

GAO

Fact Sheet for the Chairman, Committee  
on Post Office and Civil Service, House of  
Representatives

January 1988

FEDERAL  
EMPLOYEESAppointees Converted  
to Career Positions,  
January Through  
September 1987

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General Government Division

B-229408

January 28, 1988

The Honorable William D. Ford  
Chairman, Committee on Post  
Office and Civil Service  
House of Representatives

Dear Mr. Chairman:

Your letter dated February 10, 1987, forwarded a request by the Chairwoman, Subcommittee on Civil Service, that we review the conversion of noncareer appointees to career positions. In subsequent discussions with the Subcommittee, we agreed to request information from 60 executive branch departments and agencies on such conversions for the period January 1, 1987, through February 28, 1989.

For the purpose of this fact sheet, conversions are appointments to career positions of any grade of employees who previously held noncareer appointments in GS-12 positions or above, including the Senior Executive Service (SES). The Subcommittee requested that we provide summary statistical information on conversions reported to us for the period January 1 through September 30, 1987, and provide quarterly reports thereafter. This fact sheet transmits information for the period January 1 through September 30, 1987.

As agreed with the Subcommittee, we asked the agencies to provide information on conversions each month of all noncareer employees including Schedule C, noncareer SES, noncareer executive assignment, limited term, limited emergency, and temporary including consultant or expert. We also asked agencies for information on persons who received career appointments on the basis of employment in the Office of the President or Vice President or on the White House staff, and persons who received career appointments on the basis of employment in the legislative or judicial branches under the provisions of the Ramspeck Act. Appendix I provides definitions of the career and noncareer appointments discussed in this fact sheet. We did not verify the information from the

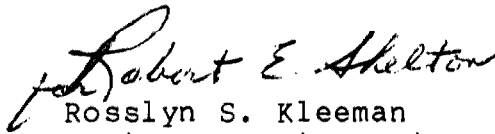
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agencies for completeness or accuracy or determine the propriety of any of the conversions reported to us.

For the period January 1 through September 30, 1987, 29 agencies reported that they appointed 186 noncareer employees to career positions and 31 reported no appointments of this type. The Federal Deposit Insurance Corporation (FDIC) reported the largest number of conversions, 30. According to an FDIC official, these employees were hired to handle the increase in bank closures. The Departments of Transportation, Health and Human Services, and the Interior, reported 21, 18, and 16, respectively. Based on the legal authorities cited by the appointing agencies, 124 of the 186 conversions were competitive appointments and 62 were noncompetitive appointments. Details are shown in appendix II through IV.

We plan no further distribution of this fact sheet until 30 days after the date of issuance, unless you publicly announce its contents earlier. At that time, we will send it to interested parties and make copies available to others upon request. If you have any questions, please call me on 275-6204.

Sincerely yours,

  
for Robert E. Shelton  
Rossllyn S. Kleeman  
Senior Associate Director

Definitions of Career and Noncareer Appointments

- Career -- A permanent appointment in the competitive service for which the appointee is either in career-conditional status or has met the service requirements for career tenure and has competitive status. The competitive service includes all civilian positions in the federal government that are not specifically excepted from civil service laws by statute, the President, or the Office of Personnel Management.
- Consultant or Expert -- A consultant receives a temporary or intermittent appointment in the excepted service to a position with advisory, rather than operational, responsibilities. A similar appointment is made to an expert but he or she can perform operational duties. The excepted service consists of those positions that are not in the competitive service.
- Foreign Assistance Act Appointee -- An appointment in the excepted service that the President deems necessary to carry out the provisions and purposes of the Foreign Assistance Act of 1961.
- Limited Term or Limited Emergency -- Nonrenewable SES appointments of individuals who do not meet the conditions for career appointments and who generally do not intend to remain in government. Appointees serve for either up to 36 months or up to 18 months in an emergency.
- Noncareer Executive Assignment -- Assignment to a position to be filled by an employee who will (1) be deeply involved in the advocacy of Administration programs and support of the controversial aspects of those programs, (2) participate significantly in the determination of major political policies of the Administration, or (3) serve principally as personal assistant to or advisor of a Presidential appointee or other key political figure.
- Noncareer SES -- Noncompetitive appointments to positions above GS-15 who serve at the pleasure of the appointing authority and do not meet the

conditions for career or limited term appointments.

- Ramspeck Act Appointee -- A person who has served at least 3 years in the legislative branch in a position in which he or she was paid by the Secretary of the Senate or the Clerk of the House of Representatives, or for at least 4 years as a secretary or law clerk, or both, in the judicial branch; is separated involuntarily and without prejudice from the legislative or judicial branch; meets applicable qualification requirements for the position; and is appointed within 1 year from the date of his or her separation from the legislative or judicial branch. By appointment to a competitive position under the Ramspeck Act, a person becomes a career employee.
- Schedule A -- Positions at GS-15 and below in the excepted service for which it is not practicable to hold any examinations and which are not of a confidential or policymaking nature.
- Schedule C -- Positions at GS-15 and below that are excepted from competitive appointment procedures because of their policymaking role or their confidential working relationship with the agency head or top appointed officials.
- Temporary -- A nonstatus appointment in either the competitive or excepted service for a specified period.

Types of Noncareer Appointments Converted to Career Positions  
as Reported by the Agencies a/  
January 1, 1987 - September 30, 1987

Department or agency	Type of noncareer appointments									Competitive appointments
	Expert or consultant	Foreign Assistance Act	Limited term or limited emergency	Noncareer SES	Ramspeck Act	Schedule A	Schedule C	Temporary	Total appointments b/	
Agriculture					5		1		6	0
Commerce	1							3	4	4
Defense c/					4		1		5	1
Education	1				9		1		11	1
Energy	3				1				4	2
Health and Human Services	6		1		7		2	2	18	10
Housing and Urban Development					1		4		5	4
Interior		1	2	1	5		1	6	16	7
Justice	2							8	10	9
State				1					1	1
Transportation	1				3	8	3	6	21	16
Treasury	1			1				7	9	7
Agency for International Development		3							3	3
ACTION					1				1	0
Commission on Civil Rights							1		1	0
Environmental Protection Agency	4						1	5	10	10
Federal Deposit Insurance Corporation						30			30	30
Federal Emergency Management Agency							1	4	5	1
General Services Administration						1		2	3	3
Interstate Commerce Commission	1						1		2	2
National Aeronautics and Space Administration	6								6	5
National Capitol Planning Commission								1	1	1
National Credit Union Administration							1		1	1
National Science Foundation			3						3	3
Office of Personnel Management			1		1				2	0
Small Business Administration	1				1				2	0
U.S. Information Agency								2	2	2
U.S. International Trade Commission								1	1	1
Veterans Administration					3				3	0
<b>Total</b>	<b>27</b>	<b>4</b>	<b>7</b>	<b>3</b>	<b>41</b>	<b>39</b>	<b>18</b>	<b>47</b>	<b>186</b>	<b>124</b>

a/The agencies did not report any career appointments on the basis of employment in the Office of the President or Vice President, or the White House staff.  
 b/Total includes both competitive and noncompetitive appointments.  
 c/The Department of Defense has not reported conversions of temporary, expert, and consultant appointees.

Number of Noncareer Appointments Converted to Career Positions  
and Number of Agencies That Converted Employees  
by Type of Prior Appointment  
January 1, 1987 - September 30, 1987

<u>Type of noncareer appointment</u>	<u>Number of conversions</u>	<u>Number of agencies converting this type</u>
Temporary	47	12
Ramspeck	41	12
Schedule A	39	3
Consultant/Expert	27	11
Schedule C	18	12
Other <sup>a</sup>	14	7
Total	<u>186</u>	29 <sup>b</sup>

<sup>a</sup>Includes limited term, limited emergency, noncareer SES, and Foreign Assistance Act appointments.

<sup>b</sup>This number represents the total number of agencies that reported conversions of noncareer appointees to career positions.



Departments and Agencies Reporting no Conversions  
January 1, 1987 - September 30, 1987

Department of Labor	Federal Trade Commission
Administrative Conference of the United States	Inter-American Foundation
African Development Foundation	Merit Systems Protection Board
Appalachian Regional Commission	National Archives and Records Administration
Board for International Broadcasting	National Endowment for the Arts
Commission on Fine Arts	National Endowment for the Humanities
Commodity Futures Trading Commission	National Labor Relations Board
Consumer Product Safety Commission	National Mediation Board
Equal Employment Opportunity Commission	National Transportation Safety Board
Export-Import Bank of the United States	Nuclear Regulatory Commission
Farm Credit Administration	Occupational Safety and Health Review Commission
Federal Communications Commission	Pension Benefit Guaranty Corporation
Federal Home Loan Bank Board	Railroad Retirement Board
Federal Labor Relations Authority	Securities and Exchange Commission
Federal Maritime Commission	Selective Service System
	United States Arms Control and Disarmament Agency

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