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

June 1989

INTERGOVERNMENTAL PERSONNEL ACT OF 1970

Intergovernmental Purpose No Longer Emphasized





United States
General Accounting Office
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General Government Division

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

Dear Mr. Chairman:

This report responds to your request that we review the mobility program created by the Intergovernmental Personnel Act (IPA) of 1970. The mobility program allows federal agencies to temporarily assign personnel to and receive personnel from eligible nonfederal organizations, such as state and local governments, institutions of higher education, and Indian tribes and tribal organizations, as well as other organizations approved by the Office of Personnel Management (OPM). The program is run for the mutual benefit of all participating organizations.

We previously briefed the Subcommittee on the results of our review. As requested, this report summarizes the information we gathered and our conclusions on that information. Appendixes I through V contain charts, narrative, and graphs giving more detail on the following topics: (1) changes to the program, (2) the extent and nature of the program's use, (3) program cost, (4) agreement purposes and benefits, and (5) OPM guidance and oversight.

Results in Brief

Congress expected that the various programs created by the 1970 act, including the mobility program, would improve the personnel resources of state and local governments. Initially, this was the case. In the early 1970s, most of the assignment agreements involved sending federal employees to state and local governments.

Over the years, however, the mobility program has benefited the federal government. Since about 1975, the program has become primarily a way to bring college and university personnel into the federal government. Although federal agencies find this a beneficial arrangement, the present program's character differs considerably from that originally envisioned by Congress. For this reason, Congress may wish to revisit the uses and purposes of the mobility program.

In addition, OPM has exercised minimal guidance and oversight of the mobility program since 1982, when OPM limited its involvement in all IPA

to be derived by the assignment of college and university personnel to federal agencies.

IPA Participants Now Come Mainly From Colleges and Universities

Data we accumulated indicate that mobility assignments are no longer being used primarily to strengthen state and local governments' personnel resources. Instead, federal agencies overall have made most of their agreements with colleges and universities in order to bring personnel with higher education into the federal government. The assignment of personnel to and from state and local governments to improve their capabilities appears to have become a secondary purpose.

According to OPM data, about 61 percent of all agreements made during the mobility program's first 5 years were with state and local governments. Our survey of participating agencies covering fiscal years 1984 through 1988, however, showed very different results. During this period, we found that only about 20 percent of the approximately 4,000 agreements were with state and local governments; most (about 68 percent) were with colleges and universities. Of the remaining 12 percent, 7 percent were with Indian tribal organizations and 5 percent were with other organizations, such as the National Academy of Sciences, the World Wildlife Fund, and the National League of Cities.

The Departments of Health and Human Services (HHS), Veterans Affairs (VA), the Army, the Navy, and the Environmental Protection Agency (EPA) accounted for about 65 percent of the assignment agreements reported to us for fiscal years 1984 through 1988. In three of these agencies (VA, the Army, and the Navy) more than 96 percent of the assignments involved bringing college and university personnel into the federal government. Less than 1.5 percent of their total 1,481 assignments were with state and local governments. Of HHS' 752 assignments, 40 percent were with colleges and universities, 32 percent were with Indian tribal organizations, and 26 percent were with state and local governments. In contrast, about 72 percent of EPA's 319 assignments were with state and local governments and 20 percent were with colleges and universities. The remaining assignments made by EPA and HHS were with other organizations.

In general, the nature of the five agencies' missions influenced the extent to which they made assignments with state and local governments. For example, EPA, which made most of its agreements with state and local governments, works directly with those governments to implement federal environmental laws. Other agencies, like VA and the Navy,

Using the above criteria, we determined that the five federal organizations were the principal beneficiaries in 37 of the 50 assignments. Of these 37, 30 were made by VA, the Army, and the Navy. State and local governments were the principal beneficiaries of nine assignments, and Indian tribal organizations were the principal beneficiaries of the remaining four.

According to OPM's guidance, federal agencies may pay all, some, or none of the assignment costs, which may include regular salaries and supplemental pay (such as lost consulting fees), fringe benefits, and travel and relocation expenses. Consistent with the benefits they derived, the five federal organizations generally agreed to pay most or all of the costs associated with the assignments. The five agreed to pay 100 percent of the costs for 31 of the 50 assignments; 25 of the 31 assignments were made by VA, the Army, and the Navy. The federal share for the remaining 19 assignments averaged 43 percent and ranged from no federal share to 87 percent.

At the Subcommittee's request, we also examined the cost of assignments at the National Science Foundation (NSF), the National Institutes of Health (NIH), and the National Endowment for the Humanities (NEH). The total cost of 188 assignments, active at these three agencies during some or all of the 20-month period that ended May 1987, was about \$14.6 million. Of this amount, the three agencies paid \$12.0 million, or about 83 percent. Most of the costs were for salaries and fringe benefits.

Of the 188 assignments, 14, all of which were made by NSF, included salary payments exceeding the upper limit on federal Senior Executive Service (SES) salaries in effect when NSF made the assignments. Later, in the appropriation acts for fiscal years 1988 and 1989, Congress limited NSF's payments for salaries under such assignments. The 1988 appropriation act limited the federal portion of the salaries to the top level of the SES schedule (\$80,700 as of January 1, 1989). The 1989 appropriation act continued the cap on the federal share of the salaries and added a provision that also limits to \$95,000 NSF's share of the salaries for positions funded by grants.

OPM Reduced Its Involvement in the Mobility Program

By Executive Order 11589 of April 1, 1971, as amended, the President delegated authority to OPM for issuing regulations on the mobility program. Under its 1980 regulation, 5 C.F.R. 334.107 (d)(1981), OPM is responsible for ordering federal agencies to correct or terminate improper assignment agreements.

locate most of these agreements but could not account for 20 (about 11 percent).

To carry out its oversight responsibilities, OPM also requires federal agencies to provide evaluation reports on their use of the mobility program at the end of each fiscal year. OPM's guidance, however, does not specify when the reports are to be submitted. While OPM officials said that they use the reports to determine trends and patterns in agencies' mobility agreements, one OPM official said that OPM does not prepare any internal management reports on the program and does not keep a record of reports due and received. In fact, we determined that OPM often did not receive required reports. As of March 1989, 18 months after the close of fiscal year 1988, OPM had received reports from only 12 of 36 agencies that had made assignment agreements in that fiscal year. Six months after the close of fiscal year 1988, OPM had received reports from 11 of 36 agencies that made agreements in that fiscal year. As of March 1989, it had not received reports for fiscal year 1988 from three of the top five federal participants.

OPM Did Not Always Obtain Timely Corrections of Improper Agreements

As mentioned earlier, OPM has the authority to order federal agencies to correct or to terminate improper assignments. Although an OPM official said that OPM reviews each agreement made by the federal agencies, OPM had few records of its review of agreements and for those that it did have, OPM did not always receive timely corrections from the federal agencies.

OPM staff said that they minimally review every agreement that they receive but do not routinely record the results of all their reviews. OPM staff also said that they frequently contact agencies by telephone to obtain more information on agreements or to have improper agreements corrected. They provided us with files containing letters requesting agencies to correct 20 agreements and respond to OPM within 14 to 21 days. OPM had found that these agreements missed signatures or other required information, exceeded the maximum 2- and 4-year limits, assigned employees who were ineligible because they lacked the minimum federal service required (90 days) or were not employed by OPM-approved organizations, and had other problems.

As of March 1989, OPM had received corrected information on 17 of the 20 agreements. Of the remaining three, OPM staff said that one agreement will be corrected by the agency and that two agreements made in 1984 have since ended and were never corrected. Of the 17 agreements

Inconsistent Handling of Ethics Requirements

OPM policy states that personnel on mobility assignments with federal agencies, whether by appointment or on detail, are subject to various legal provisions governing conflict of interest and other conduct of federal employees. Agencies are required to inform personnel of these provisions and to check boxes on the assignment agreement form to indicate that this was done. However, agencies do not always require employees detailed to federal agencies to file financial disclosure reports for use in identifying and resolving any apparent conflicts of interest. For example, while NSF required mobility program participants to file confidential financial disclosure reports, neither VA nor HHS required such reports.

In May 1989, an official from OPM's Office of Government Ethics² (OGE) said that OGE was drafting regulations on obtaining confidential financial disclosure reports from federal employees. This OGE official said that he did not know if the proposed regulations would specifically address the circumstances in which personnel assigned on detail to federal agencies under the mobility program must file disclosure reports. OGE did issue an informal opinion in 1979 advising that employees detailed to federal agencies under the mobility program should be required to file confidential reports. In May 1989, an OGE official said that this opinion represents OGE's current view.

Conclusions

The mobility program has benefited both federal agencies and nonfederal organizations. The program has provided federal agencies with a way to satisfy a variety of personnel needs. Agencies find the program beneficial because of the flexibility it offers them in obtaining the temporary services of nonfederal personnel. Agencies, however, have used the program primarily to obtain the services of college and university personnel. While the 1970 act clearly permits agencies to bring personnel into the federal government from colleges and universities for practically any purpose and to pay all salary and related assignment costs, such assignments are to be mutually beneficial to federal and nonfederal organizations. In addition, costs are to be shared accordingly. The agreements we reviewed, however, indicated that the federal government is often the primary beneficiary and, consequently, absorbs most—and many times all—of the assignment costs.

²Effective October 1, 1989. Public Law 100-598, 102 Stat. 3031, 3035(1988), establishes OGE as an independent executive agency.

costs and benefits, legislative or regulatory requirement compliance, and program results.

Recommendations

We believe that OPM should strengthen its current oversight of the mobility program. To ensure effective use of the resources OPM has already committed to the mobility program, we recommend the following actions:

- The Director should implement a system to control the receipt of assignment agreements, agency evaluation reports, and other information necessary to effectively review federal agencies' use of the mobility program. OPM should use this information to direct agencies to make timely corrections of any improper agreements, as provided in current regulations.
- The Director should specify the circumstances in which nonfederal employees on detail to federal agencies should file financial disclosure reports.

Agency Views

As requested by the Subcommittee, we did not obtain written comments on this report from the agencies. We did discuss the information in the report with OPM officials responsible for the mobility program and made corrections where appropriate. The OPM officials agreed with the recommendations in the report. They did not indicate, however, how or when they would change their current practices in response to our recommendations for using information from assignment agreements or for pursuing questionable assignments. They disagreed with our interpretation of the congressional intent of the mobility program. They did not believe that Title IV (the mobility program) of the act limits the use of the program to improving state and local government personnel systems. We agree that Title IV does not limit the program to this purpose but believe that Congress intended that to be the predominant purpose.

We also discussed the information obtained with officials of the eight other agencies identified in this letter. These officials said that the information describing their organizations' use of and benefit from the mobility program is accurate. These officials generally agreed that they use the program primarily to obtain expertise from colleges and universities. Army and Navy officials believed that state and local governments also benefited from the experience and knowledge gained by assigning personnel to federal agencies, even though the federal government generally incurs all assignment costs.

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Abbreviations

ACDA	United States Arms Control and Disarmament Agency
AID	Agency for International Development
CPSC	Consumer Product Safety Commission
CSRA	Civil Service Reform Act
DOT	Department of Transportation
EPA	Environmental Protection Agency
FHLBB	Federal Home Loan Bank Board
FPM	Federal Personnel Manual
FTC	Federal Trade Commission
GSA	General Services Administration
HHS	Department of Health and Human Services
HUD	Housing and Urban Development
IPA	Intergovernmental Personnel Act
NASA	National Aeronautics and Space Administration
NEH	National Endowment for the Humanities
NIH	National Institutes of Health
NLRB	National Labor Relations Board
NRC	Nuclear Regulatory Commission
NSF	National Science Foundation
OMB	Office of Management and Budget
OPM	Office of Personnel Management
PME	Personnel Management Evaluation
SBA	Small Business Administration
SES	Senior Executive Service
USDA	United States Department of Agriculture
USIA	United States Information Agency
USPS	United States Postal Service
VA	Department of Veterans Affairs

- facilitate the temporary assignment of personnel between the federal government and state and local governments.³

The act established various policies and programs designed to achieve this broad purpose. Title IV of the act, as amended, authorizes federal agency heads to approve the temporary assignment of personnel from federal agencies to eligible nonfederal organizations and vice versa.⁴ As amended, the act permits participation by nonfederal organizations, including state and local governments, institutions of higher education,⁵ Indian tribes and tribal organizations, and other organizations approved by OPM.

Statutory Changes

Since IPA was enacted in 1971, it has been amended several times. Two amendments affected who may participate in the program. In 1975, the Indian Self-Determination and Education Assistance Act⁶ amended IPA to make Indian tribal organizations eligible to participate in the mobility program. It also exempted federal employees on assignment to Indian tribal organizations from conflict-of-interest provisions concerning representational activities, provided they meet notification requirements as outlined in OPM's Federal Personnel Manual (FPM). The second amendment, passed as part of the Civil Service Reform Act (CSRA) of 1978,⁷ extended participation in the mobility program to all federal agencies, rather than just executive agencies, and to certain not-for-profit organizations, subject to approval by OPM. Also, the amendment excluded employees occupying positions excepted from the competitive service by reason of their confidential, policy-determining, policy-making, or policy-advocating character. Another amendment under the CSRA allows

³There is another program, separately authorized by Public Law 99-424, Sept. 30, 1986, 100 Stat. 964, which provides for the exchange of executives between federal agencies and private sector companies and is discussed in our report entitled Federal Workforce: Implementation of the Executive Exchange Program (GAO/GGD-89-62, Mar. 31, 1989).

⁴Regulations implementing Title IV of the IPA of 1970 can be found in part 334, title 5, C.F.R., 1988 and additional guidance can be found in chapter 334, OPM's Federal Personnel Manual, Inst. 310, Dec. 1, 1983.

⁵Institutions of higher education include colleges, universities, technical schools, and junior colleges. Throughout this report, references to "colleges and universities" include all of the above categories.

⁶Public Law 93-638, Jan. 4, 1975, 88 Stat. 2203, 2208.

⁷Public Law 95-454, Oct. 13, 1978, 92 Stat. 1111, 1188, 1190.

the remaining part of the act, the mobility program, was to serve after eliminating the direct involvement with state and local governments.

OPM's Office of Intergovernmental Personnel programs was abolished in November 1981 when the related grant program was eliminated. In 1980, 178 full-time positions were allocated to this program. When the office was abolished in fiscal year 1981, 99 full-time positions were allocated to it.

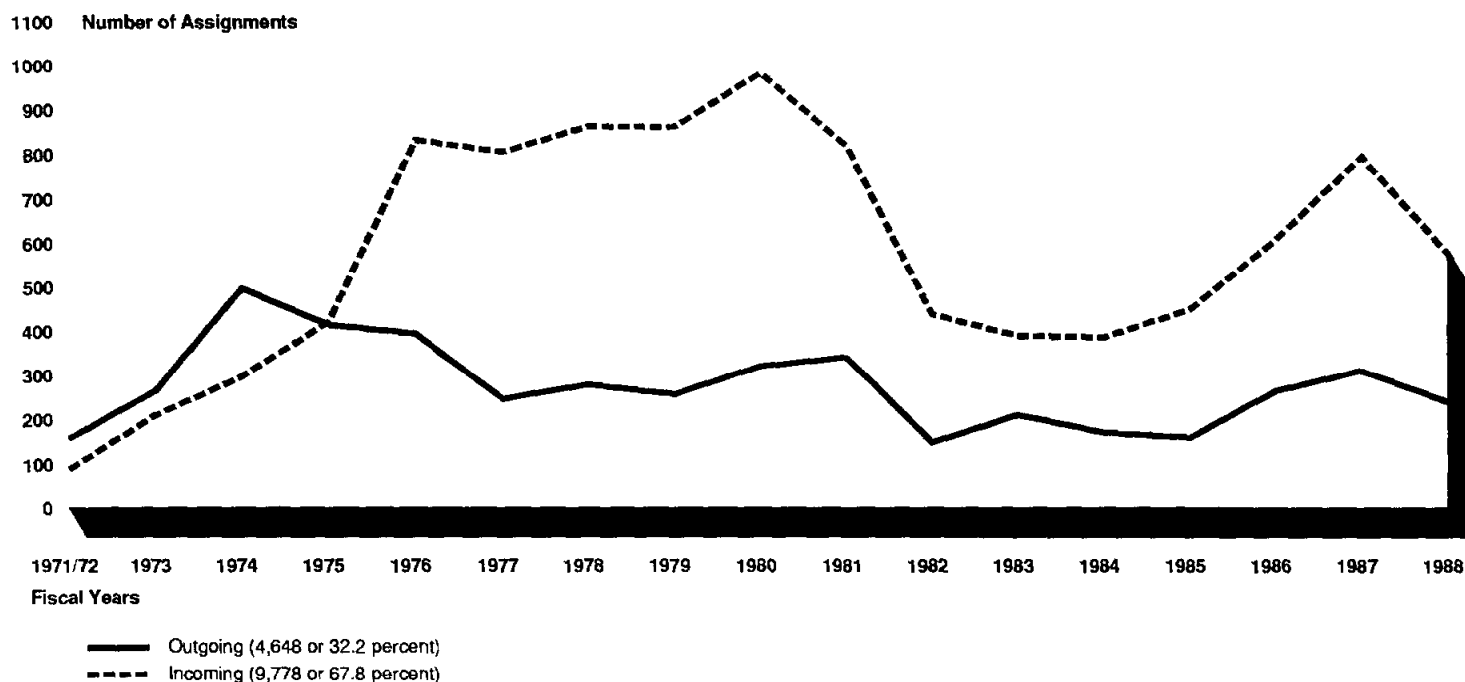
Under the mobility program, unlike the other IPA programs, mobility assignments are funded by participating agencies rather than through OPM and, as a result, were unaffected by the 1981 Rescission Act. OPM said that it continued oversight functions of the mobility program by assigning five full-time staff for this purpose in fiscal year 1978, four in 1982, and two in 1987. Through March 1989, OPM continued to assign two full-time staff, located in its Staffing Operations Division, to oversee the mobility program governmentwide.

Changes in Mobility Program Use

While the level of participation in the mobility program has been erratic, the number of agreements increased each fiscal year between 1971 and 1976 and remained relatively constant until about fiscal year 1980, when it peaked. Participation in the mobility program dropped by about one-half by 1982, from 1,298 agreements in fiscal year 1980 to 583 assignments in fiscal year 1982. The number did not increase appreciably again until fiscal year 1985/1986, as shown in figure I.1.

Appendix I
The History of the IPA Mobility Program

Figure I.2: Historical Trends of Mobility Program Assignments to and From Federal Agencies, Fiscal Years 1971 to 1988

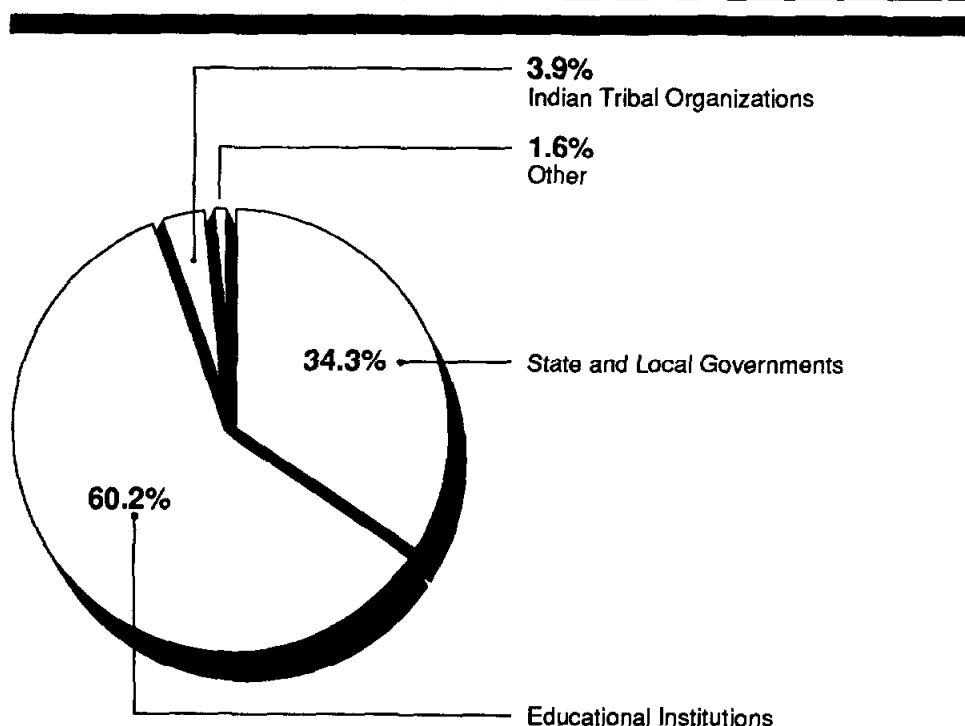


Note: This figure includes data on 14,426 assignments initiated in fiscal years 1971 to 1988. We could not determine the direction of 58 assignments initiated in fiscal years 1984 to 1988 from agency-completed questionnaires.

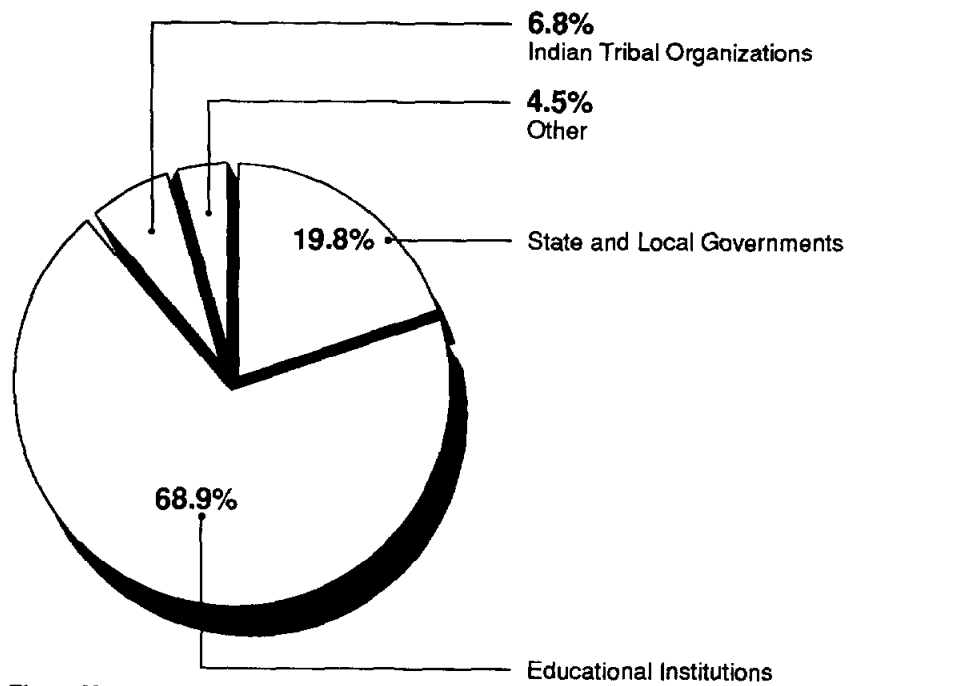
Also, through fiscal year 1975, state and local governments were the most frequent nonfederal participants, representing about 61 percent (1,429 of 2,335) of assignment agreements initiated during fiscal years 1971 to 1975. Colleges and universities represented a smaller proportion, about 38 percent (888), of the agreements during the period. From fiscal years 1976 to 1981, the program's most active phase, the proportion of agreements with state and local governments decreased to about 34 percent of the 6,973 IPA assignments initiated. Conversely, the proportion of agreements with colleges and universities increased to about 60 percent in fiscal years 1976 to 1981.

This trend toward reduced use of the program by state and local governments continued during fiscal years 1982 to 1988. During this period,

Figure I.3: Participation in Mobility Program Assignments by Nonfederal Organizations, Fiscal Years 1971 to 1988 (Continued)



Fiscal Years 1976 - 1981

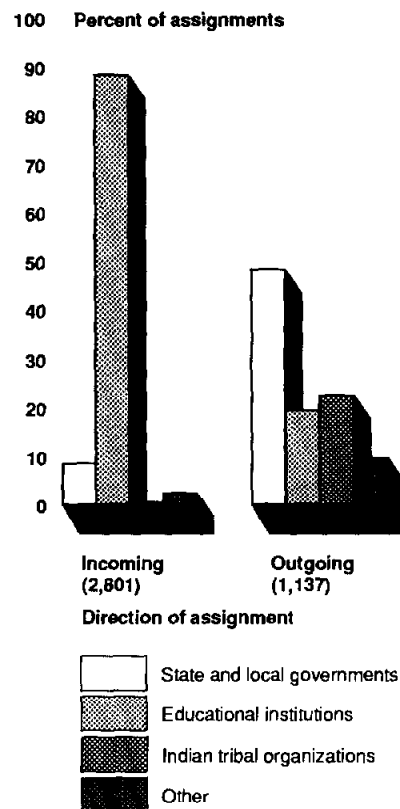


Fiscal Years 1982 - 1988

Appendix I
The History of the IPA Mobility Program

As mentioned earlier, the act authorizes the use of the mobility program by federal agencies to support their missions and permits the assignment of employees to and from institutions of higher education. However, both the provisions of the act and its legislative history indicate that the primary focus of the IPA was to strengthen state and local governments' personnel resources and intergovernmental cooperation.

**Figure II.1: Incoming and Outgoing
 Mobility Program Assignments by Type
 of Nonfederal Organization, Fiscal Years
 1984 to 1988 Combined**



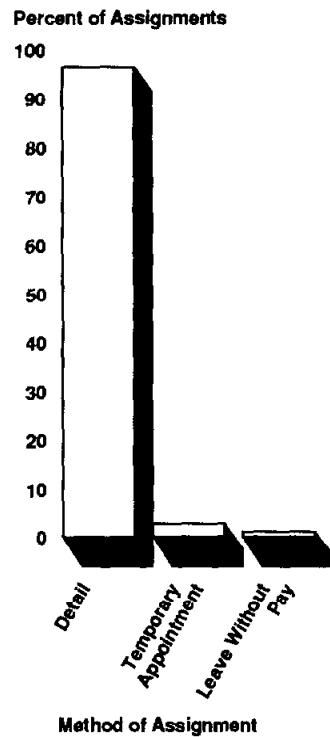
Note: This figure includes data on 3,938 of 3,996 assignments for which we could determine the direction of the assignment from agency-completed questionnaires.

Length of Assignments

The act provides that mobility program assignments may last up to 2 years and, with the approval of the agency head, may be extended 2 more years. About 83 percent of 3,345 mobility assignments were scheduled to last for 2 years or less, while 14 percent were to last between 2 and 4 years. (We were unable to determine from agency-completed questionnaires the length of assignment by nonfederal organization for 651 assignments.) Most of the agreements with state and local governments (84 percent) and with colleges and universities (86 percent) were for 2 years or less. Agreements with Indian tribal organizations, which are exempt from the 4-year maximum time limitation, were of longer duration and 79 (32 percent) were to last more than 4 years (or 48 months), as shown in table II.1.

Appendix II
The Nature and Extent of Federal and
Nonfederal Participation

Figure II.2: Method of Assigning
Personnel, Fiscal Years 1984 to 1988
Combined



Note: Only 3,681 of the 3,996 assignments are represented in this figure. We could not determine the method of assignment from agency-completed questionnaires for the remaining 315 assignments (8 percent).

Additional information on the various federal agencies' participation for fiscal years 1984 to 1988 is presented in Tables II.2 through II.5.

**Appendix II
The Nature and Extent of Federal and
Nonfederal Participation**

Table II.3: Mobility Agreements by Federal Agency and Type of Nonfederal Organization, Fiscal Years 1984 to 1988 Combined

Federal agency	Total	State and local		Education		Indian tribal		Other	
	Number	Number	Percent ^a	Number	Percent ^a	Number	Percent ^a	Number	Percent ^a
HHS	752	198	26	302	40	240	32	12	2
VA	736	4	1	706	96	0	0	26	4
Army	474	13	3	458	97	1	0	2	0
EPA	319	231	72	63	20	0	0	25	8
Navy	271	2	1	265	98	1	0	3	1
Interior	218	63	29	122	56	23	11	10	5
NSF	156	1	1	149	96	0	0	6	4
Commerce	139	15	11	110	79	1	1	13	9
USDA	103	45	44	56	54	0	0	2	2
Treasury	97	47	48	48	49	1	1	1	1
Air Force	86	6	7	80	93	0	0	0	0
Defense	65	1	2	51	78	1	2	12	18
NASA	64	7	11	54	84	0	0	3	5
Labor	65	30	46	5	8	3	5	27	42
Justice	58	51	88	7	12	0	0	0	0
AID	54	0	0	51	94	0	0	3	6
NEH	53	9	17	43	81	0	0	1	2
Education	39	14	36	15	38	0	0	10	26
DOT	36	25	69	7	19	0	0	4	11
Energy	21	3	14	17	81	1	5	0	0
HUD	20	8	40	8	40	0	0	4	20
USIA	19	0	0	17	89	0	0	2	11
ACDA	15	0	0	15	100	0	0	0	0
State	13	0	0	9	69	0	0	4	31
OMB	10	0	0	10	100	0	0	0	0
Other ^b	55	16	29	29	53	0	0	10	18
Total	3,938^c	789	20	2,697	68	272	7	180	5

^aSee footnote "a" in table II.2.

^bSee footnote "b" in table II.2.

^cExcludes 58 assignments for which the nonfederal organization involved could not be determined from agency-completed questionnaires.

**Appendix II
The Nature and Extent of Federal and
Nonfederal Participation**

Table II.5: Duration of Mobility Agreements by Federal Agency, Fiscal Years 1984 to 1988 Combined

Federal Agency	Number of Months						Total
	24 or less		25 to 48		More than 48		
	Number	Percent ^a	Number	Percent ^a	Number	Percent ^a	
HHS	536	78	75	11	79	11	690
VA	540	84	99	15	4	1	643
Army	397	91	35	8	2	0	434
EPA	154	67	64	28	11	5	229
Navy	214	87	30	12	1	0	245
Interior	145	81	30	17	3	2	178
NSF	100	84	18	15	1	1	119
Commerce	108	88	13	11	2	2	123
USDA	56	74	20	26	0	0	76
Treasury	83	93	6	7	0	0	89
Air Force	61	82	13	18	0	0	74
Defense	46	69	20	30	1	1	67
NASA	59	98	1	2	0	0	60
Labor	37	82	8	18	0	0	45
Justice	38	79	9	19	1	2	48
AID	22	50	22	50	0	0	44
NEH	41	91	4	9	0	0	45
Education	27	93	2	7	0	0	29
DOT	33	97	1	3	0	0	34
Energy	10	67	4	27	1	7	15
HUD	16	100	0	0	0	0	16
USIA	14	78	4	22	0	0	18
ACDA	9	69	4	31	0	0	13
State	8	80	2	20	0	0	10
OMB	8	89	1	11	0	0	9
Other ^b	42	89	4	9	1	2	47
Total	2,804	82	489	14	107^c	3	3,400^d

^aSee footnote "a" in Table II.2

^bSee footnote "b" in Table II.2

^cThese 107 agreements are discussed in appendix V. Of the 107 agreements, 79 were made between Indian tribal organizations and HHS (78) or Interior (1). The act, as amended by Public Law 98-146, allows such agreements to be extended for any period of time.

^dExcludes 596 agreements for which the duration could not be determined from agency-completed questionnaires.

**Appendix III
Mobility Assignment Costs and How They
Have Been Shared by Federal and
Nonfederal Organizations**

agreements projected for a full year. On this basis, the annual salaries of the participants ranged from a low of about \$22,000 to a high of \$122,600, both at NSF.

Of the 188 agreements, 9 provided for sending employees, all from NSF, out to nonfederal organizations at an average annualized salary cost of about \$61,500. In contrast, 178 agreements provided for bringing nonfederal employees into the agencies at an average annualized salary cost of about \$38,800 for NEH, \$48,900 for NIH, and \$64,500 for NSF. One incoming agreement from NSF did not have salary cost information.

At the Subcommittee's request, we also compared the federal share of the annualized compensation shown in the 188 agreements with the top Senior Executive Service (SES) salary. For 14 (7 percent) of the 188 assignments, NSF paid the participants directly or reimbursed the nonfederal organizations for salaries exceeding the \$77,500 upper limit on SES salaries established January 3, 1987.² Later, in fiscal years 1988 and 1989 appropriation acts, Congress limited NSF's payments for salaries under such assignments. The 1988 appropriation act limited the salaries to the top level of the SES schedule (\$80,700 as of January 1, 1989).³ The 1989 appropriation act added a provision to limit the salaries to \$95,000 for positions funded by a grant or grants.⁴

Cost Sharing

OPM guidelines permit salaries and other direct assignment costs to be shared by the participating organizations or to be borne entirely by either. However, they state that cost sharing generally should be consistent with the relative benefits each organization expects to accrue and that the receiving organization is usually the principal beneficiary of the assignment.

The three federal agencies agreed to pay about \$12 million, or about 83 percent, of the total costs of the 188 assignments. The share of the total costs to be borne by the three federal agencies was about 51 percent for NIH, 92 percent for NSF, and 100 percent for NEH. Table III.1 summarizes the cost data we gathered on the 188 agreements, including the federal and nonfederal shares.

²Additional information on salaries paid by NSF to mobility program participants can be found in our report entitled *Federal Workforce: Recruitment and Retention of Senior Executives at the National Science Foundation* (GAO/GGD-87-87FS, June 4, 1987).

³Public Law 100-202, Dec. 22, 1987, 101 Stat. 1329, 1329-204.

⁴Public Law 100-404, Aug. 19, 1988, 102 Stat. 1014-1029.

How Federal Agencies Have Used Mobility Assignments

IPA Mobility Program: Assignment Purposes

Assignments of Top Five Agencies Served Wide Range of Purposes

- HHS
- VA
- Army
- EPA
- Navy

Benefits and Costs Generally Flow to Federal Agencies

Mobility Assignment Purposes and Benefits

OPM guidelines give federal agencies broad discretion in deciding to assign personnel to a mobility assignment. Agencies may use mobility assignments to strengthen the management capabilities of the participating organizations, assist in the transfer and use of new technologies and approaches to solving governmental problems, involve state and local government officials in developing and implementing federal policies and programs, and provide experience to enhance the assignee's performance in his or her regular job. Assignments may be made for one or more of these purposes.

The act and OPM guidelines state that assignments are to be mutually beneficial to the participating organizations. OPM guidance provides for determining whether federal or nonfederal organizations will benefit the most from an assignment and thus which organization should bear most of the assignment cost. Specifically, federal agencies are to determine the primary purpose of an assignment and from this infer which organization will be the "principal beneficiary." The principal beneficiary is to bear most of the assignment cost, and the guidelines say that the borrowing organization is usually the principal beneficiary.

Information we gathered showed that the federal agencies have found mobility assignments to be beneficial for a wide range of purposes. We

Appendix IV
How Federal Agencies Have Used
Mobility Assignments

Figure IV.1: Federal and Nonfederal Cost
Sharing for 10 HHS Agreements

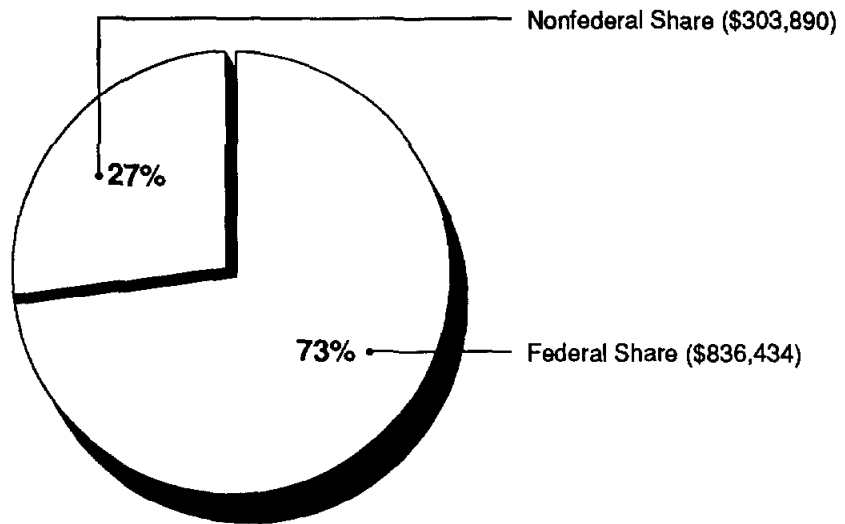


Table IV.1 provides overall data on the type of nonfederal organization involved in HHS agreements made during fiscal years 1984 through 1988.

**Appendix IV
How Federal Agencies Have Used
Mobility Assignments**

Table IV.2: Information on 10 Randomly Selected HHS Mobility Assignment Agreements Active in Fiscal Years 1987 or 1988

Nonfederal organization	Purpose	Length of assignment (Months)	Cost (Dollars)^a	Federal share (Percent)	Principal beneficiary
Incoming from:					
San Diego State University	To provide expertise to support a nationwide computer-based system for surveillance of notifiable diseases and conditions	24	\$124,584	87%	HHS
University of Chicago	To direct and implement a research program on the molecular biology of herpes viruses related to AIDS	12	74,187	54	HHS
University of Puerto Rico	To participate in a special program designed to promote participation of minorities and women in research	5	25,423	68	HHS
Georgetown University	To participate in the development of a protocol for assessing cognitive functioning and temperamental qualities in monkey neonates and infants	7	36,804	50	HHS
George Washington University	To study biomedical applications of bifunctional molecules	9	44,660	49	HHS
Outgoing to:					
National Governors' Association	To provide assistance to states by preparing a Medicaid program workbook, conducting policy initiatives, and providing technical assistance	48	254,154	19	State
Bristol Bay Area Health Corp. ^b	To provide cooking services	60	201,940	100	Indian tribal organization
Southeast Alaska Regional Health Corp. ^b	To provide custodian services	30	121,355	100	Indian tribal organization
Southeast Alaska Regional Health Corp. ^b	To provide pipefitting services	57	219,019	100	Indian tribal organization
Sault St. Marie Chippewa Tribe ^b	To provide radiologic technician services	24	38,198	100	Indian tribal organization

^aCosts can include salary; supplemental pay; fringe benefits; and travel, per diem, and relocation expenses, although not all assignment agreements contained all of these elements. Actual cost may differ from cost shown in the agreement.

^bThe outgoing agreements to Indian tribal organizations were made under the IPA, as amended by Public Laws 93-638 and 98-148. These amendments provide for the transfer of management responsibilities for Indian tribes or tribal organizations and allow mobility agreements to these organizations to be extended for any period of time.

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Table IV.3: VA Use of Mobility Agreements During Fiscal Years 1984 Through 1988

Type of nonfederal organization	Total		Incoming		Outgoing	
	Number	Percent	Number	Percent	Number	Percent
State/local government	4	100	4	100	0	0
Educational institution	706	100	695	98	11	2
Indian tribal organization	0	100	0	0	0	0
Other	26	100	26	100	0	0
Total	736^a	100	725	99	11	1

^aWe could not determine whether personnel were going to or from nonfederal organizations for eight agreements on the basis of agency-completed questionnaires

Table IV.4 summarizes data on the specific nonfederal organization, assignment purpose, total assignment cost and federal share, and principal beneficiary for 10 randomly selected agreements made by VA that were active during fiscal years 1987 or 1988.

Table IV.4: Information on 10 Randomly Selected VA Mobility Assignment Agreements Active in Fiscal Years 1987 or 1988

Nonfederal organization ^a	Purpose	Length of assignment (Months)	Cost (Dollars) ^b	Federal share (Percent)	Principal beneficiary
Incoming from:					
University of Illinois	To serve as the principal investigator in designing a prototype wheelchair	14	\$19,675	100%	VA
Wright State University	To do research in applied physiology	25	78,971	100	VA
University of Washington	To establish a data coordinating center program dealing with amputees	9	41,588	41	VA
University of Washington	To design, develop, and produce original artwork for visual communication purposes	24	70,920	50	VA
Dartmouth Medical School	To oversee all aspects of a study dealing with the health status of patients with rheumatoid arthritis	4	11,576	100	VA
Dartmouth Medical School	To oversee research on whether military characteristics predispose some individuals to develop stress disorders	48	96,816	100	VA
University of New Mexico	To identify and recruit high-risk ambulatory patients for a study of the treatment of influenza and infections	8	17,718	100	VA
Medical College of Georgia	To direct and perform experimental surgical procedures	18	7,486	100	VA
Medical College of Wisconsin	To assist in the development of laboratory procedures	15	31,615	100	VA
University of Illinois	To delineate neurohumoral regulatory mechanisms of different laboratory animals	3	8,488	64	VA

^aThe random sample of cases did not include any outgoing assignments

^bCosts can include salary, supplemental pay, fringe benefits, and travel, per diem, and relocation expenses, although not all assignment agreements contained all of these elements. Actual cost may differ from cost shown in the agreement.

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Figure IV.3: Federal and Nonfederal Cost Sharing for 10 Army Agreements

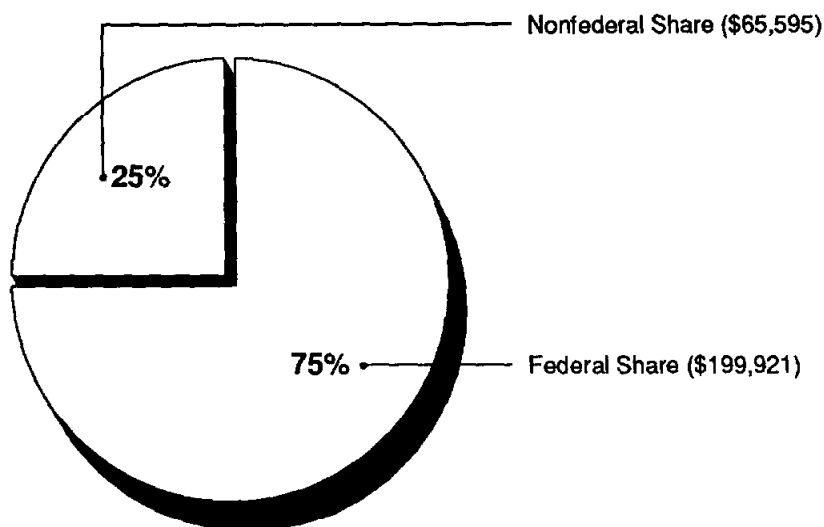


Table IV.5 provides overall data on the type of nonfederal organization involved in Army agreements made during fiscal years 1984 through 1988.

Table IV.5: Army Use of Mobility Agreements During Fiscal Years 1984 Through 1988

Type of nonfederal organization	Total		Incoming		Outgoing	
	Number	Percent	Number	Percent	Number	Percent
State/local government	13	100	13	100	0	0
Educational institution	458	100	453	99	5	1
Indian tribal organization	1	100	1	100	0	0
Other	2	100	2	100	0	0
Total	474^a	100	469	99	5	1

^aWe could not determine whether personnel were going to or from nonfederal organizations for four agreements on the basis of agency-completed questionnaires.

Table IV.6 summarizes data on the specific nonfederal organization, assignment purpose, total assignment cost and federal share, and principal beneficiary for 10 randomly selected agreements made by the Army that were active during fiscal years 1987 or 1988.

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EPA's 10 agreements averaged 21.7 months and ranged from 6 to 48 months in duration. The federal and nonfederal share of the total cost for the 10 agreements is indicated in figure IV.4.

Figure IV.4: Federal and Nonfederal Cost Sharing for 10 EPA Agreements

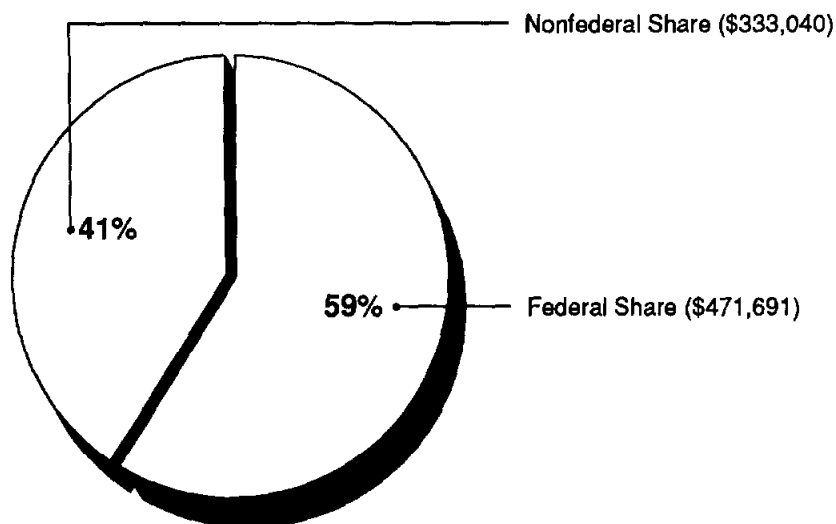


Table IV.7 provides overall data on the type of nonfederal organization involved in EPA agreements made during fiscal years 1984 through 1988.

Table IV.7: EPA Use of Mobility Agreements During Fiscal Years 1984 Through 1988

Type of nonfederal organization	Total		Incoming		Outgoing	
	Number	Percent	Number	Percent	Number	Percent
State/local government	231	100	26	11	205	89
Educational institution	63	100	25	40	38	60
Indian tribal organization	0	0	0	0	0	0
Other	25	100	7	28	18	72
Total	319^a	100	58	18	261	82

^aWe could not determine whether personnel were going to or from nonfederal organizations for eight agreements on the basis of agency-completed questionnaires.

Table IV.8 summarizes data on the specific nonfederal organization, assignment purpose, total assignment cost and federal share, and principal beneficiary for 10 randomly selected agreements made by EPA that were active during fiscal years 1987 or 1988.

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are unknown or poorly documented.” A third evaluation report said that the Navy benefits from mobility assignments in three ways: “(1) to conceive and develop research programs in new technical areas, (2) to manage research programs during the recruitment process of hard-to-fill positions, and (3) to provide insight and ideas which broaden our perspective and expertise.”

The Navy’s 10 agreements averaged 9.7 months and ranged from 2 to 13 months in duration. The federal and nonfederal share of the total cost for the 10 agreements is indicated in figure IV.5.

Figure IV.5: Federal and Nonfederal Cost Sharing for 10 Navy Agreements

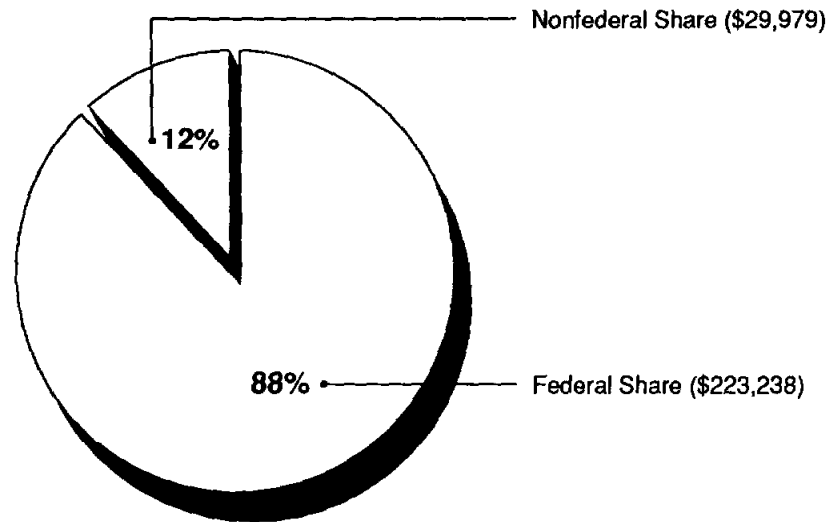


Table IV.9 provides overall data on the type of nonfederal organization involved in Navy agreements made during fiscal years 1984 through 1988.

Has OPM Exercised Effective Mobility Program Oversight?

IPA Mobility Program: OPM Oversight

OPM Has Provided Limited Guidance and Oversight

- Two Full-Time Staff Assigned
- Information for Oversight Purposes Not Always Obtained
- Questionable Assignments Not Always Fully Pursued
- Ethics Policies Not Consistent

OPM Oversight Responsibilities

In 1971, the President issued an executive order delegating the authority for prescribing regulations and administering the mobility program to the Civil Service Commission,¹ now OPM. OPM is responsible for overseeing the mobility program and for issuing regulations to carry out the program. This oversight role stems from (1) OPM's general responsibility under 5 U.S.C. 1103(a)(5)(A) (1982) to execute, administer, and enforce civil service rules and regulations and (2) a regulation—5 C.F.R. 334.107(d)(1988)—giving OPM the authority to terminate improper assignments or to order corrective action. OPM has issued guidelines in the FPM that agencies are to follow in approving, modifying, and extending mobility assignments.

Mobility Program Evaluation

OPM had provided limited review of the mobility program since 1981, when it eliminated or substantially reduced its involvement with IPA and the related policies and programs. As mentioned in appendix I, OPM reduced the number of staff on the mobility program from five in fiscal year 1978 to two in fiscal year 1987. As of March 1989, two staff were assigned to the program.

While OPM has traditionally relied on its Personnel Management Evaluation (PME) program to identify and correct problems in personnel management practices in federal agencies, an OPM official responsible for the PME reviews said that OPM had not included the mobility program in its PME efforts. He said that the mobility program has never been reviewed under PME and was not one of the programs being reviewed in fiscal year

¹Exec. Order 11,589, 36 Fed. Reg. 6342 (1971).

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reports at that time. Also, OPM had not repeated a request to the participating federal agencies like the one in the spring of 1987 to obtain the evaluation reports.

OPM requires all agencies to note in their annual evaluation reports the number of outgoing employees who did not return to the agency. Agencies must also note the number of incoming employees hired by the agency within 3 months after the end of their mobility assignments. However, an OPM official said that when OPM received the reports, it did not always pursue indications that personnel did not return to the sending agency. For example, OPM regulations state that federal employees must agree, as a condition of accepting a mobility assignment, to return to the federal government and serve for a period of time equal to the length of the assignment.² The FPM more explicitly states that if the employee fails to do so, he or she must reimburse the federal agency for its share of the assignment cost (exclusive of salary), unless the head of the agency waives the requirement. It also says that employees are not to use the mobility program to gain permanent employment with the mobility employer.

For fiscal years 1986 to 1988, 6 agencies reported to OPM that a total of 31 employees did not return after completing IPA assignments; 11 reported that 33 incoming employees were hired by federal agencies. OPM officials told us that they did not follow up on any of the 64 employees to determine whether the agencies had followed OPM guidance as stated in the FPM. They did not think that the number of instances to date of employees not returning to the sending agency, as compared to the total number of assignments made by that agency, warranted any action on OPM's part. Furthermore, the officials said that if a person did not return to the sending agency, or was hired by the agency at the end of an assignment, this did not constitute a violation of the act. They said that the information in these reports is used mostly to determine trends in the mobility agreements.

While OPM states in the FPM that it will make periodic on-site reviews of agencies' mobility program activities, OPM made no on-site reviews of mobility program activities during fiscal years 1984 to 1988. During this period, an OPM official said that they also had not maintained regular contact, through periodic meetings, program guidance, and the like, with IPA coordinators who were designated at OPM's request to administer the program in the federal agencies.

²5C.F.R. 334.105(1988).

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OPM took up to several months to request corrections on the 20 agreements, and some agencies took up to 9 months to provide corrections. The number of days between the date OPM received 15 of the 20 assignment agreements and the date they sent letters to the agencies for corrections averaged 65 days. (We could not determine the elapsed time between these two dates for the other five agreements.) As of March 1989, OPM had received corrected information on 17 of the 20 assignments. Of the remaining three, OPM staff said that one assignment will be corrected by the agency and two assignments, made in 1984, remain uncorrected. Of the 17 assignments that were corrected, OPM received responses within 30 days on 5, indicating that corrections were made. The time required to correct nine other assignments averaged 163 days and ranged up to 272 days. There was insufficient information on the responses for the other three assignments to determine the length of time it took for OPM to get a response.

In analyzing data furnished by the 36 federal agencies, we identified 107 assignment agreements for periods that were scheduled to exceed 48 months. Forty-eight months is the maximum length of assignment allowed by the act, except for assignments involving Indian tribal organizations. As mentioned in appendix I, Public Law 98-146 waived the 4-year limit on these assignments and authorized executive agency heads to extend such assignments for any period of time. Excluding 79 agreements made by HHS (78) and Interior (1) with Indian tribal organizations, 28 agreements were made by 12 agencies that exceeded the 48 months allowed in the act by periods ranging from 1 day to 21 months.

OPM had no records to indicate that it had questioned the propriety of these 28 assignments. At our request, OPM staff reviewed these agreements. Of the 22 that OPM could locate, the OPM official responsible for the program said that OPM had not questioned 14 because the agreements exceeded the 48-month maximum time limit by only 1 day, and OPM believed that this was more of a clerical error than a violation. He said that OPM did not question the other eight agreements because they were either part-time or intermittent assignments and only time actually spent on an assignment is counted toward the 48 months. However, OPM regulations limiting assignments to 48 months make no distinction between full-time, part-time, or intermittent assignments.

Conflict-Of-Interest
Determinations

Because of the large number of personnel coming into federal agencies under the mobility program from colleges and universities, we determined what requirements OPM had imposed to guard against potential

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Although not necessarily typical, the following are two examples of agreements of this nature:

- An individual from the University of California was assigned to HHS' National Institute of Mental Health from July 1, 1988, through June 30, 1989. The individual, whose salary was \$105,000 (46 percent of which was the federal share), was to serve as Special Assistant to the Institute Director and help establish priorities in the Institute and provide expert advice to the Director on major Institute initiatives, programs, and goals. His duties included identifying new scientific directions and opportunities for the Institute.
- An individual from the University of Michigan was assigned to the Geriatric Research, Education, and Clinical Center at VA's Ann Arbor Medical Center from August 21, 1988, through September 30, 1989. The individual's salary was about \$59,000 (37.5 percent of which was the federal share), and he served as Chief of Health Research for the Geriatric Center. His duties included directing health policy and health services as well as developing and managing individual research projects.

According to officials in HHS and VA, the individuals mentioned in these examples did not file financial disclosure reports. We believe that positions like these dictate that a determination be made by the agency as to whether or not a conflict of interest exists, because the individuals were in positions to possibly influence agency decisions on policy, funding, projects, and other initiatives.

Assignment agreements made by HHS and VA did not always have the appropriate boxes checked on the agreement form indicating that nonfederal personnel assigned to the program had been informed of their obligations to avoid conflicts of interest, an OPM requirement. For example, the agreements for 24 of 313 assignments made by VA and for 4 of 147 assignments made by HHS during fiscal years 1987 and 1988 did not indicate that the individuals had been so informed.

In May 1989, an official from OPM's Office of Government Ethics (OGE) said that OGE was drafting regulations on obtaining confidential financial disclosure reports from federal employees. However, the OGE official said that he did not know if the proposed regulations would specifically address the circumstances in which mobility program participants on detail to federal agencies must file confidential financial disclosure reports. OGE has, nonetheless, provided informal guidance to agencies that such participants should file financial disclosure reports. In an opinion letter dated June 18, 1979, OGE said that the Ethics in

Objectives, Scope, and Methodology

At the request of the Chairman of the House Government Operations Subcommittee on Human Resources and Intergovernmental Relations, we reviewed the status of the IPA mobility program to provide information on the following questions:

- What has been the history of the IPA mobility program?
- For what purposes have IPA mobility assignments been used by federal agencies?
- What has been the nature and extent of participation in the mobility program by federal and nonfederal organizations?
- How much have IPA mobility assignments cost the federal government and how have these costs been shared between federal agencies and nonfederal organizations?
- How effective has OPM been in administering the IPA mobility program?

To identify changes to the mobility program, we reviewed hearings leading up to passage of the act in 1970; amendments to the act; and prior studies of the program, including an earlier GAO report on OPM's redirection and retrenchment actions in 1981.¹ To determine the purposes for which mobility assignments were used, we selected the five federal agencies reporting the largest numbers of assignments during fiscal years 1984 through 1988 (HHS, VA, the Army, EPA, and the Navy). We reviewed evaluation reports submitted by the agencies to OPM for fiscal years 1986 through 1988 to determine the stated purposes and benefits of mobility assignments.

We also randomly selected 10 agreements that were active during fiscal years 1987 or 1988 at each of the 5 agencies to determine the purpose(s) and principal beneficiaries of the assignments. For these assignments, we also determined how assignment costs were shared between the federal and nonfederal organizations. While we determined whether cost sharing appeared to be generally in line with the benefits to be derived by each organization, we did not review the appropriateness of the cost allocation versus benefits. Although other costs and benefits may have resulted from the assignments, we limited our review to the cost and benefit data provided in the randomly selected assignment agreements.

To determine the nature and extent of the program's use by federal agencies and nonfederal organizations (i.e., state and local governments, colleges and universities, Indian tribes and tribal organizations, and

¹Retrenchment and Redirection at the Office of Personnel Management (GAO/GGD-83-95, Aug. 22, 1983).

resources would be required for OPM to fully carry out its oversight responsibilities.

To determine whether OPM had received copies of all assignment agreements made by the agencies, OPM provided us with a listing of all its agreements that were active at any time during October 1, 1985, through May 31, 1987, at NSF, NIH, and NEH. We then compared OPM's listing with the agreements we had received from these three agencies for this period. We also reviewed files that OPM furnished to verify whether it had received, but not recorded, agreements.

We also determined whether OPM had received required reports from the 36 departments and agencies participating in the mobility program during fiscal years 1984 through 1988. We reviewed the 56 agency evaluation reports that OPM had received to determine how OPM used information in the reports to monitor agencies' assignment practices.

We could not readily determine the total cost of the mobility program to the federal government because neither OPM nor the agencies collected overall cost data on the program. However, we extracted cost information from assignment agreements active at three agencies selected by the Subcommittee (NSF, NIH, and NEH) during October 1, 1985, through May 31, 1987. We verified that federal agencies actually paid, either directly to the personnel assigned or as reimbursement to the sending organization, the salaries indicated in agreements by comparing selected agreements with agency disbursement records.

Since such a large number of agreements involved bringing employees from colleges and universities to the federal government, we reviewed OPM's guidance on conflict-of-interest and employee conduct in the FPM and interviewed officials from four agencies (HHS, VA, NSF, and NEH) to determine to what extent the guidelines apply to the mobility program. In addition, we reviewed agreements initiated in fiscal year 1987 and 1988 for HHS and VA to determine if the forms were properly completed according to OPM's guidance on conflict-of-interest and employee conduct. We also reviewed the agreements to judgmentally identify those that created the possible appearance of a conflict-of-interest. We looked at 40 agreements for assignees with salaries of more than \$65,000 or who were executive/SES-level IPA employees and 102 agreements for assignees at the GS/GM-13 through 15 level, with salaries of \$39,000 to \$65,000.

Major Contributors to This Report

**General Government
Division, Washington,
D.C.**

James T. Campbell, Assistant Director, Human Resources Management
Group

Richard B. Groskin, Assignment Manager

James J. Grace, Evaluator-in-Charge

Ellen Wineholt, Evaluator

Laura Shumway, Operations Research Analyst

Valerie Miller, Social Science Analyst

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Appendix VI
Objectives, Scope, and Methodology

Our review, primarily made between May 1987 and February 1989, was done in accordance with generally accepted government auditing standards.

other eligible organizations), we obtained statistical information from OPM on numbers of assignments and patterns of participation by federal agencies and nonfederal organizations on a governmentwide basis for fiscal years 1971 through 1983. We did not verify the data provided to us by OPM, and the data are used only in appendix I of our report to show changes in the program during its earlier years.

We also mailed two standardized questionnaires to IPA coordinators we identified from OPM's master list of participating federal agencies. We asked the coordinators, who represented 48 federal departments and agencies, to complete the questionnaire for any mobility assignment that was active at any time during fiscal years 1984 through 1988. A total of 36 departments and agencies responded with agreements initiated in fiscal years 1984 to 1988. These are listed in table II.2. We used the completed questionnaires to determine

- how many assignments had been initiated each fiscal year;
- which federal agencies were participating and to what extent;
- what types of nonfederal organizations were involved;
- how many assignments were "incoming" to or "outgoing" from federal departments and agencies;
- the methods of assignment of federal and nonfederal employees during the assignment (i.e., on detail, temporary appointment, or leave without pay); and
- the length of assignments.

It was not feasible to verify the data included in agency-completed questionnaires to the supporting records maintained by the agencies. We did, however, verify the data used in our analysis of agreement costs.

To review the administration of the program, we focused our work on what OPM had done to carry out its oversight responsibilities. We reviewed various executive orders, regulations, and guidelines. We also reviewed OPM's FPM. To determine whether OPM had carried out its responsibilities, we interviewed OPM officials directly responsible for the program, and we reviewed the procedures followed for obtaining and reviewing copies of assignment agreements. We reviewed files on the 20 assignment agreements that OPM could provide as evidence of its oversight activities. We examined these files to see whether OPM had followed its procedures and what actions it took to address problems it had identified. We did not determine how the various other federal agencies were administering and managing mobility assignments or what staff

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Government Act of 1978 would have to be amended to make IPA participants on detail to a federal agency subject to public financial disclosure requirements. The letter notes, however, that those employees who are detailed to federal agencies under the mobility program should be required to file confidential disclosure reports. In May 1989, an OGE official said that the OGE 1979 opinion letter represented OGE's current view on the need for IPA assignment participants who are on detail to file confidential financial disclosure reports.

conflicts of interests by these employees. The FPM states that nonfederal personnel assigned to the program, whether on detail or by temporary appointment, are subject to certain provisions in Title 18 of the U.S. Code on federal conflict-of-interest statutes and various rules and regulations on employee conduct. While detailees are subject to these rules, the FPM does not require nonfederal participants in the mobility program to file public or confidential financial disclosure reports. However, the Ethics in Government Act,³ as amended, requires that federal employees in certain positions or paid above certain salary levels file public financial disclosure reports. These reports help agency officials detect and resolve any apparent or potential conflicts of interest.

OPM guidelines require federal agencies to inform personnel assigned to the mobility program about the provisions of laws and regulations on conflicts of interest and employee conduct applicable to them during the assignment. They also require that participants check a box on the assignment agreements indicating that they have been so informed. However, OPM's checklist for reviewing agreements does not cover employee conduct and conflicts of interest.

We asked four federal agencies, VA, HHS, NSF, and NEH, whether they required nonfederal employees assigned to their agencies under the program to file public or confidential financial disclosure reports. We found that the agencies were not uniformly requiring employees to file financial disclosure forms. Officials at two of the four organizations (NSF and NEH) told us that they require participants to file confidential financial disclosure reports. NSF and NEH officials said that this requirement is essential to assure the public that the integrity of their decisionmaking process is maintained.

The other two organizations (HHS and VA) did not require either the public or confidential reports from mobility program participants on detail to their organizations. HHS and VA officials said that personnel coming into their organizations under the program primarily do research and are not assigned decisionmaking duties that could present possible conflicts of interest.

We reviewed some of the agreements made by both HHS and VA and found that personnel could be assigned to positions that involved providing advice to high-level agency officials and developing policy.

³Public Law 95-521, Oct. 26, 1978, 92 Stat. 1824, 1836.

Ongoing Monitoring Efforts

OPM guidelines require federal agencies to furnish copies of all mobility assignment agreements, including modifications and extensions, to OPM within 30 days after being signed. OPM staff said that they have no way of knowing about assignments unless agencies furnish copies to OPM after they are signed. They said that they minimally review assignment agreements that are furnished to them to determine whether legal requirements and OPM guidelines are met. Since June 1988, OPM staff have used a checklist they developed for reviewing assignment agreements. In the spring of 1987, OPM checked with the federal agencies to make sure it had received all fiscal year 1986 agreements. In some instances, OPM sent the agencies a list of agreements that it had already received and asked the agencies to submit any that were missing from OPM's list. In response to OPM's inquiry, the top five federal agency participants sent OPM 217 additional assignment agreements, or about 33 percent of the total number of agreements that OPM received from these organizations for fiscal year 1986. OPM has not since requested agencies to provide agreements.

OPM officials said that in 1987, they stopped recording the receipt of assignment agreements and stopped preparing internal management reports on agencies' agreements. Without such records, OPM has no sound basis to readily estimate the program's scope and cannot provide administrative control over the agreements it does receive. We obtained 188 agreements from NSF, NIH, and NEH for the 20-month period ending May 31, 1987, and asked OPM to locate each from its files. It was able to account for 168 (about 90 percent) of the assignments, but not the remaining 20.

OPM staff members do not routinely record the results of their reviews of agreements. An OPM official said that the agreements are filed without any notations to indicate whether they have been reviewed. The official said that they used to frequently make telephone calls to agencies to get more or corrected information for agreements, but they did not document the calls. According to this official, while this used to be virtually the only way information was gathered for the agreements, OPM now sends letters to agencies even for minor corrections. This official provided us with files for fiscal years 1984 to 1988 containing letters requesting agencies to correct, usually within 14 to 21 days, 20 agreements for reasons such as failing to include signatures or other required information, assigning employees who did not have the minimum federal service required (90 days) or were not employed by an OPM-approved organization, and making agreements that exceeded the 2- and 4-year assignment limits.

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1989 because it has a low potential for abuse. This position, however, is not entirely supported by the results of OPM's last governmentwide evaluation of the program in 1980.

The 1980 evaluation showed that while most assignments reviewed met legal and regulatory requirements and that participating organizations benefited from the assignments, the program had serious problems. The report said that agencies (1) failed to monitor assignment progress or evaluate assignment results and (2) did not appropriately use assignment authority. For example, some assignments were meant to employ college students during the summer or to outplace high-ranking federal employees of the opposing political party after a change in administration. In addition, the report pointed out inequities in cost-sharing arrangements.

In 1982, in response to previous reviews by OPM and GAO, OPM proposed policy changes intended to improve its oversight of the mobility program and to strengthen agency controls over individual assignments. The major changes proposed included (1) revising the FPM to ensure that cost sharing will be generally consistent with the benefits expected by the participating organizations and to require agencies to evaluate all IPA assignments and submit annual evaluation reports to OPM and (2) limiting the authority of agency heads to delegate approval of assignments. Although OPM made changes to the FPM in 1983, according to an OPM official, OPM had not limited the authority to delegate approval of assignments to agency heads as of June 1989.

OPM requires each agency to send it an evaluation report on use of mobility assignments at the end of each fiscal year. However, the requirements do not specify a due date for the evaluation reports. OPM does not keep a record of those reports that are due and those that have been received. We determined that federal agencies have not always complied with OPM's requirements to submit evaluation reports.

On the basis of the responses to our survey of participating agencies, 36 federal agencies made assignment agreements during fiscal years 1984 through 1988. An OPM official said that only two agencies provided OPM with evaluation reports for fiscal year 1985. After a special request from OPM for fiscal year 1986 reports in the spring of 1987, 33 of the 36 agencies provided them, but the number of agencies reporting dropped to 12 for fiscal year 1987. As of March 1989, only 11 of the 36 agencies had provided reports for fiscal year 1988. Three of the top five federal participants in the program, however, had not provided evaluation

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Table IV.9: Navy Use of Mobility Agreements During Fiscal Years 1984 Through 1988

Type of nonfederal organization	Total		Incoming		Outgoing	
	Number	Percent	Number	Percent	Number	Percent
State/local government	2	100	1	50	1	50
Educational institution	265	100	258	97	7	3
Indian tribal organization	1	100	1	100	0	0
Other	3	100	3	100	0	0
Total	271^a	100	263	97	8	3

^aWe could not determine whether the employee on one agreement was going to or from a nonfederal organization on the basis of the agency-completed questionnaire.

Table IV.10 summarizes data on the specific nonfederal organization, assignment purpose, total assignment cost and federal share, and principal beneficiary for 10 randomly selected agreements made by the Navy that were active during fiscal years 1987 or 1988.

Table IV.10: Information on 10 Randomly Selected Navy Mobility Assignment Agreements Active in Fiscal Years 1987 or 1988

Nonfederal organization ^a	Purpose	Length of assignment (Months)	Cost (Dollars) ^b	Federal share (Percent)	Principal beneficiary
incoming from:					
University of California (Berkeley)	To assist in the preparation of a report on the application of high-performance concrete in marine structures	9	\$18,655	100%	Navy
University of Minnesota	To develop a metal cyanide separation and recovery process	4	18,126	100	Navy
University of Hawaii	To gather and analyze hazardous samples from all Navy installations on Oahu, Hawaii	12	24,300	100	Navy
Johns Hopkins University	To assess, document, and plan a software program	12	82,794	100	Navy
Connecticut College	To work on a surface vibration measurement system	13	14,595	100	Navy
Loyola College ^c	To do research on the hazards of damaged energetic materials	12	4,530	100	Navy
East Providence Rhode Island School Department	To provide consultation on purchasing and implementing computer hardware and software packages	12	15,981	100	Navy
Loyola College ^c	To do research on the hazards of damaged energetic materials	12	10,920	100	Navy
University of Rhode Island	To assist in research in the area of pitting corrosion	2	3,358	100	Navy
Clarkson University	To do studies of the optical properties of fine particles	9	59,958	50	Navy

^aThe random sample of cases did not include any outgoing assignments.

^bCosts can include salary; supplemental pay; fringe benefits; and travel, per diem, and relocation expenses, although not all assignment agreements contained all of these elements. Actual cost may differ from cost shown in the agreement.

^cThese two assignments are for different individuals.

**Appendix IV
How Federal Agencies Have Used
Mobility Assignments**

Table IV.8: Information on 10 Randomly Selected EPA Mobility Assignment Agreements Active in Fiscal Years 1987 or 1988

Nonfederal organization	Purpose	Length of assignment (Months)	Cost (Dollars)^a	Federal share (Percent)	Principal beneficiary
Incoming from:					
University of Maryland	To review how toxic chemicals, acid rain, and emissions are evaluated and monitored	24	\$92,430	100%	EPA
State of Vermont	To assist in developing a program to control leaks from storage tanks	6	30,503	40	EPA
Outgoing to:					
State of Idaho	To provide legal assistance in work involving water quantity and quality	12	40,018	50	State
California Regional Water Quality Control Board	To help manage the database for the "Underground Storage Tank Program"	12	23,978	0	State
Sacramento County Air Pollution Control District	To help local agencies meet clean air requirements	10	63,090	0	State
Delaware Department of Health and Social Services	To develop an information system to coordinate the activities of 11 divisions	30	82,460	26	State
Underground Injection Practices Council	To determine Council training needs and design training courses and delivery systems to meet those needs	48	213,624	100	State
Puerto Rico Aqueduct and Sewer Authority	Could not be determined from the assignment agreement	27	124,572	49	State
State of Kentucky	To help develop a "Continuous Compliance Inspection Program" for asbestos	36	79,143	30	State
Arizona State University	To teach, write, and conduct research on reservation environmental protection	12	54,913	49	State

^aCosts can include salary; supplemental pay; fringe benefits; and travel, per diem, and relocation expenses, although not all assignment agreements contained all of these elements. Actual cost may differ from cost shown in the agreement

Department of the Navy

One of the Navy's fiscal year 1988 evaluation reports said that recent mobility assignment participants "provided expertise in several program areas."⁵ One participant assisted in a productivity improvement initiative. The report noted that because of the participant's "suggestions and technical contributions, the project now stands a chance of acceptance and success. When fully successful, we expect that this project will produce a dramatic increase in engineering productivity." Another evaluation report said that a participant was "developing a screening program for evaluating optical components and other items to be stored in the Optical Repository. He is also developing a test program to measure the optical and physical parameters for stored items which

⁵The Department of the Navy submitted separate evaluation reports for certain organizational units that participated in the mobility program during fiscal year 1988.

**Appendix IV
How Federal Agencies Have Used
Mobility Assignments**

Table IV.6: Information on 10 Randomly Selected Army Mobility Assignment Agreements Active in Fiscal Years 1987 or 1988

Nonfederal organization^a	Purpose	Length of assignment (Months)	Cost (Dollars)^b	Federal share (Percent)	Principal beneficiary
Incoming from:					
Worcester Polytechnical Institute	To provide technical expertise necessary to make analyses of parachute packing facilities and procedures	5	\$14,800	100%	Army
University of Wyoming	To do research to develop models to simulate water levels for coastal structure design	6	10,040	100	Army
Madison Parish School Board	To assist in studies related to coastal ecology	3	6,021	100	Army
Northwest Family Network	To assist in developing a model childcare facility	9	30,000	100	Army
Utah State University	To assist in studies that deal with the effects of projects on fish	24	121,472	46	Army
Hinds Junior College District	To develop data on unemployed and underemployed water resources	3	12,821	100	Army
University of Mississippi	To develop a program to evaluate work on the rehabilitation of relief wells and drainage systems	1	4,474	100	Army
Natchez Special Municipal Separate School District	To prepare and enumerate algae samples, code data sheets, and participate in computer data entry	3	6,602	100	Army
University of Washington	To assist in evaluating the impact of navigation improvement and flood control projects on aquatic species	6	13,247	100	Army
Colorado State University	To write portions of a pamphlet on the Water Resources Development Act of 1986	8	46,039	100	Army

^aThe random sample of cases did not include any outgoing assignments.

^bCosts can include salary; supplemental pay; fringe benefits; and travel, per diem, and relocation expenses, although not all assignment agreements contained all of these elements. Actual cost may differ from cost shown in the agreement.

Environmental Protection Agency

In its fiscal year 1986 evaluation report,¹ the EPA said that mobility assignments have been a valuable means of facilitating federal-state cooperation and understanding through assignments of skilled manpower. The report also noted that "EPA employees whose experience and technical expertise are beyond the States' recruitment/financial capabilities are available through IPA assignments. Their experience with EPA IPA employees has brought State and local officials new understanding of Federal programs and policies."

¹As of March 1989, EPA had not submitted evaluation reports to OPM for fiscal years 1988 and 1987.

Department of the Army

One of the Army's fiscal year 1988 evaluation reports³ said that one mobility assignment was used to establish an automated information network for a Corps of Engineers' district. The report said that the benefits included "an overall strategy for producing an integrated information system and provides a means of introducing all of the District to the benefits and capabilities of developing a well managed, fully integrated information system." Another report indicated that a mobility assignment was used to facilitate the screening and selection of software and hardware for a remote-sensing capability and to provide early in-house training for a Corps of Engineers' district. The reported benefits included "a 12-month reduction in the time required to procure this expertise by normal contractual procedures and a reduction in administrative costs and overhead estimated at \$25,000 to \$35,000."

The Army's 10 agreements averaged 6.8 months and ranged from 1 to 24 months in duration. The federal and nonfederal share of the total cost for the 10 agreements is indicated in figure IV.3.

³The Department of the Army submitted separate evaluation reports to OPM for certain organizational units that participated in the mobility program during fiscal year 1988.

Department of Veterans Affairs

VA's fiscal year 1987 evaluation report² pointed out that mobility assignments are used "to obtain the expert services of personnel not normally available through regular employment channels for limited periods of time." The report noted that "benefits from use of these assignments are widespread, and range from significant break-throughs in medical treatment to a more efficient method of recruiting personnel." The report added that "efficiency of operation is enhanced because fully qualified individuals are recruited, start-up time is reduced, and findings can be determined earlier."

VA's 10 agreements averaged 16.8 months and ranged from 3 to 48 months in duration. The federal and nonfederal share of the total cost for the 10 agreements is indicated in figure IV.2.

Figure IV.2: Federal and Nonfederal Cost Sharing for 10 VA Agreements

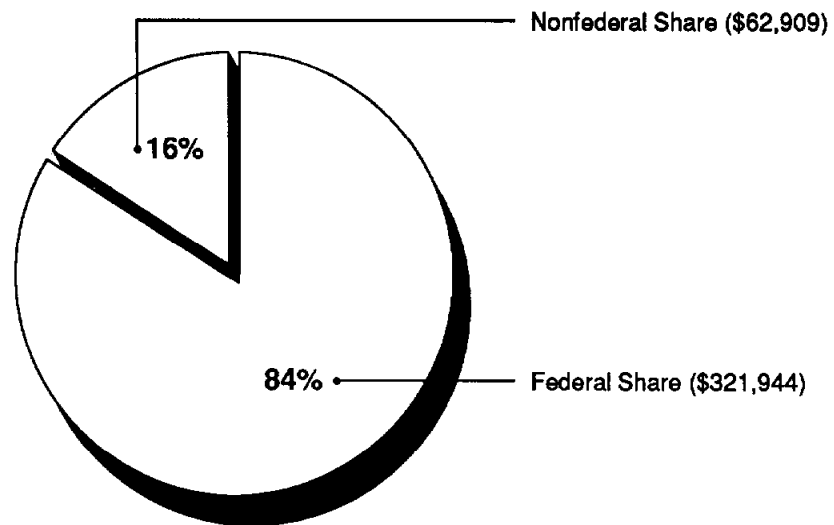


Table IV.3 provides overall data on the type of nonfederal organization involved in VA agreements made during fiscal years 1984 through 1988.

²As of March 1989, VA had not submitted an evaluation report to OPM for fiscal year 1988.

**Appendix IV
How Federal Agencies Have Used
Mobility Assignments**

Table IV.1: HHS Use of Mobility Agreements During Fiscal Years 1984 Through 1988

Type of nonfederal organization	Total		Incoming		Outgoing	
	Number	Percent	Number	Percent	Number	Percent
State/local government	198	100	16	8	182	92
Educational institution	302	100	292	97	10	3
Indian tribal organization	240	100	1	0	239	100
Other	12	100	5	42	7	58
Total	752^a	100	314	42	438	58

^aWe could not determine whether personnel were assigned to or from nonfederal organizations for four agreements on the basis of agency-completed questionnaires.

Table IV.2 summarizes data on the specific nonfederal organization, assignment purpose, total assignment cost and federal share, and principal beneficiary for each of 10 randomly selected agreements made by HHS that were active during fiscal years 1987 or 1988.

reviewed the purposes stated in 10 randomly selected assignment agreements made by each of the top five federal agency participants during fiscal years 1987 or 1988. On the basis of our review of the purposes indicated in the agreements and the cost-sharing ratios between the receiving federal or nonfederal organization, we determined that the federal government was the principal beneficiary of 37 of the 50 assignments. State and local governments and Indian tribal organizations were the principal beneficiaries of nine and four assignments, respectively.

Consistent with the benefits derived, the five federal organizations generally agreed to pay most or all of the costs associated with the assignments. The five agreed to pay 100 percent of the costs for 31 of the 50 assignments; 25 of the 31 assignments were made by VA, the Army, and the Navy. The federal share for the remaining 19 assignments averaged about 43 percent and ranged from no federal share to 87 percent.

The following information profiles the top five federal agencies' use of mobility assignments, based on their evaluation reports to OPM, information obtained during our survey of participating agencies, and the 10 randomly selected assignment agreements we reviewed for each of the five agencies.

Department of Health and Human Services

In its evaluation report for fiscal year 1987,¹ HHS said that the mobility program had been "an excellent mechanism for temporarily assigning employees with particular experience and expertise to perform on specific program initiatives." It added that the "greatest benefit has been in the area of assisting in the transfer of new ideas and technology." Another benefit noted was the "impact on the effective delivery of public health services with the participating organizations."

HHS' 10 agreements averaged 27.6 months and ranged from 5 to 60 months in duration. The federal and nonfederal share of the total cost for the 10 agreements is indicated in figure IV.1.

¹ As of March 1989, HHS had not submitted an evaluation report to OPM for fiscal year 1988.

**Appendix III
Mobility Assignment Costs and How They
Have Been Shared by Federal and
Nonfederal Organizations**

Table III.1: Cost Data for 188 Assignments Active Between October 1, 1985, and May 31, 1987, in Three Agencies

(Dollars expressed in thousands)

	Total ^a	Costs					
		NSF		NIH		NEH	
Salary^b							
Federal	\$9,546	\$7,029	93%	\$1,514	51%	\$1,003	100%
Nonfederal	1,986	538	7	1,448	49	0	0
Total	11,532	7,567	100	2,962	100	1,003	100
Fringe benefits^b							
Federal	1,841	1,364	90	284	47	193	99
Nonfederal	470	153	10	316	53	1	1
Total	2,311	1,517	100	600	100	194	100
Travel/per diem							
Federal	593	444	95	340	63	149	100
Nonfederal	25	25	5	200	37	0	0
Total	618	469	100	540	100	149	100
Relocation							
Federal	90	19	73	71	95	0	0
Nonfederal	11	7	27	4	5	0	0
Total	101	26	100	75	100	0	0
Total							
Federal	12,070	8,856	92	1,869	51	1,345	100
Nonfederal	2,493	723	8	1,768	49	1	0
Total	\$14,563	\$9,579	100%	\$3,637	100%	\$1,346	100%

^aNot all agreements contained cost data in all of the categories shown. For example, 1 of the 105 NSF agreements contained no cost data except for travel expenses.

^bNine NSF agreements did not show separate salary and fringe benefit costs. We estimated salary and fringe benefit costs for these assignments on the basis of the ratio of total salary to total cost for the other 96 NSF agreements.

Mobility Assignment Costs and How They Have Been Shared by Federal and Nonfederal Organizations

IPA Mobility Program: Assignment Cost

Overall Cost of Mobility Program is Unknown

- Assignment Cost for 188 Agreements Totaled \$14.6 Million
- Federal Agencies Paid From 51 to 100 Percent of Total
- Salaries and Fringe Benefits Were 95 Percent of Total

Mobility Assignment Costs

OPM guidelines for the mobility program allow federal agencies to assume all, some, or none of the costs of mobility assignments for employees coming into and going from federal agencies. They permit federal agencies to pay or reimburse the nonfederal organization, without limit, for the salaries (including supplemental pay, such as lost consulting fees) and fringe benefits of nonfederal employees assigned to the agencies. Under the OPM guidelines, agencies may also agree to absorb the actual travel and relocation expenses of assignees but may not agree to be responsible for the nonfederal organizations' administrative costs.

OPM did not maintain overall cost data on the mobility program. Assignment agreements, however, show the nature and extent of the costs expected to be incurred and the agreed allocation between federal and nonfederal organizations. Therefore, we reviewed cost data on 188 agreements from three agencies (NSF, NEH, and NIH) active during some or all of the period October 1985 through May 1987.

According to the agreements, the total cost of the 188 assignments was about \$14.6 million, about \$13.8 million (95 percent) of which was for salaries and fringe benefits. Travel, per diem, and relocation costs totaling about \$719,000 accounted for the remaining 5 percent. The average assignment cost for the three agencies was about \$91,700 for NSF, \$63,800 for NIH, and \$51,800 for NEH. Salary costs averaged about \$72,800 for 104 agreements at NSF,¹ \$52,000 for 57 assignments at NIH, and \$38,600 for 26 assignments at NEH.

We estimated the annual salary cost (federal and nonfederal) for the 188 assignments on the basis of salary rates shown in the assignment

¹One of the 105 agreements for NSF did not show any salary cost information. The agreement only covered travel costs.

**Appendix II
The Nature and Extent of Federal and
Nonfederal Participation**

Table II.4: Incoming and Outgoing Mobility Agreements by Federal Agency, Fiscal Years 1984 to 1988 Combined

Federal agency	Incoming		Outgoing		Total number
	Number	Percent	Number	Percent	
HHS	314	42	438	58	752
VA	725	99	11	1	736
Army	469	99	5	1	474
EPA	58	18	261	82	319
Navy	263	97	8	3	271
Interior	149	68	69	32	218
NSF	144	92	12	8	156
Commerce	101	73	38	27	139
USDA	50	49	53	51	103
Treasury	46	47	51	53	97
Air Force	83	97	3	3	86
Defense	60	92	5	8	65
NASA	44	69	20	31	64
Labor	23	35	42	65	65
Justice	48	83	10	17	58
AID	49	91	5	9	54
NEH	51	96	2	4	53
Education	9	23	30	77	39
DOT	25	69	11	31	36
Energy	16	76	5	24	21
HUD	6	30	14	70	20
USIA	17	89	2	11	19
ACDA	15	100	0	0	15
State	6	46	7	54	13
OMB	10	100	0	0	10
Other ^a	20	36	35	64	55
Total	2,801	71	1,137	29	3,938^b

^aSee footnote "b" in table II.2.

^bExcludes 58 agreements for which the direction of the assignment (i.e., incoming versus outgoing) could not be determined from agency-completed questionnaires.

**Appendix II
The Nature and Extent of Federal and
Nonfederal Participation**

Table II.2: Mobility Agreements by Federal Agency, Fiscal Years 1984 to 1988

Federal agency	Fiscal year											
	Total		1988		1987		1986		1985		1984	
	Number	Percent ^a	Number	Percent ^a	Number	Percent ^a	Number	Percent ^a	Number	Percent ^a	Number	Percent ^a
HHS	756	19	101	12	245	22	216	24	97	16	97	17
VA	744	19	200	24	290	26	156	18	65	11	33	6
Army	478	12	107	13	142	13	141	16	41	7	47	8
EPA	327	8	103	13	58	5	54	6	73	12	39	7
Navy	272	7	32	4	98	9	55	6	40	6	47	8
Interior	223	6	43	5	53	5	46	5	48	8	33	6
NSF	158	4	44	5	42	4	33	4	30	5	9	2
Commerce	139	3	22	3	22	2	25	3	30	5	40	7
USDA	105	3	21	3	24	2	20	2	28	5	12	2
Treasury	97	2	18	2	8	1	15	2	21	3	35	6
Air Force	87	2	17	2	16	1	33	4	17	3	4	1
Defense	78	2	13	2	17	2	21	2	16	3	11	2
NASA	69	2	11	1	7	1	11	1	17	3	23	4
Labor	65	2	16	2	20	2	4	0	10	2	15	3
Justice	58	1	11	1	8	1	6	1	15	2	18	3
AID	55	1	11	1	11	1	11	1	3	0	19	3
NEH	53	1	6	1	12	1	6	1	10	2	19	3
Education	41	1	10	1	8	1	12	1	7	1	4	1
DOT	36	1	4	0	5	0	5	1	12	2	10	2
Energy	21	1	5	1	7	1	2	0	3	0	4	1
HUD	20	1	2	0	2	0	2	0	9	1	5	1
USIA	19	0	1	0	1	0	2	0	8	1	7	1
ACDA	15	0	3	0	2	0	0	0	3	0	7	1
State	14	0	4	0	6	1	1	0	1	0	2	0
OMB	10	0	1	0	5	0	0	0	2	0	2	0
Other ^b	56	1	11	1	11	1	7	1	11	2	16	3
Total	3,996	100	817	100	1,120	100	884	100	617	100	558	100

^aPercentages of less than 1 are represented by 0. Percent columns may not add to 100 percent due to rounding.

^bOther includes all agencies that initiated fewer than 10 agreements during fiscal years 1984 to 1988, including Action, CPSC, FHLBB, FTC, GAO, GSA, NLRB, NRC, OPM, SBA, and USPS.

**Appendix II
The Nature and Extent of Federal and
Nonfederal Participation**

Table II.1: Duration of Assignments by Nonfederal Organization, Fiscal Years 1984 to 1988 Combined

	Number of months						Total
	24 or less		25 to 48		Greater than 48		
	Number	Percent	Number	Percent	Number	Percent	
State/local governments	545	84	90	14	12	2	647
Educational institutions	2,004	86	300	13	15	1	2,319
Indian tribal organizations	116	48	49	20	79	32	244
Other	102	76	32	24	1	^a	135
Total	2,767	83	471	14	107	3	3,345^b

^aLess than 1 percent

^bWe could not determine the length of assignment for 651 agreements on the basis of data from agency-completed questionnaires

Methods of Assigning Personnel

Under the OPM guidelines for the mobility program, federal agencies and nonfederal organizations may agree to assign (1) federal personnel on detail or leave-without-pay and (2) nonfederal personnel on detail or temporary appointment. Federal employees on detail retain their civil service status, benefits, and other rights and entitlements and do not count against the sending federal agency's personnel ceiling if the nonfederal organization agrees to pay 50 percent or more of the federal employee's salary during the mobility assignment. Nonfederal employees on detail to federal agencies are not counted against the federal agency's authorized personnel ceiling regardless of the cost-sharing arrangement.

As shown in figure II.2, assignment agreement data we gathered indicated that about 96 percent of the federal and nonfederal employees assigned to the mobility program were on detail. The remaining 4 percent received temporary appointments or were in leave-without-pay status while in the program.

The Nature and Extent of Federal and Nonfederal Participation

IPA Mobility Program: Nature and Extent of Use

About 4,000 Agreements Made by 36 Agencies Over 5 Years

- Five Agencies Account for 65% of Total Agreements
 - 68% of Agreements With Colleges and Universities
 - 82% for 2 Years or Less
 - 96% of Personnel “On Detail”
-

Federal Participation

Thirty-six federal agencies said that they made a total of 3,996 assignment agreements with nonfederal organizations during fiscal years 1984 through 1988. During this period, HHS, VA, the Army, the Navy, and EPA were the top five agency users of the mobility program, accounting for about 65 percent of the total agreements reported. HHS, with 756 agreements, led all other federal agencies, followed by VA with 744, the Army with 478, EPA with 327, and the Navy with 272.

Nonfederal Participation

The act, as amended, authorizes state and local governments, institutions of higher education, Indian tribes and tribal organizations, and other organizations to participate in mobility assignments. An OPM official said that as of January 1989, OPM approved 354 other organizations as eligible to participate in the mobility program. These organizations included groups that have intergovernmental interests, such as the National Governor’s Association and the National League of Cities, as well as such organizations as the American Association for Higher Education, the National Academy of Sciences, and the World Wildlife Fund.

During fiscal years 1984 to 1988, about 68 percent (2,697) of the 3,938 agreements¹ were made between federal agencies and colleges and universities. State and local governments, Indian tribal organizations, and other organizations accounted for 789 (about 20 percent), 272 (about 7 percent), and 180 (about 5 percent) of the 3,938 agreements, respectively. As indicated in figure II.1, colleges and universities provided about 88 percent of the personnel brought into federal agencies.

¹Agency-completed questionnaires did not indicate the nonfederal organizations involved in 58 of the 3,996 agreements made during fiscal years 1984 to 1988.

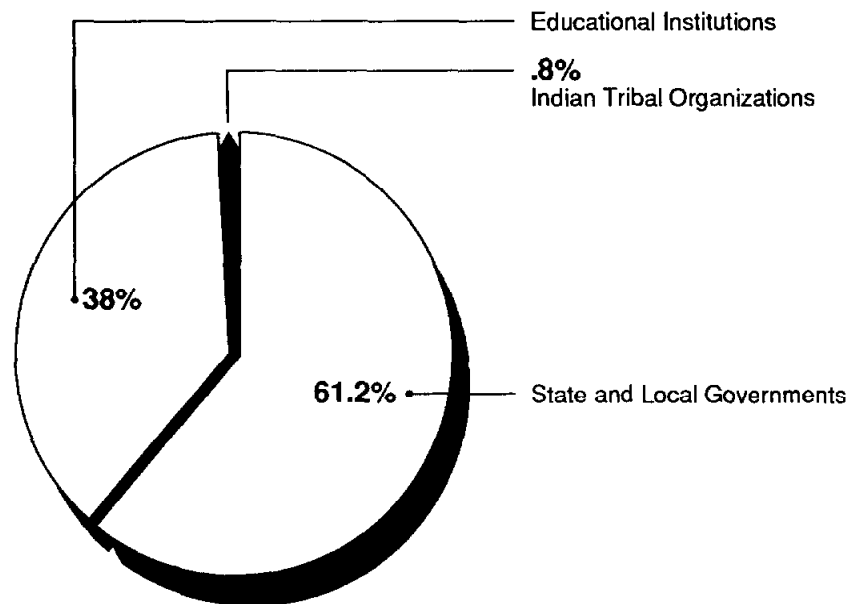
While the act provides for the assignment of employees to and from institutions of higher education, there is very little mention of educational institutions in the legislative history. The only reference to institutions of higher education was in hearings held before the House Education and Labor Special Subcommittee on Education on November 17, 18, and 20, 1969. The hearings record shows that before the act's enactment, employee exchanges occurred between federal agencies and colleges and universities for temporary periods. At that time, however, employees had little protection as to pay, tenure, and reemployment rights if the leave of absence exceeded 1 year. In order to preclude the loss of employee benefits and reemployment rights, the assignment of employees between the federal government and institutions of higher education was included in the act.

The pattern of agreements since fiscal year 1981 indicates that mobility assignments are used to support the missions of federal agencies that often do not have primarily intergovernmental missions and programs. For example, the Departments of Agriculture (USDA), Housing and Urban Development (HUD), and Labor were among the top five federal users of mobility assignments during fiscal years 1971 to 1975. The Director of the Office of Intergovernmental Programs in OPM from 1978 to 1980 said that under their own legislative authorities, these departments administered comparatively large grants-in-aid programs affecting state and local governments and disseminated funds widely within the intergovernmental system. During fiscal years 1984 to 1988, these three agencies dropped to 9th, 21st, and 14th, respectively, in their use of mobility assignments. In comparison to the above three federal departments, three of the top five users of mobility assignments during fiscal years 1984 to 1988 (the Army, the Navy, and VA) have limited roles in the federal system for providing financial and technical assistance directly to state and local governments.

It should be noted that the Army's agreements were sometimes made by its Corps of Engineers and involved water resource projects. Army officials said that the agreements are beneficial not only to the Army but also to state and local governments. As discussed in appendix IV, however, in all 10 Army agreements that we randomly selected for review, the Army received personnel from colleges and universities. In 9 of the 10 agreements, the Army assumed responsibility for 100 percent of the assignment costs. Thus, the data suggest that the Army, rather than state and local governments, was the principal beneficiary.

about 20 percent (or 1,016) of 5,118 agreements¹² involved state and local governments. Sixty-nine percent of the agreements were with colleges and universities and about 11 percent were with Indian tribal organizations and various other organizations. Figure I.3 provides a breakout of participation by type of nonfederal organizations.

Figure I.3: Participation in Mobility Program Assignments by Nonfederal Organizations, Fiscal Years 1971 to 1988

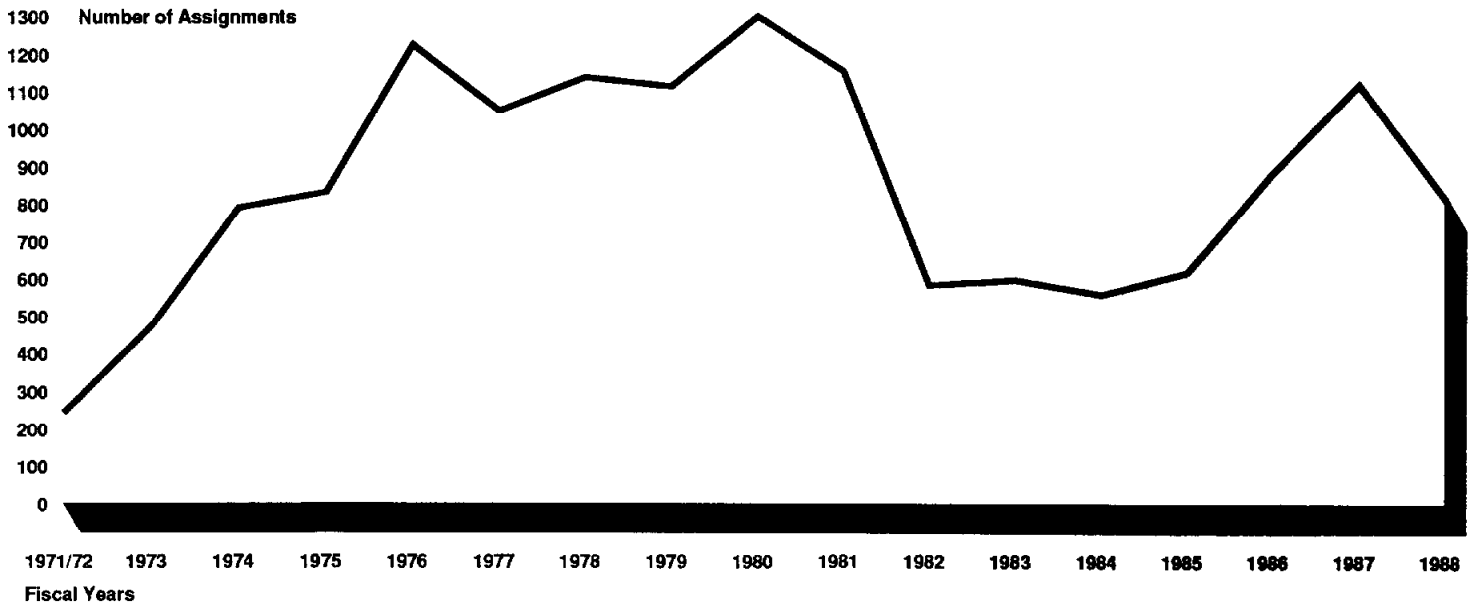


Fiscal Years 1971 - 1975

¹²This does not include 58 assignments made during fiscal years 1984 to 1988 for which the nonfederal organization involved could not be determined from agency-completed questionnaires.

Appendix I
The History of the IPA Mobility Program

Figure I.1: Historical Trends of Mobility Program Assignments



Note: Data for fiscal year 1971/1972 includes assignments initiated from passage of IPA (Public Law 91-648) on January 5, 1971, through September 30, 1972.

During fiscal years 1971 to 1975, federal agencies used the program primarily to send personnel out to nonfederal organizations, rather than to bring personnel into the federal government. In fiscal year 1975, the ratio between incoming and outgoing reversed and that reversal has continued through fiscal year 1988, as shown in figure I.2.

In addition, Congress passed an amendment affecting the length of assignments to Indian tribal organizations. Public Law 98-146, passed in 1983,⁸ waived the prior 48-month limit on federal employee assignments with Indian tribal organizations. The amendment authorized executive agency heads to extend such assignments for any period of time, as long as it was determined that the assignments continued to benefit both the executive agency and the Indian tribal organization.

Congress eventually passed an amendment that affected all of OPM. The Congressional Reports Elimination Act of 1980 eliminated the OPM annual report to Congress.⁹ Until this report was eliminated, OPM reported to Congress on the mobility program. Thus, there currently is no requirement for OPM to report to Congress on the use and operation of the mobility program.

Programmatic and Budgetary Changes

OPM officials said that the only parts of the original act that are active today are the mobility program and the merit systems technical assistance program. OPM has one staff member assigned to the merit systems technical assistance program who answers inquiries from state and local governments about federal merit system standards.

Congress rescinded funding for the Intergovernmental Personnel Act Grant program in June 1981. Funding for the remainder of fiscal year 1981 was rescinded by the Supplemental Appropriations and Rescission Act of 1981.¹⁰ In fiscal year 1980, OPM budgeted \$20 million for IPA related grants, training, and other assistance for state and local governments. The Senate report¹¹ on the Rescission Act says that the elimination of this program was warranted because "personnel activities and improvements in the area of merit staffing, training compensation, and labor relations are the direct responsibility of state and local governments and should be funded by them." The report says that "this particular program was originally designed to be a demonstration program to provide seed money for the States and localities." The report goes on to say that "the 10-year demonstration period, now completed, is more than adequate and . . . it is now appropriate to eliminate direct federal involvement." At that time, it was not indicated what overall purpose

⁸Public Law 98-146, Nov. 4, 1983, 97 Stat. 946.

⁹Public Law 96-470, Oct. 19, 1980, 94 Stat. 2237, 2241.

¹⁰Public Law 97-12, Supplemental and Rescission Act, 1981 (June 5, 1981), 95 Stat. 14, 75.

¹¹S. Report No. 67, 97th Cong., 1st Sess. 366 (1981).

The History of the IPA Mobility Program

IPA Mobility Program: History

Intergovernmental Purpose of Act Has Not Changed

IPA Program Has Changed

- Grants and Other Assistance Programs Eliminated
 - OPM Component Abolished
 - State and Local Government Participation Reduced
-

Purpose of IPA

The mobility program, which was authorized by the Intergovernmental Personnel Act of 1970, was intended to broadly reinforce the “federal system” by strengthening personnel resources at the state and local levels.¹ The act’s legislative history indicates that in 1969, increasing population and urbanization of the United States posed tremendous problems to government at all levels. These problems included inadequate housing, crime and juvenile delinquency, racial tensions, and unemployment.² The major burden of providing public services to cope with these problems rested with state and local governments. These governments, however, were believed to lack the necessary financial capabilities and qualified staff to address these problems.

Specifically, IPA was intended to

- strengthen the personnel resources of state and local governments;
- improve intergovernmental cooperation in the administration of grants;
- provide grants for improvement of state and local government administration;
- authorize federal assistance, including grants, for training state and local employees;
- authorize interstate compacts for personnel and training activities; and

¹Public Law 91-648, Jan. 5, 1971, 84 Stat. 1909, as amended.

²H.R. Rep. No. 1733, 91st Cong., 2d Sess., Dec. 14, 1970, and S. Rep. No. 489, 91st Cong., 1st Sess., Oct. 21, 1969.

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We are sending copies of this report to the Director of OPM and to others who may have an interest. If you or members of your staff have any questions, please call me at 275-5074. Other major contributors to this report are listed in appendix VII.

Sincerely yours,



Bernard L. Ungar
Director, Federal Human Resource
Management Issues

In short, while the act is being followed, most agreements made by federal agencies are no longer serving the act's basic purpose of strengthening state and local governments through the assignment of personnel to and from those governments. Because the character of the mobility program has changed considerably, we believe that Congress may want to consider whether the primary use of the program today is appropriate.

OPM has curtailed its IPA efforts to the point that it is providing, at best, minimal guidance and oversight to the mobility program. Even with the limited resources committed, however, OPM can do a better job of monitoring assignment agreements. Under its current oversight approach, this will require that it obtain better information on how agencies are using the program and that it direct agencies to make timely terminations or corrections of any improper assignments. Finally, there is no requirement for OPM to evaluate and report to Congress on the mobility program, including its cost effectiveness.

We did not determine what staffing would be required for OPM to fully carry out its mobility program responsibilities. We believe that Congress and the Administration may want to consider this as part of the following broader questions:

- What overall purpose is the mobility program to serve?
- What staffing priority should this program be given in OPM to meet the act's objectives?
- How aggressive should OPM be in its oversight of agencies' compliance with the law and regulations?

Matters for Congressional Consideration

While federal agencies are using the mobility program in accordance with the act and finding their current use of mobility assignments beneficial, the main use of the program today differs substantially from the basic purpose set forth in the 1970 act. Given this reality and the fact that other programs authorized under the act have been discontinued, Congress may want to reassess and clarify the primary purpose of the mobility program. Specifically, should the primary purpose of the program be to improve personnel capabilities of state and local governments or to help federal agencies by bringing in personnel from colleges and universities?

Because of the widespread use of mobility assignments among federal agencies and the importance agencies give to the program, Congress may also want to require OPM to report periodically on issues like program

that were corrected, OPM received responses on 5 indicating that corrections were made within 30 days. On nine assignments, agencies took an average of 163 days to respond to OPM with corrections. The range was up to 272 days. Due to insufficient information on the responses for the other three assignments, we could not determine the length of time it took for the agencies to respond to OPM.

In reviewing annual evaluation reports, OPM did not always question agencies about personnel who did not return to the sending agency in accordance with the FPM. OPM requires agencies to report on federal personnel who do not return to agencies after completing assignments and also on nonfederal personnel who are hired by federal agencies within 3 months after completing assignments. OPM guidance says that the program is not to be used as a "hiring vehicle" and that federal personnel assigned to the program should return to the agency and serve a period of time equal to the length of the assignment. OPM requires employees who do not return to reimburse the federal government for the federal share of assignment costs (excluding salaries), unless the head of the agency waives the requirement.

As of March 31, 1989, in reports sent to OPM for fiscal years 1986 through 1988, six agencies reported that a total of 31 federal personnel did not return to the federal government after completing their assignments. OPM staff said that they did not follow up on instances where employees did not return to the federal agency after assignments. They did not believe that the frequency of this occurrence relative to the total number of agreements warranted any OPM action. Furthermore, there is no regulation prohibiting this practice, according to OPM officials.

OPM Is Not Required to Report on the Mobility Program

Currently, OPM is not required to report to Congress on the mobility program. As a result, governmentwide information on the program's scope, management, and effectiveness has not been regularly provided to policymakers. As noted in a recent GAO report,¹ "program evaluation . . . provides sound information about what programs are actually delivering, how they are being managed and the extent to which they are being effective or cost-effective." OPM has not done any governmentwide evaluations of the mobility program since at least the early 1980s.

¹Program Evaluation Issues (GAO)/OCG-89-8TR, Nov. 1988).

Funding for the Intergovernmental Personnel Act grant program was rescinded in June 1981. In fiscal year 1980, OPM budgeted \$20 million for IPA-related grants, training, and other assistance for state and local governments. When funding was rescinded for the grant program, OPM eliminated its Office of Intergovernmental Programs.

Because mobility assignments, unlike other IPA programs, are funded by participating agencies rather than through OPM, the program remained active. In keeping with the 1982 retrenchment policy, however, OPM has since reduced its staff committed to the mobility program from five full-time staff in fiscal year 1978, to four in fiscal year 1982, and to two in April 1987. The number remained at two as of March 1989. During fiscal years 1982 through 1988, the overall number of assignment agreements increased from 583 in fiscal year 1982 to 817 in fiscal year 1988.

OPM Did Not Always Receive Information to Monitor Assignments

Along with reducing its staffing commitment to the mobility program, OPM had not obtained information or taken other steps necessary to fully carry out its oversight responsibilities mentioned earlier. It had neither effectively monitored agencies' use of mobility assignments nor always ensured that agreements were proper, as provided in its 1980 regulation.

OPM's Federal Personnel Manual (FPM) requires federal agencies to furnish copies of all mobility assignment agreements, including modifications and extensions, to OPM within 30 days after being signed. OPM is unaware of the assignments unless agencies furnish copies of them. In reducing program oversight, OPM stopped recording the receipt of agreements and stopped preparing related internal management reports. Without such records, OPM is hampered in carrying out its oversight responsibilities. It has no sound basis to readily estimate the program's scope and to provide administrative control over the agreements it does receive.

Since the spring of 1987, OPM has not followed up with all agencies to obtain agreements. At that time, OPM provided agencies with lists of agreements that it had received for fiscal year 1986 and requested that the agencies provide any agreements not on the lists. Along with agreements provided by other agencies, OPM obtained 217 additional agreements from the top five federal participants, or about 33 percent of the total received from these agencies for fiscal year 1986. As part of our review, we asked OPM to locate from its files the 188 agreements made by NSF, NIH, and NEH for a 20-month period. (See p. 5.) OPM was able to

that do not need to work extensively with state and local governments made relatively few agreements with them.

Under the mobility program, nonfederal personnel may be “detailed” to federal agencies, allowing them to retain their employment status with their nonfederal employer and to be excluded from federal agencies’ personnel ceilings. Nonfederal personnel may also be appointed as temporary federal employees.

Federal employees may be detailed to nonfederal organizations. Nearly all (about 96 percent) of the approximately 4,000 agreements provided for the detailing of federal and nonfederal personnel under the mobility program. The remaining 4 percent received temporary appointments or were in leave-without-pay status while in the program.

Federal Agencies Generally Obtain the Benefits and Pay Most Assignment Costs

In reports to OPM during fiscal years 1986 to 1988, the five federal agencies accounting for 65 percent of the total agreements said that mobility assignments were beneficial for many reasons. While the act says that mobility assignments must be mutually beneficial to both sending and receiving organizations, reports from four of the five federal agencies cited benefits accruing mainly to the federal government. For example, VA, the second-largest federal participant, cited the benefit of obtaining expert services for limited periods of time, a benefit not normally available through regular employment channels. Unlike the other four organizations, EPA emphasized benefits accruing to state and local governments and reported that the program had been valuable for facilitating federal-state cooperation and understanding through assignments of skilled manpower.

Our review of a sample of 50 assignment agreements, which involved 10 agreements selected randomly from those made by each of the five federal organizations during fiscal years 1987 and 1988, confirmed that these federal organizations, more often than state and local governments and even more often than colleges and universities, were the principal beneficiaries of mobility assignments. OPM provides guidance for determining, on the basis of an assignment’s primary purpose, whether the federal or nonfederal organization will be the principal beneficiary of the assignment. The principal beneficiary is to bear most of the assignment cost. Under OPM guidance, the borrowing organization is usually the principal beneficiary of the assignment.

activities. As a result, OPM has not always obtained information and taken the follow-up steps needed to ensure that assignments are proper. We are making recommendations to OPM concerning its oversight of the program.

Objectives, Scope, and Methodology

To determine the purpose of the mobility program and how it has been used and monitored, we examined the act's legislative history and obtained statistical information from OPM on IPA assignments governmentwide from fiscal years 1971 through 1983. We also sent a questionnaire to all 48 federal departments and agencies known to be participating in the program to obtain data on each agreement from fiscal years 1984 through 1988. We obtained more detailed information on the program, such as the stated purposes and benefits of randomly selected agreements, for five agencies with the largest number of agreements. We also reviewed records and held discussions at OPM to determine how it had carried out its responsibilities under the act. Appendix VI provides additional details on our objectives, scope, and methodology.

Mobility Program Not Directed at Serving Intergovernmental Purposes

The 1970 act authorized grants, training, technical assistance, and mobility assignments. Although Congress has amended the act several times, the underlying statutory purpose has remained the same: Improve federal-state-local government cooperation by strengthening the personnel capabilities of state and local governments. There is no indication in the legislative history that Congress' expectations have changed about the original intergovernmental purposes of the mobility program.

While the act has always permitted colleges and universities to participate in mobility assignments, the assignment of personnel to and from state and local governments to improve their capabilities has been stressed from the beginning. Neither the act nor its history, however, specifically explain what role colleges and universities were originally intended to play. During 1969 hearings on the act, concerns were raised about the need to protect federal employees' pay, tenure, and reemployment rights while they were temporarily assigned to colleges and universities. Thus, the legislative history indicates that the primary purpose for including institutions of higher education in the proposed law was to protect the employment rights of federal employees while on such assignments. However, it does not elaborate on the specific benefits

