

March 31, 2000

The Honorable Strom Thurmond  
President Pro Tempore  
United States Senate  
Washington, D.C. 20510

Dear Mr. President:

Enclosed is the first Annual Performance Report of the U.S. Office of Special Counsel (OSC), pursuant to § 4(b) of the Government Performance and Results Act (GPRA), as codified at 31 U.S.C. § 1116. Copies of OSC's fiscal year (FY) 1999 and FY 2000 strategic plans and annual performance plans accompany this report, along with a recent report to Congress on the status of the OSC case processing backlog.

FY 1999 was the first full fiscal year of OSC operations under my leadership as Special Counsel. After taking office in May of 1998, and throughout FY 1999, I coordinated intensive senior management reviews of practices and procedures followed by the agency's program and support units. Among other things, we considered the strategic and performance goals that had been established by the previous Special Counsel in the FY 1999 plan.

On the basis of those reviews, I concluded that while the strategic and annual performance plans for FY 1999 defined goals that clearly related to the agency's statutory mission, those goals should be revised in OSC's strategic and annual performance plans for FY 2000 and beyond, to establish a new framework for agency operations. Accordingly, OSC's FY 2000 strategic and annual performance plans contain substantive changes in the descriptions of agency goals, and include new, specific benchmarks, especially in relation to one of my highest priorities – the reduction of the backlog in cases processed by the agency.

Under my revised strategic plan, OSC took significant steps in FY 1999 beyond those identified in that year's performance plan towards the goal of reducing the backlog. These included:

Letter to The President Pro Tempore

March 31, 2000

Page 2

- establishment of an Accelerated Case Team pilot project within the Investigation Division to handle targeted case categories involving less serious personnel actions;
- reduction in the number of cases in which attorneys draft lengthy prosecution recommendations;
- elimination of preliminary determination letters by complaints examiners in cases over which OSC lacks jurisdiction;
- establishment of a policy in the Disclosure Unit of closing cases involving *de minimis* allegations of wrongdoing;
- redeployment of administrative staff into program functions; and
- increase in the staffing of the Disclosure Unit.

In the enclosed report, as well as the attached December 1999 report to Congress, we outline the initial results of these measures, as well as the agency's performance under its FY 1999 annual performance plan. Questions about this report may be directed to Jane McFarland, Director of Congressional and Public Affairs, at (202) 653-7984.

Sincerely,

Elaine Kaplan

Enclosure

cc: Chairman, Senate Appropriations Committee  
Chairman, Senate Budget Committee  
Chairman, Senate Governmental Affairs Committee