Administrative Officer and Personnel Specialist based on personal knowledge, verification, and authorization by the Chief of Staff.

---

<sup>1</sup>HHS's written responses to questions on use of consultants and experts in IOS were provided by the Assistant Secretary for Personnel Administration. Although the responses were sometimes incomplete or unclear, we did not obtain further elaboration or clarification since most of the people in IOS directly involved with the consultants were no longer at HHS.

Question: How does IOS make the determination that consultants and experts are satisfying work requirements when responsibilities under their appointments are not specifically detailed? (If more detailed statements of work and expectations were prepared than the statements on the HHS Form 410, provide copies.)

Response: Consultants' work requirements were satisfied through daily interaction with the Secretary and her key staff, and regular and intermittent meetings with them. [GAO Note: HHS did not provide more detailed statements of work and expectations.]

Question: What were the total costs to the government of each of the consultants and experts used by IOS including support costs (e.g., travel, lodging, meals, etc.)? Please distinguish between amounts paid for salary and support costs.

Response:

<u>Consultant/Expert</u>	<u>Salary and benefits</u>	<u>Travel*</u>	<u>Total</u>
1	\$ 58,102	--	\$ 58,102
2	10,556	--	10,556
3	1,128	--	1,128
4	4,081	--	4,081
5	15,049	\$ 2,910	17,959
6	71,219	--	71,219
7	28,620	--	28,620
8	12,513	--	12,513
9	806	--	806
10	19,082	--	19,082
11	52,634	--	52,634
12	10,632	--	10,632
13	5,123	--	5,123
14	794	--	794
15	7,978	--	7,978
16	1,325	--	1,325
17	21,228	--	21,228
18	8,357	--	8,357
19	37,196	--	37,196
20	12,863	--	12,863
21	94,296	54,106	148,402
22	20,238	--	20,238
23	33,091	32,817	65,908
24	20,094	--	20,094
25	16,640	2,107	18,747
26	60,440	--	60,440
27	2,992	--	2,992
28	16,279	--	16,279
29	50,890	--	50,890
30	14,846	--	14,846
31	20,189	--	20,189
32	28,598	--	28,598
	<u>\$757,879</u>	<u>\$91,940</u>	<u>\$849,819</u>

\*Includes lodging and meals.

**Question:** What procedures were in place to guide IOS personnel in monitoring the performance of consultants and experts?

**Response:** The Department's policies and procedures governing consultant/expert employment are contained in HHS Personnel Instruction 304-1 "Appointment of Experts and Consultants."

**TABLE III.1: CONSULTANTS AND EXPERTS EMPLOYED IN HHS DURING  
CALENDAR YEARS 1983-1985**

Unit	Number of con- sultants and experts	1983 Amounts	Number of con- sultant and experts	1984 Amounts	Number of con- sultants and experts	1985 Amounts	Total wages paid con- sultants and experts in 1983, 1984, and 1985 <sup>a</sup>
Office of Secretary	14	\$133,091	25	\$279,819	26	\$516,834	\$ 929,744
Office of Community Services	--	--	4	90,705	1	32,765	123,470
Office of Human Develop- ment Services	19	107,079	25	203,135	7	44,365	354,579
Office of the Assistant Secretary for Health	22	132,107	37	96,982	34	71,339	300,428
Health Re- sources Services Admini- stration	3	24,848	11	105,160	12	135,169	265,177
Centers for Disease Control	15	29,413	15	68,808	17	82,958	181,179
Public Health Service Regions	163	98,022	164	107,625	152	111,425	317,072
Food and Drug Admini- stration	168	299,871	172	314,735	168	302,359	916,965
Alcohol, Drug Abuse & Mental Health Admini- stration	72	296,365	106	491,304	42	137,139	924,808
National Institutes of Health	18	79,084	19	32,686	10	16,850	128,620
Social Security Admini- stration	2	46,427	10	77,627	33	277,284	401,338
Office of Child Sup- port En- forcement	--	--	3	107,282	3	50,203	157,485
Health Care Financing Admini- stration	--	--	--	--	9	41,400	41,400
Totals	<u>946</u>	<u>\$1,246,307<sup>b</sup></u>	<u>991</u>	<u>\$1,975,868</u>	<u>914</u>	<u>\$1,820,090</u>	<u>\$5,042,265</u>

<sup>a</sup>Compensation paid consultants and experts under 5 U.S.C. 3109 and 42 U.S.C. 209(f).

<sup>b</sup>Excludes amounts paid to those terminated during 1983 because HHS could not locate the records containing this information.

Source: HHS payroll data.

As indicated below most of the consultants and experts hired under the general authorities were paid less than \$20,000 in any of the three years, and most of those were paid less than \$10,000 in any of those years.

TABLE III.2: NUMBER OF CONSULTANTS AND EXPERTS PAID \$20,000 OR LESS

	<u>Number of consultants and experts utilized</u>	<u>Number paid \$20,000 or less in any year</u>	<u>Number paid \$10,000 or less in any year</u>
1983	496	484	465
1984	591	571	533
1985	514	491	465

The numbers of consultants and experts paid more than \$20,000 in either 1983, 1984, or 1985 are shown below in Table III.3 by organizational unit.

TABLE III.3: NUMBER OF CONSULTANTS AND EXPERTS PAID OVER \$20,000 IN CALENDAR YEAR 1983, 1984, OR 1985

	<u>1983</u>	<u>1984</u>	<u>1985</u>
Office of the Secretary	3	4	11
Office of Community Services	0	1	1
Office of Human Development Services	2	4	1
Health Care Financing Administration	0	0	0
Office of Assistant Secretary for Health	4	1	1
Health Resources Services Administration	0	1	2
Centers for Disease Control	0	1	0
Public Health Service Regions	0	0	0
Food and Drug Administration	0	0	0
Alcohol, Drug Abuse and Mental Health Administration	1	3	1
National Institutes of Health	1	0	0
Social Security Administration	1	2	5
Office of Child Support Enforcement	0	3	1
	<u>12</u>	<u>20</u>	<u>23</u>

(966223)



---

**Requests for copies of GAO reports should be sent to:**

**U.S. General Accounting Office  
Post Office Box 6015  
Gaithersburg, Maryland 20877**

**Telephone 202-275-6241**

**The first five copies of each report are free. Additional copies are \$2.00 each.**

**There is a 25% discount on orders for 100 or more copies mailed to a single address.**

**Orders must be prepaid by cash or by check or money order made out to the Superintendent of Documents.**

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

Official Business  
Penalty for Private Use \$300

Address Correction Requested

First-Class Mail  
Postage & Fees Paid  
GAO  
Permit No. G100