



Comptroller General
of the United States

Washington, D.C. 20548



B-158766

January 29, 1988

The Honorable George Bush
The President of the Senate

Dear Mr. President:

Under the Competition in Contracting Act of 1984 (CICA),^{1/} the Comptroller General is required annually to report to Congress each instance in which a federal agency did not fully implement a recommendation made by our Office in connection with a bid protest decided during the prior fiscal year. In each of the last two years, we submitted such a report, reporting two instances of non-implementation in FY 1985 and one for FY 1986. During FY 1987, federal agencies accepted our recommendations in all cases.

While there are therefore no reportable FY 1987 cases where our recommendations were not followed, we are submitting a summary of our CICA bid protest activities over the past year. The summary consists of two parts: a synopsis of significant developments and a statistical overview of our processing of FY 1987 bid protest cases.

**Significant
Developments**

As promised in our FY 1986 report, on March 26, 1987 we published for comment proposed amendments to our bid protest regulations. After reviewing the comments received, final rules were published on December 8, effective on the third anniversary of the effective date of CICA, January 15, 1988. The amendments enable protesters to obtain access to agency documents relevant to a protest and create a new fact finding conference to resolve factual disputes that cannot be resolved on the written record.

Interested parties are authorized by CICA to receive all relevant protest documents that would not give them a competitive advantage and that they are otherwise authorized by law to receive. Under the new document production provisions, interested parties to a protest may request

^{1/} 31 U.S.C. § 3554(e)(2)(Supp. 111 1985).

specific documents relevant to the protest. If an agency does not furnish any requested document to the parties, we will decide whether the document should be released. If we find that the document should be released, we will either furnish it or ask the agency to do so.

Our amended rules also provide, for the first time, that fact finding conferences may be conducted in connection with the resolution of a protest. Witnesses will be called upon to testify under oath before a GAO hearing official and a transcript of the proceeding will be made. These conferences will be held when we find that the resolution of the factual dispute is necessary to decide a protest. Relevant findings of fact by the GAO hearing official will be included in the bid protest decision.

Summary of GAO FY 1987 Bid Protest Activity

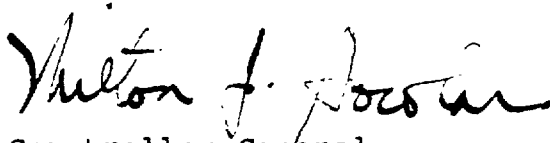
FY 1987 represents the second full fiscal year of operation of our bid protest function under CICA. During the year, 2941 CICA cases were filed with our Office; 2948 cases were closed. Of the cases closed, 2624 were initial protests, an increase from 2520 initial protests closed in FY 1986. On the other hand, in FY 1987 we handled 324 cases requesting reconsideration of prior decisions--a decrease from 364 such cases in FY 1986.

We can again report that no protest was decided in more than the 90 working days allowed by CICA. Protests closed during FY 1987 were closed in an average of 33.1 working days; fully developed protests were closed in an average of 67.0 working days. Our ability to meet the statutory timeframes is attributable, in part, to continued agency compliance with CICA reporting requirement. Reports were received from agencies in an average 23.4 working days.

The rate at which cases were sustained increased from an FY 1986 rate of 13.8 percent to 15.5 percent in FY 1987. The overall protester effectiveness rate--a measure of the probability that a protester obtains meaningful relief--remained relatively constant, at 24.8 percent, compared with 24.3 percent for FY 1986. Protester effectiveness is calculated by projecting the number of cases where protesters obtain meaningful relief and by expressing the result as a percentage of all 2624 protests closed. Protesters obtain meaningful relief when protests are sustained but also when cases are withdrawn, abandoned or dismissed as academic following corrective action voluntarily taken by the agency.

We are furnishing a copy of this report to the Senate Committee on Governmental Affairs and its Subcommittee on Oversight of Government Management, and forwarding an identical report to the Speaker of the House of Representatives with a copy to the House Committee on Government Operations.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Milton F. Brown".

Acting Comptroller General
of the United States

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SUMMARY -- Overall Activity

The level of GAO bid protest activity during FY 1987 was as follows:

Cases received during FY 1987 --

Initial protests received.....	2622
Reconsideration requests received.....	319
Total cases received.....	2941

Cases closed during FY 1987 --

Initial protests closed.....	2624
Reconsideration requests closed.....	324
Total cases closed.....	2948

DISPOSITION DATA -- Initial Protests

Initial protests are closed by withdrawal, often resulting from action correcting the problem protested; by decision on the merits, which may sustain the protest; or by dismissal, again sometimes the result of governmental action which may make the protest of only academic interest. Tables A.1 through A.3 summarize how the 2624 initial protests closed during FY 1987 were processed; table A.4 reports various data relating to protester effectiveness.

Table A.1: Protests Withdrawn

Disposition	Cases
Due to corrective action taken	257
For other known reasons	47
For unknown reasons	150
Total closed by withdrawal	454

Table A.2: Protests Decided on their Merits

Disposition	Cases
Denied	664
Sustained	122
Total decided on merits	786

Enclosure A
Statistical Overview

Table A.3: Cases Not
Included in Table A.1 or
Table A.2

Disposition	Cases
Due to corrective action taken	144
Without known corrective action	1240
Total closed	1384

Table A.4: Protester
Effectiveness

Type of Measure	Percent
Corrective action rate (cases dismissed following withdrawal) ^a	84.5
Corrective action rate (cases dismissed as academic) ^b	94.7
Sustain rate ^c	15.5
Overall protester effectiveness rate ^d	24.8

^a Calculated as a percentage of withdrawals of known cause.

^b Calculated as a percentage of cases dismissed as academic.

^c Calculated as a percentage of cases decided on their merits.

^d Calculated as a percentage of all 2624 initial protests closed. The rate is 43.3 percent if expressed as a percentage of nonfrivolous protests, i.e., of protests excluding protests that were not dismissed in their entirety (see Enclosure D).

DISPOSITION DATA --
Reconsideration Requests

Table A.5 outlines how GAO handled the 324 reconsideration requests closed during FY 1987:

Table A.5: Reconsideration
Data

Disposition	Cases
Closed by formal decision -- Reversing prior decision ^a	6
Closed by formal decision -- not reversing prior decision	269
Requests otherwise closed ^b	49

^a In one case, a protest that was initially dismissed was sustained; in two cases, protests that were initially dismissed were reinstated and denied. In four other cases, protests that were initially sustained were affirmed but

the recommendations initially made were modified, while in two cases, decisions that originally sustained protests were reversed.

^b Consists of cases that were withdrawn or otherwise dismissed by non-decision letter or by a computer generated notice decision.

PROCESSING TIME

Case processing time is tracked in monitoring bid protest activity in order to minimize the disruption to government procurement due to delay while protests are decided. In cases where an agency proceeds with award, or with performance where award was made prior to protest, delay in resolving the protest may make remedial corrective action difficult to implement if the protest is sustained. Processing time is measured in four categories, as set out in table A.6.

Table A.6: Case Processing Time

=====			
Contracting Agency Time	Disposition Time:		
	Protests Except Recon.	Developed Protests	All Cases
23.3	33.1	67.0	32.6

Legend:
 Contracting agency time = Average time (in working days) required by agencies to file reports with GAO.
 Disposition Time: Protests Except Recon. = Average time (in working days) from filing to closing to dispose of protests excluding reconsiderations.
 Disposition Time: Developed Protests = Average time (in working days) from filing to decision for initial protests decided on their merits.
 Disposition Time: All Cases = Average time (in working days) from filing to decision for all cases, initial protests and requests for reconsideration.

PROCUREMENT TYPE

The government uses several types of procurement techniques to fill its needs. CICA recognizes three major categories of procurements: those conducted by soliciting sealed bids (advertising), those conducted by soliciting competitive proposals (negotiation), and those conducted by using other than competitive procedures. The breakdown between sealed bid and other techniques is reported in Table B.1.

Table B.1: Procurement Type Data

	Sealed Bid	Other
Percent of initial protests closed --	42.3%	57.7%

ISSUE AREAS

Table B.2 presents issue areas based on protesters' initial statements of their protests for cases closed during FY 1987. As the data indicate, a majority of cases present challenges to agencies' decisions to reject the protester's proposal or to make award to a competing firm. A minority of cases involve complaints regarding the content of the solicitation and only a small portion of the protests complain of the use of an improper sole-source procurement.

Table B.2: Issue Area Data

Issue Area	Percent
Procurement was improperly sole-sourced	2.7%
Solicitation was defective	24.1%
Protester's offer was improperly rejected	29.7%
Awardee's offer was improperly accepted	19.0%
Selection methodology was otherwise improper	10.2%
Protester says it was unjustifiably found to be nonresponsible	4.0%
Protester says the awardee was not responsible	3.0%
Protester raises other issues (or states no issue)	7.3%

BACKGROUND

CICA includes several provisions designed to enhance the likelihood that protests can be decided before contract performance reaches a stage at which corrective action is effectively precluded. In cases where a protest is filed before an award has been made, 31 U.S.C. § 3553(c) precludes award unless the head of the procuring activity finds that urgent and compelling circumstances which significantly affect interests of the United States preclude waiting for completion of the protest process. Similarly, 31 U.S.C. § 3553(d) provides that, in cases where award has been made, but an agency is notified of a protest within 10 days of the date of award, performance must be suspended unless the head of the procuring activity finds that urgent and compelling circumstances (similar to those required to justify award in the face of a protest) exist or that performance is in the best interest of the government. Where continued performance is based on a finding of best interest, GAO is required to disregard cost or disruption resulting from contract termination in recommending corrective action should the protest be sustained.

FILING STATUS

GAO regularly collects data concerning the award status of protests. This data is presented in table C.1.

Table C.1: Distribution of Cases by Filing Status

Filing Status	Defense Agencies	Civilian Agencies	Combined Agencies
Protests received and closed before award:	32.8%	14.4%	47.2%
Protests received and closed after award:	35.7%	14.1%	49.8%
Protests received before but closed after award:	2.0%	1.0%	3.0%

AWARD SUSPENSION DATA

Data regarding the relative frequency of award in the face of protest is depicted in table C.2. Each entry expresses as a percentage the ratio of the number of initial protests received before but closed after award to the total number of preaward protests received from a class of agencies. Put otherwise, the data are a measure of the likelihood of award in the face of protest during FY 1987.

Table C.2: Award Rate in Face of Protest

	Defense Agencies	Civilian Agencies	Combined Agencies
Award Rate	5.7%	6.9%	6.1%

PERFORMANCE SUSPENSION DATA

Tables C.3 and C.4 present available data regarding agencies' suspension of performance where the protest is filed after award.

Table C.3 presents the number of cases in which agencies invoked the statutory procedure to permit continued performance in the face of protest. Compared to the number of post-award initial protests handled by GAO during FY 1987, these numbers would be in line with the rates experienced with regard to awards made in the face of protest (from table C.2).¹

Table C.3: Continued Performance in Face of Protest

Protests Rec'd after Award	Defense Agencies	Civilian Agencies	Combined Agencies
Where agency determined that urgency justified continued performance	21	10	31
Where agency found that continued performance was in the Government's best interest	2	8	10

¹ However, the numbers only reflect those cases where the CICA suspension provisions were applicable. CICA requires suspension when the agency is informed of the protest within 10 days of award.

Of particular interest in monitoring the effectiveness of the CICA performance suspension provisions are the number of sustained protests where performance was not suspended. Such occurrences are significant because, where continued performance is justified by urgency, effective remedial relief may be precluded. Also, where the agency proceeded on a best interest basis, GAO is required to disregard the effect of continued performance in recommending remedial action. As reported below, there were no such cases closed during FY 1987.

Table C.4: Continued Performance in Face of Protest (Sustain Data)

Protests Rec'd after Award	Defense Agencies	Civilian Agencies	Combined Agencies
Where agency determined that urgency justified continued performance	0	0	0
Where agency found that continued performance was in the Government's best interest	0	0	0

SUMMARY

A significant number of protests raise issues that are clearly without merit on their face, that concern matters that are not appropriate for handling by GAO under its bid protest function, or that are not timely raised or otherwise do not conform to the bid protest filing requirements set out in GAO's published regulations. Such issues are dismissed: (1) by decision after full development in cases where the facts are not apparent until a complete record is made or where other issues raised are suitable for decision on their merits, (2) by summary decision, where full development is not required but an explanation tailored to the specific facts of a case is required to explain the decision, and (3) by notice decision. Notice decisions are machine generated standardized form notices that have been developed for use in a variety of standard situations. As broken out in table D.1, GAO used these techniques to dismiss some or all of the issues raised in 1266 initial protests closed during FY 1987.

Table D.1: Dismissal Data

Type	FDPD	FDFD	SD	ND
	144	109	286	727 ^a

Legend:

FDPD = The case was closed by decision after full development, resulting in dismissal of a portion of the issues raised; the remaining issues were decided on their merits.

FDFD = The case was dismissed by decision based on a fully developed record.

SD = Summary Decision

ND = Notice Decision

^a Excludes notice dismissals used where the protester withdrew the protest or where GAO concluded, based on corrective action taken voluntarily by a contracting activity, that the issues protested had become academic.

**BASES FOR DISMISSAL
 AFTER FULL DEVELOPMENT**

The 253 cases identified in table D.1 as dismissed in whole or in part after full development can be further classified on the basis of the cause for their dismissal. For such cases, GAO routinely tracks several commonly encountered grounds for dismissal, as broken out in table D.2.

Table D.2: Bases for Dismissal after Full Development

Bases	Percent
Responsibility ^a	7.0%
Jurisdictional defect ^b	7.8%
SBA issues ^c	3.3%
Untimely ^d	49.8%
Misc. (other) ^e	32.1%

- ^a Issue concerns a firm's (other than the protester's) capability to perform if awarded a contract. GAO will consider questions relating to whether a firm has obligated itself to perform, but does not normally consider allegations that an agency should disqualify an offeror because of concern that it may not meet its obligations.
- ^b Concerns issues falling outside GAO's bid protest jurisdiction as defined by CICA, 31 U.S.C. § 3551, *et seq.*
- ^c GAO does not consider issues which by law fall within the exclusive jurisdiction of the Small Business Administration.
- ^d Concerns issues that have not been protested within the time limits set by GAO's Bid Protest Regulations.
- ^e See list in table D.4.

BASES FOR SUMMARY DECISIONS

Similarly, a breakdown of the causes for dismissal of the 286 cases closed by a summary decision is given in table D.3.

Table D.3: Bases for Dismissal by Summary Decision

Bases	Percent
Responsibility	6.9%
Jurisdictional defect	13.8%
Litigation ^a	3.5%
SBA issues	1.1%
Untimely	40.2%
Misc. (other)	34.5%

- ^a GAO will not consider a protest where the matter is pending before a court of competent jurisdiction, unless the court expresses an interest in GAO's decision.

**BASES FOR NOTICE
 DISMISSALS**

A similar but more comprehensive breakdown is possible for the 727 cases dismissed using notice decisions. Such data is provided in table D.4.

**Table D.4: Bases for
 Dismissal by Notice Decision**

Bases	Percent
Abandoned cases	24.8%
Protest concerning solicitation was filed after opening date	10.0%
Protest raised issues that SBA decides	9.7%
Protest was not filed within 10 working days after basis was known	9.3%
No basis of protest was stated	8.4%
Issue protested was matter of contract administration	7.2%
Protester challenged affirmative determination of responsibility	7.1%
Agency level protest was not timely protested to GAO	6.8%
Protester failed to furnish copy of protest to contracting agency	4.9%
Protester was not an interested party as defined by CICA	4.3%
Protester alleges buy-in	0.9%
Protest concerned wage rate matters for review by Department of Labor	0.5%
Protest raised issues that were outside GAO's CICA jurisdiction	2.1%
Protest was otherwise not for GAO's consideration	4.0%

SUMMARY

As expected based on past experience, a large majority (70.5 percent) of protested procurement actions involved contracting activities within the Department of Defense. These protests, which are summarized in table E.1, were more likely to be resolved without the need for a decision than were protests lodged against civilian procuring activities. This difference is reflected in higher sustain (but lower effectiveness) rates for protests concerning civilian agencies.

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Table E.1: Summary of Agency Data

	Rpt Days	Total Cases	Av. Days	Merit Dec.	Merit Days	WD	AC	Prot. Sus.	% Sus.	Eff. Rate
Civilian Agencies:	23.6	772	32.7	232	64.8	102	41	40	17.2%	20.5%
Defense Agencies:	23.2	1849	33.2	554	67.9	352	110	82	14.8%	26.6%
All Agencies: ^a	23.3	2624	33.1	786	67.0	454	151	122	15.5%	24.8%

Legend:

Rpt Days = Average days taken to file reports responding to protests.

Total Cases = Total cases decided during the year.

Av. Days = Average days to close all cases.

Merit Dec. = Number of initial protests decided on their merits. Cases which were dismissed are excluded.

Merit Days = The average number of days taken in closing cases decided on their merits.

WD = The number of cases which were closed voluntarily (dismissed) as a result of protesters' election to withdraw them.

AC = The number of cases which were dismissed as academic, usually because the contracting activity voluntarily took corrective action.

Prot. Sus. = The number of protests sustained by GAO.

% Sus. = The percentage of cases decided on their merits that GAO sustained.

Eff. Rate = A measure of protester effectiveness reflecting the probability that any protest filed resulted in voluntary corrective action by the contracting activity or in a GAO decision sustaining the protest.

^a Includes 3 cases, all dismissed summarily, in which either the protest did not concern a federal agency or the contracting agency was not identifiable.

PRINCIPAL AGENCY DATA

Table E.2: depicts a breakdown of the table E.1 data by principal agency. Due to the large number of military procurements, and the fact that these procurements are concentrated in a few agencies, the Army, Navy, Air Force and Defense Logistics Agency (DLA) were involved in a large portion of the protests resolved by GAO during FY 1987. Similarly, GSA was involved in the largest number of protests complaining of civilian agency procurement actions.

Table E.2: Data for Principal Agencies

Agency	Rpt Days ^a	Total Cases	Av. Days	Merit Dec.	Merit Days	WD	AC	Prot. Sus.	% Sus.	Eff. Rate
Agriculture	22.7	79	29.9	21	65.4	7	14	4	19.0%	30.4%
Air Force	23.0	348	33.8	109	66.2	65	23	14	12.8%	27.9%
Army	22.7	702	32.7	202	67.5	133	55	29	14.4%	27.5%
Commerce	23.0	13	15.5	2	46.5	3	1	0	---	30.8%
Courts	23.0	4	34.3	2	65.5	0	0	1	50.0%	25.0%
DLA	23.9	227	31.3	65	66.6	53	12	14	21.5%	29.7%
Education	24.8	6	53.7	4	65.8	0	0	0	---	---
Energy	24.8	31	41.8	10	71.5	6	0	1	10.0%	19.4%
EPA	25.0	4	15.3	0	---	3	0	0	---	---
Fed. owned corp.	24.4	19	37.1	4	82.5	4	2	1	25.0%	26.3%
GSA	23.5	181	30.9	51	64.0	23	8	11	21.6%	19.8%
HHS	22.6	30	30.4	9	46.7	2	0	0	---	6.7%
HUD	26.6	17	40.1	7	66.7	2	1	1	14.3%	23.5%
Interior	24.5	64	34.6	18	66.2	6	3	2	11.1%	14.8%
Justice	24.8	26	34.4	9	72.4	1	0	3	33.3%	11.5%
Labor	24.0	6	29.5	1	64.0	3	0	0	---	33.3%
Legislative	22.2	25	31.1	7	63.4	5	2	0	---	21.3%
Marine Corps	24.0	22	41.3	8	74.3	3	0	3	37.5%	27.3%
NASA	23.9	29	44.5	14	62.5	3	0	2	14.3%	12.1%
Navy	23.7	500	33.1	152	68.9	90	17	20	13.2%	23.6%
SBA	25.0	2	34.5	1	63.0	0	0	0	---	---
State	24.4	25	33.7	7	69.1	4	0	2	28.6%	24.0%
Transportation	21.4	59	25.6	13	63.9	17	2	3	23.1%	29.4%
Treasury	24.8	20	40.6	8	63.4	1	0	1	12.5%	10.0%
VA	24.2	83	30.8	22	63.9	7	5	5	22.7%	18.1%
Civil (misc. ^b)	21.3	49	39.0	22	66.3	5	3	3	13.6%	20.4%
DOD (misc. ^c)	24.0	50	39.8	18	75.9	8	3	2	11.1%	20.7%

^a Includes time to furnish supplemental as well as initial reports where applicable.

^b Includes protests concerning the following activities: Consumer Product Safety Commission, FEMA, Federal Energy Regulatory Commission, FCC, Immigration and

Naturalization Service, Federal Reserve System, NLRB, National Science Foundation, NRC, OMB, Panama Canal Commission, SEC, Selective Service System, USIA, and U.S. Marshal Service.

° Includes protests against: Armed Forces Radio & Television Service, Defense Communications Agency, Defense Mapping Agency, Defense Supply Service, Joint Cruise Missile Project Office, National Security Agency, Strategic Defense Initiative Organization and Uniformed Services University of the Health Sciences.

**SELECTED REPORTING
 ACTIVITY DATA**

In tables E.3 through E.12, data is provided on a reporting activity basis tied to agencies' GAO contact points for receipt of protests and report filing purposes. (Data is provided only to the extent available.)

Table E.3: Department of Agriculture Data

Activity	Rpt Days	Total Cases	Av. Days	Merit Dec.	Merit Days	WD	AC	Prot. Sus.	% Sus.	Eff. Rate
Agricultural										
Research Service	19.8	21	28.3	3	76.3	1	9	0	---	47.6%
Forest Service	23.6	40	31.9	14	59.8	4	3	2	14.3%	20.0%
Soil Conservation Service	24.5	3	50.0	2	74.5	0	0	1	50.0%	33.3%
Department of Agriculture (Generally)	22.0	15	23.0	2	79.5	2	2	1	50.0%	33.3%
Total:	22.7	79	29.9	21	65.4	7	14	4	19.0%	30.4%

(For legend see table E.1.)

Table E.4: Department of the Army Data

Activity	Rpt Days	Total Cases	Av. Days	Merit Dec.	Merit Days	WD	AC	Prot. Sus.	% Sus.	Eff. Rate
Army Materiel Command	23.9	331	32.5	85	70.2	59	34	9	10.6%	27.1%
Corps of Engineers Civil	23.3	72	35.1	24	65.8	16	4	5	20.8%	28.1%
Corps of Engineers Military	21.8	80	31.5	22	61.6	22	5	4	18.2%	36.8%
Department of the Army (Generally)	21.2	219	32.6	71	66.8	36	12	11	15.5%	24.5%
Total:	22.7	702	32.7	202	67.5	133	55	29	14.4%	27.5%

(For legend see table E.1.)

Table E.5: Data for Federal Courts

Activity	Rpt Days	Total Cases	Av. Days	Merit Dec.	Merit Days	WD	AC	Prot. Sus.	% Sus.	Eff. Rate
Administrative Office of the U.S. Courts	23.0	3	45.3	2	65.5	0	0	1	50.0%	33.3%
Tax Court	---	1	1.0	0	---	0	0	0	---	---
Total:	23.0	4	34.3	2	65.5	0	0	1	50.0%	25.0%

(For legend see table E.1.)

Table E.6: Data for Federally Owned Corporations

Activity	Rpt Days	Total Cases	Av. Days	Merit Dec.	Merit Days	WD	AC	Prot. Sus.	% Sus.	Eff. Rate
Federal Home Loan Bank Board	25.0	2	39.0	0	---	0	1	0	---	50.0%
Federal Prison Industries	25.0	4	37.5	1	90.0	0	1	1	100.0%	50.0%
National Credit Union Admin.	21.0	1	27.0	0	---	1	0	0	---	---
Overseas Private Investment Corp.	---	1	8.0	0	---	1	0	0	---	100.0%
Tennessee Valley Authority	24.5	11	40.9	3	80.0	2	0	0	---	---
Total:	24.4	19	37.1	4	82.5	4	2	1	25.0%	26.3%

(For legend see table E.1.)

Enclosure E
Contracting Agency Data

Table E.7: General Services Administration Data

Activity	Rpt Days	Total Cases	Av. Days	Merit Dec.	Merit Days	WD	AC	Prot. Sus.	% Sus.	Eff. Rate
Federal Supply Service	24.2	96	30.9	27	67.7	14	1	7	25.9%	17.1%
Public Buildings Service	22.2	70	30.5	19	58.6	8	7	2	10.5%	24.3%
Office of Information Management	25.0	10	21.6	2	59.0	1	0	1	50.0%	10.0%
Real Property Office	25.0	5	55.2	3	67.7	0	0	1	33.3%	20.0%
Total:	23.5	181	30.9	51	64.0	23	8	11	21.6%	19.8%

(For legend see table E.1.)

Table E.8: Department of Justice Data

Activity	Rpt Days	Total Cases	Av. Days	Merit Dec.	Merit Days	WD	AC	Prot. Sus.	% Sus.	Eff. Rate
Bureau of Prisons	25.0	4	44.5	2	84.5	0	0	1	50.0%	25.0%
Federal Bureau of Investigation	25.0	1	36.0	0	---	0	0	0	---	---
Department of Justice (Generally)	24.8	21	32.3	7	69.0	1	0	2	28.6%	9.5%
Total:	24.8	26	34.4	9	72.4	1	0	3	33.3%	11.5%

(For legend see table E.1.)

Table E.9: Department of the Navy Data

Activity	Rpt Days	Total Cases	Av. Days	Merit Dec.	Merit Days	WD	AC	Prot. Sus.	% Sus.	Eff. Rate
Military Sealift Command	24.7	23	40.5	5	84.0	3	1	1	20.0%	21.8%
Naval Aviation Logistics Center	24.0	2	22.0	0	---	0	0	0	---	---
NAVAIR	22.8	8	30.1	2	73.0	2	1	0	---	37.5%
NAVELEX	22.0	5	38.4	2	63.0	1	0	0	---	---
NAVFAC	23.7	156	32.9	53	64.4	21	5	11	20.8%	22.9%
NAVSEA	24.1	43	39.4	20	67.1	5	4	3	15.0%	27.9%
Strategic Systems Program	18.0	2	39.0	1	76.0	0	0	0	---	---
NAVSUP	23.5	251	30.8	63	70.9	58	6	3	4.8%	23.7%
Navy (Other)	25.3	10	41.6	6	80.3	0	0	2	33.3%	20.0%
Total:	23.7	500	33.1	152	68.9	90	17	20	13.2%	23.6%

(For legend see table E.1.)

Table E.10: Department of State Data

Activity	Rpt Days	Total Cases	Av. Days	Merit Dec.	Merit Days	WD	AC	Prot. Sus.	% Sus.	Eff. Rate
Agency for International Development	25.0	10	33.3	3	77.3	1	0	1	33.3%	20.0%
Department of State (Generally)	24.0	15	33.9	4	63.0	3	0	1	25.0%	26.7%
Total:	24.4	25	33.7	7	69.1	4	0	2	28.6%	24.0%

(For legend see table E.1.)

Table E.11: Department of the Treasury Data

Activity	Rpt Days	Total Cases	Av. Days	Merit Dec.	Merit Days	WD	AC	Prot. Sus.	% Sus.	Eff. Rate
Internal Revenue Service	---	4	9.0	1	14.0	0	0	0	---	---
Department of the Treasury (Generally)	24.8	16	48.4	7	70.4	1	0	1	14.3%	12.5%
Total:	24.8	20	40.6	8	63.4	1	0	1	12.5%	10.0%

(For legend see table E.1.)

Table E.12: Legislative Branch Organizations

Activity	Rpt Days	Total Cases	Av. Days	Merit Dec.	Merit Days	WD	AC	Prot. Sus.	% Sus.	Eff. Rate
Library of Congress	24.0	2	49.0	1	64.0	0	0	0	---	---
Architect of the Capitol	24.0	5	42.5	1	64.0	0	2	0	---	40.0%
House of Representatives	25.0	5	12.0	0	---	0	0	0	---	---
GAO	25.0	1	50.0	1	50.0	0	0	0	---	---
GPO	18.0	12	30.7	4	66.5	5	2	0	---	27.7%
Total:	22.2	25	31.1	7	63.4	5	2	0	---	21.3%

(For legend see table E.1.)