

# LEGISLATIVE BRANCH APPROPRIATIONS FOR FISCAL YEAR 2011

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## HEARINGS

BEFORE A

### SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS UNITED STATES SENATE

ONE HUNDRED ELEVENTH CONGRESS

SECOND SESSION

ON

## **S. 3799**

AN ACT MAKING APPROPRIATIONS FOR THE LEGISLATIVE BRANCH FOR  
THE FISCAL YEAR ENDING SEPTEMBER 30, 2011, AND FOR OTHER  
PURPOSES

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**Architect of the Capitol (except House items)  
Congressional Budget Office  
Government Accountability Office  
Government Printing Office  
Library of Congress  
Office of Compliance  
United States Capitol Police  
U.S. Senate**

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## **LEGISLATIVE BRANCH APPROPRIATIONS FOR FISCAL YEAR 2011**

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**THURSDAY, MARCH 4, 2010**

U.S. SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,  
*Washington, DC.*

The subcommittee met at 4:32 p.m., in room SD-138, Dirksen Senate Office Building, Hon. Ben Nelson (chairman) presiding.  
Present: Senators Nelson, Pryor, Tester, and Murkowski.

U.S. SENATE

OFFICE OF THE SECRETARY

**STATEMENT OF HON. NANCY ERICKSON, SECRETARY OF THE SENATE**

**ACCOMPANIED BY:**

**CHRIS DOBY, FINANCIAL CLERK**

**SHEILA DWYER, ASSISTANT SECRETARY**

OPENING STATEMENT OF SENATOR BEN NELSON

Senator NELSON. The subcommittee will come to order. Good afternoon, everyone and welcome. I apologize for the start of this afternoon being different than scheduled, but sometimes the call of Senate business for votes hops in the way of what we were otherwise planning to do. So thank you for your indulgence.

We meet this afternoon to take testimony on the fiscal year 2011 budget request for the Secretary of the Senate, the Senate Sergeant at Arms, and the U.S. Capitol Police. This is our first hearing of fiscal year 2011, and once again, I look forward to working closely with my good friend and ranking member, Senator Murkowski, and the other members of the subcommittee, Senator Pryor and Senator Tester. I understand Senator Pryor will be joining us here shortly.

I think we had four very productive budget hearings last year, and it is my hope that we can continue that trend again this year.

Having said that, I must say that I am very concerned that the subcommittee has, once again, been presented with a fairly large budget request for fiscal year 2011. The 2011 budget request for the legislative branch totals \$5.1 billion, an increase of \$466 million, or 10 percent, over the current year. At the risk of sounding like a broken record, we really do need to reduce these numbers, but the fact is that this country remains in economic turmoil and the American taxpayers simply will not tolerate increased Government spending at a time of such significant high levels of unemployment.

Last year, we received an overall increase of 5 percent in the legislative branch, including some large-ticket items for the House, over which we clearly have no control. But I hope that we will not be seeing an increase of that magnitude this year. In fact, I have stated repeatedly that I am going to do everything I can to hold the legislative branch flat this year. I think we really do need to lead by example with this subcommittee and we cannot do that by appropriating large increases to our agencies.

The President sent the message very loud and clear in his State of the Union Address this year noting that families across the country are tightening their belts and making tough decisions. The Federal Government must do the same he said, and he announced a 3-year freeze on nonsecurity discretionary Government spending.

The President said "Like any cash-strapped family, we will work within a budget to invest in what we need and sacrifice what we don't."

And he went on further, "If we do not take meaningful steps to rein in our debt, it could damage our markets, increase the cost of borrowing, and jeopardize our recovery, all of which would have an even worse effect on our job growth and family incomes."

So with that having been said, I am happy today to introduce and welcome our three witnesses, Nancy Erickson, Secretary of the Senate; Terrance Gainer, the Senate Sergeant at Arms; and Phillip Morse, the Chief of the Capitol Police.

I first want to acknowledge the dedication and work of all of you and your staffs. The Senate worked many late nights into early mornings, right up to the holidays this year, and even during our record snowfall this winter, your staff, all of them, did an exceptional job of maintaining the services that we rely on here in the Capitol environs. We are grateful to each and every one of them and to you for keeping the Senate running safely and smoothly every day. To the extent it was not smooth, it was not your fault.

Ms. Erickson, we are pleased to have you here this afternoon, and I look forward to hearing your testimony. Among many others on your staff, I want to acknowledge Chris Doby of the Disbursing Office for his fine work in balancing the books for the Senate. It is no easy task, but he and his team do a great job and we appreciate their dedication and commitment to this institution.

For fiscal year 2011, your office is requesting a total of \$60.2 million, which is an increase of \$32.4 million, or a little over double your fiscal year 2010 amount. Now, I understand that the bulk of this increase, to be clear, \$32 million, is a result of the transfer of the Senate information services to your office from the Senate Sergeant at Arms where it is currently funded. So I look forward to hearing more about the specifics of your budget request and how we might fund this transition over several years as opposed to funding it perhaps as much as we are asked to in fiscal year 2011.

Chief Gainer, the Sergeant at Arms request for 2011 totals \$240 million, a 7 percent increase over fiscal year 2010, and I realize that your request includes several big-ticket items as well for the Senate community which are expensive, but I look forward to working with you to identify what our true needs are, both in terms of salaries and expenses to maintain our current services. Terry, I

want to personally thank Skip Rouse and Grace Ridgeway of your office for their outstanding service to this subcommittee.

And finally, Chief Morse, I understand you have recently resubmitted your fiscal year 2011 budget request based on your first quarter review of fiscal year 2010 expenditures. The fiscal year 2011 request totals \$385 million which is an increase of \$57 million, or 17 percent, over the enacted fiscal year 2010 level. This includes a request for 52 additional officers and 12 civilians.

Chief Morse, I understand that your quarterly review also identified some miscalculations in your fiscal year 2010 appropriation, which obviously is somewhat disturbing, and I look forward to discussing this with you just a little bit later. It seems that your department continues to be plagued with some financial management challenges, and needless to say, that causes us on the subcommittee tremendous concern. We hope that you will be able to help us understand.

Your budget request does include, I understand, \$16 million for the indoor coverage portion of the radio project, which will be the final installment of funding for this project. So I look forward to receiving an update on this project from you as well.

Now it is my pleasure to turn to the ranking member of the subcommittee, Senator Murkowski, for her opening remarks. Senator.

#### STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Thank you, Mr. Chairman.

It sure does not seem like a year since we were here with these three fine individuals that are before us. It goes by quickly.

I want to thank you for calling the hearing and allowing the consideration of the 2011 legislative branch budget request. I felt like we worked pretty well together last year in putting together a proposal that we could stand up and clearly support. But it was very clear that even with the package that we had, I think, skinnied down and yet still allowed for a level of funding that allowed for the system to work here, there was a fair amount of criticism at that budget for the increases that we saw then.

So I too share your concern that we are back a year later and the proposals that we have are proposals for increases and an overall requested increase of 10 percent, which I would concur with you, Mr. Chairman, we need to lead by example here within the legislative branch, and now is not the time to be seeing 10 percent increases. So I am absolutely behind you when you have suggested that we need to work together to figure out how we can allow for the smooth functioning of the operations that must proceed here but do so in a manner that indicates that we are tightening our belts, along with everybody else in this country.

I would like to welcome all of the witnesses and the deputies that you have pointed out. This is a very important discussion that we are having today on how the agencies that you all represent are planning to move forward in this next fiscal year.

Again, just the general sense of disappointment when we look at this budget and see that it is 10 percent over the fiscal year 2010 enacted level. And I do realize that the witnesses that we have here today are only responsible for three pieces of this increase. But you and I, Mr. Chairman, are responsible for looking at the big

picture and balancing the needs of each of the agencies within this bill. So we have got to consider your requests within the full context.

Clearly, each of you is requesting significant increases.

The Secretary of the Senate is requesting an increase of \$32.4 million, or 116.7 percent. I have to admit that when I looked at that, I thought that the decimal was in the wrong place and that it was 11.6 percent, but it is 116 percent, which includes an increase of \$441,000, or 1.7 percent for salaries; \$32 million, or 1,600 percent, for expenses. The extraordinarily large increase is associated with the transfer of just one program, as I understand, from the Sergeant at Arms to the Secretary's office. So it is good that we have got you both here together today to tell the subcommittee more about this particular program, how its funding needs work.

The Sergeant at Arms Office is requesting an increase of \$15.7 million, or 7 percent. It includes an increase of \$8 million, or 11.4 percent, for salaries and \$7.7 million, or 5 percent, for expenses. Although we have seen the Sergeant at Arms make tremendous strides last year in filling the vacancies, we still have 23 vacant positions that I would like to hear about today. I am also eager to learn how we are coming with the telecom modernization and the payroll system upgrade projects, how these are progressing.

And then finally, the Capitol Police is requesting an increase of \$57.2 million, or 17.4 percent, which includes an increase of \$17.1 million, or 6.3 percent, for salaries and a 51.6 percent increase for expenses. Now, I understand that these increases support a total of 2,307 sworn positions, which would include an increase of 52 sworn officers, 12 new civilian positions, for a 2.9 percent increase in personnel over fiscal year 2010.

I am curious to know how this increase in personnel is going to impact the overtime issue that the Capitol Police continues to face. As I understand, we are not going to be seeing a decrease in the overtime, which is a concern, because last year, when we met to consider this with the new positions, as I recall, the assurance was this will help us finally get out of that situation with the overtime. So I would like to hear more about that. Of course, I also look forward to an update on the radio modernization program.

I think the chairman has said very clearly the economic landscape across our country has not improved much over the last year. In fact, there are a lot of folks out there that would say the situation has even worsened. I said it last year. I will say it again. I believe it is absolutely important that we lead by example in exercising fiscal discipline. We have got to demonstrate that our house is in order before we can expect others to follow.

So I am anxious to hear what you all have to say today about this year's request and to discuss how we can really find that common ground to balance the needs with what is economically feasible and fiscally responsible.

So I look forward to working with you, Mr. Chairman, as well as all those who are working so hard to serve us. We thank you.

Senator NELSON. Thank you, Senator.

Now we would like to begin with the witnesses. I would appreciate it if we can hold the opening statements to about 5 minutes, although we will not run the clock for that. Ms. Erickson, perhaps

we will start with you and then we will go to Mr. Gainer and Chief Morse.

SUMMARY STATEMENT OF HON. NANCY ERICKSON

Ms. ERICKSON. Chairman Nelson, Senator Murkowski, I appreciate this opportunity to provide testimony on behalf of the Office of the Secretary and our employees. With me today is Chris Doby, our Financial Clerk, and Sheila Dwyer, our Assistant Secretary. I ask that my statement which includes our department reports be submitted for the record.

Senator NELSON. It will be submitted, received.

Ms. ERICKSON. I am pleased to be testifying on a day that is historically significant in the life of our Nation. It was on March 4, 1789, that the United States Government began its operations. March 4 was when Presidents took the oath of office and when the Senate convened to confirm the President's Cabinet. In those bygone years, the Senate would then adjourn and not come back into session until December.

In 1933, ratification of the 20th amendment moved the opening of new sessions of Congress up to January 3 and presidential inaugurations to January 20. Still, it seems worth remembering today that inaugurations of all our Presidents, from George Washington to Franklin Roosevelt, and the start of so many Senate sessions took place on this day, March 4.

Since 1789, the Secretary of the Senate has been tasked with legislative, financial, and administrative responsibilities to support the Senate. It is, indeed, a privilege to serve the Senate in this manner.

Our budget request for fiscal year 2011 is \$60,231,000, of which \$26,231,000 is salary costs; \$2 million is operating costs, the same level as last year; and \$32 million is for the administration of the Senate information services, or SIS program.

The salary budget represents an increase of \$441,000 over fiscal year 2010 as a result of the costs associated with the annual cost-of-living adjustment. I am proud that our department managers have demonstrated wise stewardship of our financial resources while maximizing the services we provide the Senate community.

Needless to say, my total budget request this year at first glance is a real eye-opener. In July 2009, the chairman and ranking member of the Senate Committee on Rules and Administration approved the transfer of the SIS program from the Sergeant at Arms to the Secretary of the Senate, and this subcommittee authorized transfer of line budgeting responsibility for this program and the accompanying appropriation from the Sergeant at Arms to the Secretary beginning in fiscal year 2011.

As Mr. Gainer and I note in our request to you and the Rules Committee, all parties involved in both of our organizations strongly supported the transfer. And I commend the Sergeant at Arms Manager for Tech Development, Tom Meenan, for his management role of the SIS program during its tenure.

The SIS program was established by a regulation of the Senate Rules Committee in 1987 to provide Senate offices access to research services. Since 2000, the Sergeant at Arms has administered the program, providing unlimited access to select information

services for all Senate staff and prohibiting vendors from charging offices user fees. This model has enabled the Senate to maximize its purchasing power and streamlined administrative procedures. The Rules Committee has maintained close association with and direct oversight of the SIS program since it was established.

This year within my budget is a new request of \$32 million for the administration of SIS, which I would like to request in the form of a single, multiyear appropriation that would be utilized for a 5-year period through September 30, 2015. Together with the Sergeant at Arms, SIS, and procurement staff, we have determined the annual costs and projected future costs to establish the amount requested today. My staff will track usage of SIS program funds, and I can assure you there will be a firewall between these funds and my office operating funds, providing greater program transparency.

We stand ready to accept this program. The Senate Librarian and her senior staff already have considerable expertise in negotiating and administering contracts with information industry service providers, and they bring content expertise to the table. With their extensive knowledge of information service providers, we hope to bring even greater economic efficiencies to the table, eliminating duplicative services wherever possible. In addition, their daily work supporting Senate staff research needs and coordinating training of online research products will be a great benefit in our oversight role.

We look forward to working closely with our oversight committees as we assume administration of the SIS program and we welcome your subcommittee's guidance as we seek the best method for funding this program.

I am also pleased to report that, in conjunction with the Sergeant at Arms, we are moving ahead with the replacement of our Senate's payroll system. As you may recall from last year's testimony, it had become clear that the current system is outdated and soon will be no longer supported by its developer. After a competitive bid process, we have selected a vendor to provide the software and are close to completing the process to select the software integrator. We will work closely with Senate offices to ensure that the product meets their needs. We have also learned a great deal from our House counterpart's experience in standing up a new payroll system and remain grateful for the Sergeant at Arms technical support in this effort, particularly that of Jay Moore and his team. We are hopeful that it will be launched sometime in the next 18 to 24 months.

Our Disbursing Office staff and Senate Webmaster are also implementing the new reporting requirements in Public Law 111-68, mandating that the semi-annual report of the Secretary, which is a listing of all Senate expenses, be produced in a searchable electronic format. The first electronic report will cover the first full reporting period in 2011.

Electronic filing requirements are old hat for the Office of Public Records, which has fully implemented the requirements of the Honest Leadership Open Government Act. It requires quarterly and semi-annual filings from registrants and lobbyists, and almost 135,000 lobbying reports and registrations were filed last year. Al-

though the volume of reports increased by over 50 percent, I am proud that we handled the additional responsibilities without adding staff. This year, the office has focused on compliance and has referred close to 4,400 cases to the Department of Justice for possible noncompliance.

This past year, my office oversaw the closing of Senator Edward Kennedy's office, as required by S. Res. 458, as amended, as well as the handling of Senator Norm Coleman's office closing per S. Res. 14. While this is never an easy task, I am grateful for the support of the Rules Committee and the professionalism of Senator Kennedy's and Senator Coleman's staff during a very difficult time for their offices.

Finally, when I was elected Secretary 3 years ago, I must admit I was a little intimidated to be considered Senate Historian Dick Baker's boss. I speak for others in the Secretary's Office when I say we were proud to be Dick's colleagues. We are grateful to Leader Reid, Leader McConnell, the Sergeant at Arms, Capitol Police, and the Rules Committee for implementing Dick's retirement wish, that the Senate galleries be reopened to the public during Senate recesses, like the pre-September 11 days.

I am also grateful to another public servant, Pam Gavin, who for more than 24 years shepherded and safeguarded the filings of thousands of Senate public documents. She will always have my appreciation and pride for her efforts to implement the wide-ranging requirements of the Honest Leadership Open Government Act in roughly 11 weeks.

#### PREPARED STATEMENT

This institution is a better place because of their service and their commitment and pride in public service is shared by the great staff I have the privilege of leading. Thank you for support of our efforts to serve the Senate community.

[The statement follows:]

#### PREPARED STATEMENT OF NANCY ERICKSON

Mister Chairman, Senator Murkowski, and Members of the Subcommittee, thank you for your invitation to present testimony in support of the budget request of the Office of the Secretary of the Senate for fiscal year 2011.

It is a pleasure to have this opportunity to draw attention to the accomplishments of the dedicated and outstanding employees of the Office of the Secretary. The annual reports which follow provide detailed information about the work of each department of the office, their recent achievements, and their plans for the upcoming fiscal year.

My statement includes: Presenting the fiscal year 2011 budget request; implementing mandated systems, financial management information system (FMIS) and legislative information system (LIS); continuity of operations planning; and maintaining and improving current and historic legislative, financial and administrative services.

#### PRESENTING THE FISCAL YEAR 2011 BUDGET REQUEST

I am requesting a total fiscal year 2011 budget of \$60,231,000. The request includes \$26,231,000 in salary costs and \$34,000,000 for the operating budget of the Office of the Secretary. The salary budget represents an increase of \$441,000 over the fiscal year 2010 budget as a result of the costs associated with the annual cost of living adjustment. The operating budget increased by \$32,000,000 solely as a result of this office's assuming the administration of the Senate Information Services Program (SIS) from the Sergeant at Arms.

The net effect of my total budget request for 2011 is an increase of \$32,441,000. The single multiyear funds requested for the SIS program will provide for the continued operation of the current program within the Senate while also providing the flexibility to review existing services and provide updates as requested by the Senate community. The balance of our request is consistent with the amounts requested and received in recent years through the Legislative Branch Appropriations process.

#### OFFICE OF THE SECRETARY APPORTIONMENT SCHEDULE

Items	Amount available fiscal year 2010, Public Law 111- 68	Budget estimates fiscal year 2011	Difference
Departmental operating budget:			
Executive office .....	\$550,000	\$550,000	.....
Administrative services .....	1,390,000	33,390,000	<sup>1</sup> \$32,000,000
Legislative services .....	60,000	60,000	.....
Total operating budget .....	2,000,000	34,000,000	32,000,000

<sup>1</sup>This difference represents the costs associated with the assumption of the administration of the Senate Information Services (SIS) Program.

#### IMPLEMENTING MANDATED SYSTEMS

Two systems critical to our operation are mandated by law, and I would like to spend a few moments on each to highlight recent progress, and to thank the committee for your ongoing support of both.

##### *Financial Management Information System (FMIS)*

The Financial Management Information System, or FMIS, is used by approximately 140 Senate offices. Consistent with our strategic plan, the Disbursing Office continues to modernize processes and applications to meet the continued demand by Senate offices for efficiency, accountability and ease of use. Our goals are to move to an integrated, paperless voucher system, improve the Web FMIS system, and make payroll and accounting system improvements.

During fiscal year 2009 and the beginning of fiscal year 2010, specific progress made on the FMIS project included:

- Web FMIS was upgraded three times this year: in March 2009, August 2009 and January 2010. This system is used by office managers and committee clerks, staff in the Sergeant at Arms Office (SAA) and the Secretary's office to create vouchers and manage their office funds, by the Disbursing Office to review vouchers and by the Committee on Rules and Administration to sanction vouchers. Additionally, it is used by staff who incur official expenses, primarily staff who travel, to prepare their expense summary reports (ESRs). The releases provided both technical and functional changes. The March release brought Web FMIS reports rewritten in a report-writer that enables additional features, an improved document search feature, a revamped the ESR with new fields for providing additional information, and real-time e-mail notifications to the staffers. The August release focused on implementing new functionality for Disbursing staff such as integrated contract tracking functionality, ADPICS document viewers that enable Disbursing staff to see, via Web FMIS, documents created in ADPICS, and integrated checkwriter software. The integration of the first and last of these into Web FMIS are especially important in our ability to fully function in the event of displacement from the physical Disbursing Office. The January release was the first of three planned releases for WebPICS. The WebPICS project enables SAA users to access ADPICS functionality through a web-based front end and provides robust search function. This first release focused on the needs of requisitioners and requisition approvers. The second release will focus on the SAA accounts payable process and the third release will focus on purchase order creation and approval.
- The computing infrastructure for FMIS is provided by the SAA. Each year the SAA staff upgrades the infrastructure hardware and software. During 2009 the SAA implemented two major upgrades to the FMIS infrastructure by upgrading WebSphere software to version 7 and upgrading the database software, DB2. After the DB2 upgrade, the Web reporting tables were partitioned to improve system efficiency. The SAA made several micro-code updates, operating system "maintenance" releases and maintenance for the Virtual Tape Library. For each

activity, Disbursing staff tested the changes in the FMIS testing environment and then validated the changes in the production environment.

- A primary goal of the FMIS project is to process vouchers without paper supporting documentation and “wet” signatures. During 2008, Disbursing staff conducted a prototype imaging system in which paper vouchers and supporting documentation were imaged by the staff and routed electronically. The hands-on experience of this prototype was especially useful in refining our imaging system requirements. During 2009 and 2010 Disbursing participated in selecting software for the image database and image viewer, and finalized imaging and electronic signature requirements. During the remainder of 2010, this information will be used in planning necessary software purchases and coordinating with a separate SAA smart card ID project. The smart cards will be used for electronic signatures.

During the remainder of fiscal year 2010 the following FMIS activities are anticipated:

- Implementing WebPICS releases for phase II and III which will focus on SAA accounts payable process and on purchase order creation and approval, respectively;
- Coordinating with SAA the timeframes for the implementation of the smart card ID project for electronic signatures, and finalizing with the Committee on Rules and Administration any changes to existing rules and regulations as well as any changes to statutes pertaining to delegation of authority;
- Implementing online distribution of monthly ledger reports;
- Implementing automated clearing house payment for the 21 remaining state tax jurisdictions;
- Implementing a pilot of the image database software, likely for the SAA finance staff as part of WebPICS;
- Participating in the yearly disaster recovery test; and
- Finalizing the selection of the PeopleSoft payroll system integrator and start with the new system implementation.

During fiscal year 2011 the following FMIS activities are anticipated:

- Conducting a pilot of the technology for paperless payment—both document imaging and electronic signatures. This assumes resolution of related policy and process issues;
- Continuing the implementation and the required updates to the Hyperion Financial Management application to provide the Senate the ability to produce auditable financial statements;
- Continue the implantation of online financial reports;
- Continue with the new payroll system implementation and start parallel testing; and
- Review existing systems and develop a long term modification and replacement plan for key systems.

A more detailed report on FMIS is included in the departmental report of the Disbursing Office.

#### LEGISLATIVE OFFICES

The Legislative Department provides support essential to Senators in carrying out their daily chamber activities as well as the constitutional responsibilities of the Senate. The Legislative Clerk sits at the Secretary’s desk in the Senate Chamber and reads aloud bills, amendments, the Senate Journal, Presidential messages, and other such materials when so directed by the Presiding Officer of the Senate. The Legislative Clerk calls the roll of members to establish the presence of a quorum and to record and tally all yea and nay votes. The office staff prepares the Senate Calendar of Business, published each day that the Senate is in session, and prepares additional publications relating to Senate class membership and committee and subcommittee assignments. The Legislative Clerk maintains the official copy of all measures pending before the Senate and must incorporate into those measures any amendments that are agreed to. This office retains custody of official messages received from the House of Representatives and conference reports awaiting action by the Senate. The office staff is responsible for verifying the accuracy of information entered into the LIS system by the various offices of the Secretary.

Additionally, the Legislative Clerk acts as supervisor for the Legislative Department, providing a single line of communication to the Secretary and Assistant Secretary and is responsible for overall coordination, supervision, scheduling, and cross-training. The department consists of eight offices: the Bill Clerk, Captioning Services, Daily Digest, Enrolling Clerk, Executive Clerk, Journal Clerk, Legislative Clerk, and the Official Reporters of Debates.

### *Summary of Activity*

The Senate completed its legislative business and adjourned sine die on December 24, 2009. During 2009, the Senate was in session 191 days and conducted 397 roll call votes. There were 199 measures reported from committees and 24 special reports submitted to the Senate. There were 478 total measures passed. In addition, there were 3,892 amendments submitted to the desk.

### *Cross-Training and Continuity of Operations (COOP) Planning*

Recognizing the importance of planning for the continuity of Senate business, under both normal and possibly extenuating circumstances, cross-training continues to be strongly emphasized among the Secretary's legislative staff. To ensure additional staff are trained to perform the basic floor responsibilities of the Legislative Clerk, as well as the various other floor-related responsibilities of the Secretary, approximately half of the legislative staff are currently involved or have recently been involved in cross-training.

Each office and staff person within the Legislative Department participated in numerous ongoing COOP discussions and exercises throughout the past year. These discussions and exercises are a joint effort involving the Office of the Secretary and the Office of the Sergeant at Arms.

### *Succession Planning*

The average number of years of Senate service among the Secretary's Legislative Department supervisors is 19 years. It is critical that the Secretary's Legislative Department attract and keep talented employees, especially the second tier of employees just behind the current supervisors because of the unique nature of the Senate as a legislative institution. The arcane practices and voluminous precedents of the Senate make institutional experience and knowledge extremely valuable.

### BILL CLERK

The Office of the Bill Clerk collects and records data on the legislative activity of the Senate, which becomes the historical record of official Senate business. The Bill Clerk's staff keeps this information in its handwritten files and ledgers and also enters it into the Senate's automated retrieval system so that it is available to all House and Senate offices through the Legislative Information System (LIS). The Bill Clerk records actions of the Senate with regard to bills, resolutions, reports, amendments, cosponsors, public law numbers, and recorded votes. The Bill Clerk is responsible for preparing for print all measures introduced, received, submitted, and reported in the Senate. The Bill Clerk also assigns numbers to all Senate bills and resolutions. The Bill Clerk's office is generally regarded as the most timely and most accurate source of legislative information because all the information received in this office comes directly from the Senate floor in written form within moments of the action involved.

### *Legislative Activity*

The Bill Clerk's staff processed 773 fewer legislative items into the database than in the previous Congress' first session, an overall decrease of slightly more than 9 percent. Only three legislative categories (Senate Bills introduced, House Bills received, and House Messages) saw increases in activity during this legislative period. For comparative purposes, below is a summary of the first sessions of the 110th and 111th congresses:

	110th Congress, 1st Session	111th Congress, 1st Session	Percentage Change
Senate Bills .....	2,524	2,920	+ 15.69
Senate Joint Resolutions .....	27	25	- 7.41
Senate Concurrent Resolutions .....	64	48	- 25.00
Senate Resolutions .....	418	387	- 7.42
Amendments Submitted .....	3,892	3,298	- 15.26
House Bills .....	513	382	- 25.54
House Joint Resolutions .....	9	10	+ 11.11
House Concurrent Resolutions .....	93	67	- 27.96
Measures Reported .....	428	199	- 53.50
Written Reports .....	254	113	- 55.51
Total Legislation .....	8,222	7,449	- 9.40
Roll Call Votes .....	442	397	- 10.18

	110th Congress, 1st Session	111th Congress, 1st Session	Percentage Change
House Messages <sup>1</sup> .....	263	292	+ 11.03
Cosponsor Requests .....	8,859	7,205	- 18.67

<sup>1</sup> This number reflects how many messages from the House are typed up by the Bill Clerks for inclusion in the Congressional Record. It excludes additional activity on these bills.

#### *Assistance from the Government Printing Office (GPO)*

The Bill Clerk's staff maintains an exceptionally good working relationship with the Government Printing Office and seeks to provide the best service possible to meet the needs of the Senate. GPO continues to respond in a timely manner to the Secretary's requests, through the Bill Clerk's Office, for the printing of bills and reports, including the expedited printing of priority matters for the Senate chamber. To date, at the request of the Secretary through the Bill Clerk, GPO expedited the printing of 60 measures for floor consideration by the Senate during the first session of the 111th Congress.

#### CAPTIONING SERVICES

The Office of Captioning Services (OCS) provides real-time captioning of Senate floor proceedings for the deaf and hard-of-hearing and unofficial electronic transcripts of Senate floor proceedings for Senate offices on Webster, the Senate intranet.

##### *General Overview*

Captioning Services strives to provide the highest quality closed captions. For the 16th year in a row, the office has achieved an overall accuracy average above 99 percent. Overall caption quality is monitored through daily translation data reports, monitoring of captions in real-time, and review of caption files on Webster.

The real-time searchable closed caption log, available to Senate offices on Webster, continues to be an invaluable tool for the Senate community. In particular, legislative staff continue to depend upon its availability, reliability and content to aid in the performance of their duties. Additionally, the Senate Recording Studio introduced a complementary video component in 2009 called Video Vault, which now adds searchable video to the audio and text.

##### *Continuity of Operations (COOP)*

Continuity of operations (COOP) planning and preparation continues to be a top priority and was brought to the forefront this year by additional pandemic planning with regard to the H1N1 virus. Regular testing and review of COOP procedures as well as the additional component of pandemic planning ensures that the staff are prepared and confident about the ability to relocate and successfully function from a remote location and/or reduced personnel in the event of an emergency or pandemic. The OCS also participates with the Senate Recording Studio in an off-site location exercise at least once a year.

#### DAILY DIGEST

The Office of the Senate Daily Digest is pleased to transmit its annual report on Senate activities during the first session of the 111th Congress. First, a brief summary of a compilation of Senate statistics:

##### *Chamber Activity*

The Senate was in session a total of 191 days, for a total of 1,420 hours and 39 minutes. There were 3 quorum calls and 397 record votes. (See Attachment for 20-Year Comparison of Senate Legislative Activity).

## 20-YEAR COMPARISON OF SENATE LEGISLATIVE ACTIVITY

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
Senate Convened .....	1/23	1/3	1/3	1/5	1/25	1/4	1/3	1/3	1/27	1/6
Senate Adjourned .....	10/28	1/3/92	10/9	11/26	12/01	1/3/96	10/4	11/13	10/21	11/19
Days in Session .....	138	158	129	153	138	211	132	153	143	162
Hours in Session .....	1,250'14"	1,200'44"	1,091'09"	1,269'41"	1,243'33"	1,839'10"	1,036'43"	1,093'07"	1,095'05"	1,183'57"
Average Hours per Day .....	9.1	7.6	8.5	8.3	9.0	8.7	7.8	7.1	7.7	7.3
Total Measures Passed .....	716	626	651	473	465	346	476	386	506	549
Roll Call Votes .....	326	280	270	395	329	613	306	298	314	374
Quorum Calls .....	3	3	5	2	6	3	2	6	4	7
Public Laws .....	410	243	347	210	255	88	245	153	241	170
Treaties Ratified .....	15	15	32	20	8	10	28	15	53	13
Nominations Confirmed .....	42,493	45,369	30,619	38,676	37,446	40,535	33,176	25,576	20,302	22,468
Average Voting Attendance .....	97.47	97.16	95.4	97.6	97.02	98.07	98.22	98.68	97.47	98.02
Sessions Convened Before 12 Noon .....	116	126	112	128	120	184	113	115	109	118
Sessions Convened at 12 Noon .....	4	9	6	6	9	2	15	12	31	17
Sessions Convened after 12 Noon .....	17	23	10	15	17	12	7	7	2	19
Sessions Continued after 6 p.m. ....	100	102	91	100	100	158	88	96	93	113
Sessions Continued after 12 Midnight .....	6	4	9	7	3	1	.....	.....	.....	.....
Saturday Sessions .....	3	2	2	2	3	5	1	1	1	3
Sunday Sessions .....	2	.....	.....	.....	.....	3	.....	.....	.....	.....

## 20-YEAR COMPARISON OF SENATE LEGISLATIVE ACTIVITY—Continued

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Senate Convened .....	1/24	1/3	1/23	1/7	1/20	1/4	1/3	1/4	1/3	1/6
Senate Adjourned .....	12/15	12/20	11/20	12/9	12/8	12/22	12/9	12/31	1/2	12/24
Days in Session .....	141	173	149	167	133	159	138	189	184	191
Hours in Session .....	1,017'51"	1,236'15"	1,043'23"	1,454'05"	1,031'31"	1,222'26"	1,027'48"	1,375'54"	988'31"	1,420'39"
Average Hours per Day .....	7.2	7.1	7.0	8.7	7.7	7.7	7.4	7.2	5.37	7.44
Total Measures Passed .....	696	425	523	590	663	624	635	621	589	478
Roll Call Votes .....	298	380	253	459	216	366	279	442	215	397
Quorum Calls .....	6	3	2	3	1	3	1	6	3	3
Public Laws .....	410	136	241	198	300	169	313	180	280	125
Treaties Ratified .....	39	3	17	11	15	6	14	8	30	1
Nominations Confirmed .....	22,512	25,091	23,633	21,580	24,420	25,942	29,603	22,892	21,785	23,051
Average Voting Attendance .....	96.99	98.29	96.36	96.07	95.54	97.41	97.13	94.99	94.36	96.99

Sessions Convened Before 12 Noon .....	107	140	119	133	104	121	110	156	147	148
Sessions Convened at 12 Noon .....	25	10	12	4	9	1	4	4	4	2
Sessions Convened after 12 Noon .....	24	21	23	23	21	36	24	32	33	41
Sessions Continued after 6 p.m. ....	94	108	103	134	129	120	129	144	110	152
Sessions Continued after 12 Midnight .....	2	3	8	2	3	3	4	4	2	2
Saturday Sessions .....	1	3	.....	1	2	2	2	1	3	5
Sunday Sessions .....	1	.....	.....	1	1	2	.....	1	1	4

Prepared by the Senate Daily Digest—Office of the Secretary.

#### *Committee Activity*

Senate committees held a total of 1,138 meetings during the first session, as contrasted with 823 meetings during the second session of the 110th Congress.

All hearings and business meetings, including joint meetings and conferences, are scheduled through the Office of the Senate Daily Digest and are published on its Web site on the Webster intranet, in the Congressional Record, and entered in the Web-based Legislative Information System (LIS). Meeting outcomes are also published by the Daily Digest in the Congressional Record each day and continuously updated on the website.

#### *Computer Activities*

The Digest staff continue to work closely with Senate computer staff to refine the LIS/DMS system, including further enhancements to the Senate Committee Scheduling application which will improve the data entry process.

The Digest office staff continues to electronically transmit the publication at the end of each day to the Government Printing Office (GPO). The Digest staff continues the practice of sending a disc along with a duplicate hard copy to GPO, even though GPO receives the Digest copy by electronic transfer long before hand delivery is completed adding to the timeliness of publishing the Congressional Record. The Digest office staff continue to feel comfortable with this procedure, both to allow the Digest Editor to physically view what is being transmitted to GPO, and to allow GPO staff to have a comparable final product to cross reference.

#### *Government Printing Office*

The Daily Digest staff work closely with the GPO on printing issues and are pleased to report that with the onset of electronic transfer of the Digest copy, occurrences of editing corrections or transcript errors are infrequent.

#### ENROLLING CLERK

The Enrolling Clerk prepares, proofreads, and prints all legislation passed by the Senate prior to its transmittal to the House of Representatives, the White House, the National Archives, the Secretary of State, and the United States Claims Court.

During the first session of the 111th Congress the Enrolling Clerk's office prepared the enrollment of 34 bills (transmitted to the President), 4 enrolled joint resolutions (transmitted to the President), 10 concurrent resolutions (transmitted to the National Archives) and 94 appointments (transmitted to the House of Representatives). In addition, approximately 94 House of Representatives bills (including 12 Appropriations bills, the Budget Concurrent Resolution, 33 House Concurrent Resolutions and 7 House Joint Resolutions) were either amended or acted on in the Senate requiring action on the part of the staff of the Enrolling Clerk's office.

A total of 478 pieces of legislation were passed or agreed to during the first session of the 111th Congress. Many other Senate bills were placed in the calendar, all of which were processed in the Enrolling Clerk's office including 66 engrossed Senate bills, 5 Joint Resolutions, 22 Concurrent Resolutions and 249 Senate Resolutions.

During the First Session of the 111th Congress, the Enrolling Clerk delivered 78 messages to the House Chamber and 55 messages to the House Clerk's office, along with 94 appointments prepared and transmitted to the House of Representatives, informing the House of Senate actions on legislation passed or amended.

The Senate Enrolling Clerk is also responsible for electronically transmitting the files of engrossed and enrolled legislation to the Government Printing Office for overnight printing. The office also follows up on all specific requests and special orders for printing from the Senate floor.

#### *Continuity of Operations (COOP)*

In addition to updating the office's COOP plan, the Enrolling Clerk has begun training additional staff from GPO in the office's operations to provide backup in the event the office is displaced.

#### EXECUTIVE CLERK

The Executive Clerk prepares an accurate record of actions taken by the Senate during executive sessions (proceedings on nominations and treaties) which is published as the Journal of the Executive Proceedings of the Senate at the end of each session of Congress. The Executive Clerk also prepares daily the Executive Calendar as well as all nomination and treaty resolutions for transmittal to the President. Additionally, the Executive Clerk's staff processes all executive communications, presidential messages and petitions and memorials.

### *Nominations*

During the first session of the 111th Congress, there were 1,341 nomination messages sent to the Senate by the President, transmitting 24,951 nominations to positions requiring Senate confirmation and 15 messages withdrawing nominations sent to the Senate. Of the total nominations transmitted, there were 2,526 nominees in the following “civilian list” categories: Foreign Service, Coast Guard, National Oceanic and Atmospheric Administration, and Public Health Service. An additional 696 were for other civilian positions. Military nominations received this session totaled 21,729 (7,870 Air Force; 7,223 Army; 4,442 Navy and 2,194 Marine Corps). The Senate confirmed 23,050 nominations this session. Pursuant to the provisions of paragraph six of Senate Rule XXXI, 8 nominations were returned to the President during the first session of the 111th Congress.

### *Treaties*

There were 4 treaties transmitted to the Senate by the President during the first session of the 111th Congress for its advice and consent to ratification, which were ordered printed as treaty documents for the use of the Senate (Treaty Doc. 111–1 through 111–4). The Senate gave its advice and consent to one treaty with one condition, and one declaration to the resolution of advice and consent to ratification.

### *Executive Reports and Roll Call Votes*

There was one executive report relating to a treaty ordered printed for the use of the Senate during the first session of the 111th Congress (Executive Report 111–1). The Senate conducted 38 rollcall votes in executive session, all on or in relation to nominations.

### *Executive Communications*

For the first session of the 111th Congress, 7,072 executive communications, 84 petitions and memorials and 39 Presidential messages were received and processed.

### *Environmental Impact*

In an effort to save money and eliminate unnecessary paper, the Executive Clerk reduced the copies of nominations printed for the committees by 95 percent. All but one committee allows the paperwork to be transmitted by e-mail, decreasing the need for duplicate paper copies.

### *LIS Update (Projects)*

The staff consulted with the Senate Computer Center during the year concerning ongoing improvements to the LIS pertaining to the processing of nominations, treaties, executive communications, presidential messages and petitions and memorials.

## JOURNAL CLERK

The Journal Clerk takes notes of the daily legislative proceedings of the Senate in the “Minute Book” and prepares a history of bills and resolutions for the printed Journal of the Proceedings of the Senate, or Senate Journal, as required by Article I, Section V of the Constitution. The content of the Senate Journal is governed by Senate Rule IV. The Senate Journal is published each calendar year, and in 2009, the Journal Clerk completed the production of the 964 page 2008 volume. It is anticipated that work on the 2009 volume will conclude in June 2010.

The Journal staff take 90-minute turns at the rostrum in the Senate chamber, noting the following by hand for inclusion in the Minute Book: (i) all orders (entered into by the Senate through unanimous consent agreements), (ii) legislative messages received from the President of the United States, (iii) messages from the House of Representatives, (iv) legislative actions as taken by the Senate (including motions made by Senators, points of order raised, and rollcall votes taken), (v) amendments submitted and proposed for consideration, (vi) bills and joint resolutions introduced, and (vii) concurrent and Senate resolutions as submitted. These notes of the proceedings are then compiled in electronic form for eventual publication of the Senate Journal at the end of each calendar year. Compilation is efficiently accomplished through utilization of the LIS Senate Journal Authoring System. The Senate Journal is published each calendar year.

### *Continuity of Operations (COOP)*

In 2009, in continuing to support the Office of the Secretary’s commitment to continuity of operations programs, the Journal Clerk required the daily Minute Book pages to be scanned into a secure directory. Additionally, the files are copied onto a flash drive storage device weekly and transported off-site each night. Although the actual Minute Books for each session of a Congress are sent to the National Archives the year following the end of a Congress, having easily-accessible files, both

on a remote server and on portable storage device, will ensure timely reconstitution of the Minute Book data in the event of damage to, or destruction of, the physical Minute Book.

Preparations undertaken by the Office of the Journal Clerk in support of continuity of Chamber operations in anticipation of H1N1 pandemic helped to strengthen overall COOP procedures. Such preparations included successful testing and exercise of remote work capabilities using Senate-provided equipment and accessing servers through public computers of those functions not requiring physical attendance in the Chamber.

#### OFFICIAL REPORTERS OF DEBATES

The Office of the Official Reporters of Debates is responsible for the stenographic reporting, transcribing, and editing of the Senate floor proceedings for publication in the Congressional Record. The Chief Reporter acts as the editor-in-chief and the Coordinator functions as the technical production manager of the Senate portion of the Record. The office interacts with Senate personnel on additional materials to be included in the Record.

On a continuing basis, all materials to be printed in the next day's edition of the Record are transmitted electronically and on paper to the Government Printing Office (GPO).

Each day the Senate is in session roughly 90 percent of the transcript of Senate floor proceedings and Morning Business is sent to GPO electronically, permitting the Congressional Record to be viewed on the Internet at approximately 7 a.m. every day.

The Official Reporters of Debate have placed continued emphasis on cross training of personnel.

#### PARLIAMENTARIAN

The Parliamentarian's Office continues to perform its essential institutional responsibilities to act as a neutral arbiter among all parties with an interest in the legislative process. These responsibilities include advising the chair, Senators and their staff, committee staff, House members and their staffs, administration officials, the media and members of the general public on all matters requiring an interpretation of the Standing Rules of the Senate, the precedents of the Senate, unanimous consent agreements, as well as provisions of public law affecting the proceedings of the Senate.

The Parliamentarian or one of his assistants is always present on the Senate floor when the Senate is in session, standing ready to assist the Presiding Officer in his or her official duties, as well as to assist any other Senator on procedural matters. The parliamentarians work closely with the Vice President of the United States and the staff of the Vice President whenever he performs his duties as President of the Senate.

The Parliamentarians serve as the agents of the Senate in coordinating the flow of legislation with the House of Representatives and with the President, and ensure that enrolled bills are signed in a timely manner by duly authorized officers of the Senate for presentation to the President.

The Parliamentarians monitor all proceedings on the floor of the Senate, advise the Presiding Officer on the competing rights of the Senators on the floor, and advise all Senators as to what is appropriate in debate. The Parliamentarians keep track of time on the floor of the Senate when time is limited or controlled under the provisions of time agreements, statutes or standing orders. The Parliamentarians keep track of the amendments offered to the legislation pending on the Senate floor, and monitor them for points of order. In this respect, the Parliamentarians reviewed more than 3,298 amendments during 2009 to determine if they met various procedural requirements, such as germaneness. The parliamentarians also reviewed thousands of pages of conference reports to determine what provisions could appropriately be included therein.

The office is responsible for the referral to the appropriate committees of all legislation introduced in the Senate, all legislation received from the House, as well as all communications received from the executive branch, state and local governments, and private citizens. In order to perform this responsibility, the Parliamentarians do extensive legal and legislative research. During 2009, the Parliamentarian and his assistants referred 3,482 measures and 7,193 communications to the appropriate Senate committees. The office staff worked extensively with Senators and their staffs to advise them of the jurisdictional consequences of particular drafts of legislation, and evaluated the jurisdictional effect of proposed modifications in

drafting. In 2009, as in the past, the parliamentarians conducted several briefings on Senate procedure to various groups of Senate staff, on a non-partisan basis.

During 2009, as has been the case in the past, the staff of the Parliamentarian's Office was frequently called on to analyze and advise Senators on a great number of issues arising under the Congressional Budget Act of 1974, the Trade Act of 1974, the Congressional Review Act, and many other provisions of law that authorize special procedural consideration of measures.

During all of 2009, the parliamentarians were deeply involved in interpreting the ethics reform proposals adopted in 2007, especially the language dealing with earmark accountability and scope of conference.

Since the election in 2008, all of the parliamentarians have participated in orientation sessions for the newly elected and appointed Senators, and have assisted each of them in their initial hours as Presiding Officers. The parliamentarians also participated in an orientation session on the Senate floor for Senate staff.

Throughout 2009, as is the case following each general election, the parliamentarians received all of the certificates of election of Senators elected or re-elected to the Senate as well as those Senators appointed to fill vacancies, and reviewed them for sufficiency and accuracy, returning those that were defective and reviewing their replacements.

The parliamentarians have each been trained on and successfully remotely accessed to the office's computers facilitating communications, research, and other work after hours, enabling them to have the office function during possible emergencies. The Parliamentarian's Office continues to participate extensively in emergency preparedness training for the Senate Chamber and has been heavily involved with the Sergeant at Arms Office of Police Operations, Security and Emergency Preparedness for years in the planning phases of the Senate's evacuation and shelter-in-place procedures.

#### FINANCIAL OPERATIONS

##### DISBURSING OFFICE

The mission of the Senate Disbursing Office is to provide efficient and effective central financial and human resource data management, information and advice to the offices of the United States Senate and to members and employees of the Senate. The Senate Disbursing Office manages the collection of information from the distributed accounting locations within the Senate to formulate and consolidate the agency level budget, disburse the payroll, pay the Senate's bills, and provide appropriate counseling and advice. The Senate Disbursing Office collects information from members and employees that is necessary to maintain and administer the retirement, health insurance, life insurance, and other central human resource programs and provides responsive, personal attention to members and employees on an unbiased and confidential basis. The Senate Disbursing Office also manages the distribution of central financial and human resource information to the individual member offices, committees, administrative and leadership offices in the Senate while maintaining the confidentiality of information for members and Senate employees.

The organization is structured to enhance its ability to provide quality work, maintain a high level of customer service, promote good internal controls, efficiency and teamwork, and provide for the appropriate levels of supervision and management. The long-term financial needs of the Senate are best served by an organization staffed with highly trained professionals who possess a high degree of institutional knowledge, sound judgment, and interpersonal skills that reflect the unique nature of the United States Senate.

##### *Executive Office*

The primary responsibilities, among others, of the Executive Office are to:

- oversee the day to day operations of the Disbursing Office (DO);
- respond to any inquiries or questions that are presented;
- maintain fully and properly trained staff;
- ensure that the office is prepared to respond quickly and efficiently to any disaster or unique situation that may arise;
- provide excellent customer service;
- assist the Secretary of the Senate in the implementation of new legislation affecting any of her departments; and
- handle all information requests from the Committee on Appropriations and the Committee on Rules and Administration.

After finalizing procedures and requirements to stand up the Congressional Oversight Panel established by the Emergency Economic Stabilization Act of 2008, Pub-

lic Law 110–343, Disbursing continues reporting to the U.S. Department of the Treasury the amounts incurred by the panel on a monthly basis. Disbursing continues to work with the Committee on Rules and Administration, the House of Representatives, and the U. S. Treasury on funding of the panel.

As in previous years, the Financial Clerk and the Assistant Financial Clerk continue to attend Legislative Branch Financial Managers Council (LBFMC) meetings to share issues that affect other Congressional managers. In addition, the Financial Clerk and the Assistant Financial Clerk, along with key Disbursing Office staff and the Sergeant at Arms (SAA) technical support staff, completed the requirements and participated in vendor demonstrations for the procurement of a new payroll system. The new payroll system has been selected, and Disbursing and the SAA are now in the process of selecting a payroll system integrator through an open competition. The selection is anticipated to be made by the end of March with the expectation to begin implementation early this summer.

Disbursing, in coordination with the Committee on Rules and Administration, worked on the collection of excess mileage reimbursements for privately owned vehicles (POV) paid to staff between January and April 2009. The office prepared letters to all affected staff and notified them of the excess mileage and the options they had to pay it back, processing all the checks received and making the deposit to each office account. For those that did not pay it back by the stipulated date, adjustments were made to their W–2s for calendar year 2009.

In addition to the regular work derived by a new election cycle at the beginning of each session of Congress, additional letters for displaced staff were necessitated for Senate staff working for Senators filling several cabinet positions. Towards the end of the fiscal year, Disbursing handled matters related to the resignation of Senator Mel Martinez and the death of Senator Edward M. Kennedy.

Under the Legislative Branch Appropriations Act for 2010, Public Law 111–68, an administrative provision to change the distribution method for the Report of the Secretary of the Senate was approved. The provision requires the Report be published and publicly posted online by the end of the 112th Congress. Meetings and discussions have started with the Office of the Secretary of the Senate, the Committee on Rules and Administration and the Government Printing Office (GPO). During the next few months, a project plan and timeline will be developed to meet the mandated deadline.

#### *Deputy for Benefits and Financial Services*

The principal responsibility of this position is to provide expertise and oversight on Federal retirement, benefits, payroll, and financial services processes. The deputy also coordinates the interaction between the Front Office, Employee Benefits, and Payroll Sections, and is responsible for the planning and project management of new computer systems and programs. The deputy ensures that job processes are efficient and up-to-date, modifies computer support systems as necessary, implements regulatory and legislated changes, and designs and produces up-to-date forms and information for use in all three sections.

#### *General Activities*

The staff worked to assist incoming and outgoing members and staff personally. There was need for extensive research relating to various administrative situations (e.g. contested elections, resignations to accept cabinet posts, transition of Senators to vice president and president, chairmanship changes, etc.).

After the year-end processing of payroll for calendar year 2008 was completed, the Disbursing Office issued W–2 forms promptly and made them immediately available to Disbursing Office staff on the document imaging system (DIS). During March and April, the delayed cost of living adjustment (COLA) was administered and processed over two cycles to accommodate the “retroactive” portion of that COLA. Throughout the year, other minor changes were made to the Human Resources Management System (HRMS) as a result of changes in regulations, policies and needs.

The Disbursing Office, in tandem with SAA Technical Support, continued research and procurement of a new payroll system. Staff diligently assessed current system requirements and parameters as well as requirements and parameters for a new system. The staff continued to work with the SAA Technical Support group and the contractors to draft, edit and modify current and future system requirements. Staff drafted specific and technical scripts for two series of vendor demonstrations as well as methods for ranking results. Staff attended several day-long demos and interacted with vendors to determine system capabilities. Specific attention was paid to how the vendors would accommodate the Senate’s unique requirements, laws and regulations governing the services and programs administered by the payroll system. After extensive coordination, feedback and assessment, a software selection

was made. During the early part of 2010, the Disbursing Office and SAA will begin the process of selecting a new system integrator through an open competition.

As part of continuing efforts to achieve full continuity of operations compliance, the office requested an upgrade to the DIS. Needed and desired programming modifications were identified, documented, developed and tested during 2009. Final implementation took place late in 2009. The system now has increased functionality and provides greater flexibility of use. Post system implementation follow-up and trouble-shooting are currently in process. Procedures to take advantage of the increased functionality will be developed and implemented in 2010.

Several pieces of legislation passed in 2009 required action and administration by the Disbursing Office. The Economic Stimulus package provided for Federal Employees Health Benefits Program (FEHB) Premium Assistance for Federal employees who were displaced from their jobs. Staff worked to draft guidance and information for affected employees and implement procedures within the office and with Office of Personnel Management (OPM) and the National Finance Center for administration of this new provision. Also passed was a provision to supplement the pay of Federal employee reservists who were placed in leave without pay (LWOP) due to a call to active duty. Although OPM and Department of Defense (DOD) guidance on implementation of this provision was slow in coming, staff worked extensively with OPM and the affected employees to ensure that we were prepared for implementation as soon as practicable. Also passed, was a provision for credit of Federal Employees Retirement System (FERS) sick leave upon retirement. The legislation was assessed and guidance was issued by this office within the parameters of established policies and procedures. Additionally, legislation which allowed for Thrift Savings Plan (TSP) agency contributions to begin immediately upon hire took effect during the summer. Staff worked with the SAA Technical Support group and determined system requirements and made programming modifications to accommodate this change. Informational guidance was drafted and distributed to affected staff.

#### *Front Office—Administrative and Financial Services*

The Front Office is the main service area for all general Senate business and financial activity. The Front Office staff maintains the Senate's internal accountability of funds used in daily operations. The reconciliation of such funds is executed on a daily basis. The Front Office staff also provides training to newly authorized payroll contacts along with continuing guidance to all contacts in the execution of business operations. It is the receiving point for most incoming expense vouchers, payroll actions, and employee benefits related forms, and is the initial verification point to ensure that paperwork received in the Disbursing Office conforms to all applicable Senate rules, regulations, and statutes. The Front Office is the first line of service provided to Senators, officers, and employees. All new Senate employees (permanent and temporary) who will work in the Capitol Hill Senate offices are administered the required oath of office and personnel affidavit. Staff is also provided verbal and written detailed information regarding pay and benefits. Advances are issued to Senate staff authorized for official Senate travel. Cash and check advances are entered and reconciled in Web FMIS. After the processing of certified expenses is complete, cash travel advances are repaid. Numerous inquiries are handled daily, ranging from pay, benefits, taxes and voucher processing, to reporting, laws, and Senate regulations, and must always be answered accurately and fully to provide the highest degree of customer service. Cash and checks received from Senate entities as part of their daily business are handled through the Front Office and become part of the Senate's accountability of Federally appropriated funds and are then processed through the Senate's general ledger system. The Front Office maintains the Official Office Information Authorization Forms that authorize individuals to conduct various types of business with the Disbursing Office.

#### *General Activities*

Processed approximately 1,000 cash advances, totaling approximately \$700,000 and initialized 1,200 check/direct deposit advances, totaling approximately \$900,000;

Received and processed more than 23,600 checks, totaling over \$1,700,000;

Administered oath and personnel affidavits to more than 2,800 new Senate staff and advised them of their benefits;

Maintained brochures for 14 Federal health insurance carriers and distributed approximately 4,000 brochures to new and existing staff during the annual Federal Benefits Open Season; and

Provided 32 training sessions to new administrative managers.

The Front Office continues its daily reconciliation of operations and strengthening of internal office controls. Security devices were tested and some were replaced with more modern equipment. Training and guidance to new administrative managers

and business contacts continued and was enhanced by the revamping of training materials that were provided to newly authorized personnel. A large number of committee leadership changes prompted a major increase in the number of S. Res. 9 certifications. This required additional processing of documentation necessary to execute the continuance of compensation to certified employees. The Front Office successfully processed over 1,400 such payments.

Due to the reimbursement of mileage for POV over the Internal Revenue Service (IRS) maximum allowable rate, the Front Office received and documented over 550 cash returns related to the overpayment of previously processed POV vouchers. Front Office staff received many positive comments regarding the use of the DIS, which immediately reproduces W-2 forms and other documents for employees who request duplicates. As more information was imaged into the DIS, more inquiries were able to be processed immediately. Several pieces of legislation were passed during 2009 that affected Senate employee's deductions and benefits. The adoption of these new regulations created many inquiries from Senate staff. Front Office staff continued assisting employees in maximizing their TSP contributions and making them aware of the TSP catch-up program. The Front Office continued to provide the Senate community with prompt, courteous, and informative advice regarding Disbursing Office operations.

#### *Payroll Section*

The Payroll Section maintains the Human Resources Management System (HRMS) and is responsible for processing, verifying, and warehousing all payroll information submitted to the Disbursing Office by Senators, committees and other appointing officials for their staffs, including appointments of employees, salary changes, title changes, transfers and terminations. It is also responsible for input of all enrollments and elections submitted by members and employees that affect their pay (e.g. retirement and benefits elections, tax withholding, TSP participation, allotments from pay, address changes, direct deposit elections, levies and garnishments) and for the issuance of accurate salary payments to members and employees. The Payroll Section is responsible for the administration of the Senate Student Loan Repayment Program (SLP) and for the audit and reconciliation of the Flexible Spending Accounts (FSAs) and Federal Employees Dental and Vision Insurance Program (FEDVIP) bill files received each pay period. The Payroll Section jointly maintains the Automated Clearing House (ACH) FedLine facilities with the Accounts Payable Section for the normal transmittal of payroll deposits to the Federal Reserve. Payroll expenditure, projection and allowance reports are distributed electronically to all Senate offices twice a month. The Payroll Section issues the proper withholding and agency contribution reports to the Accounting Department and transmits the proper TSP information to the National Finance Center. In addition, the Payroll Section maintains earnings records, which are distributed to the Social Security Administration and employees' taxable earnings records, which are used for W-2 statements. This section is also responsible for the payroll expenditure data portion of the Report of the Secretary of the Senate and calculates, reconciles and bills the Senate Employees Child Care Center for their staff employee contributions and forwards payment of those contributions to the Accounting Section. The Payroll Section provides guidance and counseling to staff and administrative managers on issues of pay, salaries, allowances and projections.

#### *General Activities*

In January 2009, the Payroll Section conducted all year-end processing and reconciliation of pay records and produced W-2 forms for employees and state tax agencies, which are also maintained in the DIS. The Payroll Section maintained the normal schedule of processing TSP election forms.

In March 2009, an employee COLA of 4.78 percent was authorized and administered. Because the language afforded a retroactive COLA, the salary changes were administered over both March and April. Statutory rates and program caps were updated in HRMS.

The Payroll staff participated extensively in the selection of a new payroll system. They provided job and task summaries, records of reports and system output, and attended numerous strategy sessions to determine current system requirements as well as future system requirements. Staff attended and reviewed numerous vendor demonstrations and participated in the drafting of demo scripts.

The Payroll Section administers the SLP, which includes initiation, tracking and transmission of the payments, determination of eligibility and coordination and reconciliation with office administrators and program participants. The program is very popular and participation remains high. The SLP Administrator continues to improve processes for administration of the program and document procedures.

In 2009 Senate travelers were allowed to repay the excess amount of POV mileage reimbursement that exceeded the IRS maximum. For those that did not repay, the overpayments needed to be reported as taxable income. The Payroll Section staff was required to research and implement processes and program modifications to accommodate the reporting of several hundred mileage overpayments on the 2009 W-2s.

As a result of the 2008 elections, the Payroll Section provided assistance and guidance to the offices of numerous incoming and outgoing Senators, as well as the President and Vice President-elect. The payroll group also assisted Senator Edward M. Kennedy's staff upon his death. In addition, the Disbursing Office staff looked into the specifics of applicable Senate resolutions to determine their impact, if any, on outgoing and potentially outgoing staff in order to ensure that current procedures allowed for the proper administration of the resolutions and provided guidance to staff on those resolutions.

#### *Employee Benefits Section (EBS)*

The primary responsibilities of the Employee Benefits Section are administration of health insurance, life insurance, TSP, and all retirement programs for members and employees of the Senate. This includes counseling, processing of paperwork, research, dissemination of information and interpretation of retirement and benefits laws and regulations. EBS staff is also expected to have a working knowledge of the Federal Flexible Spending Account (FSA) Program, the Federal Long Term Care (LTC) Insurance Program and FEDVIP. In addition, the sectional work includes research and verification of all prior Federal service and prior Senate service for new and returning appointees. EBS provides this information for payroll input. It also verifies the accuracy of the information provided and reconciles, as necessary, when official personnel folders and transcripts of service from other Federal agencies are received. Senate transcripts of service, including all official retirement and benefits documentation, are provided to other Federal agencies when Senate members and staff are hired elsewhere in the government. EBS is responsible for the administration and tracking of employees placed in leave without pay to perform military service. EBS participates fully in the Centralized Enrollment Clearinghouse System (CLER) Program sponsored by OPM to reconcile all FEHB enrollments with carriers through the National Finance Center. EBS is responsible for its own forms inventory ordering and maintenance, as well as all benefits, TSP, and retirement brochures, for the Disbursing Office. EBS processes employment verifications for loans, bar exams, the Federal Bureau of Investigation (FBI), OPM, and DOD, among others. Unemployment claim forms are completed, and employees are counseled on their eligibility. Department of Labor billings for unemployment compensation paid to Senate employees are reviewed in EBS and submitted by voucher to the Accounting Section for payment, as are the employee fees associated with FSAs. Designations of Beneficiary for Federal Employees' Group Life Insurance (FEGLI), retirement, and unpaid compensation are filed and checked by EBS.

#### *General Activities*

The year began with EBS finalizing retirement estimates and processing many retirement cases associated with outgoing Senators and their staffs, as well as those staff on committees who were affected by the changes. Many regular retirement, death, and disability cases were also processed throughout the year.

After the 2008 elections, EBS met with all new Senators to go over benefit choices available to them. New members appointed numerous employees from the House and the Executive Branch, and many other employees left with their outgoing members, many of whom were appointed to positions in the Executive Branch. This resulted in a significant increase in the number of appointments to be researched and processed, retirement records to be closed out, termination packages of benefits information to be compiled and mailed out, and health insurance enrollments to be processed. Transcripts of service for employees going to other Federal agencies, and other tasks associated with employees changing jobs were at a high level this year. These required prior employment research and verification, new FEHB, FEGLI, FSA, FEDVIP, CSRS, FERS and TSP enrollments, and the associated requests for backup verification. Also EBS counseled many employees who were affected by these employment changes. In addition, transcripts of service for the 110 Capitol Guide Service employees transferred to the payroll of the Architect of the Capitol were prepared and forwarded in early 2009.

Many employees changed health plans during the annual Benefits Open Season. These changes were processed and reported to carriers very quickly. This year, the Disbursing Office again offered Senate employees access to the online "Checkbook Guide to Health Plans" to research and compare FEHB plans. This tool will remain

available to staff throughout the year. The Disbursing Office also hosted an Open Season Benefits Fair, which was informational and well attended. The Benefits Fair included representatives from local and national FEHB plans, as well as representatives from LTC, FSA and FEDVIP.

The year saw many benefits and retirement changes due to changes in laws and regulations. EBS interpreted the legislation as it applied to their administration, determined policies and procedures and provided guidance or informational material where needed. Public Law 111-5 provided for "premium assistance" for the continuation of health insurance for employees who lost their jobs. Public Law 111-8 provided for the non-reduction in pay for Reservists and National Guard members who were called to active duty. Public Law 111-31 enhanced the TSP to immediately eliminate the waiting period for new employees to receive agency matching contributions. Public Law 111-84 allowed for several retirement changes, of greatest impact was the availability of credit for unused sick leave under FERS, the repayment of refunds under FERS, and the expansion of the class of retirees eligible for the actuarially reduced annuity under CSRS. The LTC program offered extensive program and premium changes, which required many enrollees to make an alternative coverage decision, which required assistance from EBS.

EBS conducted agency-wide seminars on CSRS and FERS and attended inter-agency meetings as a result of the many ongoing changes to the TSP Program. EBS participated in a number of meetings and presentations with potential payroll system contractors to try and determine the best fit for our needs.

#### *Disbursing Office Financial Management*

Headed by the Deputy for Financial Management, the mission of this group is to coordinate all central financial policies, procedures, and activities; to process and pay expense vouchers within reasonable timeframes; and to provide professional customer service, training and confidential financial guidance to all Senate accounting locations. In addition, the Financial Management group is responsible for the compilation of the annual operating budget of the United States Senate for presentation to the Committee on Appropriations, and for the formulation, presentation and execution of the budget for the Senate. On a semiannual basis, this group is also responsible for the compilation, validation and completion of the Report of the Secretary of the Senate. Disbursing Office Financial Management is segmented into two functional departments: Accounting and Accounts Payable. The Accounts Payable Department is subdivided into three sections: Vendor (formerly Senate Automated Vendor Inquiry, also known as SAVI), Disbursements and Audit. The Accounting Department is subdivided into two sections: Budget and Accounting. The Deputy coordinates the activities of the functional departments, establishes central financial policies and procedures, and carries out the directives of the Financial Clerk and the Secretary of the Senate.

As part of its continuity of operations (COOP) plans, the management visited the Alternate Computing Facility (ACF) on several occasions during the year to make sure the location was operational and adequately stocked. Additionally, the Deputy was able to log in remotely to accomplish a few predetermined tasks, and to assess the viability of performing more sensitive and complicated tasks in the future.

#### *Accounting Department*

During 2009, the Accounting Department approved 53,537 expense reimbursement vouchers (an increase of 2,322 vouchers, or 5 percent, over the previous year) and 26,972 certification and vendor uploads, processed 2,170 deposits for items ranging from receipts received by the Senate operations, such as the Senate's revolving funds, to cancelled subscription refunds from member offices (an increase of 820 deposits, or 61 percent, over the previous year). Of the increase of 820 deposits, 559 (or 41 percent) are attributed to the POV reimbursement, which resulted from the overpayment of POV rates. General ledger maintenance also prompted the entry of thousands of adjustment entries that include the entry of all appropriation and allowance funding limitation transactions, all accounting cycle closing entries, and all non-voucher reimbursement transactions such as payroll adjustments, COLA budget uploads, stop payment requests, travel advances and repayments, and limited payability reimbursements. The department continues to scan all documentation for journal vouchers, deposits, accounting memos, and letters of certification to facilitate both storage concerns and COOP backup.

This year the Accounting Department assisted in the validation of various system upgrades and modifications, including two Web FMIS releases. The Accounting Department requested that some of its manual prepared reports be made into Web FMIS reports. One of the reports, the General Ledger Account Relationship Rec-

conciliation, and a Status of Committee Funding report were developed for the fall 2009 release and made it into production in January 2010.

During January 2009, the Accounting Department completed the fiscal year 2008 year-end process to close and reset revenue, expense, and budgetary general ledger accounts to zero. Currently, Accounting is in the process of testing the closing of fiscal year 2009 accounts which is expected to be done in the production environment the second week-end in February.

The Department of the Treasury's monthly financial reporting requirements includes a "Statement of Accountability" that details all increases and decreases to the accountability of the Secretary of the Senate, such as checks issued during the month and deposits received, as well as a detailed listing of cash on hand. Also, reported to the Department of the Treasury on a monthly basis is the "Statement of Transactions According to Appropriations, Fund and Receipt Accounts," a summary of all activity of all monies disbursed by the Secretary of the Senate through the Financial Clerk of the Senate. All activity by appropriation account is reconciled with the Department of the Treasury on a monthly and annual basis. The annual reconciliation of the Treasury Combined Statement is also used in the reporting to the Office of Management and Budget (OMB) as part of the submission of the annual operating budget of the Senate.

This year, the Accounting Department transmitted 10 months' worth of Federal tax payments for Federal, Social Security, and Medicare taxes withheld from payroll expenditures, as well as the Senate's matching contribution for Social Security, and Medicare to the Federal Reserve Bank. In November, the Accounting Department was set up in the IRS Electronic Federal Tax Payment System, or EFTPS, and made the November and December Federal withholding tax payments electronically through this system. EFTPS will also be used to transmit the 2009 fourth quarter 941 report to the IRS. The department also performed quarterly reporting to the IRS and annual reporting and reconciliation to the IRS and the Social Security Administration. Payments for employee withholdings for state income taxes were reported and paid on a quarterly basis to each state with applicable state income taxes withheld. System modifications installed in 2008 that allow automated clearing house (ACH) payment of quarterly state taxes has resulted in a 50 percent participation rate by taxing jurisdictions. Numerically, 21 of 42 tax jurisdictions are receiving their quarterly state tax payments via ACH. The remaining 21 tax jurisdictions require a one-time "Pre-Note" to be transmitted prior to making ACH payments. The Accounting Department is working to get the remaining 21 tax jurisdictions set-up for ACH. Monthly reconciliations were performed with the National Finance Center regarding the employee withholdings and agency matching contributions for the TSP.

There are also internal reporting requirements, such as the monthly ledger statements for all member offices and all other offices with payroll and non-payroll expenditures. These ledger statements detail all of the financial activity for the appropriate accounting period with regard to official expenditures in detail and summary form. It is the responsibility of the Accounting Department to review and verify the accuracy of the statements before Senate-wide distribution. The Accounting Department is working with the IT Department and SAA Technical Support Staff to research the feasibility of electronically distributing these reports.

The Accounting Department, in conjunction with the Deputy for Financial Management and the Assistant Financial Clerk, continues to work closely with the SAA Finance Department in completing a new draft of the Senate-wide financial statements for fiscal year 2008 in accordance with OMB Bulletin 01-09, "Form and Content of Agency Financial Statements" and any updates required by OMB Circular A-136, "Form and Content of the Performance and Accountability Reports". Work to finalize the implementation of the fixed asset system continues. Statements and other issues and priorities are discussed in monthly accounting meetings.

Accounting also has a budget division whose primary responsibility is compiling the annual operating budget of the United States Senate for presentation to the Committee on Appropriations. The Budget division is responsible for the preparation, issuance and distribution of the budget justification worksheets. Because of a continuing resolution and a change in Administration in fiscal year 2009, the budget justification worksheets for fiscal year 2010 were mailed to the Senate accounting locations and processed in February and March 2009. The budget baseline estimates for fiscal year 2010 were reported to OMB by mid-March. The budget analyst is also responsible for the preparation of 1099 forms and the prompt submission of forms to the IRS before the end of the January.

*Accounts Payable: Vendor Administration (formerly Senate Automated Vendor Inquiry Section)*

The Vendor Administration Section maintains the accuracy and integrity of the Senate's central vendor (payee) file for the prompt completion of new vendor file requests and service requests related to the Disbursing Office's Web-based payment tracking system, which was previously known as SAVI. SAVI was decommissioned, and the vendor tracking system was incorporated into Web FMIS. This section also assists the Information Technology (IT) department by performing periodic testing and by monitoring the performance of the vendor system, including the conversion from SAVI to Staffer Functionality in Web FMIS. Currently, more than 17,300 vendor records are stored in the vendor file, in addition to approximately 10,000 employee records. Daily requests for new vendor addresses or updates to existing vendor information are processed within 24 hours of receipt. Besides updating mailing addresses, the section facilitates the use of ACH by switching the mode of vendor payment from paper check to electronic deposit. Whenever a new remittance address is added to the vendor file, a standard letter is mailed to the vendor requesting tax and banking information, as well as contact and e-mail information. If a vendor responds indicating they would like to receive ACH payments in the future, the method of payment is changed.

The conversion from SAVI to Staffer Functionality was done in 2008, but SAVI was not decommissioned until 2009 as some offices still had records in the old system. All Web FMIS users are using the Staffer Functionality exclusively, and new offices are automatically established with it. Senate employees can electronically create, save, and file expense reimbursement forms, track their progress, and get detailed information on payments. The most common service requests are for system user identification and passwords and for the reactivation of accounts. Employees may also request an alternative expense payment method. Employees can choose to have their payroll set up for direct deposit or paper check, but can have their expenses reimbursed by a method that differs from their salary payment disposition.

The Vendor section works closely with the A/P Disbursements group to resolve returned ACH payments. ACH payments are returned periodically for a variety of reasons, including incorrect account numbers, incorrect routing numbers, and, in rare instances, a nonparticipating financial institution.

During 2009, the Vendor section processed over 2,600 vendor file additions, completed more than 4,370 service requests, mailed approximately 2,000 vendor information letters, and converted more than 650 vendors from check payment to electronic payment. The increased activity in service requests stemmed from an unusually large number of 14 new offices. The Vendor section electronically scans and stores all supporting documentation of existing vendor records and new vendor file requests. When this section receives replies asking for ACH participation, the vendors are asked if they wish to be notified by e-mail when payments are sent. Currently, over 2,600 of the 3,200 ACH participants also receive e-mail notification of payment. Scanning and e-mail reduce the need for paper and envelopes.

The Vendor section sent out 530 Web FMIS information e-mails to assist the IT department with the Staffer Functionality conversion. A mass mailing was sent to our 88 landlords, and 30 of them were converted to ACH payment as a result.

*Accounts Payable: Disbursements Department*

The Disbursements Department is the entry and exit point for voucher payments. The department physically and electronically receives all vouchers submitted for payment. It also pays all of these vouchers, as well as the items submitted by upload and the various certifications and adjustments that are submitted periodically. The department received 153,000 vouchers and paid an additional 26,000 uploaded expenses. All of these items were paid by the department via Treasury check or ACH. Multiple payments to the same payee are often combined. As a result, 22,600 checks were issued, while 62,780 ACH payments were required. The decreased check volume and increased ACH volume is a desired result as the department continues its efforts to substantially reduce reliance on paper checks.

The checkwriter system was upgraded and is now incorporated into Web FMIS. The new functionality allows greater ease of access to payment schedules for COOP purposes, but still maintains the security necessary to prevent unauthorized use of the system. Payment schedules may be retrieved, but payments cannot be made without proper authorization.

After vouchers are paid, they are sorted and filed by document number. Vouchers are grouped in 6-month "clusters" to accommodate their retrieval for the semi-annual Report of the Secretary of the Senate. Files are maintained in-house for the current period and two prior periods, as space is limited. Older documents are stored in the Senate Support Facility (SSF). The inventoried items are sorted and

recorded in a database for easy document retrieval. Several document retrieval missions were successfully conducted, and the department continues to work closely with warehouse personnel. Approximately 3,000 vouchers involving POV travel needed to be retrieved to validate POV overpayments. Additionally several trips to the SSF were necessary to pull documents to meet the request of offices.

A major function of the department is to prepare adjustment documents. Adjustments are varied, and include re-issuance of items held as accounts receivable collections, re-issuance of payments for which non-receipt is claimed, and various supplemental adjustments received from the Payroll Department. Such adjustments are usually disbursed by check, but an increasing number are now handled electronically through ACH. The department maintains a spreadsheet that tracks cases of non-receipt of salary checks, including stop payment requests and re-issuances.

While experiencing an increase in ACH payments, Disbursing also experienced an increase, though small, in the number of ACH returns. Returns are usually the result of receiving incorrect account or routing information and are easily corrected with payee contact. Some returns result from account closings or non-participating financial institutions and, while a bit more difficult; these items are resolved either by receiving updated information or simply converting the payment to a check.

The department also prepares the stop payments forms as required by the Department of the Treasury. Stop payments are requested by employees who have not received salary or expense reimbursements, and vendors claiming non-receipt of expense checks. This year, the PACER system was replaced by the Treasury Check Information System (TCIS). TCIS allows the department to electronically submit stop-payment requests and provides online access to digital images of negotiated checks for viewing and printing. Once a check is viewed, it is printed and may be scanned. Scanned images are then forwarded to the appropriate accounting locations via e-mail. During 2009, over 500 requests were received for check copies. TCIS saves the Disbursing Office a \$7.50 processing fee for each request, is Web-based, and is accessible from multiple workstations in Disbursing.

#### *Accounts Payable: Audit Department*

The Accounts Payable Audit Section is responsible for auditing vouchers and answering questions regarding voucher preparation and the permissibility of expenses and advances. This section provides advice and recommendations on the discretionary use of funds to the various accounting locations; identifies duplicate payments submitted by offices; monitors payments related to contracts; trains new administrative managers and chief clerks about Senate financial practices and the Senate's Financial Management Information System; and assists in the production of the Report of the Secretary of the Senate.

A major function of the section is monitoring the fund advances for travel and petty cash. Travel advances must be repaid within 30 days of trip completion, and petty cash advances must be repaid whenever new funding authority is established. Web FMIS accommodates the issuance, tracking, and repayment of advances. It also facilitates the entry and editing of election dates and vouchers for Senators-elect to ensure compliance of Senate Rules. In addition to other functionality, an advance type of petty cash was created and is in use. Regular petty cash audits are performed by the section and all petty cash accounts were successfully audited in 2009.

The Accounts Payable Audit Section processed more than 152,600 expense vouchers in 2009, as well as 26,400 uploaded items. Audit sanctioned more than 83,000 vouchers under authority delegated by the Senate Committee on Rules and Administration. This translates to roughly 13,800 vouchers processed per auditor, and 27,600 vouchers posted per authorized sanctioner. The voucher processing consisted of providing interpretation of Senate rules, regulations and statutes and applying the same to expense claims, monitoring of contracts, and direct involvement with the Senate's central vendor file. On average, vouchers greater than \$100 that do not have any issues or questions are received, audited, sanctioned electronically by the Senate Committee on Rules and Administration using Web FMIS, and are expected to be paid within 8 to 10 business days. In 2009, the average for Committee on Rules and Administration sanctioned items was 6 days and the average for Disbursing sanctioned items was 4 days.

Uploaded items are of two varieties: certified expenses and vendor payments. Certified expenses have been around since the 1980's, and include items such as stationery, telecommunications, postage, and equipment. Currently, the certifications include mass mail, franked mail, excess copy charges, Photography Studio, and Recording Studio charges. Expenses incurred by the various Senate offices are certified to the Disbursing Office on a monthly basis. The expenses are detailed on a spreadsheet which is also electronically uploaded. The physical voucher is audited and ap-

appropriate revisions are made. Concentrated effort is put forth to ensure certified items appear as paid in the same month they are incurred.

Vendor uploads are used to pay vendors for the Stationery Room, Senate Gift Shop and state office rentals, and refund security deposits for the Senate Page School. The methodology is roughly the same as that for certifications, but the payments rendered are for the individual vendors. Although these items are generally processed and paid quickly, the state office rents are generally paid a few days prior to the month of the rental, which is consistent with the general policy of paying rent in advance.

The Disbursing Office has sanctioning authority for vouchers of \$100 or less, subject to post-payment audit by the Committee on Rules and Administration. These vouchers comprised approximately 54 percent of all vouchers processed and are usually paid within 5 business days. As in the previous year, Disbursing passed two post-payment audits performed by the Senate Committee on Rules and Administration, and no exceptions were found.

The Accounts Payable Audit Group provided training sessions in the use of new systems, the process for generation of expense claims, and the permissibility of expenses; and participated in seminars sponsored by the Secretary of the Senate, the SAA, and the Library of Congress. The section trained eight new administrative managers and chief clerks and conducted four informational sessions for Senate staff through seminars sponsored by the Congressional Research Service (CRS). The Accounts Payable group also routinely assists the IT department and other groups as necessary in the testing and implementation of new hardware, software, and system applications. Web FMIS 2009-1 and 2009-2 were implemented, testing continued for a voucher imaging prototype, testing began for electronic invoicing, and all employee numbers have now been completely converted to a non-Social Security Number format.

Web FMIS 2009-1 concerned the addition of certification language on vouchers, and field additions to the expense summary report, all of which save time for voucher preparers and auditors. This will also be helpful for the imaging and digital signature functionalities. Now that initial testing for imaging and electronic invoicing has been completed, discussions have begun in 2010 to revisit these initiatives. Digital signature functionality is essential for imaging to proceed. Information regarding laws and current and past practices has been gathered, so the next phase is to hold meetings with all concerned parties.

One of the major benefits of electronic invoicing is a reduction of paperwork and postage, as the need for separate mailings of individual bills is not necessary. It also fits well into imaging. Major benefits of imaging are a reduction in paperwork as well as the elimination of physically receiving paper documents.

The major functionality for Audit in Web FMIS 2009-2 was the creation of a Web-based contract tracking module to replace an existing legacy system. In addition to incorporating the data into the new system, additional functionality was established so that all AP Audit staff can access the system from their own workstations. Contracts can now be monitored and linked to their respective purchase orders and funding periods.

#### *Disbursing Office Information Technology*

##### *Financial Management Information System*

The Disbursing Office Information Technology (IT) department provides both functional and technical assistance for all Senate financial management activities. Activities revolve around support of Web FMIS which is used by staff in 140 Senate accounting locations (i.e., 100 Senate personal offices, 20 committees, 20 leadership and support offices, the Office of the Secretary of the Senate, the SAA, the Senate Committee on Rules and Administration Audit section, and the Disbursing Office). The group consists of six full time staff.

Responsibilities of the department include:

- supporting current systems;
- testing infrastructure changes;
- maintaining contact with system users to ensure their needs are met;
- managing and testing new system development;
- planning;
- managing the FMIS project, including contract management;
- administering the Disbursing Office's Local Area Network (LAN); and
- coordinating the Disbursing Office's disaster recovery activities.

The Disbursing Office is the "business owner" of FMIS and is responsible for making the functional decisions about FMIS. The SAA Technology Services staff is responsible for providing the technical infrastructure, including hardware (e.g., mainframe and servers), operating system software, database software, and telecommuni-

cations; technical assistance for these components, including migration management and database administration; and regular batch processing. The office utilizes the support of a contractor, along with the SAA who are responsible for operational support and application development. The three organizations work cooperatively.

Highlights of the year include:

- implemented three releases of FMIS, including the first release of WebPICS, which provides a Web-based front end to ADPICS plus additional functionality that is being used by the SAA staff;
- tested infrastructure changes that included upgrades to the mainframe operating system (Z/OS), the database (DB2), and Web Sphere;
- supported the Senate Committee on Rules and Administration's post payment audit of a statistically valid sample of vouchers of \$100 or less;
- upgraded PC software throughout the Disbursing Office; and
- conducted monthly classes and seminars on Web FMIS.

#### *Supporting Current Systems*

IT supports Web FMIS users in all 140 accounting locations, the departments in the Disbursing Office (e.g., Accounts Payable (A/P), Accounting, Disbursements, Vendor Administration and Front Office sections), and the Senate Committee on Rules and Administration Audit staff. The activities associated with this responsibility include:

- User support—provide functional and technical support to all Senate FMIS users; staff the FMIS “help desk”; answer hundreds of questions; and meet with chiefs of staff, administrative managers, chief clerks, and directors of various Senate offices as requested;
- Technical problem resolution—ensure that technical problems are resolved;
- Monitor system performance—check system availability and statistics to identify system problems and coordinate performance tuning activities such as those for database access optimization;
- Security—maintain user rights for all ADPICS, FAMIS, and Web FMIS users;
- System administration—design, test and make entries to tables that are at the core of the system;
- Support of accounting activities—perform functional testing and production validation of the cyclic accounting system activities. This includes rollover, the process by which tables for the new fiscal year are created, and archive/purge, the process by which data for the just lapsed fiscal year are archived for reporting purposes and removed from the current year tables;
- Support the Senate Committee on Rules and Administration post payment voucher audit process—provide the data from which the Committee on Rules and Administration audit staff selects a statistically valid sample of vouchers for \$100 or less. In this way, the Committee on Rules and Administration audit staff review vouchers sanctioned under authority delegated to the Financial Clerk; and
- Training—provide functional training to all Senate FMIS users.

#### *Testing Infrastructure Changes*

The SAA provides the infrastructure on which FMIS operates, including the mainframe, the database, security hardware and software, and the telecommunications network. Activities for changes to the infrastructure include testing of all functionality prior to implementation and validating critical functionality post implementation. During 2009, the SAA implemented two major upgrades to the FMIS infrastructure. In addition, the SAA made regular micro-code updates, operating system “maintenance” releases, and maintenance for the virtual tape library.

#### *Maintaining Contact With System Users to Ensure Their Needs are Met*

Communicating with our large user base is critical to providing the service that we provide. IT meets on a regularly scheduled basis with representatives from Accounting, A/P, and the SAA. In addition, IT meets with user groups as it gathers requirements for new functionality. Meetings are advertised, and users self-select to participate. This year, IT met with the administrative managers, chief clerks and their staff who prepare expense summary reports (ESRs) to discuss changes to the data entry for the ESRs; and SAA users who prepare requisitions, or who approve requisitions to discuss the functionality to be addressed in the first phase of “WebPICS”, a Web-based front end to ADPICS with additional functionality developed to address SAA user needs.

The administrative manager, chief clerk and ESR users pointed out the need for an “itinerary wizard” that would assist travelers enter an itinerary correctly. As a result, IT will develop a new ESR interface that enables travelers to enter expenses by date and have the system rearrange them into the four expense categories re-

quired by the Committee on Rules and Administration. This strategy will also build the itinerary based on the information provided. The functionality will be developed during 2010 and is scheduled to be implemented on a pilot basis in the FMIS 2010–2 release in the summer of 2010.

WebPICS functionality for the SAA requisition and approver users was developed during 2009, and delivered in FMIS 2010–1, which was implemented in January 2010.

#### *Managing and Testing New System Development*

During 2009, IT supervised development, performed extensive integration system testing, and implemented changes to FMIS subsystems. The implementation and production verification activities were completed over a weekend in order to minimize system downtime to users. Since 2006, multiple sub-system upgrades have been consolidated into two or three releases each year. This reduced the amount of regression testing required. In order to accurately reflect the variety of changes in each release, the releases are now numbered by fiscal year. During 2009, Disbursing implemented the following three major releases:

- FMIS r2009–1, implemented in March 2009;
- FMIS r2009–2, implemented in August 2009; and
- FMIS r2010–1, implemented in January 2010.

In addition, IT worked on functionality that will be included in future releases, of which one, the FMIS Imaging Product Analysis is especially important.

#### *FMIS 2009–1*

FMIS 2009–1 was implemented in March 2009. The major new functionality delivered in this release related to the following four things:

- Web FMIS reports, including the document print;
- Improved document search features;
- Real-time e-mail notification; and
- Changes to the Expense Summary Report (ESR).

The Web FMIS reports were re-written to provide such functionality such as drill downs from the summary level report to voucher detail level reports and to retire obsolete hardware and software. Additional report changes with this release included (1) adding a new unallocated subtotal at the end of the summary reports, so that the unbudgeted figure would be more clearly visible, and (2) defining the commuting/mass transit expense category codes as non-payroll expenses.

The improved document search feature enabled searching on more criteria (e.g., a range of dates) and enabled printing documents from the search criteria. Using the search function to print documents created today with a single button click on “today’s documents” was especially well received by the user community.

The release included real-time e-mail for two functions: e-mail notification to a staffer that an ESR had been returned and e-mail notification to Disbursing requesting that a User ID be established for a staffer. Prior to this release the notification was done as part of the overnight batch process. Bringing these into real time solved two different problems. For the ESR return, it eliminated confusion for the staff getting an e-mail notice in the morning that an ESR had been returned when s/he may have already resolved the issue with the ESR the afternoon before. For the User ID request, it enabled Disbursing to respond more quickly to requests for establishing staff User IDs.

The changes to the ESR were originally requested by the SAA Finance staff, but were applicable to all offices and include fields for providing additional information, such as the dollar amount of a travel advance, any charges that were paid on the office credit card, and a field for the signature of an office-level approver. It also corrected a problem with the calculation of POV mileage by requiring the entry of mileage in whole miles only.

#### *FMIS 2009–2*

FMIS 2009–2 was implemented in August 2009. This release included a small number of enhancements for WebFMIS users, but was focused on implementing new functionality for the Disbursing staff, including:

- Contract tracking—this functionality brings information previously tracked in a database into WebFMIS, with the added bonus that staff at the Committee on Rules and Administration can view the same information;
- ADPICS document viewers—this functionality enables Disbursing staff to see, via Web FMIS, information on documents created in ADPICS, including requisitions, purchase orders and invoices. For the Disbursing A/P staff, these documents can be supporting documentation to a voucher;
- The advance-related Web FMIS reports used by Disbursing were rewritten in new software;

- Changes to the checkwriter software—these changes enabled us to integrate the checkwriter functionality into WebFMIS; and
  - Refresh several security pages used by the WebFMIS system administrators.
- Three items composed the major new functionality for Senate offices delivered in this release, including:
- display of an additional category (“unallocated”) on the budget summary shown on users’ home page, which matched the changes to the subtotals on the summary reports implemented in the prior release;
  - implementation of four new queries that are available as of prior months in the Reports/Reconciliation function, and as of now in the Reports/Main List function:
    - Certifications (Total);
    - Payroll (Total);
    - Documents Posted to FAMIS (DO Total);
    - Documents Posted to FAMIS (Office Total); and
  - implementation of eight new reports, the first four of which were especially appreciated by administrative managers:
    - Traveler Summary by Month;
    - Cross fiscal year Summary by Location;
    - Cross fiscal year Summary by Month;
    - Cross fiscal year Historical Projections;
    - Payroll and Non-Payroll Summary by DC vs. State Office;
    - Committee—Payroll and Non-Payroll Summary by Party and Location;
    - Committee—Payroll and Non-Payroll Summary by Location and Party; and
    - Leadership—Cross fiscal year Summary by Appropriation.

#### *FMIS 2010–1*

FMIS 2010–1 was originally scheduled for implementation in December 2009, but was moved to January 2010 in order to provide more testing time for the WebPICS functionality. This release included a small number of enhancements for WebFMIS users, but was focused on implementing the first of three planned releases for WebPICS. The WebPICS project enables SAA users to access ADPICS functionality through a web-based front end, and provides additional functionality, such as a robust search function. The SAA follows a structured procurement process that includes creating requisitions, creating purchase orders from requisitions, receiving goods, entering invoices, and creating vouchers from purchase orders. For many years, the SAA has used ADPICS, a mainframe system, to perform these activities. This was especially difficult for occasional users. Using a variety of technologies, the WebPICS project replaces use of ADPICS with access to user-friendly web pages. This release focused on the needs of requisitioners and requisition approvers, who are occasional users, and included:

- a robust requisition search function, through which a user can find a requisition, its related purchase order, any change orders, and the document’s history, by entering minimal information, such as the create date, the commodity code used, by whom it was created or the department for whom it was created;
- links to purchase orders via a viewer that formats mainframe data into web pages;
- a streamlined requisition create function that displays data from multiple ADPICS screens on three tabs—basic information on the header tab; what is being requested and who will pay for it (i.e., commodity information, commodity specifications, and the accounting information) on the items tab; and additional information for the vendor on the terms tab;
- a streamlined requisition change order function that shows, on the same page, the old information and the new information;
- look-up tables for selecting, rather than entering, information such as commodity codes and accounting codes when searching for and creating requisitions; and
- use of the existing Web FMIS inbox to identify, check out, view, and approve or reject requisitions.

A pilot of SAA requisitioners and requisition approvers began using WebPICS in early January. Based on feedback from users involved in the acceptance testing as well as a few others who have seen the new application, the SAA staff is excited about using WebPICS. Additional users will be trained beginning in February; all requisitioners should be using the new functionality by the summer of 2010. The second release will focus on the SAA Accounts Payable process (e.g., receipt of goods, invoice processing and approval, voucher creation, and approval). The third release will focus on purchase order creation and approval.

The functions in the 2010–2 release for WebFMIS users included:

- an automated password reset feature available for all users—by selecting and answering security questions users who forget their passwords will be able to reset their passwords and receive the temporary password via e-mail;
- online travel expense summary report (ESR) and the 60-day moratorium rule for ESR users—the online travel ESR will warn staffers when their travel expenses violate the 60-day moratorium;
- graphs on summary reports for administrative manager and chief clerk users—four of the summary reports now display two pie charts of information; the first shows payroll vs. non-payroll expenditures; the second pie chart shows six pieces of non-payroll expenditures: the top five non-payroll expense categories and one with all other expense categories combined; and
- electronic invoicing for credit card charges for use by administrative manager and chief clerk users—with this release we have begun a pilot of making credit card invoices received electronically from the Senate's credit card vendor available via Web FMIS for use in easily creating vouchers. This functionality is similar to the ESR "import" functionality and users are able to select some or all charges and create a voucher with minimal typing.

#### *FMIS Imaging Product Analysis*

During 2008, Disbursing implemented a prototype imaging system in which paper vouchers and supporting documentation were imaged by Disbursing staff and routed electronically. The hands-on experience of this prototype was especially useful in refining system requirements. The work begun in 2009 and to be completed in 2010 revolved around selecting software for the image database and image viewer, and to finalize imaging and electronic signature requirements. During 2010 this information will be used in planning necessary software purchases and coordinating with a separate SAA smart card ID project. The smart cards will be used for electronic signatures.

#### *Planning*

The Disbursing IT department performs two main planning activities:

- Schedule coordination—planning and coordinating a rolling 18-month schedule; and
- Strategic planning—setting the priorities for further system enhancements.

#### *Schedule Coordination*

In 2009, this department continued to hold two types of meetings between Disbursing and the SAA to coordinate schedules and activities. These were:

- project specific meetings—a useful set of project-specific working meetings, each of which has a weekly set meeting time and meets for the duration of the project (e.g., archive/purge meetings and Web FMIS budget function meetings); and
- technical meetings—a weekly meeting to discuss the active projects, including scheduling activities and resolving issues.

#### *Strategic Planning*

The FMIS strategic plan has a longer time horizon than the rolling 18-month timeframe of the technical meeting schedule. It is designed to set the direction and priorities for further enhancements. In 2002 a strategic plan was written by the Disbursing IT and Accounting staff for Disbursing Office Strategic Initiatives. This detailed description of five strategic initiatives formed the base for the Secretary of the Senate's request in 2002 for \$5 million in multi-year funds for further work on the FMIS project. The five strategic initiatives are:

- Paperless Vouchers—Imaging of Supporting Documentation and Electronic Signatures.*—Beginning with a feasibility study and a pilot, this will implement new technology, including imaging and electronic signatures, in order to reduce the Senate's dependence on paper vouchers. This will enable the continuation of voucher processing operations from an alternate location should an emergency occur;
- Web FMIS.*—Respond to requests from the Senate's accounting locations for additional functionality in Web FMIS;
- Payroll system.*—Respond to requests from the Senate's accounting locations for online real time access to payroll data;
- Accounting Subsystem Integration.*—Integrate Senate-specific accounting systems, improve internal controls, and eliminate errors caused by re-keying of data; and
- CFO Financial Statement Development.*—Provide the Senate with the capacity to produce auditable financial statements that will obtain an unqualified opinion.

We have almost completed these objectives and during 2009 held meetings to “en-vision the future.” The implementation of a new payroll system will require substantial changes to current systems, including the interface from payroll into the General Ledger (FAMIS) of payroll expenditures and projections, the interface from the payroll system into the master vendor file (in FAMIS), and the payroll reports provided to the offices via Web FMIS. Additionally, Disbursing is beginning to investigate the issues around replacing the Senate’s General Ledger and procurement systems (FAMIS and ADPICS) with software that runs on a server instead of a mainframe.

#### *Managing the FMIS Project*

The responsibility for managing the FMIS project was transferred to the Disbursing IT department during the summer of 2003, and includes developing the task orders with contractors, overseeing their work and reviewing invoices. In 2009, the following two new task orders were executed:

- Service Year 2010 extended operational support, which covers activities from September 2009 to August 2010; and
- FMIS Imaging Product Analysis, which will help Disbursing determine what software will be used for paperless voucher processing, including managing images, viewing images, annotating images and reading smart cards, which will have a component of the electronic signature.

In addition, work continued under three task orders executed in prior years:

- Imaging and signature design and electronic invoicing enhancement continuation;
- Web FMIS reporting enhancements; and
- Service year 2009 extended operational support (covered activities from September 2008 to August 2009).

#### *Administering the Disbursing Office’s Local Area Network (LAN)*

Disbursing continued to administer its own local area network (LAN), which is separate from the network used by the rest of the Secretary’s Office. It is used by over 50 staff. Upkeep of the LAN infrastructure, including performing routine daily tasks and replacing equipment regularly, is critical to providing services. During 2009, LAN administration activities included:

- maintaining and upgrading the Disbursing Office’s LAN;
- installing specialized software; and
- maintaining projects for the payroll and benefits section.

#### *Maintaining and Upgrading the Disbursing Office LAN*

Disbursing maintained the existing workstations with appropriate upgrades including:

- upgrading PC software on Disbursing Office desktop and laptop computers;
- installing a client/server version of Reveal, software used to view mainframe reports;
- installing new laptops for COOP users; and
- managing seven blackberry devices.

#### *Installing Specialized Software*

During 2009, the IT staff transitioned its processes to Senate-supplied software, which improved efficiency and improved communication with the SAA technical staff. The improved processes include:

- Problem Reporting.*—Began using new software to report problems with FMIS, improving the IT staff’s efficiency; the SAA staff testing WebPICS were able to enter their own problem reports.
- Migration Management.*—We began to use an electronic review/approval function in SharePoint for management of documents relating to migration of software (e.g., the DO approval for software to be migrated from acceptance to production). This required establishing a one-way trust to the SAA domain for access to a server available to the SAA, our support vendor, and now the DO staff.

#### *Maintaining Projects for Payroll and Employee Benefits Sections*

Disbursing continued to support the Payroll/Benefits imaging system developed by SAA staff. This system electronically captures and indexes payroll documents submitted at the front counter, and is critical for the Payroll and Employee Benefits sections. During 2009, a new version of this software was installed. In addition, IT worked with the SAA Network Operations staff to establish point-to-point security for access to CLER, a benefits validation service.

*Coordinating the Disbursing Office's Disaster Recovery Activities*

In prior years, the Disbursing Office and the SAA have conducted a FMIS-only disaster recovery test during the year. As in previous years, the 2009 test was scheduled to include fail-over of our systems to the ACF, activity at the ACF, and a new activity, fail-back of the changed production data. This testing did not occur during 2009, but Disbursing anticipates testing will occur in August 2010.

ADMINISTRATIVE OFFICES

CHIEF COUNSEL FOR EMPLOYMENT

The Office of the Senate Chief Counsel for Employment (SCCE) is a non-partisan office established in 1993 at the direction of the Joint Leadership after enactment of the Government Employee Rights Act (GERA), which allowed Senate employees to file claims of employment discrimination against Senate offices. With the enactment of the Congressional Accountability Act of 1995 (CAA), as amended, Senate offices became subject to the requirements, responsibilities and obligations of twelve employment laws. The CAA also established the Office of Compliance (OC). Among other things, the OC accepts and processes legislative employees' complaints that their employer has violated the CAA.

The SCCE is charged with the legal defense of Senate offices in all employment law cases at both the administrative and court levels. Also, on a daily basis, the SCCE provides legal advice to Senate offices about their obligations under employment laws. Accordingly, each Senate office is an individual client of the SCCE, and each office maintains an attorney-client relationship with the SCCE.

The areas of responsibilities of the SCCE can be divided into the following categories:

- Litigation (defending Senate offices in courts and at administrative hearings);
- Mediations to resolve lawsuits;
- Court-ordered alternative dispute resolutions;
- Union drives, negotiations, and unfair labor practice charges;
- Occupational Safety and Health Act (OSHA) compliance;
- Americans With Disability Act (ADA) compliance;
- Layoffs and office closings in compliance with the law;
- Management training regarding legal responsibilities; and
- Preventive legal advice.

*Litigation; Mediations; Alternative Dispute Resolutions*

The SCCE defends each of the Senate employing offices in all court actions, hearings, proceedings, investigations and negotiations relating to labor and employment laws. The SCCE handles cases filed in the District of Columbia and cases filed in any of the 50 states.

*Compliance with the OSHA and the ADA*

The CAA mandates that, at least once each Congress, the OC shall inspect each Senate office to determine whether each office is in compliance with the OSHA and the public accommodation portion of the ADA. The CAA authorizes the OC to issue a public citation to any office that is not in compliance.

The SCCE provides legal assistance and advice to each Senate office to ensure that it is complying with the OSHA and the ADA. The SCCE also represents each Senate office during the OC inspections and advises and represents each Senate office when a complaint of an OSHA or ADA violation is filed against the office or when a citation is issued.

In 2009, the SCCE pre-inspected 4,976 Senate rooms to ensure that Senate offices are complying with the ADA and the OSHA. Inspections included all member offices in the Hart, Dirksen and Russell buildings, and offices and work spaces of other buildings used by the Office of the Sergeant At Arms and the Office of the Secretary of the Senate.

The SCCE is very proud of the safety record in the Senate offices. During 2009, the enthusiasm and participation of Senate offices in SCCE's safety pre-inspection program resulted in 64 Senators receiving Safe Office Awards for perfect safety records. Other Senate offices had no significant OSHA or ADA problems.

*Management Training Regarding Legal Responsibilities*

The SCCE regularly conducts legal seminars for the managers of Senate offices to assist them in complying with employment laws, thereby reducing their liability.

In 2009, the SCCE gave 90 legal seminars to Senate offices, including, among others:

- The Congressional Accountability Act of 1995: Management's Rights and Obligations;
- Laws You Must Follow When Setting Up and Managing Your Office;
- Understanding Sexual Harassment in the Workplace;
- Dealing with Harassment Complaints and Avoiding a Hostile Work Environment;
- A Manager's Guide to Complying with the Family and Medical Leave Act;
- Hiring the Right Employee: Advertising and Interviewing;
- Avoiding Legal Landmines in Your Office 2009; and
- Military Service Academies Interview Training.

The SCCE also conducted a series of monthly seminars covering all major employment laws that govern Senate offices. The SCCE just completed its second year of this widely-attended seminar series. The purpose of the seminars is to educate all Senate management staff about their responsibility to ensure that their respective offices comply with the CAA. The series is open to all chiefs of staff, staff directors, administrative directors, chief clerks and office managers. Individuals who complete the series receive a certificate of completion signed by the Secretary of the Senate. The following topics were covered:

- An Overview of the Congressional Accountability Act;
- \$1,000 Fine Per Employee: Is Your Office Meeting Its Legal Obligations Under the I-9 & E-Verify Laws?;
- Overtime Pay: Who is Owed It, and How is It Calculated?;
- Diversity in the Workplace: Lessons Learned from Dunder Mifflin;
- He Interviewed So Well . . . And Then We Saw His Facebook Page: How to Interview and Check the Backgrounds of Job Applicants;
- The Family and Medical Leave Act: When Do Employees Get FMLA Leave, and How Much Do They Get?;
- Evaluating, Disciplining, and Firing Employees without Violating the Law;
- The Americans with Disabilities Act: What Managers Must Know about Complying with the Law;
- You Can't Act that Way in Our Office: Dealing with Harassment Complaints and Avoiding a Hostile Work Environment; and
- Common Employment Law Mistakes Managers Make.

The SCCE, working with Chiefs of Staff and Administrative Directors of member offices, created and added new content to its Web site targeted exclusively to chiefs of staff, staff directors, administrative directors and chief clerks of incoming members to facilitate the opening of the new members' offices in compliance with employment laws. The Web site was used extensively.

#### *Legal Advice*

The SCCE meets daily with members, chiefs of staff, administrative directors, office managers, staff directors, chief clerks and counsel at their request to provide legal advice. For example, on a daily basis, the SCCE advises Senate offices on matters such as interviewing, hiring, counseling, disciplining and terminating employees in compliance with the law; handling and investigating sexual harassment complaints; accommodating the disabled; determining wage law requirements; meeting the requirements of the Family and Medical Leave Act; management's rights and obligations under union laws and the OSHA; and management's obligation to give leave to employees for military. In 2009, the SCCE had over 3,428 client legal advice meetings.

Also, the SCCE provides legal assistance to Senate offices to ensure that their office policies, job descriptions, interviewing guidelines and performance evaluation forms comply with the law. In 2009, the SCCE prepared or significantly revised 154 policy manuals for member offices.

#### *Union Drives, Negotiations and Unfair Labor Practice Charges*

In 2009, the SCCE provided guidance to managers and supervisors regarding their legal and contractual obligations under union contracts.

#### *Environmental, Cost and Space Savings*

In 2001, the SCCE became the first Senate office to convert to a "paperless" office, which has greatly reduced paper usage by minimizing the need for copying documents and storing hard copies. In 2009, the SCCE undertook a new project to further benefit the environment, cut costs, and clear office space. This project involved eliminating 50 percent of the office's hard copy legal books and reference documents through a combination of scanning and converting to electronic books. In addition to benefiting the environment, this project resulted in a cost savings of over \$6,000 annually and freed 129 square feet of valuable office space.

## CONSERVATION AND PRESERVATION

The Office of Conservation and Preservation develops and coordinates programs directly related to the conservation and preservation of Senate records and materials for which the Secretary of the Senate has statutory authority. Initiatives include: deacidification of paper and prints, phased conservation for books and documents, collection surveys, exhibits, and matting and framing for the Senate Leadership.

For the past 26 years the Office of Conservation and Preservation has bound a copy of *Washington's Farewell Address* for the annual Washington's Farewell Address ceremony. In 2009 a volume was bound and read by Senator Mike Johanns.

*Senate Library*

As mandated in the 1990 *Senate Library Collection Condition Survey*, the office continued to conduct an annual treatment of books identified by the survey as needing conservation or repair. Conservation of a 7,000 volume collection of House hearings start that same year, and in 2009 conservation treatments were completed for 70 volumes of the collection. Specifically, treatment involved recasing each volume as required, using alkaline end sheets, replacing acidic tab sheets with alkaline paper, cleaning the cloth cases, and replacing black spine title labels of each volume as necessary. The Office of Conservation and Preservation staff will continue preservation of the remaining 3,583 volumes.

The Office of Conservation and Preservation staff assists the Senate Library with technical issues involving books being sent and returned from the Government Printing Office's (GPO) Library Binding section. The Senate Library sent 468 books to the Library Binding section for binding. The GPO has been returning books to the Senate Library on schedule.

Conservation and Preservation assisted the Senate Library with one exhibit located in the Senate Russell building basement corridor. In addition, the staff assisted the Curator's Office with preparing for the installation of *Henry Clay in the U.S. Senate* in the East Brumidi Stairway.

*Preservation*

The Office of Conservation and Preservation staff completed 173 volumes of House and Senate hearings and Congressional Records for the Senate Library. These books were rebound with new end sheets and new covers using the old spines when possible.

*Objectives for 2010*

Continue with the preservation work on the approximately 3,600 remaining volumes of the House committee hearings collection in the Senate Library. Monitor the temperature and humidity in the Senate Library storage areas and other Senate collection storage areas.

Continue training six Senate Library staff members for repairing Senate Library materials at the warehouse. The six Senate Library staff are showing progress in book repair.

Begin work on fifteen old books in the Office of the Senate Curator collection that require phased box conservation for storage.

Continue training the Assistant Conservator in conservation techniques of books and paper. The Assistant Conservator is steadily progressing in learning these conservation techniques.

Continue to update aging equipment in the office.

## CURATOR

The Office of Senate Curator, on behalf of the Senate Commission on Art, develops and implements the museum and preservation programs for the United States Senate. The Curator collects, preserves, and interprets the Senate's fine and decorative arts, historic objects, and specific architectural features; and the Curator exercises supervisory responsibility for the historic chambers in the Capitol under the jurisdiction of the Commission. Through exhibitions, publications, and other programs, the Curator educates the public about the Senate and its collections.

*Collections: Commissions, Acquisitions, and Management*

A painting of Senator Trent Lott by artist Steven Polson was unveiled in the Old Senate Chamber on September 16, 2009, as part of the Senate Leadership Portrait Collection. A portrait of Senator Bill Frist is underway and will be unveiled in 2010.

One hundred and four objects were accessioned this year into the Senate collection, including four Senate Chamber gallery passes; 69 artifacts from the 2009 Presidential Inauguration; 15 examples of pins from the Secretary of the Senate's Serv-

ice Award program; tickets from various Joint Sessions of Congress held during the 1st session of the 111th Congress; an envelope franked by Senator Charles Sumner; two stereo views of the Supreme Court Chamber (when the Court met in what is now the Old Senate Chamber); tickets from the Senate Nomination Hearing for Sonia Sotomayor as Associate Justice of the Supreme Court of the United States; and an historic porcelain shaving mug once used by Senator Frederick George Payne of Maine in the Senate's barber shop.

Forty-one new foreign gifts were reported in 2009 to the Select Committee on Ethics and deposited with the Curator on behalf of the Secretary of the Senate. The Office maintains 240 foreign gifts, which are catalogued and maintained by the office in accordance with the Foreign Gifts and Decorations Act. Appropriate disposition of 38 foreign gifts was completed following established procedures.

Implementation of a plan to provide expert care for the Senate's collection of historic clocks began in 2009. A clock expert conducted on-site maintenance for the clocks, starting with those in greatest need of care. By December 2009, all of the working clocks had received general maintenance, except for two that received complete conservation, and two others scheduled for conservation in 2010.

In 2008 the office conducted a comprehensive survey of original Russell Senate Office Building furniture located in Senate spaces of the Capitol and Senate office buildings. The survey resulted in the identification and location of 1,133 furnishings made for the Senate's first office building. Of particular interest to Senators and staff are the flat-top desks, 60 of which are still in use today. In 2009 the office launched a yearly desk survey program to document the occupant of each desk. Results are recorded in a database and can be easily queried for interested Senators and staff. In addition, the search for Russell furniture located in private collections, museums, and libraries continued: a total of 56 furnishings (18 more than last year) were identified.

Following conservation treatment, nine Senate collection objects, eight historic Russell furniture pieces, and the painting, *Henry Clay in the U.S. Senate*, by Phineas Staunton, were professionally photographed for documentation, disaster preparedness, use on Senate.gov, and publications promoting the Senate's collections.

The last phase of an environmental monitoring program in the two Curator storage rooms of the Capitol Visitor Center (CVC) was completed with the addition of electronic monitors. The monitors record temperature and relative humidity in the rooms and send alarms when the environment exceeds the desired temperature and humidity ranges. Environmental monitors are already present in the Curator spaces in the Capitol and the Senate Support Facility. Unlike the old paper system of recording temperature and humidity, these new monitors gather data remotely and more frequently. In addition, the monitors send out alarms to staff who can then immediately address the conditions or problems. The environmental monitors are critical in protecting and preserving the Senate's collections and maintaining proper storage environments.

The Curator's Office continued to work with CVC project staff and Architect of the Capitol (AOC) representatives to resolve problems in the new CVC storage spaces. In June, the AOC determined that the HVAC equipment installed in the storage rooms was not capable of meeting environmental requirements and needed replaced. The design for new equipment is underway, and installation is expected to be completed by summer 2010.

Keeping with scheduled procedures, all Senate collection objects on display were inventoried, noting any changes in location. In addition, as directed by S. Res. 178 (108th Congress, 1st session), the office submitted inventories of the art and historic furnishings in the Senate to the Senate Committee on Rules and Administration. The inventories, which are submitted every 6 months, are compiled by the Curator's Office with assistance from the Senate Sergeant at Arms (SAA) and AOC's Senate Superintendent.

The office focused attention on the protection of the Senate's historic mirror collection. A plinth program was instituted, so now all mantel mirrors de-installed for conservation are outfitted with a protective plinth. By raising the mirrors from the mantels and creating a larger footprint, the plinths shield the mirror frames from spills, damage from objects displayed on the mantels, and routine dusting. To date, 10 mirrors have been furnished with plinths that meet the new design standard. The office also outlined display guidelines to better protect the mirrors, and cleaned four mirrors.

The Curator's staff created a first-of-its-kind Senate fragment collection. Examples of such objects being considered for the collection include various carpet and curtain samples, fireplace inserts and removed state seals from the Leadership suites. This new collection preserves original, unique, significant, and informative

objects that are removed from the Capitol. The collection will serve as a resource for future research, enhance knowledge of the Senate, and heighten understanding of the architecture, ornamentation, and decoration of the Capitol.

#### *Conservation and Restoration*

The complex conservation treatment required to restore the monumental painting, *Henry Clay in the U.S. Senate*, by Phineas Staunton, was completed in May 2009. The painting and frame were then reassembled in the conservation studio for the first time in more than 50 years. Created in 1865 for a competition it did not win, the portrait is one of three known paintings showing the Senate meeting in the Old Senate Chamber. It subsequently fell into obscurity until 2006 when it was rediscovered in a New York historical society storage area scheduled for renovation and then donated to the Senate. In order to access the Capitol, the frame was disassembled and carried up the East Front steps separately from the canvas. Final assembly took place on a scaffold-supported platform in the East Brumidi stairwell, where the painting is now prominently displayed. As part of the project, custom lights were fabricated and installed in the stairwell to create optimum viewing of the painting from the second floor landing.

In addition to the regular maintenance required to keep the Senate's historic clocks working properly, conservation treatment is occasionally necessary to thoroughly clean all working parts and replace material that has worn away. A condition assessment completed in 2008 identified those clocks in greatest need of treatment to prevent serious damage from occurring. Two clocks, the Simon Willard gallery clock purchased for the Supreme Court in 1837, and the mahogany floor clock purchased for the President's Room in 1887, were conserved in 2009. The Willard clock is particularly historic, and research into the lore surrounding the clock's significance as a timepiece for the justices is ongoing in the Curator's Office, to support its interpretation for the public.

Continuing to address the most critical conditions in the 94 mirrors that compose the Senate's mirror collection, the office completed conservation treatment of four mirrors. The frames required comprehensive conservation: structural issues were repaired; inappropriate previous work was removed; losses were filled; and the gesso, a plasterlike substance used to prepare surfaces for coatings, was cleaned, repaired, and gilded. In order to minimize the impact to offices caused by sending mirrors out for conservation, the Curator's Office acquired two suitable contemporary reproduction mirrors to fill the voids. Senate offices appreciated this solution and it has helped conservation scheduling.

#### *Historic Preservation*

The Senate's historic preservation program, established 10 years ago, seeks to formulate a solid preservation policy reflective of the Senate's interests and the need to preserve the Capitol's historic fabric and historical artistic intent. Through various initiatives, the preservation program has positioned itself as a valuable resource for the Senate, ensuring that all projects are carefully considered and weighed in light of sound preservation practices.

The Curator's Office continued to work closely with the AOC and the SAA to review, comment, plan, and document Senate side construction projects (many of which are long-term initiatives) that involve or affect historic resources. Construction and conservation efforts that required considerable review and assistance included: the Brumidi corridor mural conservation and scagliola conservation. Through this work, the Curator's Office was able to ensure that the highest preservation standards possible were applied to all Capitol projects.

The staff also originated several building projects in order to repair existing damage and minimize future loss. On the second floor, the office worked with AOC craftsmen to repair areas of the historic mosaic floor tile that were missing. The holes created by the missing tiles resulted in a situation where tiles continued to become dislodged by carts and other foot traffic at an alarming rate. The in-kind replacement restored the aesthetic of the floor and stopped the loss of significant building fabric. Similarly, the Curator's Office worked with the AOC shops to construct a picture rail in the Strom Thurmond Room in order to protect the Senate's last remaining example of a 1900 wall canvas. Prior to the installation of the picture rail, which was custom designed to be minimally intrusive, the wall canvas was routinely damaged by picture nails.

In response to longstanding concerns about the appearance of and wear to public spaces and reception areas, Curator's Office formed a working group to identify the causes of incidental damage and devise workable solutions. The group is using the Lyndon B. Johnson Room as a pilot space. The group is also looking at various utilitarian items in public spaces in an attempt to refine the aesthetic of the building.

The challenging Senate Reception Room restoration and rehabilitation project, developed by the Senate Curator and the AOC Curator, has successfully moved forward. Following paint analysis, large exposures of the original trompe l'oeil and Greek key patterns were revealed in an effort to determine the extent of remaining original paint, its condition, and the ability to remove the overpaint. The Senate Reception Room Advisory Board met in July to consider the issues and offer recommendations. During testing performed on the gold elements in the room, the staff discovered that the decorative plasterwork was originally gilded with brilliant, shiny gold leaf. The gilded surfaces are undergoing treatment testing to determine the best course of action. Aside from looking at the wall decoration, the Curator considered the state of the Reception Room furniture. A condition assessment of the eight historic benches purchased in 1899 for the room was completed, and the desk and cabinetry in the adjacent stair landing are being redesigned to improve functionality and appearance.

At the 2009 meeting of the Senate Curatorial Advisory Board, the staff presented the panel with several restoration issues related to the Old Senate Chamber. Board members responded with invaluable advice on the historic nature of the room, and its importance as an historic restoration and as a cultural icon for the American people and the U.S. Senate. This feedback will provide a sound basis for the Curator to develop long-term strategies and policies for the future interpretation, preservation, and management of this historic space.

#### *Historic Chambers*

The Curator's staff continued to maintain the Old Senate and Old Supreme Court chambers and coordinated periodic use of both rooms for special occasions. The office staff worked closely with the U.S. Capitol Police to continue procedures developed to record the after-hours access to the historic chambers by current members of Congress. Fifty-eight requests were received from current members of Congress for after-hours access to the Old Senate and Old Supreme Court Chambers.

By order of the U.S. Capitol Police, the Old Senate Chamber was closed to visitors after September 11, 2001. However, in February 2009, the Senate Leadership (as Leaders of the Senate Commission on Art) approved the opening of the room to Capitol Guide and staff-led tours during week days. For the last 7 years the Old Senate Chamber was only open to the public when the Senate was in recess for a week or more.

The re-enactment swearing-in ceremonies for Senators elected during the 111th Congress were of special significance in the Old Senate Chamber. In addition, various filming occurred in the historic chambers throughout the year for educational projects. Of particular interest was the filming in the Old Supreme Court of certain scenes for the Seventh Circuit Bar Association in Chicago, Illinois, for a symposium titled *Abraham Lincoln—His Legal Career and His Vision for America*. Chief Justice John Roberts provided the narration of the Supreme Court case *Lewis v. Lewis*, which was argued in the room by Abraham Lincoln in 1849.

#### *Loans To and From the Collection*

A total of 57 historic objects and paintings are currently on loan to the Curator's Office on behalf of Senate leadership and offices in the Senate wing of the Capitol. The staff returned four loans, coordinated 13 new loans, and renewed loan agreements for 37 other objects. 19 loans are projected to be renewed next year.

For the 2009 Inaugural Luncheon, the Curator's office facilitated the loan of the New-York Historical Society's painting by Thomas Hill, entitled *View of Yosemite Valley, to the Joint Congressional Committee on Inaugural Ceremonies*. The Curator's staff was also responsible for coordinating the loan of the Lincoln Table from the Massachusetts Historical Society, the Eagle Podium from the Daughters of the American Revolution, and the Lincoln Bible from the Library of Congress for the Inaugural Luncheon.

The official Senate chinaware was inventoried and used at 23 receptions for distinguished guests, both foreign and domestic. The Secretary's china was inventoried and used at seven receptions. It was used for the Inaugural luncheon.

#### *Publications and Exhibitions*

In March of 2009, offices of the Secretary of the Senate and AOC came together to celebrate the 100th anniversary of the Richard B. Russell Senate Office Building. Several initiatives planned for the event were unveiled, including: the installation of informational panels at locations throughout the building highlighting the social and architectural history of various spaces; a publication and poster on the historic furnishings; an exhibition in the Russell basement rotunda showcasing nine restored original furnishings; various merchandise available at the Senate Gift Shop; as well as lectures and tours. The office also published an extensive exhibit on Sen-

ate.gov featuring hundreds of historic images of the Russell building and its construction from the collections of the AOC, Library of Congress, and Senate Historical Office. The exhibit traces the construction progress as documented by official photographers, and presents various aspects of life in the building during its early years.

A second major Web exhibit educates the Senate community and the public about the history, rediscovery, and conservation of the monumental painting *Henry Clay in the U.S. Senate* by Phineas Staunton. The Web site details the history of this significant portrait, and contains interactive links to lead the viewer through the “before” and “after” phases of restoration as well as a thorough comparison of “then” and “now” images of the historic Old Senate Chamber, the setting for the painting. The site also features a 20-minute video documentary about the painting and its restoration, produced by the Curator’s Office in conjunction with the Senate Recording Studio and Senate Photographic Studio.

The Curator’s staff updated the Senate Chamber Desk Web site with the new map for the first session of the 111th Congress, as well as posting maps for all recently appointed Senators. In addition, 261 historic chamber seating maps (26th Congress to 106th Congress) from the Congressional Directory were added to the site with the assistance of the Senate Library; and two new stories were developed: *A Record-Setting Filibuster* by Strom Thurmond, and Thomas Constantine, Cabinetmaker.

Unveiling and artifact pages were created for the paintings of Senators Daschle and Lott; an online exhibition was posted highlighting the Senate’s collection of 72 Senate Chamber gallery passes dating back to 1890; a feature exhibit was completed on the Senate Leadership Portrait Collection; and staff contributed to the Joint Congressional Committee on Inaugural Ceremonies Web site by providing information on the painting borrowed for the 2009 Inaugural Luncheon also on Senate.gov.

The office staff worked with the Government Printing Office (GPO) to develop a comprehensive series of exhibit signs for the Hart Building atrium to interpret Alexander Calder’s *Mountains and Clouds*. The signs will be fabricated and installed in 2010.

Five brochures were updated and reprinted during 2009: *The U.S. Senate Appropriations Committee*; *The U.S. Senate Foreign Relations Committee*; *The Old Senate Chamber, 1810–1859*; *The U.S. Senate Republican Leader’s Suite*; and *The Vice Presidential Bust Collection*. As part of an ongoing program to provide more information about the Capitol and its spaces, GPO created digital files of the new publications and added them to the Senate’s Web site.

At the direction of the Committee on Rules and Administration, the Curator’s staff supervised the fabrication and installation of a bronze plaque outside Room 713 of the Hart Senate Office Building, the former office of Senator Barack Obama, commemorating his Senate service. This plaque is similar to five other plaques previously placed in the Russell Senate Office Building to identify the offices of Senators who later became President. Also at the request of the Rules Committee, and pursuant to S. Res. 53, the office commissioned a bronze plaque honoring the work of African-American slaves in building the U.S. Capitol. The plaque will be installed in the third floor east front connecting corridor of the Senate wing, where a portion of the Capitol’s original 1800 exterior wall can be seen.

#### *Collaborations, Educational Programs, and Events*

The Curator’s staff assisted the National Archives again this year with two exhibits for display in the vault at the Center for Legislative Archives. Several objects from past Presidential Inaugural Luncheons were installed, and in July, objects related to the Senate Chamber went on display in honor of the room’s 150th anniversary.

The Curator and staff assisted with numerous CVC-related projects throughout the year. The Curator, Associate Curator, and Administrator provided support for the Congressional Historical Interpretation Program (CHIP), attending planning meetings and presenting lectures to congressional staff at the 1-day and 2-day programs; assisted with brief question and answer sessions to the Capitol Guides to better inform them on Senate art and history; contributed to the development of the new e-learning program; and at the request of the CVC oversight for the Senate, the Senate Committee on Rules and Administration, continued to work closely with the House Curator and AOC Curator to review products and publications for the CVC gift shop.

Other joint congressional projects included planning and review for the Rosa Parks statue and participating in the Slave Labor Task Force Working Group assigned to develop solutions to Congress’ recommendation to honor slave labor in the Capitol.

The Senate Curator and staff gave lectures on the Senate's art and historical collections to various historical groups and art museums. The staff also assisted with the Secretary's Senate staff lecture and tour series and were regular contributors to *Unum*, the Secretary's newsletter.

#### *Office Administration and Automation*

In the area of file management, the Curator's staff continued work on the electronic files by applying a new file matrix organization and file naming protocols. This standardization and consistent records collation will greatly improve the usability of the office resources, streamline office record keeping, and enhance research efforts. The office reviewed the video media collection and developed a disposition plan to convert essential footage to standard preservation medium. Additionally, the collection database was reviewed and assessed by an outside contractor which resulted in a reconfiguration of the artist database, updates to loans and inscriptions, and the creation of an object maintenance table. This work will allow more efficient searching capabilities, a stable database, and an easier way of transferring information into reports.

In the area of continuity of operations (COOP) planning, all new loan agreements were digitized in PDF format for easy retrieval off-site, and a map noting the current location of loaned objects was created to allow quick identification of loans that may be affected in an emergency situation. The Curator's Office also greatly increased its COOP-readiness through the assignment of remote desktop access for all staff members. The office also participated in the Secretary's pilot pandemic response tests in preparation for the full implementation of the plan. In conjunction with this and COOP preparedness, the office conducted several table top and work-at-home exercises to test readiness.

The Curator's Office, in conjunction with the Office of Web Technology, posted the newly redesigned Senate Art Web site. Visitors to the site may now explore the Senate's art and historical collections, online exhibits, and publications using an interface that is more intuitive and that allows better access to Senate art resources. In addition to being more user-friendly, the new site's information architecture has been reconfigured to enable easier updates and expansion, permitting the addition of more categories and enhancing the ability to feature specific subject-related aspects of the collections. For the first time, the more than 1,000 graphic art images in the Senate collection are now available online.

Staff from the Office of Police Operations, Security and Emergency Preparedness provided the Curator's Office with nine personalized emergency training classes this year. The training enhanced staff emergency preparedness skills, awareness, and readiness. The office emergency action plan was updated and processed into the new format required by the SAA, and new emergency action plans were created for the office's two collection storage rooms in the CVC.

The 111th Congress Senate Curatorial Advisory Board was empanelled. Two new and 11 returning members were welcomed at the first meeting held in November. Composed of respected scholars and curators, this 13-member board provides expert advice to the Commission on Art regarding the Senate's art and historic collections and preservation program and assists in the acquisition and review of new objects for the collection.

#### *Objectives for 2010*

The Curator's staff will continue to confer with the AOC regarding preservation issues related to Senate restoration and remodeling projects, disseminate project information to the Senate, develop preservation projects at the request of the Senate, conduct condition inspections, and arrange necessary maintenance. The bulk of the office's project management will involve advancing the restoration and rehabilitation of the Senate Reception Room. Specific efforts to be addressed in 2010 include updating the Senate Reception Room Advisory Board and the Senate community on the wall decoration and gilding treatment studies; working with the AOC to outline and implement a treatment approach and schedule for the walls (paint and gilding); conserving eight historic benches; and testing the functionality of different furnishings. The Curator's staff will also work with the AOC to devise a restoration treatment plan and schedule for the murals and historic wall canvas in the Strom Thurmond Room. The office has monitored this highly significant space for many years and now has the opportunity to study the materials and outline a thoughtful course of action to restore this lone remaining example of artist Elmer Garnsey's 1900 work in the Capitol.

Regarding the historic chambers, the Curator's Office will undertake a review of the 1970s restoration efforts in the Old Senate and Old Supreme Court chambers, looking at the decisions made, the research conducted, and the restoration justifica-

tions. The investigative findings will be placed within the context of 1970s preservation philosophy but will be critiqued by current preservation standards. This research project will greatly expand the staff's knowledge of the historic chambers and will highlight areas for further study. In addition, it will provide the basis for much needed paint, plaster, and drapery repairs, tentatively scheduled for 2011, and will help determine if there are opportunities for improving the interpretation of the room.

The conservation and preservation of the Senate's collection continue to be a top priority, and several projects are planned for 2010. Two of the Senate's most historic clocks are scheduled for conservation treatment. Both the case and the clock mechanism of the "Ohio" tall case clock, purchased by the Senate in 1816, have significant condition problems that will be addressed by a furniture conservator and a clock expert. The 1846 architectural shelf clock located over the door in the Old Senate Chamber is also scheduled to receive treatment to ensure its continued operation.

Plans are underway to professionally conserve the recent additions to the Senate Leadership Portrait Collection. Within a year or so of completion, each portrait is carefully examined and cleaned of surface dust, then given a final protective coating of varnish. Additionally, the office will address critical frame (mirror and painting) conservation priorities, focusing on on-site treatments. Staff also will review the mirror files and bring them in line with established collection recordkeeping standards.

The office will move forward with conservation treatment for the inkwells and sanders in each of the 100 Senate Chamber desks. These delicate artifacts date to about 1930 and are starting to show their age—hinges are loose or broken, glass is cracked, and metal parts have varying states of patina. Staff also will work with the SAA Cabinet Shop to survey the writing tops of the Chamber desks and develop a comprehensive plan for their repair and ongoing maintenance.

In 2011 conservation is planned for two of the Senate's most iconic works of art in the Old Senate Chamber: the *Eagle and Shield* sculpture and the portrait *George Washington* (Patriae Pater), by Rembrandt Peale. In preparation, a detailed review of past treatments and analyses will be undertaken in 2010. The Curator's Office will assemble a panel of experts to guide the development of treatment goals for the painting and sculpture, based upon findings from analyses conducted in 1998 and 2004, and conditions noted during previous conservation treatments.

With regard to future preservation, the office will work toward developing and instituting procedures and policies for the refinishing and protection of the historic Russell Office Building furnishings. Preservation priorities will be based on findings identified by the conservator during the 2008 Russell furnishings survey. The office will work closely with the Committee on Rules and Administration, the AOC, and the SAA on this initiative.

The Curator will continue efforts to locate and recover objects associated with the Senate, specifically Senate Chamber gallery passes, tickets to past inaugural events, and historic furnishings. In addition, staff will continue efforts to identify Russell flat-top desks outside the Senate, and where possible, return the desks to the Senate. New works of art for 2010 will include the portrait of Senator Bill Frist for the Senate Leadership Portrait Collection.

In the area of collections management, the office will review photographs in the collections database to ascertain that each object has a documentation photograph and that it meets required size parameters. Standardizing image sizes is important to ensure the functionality of the database.

Several publications and exhibitions are scheduled for 2010. According to its enabling legislation, the Senate Commission on Art is required "at least every 10 years" to publish as a Senate document a list of all works of art, historical objects, and exhibits currently within the Senate wing of the Capitol and the Senate Office Buildings. The Curator's staff will work with GPO to publish this document. Encompassing over 4,000 works of art and artifacts, the inventory records the growth of the Senate collection over the last 10 years; demonstrates the office's concerted effort to acquire objects that enhance the collection; and provides a list of the entire collection.

The Curator's staff will begin work on a supplement to the *United States Senate Catalogue of Fine Art*, highlighting the art collected by the Senate since the catalogue was published in 2002. Also, with the upcoming Gold Medal ceremony in honor of Constantino Brumidi, the staff will work closely with other offices to develop exhibits, publications, oral histories, and various lectures and tours.

Several other exhibitions are also planned. A new exhibit will feature the 150th anniversary of the Civil War and replace the inaugural exhibit in the Senate wing's first floor connecting corridor. The exhibit will highlight items from the Senate's collections illustrating the war and its impact on the Senate and the Capitol. In con-

junction with the Senate Library and Senate Historical Office, staff will complete two exhibits outside the newly remodeled Dirksen G-50 hearing room, as requested by the Committee on Rules and Administration. The exhibits will be placed in the showcases built into the walls of the room's vestibule. One case will highlight Senator Everett Dirksen, for whom the building was named; the other case will feature the building—its origins, construction, and architectural details.

Educational efforts also will focus on Senate.gov. Staff will develop a decorative art section. Decorative art slated for inclusion in this pilot project include gilded mirrors, historic clocks, and Russell Building furniture. In addition, an online exhibition featuring artifacts related to funerals held in the Senate Chamber will be posted, along with an online exhibit dispelling myths and rumors often heard about Senate art. A new Web section titled, "Curator's Picks" will feature the Curator's favorite works in the Senate collection. Additionally, staff will design and outline an historic spaces section for the Web site. This section will guide visitors through such treasures as the Old Senate and Old Supreme Court Chambers, the President's Room, and other significant historic spaces.

The office will continue to prepare for emergency situations that may affect the collection by identifying local disaster recovery companies to assist in the recovery of collection objects, as well as finalizing a binder with disaster recovery procedures. In the area of COOP preparedness, the office will conduct its annual table top exercise and will train staff to use remote desktop access through a series of work-from-home exercises.

#### EDUCATION AND TRAINING

The Joint Office of Education and Training provides employee training and development opportunities for all Senate staff in Washington, DC and the states. There are three branches within the office: Technical Training, Professional Training, and Health Promotion. The Technical Training branch is responsible for providing technical training support for approved software packages and equipment used in either Washington, DC or the state offices. This branch provides instructor-led classes; one-on-one coaching sessions; specialized vendor provided training; computer-based training; and informal training and support services. The Professional Training branch provides courses for all Senate staff in areas including: management and leadership development, human resources issues and staff benefits, legislative and staff information, new staff and intern information. The Health Promotion branch provides seminars, classes and screenings on health and wellness issues. This branch also coordinates an annual Health Fair for all Senate employees and plans blood drives every year.

##### *Training Classes*

The Joint Office of Education and Training offered 1,225 classes and events in 2009, drawing 13,178 participants. The registration desk handled over 25,000 e-mail and phone requests for training and documentation.

In the Technical Training area 300 classes were held with a total attendance of 1,077 students. An additional 425 staff received coaching in 273 sessions on various software packages and other computer-related issues. In the Professional Development area 302 classes were held with a total attendance of 3,738 students. The staff managed or assisted the Employee Assistance Program; Police Operations, Security and Emergency Preparedness; Disbursing; and Committee on Ethics with 110 training classes for 1,369 students.

The Office of Education and Training staff is available to work with teams on issues related to team performance, communication, or conflict resolution. During 2009, Professional Development met over 160 requests for special training and team building for 1,038 staff.

In the Health Promotion area, 2,535 staff participated in 53 Health Promotion activities throughout the year. These activities included: lung function and kidney screenings, eight blood drives, the Health and Fitness Day and seminars on health related topics and the Annual Senate Health Fair.

The Office of Education and Training provides an annual Senate Service Expo for Senate office staff. This year 35 presenters from the offices of the Secretary of the Senate, the Sergeant at Arms, the Architect of the Capitol, the U.S. Capitol Police and the Library of Congress provided an overview of their services to 230 staff.

Working with Leadership, the Senate Committee on Rules and Administration and the Executive Offices of the Sergeant at Arms and Secretary of the Senate, the Office of Education and Training assisted in coordinating orientation sessions for the new Senators and their staff.

### *State Training*

Since most of the classes that are offered are only practical for D.C.-based staff, the Office of Education and Training continues to offer the “State Training Fair” which began in March 2000. In 2009, three sessions of this program were attended by 171 state staff. Fifty-eight state administrative managers and directors attended the State Directors Forum, while 55 state staff attended a Constituent Services Forum.

In addition to classroom based learning, the “Virtual Classroom,” which is an Internet-based training library of 3,000+ courses, is available to Senate staff. To date, 350 state office and Washington, DC staff have registered and accessed a total of 1,142 different lessons and publications using this training option. Additionally, the office offered 24 video teleconferencing classes, which were attended by over 624 state staff. Education and Training also provides 51 Senate-specific self-paced lessons that have been accessed by an estimated 1,000 staff.

### GIFT SHOP

Since its establishment in 1992 (2 U.S.C. 121d), the Senate Gift Shop has continued to provide outstanding service and products that maintain the integrity of the Senate while increasing the public’s awareness of its mission and history. The Gift Shop serves Senators, their spouses, staffs, constituents, and the many visitors to the U.S. Capitol complex.

The products available include a wide range of fine gift items, collectables, and souvenirs created exclusively for the U.S. Senate.

### *Facilities*

In addition to three physical locations, the Gift Shop has an online presence on Webster, the Senate’s Intranet. The Web site currently offers an increasing selection of products that can be purchased by phone, e-mail, or by printing and faxing the order form provided on the site. Along with offering over-the-counter sales, walk-in sales and limited intranet services, the Gift Shop Administrative Office provides mail order service via phone or fax and special order and catalogue sales via in person visit, e-mail, phone or fax.

The Gift Shop maintains two warehouse facilities. The bulk of the Gift Shop’s stock is held in the Senate Storage Facility (SSF), an offsite warehouse. While the Senate Sergeant at Arms (SAA) is in charge of the overall management of the SSF, the Director of the Gift Shop has responsibility for the operation and oversight of the interior spaces assigned for Gift Shop use. Storing inventory in this centralized, climate-controlled facility provides protection for the Gift Shop’s valuable inventory in terms of physical security as well as improved shelf life for perishable and non-perishable items alike.

The second Gift Shop warehouse is maintained in the Hart Building. This facility serves as the point of distribution to the Gift Shop store and the Capitol Gift Shop counter, both of which have limited storage space. The Hart warehouse accommodates the Gift Shop’s receiving, shipping, and engraving departments, and also supplies the inventory sold through the administrative and special order office.

### *Sales Activities*

Sales recorded for fiscal year 2009 were \$1,694,967.39. Cost of goods sold during this same period was \$1,278,890.29, accounting for a gross profit on sales of \$416,077.10.

In addition to tracking gross profit from sales, the Senate Gift Shop maintains a revolving fund and a record of inventory purchased for resale. As of October 1, 2009, the balance in the revolving fund was \$2,782,416.14. The inventory purchased for resale was valued at \$2,904,681.69.

### *Additional Activity*

The Gift Shop participated in the 2009 U. S. Senate Environmental and Energy Fair sponsored by the Architect of the Capitol (AOC). Environmentally friendly products that were displayed included wooden flag and desk boxes, wooden pens, custom designed wrapping paper produced from recycled paper, biodegradable travel mugs and a travel mug produced from 100 percent U.S. natural corn products.

In addition, the AOC installed energy efficient lighting in the Dirksen store. The lights in both the ceiling fixtures and product showcases were switched over to “LED” style bulbs.

*Select Accomplishments in Fiscal Year 2009**Official Congressional Holiday Ornaments*

This year marked the 16th year of the Congressional Holiday ornament. Each ornament in the 2006–2009 series of unique collectables depicts an image celebrating the day-to-day activities taking place on the Capitol grounds. The four images of the series are based on original oil paintings commissioned by the Gift Shop.

Sales of the 2009 holiday ornament exceeded 29,000 ornaments, of which more than 5,606 were personalized with engravings designed, proofed, and etched by Gift Shop staff. This highly successful effort was made possible by the combined efforts of our administrative, engraving, and store staff members.

*Webster Intranet Site*

The Gift Shop Web site was completely redesigned this year to improve readability and to provide a more intuitive shopping experience. The Web site continues to expand with the addition of new merchandise which is professionally photographed by the Senate Photography Studio. Product descriptions are written inhouse.

The Gift Shop staff contributes an article to each issue of the Secretary's UNUM newsletter highlighting Gift Shop products. In turn, the Web site links to the electronic version of the UNUM. This practice has increased traffic to the site and may be responsible for an increase in the use of the Gift Shop services by state offices.

*Projects Recently Produced and New Initiatives for 2010**Bookmarks*

Bookmarks depicting the art and architecture of the Old Senate Chamber, Old Supreme Court Chamber and Ohio Clock were introduced in 2009. These historically significant bookmarks are fabricated in gold plated metal and are embellished in enameled colors closely resembling the authentic elements of each featured subject. The individual packaging contains text highlighting the significant, historical and architectural features of each bookmark.

*Capitol Visitor Center*

The Gift Shop provided the Capitol Visitor Center gift shops with a wide variety of inventory, offered service when needed, and guided the stores' management through the purchase order and invoice process. The Gift Shops plans to continue providing the CVC with products that have proven to be popular with their clientele.

*Congressional Plate Series*

The release of the 111th Congressional Plate in 2009 completes the most recent four-plate Congressional series. Plans and specific designs for a new 8 year, four-plate series of the 112th, 113th, 114th and 115th Congress are well under way. This new series will once again be designed and produced by Tiffany and Company. The designs for the new series will depict art and architecture from four of the most historically significant rooms in the Capitol. The spaces include the Senate Appropriations Room, Old Senate Chamber, Old Supreme Court Chamber and President's Room.

*Wilton Armetale*

As a complement to the original metal service pieces created with Wilton Armetale Company of Columbia, Pennsylvania, the Gift Shop has added a new four compartment tray. This piece, as well as the rest of the set, is decorated with the "Brumidi Rinceau" pattern replicating the borders of a series of vignettes decorating the ceiling of the Capitol's North Brumidi Corridor.

*Russell Building "Centennial" Product*

In conjunction with the Centennial Commemoration of the Russell Senate Office Building, several new products with unique designs were introduced. Ties depicting architectural shapes found in the lattice and rosette patterns throughout the building, as well as a scarf depicting the elegance of the sophisticated Beaux-arts style designs have been introduced. The ties and scarf, both of which are 100 percent silk, are exclusive to the United States Senate. In addition to the ties and scarf, a series of small magnets and photo note cards were produced, both containing images highlighting some of the more unique interior and exterior design elements of the building.

*President's Room Oblong Scarf and LBJ Room Square Scarf*

Working with Echo Design Company of New Jersey, two new scarves depicting art of the President's Room and LBJ Room were completed and delivered. The President's Room scarf is an oblong shape and is adorned with a fresco image detailing one of the many paneled walls of the room. The LBJ scarf is square and depicts the entire ceiling fresco as well as the unique architectural shape of the curved ceiling.

*Senate Donkey and Elephant Ties*

New Senate ties depicting whimsical donkey and elephant images were designed and produced just in time for the 2009 holiday sales season. The packaging includes a brief brochure which provides information regarding the origins of the political donkey and elephant images.

*Musical Jewel Box*

The Gift Shop worked with the Splendid Music Box Company of New York in 2009 to create a beautiful Senate music box depicting a highly detailed image of the Capitol West Laylight. The laylight, designed by the Philadelphia architect Thomas U. Walter, is located in the ceiling of the grand staircase in the Senate wing of the Capitol. Designs for a second, smaller box are in developmental stages and should be completed sometime in 2010. The smaller box will depict a historical cutaway architectural drawing of the Capitol.

*Stemware*

New designs of stemware etched with the were incorporated into our crystal line in 2009. The three styles of glasses are unique and environmentally friendly, as they are produced lead free and have shatter-resistant properties.

*Hand Towels*

Working with Creative Arts Company of Idaho, the staff produced high quality paper hand towels depicting images from the Brumidi art in the Capitol. The towels are packaged in quantities of sixteen and depict six panels of beautifully reproduced butterfly or bird frescos that are part of the Brumidi corridors on the Senate side of the Capitol.

*Additional Products and Projects*

Additional products that were either worked on or delivered in 2009 include new porcelain trays, night lights with Brumidi fresco designed shades, table linens and napkins with Capitol art, two styles of Minton tile boarder mirrors, children's activity books, puzzles for children depicting images from the frieze of the Capitol, two new Tiffany scarves, and a pocket map of the Capitol complex.

HISTORICAL OFFICE

Serving as the Senate's institutional memory, the Historical Office collects and provides information on important events, precedents, dates, statistics, and historical comparisons of current and past Senate activities for use by members and staff, the media, scholars, and the general public. The Office staff advises Senators, officers, and committees on cost-effective disposition of their non-current office files and assists researchers in identifying Senate-related source materials. The historians keep extensive biographical, bibliographical, photographic, and archival information on the more than 1,900 former and current Senators. The staff edits for publication historically significant transcripts and minutes of selected Senate committees and party organizations, and conducts oral history interviews with key Senate staff. The photo historian maintains a collection of approximately 40,000 still pictures that includes photographs and illustrations of Senate committees and nearly all former Senators. The Office staff develops and maintains all historical material on the Senate Web site, Senate.gov.

*Editorial Projects*

*Revised Senate Chamber Brochure*

The Historical Office staff revised and redesigned the guide that is given to visitors to the Senate Chamber. Previously, the booklet was published each Congress and included the seating chart and committee rosters, which increasingly resulted in publication delays. The seating chart and committee rosters were removed, making the 16-page brochure a timeless publication that can be distributed throughout each Congress. The text has been updated, with new images added, including a labeled photograph of the Senate floor that identifies the floor leaders, officers, and staff at the dais. This effort will result in significant savings, since print runs can

be larger, at a lower price per copy, and copies will no longer need to be discarded at the end of each Congress.

*“Documentary Histories of the U.S. Senate”*

In 2009, the Historical Office developed a new online documentary history series that would include case studies and primary-source documentation for all contested Senate elections, censure and expulsion cases, impeachment trials, and major investigations. Intended for use within the Senate and by the general public, these documentary histories will be particularly valuable for teachers who seek to include primary-source documents in their lesson plans. This project also allows the Historical Office to update case studies of past events, and to add new case studies as needed, eliminating the need for new print editions of past publications, reducing costs and paper use. Three parts of this five-stage project have been completed.

*“States in the Senate”*

In this collaborative project, staff historians have created timelines and compiled selected illustrative images for each of the fifty states. The “States in the Senate” will highlight persons and events in the state’s history that relate to the U.S. Senate to be featured on Senate.gov, which informs senators, staff, and constituents alike. A Web design for the project has been created that will provide an interactive timeline for each state, with links to relevant documentary and visual material.

*Joint Congressional Committee on Inaugural Ceremonies*

The Historical Office staff assisted the Joint Congressional Committee on Inaugural Ceremonies (JCCIC) in preparation of printed materials, including the platform program, luncheon program, and the commemorative edition of *Inaugural Addresses of the Presidents of the United States*, for the presidential inauguration on January 20, 2009. Historical Office staff researched precedents and compiled historical data on previous inaugurations in response to queries by the JCCIC, the media, and the public.

*Administrative History of the Senate*

The associate historian continued to prepare a historical account of the Senate’s administrative evolution since 1789. This study traces the development of the offices of the Secretary of the Senate and Sergeant at Arms, considers 19th- and 20th-century reforms that resulted in reorganization and professionalization of Senate staff, and looks at how the Senate’s administrative structure has grown and diversified.

*Rules of the United States Senate, Since 1789*

In 1980, Senate parliamentarian emeritus Floyd M. Riddick, at the direction of the Senate Committee on Rules and Administration, prepared a publication containing the eight codes of rules that the Senate adopted between 1789 and 1979. In the 1990s, the Senate Historical Office staff, in consultation with Dr. Riddick, developed a project to incorporate an important feature not contained in the 1980 publication. Beyond simply listing the eight codes of rules, the Office’s goal is to show how—and why—the Senate’s current rules have evolved from earlier versions. The Senate’s historian emeritus has continued work on this project, which will contain eight narrative chapters outlining key debates and reasons for significant changes. Appendices will include the original text of all standing rules and, for the first time in one publication, all changes adopted between each codification.

*Biographical Directory of the U.S. Congress, 1774-present*

Since publication of the 2005 print edition of *The Biographical Directory of the United States Congress*, the Historical Office has added new biographical sketches and bibliographical citations that incorporate recent scholarship to the online database (<http://bioguide.congress.gov>). The associate historian and historical writer continue to work closely with the staff of the House of Representatives Office of History and Preservation to maintain accuracy and consistency in this joint Senate-House database, and to promote this valuable resource among historians, teachers, students and the public. Senate and House historians and technical staff for the House of Representatives have cooperated in an ongoing effort to update the online site in appearance and functionality. Over the past year, the Historical Office also began selecting printed obituaries for 19th-century Senators for inclusion in their online profile.

*Party Conference Minutes, 1965–1977*

In 1998 and 1999 the Historical Office staff edited, indexed, and published the Minutes of the Senate Democratic and Republican Conferences covering the years prior to 1964. The Historical Office is currently preparing a similar volume for the Democratic Conference including its minutes from 1965 to 1977. After January

1973, verbatim transcripts were prepared for each Conference meeting, considerably enlarging the documentation. This project has involved scanning and editing 2,869 pages of transcripts for 102 meetings of the Conference and inclusion of explanatory annotations. With the approval of the Conference, the minutes will be published, and a similar editorial project will be proposed for the Republican Conference minutes for this time period.

*Everett Dirksen and the Dirksen Senate Office Building Exhibits*

The remodeling of the auditorium in the Dirksen Senate Office Building into a hearing room also created two large exhibit cases at its entrance. Working with the staff of the Senate Curator and the Senate Library, the Historical Office has been preparing exhibits on the life and career of Senator Everett M. Dirksen, Senate Republican leader from 1959 to 1969, and on the design and functioning of the office building named in his memory.

*Oral History Program*

The Historical Office staff conducts a series of oral history interviews to record personal recollections of various Senate careers. Interviews were conducted with former Senator Charles McCurdy "Mac" Mathias (R-Maryland); Charles Ferris, former director of the Senate Democratic Policy Committee; two former Democratic secretaries, Martin Parone and Robert G. Baker; and W. Lee Rawls, the former staff director to Senators Pete Domenici and Bill Frist. The office has also continued to seek and conduct interviews with current and former Senate spouses, and expanded on its collection of interviews highlighting the role of women on Capitol Hill. The complete transcripts of 30 interviews conducted since the 1970s have been posted on Senate.gov. Each month, that site features a different oral history interview series, including digital audio-clips along with the interview transcripts. The Historical Office has worked with the National Archives to digitize past oral history interviews, which had been archived on magnetic tape, for preservation purposes. Digitization also allows for inclusion of short audio segments on Senate.gov. For Unum, the Secretary of the Senate's newsletter, the staff has created a regular series entitled "Senate Voices," which includes excerpts from the oral histories with a contextual introduction.

*Member Services*

*Educational Outreach: "Senate Historical Minutes"*

The historian and associate historian deliver a series of "Senate Historical Minutes" at the weekly Democratic and Republican Conference luncheons. These "minutes" highlight significant events and personalities associated with the Senate's institutional development. Many of them are now included on Senate.gov as "Historical Minute Essays."

*Members' Records Management and Disposition Assistance*

The Senate archivist assisted members' offices with planning for the preservation of their permanently valuable records, stressing the importance of managing electronic records and eventually transferring valuable records to a home-state repository with a digital asset management system. Special attention was devoted to ensuring the preservation of the entire collections of Senators Barack Obama and Joseph Biden and overseeing the completion of comprehensive inventories because the collections were being stored at the National Archives Center for Legislative Archives. The archivist also worked closely with the National Archives and the Sergeant at Arms to ensure complete archiving of Vice President Richard Cheney's office.

Senator Edward M. Kennedy's death brought challenges for ensuring that his personal office records and committee records were archived in the proper places. The archivist revised the *Handbook for Closing a Senator's Office* and met with personal office and committee staff to meet these needs. As a result of particularly close work with the Biden, Cheney, Clinton, and Obama offices, the archivist perceived a need for enhanced education of all office staff with regard to managing and archiving their electronic records. To meet this need, the office staff developed archiving "Quick Cards" that are available on the Secretary's Webster site. The three basic cards include "Is it a Historical Record?" (a series of questions that train staff on how to recognize a historical record) and two related cards, "Archiving Electronic Records" and "Archiving Paper Records." These cards promote best practices at all staff levels.

To meet the electronic records management challenges as offices transition to all electronic recordkeeping, the archivist worked with the Sergeant at Arms staff to have "V" drives established in all new Senate offices and made available on request

for older offices. These drives are for placement of electronic records that have been tagged for the archives.

Brown-bag lunch discussions continued with one focusing on the topic: "What Can an Archivist Do for You?" Material gathered for this session was used to create a PowerPoint presentation aimed at persuading offices to either hire an archivist or train a staffer to perform the duties of an archivist. Archivists increase Senate office efficiency and ensure that staff members have the information they need when they need it, and are key to preserving electronic records since they are able to arrange, describe and document electronic records for the long term.

The Archivists Listserv has been used effectively for training and information updates about matters of records management and historical interest. A video seminar, first created in 2008, was re-worked and made available to members' state offices. The Senate archivist continued to work with staff from all repositories receiving senatorial collections to ensure the adequacy of documentation and the transfer of appropriate records with adequate finding aids. The archivist created a special in-depth records management seminar for Senate offices for the Modern Archives Institute, which is now available for Senate staff on demand.

#### *Committee Records Management and Disposition Assistance*

The Senate archivist provided each Senate committee with staff briefings, record surveys, guidance on preservation of information in electronic systems, and instructions for the transfer of permanently valuable records to the National Archives' Center for Legislative Archives. The archivist surveyed all committee chief clerks and systems administrators to ascertain the status of their electronic archiving, and discovered that many committees have voluminous electronic record backlogs requiring review for archiving. These backlogs fall into three categories: files of committee staff who have departed the committee; files of share drives, some going back for many years; and accumulations of e-mail. She distributed information on best practices for managing electronic records and encouraged committee chief clerks, systems administrators, staff directors, and chief counsels to consider hiring archivists to focus on electronic archiving. As a result, three committees each hired an archivist. The Senate archivist oversaw the transfer to the Archives of 691 accessions of Senate records totaling 3,350.5 cubic feet of textual records and 7.2 terabytes of electronic records. The archivist has noticed a growing gap between the documentary quality of records being archived from committees with archivists and those without archivists.

To further assist committee clerks with their responsibilities for maintaining committee records, the archivist devised three basic Quick Cards similar to those for members' staff. These cards supplement the *Guidelines for Committee Staff* pamphlet that is updated annually. The cards went to all staff directors, chief clerks, and systems administrators, with a request that they be distributed to all staff. A records-preservation PowerPoint briefing was also distributed to all staff directors and chief clerks and is available on the Secretary's Webster site. While this material has helped communicate the importance of record keeping to committee staff, it does not replace the effectiveness of a trained archivist being added to the staff to focus on archiving electronic records and adequacy of documentation for significant legislation. Training sessions were conducted for those Senate interns tasked with archiving committee records. The archivist and deputy archivist responded to 214 requests for loans of records back to committees, totaling nearly 1,544 boxes.

A project is underway to scan committee record transfer sheets to the National Archives, dating from 1982 through 2004, into the OnBase document management system supported by the Sergeant at Arms. To date, records of the Committees on Agriculture, Appropriations, Armed Services, Banking, Budget, Energy, Environment and Public Works, Finance, Foreign Relations, HELP, Homeland Security, and Judiciary have been processed. The Center for Legislative Archives has received this information on CD-ROM both as a security measure and to enhance future researcher access to the records as they become open for research. The archivist and deputy archivist have participated in the task force established by the Advisory Committee on the Records of Congress to develop criteria to improve the finding aids for the Senate's archival records. They have commenced work on improving the level of description of records that committees send to the archives and devising an electronic form to help standardize this data.

#### *Advisory Committee on the Records of Congress*

This eleven-member permanent committee, established in 1990 by Public Law 101-509, meets semiannually to advise the Senate, the House of Representatives, and the Archivist of the United States on the management and preservation of the records of Congress. Its membership representing the Senate includes the Secretary

of the Senate, who chaired the panel during the 110th Congress; the Senate historian; and appointees of the secretary and the majority and minority leaders. The Historical Office furnishes support services for the advisory committee's regular meetings.

#### *Educational Outreach*

The Historical Office's correspondence with the general public has increasingly taken place through Senate.gov. The historians maintain and frequently update the Web site with timely reference and historical information, and each month select related material to be featured on the site. In 2009, the Office responded to more than 1,200 inquiries from the public, the news media, students, family genealogists, congressional staffers, and academics, through the public e-mail address listed on Senate.gov. The diverse nature of their questions reflected varying levels of interest in Senate operations, institutional history, and former members. Research assistance from the Historical Office was enhanced by the comprehensive scanning of the Office subject files into the OnBase document management system, allowing staff to search the full text of these files electronically.

Working with the Web team, the historians have added to Senate.gov such items as fourteen featured biographies; four front-page features on the Constitution, Photographs of Senate Life, the Russell Building Centennial, and the 150th Anniversary of the Senate Chamber; a special feature commemorating the 40th anniversary of the first moon walk; and added transcripts of four oral history interviews and digital audio clips for six interviews.

The historians also met with the Senate webmaster to plan a new feature for Senate.gov, "Learn about the Senate." This feature is specifically being designed to serve the educational needs of teachers and students at various grade levels. A reference page has been developed, using a list of frequently-asked questions to guide visitors to relevant information already available on the site.

Staff presented seminars on the general history of the Senate, Senate committees, women Senators, Senate floor leadership, relations between the press and the Senate, and the U.S. Constitution. The historians also participated in Senate staff seminars and members' office retreats, and conducted dozens of briefings for specially scheduled groups. The associate historian participated in the Dirksen Congressional Center's annual "Congress in the Classroom" conference, where she presented the "Ten Top Questions to Ask Students about the Senate," and collaborated with secondary school teachers from nearly every state in coordinating classroom activities to promote a better understanding of Congress.

#### *Photographic Collections*

The Senate photo historian continued to ensure history-focused photographic coverage of the contemporary Senate by photographing Senate committees, collecting formal photo portraits of new Senators, and capturing significant Senate events in cooperation with the Senate Photographic Studio. She continued to provide timely photographic reference service by phone and e-mail, while cataloging, digitizing, relocating, and expanding the Office's 40,000-item image collection. As a member of the Russell Building Centennial committee, the photo historian was actively involved in the events surrounding the centennial of the building in March, working with the Government Printing Office to design and print tent cards and bookmarks for the centennial. She collaborated with the historical editor to redesign and publish the new Senate Chamber brochure. The photo historian oversaw the move of the entire photograph collection to a larger space mid-year. In conjunction with this move, she performed increased collection maintenance, including creating an inventory of the image collection. She completed cataloging the images of hundreds of Senators, collected in the early 1900s by John Pappas, which were donated to the Senate, and which have now been transferred to the National Archives. She assisted more than a dozen Senate offices in creating collages of all the Senators who previously served in that seat. She worked with Conservation and Preservation and the Senate Curator to replace the images in the Arthur Scott photographic exhibit on the third floor of the Capitol, provided poster-size enlargements of more than thirty historical prints from the collection to the Senate Recording Studio for the walls of their new office, and worked with the Senate Press Gallery to select images for their walls. The photo historian also assisted the Capitol Police in arranging their photographic negatives for eventual transfer to the National Archives.

#### *Continuity of Operations (COOP)*

As the Historical Office's COOP Action Officer and Emergency Coordinator, the photo historian completed the transfer of the Office's COOP plan into the LDRPS system. She created an extensive pandemic plan for the Office to ensure the ability of staff to maintain essential functions in the event of a pandemic situation and

made back-ups of the office's vital electronic records to store off-site. She trained new staff members in the Office's emergency evacuation procedures.

#### *Capitol Visitor Center*

The historians continued to supply information and guidance to the staff of the Capitol Visitor Center (CVC) related to the educational component of the exhibition gallery. They have participated in the training program for staff-led tours, and provided text and images for a new Web-based training program for staff and tour guides. They made regular presentations on the history of the Senate in training seminars for Senate staff and interns, and gave morning "briefings" to the Capitol Guide Service. They contributed to the training of visitor assistants who guide visitors through the exhibition gallery, worked with exhibit staff to plan rotations of documents and images, and advised the CVC staff on its educational outreach programs.

### HUMAN RESOURCES

The Office of Human Resources was established in June 1995 by the Secretary as a result of the Congressional Accountability Act. The office focuses on developing and implementing human resources policies, procedures, and programs for the Office of the Secretary of the Senate that fulfill the legal requirements of the workplace and complement the organization's strategic goals and values.

These responsibilities include recruiting and staffing; providing guidance and advice to managers and staff; training; performance management; job analysis; compensation planning, design, and administration; leave administration; records management; maintaining the employee handbooks and manuals; internal grievance procedures; employee relations and services; and organizational planning and development.

The Human Resources staff administers the following programs for the Secretary's employees: the Public Transportation Subsidy program, Student Loan Repayment Program, FMLA program, parking allocations, and the summer intern program that offers college and other post-graduate students the opportunity to gain valuable skills and experience in a variety of Senate support offices. Human Resources staff has completed migration of eligible commuters to the Smart Benefits Program, which is operated by the Washington Metropolitan Area Transit Authority.

#### *Recruitment and Retention of Staff*

Human Resources staff have the ongoing task of advertising new vacancies or positions, screening applicants, interviewing candidates, and assisting with all phases of the hiring process. Human Resources staff coordinate with the Sergeant at Arms (SAA) Human Resources Department to post all SAA and Secretary vacancies on the Senate intranet, Webster, so that the larger Senate community may access the posting from their own offices. In an effort to reach a larger and more diverse applicant pool, the department uses multiple posting forums to reach potential applicants for employment. As a result, the Human Resources Department processed more than 4,000 applications for vacancies in the Secretary's Office, including review of applications, coordinating scheduling of candidates for interview, sending out notices to both successful and unsuccessful candidates, and finalizing new hire paperwork. All new hires also receive orientation from the Human Resources staff when they come on board.

#### *Training*

In conjunction with the Senate Chief Counsel for Employment, staff continue to develop and deliver training for department heads and staff. Training topics include sexual harassment, interviewing skills, Family Medical Leave Act administration, and an overview of the Congressional Accountability Act. Human Resources staff also works with different department employees on topics specific to their group in outreach efforts to enhance teamwork in the workplace.

#### *Interns and Fellows*

Human Resources staff manage the Secretary's internship program. From posting vacancies, conducting needs analyses, communicating, screening, placing and following up with all interns, the staff keeps a close connection with these program participants in an effort to make the internship most beneficial to them and the organization.

#### *Combined Federal Campaign*

The office has again taken an active role in the Combined Federal Campaign (CFC) for the Senate community at-large. The office staff serve as co-directors of the

program. The staff participates in kick-off meetings, identifies key workers in each office, and disseminates and collects necessary information and paperwork.

#### INTERPARLIAMENTARY SERVICES

The Office of Interparliamentary Services (IPS) has completed its 28th year of operation as a department of the Secretary of the Senate. IPS staff is responsible for administrative, financial, and protocol functions for all interparliamentary conferences in which the Senate participates by statute, for interparliamentary conferences in which the Senate participates on an ad hoc basis, and for special delegations authorized by the Majority and/or Minority Leaders. The office also provides appropriate assistance as requested by other Senate delegations.

The statutory interparliamentary conferences are:

- NATO Parliamentary Assembly;
- Mexico-United States Interparliamentary Group;
- Canada-United States Interparliamentary Group;
- British-American Interparliamentary Group;
- United States-Russia Interparliamentary Group;
- United States-China Interparliamentary Group; and
- United States-Japan Interparliamentary Group.

In May, the 50th Annual Meeting of the Canada-U.S. Interparliamentary Group was held in Canada. In June, the 48th Annual Meeting of the Mexico-U.S. Interparliamentary Group was held in Seattle, Washington. In September, the British-American Parliamentary Group was held in the United Kingdom. The U.S.-China Interparliamentary Group also met in China. IPS staff handled arrangements for these events.

As in previous years, all foreign travel authorized by the Majority and Minority Leaders is arranged by the IPS staff. In addition to delegation trips, IPS provided assistance to individual Senators and staff traveling overseas. Senators and staff authorized by committees for foreign travel continue to call upon this office for assistance with passports, visas, travel arrangements, and reporting requirements.

IPS receives and prepares for printing the quarterly financial reports for foreign travel from all committees in the Senate. In addition to preparing the quarterly reports for the Majority Leader and the Minority Leader, IPS assists staff members of Senators and committees in filling out the required reports.

IPS maintains regular contact with the Department of State and foreign Embassy officials. The office staff frequently organizes visits for official foreign visitors and assists them in setting up meetings with leadership offices. The staff continues to work closely with other offices of the Secretary of the Senate and the Sergeant at Arms in arranging programs for foreign visitors. In addition, IPS is frequently consulted by individual Senators' staffs on a broad range of protocol questions. Occasionally state officials or the general public contact IPS regarding Congressional protocol.

On behalf of the Majority and Minority Leaders, the staff arranges receptions in the Senate for heads of state, heads of government, heads of parliaments, and parliamentary delegations. Required records of expenditures on behalf of foreign visitors under authority of Public Law 100-71 are maintained in IPS.

#### *Continuity of Operations (COOP) Planning*

The Office of Interparliamentary Services created a Pandemic Preparedness Plan this year and continues to fine tune its continuity of operations plan each year.

#### LEGISLATIVE INFORMATION SYSTEM (LIS) PROJECT

The Legislative Information System (LIS) is a mandated system (Section 8 of the 1997 Legislative Branch Appropriations Act, 2 U.S.C. 123e) that provides desktop access to the content and status of legislative information and supporting documents. The 1997 Legislative Branch Appropriations Act (2 U.S.C. 181) also established a program for providing the widest possible exchange of information among legislative branch agencies. The long-range goal of the LIS Project is to provide a "comprehensive Senate Legislative Information System" to capture, store, manage, and distribute Senate documents. Several components of the LIS have been implemented, and the project is currently focused on a Senate-wide implementation and transition to a standard system for the authoring and exchange of legislative documents that will greatly enhance the availability and re-use of legislative documents within the Senate and with other legislative branch agencies. The LIS Project Office manages the project.

*Background: LISAP*

An April 1997 joint Senate and House report recommended establishment of a data standards program, and in December 2000, the Senate Committee on Rules and Administration and the Committee on House Administration jointly accepted the Extensible Markup Language (XML) as the primary data standard to be used for the exchange of legislative documents and information. Following the implementation of the Legislative Information System (LIS) in January 2000, the LIS Project Office shifted its focus to the data standards program and established the LIS Augmentation Project (LISAP). The over-arching goal of the LISAP is to provide a Senate-wide implementation and transition to XML for the authoring and exchange of legislative documents.

The current focus for the LISAP is the continued development and implementation of the XML authoring system for legislative documents produced by the Office of the Senate Legislative Counsel (SLC), the Office of the Enrolling Clerk, the Committee on Appropriations, and the Government Printing Office (GPO). The XML authoring application is called LEXA, an acronym for the Legislative Editing in XML Application. LEXA replaces the DOS-based XyWrite software used by drafters to embed locator codes into legislative documents for printing. The XML tags inserted by LEXA provide more information about the document and can be used for printing, searching, and displaying a document. LEXA features many automated functions that provide a more efficient and consistent document authoring process. The LIS Project Office has worked very closely with the SLC, the Enrolling Clerk, and the editorial and printing staff of the Committee on Appropriations to create an application that meets the needs for legislative drafting.

*LISAP: 2009*

In early 2009, LIS staff trained the editorial and printing staff of the Appropriations Committee on using LEXA to produce appropriations bills in XML. The two groups also worked with House and GPO staff to convert prior year appropriation bills and text from the Budget Appendix to XML to be used as the basis for the 2010 fiscal year bills. The Committee staff provided feedback on their production requirements, and the LIS staff added or altered features in LEXA to make the drafting process faster, more efficient, and more consistent. By the end of the year, all thirteen Senate Appropriations bills, amendments, and conference report documents had been prepared in XML.

The LIS staff also worked with staff from GPO and the Committee on Armed Services to prepare and include military data and information in XML tables in the National Defense Authorization bill. The data was prepared in Excel spreadsheets by the Committee, and GPO staff imported the data into LEXA into XML table structures so that the tables could be printed as part of the introduced and engrossed versions of the Senate bill. The House Committee was able to use many of the tables and the same processes to produce the tables in the enrolled bill.

The LIS Project Office continued to provide support to the Senate Enrolling Clerks and the Senate Legislative Counsel in their use of LEXA for drafting. Several new features and fixes were added in LEXA releases to improve the process, including upgrading the underlying software, Xmetal, for the customized LEXA application. Xmetal 5.5 is a Vista-compatible version of the software, and the upgrade project required extensive testing of LEXA on both an XP platform and a Vista platform. GPO testers assisted with the testing.

The XML versions of Senate measures were made available on LIS and Thomas starting with the 111th Congress. The HTML version produced from the XML data more closely resembles the printed document. This improved HTML format will eventually replace the HTML version currently available on the Web.

LIS staff also worked on internal projects to make the office more efficient. These included implementing new defect tracking software called OnTime. This software provides a means to collect defects and new feature requests, record help call incidents, and manage releases. The staff also worked on developing a Sharepoint repository to organize documentation, requirements documents, test cases, and test documents.

*LISAP: 2010*

The LIS Project Office staff will continue to work with and support all the offices now using LEXA to produce legislative documents. Enhancements to LEXA make the process more efficient and consistent so that most all of the legislative measures produced by those offices will be created as XML documents.

The LIS Project Office staff will continue to work with the House, GPO, and the Library of Congress on projects and issues that impact the legislative process and data standards for exchange. These groups are currently participating in two

projects with GPO—one to define requirements for replacing the Microcomp composition software and another to improve the content submission and exchange processes. The staff will work with the SLC and their House counterpart office to implement new functionality for maintaining and printing the compilations of existing law in XML. A Windows 7 version of Xmetal will be available in the second quarter, and the LIS Project Office will build and test all LEXA functions on this platform in anticipation of offices moving to a Windows 7 operating system in the future.

The legislative process yields other types of documents such as the Senate and Executive Journals and the Legislative and Executive Calendars. Much of the data and information included in these documents is already captured in and distributed through the LIS/DMS database used by the clerks in the Office of the Secretary. The LIS/DMS captures data that relates to legislation including bill and resolution numbers, amendment numbers, sponsors, co-sponsors, and committees of referral. This information is currently entered into the database and verified by the clerks and then keyed into the respective documents and re-verified at GPO before printing. An interface between this database and the electronic documents could mutually exchange data. For example, the LIS/DMS database could insert the bill number, additional co-sponsors, and committee of referral into an introduced bill while the bill draft document could supply the official and short titles of the bill to the database.

The Congressional Record, like the Journals and Calendars, includes data that is contained in and reported by the LIS/DMS database. Preliminary document type definitions have been designed for these documents, and applications could be built to construct XML document components by extracting and tagging the LIS/DMS data. These applications would provide a faster, more consistent assembly of these documents and would enhance the ability to index and search their contents. The LIS Project Office staff will coordinate with the Systems Development Services Branch of the Office of the Sergeant at Arms to begin design and development of XML applications and interfaces for the LIS/DMS and legislative documents. As more and more legislative data and documents are provided in XML formats that use common elements across all document types, the Library of Congress will be able to expand the LIS Retrieval System to provide more content-specific searches.

#### LIBRARY

The Senate Library provides legislative, legal, business, and general information services to the United States Senate. The Library's collection encompasses legislative documents that date from the Continental Congress in 1774; current and historic executive and judicial branch materials; an extensive book collection on American politics, history, and biography; a popular collection of audio books; and a wide array of online resources. The Library also authors content for three Web sites—LIS.gov; Senate.gov, the Senate's public Web site; and Webster, the Senate's intranet.

Management transition of the Senate Information Services program from the Senate Sergeant at Arms (SAA) to the Library continued as the Library designed and conducted an online survey of the Senate user community in November 2009. The survey of Senators' state and Washington, DC offices, Senate committees, and support offices requested feedback about current program offerings and training, and sought suggestions for change. Analysis of the results will form the basis for further program content review.

The Library's creation of new Web-based content, advanced and fine-tuned online resources, expanded outreach and training opportunities, and use of technology to support alternative means for information delivery continue to meet the Senate's increasing demand for information.

#### *Notable Achievements*

The Senate Library increased its service statistics in 2009, serving every member and committee office. Including Web-based inquiries, there was an 8 percent increase from 2008.

Two new tables were added to the Library's Virtual Reference Desk on Senate.gov, Senate Action on Cloture Motions and Summary of Bills Vetoes, 1789-present. This table is also published on Webster.

All printed House hearings in the Library's collection are completely searchable in the Library catalog. This retrospective project has taken 26 years to complete and is a testament to the hard work and dedication of Senate Library catalogers.

Four informational display cases, a special issue of Unum, bookmarks, and restaurant table cards were created to mark the Russell Senate Office Building centennial in March.

Design and implementation of a new online book request form in the Library catalog and increased exposure of online book lists resulted in a 47 percent increase in online book requests over 2008 levels.

Focus on new and more frequent Library instructional classes resulted in a 48 percent increase in Library instructional offerings in 2009.

An emphasis on careful negotiation or renegotiation of vendor contracts and purchases has already saved over \$55,831 in database expenses over the next 4 years.

#### *Senate Library Inquiries and Online Book Requests*

The rise in electronic requests for materials, the availability of new and enhanced electronic database offerings, and the expanded availability of resources on the Web combined with efficient content management have dramatically increased the demand for Library resources. Inquiries for 2009 increased 8 percent from 2008.

#### SENATE LIBRARY INQUIRIES

Year	Traditional	Web Page Visits			Total	Change From Prior Year (in percent)
		Webster	LIS	Senate.gov		
2009 .....	27,318	70,461	21,092	2,612,897	2,731,768	+ 8
2008 .....	27,283	51,048	29,468	2,429,380	2,537,179	+ 67
2007 .....	26,309	65,793	32,121	1,392,947	1,517,170	- 10
2006 .....	31,032	80,375	20,156	1,561,138	1,692,701	+ 88
2005 .....	33,080	57,608	26,775	782,588	900,051	+ 42
2004 .....	33,750	( <sup>1</sup> )	20,749	581,487	635,986	+ 61
2003 .....	46,234	( <sup>1</sup> )	18,871	329,327	394,432	<sup>2</sup> + 751
2002 .....	40,359	( <sup>1</sup> )	6,009	( <sup>1</sup> )	46,368	( <sup>3</sup> )

<sup>1</sup> Not available.

<sup>2</sup> Web inquiry statistics, first available in 2003, increased the total from the previous year by 751 percent.

<sup>3</sup> Baseline.

A 47 percent increase in online book requests for 2009 can be attributed not only to the continued popularity of audio books, but also because the Library links the online bibliographies for audio books, new books, and travel books to the catalog and the online request form.

#### *Senate Library Content Creation*

Two new tables were added in July to the Virtual Reference Desk on Senate.gov. Summary of Bills Vetoed, 1789-present lists the President, coinciding Congresses, type of veto, the total number of vetoes, and whether a veto was overridden by Congress. The table is also published on Webster. Senate Action on Cloture Motions lists the Congress, coinciding years, motions filed, votes on cloture, and the number of times cloture was invoked for all cloture motions since the 66th Congress (1919–1920).

#### *Senate Knowledge Base*

Projects to publish authoritative, standardized Senate data sources for multipurpose use continue to be a Library priority, ensuring accurate and timely dissemination of Senate information. The Senate knowledge base is an institutional repository for data to support these projects: the newly modernized Webster site, the Senate Library Webster site, and a senator biography database.

#### *Webster Modernization*

A greatly enhanced version of Webster was launched in September. The launch was a culmination of a multi-year collaborative effort of Webster's four stakeholders: the Secretary of the Senate, the SAA, the Senate Chaplain, and the Committee on Rules and Administration. The Senate Library and the Web Technology department represent the Secretary on the Webster Advisory Group (WAG), which oversees site management.

Since its debut in 1995, Webster has been the most-visited site for Senate staff seeking information about internal operations, support services, and employee benefits. The large-scale redesign initiative, launched by the WAG last fall, was intended to help staff easily navigate the ever-expanding volume of online information and to locate the resources staff need to do their jobs.

The improved Webster enterprise-level search functionality is popular with staff: there were 123,339 searches in 2009. Librarians improve search results by analyzing monthly statistics and matching popular search terms with topically relevant pages or search engine “key matches.” During 2009, 346 “key matches” were estab-

lished. To date, 969 document records and 1,393 term records in the Senate knowledge base are supporting the Webster search and taxonomy projects.

Web page visits for the five taxonomy-based indexes totaled 10,499 since their deployment in October 2008 as part of the Webster modernization project.

#### WEBSTER TAXONOMY USAGE STATISTICS, 2009

Taxonomy	Page Visits
Services .....	1,875
Leadership .....	681
Legislative .....	1,357
News & Research .....	835
About the Senate .....	1,380
Total Taxonomy Usage .....	6,128

#### *Senate Library Webster Site*

All existing Web files and images that supported both the Library Webster site and the catalog were moved to a content management system (CMS) in December with the assistance of the Office of Web Technology. The move enhanced the portability of the content and facilitated the upgrade of the CMS. CMS-published data is repurposed for Senate.gov, further economizing staff time and labor. The Senate Library Webster site is a research service and information portal for Senate staff. An intra-departmental team has continued to revise and update both the design and functionality of the site, improving the computer intern account registration pages and the "Library Class and Seminars" page. New interactive features were added to allow scheduling of online book pickups and fillable PDF registration forms for Library computer accounts. Work on the site will continue into 2010.

#### *Instruction and Professional Outreach*

The experienced and knowledgeable reference team from Information Services also teaches. A renamed class, "Research Tools on Your Desktop," joined the Library's instructional offerings, thus targeting need. Increasing the number of sessions taught allowed the Librarians to teach to smaller groups, increasing interaction and retention.

#### SENATE LIBRARY CLASSES, 2009

Subject	Students	Classes
Insider's Guide to Webster .....	25	8
LIS Savvy .....	228	39
Research Tips and Tricks .....	34	8
Research Tools on Your Desktop .....	108	29
Services of the Senate Library and Got Questions Tours .....	259	33
Totals .....	654	117

The number of classes taught and the number of sessions taught increased by 48 percent in 2009. However, attendance at those classes decreased 16 percent, resulting in fewer Senate staff trained in 2009. Because the Senate schedule and staff workload affect staff availability for training, the Library plans to schedule classes during Senate recess periods as well.

#### SENATE LIBRARY CLASSES BY CALENDAR YEAR

Year	Attendees Total	Change from Prior Year (percent)	Classes Total	Change from Prior Year (percent)
2009 .....	654	-16	117	+48
2008 .....	782	+2	79	+23
2007 .....	770	+49	64	+7
2006 .....	518	+25	60	+114
2005 .....	416	( <sup>1</sup> )	28	( <sup>1</sup> )

<sup>1</sup> Baseline.

The Library also gave tours to Senate groups and to outside library professionals. These tours ranged from an introduction to each semester's Senate Page School class to hosting librarians from the National Library of China and the Law Library Association of Maryland. The Library also participated in the Senate Services Fair and in giving tours for National Library Week. The Library continued its participation in the Federal Library Institute, which introduces interested library school graduate students to Federal libraries, resources, and career opportunities.

#### *Collection Development*

##### *Audio Books Program*

The Library acquired 44 new audio book titles in 2009. Designed to assist users with diverse needs, including those who may be visually challenged, as well as to draw patrons into the Library, the program remains popular with patrons whose 606 loans were equivalent to circulating each item in the collection six times over. An online bibliography highlights the collection with links to the catalog and the online book request form.

##### *New Digital Resources*

The Library provides a number of digital resources to the Senate. New in 2009, and acquired with negotiation to reduce purchase and subscription costs, are the Hein Online Congressional Documents Library, the Gale *Encyclopedia of Governmental Advisory Organizations*, and *A-Z Maps Online* from World Trade Press. The *Encyclopedia of Governmental Advisory Organizations* and *A-Z Maps Online* are available to the Senate community through links on Webster.

The Library maintains an A-Z journal title index on Webster that lists electronic full-text journal titles available to the Senate. The Library has continued efforts to customize and refine the database content lists and to allow easier access to LexisNexis content, which has increased usage by 167 percent from 2008.

##### *Expansion of Special Collections*

As a participant in the Government Printing Office's (GPO) Federal Depository Library Program (FDLP), the Library receives selected categories of legislative, executive, and judicial branch publications. The Library received 9,683 government publications in 2009. In response to the trend of issuing government documents in electronic format, 2,962 links were added to the Library catalog, bringing the total to more than 28,938. The links provide Senate staff desktop access to the full text of each document.

#### ACQUISITIONS, 2009

Category	Total
Congressional Documents .....	7,566
Executive Branch Publications .....	2,117
Books (including Audio and E-books) .....	832
Electronic Links .....	2,962
Total Acquisitions .....	13,477

#### *Legislative Validation*

The Library's Legislative Validation Clerk verifies and edits the accuracy and consistency of data and legislative information published by Secretary of the Senate staff via the Legislative Information System (LIS), the Document Management System (DMS), the Congressional Record, Senate.gov, and Webster. The clerk's work also requires the verification of selected Congressional Record Index entries (print and electronic), and includes comparing electronic entries made by legislative staff or data entry clerks from various agencies with the printed Congressional Record Index and notifying the offices of discrepancies.

Between January and December 2009, the Legislative Validation Clerk submitted 290 corrections.

#### *Cataloging*

The Library's productive cataloging staff draws on years of experience to produce and maintain a catalog of more than 208,000 bibliographic items. During 2009, 6,791 new titles were added to the catalog. The catalog is updated nightly to ensure that Senate staff will retrieve accurate and current information on Library holdings. The addition of nearly 300 book jacket images for the new titles enhanced visual appeal and utility.

All printed House hearings in the Library's collection can now be found in the Library catalog. This project, completed in August 2009, has taken 26 years to complete and is a testament to the hard work and dedication of many present and former staff.

Catalogers created 816 bibliographic records for Senate hearings not yet printed from information in the Congressional Record Daily Digest and the combined hearings schedule on Webster. This includes field hearings that are not listed in the Daily Digest. These records remain in the catalog until the printed hearing is received and cataloged.

A new electronic resources page was added to the catalog home page in June with the goal of creating a comprehensive list of resources by category. Senate staff increasingly use the Library catalog as an information resource, accounting for 6,585 visits in 2009.

#### INFORMATION SERVICE SUPPORT ACTIVITIES

Category	Total
Circulation:	
Document Deliveries .....	4,371
Item Loans .....	3,118
Pages Printed:	
Microform Pages Printed .....	1,378
Photocopies .....	71,756
Document Delivery Total .....	80,623

#### *Library Automation*

Library staff were provided with additional access to tools to facilitate remote access to their e-mail accounts and, where needed, secure access to the Senate network. Remote access was successfully tested on routine tasks to simulate a continuity of operations event and for pandemic flu planning.

Self-paced online database training was provided to staff working on the Senate Knowledge Base through the Office of Education and Training. These modules provide an introduction to client software.

#### *Preservation, Binding, and Collection Maintenance*

Technical Services staff and summer interns completed the shifting necessary to yield 10 years of growth for book collection shelving space in the Russell Senate Office Building. Judicious collection management will help to ensure that the Library's collections are focused on the needs of the Senate community.

Technical Services staff continued to participate in book repair training sessions led by the director of the Office of Conservation and Preservation. Trainees repaired 190 historic volumes, an increase of 24 percent from 2008, making significant progress in the preservation of the Library's bound book collection.

The Library worked with GPO to secure binding for rare and fragile materials. The first shipment of 11 volumes was completed in December with excellent results.

#### *Budget*

In addition to the substantial savings in purchasing new databases, budget savings from price reductions in 2009 subscriptions totaled \$55,831 over the next 4 years; and, after 12 years of budget monitoring, savings total \$136,908. This continual review of purchases eliminates materials not meeting the Senate's current information needs. This oversight is also critical in offsetting cost increases for core materials and for acquiring new materials.

#### *Special Projects*

##### *Unum, Newsletter of the Office of the Secretary of the Senate*

Unum, the Secretary's quarterly newsletter, has been produced by Senate Library staff since October 1997. It serves as an historical record of accomplishments, events, and personnel news in the Office of the Secretary of the Senate. The newsletter is distributed throughout the Senate. Highlights from the 2009 Unum issues include a special issue on the Russell Senate Office Building centennial, covering the architecture and history of the building and special publications produced by Secretary offices; excerpts of Secretary Nancy Erickson's legislative branch appropriations testimony; an article on the 150th anniversary of the Senate Chamber that also featured a booklet issued by the Historical Office; an article on the Senate's role in the presidential inaugural ceremonies; features on the Trent Lott Leadership Por-

trait and the acquisition of a painting of Henry Clay; and the continuation of the "Senate Voices" series prepared by the Historical Office that contains excerpts of oral histories of former staffers.

#### *National Library Week*

The National Library Week events were well attended, with about 100 people attending the Library's reception. The Library made a special effort to invite staff from offices of new Senators. The talk by Senator George S. McGovern on his book, *Abraham Lincoln*, drew a standing room only crowd of 85 attendees.

#### *Cooperative Projects*

Working in cooperation with the Senate Historical Office and the Curator's office, Library staff completed the digitization of available Senate seating charts. The charts are now available on Senate.gov to enhance historical information about the Senate Chamber. Work continues on a printed compilation of the charts.

Library staff made significant contributions to the 2009 Russell Senate Office Building Centennial celebration. Four display cases were installed in March 2009 to highlight the Caucus Room, the Russell Building's architectural features, a historical chronology of events that have taken place in the building, and a look back at office life in the oldest Senate office building. A special *Unum* issue on the Russell Building's centennial was published. The Library worked with the Senate Historical Office, the Senate Curator, Printing and Document Services, and GPO to design a logo for use in all publications created for the event, and to create a set of table cards used in the Senate Restaurants as well as two versions of a commemorative bookmark. The bookmarks were a popular souvenir with staff.

Hearing URL data from the Library catalog is exported weekly to provide LIS and THOMAS with full-text links to Senate hearings for the 111th Congress. The Library contributed 702 new Senate hearing links to the LIS database during 2009.

The Library's Cataloging Supervisor worked with Joint Committee on Taxation staff on a project to supply bibliographic records for a set of committee documents submitted for scanning at the Federal Scanning Center at the Library of Congress. The cataloging portion of the project began in July and has added 580 titles to the catalog and contributed an additional 1,000 records for documents to be scanned. The scanning center will extract the data needed to enhance retrieval of the scanned documents on its public digital archive site.

#### *Major Library Goals for 2010*

Complete the assumption of eco-direction of the Senate Information Services Program in preparation for transition to full direction at the end of 2010;

Complete the analysis of the Senate Information Services survey results and seek additional user input regarding the program services;

Begin work on enhancements to the Senate Knowledge Base to streamline maintenance of the Webster taxonomy and improve search results;

Continue work on the redesign of the Library's Webster site;

Establish an outreach program for Senate office staff; and

Expand training opportunities to staff.

# SENATE LIBRARY ACQUISITIONS FOR CALENDAR YEAR 2009

	Books		Government Documents		Congressional Publications				Total
	Ordered	Received	Paper	Fiche	Hearings	Prints	Bylaw	Reports/ Docs	
January .....	36	58	434	26	242	7	101	220	1,088
February .....	23	52	110	.....	324	16	79	102	683
March .....	15	53	89	11	330	40	114	221	858
1st Quarter .....	74	163	633	37	896	63	294	543	2,629
April .....	27	48	104	84	295	31	124	164	850
May .....	16	106	35	6	193	16	113	227	696
June .....	24	86	120	50	256	16	99	317	944
2nd Quarter .....	67	240	259	140	744	63	336	708	2,490
July .....	21	42	135	30	429	11	119	292	1,058
August .....	21	58	140	92	334	12	30	188	854
September .....	73	82	85	24	359	15	82	114	761
3rd Quarter .....	115	182	360	146	1,122	38	231	594	2,673
October .....	17	136	106	67	386	16	99	243	1,053
November .....	30	53	61	16	352	13	93	241	829
December .....	11	57	234	58	160	11	109	211	840
4th Quarter .....	58	246	401	141	898	40	301	695	2,722
2009 Total .....	314	831	1,653	464	3,660	204	1,162	2,540	10,514
2008 Total .....	331	901	2,200	797	3,631	129	829	3,645	12,132
Percent Change .....	-5.14	-7.77	-24.86	-41.78	+0.80	+58.14	+40.17	-30.32	-13.34

## SENATE LIBRARY CATALOGING STATISTICS FOR CALENDAR YEAR 2009

	S. Hearing Numbers Added to LIS	Bibliographic Records Cataloged										Total Records Cataloged
		Books		Government Documents			Congressional Publications					
		Paper	Audio/E- Books	Paper	Fiche	Electronic	Hearings	Prints	Docs./ Pubs./ Reports			
January .....	5	173	3	12	.....	18	222	55	1	484		
February .....	.....	111	4	6	12	28	307	16	3	487		
March .....	80	81	2	26	1	11	458	33	17	629		
1st Quarter .....	85	365	9	44	13	57	987	104	21	1,600		
April .....	52	51	6	5	.....	45	461	6	25	599		
May .....	7	19	9	8	13	10	635	26	21	741		
June .....	37	24	8	3	.....	6	342	92	13	488		
2nd Quarter .....	96	94	23	16	13	61	1,438	124	59	1,828		
July .....	83	15	14	5	.....	7	247	552	21	861		
August .....	15	32	43	9	49	1	316	161	4	615		
September .....	8	46	49	7	95	7	302	141	34	681		
3rd Quarter .....	106	93	106	21	144	15	865	854	59	2,157		
October .....	19	69	12	7	40	5	234	43	10	420		
November .....	14	44	4	9	46	8	232	42	80	465		
December .....	11	12	1	10	61	7	120	18	92	321		
4th Quarter .....	44	125	17	26	147	20	586	103	182	1,206		
2009 Total .....	331	677	155	107	317	153	3,876	1,185	321	6,791		
2008 Total .....	271	591	64	155	14	214	6,332	56	170	7,596		
Percent Change .....	+ 22.1	+ 14.6	+ 142.2	- 31.0	+ 2164.3	- 28.5	- 38.8	+ 2016.1	+ 88.8	- 10.6		

## SENATE LIBRARY DOCUMENT DELIVERY FOR CALENDAR YEAR 2009

	Volumes Loaned	Materials Delivered	Facsimiles	Micro- graphics Center Pages Printed	Photocopiers Pages Print- ed
January .....	330	298	18	26	5,543
February .....	208	287	23	37	5,626
March .....	234	308	14	21	5,042
1st Quarter .....	772	893	55	84	16,211
April .....	254	361	13	13	7,131
May .....	178	309	12	66	4,807
June .....	276	359	24	395	6,821
2nd Quarter .....	708	1,029	49	474	18,759
July .....	379	424	22	207	7,346
August .....	257	354	15	171	7,344
September .....	202	356	17	88	13,843
3rd Quarter .....	838	1,134	54	466	28,533
October .....	263	338	23	72	4,137
November .....	323	501	11	102	4,116
December .....	214	264	20	180	.....
4th Quarter .....	800	1,103	54	354	8,253
2009 Total .....	3,118	4,159	212	1,378	71,756
2008 Total .....	4,337	3,405	258	3,513	100,266
Percent Change .....	- 28.11	+ 22.14	- 17.83	- 60.77	- 28.43

## PAGE SCHOOL

The United States Senate Page School exists to provide a smooth transition from and to the students' home schools, providing those students with as sound a program, both academically and experientially, as possible during their stay in the nation's capital, within the limits of the constraints imposed by the work situation.

*Summary of Accomplishments*

Accreditation by the Middle States Commission on Secondary Schools continues through April, 2013.

Two page classes successfully completed their semester curriculum. Closing ceremonies were conducted on June 5, 2009, and January 22, 2010, the last day of school for each semester.

Orientation and course scheduling for the Spring 2009 and Fall 2009 pages were successfully completed. Needs of incoming students determined the semester schedules.

English usage pre- and post-tests were administered to students each semester, and the results were reviewed by faculty to determine what usage instruction or remediation was needed.

Study skills sessions were provided to identified students in need of training.

Faculty and staff provided extended educational experiences to pages, including 23 field trips, two guest speakers, opportunities to play musical instruments and vocalize, and foreign language study with the aid of tutors. Eight field trips to educational sites were provided for summer pages as an extension of the page experience.

National tests were administered for qualification in scholarship programs. Seventeen pages took 28t Advanced Placement exams in nine subjects.

The evacuation plan and COOP have been reviewed and updated. Pages and staff continue to practice evacuating to primary and secondary sites.

Staff and pages participated in escape hood training, and staff continues certification in CPR/AED procedures.

Staff attended continuing education seminars.

Staff computers were upgraded by Computer Services to include Microsoft 2007.

Tutors and the substitute teacher completed training in evacuation procedures.

Communication among the Sergeant at Arms, Secretary of the Senate, party secretaries, the Page Program, and the Page School is ongoing.

#### *Summary of Plans*

Our goals include:

- Teachers will continue to offer individualized small group instruction and tutoring on an as-needed basis, as well as optional academic support for students preparing to take AP tests.
- Foreign language tutors will provide assistance to students, and a foreign language seminar on basic grammar terminology will be offered on a trial basis in the fall of 2010.
- The focus of field trips will be sites of historic, political, and scientific importance which complement the curriculum.
- English Usage pre- and post-tests will be administered to students each semester to assist faculty in determining needs of students for usage instruction.
- Staff development options include attendance at seminars conducted by Joint Office of Education and Training and subject matter and/or educational issue conferences conducted by national organizations.
- The community service project will continue.

#### PRINTING AND DOCUMENT SERVICES

The Office of Printing and Document Services (OPDS) serves as liaison to the Government Printing Office (GPO) for the Senate's official printing, ensuring that all Senate printing is in compliance with Title 44, U.S. Code as it relates to Senate documents, hearings, committee prints and other official publications. The office staff assists the Senate by coordinating, scheduling, delivering and preparing Senate legislation, hearings, documents, committee prints and miscellaneous publications for printing, and provides printed copies of all legislation and public laws to the Senate and the public. In addition, the office staff assigns publication numbers to all hearings, committee prints, documents and other publications; orders all blank paper, envelopes and letterhead for the Senate; and prepares page counts of all Senate hearings in order to compensate commercial reporting companies for the preparation of hearings.

#### *Printing Services*

During fiscal year 2009, OPDS prepared 4,395 requisitions authorizing GPO to print and bind the Senate's work, exclusive of legislation and the Congressional Record, an 11 percent increase over the previous year. Since the requisitioning done by OPDS is central to the Senate's printing, the office is responsible for reviewing invoices and bids for Senate print jobs.

In addition to processing requisitions, the Printing Services Section coordinates proof handling, job scheduling and tracking for stationery products, Senate hearings, Senate publications and other miscellaneous printed products, as well as monitoring blank paper and stationery quotas for each Senate office and committee. OPDS also coordinates a number of publications for other Senate offices, such as the Curator, Historian, Disbursing, Legislative Clerk, and Senate Library, as well as the U.S. Botanic Garden, U.S. Capitol Police, Architect of the Capitol, and the U.S. Capitol Visitor Center. These tasks include providing guidance for design, paper selection, print specifications, monitoring print quality and distribution. Last year's major printing projects included:

- Semi-Annual Report of the Secretary of the Senate;
- Tributes to Retiring Senators;
- U.S. Senate Leadership Portrait Collection brochure;
- U.S. Senate Foreign Relations Committee brochure;
- U.S. Senate Appropriations Committee brochure;
- U.S. Senate Republican and Democratic Leader's Suite brochures;
- 2009 Senate Telephone Directory;
- Senate gallery passes and visitor badges; and
- Capitol Visitor Center tour tickets and informational brochures.

#### *Hearing Billing Verification*

Senate committees often use outside reporting companies to transcribe their hearings, both in-house and in the field. OPDS processes billing verifications for these transcription services ensuring that costs billed to the Senate are accurate. OPDS utilizes a program developed in conjunction with the Sergeant at Arms Computer Division that provides greater billing accuracy and information gathering capacity; and adheres to the guidelines established by the Senate Committee on Rules and Administration for commercial reporting companies to bill the Senate for tran-

scription services. During 2009, OPDS provided commercial reporting companies and corresponding Senate committees a total of 1,136 billing verifications of Senate hearings and business meetings, a 33 percent increase over the previous year. Over 83,000 transcribed pages were processed at a total billing cost of \$652,412.

The software program used to process the hearing verifications required by Senate Disbursing to pay vendors for transcription services was completely updated in 2008. OPDS worked with the Senate Committee on Rules and Administration to draft updated regulations governing the production and reimbursement of transcripts. In addition, input was solicited from vendors and committee clerks to ensure consideration of current transcription practices and costs. The new software program was fully tested by all current Senate transcription vendors and is now fully implemented.

During 2009, the office continued processing all file transfers, and billing verifications, between committees and reporting companies electronically ensuring efficiency and accuracy.

#### *Secretary of the Senate Service Center*

The Service Center within OPDS is staffed by experienced GPO detailees who provide Senate committees and the Secretary of the Senate's office with complete publishing services for hearings, committee prints, and the preparation of the Congressional Record. These services include keyboarding, proofreading, scanning, and composition. This allows committees to decrease, or eliminate, additional overtime costs associated with the preparation of hearings, improving the management of Congressional Printing and Binding funds. Additionally, the Service Center provides work for GPO detailees assigned to legislative offices during Senate recesses.

#### *Document Services*

The Document Services Section coordinates requests for printed legislation and miscellaneous publications with other departments within the Secretary's office, Senate committees, and GPO. This section ensures that the most current version of all material is available, and that sufficient quantities are available to meet projected demands. The Congressional Record, a printed record of Senate and House floor proceedings, Extension of Remarks, Daily Digest and miscellaneous pages, is one of the many printed documents provided by the office on a daily basis. In addition to the Congressional Record, the office processed and distributed 10,875 distinct legislative items during the first Session of the 111th Congress, including Senate and House bills, resolutions, committee and conference reports, executive documents, and public laws.

The demand for online access to legislative information continues to be strong. Before Senate legislation can be posted online, it must be received in the Senate through OPDS. Improved database reports allow the office to report receipt of all legislative bills and resolutions received in the Senate which can then be made available online and accessed by other Web sites, such as LIS and Thomas, used by Congressional staff and the public.

#### *Customer Service*

The primary responsibility of OPDS is to provide services to the Senate. However, the responsibility and this office's dedication and assistance to the general public, the press, and other government agencies are virtually indistinguishable from the services provided to the Senate. During 2009, over 15,000 requests for legislative material were received at the walk-in counter, through the mail, by fax, and electronically. Online ordering of legislative documents and the Legislative Hot List Link, where Members and staff can confirm arrival of printed copies of the most sought after legislative documents, continued to be popular. The site is updated several times daily each time new documents arrive from GPO to the Document Room. In addition, the office handled thousands of phone calls pertaining to the Senate's official printing and document requests. Orders received by recorded messages, fax, and e-mail are processed as they are received, as are mail requests.

#### *On-Demand Publication*

The office supplements depleted legislation where needed by producing additional copies in the DocuTech Service Center, staffed by experienced GPO detailees who provide Member offices and Senate committees with on-demand printing and binding of bills and reports. On-demand publication allows the department to cut the quantities of documents printed directly from GPO and reduces waste. The DocuTech is networked with GPO, allowing print files to be sent back and forth electronically. This allows OPDS to print necessary legislation for the Senate floor, and other offices, in the event of GPO experiences a continuity of operations situation.

### *Accomplishments & Future Goals*

Over the past year, OPDS has provided new services for customers and improving existing ones. Of particular note is the office's commitment to help "green" the Senate. During 2009 Senate offices ordered over 4.5 million sheets of 100 percent recycled paper, a 57 percent increase over 2008.. The office works diligently to track document requirements, monitoring print quantities, and reducing waste and associated costs. Over 400 new and revised print jobs were routed electronically for customer approval, improving turnaround time and efficiency. Additionally, blank paper orders, now transmitted electronically to GPO as they are processed, save time and move toward the office's goal of paperless ordering.

The office's future goals include working with GPO on their Federal Digital and Microcomp Replacement Systems to improve efficiency and help answer the evolving needs of the Senate. Focus on continuity of operations planning and the offices emergency preparedness will continue. The Office of Printing and Document Services continues to seek new ways to use technology to assist Members and staff with added services and improved access to information.

### **PUBLIC RECORDS**

The Office of Public Records receives, processes, and maintains records, reports, and other documents filed with the Secretary of the Senate that involve the Federal Election Campaign Act, as amended; the Lobbying Disclosure Act of 1995, as amended; the Senate Code of Official Conduct: Rule 34, Public Financial Disclosure; Rule 35, Senate Gift Rule filings; Rule 40, Registration of Mass Mailing; Rule 41, Political Fund Designees; and Rule 41(6), Supervisor's Reports on Individuals Performing Senate Services; and Foreign Travel Reports.

The office provides for the inspection, review, and publication of these documents. From October 2008 through September 2009, the Public Records office staff assisted more than 2,000 individuals seeking information from reports filed with the office. This figure does not include assistance provided by telephone or e-mail, nor help given to lobbyists attempting to comply with the provisions of the Lobbying Disclosure Act of 1995, as amended (collectively, the "LDA"). A total of 77,702 photocopies were sold in the period. In addition, the office works closely with the Federal Election Commission, the Senate Select Committee on Ethics, and the Clerk of the U.S. House of Representatives concerning the filing requirements of the aforementioned Acts and Senate rules.

### *Fiscal Year 2009 Accomplishments*

The office continued to implement S. 1, the Honest Leadership and Open Government Act (HLOGA), which amended the LDA and the Senate Code of Conduct. The office posted two guidance updates and concentrated on compliance issues, referring close to 4,400 cases of potential non-compliance to the U.S. Attorney for the District of Columbia. The Senate Office of Public Records conducted a continuity of operations (COOP) exercise in August which required half of the staff to work from a remote location in preparation for a potential H1N1 pandemic.

### *Plans for Fiscal Year 2011*

The Public Records office will assess the need to update the LDA guidance semi-annually and will continue to concentrate on LDA compliance issues.

### *Automation Activities*

During fiscal year 2009, the Senate Office of Public Records worked with the Sergeant at Arms to enhance the lobbying database performance in terms of public query programs for Senate.gov, and to create an internal compliance monitoring application.

### *Federal Election Campaign Act, as Amended*

The Act requires Senate candidates to file quarterly and pre- and post-election reports. Filings totaled 4,298 documents containing 292,496 pages.

### *Lobbying Disclosure Act of 1995, as amended*

The LDA requires semi-annual financial and lobbying activity reports. As of September 30, 2009, there were 5,700 registrants representing 20,007 clients. The total number of individual lobbyists disclosed on 2009 registrations and reports was 14,847. The total number of lobbying registrations and reports processed was 134,925.

### *Public Financial Disclosure*

The filing date for Public Financial Disclosure Reports was May 15, 2009. The reports were made available to the public and press by June 12, 2009. Public Records

staff provided copies to the Select Committee on Ethics and the appropriate state officials. A total of 3,137 reports and amendments were filed containing 18,528 pages. There were 253 requests to review or receive copies of the documents.

*Senate Rule 35 (Gift Rule)*

The Senate Office of Public Records received 214 reports during fiscal year 2009.

*Registration of Mass Mailing*

Senators are required to file mass mailings on a quarterly basis. The number of pages was 487.

STATIONERY ROOM

The United States Senate Stationery Room is the provider of office and administrative supplies, personalized stationery and special order items for official government business. We serve all Members, support offices, and other authorized people and organizations.

The Stationery Room fulfills its mission by:

- Utilizing open market, competitive bid, statutorily required and/or GSA schedules for supply procurement.
- Maintaining sufficient in-stock quantities of select merchandise in order to best meet the immediate needs of the Senate community.
- Developing and maintaining productive business relationships with a wide variety of vendors to ensure sufficient breadth and availability of merchandise.
- Maintaining expense accounts for all authorized customers and preparing monthly activity statements.
- Managing all accounts receivable and accounts payable reimbursement.
- Ensuring the integrity of all funds and other government assets under our control.

	Fiscal Year 2009 Statistics	Fiscal Year 2008 Statistics
Gross Sales .....	\$3,594,733.94	\$4,547,289.64
Sales Transactions .....	47,459	41,704
Purchase Orders Issued .....	6,586	6,224
Vouchers Processed .....	7,073	6,832
Office Deliveries .....	5,661	6,985
Number of Items Delivered .....	134,191	160,538
Number of Items Sold .....	439,042	503,238
Full time Employees (FTE) .....	14	.....

*Fiscal Year 2009 Overview*

*Sales Comparison Analysis*

While sales for fiscal year 2009 appear to reflect a decrease of \$952,555.70 when compared to fiscal year 2008, it should be noted that the Stationery Room discontinued sales of the Metro Transit Subsidy Media in September of 2008. When taking Metro sales out of the equation, fiscal year 2009 sales (\$3,594,733.94) increased \$811,828.01 or approximately 29 percent, over fiscal year 2008 (\$2,782,905.93). The Stationery Room experienced increases of 3 percent to 13 percent in such areas as total sales transactions, purchase orders issued, and vouchers processed.

*“Suggestion Box”*

With the assistance of the Office of Web Technology, the Stationery Room introduced an electronic “suggestion box” accessible to Senate employees from various areas on Webster. Linked to a Stationery e-mail address, the “suggestion box” is intended to request ideas for products customers would like to see available for purchase with official funds. Suggestions are collected and evaluated for appropriateness and usefulness and acted upon accordingly.

*E-Commerce*

Also with the assistance of the Office of Web Technology, Stationery staff began work on an expanded electronic commerce site available to authorized customers within the framework of the Senate intranet. Still in the development phase, the site will allow customers the ability to purchase in-stock items from Stationery online, request delivery to the office and charge the transaction to their account. Some initial features include product thumbnails and a shopping cart. The new system is expected to launch in June.

*Electronic Document Delivery*

Stationery sends hardcopies of sales receipts and office account statements daily through inside mail. Often those mailings number in the hundreds. Because of the volume of consumption of paper supplies (envelopes, receipt paper) and the impact on staff time and resources, the Stationery Room began to e-mail the documents instead. Administrative personnel set up and maintain distribution lists for each office account, convert each paper document to digital and then e-mail it to those on the appropriate distribution list. The program has eased the workload for staff and helped to ensure more secure delivery of documents to the offices served. Additionally, through the implementation of this program, Stationery staff has been able to substantially reduce its use of paper and envelopes.

*Efforts to Green the Senate*

The Stationery Room carries a wide variety of environmentally friendly options: recycled copy paper and toner cartridges; binders, pencils and pens made with recycled components; and custom printed options on recycled stock with soy based inks. Additionally, Stationery has partnered with the Senate Superintendent as a repository for battery recycling and in 2009 helped the Senate recycle 2,300 pounds of alkaline and rechargeable batteries.

*Continuity of Operations (COOP)*

Opening an office after an emergency relocation is of paramount importance to the Senate Stationery Room. To allow for quicker response and decreased office downtime, Stationery has packed 200 COOP boxes with a selection of basic office supplies. Staged offsite, they are available for immediate distribution if the need arises.

## WEB TECHNOLOGY

The Department of Web Technology is responsible for the Web sites that fall under the purview of the Secretary of the Senate:

- the Senate Web site ([Senate.gov](http://Senate.gov))—available to the world;
- the Secretary's internal Web site ([Webster.senate.gov/secretary](http://Webster.senate.gov/secretary))—available to the Senate Staff;
- the central portion of Senate Intranet ([Webster.senate.gov](http://Webster.senate.gov))—available to all Senate Staff; and
- the Senate Legislative Branch Web site ([Legbranch.senate.gov](http://Legbranch.senate.gov))—available to the Senate, House of Representatives, Library of Congress (LOC), Architect of the Capitol (AOC), Government Accountability Office (GAO), Government Printing Office (GPO), Congressional Budget Office (CBO), and U.S. Capitol Police (USCP).



The Senate Web site content is maintained by over 30 contributors from seven departments of the Secretary's office and three departments of the Sergeant at Arms (SAA). Content team leaders meet regularly to share ideas and coordinate the posting of new content. All content is controlled through the Secretary's Web Content Management System (CMS) managed by the Department of Web Technology.

#### Major Additions to the Site in 2009

- Roll Call Votes in XML [http://www.senate.gov/legislative/LIS/roll\\_call\\_lists/vote\\_menu\\_111\\_2.xml](http://www.senate.gov/legislative/LIS/roll_call_lists/vote_menu_111_2.xml)
- Published all roll call votes in XML back to the 1st Session of the 101st Congress and created a system to have future roll call votes automatically display in close to real time. Providing this data in a raw form enables greater access to this sought information. The project was realized through interactions with the Senate Committee on Rules and Administration and member offices. The posting of XML votes did not require any changes in the clerks' established work processes nor result in any system downtime.
- Russell Senate Office Building Bicentennial standalone Web site <http://www.senate.gov/RSOB/>
- Worked with the Historical Office, Curator's Office, and the GPO to design, create, implement, enhance, and maintain a photographic history of the Russell Senate Office Building, meeting firm deadlines and accessibility requirements. While the site looks entirely different than other portions of Senate.gov, it is fully implemented through the content management system to allow for further modifications and additions by content experts.
- Henry Clay in the U.S. Senate standalone Web site <http://www.senate.gov/Clay1851>
- Designed, built, enhanced, delivered and maintained a new standalone Web site that details the history and restoration of a portrait of Henry Clay hung in the East Brumidi Stairway during the spring of 2009. Many multimedia

- and interactive features exist in the site making for an interesting and educational visitor experience applicable to a wide range of audiences. Capitalizing on advances in the Senate's information technology infrastructure, such as streaming flash video, greatly enhances the user's experience.
- Art Section Overhaul <http://www.senate.gov/art>
    - Completely revamped the art section of Senate.gov, exposing more content in a much more visually appealing, organized, and useful manner. Created and implemented multiple advanced slideshow applications and new layout concepts to compliment the sections new information architecture and collection spotlights. The pages highlight the over 1,000 objects now published online. While creating a much richer user experience through utilizing thumbnails, subject-based collection lists, Web slideshows, and an art specific search, the Curator's office was also able to gain greater control over this content through implementing everything through the content management system in conjunction with the office's maintained object database.
  - Contested Senate Elections [http://www.senate.gov/artandhistory/history/common/contested\\_elections/intro.htm](http://www.senate.gov/artandhistory/history/common/contested_elections/intro.htm)
    - Historic exhibit delineating 56 past contested elections in the United States Senate. In-depth information provided for each instance including background information, facts relating to each case, response of the Senate, conclusions, and Committee reports.
  - Expulsion and Censure [http://www.senate.gov/artandhistory/history/common/briefing/Expulsion\\_Censure.htm](http://www.senate.gov/artandhistory/history/common/briefing/Expulsion_Censure.htm)
    - Developed and launched exhibit on expulsion and censure in the United States Senate in conjunction with the Historical Office. The exhibit offers a wealth of information regarding cases of expulsion and censure and the individuals involved. Thirty-one expulsion cases are described and details of eight censure instances are explained.
  - Senate Impeachment Trials [http://www.senate.gov/artandhistory/history/common/briefing/Senate\\_Impeachment\\_Role.htm#4](http://www.senate.gov/artandhistory/history/common/briefing/Senate_Impeachment_Role.htm#4)
    - Enhanced the online report regarding impeachments with a complete listing of all impeachment trials in the Senate. Great detail given in several of the cases with more to be added in the future.
  - Gallery Passes [http://www.senate.gov/artandhistory/art/common/slideshow/Gallerypass/GalleryPass\\_Intro.htm](http://www.senate.gov/artandhistory/art/common/slideshow/Gallerypass/GalleryPass_Intro.htm)
    - Drawing from many previously created features, designs, slideshows, and layouts this exhibit contains gallery passes dating back to the 51st Congress. Relevant information regarding the galleries and their histories is interwoven, leveraging great content from multiple parts of the Web site.
  - Placement Office Job Postings <http://www.senate.gov/reference/Index/Employment.htm>
    - Implemented a completely new system for the Placement Office of the SAA to post and manage their job listings. Content is now delivered in a format that aligns with the one used throughout the Secretary's content management system. Besides providing a much more useful and searchable display to users and a more efficient system from the Placement Office, this also allows all job postings listed on Senate.gov to be combined on a single page.
  - Sergeant at Arms Job Postings <http://www.senate.gov/employment/saa/positions.htm>
    - Developed a system to allow the Human Resources Department of the SAA to begin posting job openings. This new system is coupled with their existing content management system to streamline workflow. SAA job openings now simultaneously appear on Senate.gov in conjunction with <http://SAANET>.
  - Capitol Camera <http://www.senate.gov/general/capcam.htm>
    - Takes advantage of the new flash streaming video servers to display a constant feed of the Capitol Dome from the Russell Building. The template originally created for this page has been reused many times as more video is added to the Web site.
  - Senate Chamber Maps <http://www.senate.gov/artandhistory/art/special/Desks/earlychambermaps.cfm>
    - Historic maps added to interactive Desks site dating back to 1840.
  - Fourteen Featured Biographies [http://www.senate.gov/pagelayout/history/one\\_item\\_and\\_teasers/featured\\_biographies.htm](http://www.senate.gov/pagelayout/history/one_item_and_teasers/featured_biographies.htm)
  - Six Audio Clips [http://www.senate.gov/artandhistory/history/oral\\_history/AudioClipsList.htm](http://www.senate.gov/artandhistory/history/oral_history/AudioClipsList.htm)
  - and
  - Four Oral Histories [http://www.senate.gov/pagelayout/history/g\\_three\\_sections\\_with\\_teasers/oralhistory.htm](http://www.senate.gov/pagelayout/history/g_three_sections_with_teasers/oralhistory.htm)

*Homepage feature articles were published on the following topics:*

- The Senate Chamber: 1859–2009;
- Russell Senate Office Building: First Century, 1909–2009;
- Celebrate National Library Week: Browse Senate Art Publications;
- Moments in Senate History: Photographs of Senate Life;
- An Historic Painting, Rediscovered: Henry Clay in the U.S. Senate; and
- Focus on the Constitution: Advice & Consent of the Senate.

*Secretary's Intranet—Webster.senate.gov/secretary*

**WEBSTER**  
UNITED STATES SENATE


Emergency? Dial 911! Webster Help Feedback

SERGEANT AT ARMS SECRETARY OF THE SENATE CHAPLAIN RULES COMMITTEE

**SECRETARY OF THE SENATE**

**Executive Office**  
Legislative offices  
Legislative Clerk  
Bill Clerk  
Captioning Services  
Daily Digest  
Enrollment Clerk  
Executive Clerk  
Journal Clerk  
Official Reporters of Debates  
Parliamentarian  
Financial offices  
Disbursing  
Administrative  
Chief Counsel for Employment  
Human Resources  
Information Systems  
Interparliamentary Services  
Gift Shop  
Printing & Document Services  
Stationery Room  
Senate Security  
Information & Preservation  
Conservation & Preservation  
Curator  
Library  
LIS Project Office  
Historical Office  
Public Records  
Web Technology  
Joint offices  
Page School  
Education & Training

**Secretary of the Senate's Office: Services for the Senate**


  
Samuel Allyn Otis

The *secretary of the Senate* is the chief legislative, financial, and administrative officer of the U.S. Senate. Since 1789, the secretary was responsible for keeping the minutes and records of the Senate, paying senators, supplying paper and quills, and receiving and transmitting official messages to and from the president and the House of Representatives. As the Senate grew to become a major national institution, numerous other duties were assigned to the secretary, whose jurisdiction now encompasses clerks, curators, the education of Senate pages, and the maintenance of public records.

**Executive Office Staff**

Nancy Erickson, Secretary, S-312	4-3622
Shaila M. Downer, Asst. Sec., S-414C	4-3622
Adam Bramwell, Counsel, S-333	4-8789
Robert Panton, CoS, S-333	4-5636
Beth Provenzano, S-312	4-6254
Col. Swendson, S-333	4-3628
Suzanne Thompson, Cap. Ofcs. Liaison	4-1483
Zoraida Torres, Senior Exec. Accts. Admin.	4-7099
Mark Tratos, Staff Asst., S-414D	4-9461
*Information	4-2115

**Secretaries of the Senate**

  
Nancy Erickson

Nancy Erickson was elected secretary of the Senate when the Senate convened on January 4, 2007.  
[Complete List of Secretaries of the Senate](#)

**Frequently Requested Links**

- Archiving in the Senate
- Employee Benefits (Disbursing Office)
- Floor Orientation Guide
- Reserve the LBJ Room (S-211)
- Telephone Directory

**Monthly e-newsletter**  
[Subscribe or unsubscribe](#) (send generated e-mail)

- March 2010
- February 2010
- January 2010
- December 2009
- November 2009
- October 2009
- September 2009
- August 2009
- July 2009
- June 2009
- May 2009
- April 2009

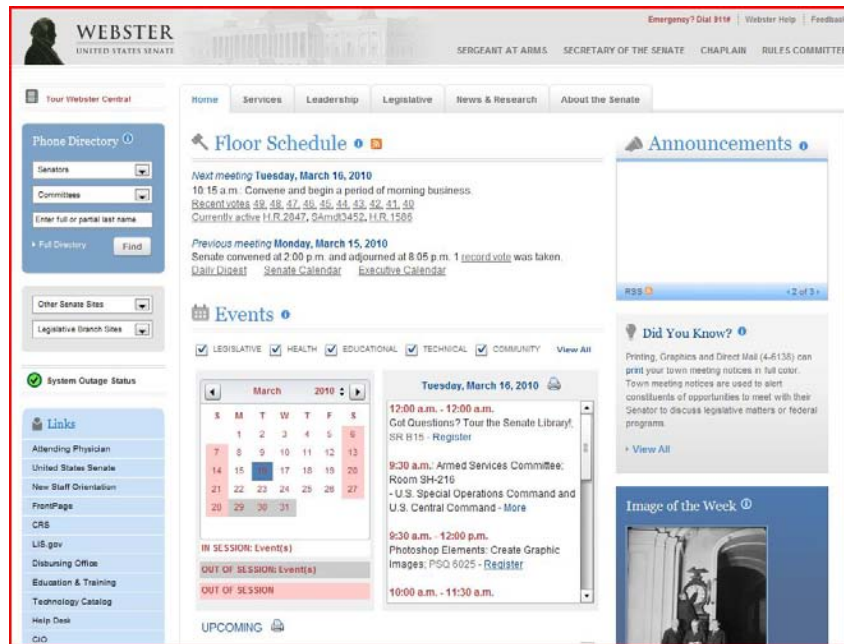
The new Secretary of the Senate intranet (<http://Webster.senate.gov/secretary>) grew considerably during its first full year online. An electronic newsletter managed by the Executive office was created and implemented, proving information specific to the Secretary's office. Web-based order forms were created and enhanced for use in requesting specific legislative documents, class registration, blank paper, room reservations, and stationery product suggestions.

Web Technology worked with the SAA and the Senate Archivist to establish a Web page ([http://Webster.senate.gov/secretary/departments/Historical\\_office/Archiving/archiving\\_services.htm](http://Webster.senate.gov/secretary/departments/Historical_office/Archiving/archiving_services.htm)) to house information on archive management. Additionally, the office devised displays and organization for the information set.

A catalog-based ordering system is being developed for the Stationery Room, which will enable staff to order online. The new system will be managed with the content directly from the Stationery Room's existing retail management system. The ordering system is intended to be especially helpful to state offices. The new system is expected to launch in June.

A new virtual server was created to host the Secretary's content separate from the other officers on Webster. To facilitate this transition, legacy content was either deleted from the existing Webster server or migrated into the Secretary's content management system. Isolating Secretary's content onto a virtual machine leverages some of the newest technology offerings from the SAA, is more environmentally friendly as it replaces multiple physical servers, is easily recovered in emergency instances, and makes all systems involved operate more efficiently.

*Webster Central Web Site—Webster.senate.gov*



In conjunction with the SAA, Chaplain, and Senate Committee on Rules and Administration, Web Technology continued administering, managing, and enhancing the central section of Webster. As part of the Webster Advisory Group (WAG), Web Technology collaborated on the creation, distribution, and interpretation of a Webster user survey. Based on the feedback, WAG implemented changes to enhance users' experiences and increase ease of use of the site.

To streamline the management of content on the central site we repurposed many files that are already updated through existing systems on Senate.gov. The expansion of repurposing data has reduced duplicative efforts, increased consistency, relevancy, and timeliness of data displayed on Webster. Standardizing XML across both sites and having it integrated to Web Technology's content management system was essential to making this possible.

Another heavily utilized content system for the central portion of Webster is the Senate Library's taxonomy system, which generates the content used to produce the hierarchical data used in the "Service," "Legislative," "News & Research," and "About the Senate" tabs accessible from all Webster pages. The system is also used to direct suggested matches based on keywords or phrases. Web Technology and the Senate Library work closely to ensure timely updates in an efficient and user-friendly manner, as well as to modify the displays based on the desires and needs of Senate Staff, and offer continued support of the various systems and their integrations.

*Senate Legislative Branch Web site (Legbranch.senate.gov)*

The Legbranch server is accessible by the Senate, House of Representatives, LOC, AOC, GAO, GPO, CBO, and USCP. The Department of Web Technology maintains a basic Web site for a Capitol Hill e-mail messaging working group managed by the SAA. In the future the server will be used to share more information with other Capitol Hill entities.

*Accomplishments of the Office of Web Technology in 2009*

Began the upgrade of the content management system upgrade. Planned completion date of the upgrade project is the beginning of April when new hardware will host the most currently released versions of the software that comprises our content management system.

Audited the Senate.gov Web pages regularly, updating, enhancing, and correcting pages; verifying content; and reviewing individual page designs throughout Senate.gov for accessibility and usability.

Constantly monitored data feeds from the LIS/DMS system, ensuring content on Senate.gov was current and all processes were functioning properly. This is of vital importance, particularly regarding committee hearing schedules, vote data, and member contact information.

Worked with new Senate offices to establish and maintain temporary Web pages including a picture, biography, and contact information until they were able to get permanent Web sites established.

Responded to approximately 2,000 e-mails from the general public regarding Senate.gov sites. Worked with various content providers, Web support groups, the SAA, member, and committee offices to make suggestions and resolve issues.

Continually reviewed and adjusted search operations and canned matches for both Senate.gov and Webster.senate.gov based on user tendencies and requests.

Conducted user testing with Senate staff and interns to increase understanding of current Web site interactions, desires, and best practices.

Participated in Capitol Hill working group determining ideal manner of providing public legislative data in a secure, downloadable, and searchable format. Other entities involved in this project are the House of Representative, GPO, and the LOC.

Helped organize Capitol Hill wide Webmaster meetings, where best practices were shared across entities. Regularly gave presentations and facilitated conversations during meetings. Led a separate discussion relating to content management systems which had representatives from Republican Conference, DLC, SDMC, LOC, CRS, House Chief Administrative Officer, House Clerk, AOC, Capitol Visitor Center and CBO.

Continually trained and practiced working from remote locations to be prepared should the need arise. All staff are now fully capable of accomplishing their job functions from any location with Internet access. This was accomplished largely through configuring virtual machines that mimic workstations on office laptops.

Bibliography production greatly simplified for both Senate.gov and Webster. To enable Senate users to directly borrow books from bibliographies separate versions for Webster are implemented, and, when applicable, the data is drawn from Senate.gov bibliographies. This aligns the data between two sites, while displaying the appropriate options to the two separate audiences. The new system tremendously simplifies the process for creating and updating bibliographies in both sites.

Aided the Senate Library in aspects of Senate Information Services transition. Worked closely with the SAA to offer a variety of Web-based survey options for the Library to select from. Customized survey to meet the Senate Library's data collection and reporting requirements.

Published XML data for individual roll call votes and votes lists from the present back to the 101st Congress, 1st Session. Enacted and implemented a system to publish future roll call votes in XML format in addition to the already existing HTML renditions.

Worked extensively with the Senate Library in the continual development, implementation, and maintenance of taxonomies. Participated in the planning and approach to including the "Red Book" data to be integrated in the knowledge base.

Knowledge base data is now published directly to Senate.gov. Through modifications in the content management system, Web Technology has established a system with the Senate Library to allow for the direct export of reports to display as Web pages on Senate.gov and Webster, decreasing the need for human interaction and increasing efficiency.

Implemented algorithms to tally vital statistical calculations related to cloture and veto counts, streamlining the process and reducing the chance of errors.

Created virtualized production server for the Secretary's intranet. Cleaned legacy data from legacy physical server and migrated appropriate content into the content management system.

Worked with the Historical Office and GPO in the design of a new standalone site for states.

Worked with the Curator's Office to reorganize their content within the Art and History bucket. Instituted new information architecture for the artifact pages making editing much more efficient. Designed new layout concepts for the Curator's Office areas of focus. Built subject-based collection lists, initially organizing art objects by sitters, which was then expanded to other subject areas, all drawn from the Curator's maintained object database.

Maintained and continued to implement the use of handles established by the LOC for legislation, ensuring functional links to pieces of legislation regardless of changes to other systems. Handles are now used on the many different statistical

tables maintained by the Senate Library reflecting information on currently active legislation, cloture motions, nominations, and vetoes. Also, summary tables were created for the various data sets to further ensure the accuracy and usability of data reported.

Expanded a system established for the Senate Placement Office to post employment offerings publically on Senate.gov, to include job openings from SAA Human Resources Department. Collaborated with the SAA in integrating the data across two separate content management systems. Having both sets of data in XML allows for the integration of all job postings from the SAA and the Placement Office into one comprehensive, searchable list.

Helped maintain back-up server for the CMS at the Alternate Computer Facility (ACF) with the SAA, ensuring our continuity of operations plan. The ACF server is an exact replica of the production system and is continually tested to serve as a real time replacement should the production server become inoperable.

#### *Senate.gov Usage Statistics*

In 2009 an average of over 350,000 visits occurred per day on the Senate.gov domain. Twenty-six percent of them entered through the main Senate homepage while the majority came to the site through a bookmarked page or to a specific page from search results; this indicates a slight rise in visitors entering through the homepage of Senate.gov from the previous year.

Title of Web Page	2008 Visits/ Month	2009 Visits/ Month	2008–2009 Per- cent Increase
Visits—Entire Site .....	8,521,779	10,754,581	+ 26
Senate Homepage .....	1,704,697	2,526,741	+ 48

Reviewing statistics on Web page usage helps the content providers better understand what information the public is seeking and how best to improve the presentation of that data. Visitors are drawn to the following content items, listed in order of popularity.

#### MOST VISITED PAGES IN 2009

Top Pages	2008 Visits/ Month	2009 Visits/ Month	Percent Change
Senators Contact Info List .....	546,847	698,084	+ 27
Roll Call Votes .....	182,691	169,276	– 7
Committees .....	78,810	94,446	+ 20
Legislation & Records .....	64,010	91,689	+ 43
Active Legislation .....	37,860	74,199	+ 96
Votes .....	58,277	57,463	– 1
Senate Leadership .....	19,981	20,663	+ 3
Committee Hearings Scheduled .....	16,668	21,726	+ 3

By a huge margin, the most popular page on the main Senate Web site is the list of Senators with links to their Web sites and comment forms. Visitors also continue to be interested in legislative matters in 2009 with Roll Call Vote Tallies, the Active Legislation table, Committee assignments and schedules being particularly popular. The visits per month did decrease across some of the most visited pages on the site. The decrease is most likely attributed to the information on the pages being consumed by other Web sites and then being redisplayed. Additionally, some of the most sought information began being offered in XML, Roll Call Votes, in 2009 making the consumption and dissemination faster and easier. Thus, although the actual visits to Senate.gov decreased on some pages more people are utilizing the information being provided across the site.

SERGEANT AT ARMS AND DOORKEEPER

STATEMENT OF HON. TERRANCE W. GAINER, SENATE SERGEANT AT ARMS

Senator NELSON. Mr. Gainer.

Mr. GAINER. Thank you, Mr. Chairman and ranking member and Senator Pryor. I appreciate the opportunity this afternoon to discuss the work we have been doing in our budget for the upcoming fiscal year. I, too, ask that my written report be submitted and made part of the record.

Senator NELSON. It will. Thank you.

Mr. GAINER. The budget request I have submitted, as you indicated, requests a 7 percent increase, just over \$15 million more than fiscal year 2010, a total of nearly \$240 million. Last year we requested a 10.5 percent increase; the year before, 11.5 percent; 13.9 in 2008; and 12.8 in 2007. So we thought we were heading in the right direction.

I was on the floor last year when you sought the approximately 3 percent increase in the legislative branch, and as your opening remarks indicated, it was not well received again, even though all of us thought we were getting where we needed to be. I was also on the floor when there was an attempt to take a couple hundred million dollars from all of us, and we appreciate your defense of our budgets because it was so very important. But these events highlight the difficulty we all have in this.

We work together, the Secretary of the Senate, the Capitol Police, the Architect of the Capitol (AOC), and the Rules Committee, providing quality service to the Senate. Our SAA team does great work. They are industrious, honest, and very self-actualized. They are guided by leaders like my deputy, Drew Willison; Bret Swanson in operations; Chris Dey, our CFO; Pat Murphy in HR; Kim Winn, the Chief Information Officer; Christie Preach, who serves the entire Senate in the EAP program; Peggy Greenberg, who does so much training here and throughout the Nation; Mike Heidingsfield in Police Operations; Becky Daugherty, our Protocol Officer; Rick Edwards, on all issues related to the floor; Dave Bass in the Recording Studio; Joe Collins, the Postmaster. These are a few of the people who contribute.

Our services are not only in the D.C. area, but also in the 454 offices throughout the Nation.

My submitted 40-plus pages of testimony covers the accomplishments so that you and your staff know how hard we work for you. Allow me to mention a few highlights.

For instance, in IT, we have a 96 percent rating of satisfactory or better for help desk calls. You and your staff know how important that is. We have a 99 percent or better on-time arrival for IT installation. We processed some 247 million Internet messages last year. We have established the online purchasing of your office tech-

nology needs. A recent example of how IT continues to adjust to the workload of the Senate; recently we helped process 800,000 e-mails sent by one Senator in a single day. Your expectations of IT are very high.

From a security standpoint, every day we are monitoring what goes on in the IT area, and daily we deal with about 13.9 million network security events.

As the Secretary of the Senate indicated, we have opened the Senate galleries for the first time since 9/11.

Our cabinet shop has seen a 130 percent increase in repair and refurbishing of over 200 pieces of furniture.

Our printing and graphics, direct mail (PGDM) produced 7 million letters for you last year. They work in a space of about 30,000 square foot in the basement of the Postal Square, when every expert says they should be operating in an area of at least 50,000 square feet. In this past year in that particular unit, they suffered two massive floods of raw sewerage that they contended with themselves, while they kept up their work.

Our recording studio doubled the number of TV productions to 2,700 this past year. Live broadcasts were increased 44 percent.

In the customer support area, the 15 new Senators—we helped them set up their offices.

We negotiated leases on 171 State offices.

We increased the number of parking spaces, alleviating a problem.

For the duration of the snowstorm, several of the Capitol operators never went home. They slept on cots and couches in order to make sure the telephones were answered.

Capitol facilities reduced the number of employees by five over the year and kept up the workload that has increased in the Capitol Visitor Center (CVC).

Through process improvements, our post office reduced their head count by four FTEs which we moved over into the CVC to support the appointments desk. They processed 14.4 million pieces of mail. That is a 50 percent increase.

The expectations of you and your office administrators are very high. They are very demanding for you and for the constituents.

Having said that, I am truly well aware of the financial impact. As a small anecdote, I ran my budget by so many people in my own office, but spent some time with a good friend of mine in Chicago. We grew up together: grade school, high school, college roommates. He went off in the Navy as an aviator. I went off in the Navy in surface warfare. He runs two businesses in Chicago and is a part of a bank. Ron Fisher of Thompson Stainless Steel Polishing and Finished Metals.

When I talked to him about our budget and how he was working through this and what he expected of what we are doing, Ron related that the family has been in this business over 60 years. His dad started it. He has 35 employees. They are in their third year of no raises for those employees. They are in their third quarter of 32-hour work weeks in order to keep the people employed with health benefits. He indicates he pays about \$20 an hour, plus benefits for work in this area. Work that could be done in China for 20 cents an hour.

So, I understand how he is struggling. And he wants to know how we are doing; what steps the elected officials are taking, and how I am going to run my office? He readily admits he does not have the answers to all the problems, but he believes like you that Government needs to be somewhat reduced.

Our budget is very real. This is the 17th budget I have participated in as the head of an agency, 7 or 8 years as the director of the Illinois State Police, running our Capitol Police, as Phil did, the Metropolitan Police Department, the Chicago Police Department, and this agency. I do understand the budget process. Our budget is transparent, and it is our professional recommendation how best to serve the Senate.

Having said that, I believe we can make changes. I believe we can deliver the same level of today's service for one more year at our current expense level. I believe that we can zero out the \$7.7 million that we have requested in non-salary areas. We can sustain our existing technology and provide for current services. I do believe, though, that given the demands placed on us, it will be much more difficult to upgrade existing technology, to acquire new technologies which improve existing services, or introduce new services. That is where we would tighten our belt.

We have already put a freeze on the 19 vacancies we have currently. In our budget, we asked for five people. I would withdraw that and not ask to hire anybody. I would respectfully ask that our unobligated balance funds of \$13.9 million that we have accumulated over the last couple of years, remain under our control. We would work with you over the year to reprogram as needed. So I am very much supportive of moving us to a flat budget.

Now, in the area of the cost-of-living adjustments (COLAs), and the merit increases, and the other adjustments, I will have to admit that is a bit more confusing. Our COLA increase of \$1.1 million seems insignificant when compared to the overall budget of the legislative branch or the deficit, but I do believe that we should work with you to figure out whether this is a year for COLAs for us or not. Now, I say that not wanting to destroy the very morale of the people who have served all of us so ably, but again, reflecting back as you have on your constituents, on what is going on in the business world, I do have a personal, ethical problem with awarding ourselves the cost-of-living increases. By the same token, I certainly do not want to be the only organization on the Hill that asks our 959 employees not to take a raise that they fully deserve. The adjustments of some \$4.4 million account for the people we have hired thus far through the year. So we would need to work very closely with you on how to ensure that we can maintain the level of services, keep the people on board, and exceed the expectations you have for us.

As I mentioned, the Senators and your staff are very demanding. For instance, I was down in the Hart subway today and people tried to come through on their way to the Capitol. The police officers, as we have instructed them to do, turned them around and told them to head to Russell. And I know how frustrating that is. Working with the Rules Committee and yourselves, you have said you want a way to get from the Hart building where so many of you work, to the Capitol building. So we have been working over

the past year on how to develop that. It would require putting additional police officers in Hart, additional magnetometers in Hart, and additional people from our staff to direct visitors to where they want to go. That is the type of thing we do and costs money that you have requested.

So assuming we zero out our budget as close as possible, it really means your staffs must have a different expectation. The Secretary mentioned the Senate payroll system. One of the items that I would suggest we would not fund is the Senate office personnel system, highly sought by your office administrators in the Rules Committee. The two systems are related. The personnel system probably would not be turned on if we installed it until after the Senate payroll system is done, but in order to be ready to flip that switch, we would have to begin on that now. If we delay that now, and in 18 months, as the Secretary indicates, the Senate payroll system conversion is complete, someone is going to be standing on that side of the desk wanting to know why we are not flipping on the Senate office personnel system. So, when we work on our budget and reduce it, we have to have a multiyear approach on what that impact will be.

#### PREPARED STATEMENT

And let me conclude with this, if I might, and put on my police board hat for a second. I sat in Chief Morse's chair and our Police Board strongly supports what he is doing. We are as disappointed, probably less so than Phil is, on the missteps in his budget. But I think Phil Morse and his team are putting the department in the right direction, and we can get through this error. I stand and the Police Board stands firmly behind Phil.

I look forward to your questions. Thank you.

Senator NELSON. Thank you. I will do what I can to get my colleagues to be less demanding.

Remember, my name is Benjamin not Merlin.

[The statement follows:]

#### PREPARED STATEMENT OF TERRANCE W. GAINER

##### INTRODUCTION

Mr. Chairman and Members of the Subcommittee, thank you for inviting me to testify before you today. I am pleased to report on the progress the Office of the Sergeant at Arms (SAA) has made over the past year and our plans to enhance our contributions to the Senate in the coming year.

For fiscal year 2011, the Sergeant at Arms respectfully requests a total budget of \$239,286,000—an increase of \$15,685,000 (or 7 percent) over the fiscal year 2010 budget. This request will allow us to maintain and improve the level of service we provide to the Senate community. It will also fund the development and maintenance of business and network security applications, among other support services. The Appendix accompanying this testimony elaborates on the specific components of our fiscal year 2011 budget request.

In developing this budget and our operating plans, we are guided by priorities framed in our Strategic Plan to include ensuring the United States Senate is as secure and prepared for an emergency as possible and providing the Senate with outstanding service and support, including the enhanced use of technology.

Our accomplishments in the areas of security and preparedness, information technology, and operations are impressive. This year, I am pleased to highlight some of this office's activities, to include the furtherance of our efforts toward enhanced systems for better communication across the Hill during emergencies; added training courses and instruction on emergency preparedness, including personal preparedness at home; updated pandemic plans; and exercises to test our abilities to

work remotely. Our IT successes included a 99 percent and better on-time arrival for our IT installation team and customer surveys that revealed a 96 percent rating of satisfactory or excellent in resolution of our Help Desk calls. We expect this level of performance to continue through fiscal year 2011 and always strive for perfection. Our robust messaging infrastructure processed approximately 247 million e-mail messages during the past calendar year. We also supported and enhanced the Senate's video conferencing capability. We enhanced security technology for devices used during international travel, enhanced secure video conferencing, and continued to test our ability to support mission-essential systems under adverse conditions. In other services, our Cabinet Shop repaired and refinished nearly 200 pieces of furniture—a 130 percent increase from the previous year—and designed, built, and installed 129 pieces of furniture, a 42 percent increase. Our Printing, Graphics and Direct Mail branch utilized the latest technology in digital printing to produce 6.7 million letters, an increase of 36 percent. In 2009, PGDM printed 9,434 posters for use on the Floor during debate.

My organization continues to be a good steward of taxpayers' dollars as we continue to elevate our performance. Our productivity increased to unprecedented levels, exemplified by the Senate Post Office processing the most mail in over a decade with four fewer people. With the Senate being in session for more days during 2009 than any year since 1995, our Senate Recording Studio, Doorkeepers, Appointment Desks and Media Galleries generated more broadcasts, assisted more visitors and facilitated more media than at any time in the Senate's history. Last year, for example, Senate Floor proceedings telecasts increased by 44 percent; the number of Senate television productions doubled to 2,749, radio productions increased by 38 percent and Senate committee hearing broadcasts increased by 21 percent. We accomplished this increase in our efficiency through our dedicated staff improving processes, using improved technology, and leveraging existing resources—not by increasing staff. Our customer satisfaction and employee morale levels have never been higher. All of this is to say that the Sergeant at Arms Team is working toward the vision of our Strategic Plan: Exceptional Public Service . . . Exceeding the Expected.

Assisting with all of the efforts of the Office of the Sergeant at Arms is an outstanding senior management team including Drew Willison, who serves as my Deputy; Administrative Assistant Rick Edwards; Republican Liaison Mason Wiggins; General Counsel Joseph Haughey; Senior Assistant Sergeant at Arms for Police Operations, Security and Emergency Preparedness Michael Heidingsfield; Assistant Sergeant at Arms and Chief Information Officer Kimball Winn; Chief Financial Officer Christopher Dey; and Assistant Sergeant at Arms for Operations Bret Swanson. The many goals and accomplishments set forth in this testimony would not have been possible without this team's leadership and commitment.

The Office of the Sergeant at Arms also works with other organizations that support the Senate. I would like to take this opportunity to mention how important their contributions have been in helping us achieve our objectives. In particular, we work regularly with the Secretary of the Senate, the Architect of the Capitol (AOC), the Office of the Attending Physician, and the United States Capitol Police (USCP). When appropriate, we coordinate our efforts with the United States House of Representatives and the agencies of the Executive and Judicial Branches. I am impressed by the people with whom we work and pleased with the quality of the relationships we have built together.

I am very proud of all the men and women of the Sergeant at Arms team who help keep the Senate running. While serving as Sergeant at Arms, I have seen their great work and devotion to this institution. The employees of the Office of the Sergeant at Arms are among the most committed and creative in government.

As always, my staff and I are grateful for the support and guidance of your subcommittee, the full Committee and also the Senate Committee on Rules and Administration.

#### POLICE OPERATIONS, SECURITY, AND EMERGENCY PREPAREDNESS

The Police Operations, Security, and Emergency Preparedness (POSEP) division of the Office of the Sergeant at Arms represents the integrated plans and programs for:

- Successful execution of law enforcement support and coordination,
- Security of the Senate as both an institutional body and a campus,
- Protection of Members and staff in the District of Columbia and respective state offices,
- Counterterrorism measures taken to physically guard against attack,
- Continuous Senate operations during minor or major disruptions, and

—Necessary testing, training, and exercising in preparation for any catastrophic event.

#### *Contingency and Emergency Preparedness Operations*

##### *Emergency Communications and Accountability*

The Senate collaborated with the House Sergeant at Arms' Office of Emergency Management to jointly procure and install the WebFusion software application for use in our emergency operations centers. The Senate and House are the first Federal entities to connect their WebEOC (Web Emergency Operations Center) applications using WebFusion within and between their departments. As a result, the Senate, House, and Government Accountability Office can now seamlessly share information during special events and emergency incidents.

The ability to account for Senators and staff remains a priority in all emergency plans and evacuation drills. Several years ago, we began to improve procedures for offices to report accountability information to the USCP and SAA quickly and accurately using proximity card-enabled laptops and a BlackBerry-based application that allows office emergency coordinators to account for staff remotely. The backbone of this capability is the Accountability and Emergency Roster System (ALERTS), which allows each office to manage staff rosters and designate individuals receiving e-mail and phone alerts. Senate staff and USCP personnel are trained to use ALERTS during personalized and classroom sessions.

We continued to improve notification and communication programs this year to ensure devices and systems are ready to support the Senate during local or large-scale emergencies. The primary alert and notification system for Senate ALERTS provides a single interface for delivering emergency e-mail, Personal Identification Numbers (PIN), and voice messages to the Senate population. AIRCON procedures for the fourth floor of the Capitol were improved.

In conjunction with the USCP, Secretary of the Senate, party secretaries, and other stakeholders, we conduct monthly Senate ALERTS tests for staff and biannual tests for Senators. These tests are designed to ensure our emergency messaging system is reaching all intended recipients and transmitted through e-mail, PIN, voice, annunciator, and public address systems. Additional capabilities to be implemented this year include an emergency alert system that will provide a text and/or voice messaging service broadcast over existing and new Senate cable television network channels. The system's capacity was recently demonstrated to the Committee on Rules and Administration to finalize standard operating procedures prior to use.

##### *Training and Equipment*

Three distinct areas serve as the foundation of our training program and provide essential knowledge regarding office emergency coordinator responsibilities, emergency preparedness basics, and emergency equipment use. Additional training courses focus on the specialized features of emergency preparedness on the Capitol campus. Our staff conducts personalized training covering such topics as accountability, shelter-in-place, evacuations, and internal relocation. One hundred sixty training sessions were conducted in 2009 to train 5,300 staff. We also recognize staff commitment through our newly-established Office Emergency Coordinator Certificate Program. Staff awareness and personal preparedness outside the workplace has been an equally important goal for which the Personal Preparedness Plan Tutorial was refined to provide step-by-step planning instructions that allows staff to create customized preparedness plans. We released an updated version of the *Roadmap to Readiness* in 2009 and included an *Emergency Response Guide*—a condensed, portable version of critical emergency information.

Each office receives an array of emergency equipment that is distributed, inventoried, and maintained by emergency preparedness staff annually. The caches include escape hoods, Victim Rescue Units, Wireless Emergency Annunciators, and emergency supply kits. Equipment accountability and functionality is ensured through testing and replacement of expired items such as batteries, food, and water. Over 18,800 escape hoods are currently deployed throughout the Senate. This number includes both adult and baby escape hoods located in Senate offices and public caches. Additionally, we positioned 1,229 Victim Rescue Units alongside escape hood bags and in emergency supply kits.

Nearly 1,600 Wireless Emergency Annunciators are deployed throughout the Senate complex. These devices allow the USCP to provide verbal instructions to staff during emergencies and other significant events and to provide periodic updates. A squelch issue reported by numerous Senate offices was resolved through software and charger base upgrades completed by January 2010 under warranty at no cost to the Senate and with limited interruption to offices. This solution has improved

overall system functionality (reception, audibility) and customer satisfaction throughout Senate office buildings.

#### *Emergency Plans, Operations, and Facilities*

Emergency plans emphasizing life safety and continuity of operations after a disaster continue to be strengthened and fortified. All new Member offices will receive assistance in developing emergency action procedures, taking into account that many of these offices will initially be assigned temporary office spaces. When completed, each new office will have a functional emergency action plan, established primary and secondary evacuation routes, mobility-impaired evacuation procedures, and a complete collection of emergency contact records.

Senate SAA and House planners joined forces with the U.S. Capitol Police's Emergency Management Division and the AOC to establish procedures in response to respiratory threats requiring the use of internal relocation sites. Select facilities throughout the Capitol complex have been structurally improved and modified to allow for short term (2–3 hour) sheltering. Fifty-eight Senate office internal relocation plans were updated with general information and an additional 65 offices received internal relocation assignments. All Senate offices now have plans in place. Signage and increased training have improved awareness of internal relocation sites and procedures.

We developed a new Continuity of Operations (COOP) planning template for committees in addition to a new program to review existing Senate office plans that are more than 2 years old. This initiative has resulted in more than 80 percent of D.C. Member offices being equipped with updated COOP plans that will allow operations to continue in the event of relocation. A program has also been implemented to provide assistance in developing and executing tabletop exercises for D.C. Member offices to test their published plans. This capability allows offices to discuss individual roles and responsibilities that must be performed in order to continue legislative and constituent operations offsite. The Living Disaster Recovery Planning System is a new software tool that is being tested and piloted. It will allow Senate offices to quickly develop COOP plans that denote essential functions and vital records needed during a COOP incident and store them electronically.

#### *Exercises*

A comprehensive exercise program is structured to ensure Senate plans are practiced and validated regularly. The Sergeant at Arms and Secretary of the Senate conduct several joint exercises annually with the USCP, AOC, Office of Attending Physician, party secretaries, and other key Congressional stakeholders. A new exercise support contract was successfully put into place with no interruption to existing services. This year's exercise plan is designed to maintain and strengthen existing capabilities while addressing emerging needs and solutions. A total of eight Senate-wide exercises, four tabletops or guided discussion exercises, and four functional exercises were completed in 2009. Additionally, a Special Events Planning Guide and professional development and training program for security, contingency, and emergency preparedness staff have been developed for implementation in 2010. We successfully executed a telecontingency exercise for Pandemic (H1N1) 2009 and updated pandemic plans to reflect lessons learned from the spring 2009 outbreak. Additionally, we distributed pandemic health kits and telecommuting guidelines to facilitate preparation.

The office conducted "no-notice" exercises to test select preparedness functions at various locations in partnership with the USCP, Office of Attending Physician, Secretary of the Senate, AOC, Committee on Rules and Administration, and several entities within the U.S. House of Representatives. The general exercise format included functional capabilities demonstrations and tabletop scenarios designed to test the Senate's ability to function during an event that requires relocating to alternate facilities or contingency sites. After-action reports were generated after each exercise to document lessons learned for future plan improvement.

#### *Law Enforcement and Security Operations*

##### *Congressional Delegations*

Law Enforcement and Security Operations supports Senators and their staff as they travel overseas to conduct Senate business by providing security consultation services to prospective travelers in collaboration with the U.S. Department of State, USCP, and Secretary of the Senate. Actual budgetary requirements remain relatively low in this area but must be included in annual requests to support the security responsibility vested in the SAA organization.

### *State Office Security and Preparedness Programs*

State office programs provide a level of security and preparedness in participating state offices similar to D.C. offices. There are over 400 state offices, varying from single to multiple staff offices, located everywhere from commercial storefronts to Federal courthouses. Several violent incidents in and around Federal buildings and offices and numerous high-profile and contentious issues arose in 2009, making these programs critical even with their voluntary implementation status. To combat these threats, offices receive equipment, training, and consulting for secure reception areas, access control, and duress and burglar alarms.

One hundred and one Senate state offices received assistance in completing a Comprehensive Emergency Plan (CEP) in 2009. The plan combines security, emergency preparedness, and continuity of government processes into one document that meets the requirements of the Congressional Accountability Act. Additionally, all new state offices received program briefings and emergency equipment and supplies similar to D.C. offices. Pandemic (H1N1) 2009 information was promptly disseminated to state offices and approval from the Committee on Rules and Administration allowed state offices to procure supplies to combat the spread of the virus. The focus will turn to providing an improved online software tool for creating CEPs and offering additional preparedness classes online in 2010.

The State Office Security Enhancement Program provided security enhancements in 65 Senate state offices in 2009. These enhancements included building secure reception areas where visitors can be screened for signs of hostility, intoxication, etc., before allowing them into the work space; duress buttons; closed-circuit cameras with digital video recorders; burglar alarms; and other items which provide increased security. To date, the program has provided security enhancements in 77 percent of offices located in commercial space and 58 percent of offices located in Federal buildings. Additionally, over 300 state office alarm systems were tested and inspected. The focus will turn to utilizing a new all-hazard risk assessment to survey all state offices and offer security enhancements to non-participating offices in 2010. Collaboration with representatives from the USCP, General Services Administration, Federal Protective Service, and the U.S. Marshals Service will continue as will onsite visits.

### *Senate Campus Access Accommodations*

During 2009, we collaborated with the USCP to coordinate and approve over 259 requests for vehicles requiring special access to the Senate campus. This total does not include the military and government arrivals that were also organized. Requests for access continue to grow with the opening of the Capitol Visitor Center (CVC). Our organization works closely with our House counterparts to coordinate access on both sides of Capitol Hill for groups with special needs. This service involves working directly with Member offices and their constituents to help resolve accessibility issues and create memorable, meaningful, and safe trips to the Hill without compromising security. The program's webpage was recently updated to better facilitate accessibility requests from Senate offices.

### *USCP Command Center Support*

To refine communication between the USCP and the Senate community during critical incidents, POSEP staff monitor and support the SAA Command Center Duty Desk while the Senate is in session.

### *Campus Security Vulnerabilities*

The SAA, USCP, U.S. Secret Service and the Defense Threat Reduction Agency continue to identify and mitigate security vulnerabilities throughout the Senate complex. Area-specific security experts are dedicated to identifying vulnerabilities and implementing solutions. The Senate's physical presence extends well beyond Capitol Hill and into Senate state offices across the country.

## INFORMATION TECHNOLOGY

### *Enhancing Service, Security and Stewardship*

We continue to provide a wide range of effective information technology solutions to facilitate the Senate's ability to perform its legislative, constituent service, and administrative duties; to safeguard the information and systems the Senate relies upon; and to be ready to respond to emergencies and disruptions. As in our other areas, we also emphasize stewardship—the careful use of all our resources, including the funding we are provided, our personnel and the external resources that we consume—in all aspects of our information technology operation.

As we do each year, we have updated and are performing under our 2-year Information Technology Strategic Plan. The current revision, under which we will be op-

erating in fiscal year 2011, continues to emphasize our five strategic information technology goals and the supporting objectives that drive our information technology programmatic and budgetary decisions:

- Secure*.—A secure Senate information infrastructure.
- Customer Service Focused*.—A customer service culture, top-to-bottom.
- Effective*.—Information technology solutions driven by business requirements.
- Accessible, Flexible & Reliable*.—Access to mission-critical information anywhere, anytime, under any circumstances.
- Modern*.—A state-of-the-art information infrastructure built on modern, proven technologies.

Our fourth information technology strategic goal—“Accessible, Flexible & Reliable”—may have the most impact of the five goals. The other goals might be considered self-evident, and we certainly spend a great deal of effort on them, but this fourth goal undergirds everything we do from a technology standpoint. We must ensure that almost every system and every service we deploy can withstand disruptions to our operating environment; can be reconfigured, if necessary, to cope with disruptions; and can be used regardless of whether the person trying to use it is located within one of our spaces or elsewhere. We continuously re-evaluate existing services and systems to identify areas for improvement and make those improvements as soon as we can, in an effort to ensure the Senate can continue to do its work under any circumstances.

From a budgetary standpoint, more than half of the Chief Information Officer (CIO) organization’s fiscal year 2011 request will go to direct support of offices through economic allocations, installing and supporting the equipment they acquire through the economic allocation, and for other programs that benefit offices directly. Another third will be devoted to providing services at the enterprise level, such as information security, the Senate data network, electronic mail infrastructure, and telephone systems. The remainder is almost equally divided between supporting the Secretary of the Senate with payroll, financial management, legislative information, and disclosure systems and our own administrative and management systems.

#### *Enhancing Service to the Senate*

##### *Customer Service, Satisfaction, and Communication*

Our information technology strategic plan stresses customer service as a top priority, and we actively solicit feedback. We solicit customer feedback for every Help Desk ticket opened. In major contracts that affect our customers, we include strict service levels that are tied to the contractors’ compensation—if they do well, they get paid more; if they do poorly, they get paid less. For instance, during the past year, the percentage of on-time arrivals for the IT installation team never dropped below 99 percent. The percentage of IT Help Desk calls that were resolved during the initial call averaged 54 percent, and 96 percent of customer surveys rated the IT Help Desk and installation services as either very satisfactory or excellent. We expect this excellent level of performance to continue through fiscal year 2011.

Also in fiscal year 2011, we will continue to communicate effectively with our customers through a well-developed outreach program that includes information technology newsletters; periodic project status reviews; encouraging customer participation in information technology working groups; weekly technology and business process review meetings with customers; and joint monthly project and policy meetings with the Committee on Rules and Administration, the Senate Systems Administrators Association, and the Administrative Managers’ Steering Group.

##### *Robust, Reliable and Modern Communications*

We provide modern, robust, and reliable data network and network-based services that the Senate relies upon to communicate electronically within and among D.C. and state offices, to and from other Legislative Branch agencies, and through the Internet to the public, other agencies and organizations.

We spent a good portion of this past year enhancing the data network and the services it delivers in a number of ways to ensure they do, and will continue to, meet the evolving and increasing needs of the Senate. We will maintain these efforts in fiscal year 2011 and beyond.

We made several upgrades to our network on Capitol Hill to improve reliability and respond to the growing demands posed by the proliferation of multimedia network traffic. We have tripled the amount of Internet bandwidth available to the Senate and, through the use of new contracts, are saving approximately \$350,000 per year. We expect that bandwidth demands will continue to grow in fiscal year 2011 and that we will be able to meet them.

As part of our ongoing effort to improve the ability of state office staff to work more effectively, we awarded a new contract for the wide-area network services that

support them, and began the installation of optimization equipment, which compresses and caches data packets to deliver faster response to state office staff. The new services contract has lower costs for the existing services, the savings from which we will use to improve network speeds to those state offices that have the greatest requirement for them. In fiscal year 2009, we invested \$664,000 in the optimization technology, which we are installing initially in approximately 100 state offices. Our fiscal year 2010 budget includes funding for an additional 100 units, the locations of which will be determined by identifying the sites most likely to benefit from performance gains. We expect these investments to yield savings through cost containment in fiscal year 2011 and beyond by reducing the demand for increased bandwidth through the use of optimization, and by reducing the cost of increased bandwidth through the terms of the new contract.

We are working with other Legislative Branch agencies to improve interagency communication technology by implementing and securing an upgraded Capnet network that connects all the agencies, with the goal of making this network the preferred path for all interagency communication.

In addition to our robust messaging infrastructure that processed approximately 247 million Internet e-mail messages during the past calendar year, we also support effective communication through the use of video conferencing. During the last and current fiscal years, we enhanced our video conferencing infrastructure to allow participation in a high-definition video conference from virtually anywhere in the world using an inexpensive Web camera and the Internet. We also developed capabilities for offices to easily create video content for their websites or approved external sites using the video teleconferencing equipment they own.

We continue to make progress toward modernizing the Senate's entire telecommunications infrastructure to provide improved reliability and redundancy in support of daily and emergency operations, and a more flexible and robust infrastructure by taking advantage of technological advances. We will be replacing systems such as the voice messaging, group alert, and operational support and billing systems over the coming year, while we continue to move forward with the replacement of the main telephone switch.

#### *Web-Based and Customer-Focused Business Applications*

As in past years, we continue to add functionality to TranSAAct, which is our platform for moving business online. Based on the business requirements of offices and the Committee on Rules and Administration, we continue to develop TranSAAct to eliminate paper-based manual processes and move them to the Web. Because it is built on an extensible modern database framework, TranSAAct allows indefinite expansion as new requirements are identified and fulfilled. We look forward over the coming months and years to moving additional business process to the Web, delivering increasing functionality to office administrative staff, and reducing the time, paper and errors associated with the current manual processes.

#### *Showcasing and Promoting Modern Information Technology in the Senate*

We will continue to highlight new technologies in the Information Technology Demonstration Center through our well-attended demo days, which feature live demonstrations of new and emerging technologies. After products are tested and validated in our technology assessment laboratory, they are then available for offices to try in the demo center.

In order to perform technology assessments, feasibility analyses, and proof of concept studies, and to ensure we are considering technologies that will directly support the Senate's mission, we continue to improve the capabilities in our technology assessment laboratory. Technologies and solutions are vetted and tested here prior to being announced for pilot, prototype, or mass deployment to the Senate. To ensure we focus on the most relevant technologies and solutions, the Technology Advisory Group, consisting of CIO staff and our customers, performs high-level requirements analysis and prioritizes new technologies and solutions for possible deployment in the Senate. Among the technologies that we look forward to supporting over the next few months are the Apple iPhone and a means of transferring large files outside of the e-mail system. Software is becoming available that will allow us to support the Apple iPhone with the security, reliability and performance that our customers expect. Providing a solution to the problem of transferring large files will allow media-based and other large files to be moved in a secure and reliable fashion.

We will continue or intensify these efforts in fiscal year 2011 to ensure that the Senate is always well-equipped to perform its functions. To keep our customers informed of our efforts, we publish the results of our studies on the emerging technology page of the CIO's area on Webster.

*Enhancing Security with Accessible, Flexible and Reliable Systems*

As previously mentioned, we build security, accessibility, flexibility and reliability into every system and service. In addition to those efforts, there are two projects to specifically mention.

This past year, we expanded the BlackBerry scanning program designed to detect security intrusions on wireless devices used during international travel. By increasing our education efforts, we found potential security compromises on BlackBerry devices that were taken to foreign countries. Our strong partnership with the National Security Agency helped mitigate the risk to the Senate once the discrepancies were found. We also installed a secure voice conferencing system that allows up to 20 participants using secure telephone equipment to join in a secure conference call. We plan to expand the system in the coming fiscal year to allow up to 60 participants.

*Alternate Sites and Information Replication*

We continue to test our technology in scenarios in which we are unable to access our primary infrastructure and primary work locations. This includes the simulated loss of our primary data and network facilities, as well as staff work space. All mission-essential Senate enterprise information systems continue to be replicated at our Alternate Computing Facility, using our upgraded optical network and storage area network technology. We conduct a variety of exercises to ensure we are prepared to cope with events ranging from a burst water pipe, to a pandemic, to an evacuation of Capitol Hill. In August, we conducted an unprecedented exercise by shutting down most of the Senate's mission-critical systems at our primary site, letting them fail over to or bringing them up at our alternate site, and running them at the alternate site for a week before reversing the process. These exercises demonstrate our ability to support mission-essential systems under adverse conditions and the ability to support substantial numbers of people working remotely.

We also will continue to invest in storage systems that automatically replicate information from our primary site to our alternate site. These storage systems support our mission-critical systems as well as individual offices.

*Securing our Information Infrastructure*

As a result of the information security initiatives that we completed during fiscal year 2009, and were described in last year's testimony, and continuing information sharing relationships we have with other government agencies, we improved our insight into the sources and the dynamic nature of global cyber threats. This improved insight, combined with the flexible technologies we use in our information security operations centers, allows us to monitor and quickly respond to changes in the level of operational risk present in our information technology environment.

We continue to improve our active prevention and detection capabilities by deploying technologies and processes that help detect and prevent most malware infections and attempts to exploit vulnerabilities. This capability to detect and prevent attacks in real time is crucial in light of attacks targeting previously unknown vulnerabilities ("zero-day attacks"). These processes and technologies shield information technology assets from attack, thereby reducing the operational impact of downtime on offices and lowering remediation costs.

Similar to security in the physical world, protecting information and technology resources requires vigilance and the capability to detect and deter attacks. We operate in an escalating attack environment in which the threats to our information infrastructure are increasing in both frequency and sophistication. This is not just our own assessment based on our direct experience but also that of the Director of National Intelligence, who, in his testimony before the Senate Select Committee on Intelligence on February 2, 2010, stated:

"Malicious cyber activity is occurring on an unprecedented scale with extraordinary sophistication. While both the threats and technologies associated with cyberspace are dynamic, the existing balance in network technology favors malicious actors, and is likely to continue to do so for the foreseeable future. Sensitive information is stolen daily from both government and private sector networks, undermining confidence in our information systems, and in the very information these systems were intended to convey. We often find persistent, unauthorized, and at times, un-attributable presences on exploited networks, the hallmark of an unknown adversary intending to do far more than merely demonstrate skill or mock a vulnerability. We cannot be certain that our cyberspace infrastructure will remain available and reliable during a time of crisis. Within this dynamic environment, we are confronting threats that are both more targeted and more serious. New cyber security approaches must continually be developed, tested, and implemented to respond to new threat technologies and strategies."

Our raw numbers bear this out, so we must remain on guard. In 2008, we averaged 8 million network security events per month; in 2009, 1.6 billion per month; and so far in 2010, 1.8 billion per month. Fortunately, automated systems detect and defend against the vast majority of those events.

The threats we face include exposure to attacks that continuously target vulnerabilities using a variety of malware infection vectors, including viruses, worms, trojan horses, spyware, spybots, adware, keyloggers, and rootkits. During the last calendar year, this general threat environment shifted in focus toward application software that is vulnerable without the latest patches. Over the course of the year, vulnerabilities in products as diverse as Adobe Acrobat, Oracle Java, Microsoft Office, and Internet Explorer were increasingly targeted by varied means of infection. Many such attacks were facilitated by social engineering. As we are one of our nation's core government institutions, we continue to see not only general attacks that affect all Internet-connected organizations, but also sophisticated and targeted attacks originating from numerous foreign and domestic sources.

Last year, the Senate experienced an increase in spear-phishing attacks. These attacks used socially engineered e-mail messages to invite specifically-targeted Senate staff members to open malicious attachments or links. We began detailed tracking of this trend in August 2009 and through December saw an average of 18 attacks per month, of which approximately 4 per month resulted in successful delivery of malicious content. The attacks were widespread during this period and included the offices of 87 Senators, 13 committees, and 7 others.

Countering the risks inherent in this evolving threat environment requires situational awareness and robust processes, as well as continual research, testing and deployment of emerging security technologies. Recent infections have been highly virulent in nature and difficult to detect because they exploit newly-identified or previously-unknown vulnerabilities. These attacks are probably launched by determined and sophisticated adversaries, and we have very little advance notice of new types of attacks. Responding to these attacks requires significant investment in flexible security control structures and processes that can be rapidly revised and adjusted in response. As part of this effort, we strengthened our external relationships and use of external sources to improve our overall threat awareness.

As the global threat environment shifts and intensifies, we continually modify our processes and technologies to better protect the Senate's information and IT infrastructure. We also continue to reach out to Senators and staff to educate them as to securing their information and avoiding exploitation.

#### *Enhancing Stewardship through Fiscal and Environmental Responsibility*

Stewardship of our resources is intertwined in everything we do, as well as being a driving force for some of our activities. We continue to look for ways to improve our processes or technologies to save time, money, electricity, paper, or other resources. Our CIO organization consistently and continuously improves the services offered to our customers while seeking only modest increases in funding. Many initiatives save offices hundreds or thousands of dollars in costs that would otherwise be borne out of their official accounts. As most of these initiatives save money due to a reduction in the purchase of some commodity, they also fit in with our efforts toward environmental stewardship. Some examples of our efforts to enhance fiscal and environmental stewardship are:

- Continuation of our virtualization efforts, where we now reduce energy and maintenance and support costs by running more than 170 of our servers in a virtual environment. We will continue an aggressive campaign to virtualize servers until every server that can be virtualized is.
- Offices, especially those of the new Senators, have taken great advantage of our virtual machine infrastructure to centrally host their file and application servers on shared hardware at our primary and alternate facilities, which greatly increases server hardware efficiency, and through system duplication and data replication, offers enterprise class data redundancy and recovery in the event of a critical local failure or crisis. The virtual solution also relieves offices of considerable noise, excess heat, and will increase usable office working areas for staff. It removes the single point of failure from existing office servers and meets continuity of operations and data replication requirements for approximately half the cost of existing solutions. To date, we are hosting 44 Senate office file servers on our virtual infrastructure. Virtual servers running in the data center consume only 15 percent of the energy of a comparable number of physical servers, reducing power consumption and air conditioning requirements and saving Senate funds while enhancing our ability to provide reliable and redundant services. Fewer servers used by the Senate also means fewer

servers will need to be manufactured and, therefore, fewer servers will have to be disposed of at their end of life, which is greening on a national scale.

- We used our catalog to highlight the energy-efficient aspects of our supported information technology and general office equipment, and we conducted “green” demo days where vendors could answer questions about their products’ environmental friendliness.
- We continue our efforts to dispose of surplus electronic equipment through such programs as the Computers for Schools program. Last year we fulfilled 28 Member office requests and packed and shipped 345 surplus computers to eligible public schools. We send other surplus equipment to the General Services Administration for redistribution or resale.
- We also ensure that the devices we recommend to the Senate meet the applicable EnergyStar guidelines and, where feasible, the guidelines for the responsible manufacture of information technology equipment.

#### OPERATIONS

##### *Capitol Facilities*

SAA Capitol Facilities serves the Senate community by providing a clean and professional work environment through its Environmental Services Division. This division moves Capitol furniture, provides special event setups in the Capitol—including the ten event spaces in the Senate expansion space of the CVC—and completes other service requests. Given the cyclical nature of requests for event setups and furniture movement, Capitol Facilities was able to improve labor cost efficiency by supplementing our full-time work force with contracted labor to meet customer demands during peak request periods. This resulted in eliminating five vacant full-time positions in the Environmental Services Division, realizing a first-year cost savings of approximately \$150,000.

In addition to supporting the administrative needs of Capitol Facilities, the Administrative Division provides event planning services to the Senate community and their constituents. During the past year, they assisted in planning 1,188 events in the newly-opened Senate expansion space of the CVC, in addition to the 2,057 events in the Capitol event spaces. They also coordinated the 111th Congress Congressional tag distribution.

The Furnishing Division provides framing services to all Senators and committees, custom cabinets and other high quality furniture, carpeting and draperies. Demand for framing services increased by 9 percent over the previous year, while the response time from initial request to delivery decreased from an average of 6 weeks to 4 weeks in fiscal year 2009. Recycling furniture is being emphasized. The Furnishing Division also installed carpeting in 36 offices, including 14 offices created due to expansion to the CVC. The renovation of the Senate Dining Room was a substantial project and included procurement of dining chairs, carpeting, draperies, and anteroom furniture, as well as the design and construction of five cabinets and a Victorian armoire, completed prior to the Presidential Inauguration.

##### *Printing, Graphics, and Direct Mail*

The Printing, Graphics, and Direct Mail (PGDM) branch provides high-level, direct customer support to the Senate community in photocopying, graphic design, printing, mailing, archiving, logistics, and security. During fiscal year 2009, PGDM met a growing demand for Constituent Services System imaging by scanning, digitizing, and electronically transferring 1.4 million pages of constituent mail responses, an increase of 197 percent over fiscal year 2008. The production of charts was another area with a high interest during fiscal year 2009; PGDM handled this increase by utilizing upgraded equipment that eliminated multiple production steps that were required in the past. In fiscal year 2009, PGDM produced 8,052 charts, an increase of 20 percent over fiscal year 2008.

PGDM is customer-focused and achieved high levels of customer satisfaction through maintaining reliable, easy-to-use copiers in convenient satellite copy centers, which produced over 7.7 million copies in fiscal year 2009. PGDM also maintained a high level of color printing, producing over 21.1 million color pages utilizing traditional offset printing and digital printing. Of the 21.1 million color pages, 2 million were produced digitally, an increase of 33 percent over fiscal year 2008.

PGDM saved the Senate over \$2.2 million in postage costs by presorting 11.1 million pieces of Senate franked mail, a 2 percent increase over fiscal year 2008. PGDM continually reviews operations to ensure the most efficient use of Senate resources and to provide postage savings to Senate offices. To validate, correct, or remove bad addresses prior to mailing, new software systems were integrated in a number of processes. Addresses on constituent letters are validated or corrected before print-

ing, mass mail address files are validated or corrected before addressing, and addresses are validated or corrected a final time while mail is being sorted and discounted. PGDM is testing a system to provide address correction and validation, and delivery tracking for shipping of constituent flag requests. PGDM's commitment to teamwork and excellent customer service extends to our Senate partners as well. The department's collaborative work with the Architect of the Capitol fulfilled 70,614 flag requests during fiscal year 2009 and, in tandem with the Government Printing Office, delivered over 2.5 million documents (Pocket Constitutions, Our Flag, Our American Government, etc.) to requestors.

Through effective communication and teamwork, PGDM's Senate Support Facility upheld the SAA mission for operational security in fiscal year 2009 by receiving 67,740 items from the USCP off-site inspection facility and transferring them to the Senate Support Facility. This eliminated 628 truck deliveries to the Capitol complex, while reducing traffic and allowing the USCP to focus on other safety aspects.

As fiscal year 2009 was an election year, PGDM's ability to maintain a flexible and responsive organization enabled us to provide additional support for a variety of essential services. After the elections, PGDM's Logistics and Operations section assisted with 14 office closings and relocated 4,169 pieces of office equipment. In addition, PGDM managed logistics for 12 repository shipments consisting of 10,180 boxes of documents. This repository shipping provided by the SAA resulted in a savings of \$92,979 to Senate offices. PGDM's Printing and Mailing section shredded 3,705 boxes of documents, an increase of 35 percent over fiscal year 2008.

PGDM's contributions to a successful fiscal year 2009 Presidential Inauguration included printing, logistics, and security support. PGDM printed 9,000 letters for the Joint Committee on Inaugural Ceremonies to be included with Inauguration Invitation packets, which PGDM addressed and mailed at a discounted rate, saving \$1,500 in postage. PGDM produced 237 signs or banners and 54 charts for a variety of uses from ceremony planning to crowd control. In support of security operations for the Inauguration, PGDM produced 200 Presidential Inauguration booklets for SAA Law Enforcement and Security Operations, 4,000 Threat Assessment action plans and 5,000 vehicle security placards with reflective labels for the USCP. PGDM's Logistics and Operations section provided support by assembling and disassembling 31 viewing sites throughout the Capitol, setting up equipment for the Office of the Attending Physician on the west front of the Capitol, and receiving and delivering 50,000 invitations.

#### *Central Operations*

##### *Smart Card Programs—ID Office*

The implementation of *Homeland Security Presidential Directive (HSPD) 12—Policy for a Common Identification Standard for Federal Employees and Contractors* will significantly impact Senators and their staff whose offices are located in Federal buildings across the country. While Legislative Branch adoption of HSPD-12 is optional, compliance will allow Members and staff unhindered access to work freely within these facilities. We are currently collaborating with our Executive Branch counterparts to implement compatible access cards to paid staff beginning with the 112th Congress.

Although a substantial cost is associated with system architecture, we continue to explore the advantages of Smart Card deployment. Sophisticated Smart Card credentials can provide multiple functions beyond current "flash pass" identification badges. While maintaining the proximity technology used in the USCP's current physical access control system, digital certificates placed on the cards may be used for encryption of personally-identifiable information exchanged with Executive Branch agencies in the processing of constituent casework. Within the Senate community, digital certificates may be used as digital signatures for financial documents and to facilitate secure, single network sign-on.

The First Responder Authentication Credential system launched under the auspices of the Department of Homeland Security outlines issuing cards to individuals who require access to controlled areas during emergencies. We envision limited Senate staff receiving these badges at the beginning of the 112th Congress and are working with our Legislative Branch partners and other program administrators within the National Capital Region to determine the Senate's involvement in this program.

##### *Transportation and Fleet Operations*

Transportation and Fleet Operations safely and securely procures, manages, maintains and disposes of SAA vehicles; provides transportation and logistics solutions for offices; manages the Senate Parking Shuttle Service; and operates the parking sticker booth located in the Russell Garage. The SAA fleet, numbering 57

vehicles in fiscal year 2009, includes trucks, vans, buses and SUVs used to support the Senate community. Senate leadership vehicles are leased and administered by Fleet Operations under the Executive Lease Plan on a biannual basis. Transportation and Fleet Operations is responsible for completing work orders, equipment installations, tag/registration renewals and vehicle inspections for all fleet vehicles, performing over 400 of these services in fiscal year 2009. Fleet staff scheduled over 300 transportation requests and transported over 16,000 passengers through the SAA parking shuttle service in fiscal year 2009, while issuing over 8,500 permanent and temporary parking permits.

We added 18 additional motorcycle parking spaces to the Thurgood Marshall Garage, Lot 12 and North East Drive. By altering existing parking spaces on First Street, NE (north of C Street), from parallel to angled spaces, we created eight additional parking for visiting government agency vehicles without negatively affecting available spaces for First Street permit holders.

Transportation and Fleet Operations is a leader in “Go Green” initiatives with 24 flex E-85 fuel vehicles, two hybrids, and one electric vehicle. Fleet Operations will continue to explore use of alternative fuel vehicles and currently plans to purchase additional hybrid and all-electric vehicles in fiscal year 2010.

To further the Senate’s “Go Green” initiative by reducing fuel usage and harmful emissions, three electric Segways were purchased for parking enforcement. Representatives of the Segway Corporation and the D.C. Metropolitan Police Department trained and certified Parking and Fleet Operations employees in safe Segway operation. Use of Segways for parking enforcement resulted in an initial increase of over 25 percent in the number of parking violations issued. The number is now trending downwards as more and more drivers are “taking heed” and parking off campus or, if staff, in their assigned areas.

#### *Senate Parking Office*

The 31 Senate Parking Office employees are responsible for managing parking for over 2,500 parking spaces in 28 parking areas, maintaining accurate records for over 5,700 active permit holders, and providing transportation needs for Hill staffers, while insuring safety and security of the Senate campus. With no disruption in service to the Senate community, the Senate Parking Office relocated seamlessly in November 2009. To better serve the Senate community during morning and evening rush hours and to help accommodate the 100 non-reserved permit holders displaced by the AOC’s closure of Lot 575, SAA parking shuttle service expanded to include extended hours and additional stops. These steps contributed to a 16 percent increase in ridership during the first full month of operation. Due to traffic restraints placed during the 2009 Inauguration, Fleet management organized bus transportation for Senate staffers to offer an alternative to taking Metro and driving.

#### *Photography Studio*

The Photography Studio provides photography and imaging services for Senate offices, capturing more than 83,000 photo images and producing more than 100,000 photo prints in fiscal year 2009. The Studio’s popular image archiving service was used to scan, organize, and transfer more than 128,000 photo images for archiving purposes in fiscal year 2009. The Photography Studio is currently replacing the Photo Browser application with a fully supported digital asset management product that is well-architected and meets all modern, open architecture programming standards. Vendors are working with Photography Studio staff to finalize the configuration and customization of the Order Fulfillment Module and plan to pilot to Senate offices by March 2010.

#### *Senate Hair Care*

Senate Hair Care serves our customers by offering the latest trends in hair styling to Senators and thousands of customers, including staff and the general public. In fiscal year 2009, revenue increased by \$25,290 (5.6 percent), the highest in 10 years. Continuing to build on the diverse customer base and supplying additional retail products and services, Senate Hair Care will remain a profitable and indispensable service offered by the SAA.

#### *Office Support Services*

During the past year, Customer Support assisted nine newly-elected and six appointed Senators in setting up their offices. Additionally, support of the Hart renovation project continued, as well preparations for the renovation of the Democratic Policy Committee Studio. The State Office Liaison negotiated 171 leases for state Senate offices, including 104 in new commercial space, 32 in new Federal buildings, and 35 renewals. Both Customer Support and the State Office Liaison have begun

preparations for the upcoming elections by ensuring that all documentation and procedures are current.

#### *Mail Processing*

Mail remains a primary medium for constituents to communicate with Senators and their staff. During 2009, the total volume of mail was significant, representing the most mail that the Senate has received and processed in over a decade. Our Senate Post Office received, tested, and delivered 20,853,000 safe items to Senate offices, including 14,400,000 pieces of United States Postal Service (USPS) mail; over 6,000,000 pieces of internal mail that were routed within the Senate or to or from other government agencies; 95,000 packages; and 277,000 courier items. Total mail and packages processed increased by 35 percent and the USPS delivered over 50 percent more mail to the Senate during 2009 than in 2008.

Protecting the Senate and its staff is the SAA's highest priority. We work collaboratively with this Committee, the Committee on Rules and Administration, our science advisors, the USCP, USPS, the White House Office of Science and Technology Policy, and the Department of Homeland Security to develop safe and secure mail protocols, and created two of the best mail processing facilities of this type in the world.

All mail and packages addressed to the Senate's Washington, D.C. offices are tested and delivered by Senate Post Office employees. The organizations that know the most about mail safety cite our highly-trained staff and the Senate mail facilities as among the most efficient and secure in existence. We have been asked to demonstrate our procedures and showcase our facilities to other government agencies, including the Departments of Defense and Homeland Security. In many ways, our facilities have become the model for others.

We also worked with this Committee and the Committee on Rules and Administration to build and operate one of the best facilities within the government to process time-sensitive documents that are delivered to the Senate. Our Courier Acceptance Site ensures that all same-day documents are X-rayed, opened, tested, and safe for delivery to Senate offices. The 277,000 items we processed during 2009 represented a 113 percent increase as compared to the total items processed during 2008. This also represented the most documents processed at this facility since it opened in August 2006. We were able to absorb this additional volume through cross-training our existing staff and by instituting process improvements rather than increasing our workforce.

Additionally, our organization worked collaboratively with our science advisors to introduce the first device designed to provide Senate staff who work in state offices a level of protection when handling mail. Our science advisors believe that the Postal Sentry, if used properly, provides the best level of protection to state offices and their staff should they receive mail containing a potentially harmful substance. I have requested that all Senate state staff utilize the Postal Sentry mail processing system whenever mail is opened in their offices.

Despite the expansion of our capability and the significant increases in mail volume, we continue to be good stewards of taxpayer dollars. This is best evidenced by the initiatives we took in 2009 to further reduce our costs. During 2009, we implemented a technology solution to replace the manual "clip and jog" process that had been employed for the past 8 years. We worked with our science advisors to create a solution that would be less damaging to letter mail, without compromising safety to Senate offices. This process improvement enabled our Senate Post Office to reduce our full-time employees by four, without compromising safety or customer service.

We compared our costs to other agencies and discovered that we have one of the most efficient and cost-effective operations of this type. A comparative analysis with similar organizations that contract out mail processing found that the Senate is able to process its mail for up to 62 percent less costs than others.

#### *Capitol Visitor Center*

Calendar year 2009 marked the first full year that the Capitol Visitor Center was open. Many SAA departments were impacted as our volume of tasks escalated. And, despite the wide variance as to what to expect, I am pleased to report that all of the SAA departments involved with the CVC completed all of their tasks on time and within budget.

Our office has been involved with the CVC since its inception. We worked collaboratively with others, including representatives of this Committee, to ensure that many of the operational aspects of the facility achieve desired results. Our participation and the challenges presented have been vast and varied, including, but not limited to security, hours of operation, transitioning the Capitol Guide Service, emer-

agency preparedness, information technology, furnishings for the Senate side of the CVC, Senate Meeting Rooms setup and maintenance, bus routes, Capitol tour routes, coat checks, official appointments, accommodating visitors to the Senate Gallery, broadcast media infrastructure, ATM service, telephone service and other communications infrastructure.

Over 2.3 million visitors experienced the CVC during 2009, more than doubling the number of visitors to the Capitol during 2008, and represented the most visitors in the Capitol in a decade. Feedback from our guests has been extremely positive. Each of our departments affected by the CVC adjusted its processes when this magnificent addition to the Capitol opened. The impacts to their operations were significant, yet by maximizing our resources, we were able to achieve desired results.

#### *Senate Appointment Desks*

To improve security and the flow of visitors to the Capitol, we expanded the Senate Appointment Desks by 100 percent by adding two desks in the CVC, one located near the main entrance and the other located outside of the Senate Meeting Rooms on the lower level. These two additions required four additional FTEs to staff the desks. Improved technology and process improvements achieved by the Senate Post Office enabled the transfer of four FTEs from the Senate Post Office to the Senate Appointment Desks in the CVC. This is another example where my office exercised fiscal responsibility by finding resources within our organization rather than increasing costs by adding to the compliment of employees assigned to the Sergeant at Arms organization.

Our four Senate Appointment Desks collectively processed 174,484 guests during 2009. The total badges issued were the most in a given year since the Appointment Desks were created over 25 years ago and represented a 135 percent increase in guests over 2008. Nearly 55,600 guests entered through the CVC with its state-of-the-art security features and accommodations. Without the CVC, these guests would have entered through the North Door of the Capitol, waiting in line, and baring the elements. 70,099 guests entered via the Russell Appointment Desk, including 60,994 who were destined for the CVC. This represented a 912 percent increase over 2008 in the number of badges issued by the Russell Appointment Desk.

Improving security by reducing the number of guests who enter through the Capitol's North Door was one of the goals for opening the CVC. The Capitol Appointment Desk reduced its number of guests by 28 percent, as compared to 2008, to 48,787. This reduction of guests in the Capitol reduced wait time for entrance through the North Door of the Capitol, improved visitor flow, and reduced congestion within the Capitol proper.

#### *Senate Gallery Visitors*

We improved the visitor experience for those who want to witness Senate proceedings from the Gallery. We now process these guests through the CVC rather than through the Capitol's North Door. This process enhancement improved security by eliminating the long lines and congestion that had been commonplace throughout the Capitol. Our Senate Doorkeepers manage a staging room in the CVC that facilitates the collection of Gallery prohibited items and the movement of people in a secure and efficient manner.

The number of visitors to the Senate Gallery increased to 226,690 during 2009. Beginning in August 2009, our Senate Gallery remained opened during scheduled recesses for the first time since September 11, 2001. 21,359 people visited the Senate Gallery during these recesses during the latter half of 2009. Our Gallery remains open during scheduled recesses for 2010.

Even with the increase in visitors, the feedback has been extremely positive. Senate Gallery visitors have complimented our processes, including the elimination of long lines, waiting in the elements, the speed of gaining access to the Gallery, and the educational opportunities afforded by the CVC.

#### *Doorkeepers*

In addition to their work in processing visitors to the Senate Gallery, our Doorkeepers play an important role in supporting the Senate. This group of dedicated professionals remains on call to assist the Senate when needed. A primary role of our Doorkeepers is to support the Senate Chamber by providing access to those with Senate Floor privileges and enforcing the rules of the Senate. Additionally, our Doorkeeper team facilitates the needs of Senators, Senate Floor staff, and Pages. Despite the fact that our Doorkeepers' footprint of responsibility increased by over 70 percent, we were able to improve our performance by utilizing existing resources and by refining Doorkeepers' job descriptions. This was another opportunity where our team was able to make significant improvements without adding FTEs.

The year 2009 proved to be one of the busiest and most demanding years in the history of the Senate Doorkeepers. Our Doorkeepers' work is yet another example where our process improvements and solid management principles have enabled us to expand our capability without adding FTEs. The Senate was in session for 191 days during 2009, including five Saturdays and four Sundays. This represents the most days that the Senate was in session for the past 15 years. Additionally, the Senate was in session for 25 consecutive days from November 30 through December 24, 2009. This consecutive day streak was the second longest in Senate history, superseded only in 1917.

The past 3 years have been extraordinary in that the Senate has been in session an average of 188 days from 2007 through 2009. This represents a 25 percent increase to the 150 average numbers of days the Senate was in session from 1996 through 2006. The year 2009 was not only busy but also an extraordinary and historical year. Our Doorkeepers provided exceptional support for special events including the 56th Presidential Inauguration; the swearing-in of Senators elected during 2008; the swearing-in of new Senators who replaced Members who left office during 2009; the confirmation of Supreme Court Justice Sonia Sotomayor; and the impeachment of Samuel Kent.

Our Doorkeepers facilitate the movement and seating of Senators during Joint Sessions of Congress conducted in the House of Representatives. During 2009 there were five Joint Sessions, including the counting of electoral ballots for the 2008 election; the President's initial address to Congress; the German Prime Minister's address to Congress; the British Prime Minister's address to Congress; and the President's address on healthcare.

Congressional tributes and Congressional Gold Medal ceremonies require the services of Doorkeepers. During 2009, Doorkeepers facilitated the seating of Members and guests for President Lincoln's 200th birthday; Days of Remembrance; unveiling of the bust of Sojourner Truth; the President Reagan statue dedication; 9/11 ceremony; the Helen Keller statue dedication; and the Senator Edward Brooke Congressional Gold Medal ceremony.

#### *Recording Studio*

Our Senate Recording Studio was one of the first departments to move into the CVC. Our facility has received accolades from guests since its opening, including Senate Leadership, Senators and their staff. The convenience of the Studio's location and proximity to the Senate Floor and Senate subway system please Senators and staff. The Studio is responsible for providing gavel-to-gavel coverage of Senate Floor proceedings, broadcasting Senate committee hearings, and providing radio and television production studios and equipment for Senators' use.

The year 2009 represented one of the busiest years in the Recording Studio's history. Senate Floor proceedings telecasts increased by 44 percent; the number of Senate television productions doubled to 2,749; radio productions increased by 38 percent; and Senate committee hearing broadcasts increased by 21 percent. Additionally, our Recording Studio produced Democratic Media Center and Republican Conference shows while their studios were being renovated. During this 2-week period, the Recording Studio produced 250 shows, representing a 635 percent increase from the Senate Recording Studio norm.

The Committee Hearing Room Upgrade Project continued during 2009. Demand for additional committee broadcasts has been ever increasing, evidenced by a 21 percent increase in committee hearing broadcasts during 2009. In 2003, we began working with this Committee and the Committee on Rules and Administration to upgrade and install multimedia equipment in Senate rooms. The project includes digital signal processing audio systems and broadcast-quality robotic camera systems.

To date, we have completed 28 rooms. Room enhancements include improved speech intelligibility and software-based systems that we can configure based on individual committee needs. The system is networked, giving committee staff the ability to easily and automatically route audio from one hearing room to another when there are overflow crowds. Additionally, the system's backup will take over quickly if the primary electronics fail.

As part of the upgrades, we installed technologies in our new CVC Recording Studio to enhance our ability to provide broadcast coverage of more hearings simultaneously without adding staff. For example, the Committee Hearing Room Upgrade Project allows us to cover a hearing with one staff member. Before the upgrade, three staff members were required to adequately cover a hearing. These technology enhancements, coupled with the expansion of the number of control rooms for committee broadcasts to twelve, has enabled us to increase our simultaneous broadcast coverage of committee hearings from five to as many as twelve.

Our Senate Recording Studio is another shining example of where we have increased productivity by utilizing process improvements and technology rather than adding FTEs.

#### *Media Galleries*

The four Senate Media Galleries are comprised of the Senate Daily Press Gallery, the Senate Periodical Press Gallery, the Press Photographers' Gallery and the Senate Radio and Television Press Gallery. The unique structure of the four Media Galleries requires them to work closely with their respective Standing and Executive Correspondent's Committees, our organization, the USCP and the Senate Committee on Rules and Administration in order to facilitate media arrangements and credentials for the over 7,000 credentialed media covering Senators, Senate committees and related media events.

While the media industry has recently seen historic shifts in formats and structures of media outlets which appear to have caused a general decline in revenue and circulation for traditional media, the Media Galleries have seen a burgeoning population of new and emerging media. The staff of the Media Galleries have diligently worked to accommodate this new population through the current credentialing process.

In the past year and a half, the Media Galleries handled record numbers of media credential applications for the 2008 Presidential Conventions and the 2009 Inauguration. The vast number of national and international media outlets interested in covering the Presidential Conventions and Inauguration forced the Media Galleries and their small staffs to innovate the way we process credential applications, assign media workspace, and distribute press passes, using cutting-edge technology as a guide. The Media Galleries worked closely with the Sergeant at Arms Computer Design teams to create new software database information management programs that took advantage of the growing reliance on the Internet. While the systems were designed to handle larger capacities, they were occasionally overwhelmed by the volume of requests that poured into the Media Galleries. When the application period finally closed, the Media Gallery staffs had to quickly process thousands of documents in order to assign the limited media resources available to cover the Inauguration. If not for the diligent work of all our Media Gallery staff, the process would never have been completed on time.

The growth of 24-hour news channels and websites has increased the demands for constant news. As a result, Congress may be covered in more detail than ever before. In response to the changing needs of the reporters covering Capitol Hill, all four Media Galleries worked with the office of the SAA Chief Information Officer to upgrade the technical infrastructure of the Media Galleries offices including incorporating Wi-Fi in all four Media Galleries.

#### *Senate Daily Press Gallery*

Just over a year ago, we completed remodeling and rewiring the Daily Press Gallery. This was the first such renovation since the early 1980s. Restoring the suite of rooms that has been occupied by the press since before the Civil War was a mammoth undertaking that involved a number of SAA and AOC offices. Furniture was replaced; wires were completely removed and redone; and walls, ornate ceilings, Minton-tiled floors and historic mirrors were completely restored down to the smallest detail. The renovation not only improved the gallery's appearance and working conditions for reporters, it did away with piles of haphazard wires that had evolved over the years.

#### *Senate Periodical Press Gallery*

While high-profile hearings garner the most attention by staff and media, the Senate Periodical staff always strives to work with all Senate committees on their media arrangements for typical hearings and events. Senate Periodical Press Gallery staff worked with new Committee and Senator Press Secretaries in order to familiarize them with the Periodical Gallery's functions at committee hearings. Constant collaboration occurs with various Senate committees to set up media arrangements for a number of widely-viewed hearings, including confirmation hearings for all Presidential nominations, Senate Budget consideration, Senate Appropriations Committee events, and Senate Banking Committee consideration of the automobile industry and banking crises.

#### *Press Photographers' Gallery*

The primary role of the Press Photographers' Gallery is to credential photographers and to assist at news events at the Senate. Our staff also has the unique responsibility of assisting at large news events and hearings in the House of Representatives.

The demand for news images has increased as Web publications expand and gain popularity. Also, deadlines for pictures have shifted from daily to constantly, as organizations and publications strive to have the latest pictures available for online publications. These radical changes in how events are captured have increased the number of photographers covering Capitol Hill on a daily basis, as more news organizations seek to fill the demand for more images.

#### *Senate Radio and Television Press Gallery*

In an effort to address new requirements for electronic media coverage of Senate events, improvements were made in upgrading the technical infrastructure of Senate committee hearing rooms and other news event locations throughout the Senate campus. For example, in a collaborative effort with the Senate Committee on Rules and Administration, Gallery staff oversaw the installation of fiber optic cable in 14 Senate committee rooms. Along with the Senate committee rooms, several meeting rooms in the Capitol and the Senate wing of the CVC were outfitted with fiber optic cable.

In addition to upgrading the Senate committee rooms, the backdrop in the Senate Radio-TV Gallery studio was renovated to accommodate high-definition news broadcasts. The improved backdrop enhances Senators' appearances by incorporating several enriching elements such as columns and LED lighting.

#### *Employee Assistance Program*

Our Employee Assistance Program (EAP) offered a variety of services to staff, Pages, interns, and family members. In 2009, 4.6 percent of Senate employees and/or their family members met with/spoke to an EAP Counselor, 263 employees took a mental health on-line screening, and 2,042 employees attended EAP training. EAP expanded outreach programs through updating materials on a wide variety of mental health topics; providing an interactive and informative Web page that includes confidential mental health screenings, self-paced training modules and access to mental health, management and trauma response resources; and offering a variety of training programs including video teleconferencing training programs for state offices. EAP continued to hone, expand and utilize the skills of the 32 members of the Senate Peer Support Team through a series of presentations, trainings and informational lectures. In July 2009, EAP began working with a vendor to provide Senate employees and their family members with access to personalized information and referrals for childcare and parenting, adult care and aging, education, legal and financial concerns. Between July 1 and December 31, 2009, 1,751 employees and their family members utilized these services.

#### APPENDIX.—FISCAL YEAR 2011 BUDGET REQUEST

##### ATTACHMENT I.—FINANCIAL PLAN FOR FISCAL YEAR 2011

#### EXECUTIVE SUMMARY

[Dollar amounts in thousands]

	Fiscal year 2011 vs. fiscal year 2010			
	Fiscal year 2010 budget	Fiscal year 2011 request	Amount	Increase/decrease (percent)
General Operations and Maintenance:				
Salaries .....	\$70,000	\$78,000	\$8,000	+ 11.4
Expenses .....	\$90,409	\$92,403	\$1,994	+ 2.2
Total General Operations and Maintenance .....	\$160,409	\$170,403	\$9,994	+ 6.2
Mandated Allowances and Allotments .....	\$52,239	\$53,596	\$1,357	+ 2.6
Capital Investment .....	\$4,503	\$9,612	\$5,109	+ 113.5
Nondiscretionary Items .....	\$6,450	\$5,675	(\$775)	- 12.0
TOTAL .....	\$223,601	\$239,286	\$15,685	+ 7.0
Staffing .....	961	962	1	+ 0.1

To ensure that we provide the highest levels and quality of security, support services, and equipment, we submit a fiscal year 2011 budget request of \$239,286,000, an increase of \$15,685,000 or 7 percent compared to fiscal year 2010. The salary

budget request is \$78,000,000, an increase of \$8,000,000 or 11.4 percent, and the expense budget request is \$161,286,000, an increase of \$7,685,000 or 5 percent. The staffing request is 962, an increase of one.

We present our budget in four categories: General Operations and Maintenance (Salaries and Expenses), Mandated Allowances and Allotments, Capital Investment, and Nondiscretionary Items.

The general operations and maintenance salaries budget request is \$78,000,000, an increase of \$8,000,000 or 11.4 percent compared to fiscal year 2010. The salary budget increase is due to the addition of one FTE, a COLA, merit funding, and other adjustments. The additional staff will support increased demand for services, as well as advancing technology.

The general operations and maintenance expenses budget request for existing and new services is \$92,403,000, an increase of \$1,994,000 or 2.2 percent compared to fiscal year 2010. Major factors contributing to the expense budget increase are escalating costs of the IT Support Contract and other IT Support agreements, \$2,042,000; replacement of the Senate Office Personnel System (SOPS), \$2,000,000; IT Security consulting and equipment, \$1,000,000; audio visual equipment intended for the Senate Emergency Operations Centers (EOCs), \$1,000,000; and a decrease due to Research Services' transfer to the Secretary of the Senate, \$3,889,000.

The mandated allowances and allotments budget request is \$53,596,000, an increase of \$1,357,000 or 2.6 percent compared to fiscal year 2010. This budget supports state office rents, \$16,594,000; voice and data communications for Washington, D.C. and state offices, \$15,385,000; purchase of computer and office equipment, \$13,894,000; procurement and maintenance of member office constituent services systems, \$4,500,000; wireless services and equipment, \$1,548,000; and state office security enhancements, \$1,275,000.

The capital investment budget request is \$9,612,000, an increase of \$5,109,000 or 113.5 percent compared to fiscal year 2010. The fiscal year 2011 budget request includes funds for equipment purchases for the Storage Area Network (SAN), \$2,775,000; hardware related to the network upgrade project \$2,500,000; data network expansion, \$1,600,000; Senate Floor Camera replacement, \$1,500,000; PGDM server replacement, \$400,000; replacement of a digital printer, \$200,000; layout and design upgrades, \$162,000; and EPPN upgrade, \$100,000.

The nondiscretionary items budget request is \$5,675,000, a decrease of \$775,000 or 12 percent compared to fiscal year 2010. The request funds projects that support the Secretary of the Senate: contract maintenance for the Financial Management Information System, \$3,824,000; maintenance and necessary enhancements to the Legislative Information System, \$885,000; support for public records systems, \$500,000; and support for payroll systems, \$466,000.

## UNITED STATES CAPITOL POLICE

STATEMENT OF HON. PHILLIP D. MORSE, SR., CHIEF

ACCOMPANIED BY:

DAN NICHOLS, ASSISTANT CHIEF

GLORIA JARMON, CHIEF ADMINISTRATIVE OFFICER

Senator NELSON. Chief Morse.

Mr. MORSE. Chairman Nelson, Senator Murkowski, Senator Pryor, I am honored to be here today and I appreciate the opportunity to be able to present the United States Capitol Police (USCP) budget for fiscal year 2011.

Behind me is sitting my executive management team, along with my Assistant Chief, Dan Nichols and my Chief Administrative Officer, Gloria Jarmon.

And with your permission, sir, I would like to submit a written testimony for the record.

Senator NELSON. Without objection.

Mr. MORSE. Thank you.

First, I would like to thank the subcommittee for its sustained and unwavering support for the men and women of the United States Capitol Police. You and your staff have continued to generously support both the mission, as well as our personnel, not just in a monetary way, but also in a private and public recognition of our role and responsibilities. The security and protection of this great institution is, indeed, our job, but we consider it to be a sacred duty and it is a privilege to serve you, the congressional staff, and the millions of visitors from every corner of the world who come to the United States Capitol complex every day of the year.

Over the last year, the department has, with your support, successfully implemented the Library of Congress police merger. We have transitioned our primary fleet to a fleet leasing program through the General Services Administration and replaced ballistic vests for our officers. We have proceeded with the migration of our financial system to the Library of Congress for cross-servicing.

Our mission focused request is grounded in the USCP's strategic goals that describe our mission and frame our budget planning, assessing the threat, taking proactive measures to mitigate the threat, responding in the event of a disruption, and supporting the USCP's mission through constructive internal business processes and controls that foster effective and efficient mission delivery.

This budget is in strong support of these goals. Yet, the department is flexible enough to achieve and maintain solid mission-critical results with efficient use of resources at a funding level near the fiscal year 2010 appropriated level, if necessary.

The proposed 2011 budget is designed to address and mitigate identified security challenges that potentially affect the safety and security of the Capitol complex and keep up with the changing security environment and threat level. And it also contains requests

to solidify innovative protective technical initiatives previously funded and that are underway, for example, the radio modernization initiative and continuing to support the alternate computer facility.

In addition, it incrementally augments our force development goals to maximize personnel depth and strength.

Based on the department's rigorous force development business process that includes a review of our budget requirements by our executive management team, our executive team, and the Police Board, the department has identified for fiscal year 2011 budget consideration only those increases most critical to further our mission and support certain projects planned by our legislative partners. We are well aware and we understand the economic climate and the effects on our country, the legislative branch, and the entire Federal Government, and we want to assure you that the USCP will successfully adapt our resources and continue to safeguard the congressional community.

As for the budget shortfall and resulting budget amendment, when things do not go right in the police department, I take full responsibility for it. I take quick action to stabilize the situation. I assess it and I find a way to fix it. And then I ensure that it never happens again. In this case, I have taken responsibility for it. I have found solutions and proposed those solutions to the Capitol Police Board. Security of the complex and personnel programs will not be affected, and I want to pledge to you that this type of incident will not happen again.

#### PREPARED STATEMENT

Finally, I would like to thank all the men and women of the Capitol Police for their support of me and their outstanding performance yet again another year in keeping this campus safe.

Thank you.

Senator NELSON. Thank you, Chief.

[The statement follows:]

#### PREPARED STATEMENT OF PHILLIP D. MORSE, SR.

Chairman Nelson, Senator Murkowski, and Members of the Committee, I am honored to be here today, and appreciate the opportunity to present the United States Capitol Police budget request for fiscal year 2011.

First, I would like to thank the Committee for its sustained and unwavering support for the men and women of the United States Capitol Police. You and your staff have continued to generously support both the mission as well as our personnel—not just in a monetary way, but also in private and public recognition of our role and responsibilities. The security and protection of this great institution is indeed our job, but we consider it a sacred duty and privilege to serve you, the congressional staff, and the millions of visitors from every corner of the world who come to the United States Capitol complex every day of the year.

Due in large part to your support, the Department continues to progress and evolve toward our shared vision of becoming a premier security and law enforcement agency.

With your support, the Department has over the last year successfully implemented the Library of Congress Police Merger, transitioned our primary fleet to a fleet leasing program through the General Services Administration, replaced ballistic vests for our officers, and proceeded with the migration of our financial management system to the Library of Congress for cross-servicing.

With regard to our progress on addressing administrative deficiencies and improving corresponding business practices, we continue to experience challenges.

In recent weeks, we discovered some calculation errors that occurred with regard to the formulation of our fiscal year 2011 budget request. I am able to report to you however, that we identified the sources and scope of the errors, and have submitted an amended budget request to the Congress for consideration.

These calculation errors originated in our fiscal year 2010 budget causing a need to identify funds within our accounts to address funding requirements. We have identified these funds and will be asking for your support through a reprogramming request in the near future.

The modifications to our intended fiscal year 2010 budget execution will ensure our ability to maintain the security of the Capitol Complex and to support our workforce by maintaining our critical human capital programs. They will not be without pain for the Department, but are necessary for our mission capability.

Our amended fiscal year 2011 budget request does not change the scope of the mission requirements within the request before you. It is still with two basic principles in mind—moving forward and achieving continuous improvement—that our fiscal year 2011 budget request is based.

Our mission-focused request is grounded in the USCP strategic goals that describe our mission and frame our budget planning: (1) assessing the threat to the Capitol community, (2) taking proactive measures to mitigate the threat so as to prevent disruption to the legislative process, (3) responding in the event of a disruption so that Congress can continue to operate, and (4) supporting USCP's mission through constructive internal business processes and controls that foster effective and efficient mission delivery.

This budget is strong in support of those goals—with modest increases and initiatives that move us soundly toward our vision of a model, state-of-the-art Federal law enforcement agency—yet it is flexible enough to achieve and maintain solid mission-critical results with efficient use of resources at a funding level near our fiscal year 2010 appropriated level.

The proposed fiscal year 2011 budget is designed to address and mitigate identified security challenges that potentially affect the safety of the Capitol complex and keep up with the changing security environment and threat level, and also contains requests to solidify innovative, protective technological initiatives previously funded and underway, for example, the Radio Modernization Initiative and continuing support of the Alternate Computer Facility. In addition, it incrementally augments our force development goals to maximize personnel depth and strength.

I would first like to offer the Committee an overarching summary of our fiscal year 2011 request. I will follow the summary with a discussion of specific budget items of particular significance to you and the Department.

The fiscal year 2011 request totals \$385 million representing an overall increase of 17 percent, or \$57 million over the enacted fiscal year 2010 funding level of \$328 million. Our request represents increases in three areas: (1) Personnel or “salaries”; (2) General expenses; and (3) Special projects and new initiatives.

With regard to personnel, we are requesting an overall increase which includes funding for 52 new sworn positions and 12 new civilian positions.

With regard to general expenses, we are requesting an overall increase which is primarily due to the modifications made to general expenses in 2010 including funding for operational travel; outfitting and training new sworn personnel, if approved; enhanced management systems, et cetera.

With regard to the third area of special projects and new initiatives, we are requesting funding that would support the final phase of the Radio Modernization Initiative and certain other new annual and multi-year initiatives that would fund security requirements primarily associated with projects expected to be undertaken by the Architect of the Capitol, as well as other security related programs.

The combined bottom line for all three of these areas represents an overall increase of 17 percent over enacted fiscal year 2010 funding levels.

The first subject area that I would like to provide more detail for is in the area of personnel salaries and overtime, where we are requesting an increase of which includes staffing enhancements and funding for overtime.

Personnel costs are reflective of salaries and benefits—to include an anticipated cost-of-living increase, insurance benefits and retirement, within-grade step increases and promotions, and overtime. In addition, personnel costs also include funding for workers compensation, specialty-assignment pay for sworn personnel, metro-transit subsidy, incentive awards, and student loan repayment programs.

The Department's fiscal year 2011 personnel request reflects our continuous efforts at all levels of management to effectively manage our existing resources to achieve the best possible balance of staff-to-mission requirements. We are constantly analyzing our workforce to align job functions, assignments, workload, risk management, and organizational readiness along with the ever-changing threat assess-

ments and mandatory mission requirements of a dynamic Congressional community and its environs.

Using the 2007 Enlightened Leadership Solutions (or ELS) manpower study, we now have a multi-year roadmap to help guide our budget and staffing recommendations regarding the resources needed to accomplish each operational process as identified in the study.

To better manage our sworn resources and to work toward determining the actual manpower needed to meet our existing mission, in conjunction with the ELS study, a custom-designed formula was devised to determine the true number of work-hours in a year that each officer is available to perform work. This “utility” number is used to determine overall staffing requirements, and balances the utility of available staff with annual salary and overtime funding along with known mission requirements such as post coverage, projected unscheduled events such as demonstrations, late sessions, holiday concerts, et cetera, and unfunded requirements that occur after the budget is enacted, such as unforeseen critical emergency situations.

The Department’s current authorized sworn strength does not entirely provide the necessary resources to meet all our mission requirements within the established utility. Thus, mission requirements in excess of available personnel must be addressed through use of overtime, identification of efficiencies such as post realignment and/or reductions, technology, and cutbacks within the utility, such as reductions in the number of hours of training.

With that in mind, our requested fiscal year 2011 personnel costs support the current authorized staffing levels of 1,800 sworn and 443 civilians as well as a request for 52 new sworn and 12 new civilian positions, resulting in a total overall increase in personnel from 2,243 to 2,307.

In fiscal year 2011, the addition of 52 new sworn positions would address mission needs and work toward our goal of closing the gap—as validated by the ELS manpower study—between existing mission requirements and current staffing levels through assignment of the additional personnel to the Uniformed Services Bureau.

The approval of additional sworn strength in fiscal year 2011 will have a positive effect on our ability to manage the inter-related balance of mission requirements, overtime use, and officer training.

The request for 12 new civilian positions will provide much needed professional and technical support for the Department in the areas of fleet management; budget analysis; IT security, network operations, systems administration, and telecommunications; and physical security operations, as well as three positions in the Office of Inspector General, consisting of one criminal investigator, one financial management and internal control auditor, and one information technology and contract auditor.

It should be noted that half of the requested new civilian positions would replace existing contract employees, with the resulting savings in contract dollars offsetting the cost of additional personnel added to the permanent employment rolls.

At current overtime levels, we are able to meet our mission by continuing to adjust officers’ training hours and finding efficiencies in post requirements. However, any additional or new mission assumptions will require additional sworn personnel or equivalent overtime to meet new requirements.

At current staffing levels, the Department’s fiscal year 2011 basic overtime projection of approximately \$27 million reflects an increase over the \$25.5 million that was provided for in fiscal year 2010. This increase of \$1.5 million adjusts for mostly cost-of-living.

Other requested increases to overtime include an additional \$201,000 in funding to cover Library of Congress’ non-reimbursable events, and \$1.84 million for overtime necessary to secure new multi-year AOC initiatives, to include the Capitol Dome Skirt, and Utility Tunnel projects.

These items bring the total fiscal year 2011 overtime request to \$29.094 million which is an increase of \$3.6 million—or 14.1 percent over the enacted fiscal year 2010 level for overtime.

The second area of detail is our requested general expenses budget, which includes protective travel; hiring, outfitting, and training of new sworn personnel; supplies and equipment; management systems; et cetera.

Significant savings in our general expense budget provides an offset to our requested increases by realizing reductions in major areas such as contractual services, executing efficiencies in physical security systems, movement of our financial systems from the Department of the Interior’s National Business Center to the Library of Congress, and the realigning of core training requirements to specific and critical job competencies.

The third and final area of detail is a request for multi- and no-year funding for special projects and new initiatives, to include the final phase of the Radio Mod-

ernization Initiative, Alternative Computer Facility fit-out, and the design and installation of security equipment and systems for utility tunnels, hallways, and garages throughout the Capitol complex. The total funding requested for these special projects is \$32.187 million, of which \$15.956 million is for the final phase of the Department's multi-year Radio Modernization Initiative.

Over the past 2 fiscal years, the Congress approved the USCP's requests to develop an encrypted, interoperable digital radio system able to communicate securely and immediately across the Capitol campus as well as with other first responding Federal, state and local law enforcement partners.

The upgrade to a new-generation VHF trunked radio communications system will achieve reliable, secure radio contact in routine day-to-day operations and in emergency situations from any location within the jurisdiction of the USCP.

We are grateful for the Congress' substantial response to our previous requests in the fiscal year 2009 Supplemental and fiscal year 2010 annual appropriation that addressed this critical communications vulnerability, supporting our endeavor to provide dynamic enhancements—in this post-9/11 security environment—to our aging, outdated radio equipment and infrastructure.

I am especially pleased to report that the system delivery for Phase I of the radio modernization is on schedule and within budget for completion within budget estimate.

The current fiscal year 2011 budget request of \$15.956 million over 2 years is for the final indoor portion of this highly complex project. This request falls within the contract's broadly estimated range of costs, including contingencies, which we provided for you during the fiscal year 2010 budget discussion. The final phase will provide the infrastructure changes necessary to support the new radio system.

To calculate the cost of completing the Radio Modernization Project, our NAVAIR contractors—who are highly experienced in design and implementing communications systems for other Federal agencies—conducted a detailed design engineering study of each building, garage, tunnel, and outdoor site in the Capitol complex—each with unique characteristics requiring different engineering design solutions. With Congressional approval of this request, we expect the project to be completed on-time and within budget by 2012.

Further, the Department is requesting \$16.231 million to support eight additional new security initiatives. These include: security enhancements for the Alternate Computer Facility; security designs for the utility tunnel system; design and installation of a security program for the AOC's Dome Skirt Rehabilitation project; design of a security management system for the Federal Office Building 8; design and installation of a security camera system in egress points within House and Senate office buildings; design and installation of security management systems within House and Senate parking garages; a perimeter security and a garage and tunnel screening.

Based on the Department's rigorous Force Development business process that includes review by our Executive Management Team, Executive Team, and Police Board of our budget requirements, the Department identified for fiscal year 2011 budget consideration only those increases most critical to further our mission and support certain projects planned by our legislative partners.

We are well aware of and understand the economic climate that affects our country, the Legislative Branch and the entire Federal government, and I want to assure you that the USCP will successfully adapt our resources and continue to safeguard the Congressional community.

I appreciate the opportunity to appear before you today and would be glad to answer any questions you may have at this time.

#### SENATE INFORMATION SERVICES

Senator NELSON. Let us do a 5-minute round.

Nancy, the \$32 million, which really stands out, involves a multiyear request for certain continuing services. Is that something that has to be done on a multiyear basis? Because the implications to the budget are so significant that one wonders if it would not be better to spread that out over a longer period of time. What have you found about that?

Ms. ERICKSON. Well, we would be happy to work with your subcommittee staff to work out a funding mechanism for this program.

My concerns are that our staff working with the Sergeant at Arms staff and the chairman's staff—we have looked at the trends, the cost increases in this program over the years. There has been real consolidation in the news industry and so there is not the competition that there used to be. So it is fair to say there has been an average of a 10 percent increase in a number of contracts over the years.

I also know that the Sergeant at Arms has incurred other costs associated with this program that required them to tap into other funding sources. I want to create a firewall between these program funds and my operating budget funds so that it is very transparent.

And then the other reality is, as you well know, we have a strong track record of operating under continuing resolutions, and it is important, when we are negotiating these contracts that are 1-year contracts with the option of a 4-year renewal, that we have a little bit of flexibility in our budget to fund these contracts.

But I think it is fair to say, yes, we do have flexibility and look forward to working with your subcommittee's staff on some other funding options.

Senator NELSON. Well, as you know, we have trouble even with the Medicare doctor fix to get something over some short period of time, and if somebody identifies this at 5 years, they will ask us why we cannot fix everything for 5 years. So that is one of those optic things, but obviously we need to look at it and if there is a way to retain some efficiencies cost effectively, we ought to seek to do that.

Ms. ERICKSON. And I will add I am very proud of our library's staff. They have saved just this year \$55,000 over the next 4 years in negotiating similar contracts that we have in the Senate Library. So I can assure you that we are going to be shrewd negotiators with these contractors and get the best dollar for the Senate.

Senator NELSON. Well, I think that we would have some leverage to be able to do that, but there is a limit to what that can do.

Ms. ERICKSON. Right.

#### SENATE EMPLOYEES CHILD CARE CENTER

Senator NELSON. Also, could you give us an update on the Senate child care feasibility and expansion study that we directed last year, together with the AOC?

Ms. ERICKSON. Correct. The AOC was charged with the child care study, consulting with the Secretary's office. I just received the report, and let me report on some good things have happened since last year's hearing and issues that Senator Pryor and his staff notably have raised.

There is wait list transparency now. The flip side is, unfortunately, there was a long wait list. We have roughly 106 families that are waiting to get into the infant room, and there are currently only nine slots. There is a waiting list of over 143 to get into the child center as a whole. But for the first time, families now know where they stand on the wait list.

Another positive development is the Parent Cooperative Board decided to adopt Senate preference policies. So parents who have children get preference. If they have a child already in the day care

center, they also have sibling preference. Right now, 72 percent of the families that are enrolled in the Senate child care center have one parent who is a Senate employee. I believe over 82 percent of the families have at least one parent who works in the legislative branch.

I think it is fair to say the goal is to increase the size of the Senate day care center from 68 to 134 slots overall. I think it is also fair to report that it is probably unrealistic that we can expand the current site or reconfigure the current space. So I think the subcommittee will receive recommendations for building or leasing property. I think it is also unlikely that we will be able to find another child care center to partner with. But we will be providing that report to you and your staff shortly.

Senator NELSON. Thank you.

Senator MURKOWSKI.

Senator MURKOWSKI. Thank you, Mr. Chairman.

#### SENATE INFORMATION SERVICES

Nancy, let us go ahead and continue with the SIS program, the Senate information services program. Tell me why we are moving it from the Sergeant at Arms to your offices.

Ms. ERICKSON. Well, it actually was a recommendation that was made by the Sergeant at Arms staff. Tom Meenan, who manages the program and another colleague—one colleague had retired and Tom Meenan is nearing retirement. And he looked at the model that is used in the Government to finance other similar enterprise contracts such as the SIS program, and they are typically run and managed by people with a library of science degree. So it was a decision that we embraced. It was something that we spent a great deal of time deliberating, and the recommendation was that we felt that our folks who already negotiate such contracts for our Senate library would be in the best position to take over this program.

And I do think there are some improvements that can be made in the program. I think we need to do a better job of doing outreach in the Senate community to make sure they are aware of these free online services that your offices—

Senator MURKOWSKI. That is one of the questions that I have of you. To what extent are these services actually utilized? Who uses them? Are all of the services necessary? Are there some that can be eliminated? And as this transfer is being made, are you doing that kind of a review to figure out whether we are current? We know that access to information today—what is current today is not current tomorrow, and users change dramatically. So are we giving this that level of scrutiny?

Ms. ERICKSON. We are. The services can be found on Webster, and some of the examples of some of these services we provide would be CQ, National Journal, BNA, Roubini Economics, Newswatch. These are real live, up-to-the-minute news developments that you can have sent to your desk to track information on a Member or issue.

Senator MURKOWSKI. Do we survey the Members to ask them—

Ms. ERICKSON. Well, the last study, Senator, that was conducted was in 1999 by the Sergeant at Arms, and our library staff initi-

ated a recent study. We decided to do it on our own as a cost-saving mechanism rather than to hire an outside firm. So we are in the process of looking at those results and looking at usage statistics——

Senator MURKOWSKI. Will you take those assessments and analyses into account before you negotiate with——

Ms. ERICKSON. Yes, definitely. And we will—as I mentioned, the Senate Rules Committee has close oversight of this program, and we will not be making any decisions without getting Senate Rules Committee approval, and we will be going over the survey results, usage statistics.

I also think we need to do a better job of providing training for offices on how to use these online services.

Senator MURKOWSKI. Let me ask the math question here. Your budget increases \$32 million, and as the chairman has noted, that raises eyebrows here. But yet, the Sergeant at Arms' budget, which is transferring this same system over to you, is only being decreased by \$4 million. What happens to the money in the middle?

Ms. ERICKSON. Well, as I mentioned, Senator, we looked at the historic cost increases of these programs and money that was spent and decided that it was an opportunity to take a fresh look at this program and how we can manage it most effectively for the Senate. And it was a recommendation of the people who had managed the program that multiyear funding would provide us with the best leverage for managing this program.

Senator MURKOWSKI. Even if you were not doing the multiyear funding, your numbers still do not add up.

Terry, do you want to speak to that?

Mr. GAINER. I was just going to add that if we were starting this program anew, it probably would have never been in our office, and I think it really ended in our office because it involved technology.

But I also think what the Secretary is trying to do versus the \$4 million that we are giving up on this is do exactly what we talked about earlier. Do you want us to sustain a process and give you the same thing that we are doing, or do you want to upgrade and acquire and be prepared for the future? So, again, I think it is kind of a policy decision.

I do believe we handled it well. I believe that the Secretary and the librarians and the people who do research have a vision of enhancing this and reaching out further and deeper, and that is part of the decision one makes on whether you do the "same old, same old" or take the opportunity to do it the correct way.

Senator MURKOWSKI. Well, my time is expired, Mr. Chairman. But even if we were to just look at this as a 1-year instead of a multiyear request, as you have, the request from the Secretary's office is still an increase. So I guess what you are suggesting is that it is enhanced services. And I guess what I would come back to you with is before we talked about enhanced services, let us make sure that we are using all of these services and an assessment or an analysis or survey of the offices. It sounds like you are underway with that and I think that that is a good approach.

Ms. ERICKSON. And like I said, we also looked at the program and understand that Terry's office tapped into other funding options within their budget to finance this program outside of SIS

funds. An example would be when they received a letter from 57 Members requesting that leadership directories be added to the SIS program, and so Terry's office did that and tapped into other funding sources and options in their budget to do that.

Senator MURKOWSKI. That is helpful.

Thank you, Mr. Chairman.

Senator NELSON. Senator Pryor.

Senator PRYOR. Thank you, Mr. Chairman.

Nancy, let me start with you if I can and kind of pick up where Senator Murkowski left off. This \$32 million for the Senate information services—I understand that that is generally subscription services. And I know it is like Westlaw, Lexis/Nexis, et cetera. I do not know if you provided it to staff, but I would like to see a breakdown of each of those and how much we are paying per year. I know that, on the one hand, we just have 100 offices, but I know it is a lot broader than that. So I would like to, if I could, understand how that contract is structured, and I want to look at it to see if we are getting a good deal for that usage.

And I have a question about, if you know or if you can tell, how well the Senate staff is using it. In other words, we had an incident when I was in the Attorney General's office. We were negotiating a Westlaw contract back then. And we had two or three people on the staff that just turned it on in the morning and left it on all day, and the clock was just running on it, and that caused our contract price to go up. Of course, their view was, hey, it is free to me. So it must be okay. I am curious about sort of the practices, and if you can monitor that. In our office back in the Attorney General's office, we could actually monitor that. We knew who was on because of the way it was set up. And I do not know how your contract is. But I would like to know some of that detail before—

Ms. ERICKSON. The services that we provide are stipulated by the Rules Committee and require unlimited access. In the old days, offices—maybe 1987—were each given \$12,000 to enter into these contracts. But yes, offices are not incurring costs for leaving Westlaw on all day, although we do have those types of contracts that we enter into with the Senate library, Courtlink, and we restrict that to our librarians because of that very reason. But I think you raise a good point. I think that we need to take a hard look at user statistics and we will be sitting down with the Rules Committee staff to share that information with them. But I would be happy to provide you a breakdown of what the current contract costs are.

Senator PRYOR. That would be great.

Also, you mentioned in one of your answers a minute ago that you had some savings on some current contracts. Are these same subscription services?

Ms. ERICKSON. They are similar to ones that our Senate library enters into, such as Courtlink. But they were able to achieve \$55,000 in savings over the next 4 years for those contracts.

Senator PRYOR. Do these contracts—both these contracts we are talking about there—that is a great savings. I love that. But both these contracts here—they also include the hard copies of this material or is this the online?

Ms. ERICKSON. The online.

## PGDM RELOCATION

Senator PRYOR. Let us see. Let me ask, if I may, Terry, about the \$1.2 million request to relocate your printing, graphics, and direct mail operation. That is in your budget, if I am not mistaken. And you are talking about going out to the Maryland suburbs. I understand that that is a pretty expensive proposition out there. Could you talk about that? I understand you need more space, but could you talk about the decision there?

Mr. GAINER. Yes, Senator. The fact of the matter is it is substantially less expensive. So from a purely business point of view, if one concurs that we need the additional space—and again, I think reasonable people would feel that is the case—our return on investment over the 20 years would be significant.

Senator PRYOR. How so?

Mr. GAINER. Well, because the rent we are paying at the Postal Square versus the rent of the building that we are suggesting is substantially different, that we would save approximately \$500,000 a year. Now, when I say that, I mean the money gets saved by our partner, the Architect of the Capitol. Now, there is an up-front investment preparing the building for that of about between \$8 million and \$10 million.

Senator PRYOR. Is that \$500,000 a year based on a per-foot basis or is it based on actual when the rent would be here versus there? I know you have a limited space here, so you have a smaller space.

Mr. GAINER. It is per foot.

Senator PRYOR. So in other words, you are paying more there but you are getting more space.

Mr. GAINER. We will be getting more space. We would be paying less per square foot and we would be saving \$500,000 per year.

Senator PRYOR. You would be saving \$500,000 over what you are paying currently.

Mr. GAINER. Correct.

Senator PRYOR. I see.

Mr. GAINER. And Senator, if I can speak on that issue: we have added powerful equipment in the Postal Square building. There is really not an ounce more of electricity available there. So we have worked with the General Services Administration (GSA), we have worked with the building owner, and we could, tongue in cheek, say if we are running our presses and someone plugs in a toaster, we would be in trouble.

Senator PRYOR. Is Postal Square a GSA building?

Mr. GAINER. It is a private building run by the GSA, as I recall.

Senator PRYOR. As I understand it—well, I am out of time. So why do you not go ahead and I will do a second round. Thank you.

## IT SECURITY

Senator NELSON. Terry, your request includes \$1 million for IT security. What does this involve and is this going to require additional funding in the future with respect to that IT?

Mr. GAINER. Senator, I do not think there is ever going to be an end in sight for IT security. As I mentioned, the amount of people trying to get to our network is continuing.

Senator NELSON. Do you feel like we are protected?

Mr. GAINER. I think we are very safe. As I said, we deal with some 1.8 million attempts per month. We average about 1.5 per day that actually penetrate. Once we find out, we then take action, along with the Member's office on how that occurred. But looking at what is happening to IT across the Nation, the Department of Defense (DOD), and Homeland Security, it is a continued constant threat. Our adversaries are getting sharper. We must also get sharper.

Senator NELSON. Are we partnering with DOD, as well as Homeland Security? Because there is clearly a lot of work that is being done protecting against cyber and malware, everything that we fear most. I know they are doing a significant amount of work on that.

Mr. GAINER. We do have a good partnership with them. We have some great security experts who come from some of those agencies. We work closely to look at the best practices of the National Security Agency and others. We really are on top of it, but again, our adversaries are playing chess with us trying to stay one move ahead.

Senator NELSON. Yes. Offense always seems to be one step ahead. We are always playing catch-up.

#### SENATE PERSONNEL SYSTEM

Also, you have got \$2 million for a Senate office personnel system. Could you explain what that is about?

Mr. GAINER. Yes. It is somewhat related but separate from the Senate payroll system, but the Senate office personnel system is really a direct request of your administrative officers and the Rules Committee to aid in keeping track of your own employees and their time. And we are operating in a very antiquated system. This one ought to begin, but again, it can be deferred. But your systems administrators will be very unhappy with us.

Senator NELSON. Are you telling me Senator Schumer is spending our money over here?

Mr. GAINER. I am taking the fifth on that.

#### TELECOM MODERNIZATION PROGRAM

Senator NELSON. The telecom modernization project. I know there has been some movement on that. Could you give us an update on the progress of what is, obviously, a \$20 million project, what we might be able to expect from it?

Mr. GAINER. Yes, sir. The telecom modernization project is proceeding slowly but steadily. The design phase of the project has been completed. We were not particularly happy with the contractor, Verizon Business in this case, and we struggled with them for well over 1 year to meet the goals and steps that we wanted in this. They could not meet our goals. We brought in other contractors to take a look at it. The manufacturer of the main switch was bought out by another company. We had to wait some 6 months to see who was going to buy the company. Then we waited longer to see if the company that made the purchase was going to continue making the product. We now know that they will stay at it for about another 6 years. So looking at it in the most positive vein, we would hope we would have the program up and running

sometime in 2011. The worst case scenario, it might be as far away as 2012.

Again, as time goes by, the technology keeps taking leaps and bounds. So the technology will improve as we move closer and it is going to drive the price up a little bit. Ultimately, the Senate will have a powerful, 21st century telecom system.

Senator NELSON. And still in the 21st century?

Mr. GAINER. Yes.

Senator NELSON. Okay.

#### USCP SALARY MISCALCULATION

Chief Morse, can you give us some background on the salary miscalculation? I know there is an in-house review underway. Are you looking at every aspect of it, whether there is any criminal activity or whether this is a human error of some sort without regard to that?

Mr. MORSE. Yes. The salaries shortfall was found during the first quarter budget execution review. We do that, obviously, to ensure that the budget is being executed as we had planned, and there are things that we have to plan for in the next quarter, for instance, promotions of our employees, as well as recruit classes. During that review, there were salary shortfalls identified.

Our preliminary look at this indicates that those salary shortfalls are human error. There were miscalculations in both sworn and civilian salaries, as well as the lack of submission for funding for lump sum repayment when our employees retire or leave the agency and miscalculations associated with night differential and premium pay and holiday pay. All those sort of pile on top of each other when you have a low attrition rate. So I am happy to report we have one of the lowest attrition rates in 20 years I am told.

But because of the miscalculations, there is no dependency on any of the salary lag and therefore the shortfall is about \$5.5 million.

We have our recommendation to correct this through reprogramming monies within our general expenses, as well as identifying other money in savings through overtime and perhaps if the attrition rate stays as low as it is, savings in general expenses and salaries with regard to hiring the next class and a look at only hiring civilian staff that are critical to the operational mission.

So we have identified means to correct the problem within our budget, and now my focus, obviously, is on exactly what did happen and who is responsible so that we can ensure that the appropriate oversight is there, that the internal controls and processes that we have in place are followed, and that we can ensure you that this never happens again.

Senator NELSON. Have you taken any action thus far against any personnel at this point?

Mr. MORSE. No adverse action of any type has been taken against any employee because we do not have all the facts yet. There are employees who have been put on administrative leave, but that is a part of our general performance or discipline process. It is a process in which we look at things thoroughly, we find out what the facts are, we hear both sides of the story, and certainly I make no judgments until that adjudication takes place.

Senator NELSON. I appreciate that.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Let me just continue, if I may, Chief. You have indicated that to make up this shortfall of some \$5.8 million, that you can look to reprogramming and you have also suggested in the area of expenses. But in your proposed budget here, in your expenses account, you have got an increase of \$16 million for the final phase of the radio modernization project, but you also have \$16.2 million for other new initiatives.

Are you proposing then that you would scale back on some of these new initiatives, or how are we going to take care of this expense?

Mr. MORSE. With regard to the salary shortfalls, it is in the fiscal year 2010 budget that we are currently operating under that we will go into the general expenses to pay for the salary deficit. With the approval of the subcommittee, we resubmitted a fiscal year 2011 budget to ensure that the calculations are correct and that the budget that I am testifying to reflects the same needs it did before we corrected it. But, of course, with the corrected calculations, the budget request is higher.

But with respect to the \$16 million radio modernization money in 2011 and the remaining \$16 million for other new initiatives, we will certainly work with the subcommittee in some cases where they are or could be multiyear funding.

So the current problem that we are dealing with is within the fiscal year 2010 budget and the general expenses and savings to reprogram and pay for that. And we have corrected the miscalculations associated with 2011 through a resubmission of our fiscal year 2011 budget.

#### TELECOM MODERNIZATION PROGRAM

Senator MURKOWSKI. Mr. Gainer, let me ask you about this telecom modernization plan and the situation with Verizon. You have indicated that you are not happy with what has happened, and you are talking to potentially other vendors. What does this do to the timeline that you had anticipated? What does it do to the budget that you had anticipated? I know when you try to change horses in midstream, oftentimes it can end up costing more and taking longer. Can you speak to that?

Mr. GAINER. Yes, ma'am. It will take longer. And the phase that Verizon Business completed, the design phase, is solid. So the next vendor that is ultimately selected can take and validate that and then use it for implementation. So that is not a truly lost opportunity. That is money that was well spent, although it took us too long to get there.

Senator MURKOWSKI. It is your intention, though, to get a vendor who will accept that Verizon plan.

Mr. GAINER. That is correct. And that is entirely doable. Again, we have had some other outside experts come in and look at the design phase and ascertain whether it is usable. So we are not going to lose the work product. We are not going to lose the money invested. We are losing time. The only up side of the lost time is, again, that technology improves, and we will have an even better

system when we ultimately get there. So, we have been set back a good 1½ years on the project.

Senator MURKOWSKI. Is it my understanding that—well, obviously, if we have got to bring in a new vendor, we do not know what the total cost is expected to be. What are our ranges? What do you anticipate?

Mr. GAINER. Well, the range of new total cost is anywhere from \$3.5 million to \$8.7 million more dollars.

Senator MURKOWSKI. And that is on top of what we have already authorized.

Mr. GAINER. That is correct.

Senator MURKOWSKI. So in looking through my notes here, I had been under the understanding that we had anticipated a need for an additional \$2 million to \$4 million for implementation, but you are suggesting that it is going to be about double that.

Mr. GAINER. I believe so. I can provide additional information to clarify that. That is my understanding, Senator.

Senator MURKOWSKI. If you would.

#### PRIOR YEAR BALANCES

And let me ask you about the unobligated balances. I appreciate your statement and your commitment to really work to provide a flat budget under these very difficult times. I think the American public appreciates that, and I do not think they understand the half of what we ask our staff and the folks that you all manage to do. So I appreciate that effort.

You have indicated that you would like that flexibility with these unobligated balances which are somewhere between \$14 million and \$15 million. Clearly you have needs for the funds, but can you give the subcommittee some parameters in terms of what you are looking at?

For instance, you have mentioned the situation with the facility over there at Postal Square. You have got some expenses within the Senate personnel system. You have indicated that maybe the staff system would not go forward. Where are you thinking that you might be plugging in these unobligated balances?

Mr. GAINER. We are still working through that. The suggestion of our experts is to prioritize some of the things that we are talking about leaving out of the fiscal year 2011 budget. The Senate office personnel system would be very high on the list, as well as the funds to complete the telephone modernization program. And quite frankly, in doing the briefings I have had in the last 24 hours, I feel pretty strongly about what we need over at Postal Square in our PGDM operations.

Number one, we would have to determine where we go if we cut the \$7.7 million that we suggested, that we think are important to improve, and then work with you and the Rules Committee and others to decide what is the best use of those limited dollars. And we would work with you to do that.

Senator MURKOWSKI. Mr. Chairman, my time is expired. But I think this is a very important part of the conversation, and we would like to be working very closely with you on that. Thank you.

Senator NELSON. Thank you.

Senator Pryor.

Senator PRYOR. Thank you, Mr. Chairman.

#### TELECOM MODERNIZATION PROGRAM

Terry, let me follow up on the telephone issue, the modernization there. Last year, especially during the healthcare debate, my understanding is several offices' phone systems had problems, and it seems to me like it may have been in the capacity in terms of how many calls they were getting and voice mail systems, et cetera. Will this modernization fix that?

Mr. GAINER. It would, Senator. That is important information. On one of our busiest days for the healthcare debate, for instance, we had 770,000 phone calls come into our switch in a 24-hour period. During the busiest hour, which was at 5 o'clock, we had 155,000 telephone calls come in. Just for going to voice mail, I think our current system was developed to handle 182 simultaneous voice mails. This system, as I understand it, would be about seven times that. Again, what your office is doing is what a lot of us are doing at home. Calls are going to voice mail so you can kind of pick and choose the voice mail. But the current system was never, ever designed to handle 155,000 calls an hour, and the new system will do that.

But we are actually on the cutting edge, I believe, of the technology to do that. That is some of the difficulty in getting some of the best people like Verizon, whose phones we all use, to make our system work for us.

Senator PRYOR. Thank you.

#### USCP RADIO PROJECT

Chief, let me ask you a question about the radio modernization project. When it is completed and fully up and running, will it be fully interoperable with the systems and other first responders in this jurisdiction and your key partners in the day-to-day operation of the U.S. Capitol Police?

Mr. MORSE. Yes, it will. During the design phase of this project and throughout its build-out and implementation, those partnerships are used to ensure that we have that interoperability.

Senator PRYOR. And have either you or NAVAIR—I am assuming you are still working with NAVAIR—sat down with these key partners to make sure everything is the way it should be with regard to interoperability?

Mr. MORSE. Yes, we have.

Senator PRYOR. When do you anticipate that the new radio system will be completely installed and fully operational?

Mr. MORSE. The spring of 2012.

Senator PRYOR. As I understand it, it is kind of a phased program, a phased process. Can you give the subcommittee here a status report of where you are right now in your phases?

Mr. MORSE. Right now we are in phase two of the project. So we are currently in the design for the mirror site, the redundant site. It is off campus.

Senator PRYOR. And who is doing that design for you?

Mr. MORSE. Verizon. It is a Verizon building. Verizon is doing the design and the AOC has oversight of that design and construction.

Senator PRYOR. Do you know who is going to actually be doing the construction? Will it be Verizon?

Mr. MORSE. Yes, sir.

Senator PRYOR. So the total cost of this project is how much?

Mr. MORSE. The total cost? \$97.6 million.

Senator PRYOR. And where are we in terms of our spending of that, that has actually gone out the door or is in the process of being spent? Where are we in the process of that?

Mr. MORSE. Right now, I believe we have obligated about \$3.5 million in phase two, but we are currently working on an obligation plan to be submitted to you this month that is being reviewed by the AOC which will obligate another \$10 million to begin the cabling work for this project. And if we back up to phase one, of course, we had initial funding, I believe, of about \$10 million that was associated with design and concept of this.

So as we complete the construction of the off-sites, I believe we are looking at December for the Manassas off-site, as well as February 2011 for the Verizon. We will then begin to obligate more money and the pace of this project will begin to accelerate.

Senator PRYOR. Given the size of the project, I am just concerned—I want to make sure, I should say, that every step of it is properly competitively bid and that there is the right amount of competition in this. Are you going through this with competitive bids, or have you kind of deferred that to some of these companies to let them take care of that for you?

Mr. MORSE. Well, first, we have the Government Accountability Office (GAO) who is working with us. We meet weekly with NAVAIR and GAO keeps the oversight of this project. But NAVAIR also recognizes the need to have a very competitive process and they also are under the requirements of the Federal acquisition regulations. So with that communication, the communication from our oversight, the constant review by our partners in GAO, we feel certain that this will be a fair and competitive process.

Senator PRYOR. Great. Thank you.

Thank you, Mr. Chairman.

#### USCP OVERTIME

Senator NELSON. Chief Morse, your fiscal year 2011 request assumes an increase of 52 officers and roughly \$30 million in overtime costs. After a study to try to determine how best to manage overtime, have we created, let us say, a fixed part of the budget every year that is going to be calculated for overtime, just as part of the basic compensation, or is this \$30 million simply based on an expectation of what might happen if we have extraordinary circumstances or something of that sort?

Mr. MORSE. We have worked very hard on this particular issue with our study and our methodology which our partners from S&I from House Appropriations reviewed; and GAO are currently reviewing who have reviewed our methodology. We feel that we are very on course with being able to project accurately what our overtime needs are.

What we have been able to do with our study is establish a utility number, the number of hours an officer is available to us in a year, the number of hours of mission requirement. The gap be-

tween the two is where the overtime comes into play. If you reduce the mission, you reduce the overtime. If you add officers to that gap, you reduce overtime.

We have been very innovative and proactive in the way that we have tried to internally reduce overtime and produce officers, and let me give you a couple of examples.

First, with the Library of Congress transfer, we were able to civilianize some 23 positions within the command center of the Library of Congress. Those officers then are able to be put back into the field. The civilianization of our off-site delivery center—we were able to put officers back into the field.

We most recently—not a savings of overtime but a savings of money through contract—we were able to take folks off the DOL list, the Department of Labor list, and bring them back to our organization, replace the contractors and put them into the alarm monitoring where we have better supervision and more efficiency and the ability to bring back our employees because of that DOL payment that we have to do.

We are working on technology, for instance, within the truck interdiction program. Once that is complete, it will be a give-back of officers.

We also have had some other projects that we are working on that would generate less overtime and produce more officers for the core business hours. I was actually talking to Mr. Gainer yesterday about this issue, as we discussed potential questions. But the culture here—and he talked earlier about the convenience. I have been on the police department for 25 years, and I worked many of the doors that are here on the campus. Today we have looked at the number of people, for instance, the pedestrian counts at many of our doors after 7 o'clock when the Senate or House stays in late. We still have to man those doors.

We have done a study. We have done a cost analysis based on pedestrian counts where we could move some 60 officers to the core business hours by closing those doors. Moving them to the core business hours enables us to fill some of the empty mags that we see during the daytime, to shorten lines, to reduce overtime over the year, and provide a more robust presence during the most critical times of the day when we have subcommittee hearings and dignitary arrivals and both the House and Senate are in session.

So we think that we have done a very good job of managing overtime, creating positions within the police department without asking for the additional officers that we need, and also being creative in the way that we plan to continue to do that, to master the overtime issue and to have the best and robust protection that we can during the core hours.

#### CIVILIAN CONTRACTING

Senator NELSON. Have you considered at some of the sites civilianizing those who read the magnetometers or the scopes as the bags are going through to be x-rayed rather than have a uniformed officer do that at particular points in the day, as well, maybe the lower traffic locations, lower traffic times? If you have considered that, could that result in some savings and better utilization of the uniformed officer's time?

Mr. MORSE. It is not something we have considered. It is certainly not something that is off the table. But as I think back to the 1998 shootings, there were some issues and things that we addressed with regard to the simple structure of the doors and how the screening equipment and tactical positioning of officers could take place because these buildings were not built for this type of security.

So there are situations where internally people have already been screened at a certain level, and they are simply being screened at a higher level to proceed into the Capitol. Those are areas that certainly we could take a look at and, if possible, discover savings there. But we want to make sure that we keep in mind the safety of all our employees and obviously be able to mitigate any threat that would exist at those locations.

Senator NELSON. Absolutely. Security stands first, but from time to time, there are other ways to accomplish it, and depending on the timeframe, as well as the location, it is possible to maybe consider that as well.

Mr. MORSE. Yes, sir.

Senator NELSON. Thank you.

Senator.

Senator MURKOWSKI. Thank you, Mr. Chairman.

#### OVERTIME

To continue with the discussion about where we are with the overtime, I understand that within the budget request here, you are seeking to add 52 new sworn, 12 new civilians, and the budget justification material provided to the subcommittee states that even with the addition of these officers in fiscal year 2011, it would not reduce the overtime costs. And you have just stated that there are a couple of different ways to reduce these overtime expenses, and one of them is obviously moving forward with additional staff.

So tell me how, if you were to fill these positions, we would not be getting closer to that management point that we seem to discuss a lot around here about how we work to reduce that overtime.

Mr. MORSE. The 52 officers—there is, first, a recruiting process for that. There is the hiring process for that that must take place, and then there are some 30 weeks of training that have to take place which include field training. Then we look at the schedule of when we can hire those classes throughout the year, and when you add all that up, you are not going to realize—you will realize some overtime savings in 2011 dependent upon when those employees are hired, when they complete training, and when they are permanently assigned to the division. But the real savings comes in 2012.

Senator MURKOWSKI. Well, let me ask you that then because in fiscal year 2010, the plan was to add 24 sworn officers and 15 civilian staff positions. So where are we in that pipeline?

Mr. MORSE. I believe the 24 you are referring to is the backfill, which is already in our base salaries, which is the backfill for attrition. And that was the—

Senator MURKOWSKI. So are those positions filled?

Mr. MORSE. Those positions are currently filled and if attrition does not pan out to what we projected—and so far it has not because it is extremely low—if that does not pan out, then there is

not a need to hire those officers. If the attrition continues, as we projected, then we will make a decision to hire that class because we need for them to be brought on board and trained so that we can feel the effects of a savings of overtime, which equates to about \$1 million for 24 FTE in 2011.

Senator MURKOWSKI. So when do you make that decision as to whether or not you are at that attrition level that you had anticipated?

Mr. MORSE. What we do is we have our recruiting efforts continue and we have people in the queue to hire. The decision to hire them is made a couple months prior. So for July, we would have to be prepared to make the decision to hire them based on attrition sometime in April or early June.

#### NEW INITIATIVES

Senator MURKOWSKI. I appreciate the responses that you gave to the Senator from Arkansas about the radio modernization project, where you are with that. And there has been a lot of discussion in this subcommittee about the expense of that undertaking and the need to have this interoperability.

I would like to know a little bit more about these new initiatives that you are proposing, a little over \$16 million for new initiatives beyond the radio project. It seems like a lot of funding—a lot of new projects to be taking on at a time when we are looking to really rein in the budget here. As I looked down the list, can you give me your top two or three absolutely, positively must-haves? I am going to make you choose between your favorite children here because I think it will be helpful to know what we can anticipate here in terms of new initiatives.

Mr. MORSE. I am not going to take the fifth.

But I will say up front that two of these initiatives of the eight that you see are force development, meaning they are for the safety and security of the Capitol campus. And that would be, for instance, the modernization of our video management system upgrade. We have already completed the first phase of that, and we would like to be able to complete the second phase of that.

The remaining new initiatives are really from our threat analysis of the campus, and it is in partnership with the Capitol Police Board. So if I go picking anything right now, without my bosses' input, then they will be a little bit mad at me. But I think we can certainly take a look at these.

And as I said before, there are several here that are very expensive but, for instance, in one case, can be funded throughout fiscal year 2014. So the impact of that from a budget standpoint is not that high, but the results of not doing this certainly have an impact on the level of security that we provide.

So I can work with the Capitol Police Board to look at this as a priority and certainly work with the subcommittee to make the best choices we can for the safety of the complex.

Senator MURKOWSKI. I would certainly appreciate that. If it is something in progress—and as I understand what you have just said, the only one that is in progress in terms of phases is the video management system. But of the other items that are listed, I would like to know from a security perspective what the must-haves are.

If there are some that can be done in a phased approach, I would also like to know and understand that.

I am hesitant, while we are in the midst of a very expensive radio modernization project, which again I agree we have got to do, that we be taking on other initiatives that may be nice but not necessary. So I would like to know what the nice and what the necessary are, and if you can help us prioritize that, that would be greatly appreciated.

Mr. GAINER. Senator, I can give him some guidance now. All the ones on the Senate side we should approve. All the ones on the House side can be deferred.

Senator MURKOWSKI. See, you have got your first helping hand right there.

Thank you, Mr. Chairman.

Senator NELSON. Thank you.

I do not know that I have anything further. Do you?

Senator MURKOWSKI. I am done. That was my last question.

Senator NELSON. That was mine too.

I want to thank all three of you and, once again, emphasize how appreciative we are of your staff to continue to work so diligently on our behalf and on behalf of the American people. It is difficult for us to ask you to do more and then ask you to do it with less. We understand that that is a challenge that you face. It is a challenge we face as well. We appreciate your spirit of cooperation and willingness to work with us to find a way through, sort of a way forward for all of us to have security, have services, and be able to accommodate our offices and make certain we do work on behalf of the American people in a more diligent way.

Are you sure that my office did not get all 150,000 of those calls in 1 hour?

#### ADDITIONAL COMMITTEE QUESTIONS

I thought we got at least that.

So thank you all.

[The following questions were not asked at the hearing, but were submitted to the offices for response subsequent to the hearing:]

#### QUESTIONS SUBMITTED TO TERRANCE W. GAINER

#### QUESTIONS SUBMITTED BY SENATOR BEN NELSON

#### FISCAL YEAR 2011 BUDGET REQUEST

*Question.* If the Legislative Branch Appropriations bill for fiscal year 2011 is held to current year levels, what will be the impact to your agency's operations and on the day to day operations of the Senate?

*Answer.* We will be forced to delay some initiatives and cancel others. We will review all of our major spending plans and reevaluate each one, setting new priorities, recognizing the reduced resources allocated to us. As a note, we constantly evaluate our plans and resources and have concluded that about \$1 million in the fiscal year 2011 budget for equipment for an Emergency Operations Center is not cost effective and no longer needed.

Specifically, if we do not upgrade network and data storage equipment, we may face increasing maintenance outages and higher future maintenance costs. We also planned to add capacity to State office Internet connections to improve network speed. We will be forced to eliminate that project. As a result, offices will continue to experience slower response times when using the Internet.

## PRINTING DEPARTMENT RELOCATION

*Question.* The Architect of the Capitol's request includes \$1.2 million to relocate your Printing, Graphics and Direct Mail operation to a leased space in the Maryland suburbs. Why is this move necessary right now when we are attempting to rein in spending?

*Answer.* One of our departments currently runs a large printing operation in the basement of a building a few blocks from here. Since 2007, we have had 2 major sewage floods, 2 clean water floods, 4 ceiling collapses of tile or concrete, among other events, that disrupt work, threaten the health of our staff or pose risk of damage to our expensive printing equipment. We have over \$20 million in sophisticated equipment in the building. We believe that remaining in the facility will at some time cause an injury to staff or serious damage to our equipment. While we recognize the need to manage spending carefully, we believe this move is justified.

*Question.* What is the total cost of this relocation?

*Answer.* The initial cost to set up the facility will be between \$7.8 million and \$9.7 million depending on construction contingencies. In the long term, the government will save millions of dollars. On a purely financial basis, the government saves money over the life of the lease. The project has a net positive cash flow and a positive return on investment. The positive cash flow comes from significantly reduced rent and operating costs at the new facility compared to rent and operating costs in the heart of the District. We are paying over \$54 per square foot today and would pay about \$22 per square foot at the new facility. Costs for the space now occupied are projected to be about \$36 million over the next 20 years. The proposed facility would cost about \$25 million over the same time period. The funds included in the Architect's budget would pay for the rent at the new facility that would be shared by us and the Architect. We believe that the Architect would use the space to consolidate several storage locations into one facility.

## UNOBLIGATED BALANCES

*Question.* Last year, your office identified a substantial amount of unobligated multi-year balances from fiscal year 2006, fiscal year 2007, and fiscal year 2008. What is the total sum of these balances and how can you best utilize these funds to reduce your fiscal year 2011 request?

*Answer.* We have about \$14 million in unobligated balances. Some of these funds can be used to reduce the fiscal year 2011 request, especially some of the capital investments in equipment that we plan to make.

Additionally, there are three important projects that are not fully funded at this time. These are the Telecom Modernization Project, payroll system replacement and the move of our printing operation to a new facility. At the present time, only the costs of the relocation of the printing operation are known. As we clarify our priorities and as costs for TMP and the payroll system replacement become more defined, we will make a recommendation to the Committee on the use of the funds.

*Question.* Are there remaining balances from fiscal year 2009 as well?

*Answer.* We expect that all fiscal year 2009 funds will be obligated for the purpose intended and that there will not be unobligated balances as we had in fiscal years 2006–2008.

## FISCAL YEAR 2011 BUDGET REQUEST

*Question.* Your organization has requested a 7 percent increase in fiscal year 2011. As we have discussed, increases are going to be very difficult in a tight budget year. What projects in your fiscal year 2011 request can be deferred for another year?

*Answer.* If funding is not available, we will defer some of the capital investments in network and data storage equipment, and possibly replacement for video and printing equipment. We also may have to defer development of the Senate Office Personnel System. We will look closely at all of our operations and get back to the Committee with more specific information.

*Question.* Your request includes \$1 million for IT security. What will this cover and what additional funding if any will be required?

*Answer.* The additional funding will primarily cover continued migration to Symantec Endpoint Protection version 11, which is a vast improvement upon the current software we use for anti-virus protection on individual desktop and portable computers; security assessments and additional monitoring for new projects, including the payroll system and telecommunications modernization; improvements to our IT Security awareness program; and development of an enterprise risk-reduction “dashboard” that will help individual offices view and quantify the risks present in

their networks, assess their adherence to security standards and guidelines, and receive rapid feedback on the risk reduction effects of their remediation efforts.

*Question.* How well is the Senate protected against a cyber-attack?

Answer. We believe the Senate is well-protected, for now. We employ a variety of state-of-the-art security technology, procedures, and training to help defend the Senate network against cyber attacks. However, the frequency, complexity and sophistication of attacks against our systems continue to escalate, particularly in the form of targeted attacks from organized adversaries with adequate resources. The fact that the Senate has not yet suffered a major incident in the face of these escalating attacks is a testament to the people, processes, and technology that we commit to our defense. However, as the Senate continues to rely more heavily on ever-changing Internet technologies that can potentially expose us to new avenues of attack, we must also continue to improve our defenses to keep ahead of our adversaries.

*Question.* Your request includes \$2 million for a "Senate Office Personnel System." Can you explain this?

Answer. This project is to replace the antiquated system many administrative managers and chief clerks use to manage personnel administrative functions such as salaries, leave, and time and attendance. One of the key goals is to integrate office personnel requests with other automated systems to eliminate redundant data and data entry. Once the current requirements gathering effort is completed, we will be able to make a decision whether commercial systems can meet the requirements or whether we will have to develop a system ourselves.

*Question.* Is this a one-time cost?

Answer. Two million dollars is the estimated implementation cost. Funding for annual maintenance will be required in an amount to be determined after the system acquisition strategy is selected.

#### COMBINED APPROPRIATION ACCOUNT

*Question.* What economies do you expect to realize by combining your salaries and expenses into a single appropriation, which you are requesting to initiate in fiscal year 2011?

Answer. A single appropriation account will reduce the 70 monthly manual reconciliations of balances for the accounts we have currently to seven reconciliations for the consolidated accounts. At any point in time, we have seven active appropriations to manage. Each appropriation has 10 subaccounts.

Also, because salaries and expenses will be combined in one structure, managers also will be able to have a complete view of the cost of their operations in one report rather than the two at a minimum currently needed (one for salaries and one for expenses).

Additionally, the current appropriation account structure is a legacy of Sergeant at Arms' organization structure of the early 1990s and the Senate's financial systems at the time. Today, the Senate has a financial system that easily can accommodate a consolidated appropriation and allow the appropriate level of management reporting for tracking both salary and expenses.

#### TELECOM MODERNIZATION PROJECT

*Question.* I understand there has been some movement on the telecom modernization project. Can you update the subcommittee on the progress of this \$20 million project and whether or not additional funding may be required?

Answer. The design phase of the Telecom Modernization Project has been completed. At this time, we do anticipate that additional funding will be needed for the project. Improvements to the buildings to support the solution have proven more expensive than originally estimated. In addition, new components to improve security and the manageability of the solution were added during the final engineering and design effort. We are evaluating that design against recently announced product roadmaps to determine what changes, if any, should be made to align with the manufacturer's direction. Depending on which of various implementation options is chosen, the additional cost is projected to be between \$3.5 million and \$8.7 million. We will continue to strive to minimize these increases. Based on these changes we anticipate that testing will begin late this year and that the system will be installed during fiscal year 2011.

#### TELEPHONE/VOICEMAIL INTERRUPTION

*Question.* What steps has your office taken to address the interruption in telephone and voicemail service that the Senate experienced during the Health Care Reform debate last summer?

Answer. We have identified and rectified several issues over the past months to improve the reliability of the system, which will address most of the issues that we experienced. However, there is an issue we cannot resolve with the current voice mail system: it can handle only 132 simultaneous callers being redirected to voice mail. That number is not sufficient in this time of organized call-in campaigns and increased reliance on the voice mail system for screening callers. In the longer term, we will be installing a new voice mail system, which will have 782 ports, as one of the early efforts of the new telephone system implementation.

#### SENATE EMERGENCY NOTIFICATION SYSTEM

*Question.* There was an event last year where the Senate community was not immediately notified of an emergency which caused many road closures and interruptions to traffic in and out of Senate parking lots. What have you done to improve your system for alerting offices during an emergency that affects the Senate community?

Answer. The Sergeant at Arms works closely with the USCP Command Center to ensure the Senate community is notified of potential impacts throughout evolving emergency situations. To assist the Command Center in keeping the Senate community informed, the Sergeant at Arms moved a full time employee to USCP Headquarters to provide a presence during normal work hours for real-time information relay. Furthermore, a Sergeant at Arms employee fully trained to issue notifications is present in the Command Center after normal work hours while the Senate is in session to support communication between USCP and the Senate community.

#### QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

##### SALARIES

*Question.* I understand the Sergeant at Arms (SAA) has successfully filled 25 positions since our hearing last year. What impact has that had on your operations?

Answer. We have filled over 25 positions since the hearing last year. The impact has been real and substantive and has occurred in nearly every department. For instance, in Technology Development, one major outcome of filling several vacancies during the year was the very successful launch of the virtual machine infrastructure service. This service allows Senate offices needing new servers to build logical servers in the SAA physical environment at Postal Square at a fraction of the cost of buying their own physical servers. In addition to the cost savings, there are significant savings in office space, power, noise, and air handling for these offices. Several of the employees recently hired were instrumental to this successful launch. Another new staff person will implement electronic leave request and approvals for our staff, replacing the manual, tri-part forms now used. This project has been planned for 18 months and can be completed now with the position filled.

In Capitol Facilities, we added a night manager and filled three vacancies in the night cleaning crew. We needed a manager to oversee the work of the 34 staff that keep the Senate side of the Capitol well maintained. We have observed a higher degree of good order in the Capitol and OSHA compliance since these staff were added.

*Question.* I understand there are 23 positions currently vacant and that the budget request seeks 7 new positions, proposing to convert 6 of those into contract employees, for a net gain of 1 new position in fiscal year 2011. If we approve the budget request as presented, there will be 24 vacancies in SAA. What would be the impact of not filling those 24 positions? Which services that you provide would have to be scaled back or eliminated?

Answer. In the case of filling the existing positions, the most immediate and significant impact will be delay in completing current work. Member office and committee staffs expect rapid turnaround on work order and service requests. These response times will lengthen somewhat for certain services.

In the case of the newly requested positions, following are explanations of their need.

In addition to providing support for information technology, telecommunications and general office equipment and applications, IT Support Services has seen its less visible responsibilities expand rapidly over the past 2 years in the areas of contractor oversight, financial management of contracts, and asset management. The escalating workload has resulted in a strong need for additional FTEs to handle the growing demands.

Three FTEs are requested for the Constituent Services Systems Coordination section, one of the areas hardest hit by increasing contract oversight and financial

management duties. During the past year, due to office demands, we added a new vendor to the list from which offices could select a constituent services system. Because of the complexities of the CSS contracts, each contractor is assigned a separate contracting officer's technical representative from the CSS Coordination section. With the addition of the newest CSS vendor, the COTRs are forced to concentrate primarily on ensuring the contract terms and conditions are met. The critical financial management of the contract has become, at best, a tertiary duty for the COTRs. This new FTE is vital to our ability to fully manage the financial aspects of the CSS vendor contracts and ensure the Senate is receiving the best value for its money.

The CSS Coordination section, again due to office demand, is now also tasked to provide oversight and support to three new categories of contracts covering the areas of website development, SharePoint integration, and member scheduling software, with multiple vendors in each of those areas. An office can select a vendor from each of those categories to perform work. Because current staff levels do not allow us to provide adequate oversight for these new areas, we now have an additional vendor onsite to oversee the website development contracts. We believe it is vitally important for us to have these responsibilities in-house due to the sensitive nature of information that must be gathered from offices. Having contractors oversee other contractors is not in the best interest of the offices. The additional FTEs would allow us to absorb the increased workload caused by the new contracts and provide the type of detailed contract oversight that the Senate community expects.

The Asset Management section has also seen an expansion of duties as a result of the need for more accurate State inventories, the addition of service levels to the work being done for offices, and additional workload caused by the two new \$5 million party recording studios. Previously, GSA assisted with State office inventories. GSA staff does not have adequate knowledge of the types of assets the Senate must capture, and, over the past 2 years, they have been unable to perform the inventories at the rate at which we need them. This has resulted in inaccuracies in State offices inventories and the need for time-consuming research to ensure offices are not forced to pay for equipment that may not be missing, or pay twice for equipment that is missing. The new equipment for the party recording studios must also be tracked by the Asset Management section. The equipment is staged off-site and in smaller components that are aggregated together to form larger units. The only way to ensure accuracy of these inventories is to send Asset Management staff to the off-site location leaving the rest of the section short-handed. Without the new FTE, we will continue to have issues with State offices inventories and GSA interactions and will not be able to provide the level of oversight needed for the \$10 million worth of Senate assets in the studios.

Our Printing, Graphics and Direct Mail group seeks to add a systems administrator position. Providing immediate systems support and troubleshooting is essential to maintaining a constant work flow. PGDM's networked equipment is in six separate locations, and troubleshooting, maintenance and general oversight is impossible for the current single systems administrator.

PGDM's one systems administrator will not be able to maintain efficiency and quality service for future hardware/software acquisitions and for increases in production data. No back up for the systems administrator means less support to Postal Square, Senate Support Facility and ACF facilities. Another year's delay in filling this essential position will ensure delays in service to PGDM equipment, PGDM employees and customers.

*Question.* How much money would you save?

*Answer.* We could save about \$1.5 million were these positions not filled.

#### EXPENSES

*Question.* The budget request includes \$2 million for replacement of the Senate Office Personnel System (SOPS). Please explain why replacement of SOPS is necessary at this time.

*Answer.* One of the key goals of the project, as expressed by administrative managers and chief clerks, is to integrate office personnel-related requests with other automated systems to eliminate redundant data and data entry. The current system is built on technology no longer supported by its vendor, which leaves the application at risk to potential exploits and makes integration with related Senate systems more costly and difficult, if not impossible.

*Question.* Has a replacement system already been identified? Is the \$2 million requested the total amount needed for the new system?

*Answer.* We have not yet chosen a replacement system. Once the current requirements gathering effort is completed, we will be able to make a decision to what degree commercial systems can meet the requirements and to what degree we will

have to develop the system ourselves. The \$2 million represents the estimated implementation cost. Funding for annual maintenance will be required in an amount to be determined after the system acquisition strategy is determined.

#### UNOBLIGATED BALANCES

*Question.* I understand that SAA has approximately \$14 million available in unobligated balances from fiscal year 2006–2008. Do you have any anticipated needs for these funds?

*Answer.* There are three important projects that are not fully funded at this time. These are the Telecom Modernization Project, payroll system replacement and the move of our printing operation to a new facility. At the present time, only the costs of the relocation of the printing operation are known. As we clarify our priorities and as costs for TMP and the payroll system replacement become more defined, we will make a recommendation to the Committee on use of the funds.

#### TELECOM MODERNIZATION PLAN

*Question.* The fiscal year 2011 budget request includes an increase of \$2 million in the telecommunications portion of the budget, which is necessary to maintain two systems in tandem throughout the installation of the new system—possibly 18–24 months. Will this \$2 million increase cover the maintenance costs for the entire installation phase, or will additional funding be requested in fiscal year 2012?

*Answer.* We will not request additional funding for maintenance in fiscal year 2012. We anticipate that the new system will be installed in fiscal year 2011 and that the cost to do so will include maintenance for the first year. Because maintenance costs on the new system will be lower than on our current system, no additional funding will be needed for fiscal year 2012.

*Question.* Please give us an update on the Telecom Modernization Plan. What is the status of the \$21 million that was previously appropriated for this project?

*Answer.* We have awarded contracts for about \$8.6 million for the following: engineering and design (\$2.1 million); electrical and HVAC improvements in Senate office buildings (\$5.1 million) and independent third party reviews and validation of the design (\$1.4 million).

At this time, we anticipate that additional funding will be needed for the project, although as mentioned above, we may be able to use some of our unexpended balances from prior years. Improvements to the buildings to support the solution have proven more expensive than originally estimated. In addition, new components to improve security and the manageability of the solution were added during the final engineering and design effort. Depending on which of various implementation options is chosen, the additional cost is projected to be between \$3.5 million and \$8.7 million. We will continue to strive to minimize these increases.

*Question.* Are you ready to begin the implementation of the new system?

The design phase of the Telecom Modernization Project has been completed. We are evaluating that design against recently announced product roadmaps to determine what changes, if any, should be made to align with the manufacturer's direction. Upon completion of this evaluation, we anticipate that testing will begin later this year and that the system will be installed during fiscal year 2011.

#### PAYROLL SYSTEM UPGRADE

*Question.* Please give us an update on the payroll system upgrade, which we funded in fiscal year 2010 at the requested level of \$2 million.

*Answer.* The \$2 million in the fiscal year 2010 budget will cover software maintenance costs for both the old and new software and the cost of the project management office and independent verification and validation of the implementation project. The original estimate for implementation was \$5 million, but this is only a rough estimate. Responses to the solicitation are due at the end of March, at which time we will have a range of costs and will be able to determine what the cost for implementation would be.

*Answer.* Would utilizing a portion of the current unobligated balances to fund the contract award for implementation of the new payroll system complete the funding necessary for this project?

*Answer.* As noted above, there is a possibility that these unobligated balances can be used for the payroll system upgrade. We will work with the Committee as we review our priorities and funding options.

## PRINTING, GRAPHICS AND DIRECT MAIL RELOCATION

*Question.* SAA is in the beginning stages of developing a plan to move the printing facility to a suburban warehouse in Landover, Maryland. Projected upfront costs of this relocation could be approximately \$7.5 million. What will be the long-term savings associated with this relocation?

*Answer.* Net savings in rent and other operating expenses would be \$11 million over the life of the lease or approximately \$500,000 per year when compared against the much higher cost of leasing space in the current D.C. facility.

*Question.* What is the timeframe for making the decision about relocation?

*Answer.* Ideally, the decision to relocate the printing facility will be made in the next 60–90 days in order to take advantage of currently available space and cost estimates.

*Question.* Why is a warehouse in Landover, Maryland a better location than somewhere closer to Capitol Hill?

*Answer.* The current D.C. facility has a decaying infrastructure which is not being addressed by the owners/lessee and presents no opportunity for our production plant to grow as we expect the requirements to entail. Other locations near Capitol Hill do not have sufficient open spaces that allow for the efficient layout of machinery. The Landover facility also would be in close proximity to the Senate's warehouse which would permit economies to be realized by use of common transportation equipment.

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 QUESTIONS SUBMITTED TO PHILLIP D. MORSE, SR.

## QUESTIONS SUBMITTED BY SENATOR BEN NELSON

## SALARY MISCALCULATION

*Question.* Chief Morse—I want to better understand the circumstances surrounding the salary miscalculations which you recently discovered and their impact on your fiscal year 2010 appropriation. The Capitol Police has long been plagued with financial management problems and I had hoped we were moving in the right direction in that regard.

Regarding the budget shortfall, Chief you say you have identified potential reductions in the fiscal year 2010 General Expenses account that could, with this committee's approval, provide funds to be transferred to the Salaries account. What specific reductions are being considered?

*Answer.* To address our projected salaries shortfall in fiscal year 2010, the United States Capitol Police has conducted an internal review of available funding and have identified potential areas for the reprogramming of funds. In doing so, the Department's primary focus has centered on its ability to maintain its security and law enforcement mission, as well as mitigate potential impacts to human capital programs affecting its workforce.

The funds identified for potential reprogramming include funding to support lifecycle replacement of technology, technology upgrades, integration of technology systems, internal and external training and lifecycle replacement of uniforms and equipment, as well as general administrative mission support functions.

The elimination of these funding sources in fiscal year 2010 will delay the Department's established lifecycle replacement processes and result in greater fiscal needs in future years, but it will not affect the security of the Capitol Complex. Further, while it will also hamper the Department's ability to invest in professional and technical training for its workforce, the Department will continue to provide mission critical mandatory and certification training.

Additionally, for the remainder of fiscal year 2010, the Department will fill mission critical civilian vacancies through civilian attrition salaries savings from within an 393 civilian strength target. As civilian positions are vacated through attrition, the vacated position will be added to our comprehensive civilian vacancy lists based on an analysis of mission critical requirements. Available salaries funding will be directed to the next position on the prioritized civilian vacancy list for backfill.

In an effort to make the necessary adjustments to our fiscal year 2011 budget request, and to remain close to our fiscal year 2010 enacted appropriation, I have determined that we will limit our onboard civilian strength to 393 in fiscal year 2011, unless a mission critical requirement makes it necessary to exceed that level. Therefore, I would respectfully request that we retain the budgetary authority for our authorized civilian positions above our target civilian staffing level of 393, so that the Department may take the necessary hiring actions to meet unforeseen civilian hiring requirements within appropriated funding levels.

In addition, fewer sworn officers are leaving the Department. This has reduced the Department's need to backfill officer attrition, which has resulted in available funding that would have otherwise been used to recruit, hire, train and equipment new officers.

Later this fiscal year, the Department has indicated that it plans to reevaluate the projected salaries shortfall and will make a request to the Committee at that time for the reprogramming of necessary funds to its salaries account.

*Question.* I would like you to provide this subcommittee with a detailed plan outlining the sources of funding you will use to cover this shortfall within 30 days.

*Answer.* The Department has "fenced" the identified funding referenced above (total of \$5.886 million in annual general expense funds and \$1.385 million in no-year and 2-year funds). The Department plans to reevaluate the salaries shortfall during the fiscal year third quarter, at which time we will identify the funding necessary to meet the salaries shortfall. Based on this reevaluation, the Department plans to submit a request for the approval of funds reprogramming. To ensure we have "fenced" sufficient funding to address this issue, the Department based its salaries shortfall projection on a worst case scenario. (Currently estimated at \$6.8 million.)

Because of the security sensitive nature of the information included in the Department's response to this question, I am respectfully providing my specific response under separate cover. I would, therefore, request that the information provided in that document not be included as a part of the public record.

*Question.* This committee gave your department a 7 percent increase in salaries in fiscal year 2010 to maintain your current workforce, yet we were still short. The actual total needed for fiscal year 2010 is nearly 10 percent over 2009. How do you explain this increase to simply maintain your staffing level?

*Answer.* The Department began fiscal year 2009 with close to its authorized level of 1,702 officers as of September 30, 2008. With the Library of Congress Police merger, the backfill of LOC sworn attrition and the coverage of the CVC tunnels requirement, our authorized level increased in fiscal year 2009 to 1,799. The transferring LOC sworn employees were added to the USCP payroll during the last 4 days of fiscal year 2009, but the larger authorized staffing level required for these employees was carried for the entire fiscal year in 2010.

Likewise on the civilian side, the authorized levels increased from 418 in fiscal year 2009 to 444 in fiscal year 2010. This increase of 26 civilians resulted from the 21 former LOC sworn officers transferring as civilians to the Department on October 11, 2009 and the addition of 5 radio technicians to support our new radio modernization project. These increases in sworn and civilian staffing levels contributed to the nearly 10 percent increase.

*Question.* You have made significant personnel changes within the administrative side of your agency. Do you feel you have the right personnel in place to put together an accurate budget? If not, how do you plan to prevent this from happening again?

*Answer.* Over the last 2 years, we have hired a number of employees who we felt possessed the requisite knowledge, skills and abilities to resolve the ongoing systemic problems within our financial management area.

Unfortunately, in fiscal year 2010 the formulation of our budget did not follow our repeatable budgeting process, to include our Force Development review for the evaluation of specific mission requirements and potential new programs. This deviation from the prior fiscal year process resulted in the resubmission of our fiscal year 2010 budget and a resulting salaries shortfall. The fiscal year 2010 salaries miscalculation was carried forward into our fiscal year 2011 budget formulation as well.

The USCP Inspector General (OIG) is currently auditing the budget development processes for fiscal year 2010 and 2011 to determine the reasons for the budget formulation miscalculations and why the fiscal year 2009 budget process was not utilized as a repeatable process.

While the OIG audit is being conducted, the Department is reviewing the overall financial management function of the Department to determine the best method for achieving the budget, accounting and procurement functions.

The outcome of the OIG audit, our internal business process review, and our continued interaction with the Capitol Police Board, the Government Accountability Office and oversight committees, we believe will assist the Department in developing permanent solutions for resolving the systemic financial management problem.

#### FISCAL YEAR 2011 REQUEST

*Question.* How confident are you that the revised fiscal year 2011 numbers you provided to us are accurate?

Answer. Upon finding the fiscal year 2010 salaries miscalculation, the Department notified the Capitol Police Board in its budget oversight capacity. To assist the Department in preparing a fiscal year 2011 budget amendment with accurate and verifiable information, the Board convened a budget review panel consisting of the Chief Financial Officer for the Senate Sergeant at Arms, the CFO for the Architect of the Capitol (AoC), the Director of the Office of Security Programs for the AoC, and a technical expert from the House Sergeant at Arms Office. Based on this review and the review of the Department's Executive Team, we believe the revised fiscal year 2011 submission is accurate based on the assumptions at the time of development.

*Question.* Your fiscal year 2011 request assumes an increase of 52 officers and roughly \$30 million in overtime costs. How much will it cost to maintain your current staffing levels in fiscal year 2011 without the additional officers you requested?

Answer. To maintain current staffing levels of 1,800 sworn and 393 civilians in fiscal year 2011, the Department will require \$342.9 million in Salaries and General Expenses, as well as an additional \$15.9 million to complete the indoor coverage portion of the radio modernization project. This does not include funding for the special initiatives included in our fiscal year 2011 budget submission.

*Question.* Have you realized any savings as a result of the GSA fleet-leasing initiative?

Answer. From the initial review of the leasing program in fiscal year 2009, we estimated a potential cost savings over a 5 year period of \$2 to \$3 million at our current primary fleet size. This projected savings reflects the difference between purchasing lifecycle replacement vehicles for our primary fleet and leasing the vehicles from the General Services Administration (GSA). So far, we have realized work hour savings in efficiencies in the vehicle surplus/disposal process through GSA. More importantly, we are in a consistent lifecycle replacement process for our primary fleet, which is critical to our mission capability.

*Question.* You mentioned in your testimony, that half of the civilians you are requesting in fiscal year 2011 will replace contract employees. Will adding these individuals to your workforce actually save money?

Answer. First, I would like to clarify a reference in my testimony that was derived from our fiscal year 2011 budget submission. In our fiscal year 2011 budget submission, we indicate that all five of the new Office of Information Systems civilian positions, as well as the additional budget analyst position for the Office of Financial Management, which we are requesting would replace contractors, when in fact only two of the five OIS positions are requested in order to replace contractors. Therefore, only three of the civilian positions being requested in fiscal year 2011 would replace contractors.

To address your specific question, yes, we believe that adding these individuals to our workforce will save money. We are requesting to convert the annual general expense cost for the two contractors which is approximately \$405,000 to salaries to support two new civilian positions, a CP-11 and a CP-7, which fully loaded have an annual FTE cost of approximately \$225,000. In future fiscal year budget requests we intend to request additional conversions where it makes fiscal sense.

In the Information Technology field, for example, it is not uncommon for FTE cost to be lower than contractor cost. In situations where we have Information Technology staff augmentation contractors that cost more than the fully loaded cost of an FTE equivalent we should pursue a conversion. OIS conducted an informal review and determined it could save over \$1 million per year by addressing these and other contractor conversions.

*Question.* You are requesting \$16.2 million in "new initiatives," including hallway security, House and Senate garage security, and several AOC projects. Could these items be deferred, or funded in phases?

Answer. If these projects are deferred, the vulnerabilities that they are designed to mitigate would remain. Some of these projects could be funded in phases.

Because of the security sensitive nature of the information included in the Department's response to this question, I am respectfully providing my more detailed response under separate cover. I would, therefore, request that the information provided in that document not be included as a part of the public record.

#### MANPOWER REDUCTIONS

*Question.* What effect has the merger with the Library of Congress police had on the USCP's salaries and overtime thus far? What additional changes, if any, are expected to result from the merger?

Answer. In fiscal year 2010, the Department received funding to support the sworn and civilian employees who transferred from the Library of Congress (LOC)

Police to the Department as a part of the Library of Congress Police/USCP Merger. When the funding for overtime was requested for fiscal year 2010, the fiscal year 2009 overtime executed as a part of the LOC's appropriation (approx. 17,000 hours) was not requested to be included as an increase to the Department's overtime base. Therefore, the Department absorbed these mission requirements into our base for fiscal year 2010.

Following the implementation of the merger, the Department load-leveled the LOC Division's sworn personnel allocations with other mission requirements across the Department. This resulted in an overtime allocation of 560 hours of overtime from within the USCP overtime base per week to meet current mission requirements associated with the LOC Division.

Currently, the Department is reviewing the results of our physical security and threat assessments that were conducted on the LOC Buildings post-merger. We are in the process of evaluating potential mission set adjustments that may result in sworn personnel and overtime savings. Resulting savings would be placed against existing mission requirements across the Department. Once we have concluded this review and analysis, we will vet potential changes through the Capitol Police Board and appropriate stakeholders for consideration.

*Question.* Having conducted risk assessments, security testing, and coordinating intelligence with other Federal law enforcement agencies, in your opinion, do you have the right mix of officers, technology, and equipment to provide for the security of the Capitol Complex?

*Answer.* To better manage our resources and to work toward determining the requirements needed for the Department to meet its mission, we undertook, with full support of our committees, a staffing study in 2007 focused on the core mission requirements at that time. This study resulted in a target sworn officer utility of 1,560 in an optimum resource environment, which includes a level of overtime needed to address unplanned events.

USCP plans and projects its resources, to include overtime (OT) requirements, based on this target 1,560 hours annual utility for each USCP officer. This number includes the use of leave both scheduled and unscheduled, holiday, training, and administrative time for each officer.

To determine the overall current staffing requirements for our mission in fiscal year 2010, the Department balanced the scheduled core mission requirements of today, projected unscheduled events (demonstrations, state funerals, heads of state visits, etc.), unfunded core mission requirements (those that have been added after the annual budget submission and appropriation of funds for the current fiscal year), and available annual salary and overtime funding to determine the level of sworn officer utility required to perform the mission of Department.

The Department's current authorized sworn strength does not provide the necessary utility to meet current core mission requirements within the target 1,560 utility. This was determined by applying the 1,560 utility hours against the hours necessary for base core mission requirements. The remaining hours must be met through overtime, post reduction, the use of technology, or reductions from within the utility, such as training.

To maximize the utilization of resources, the Department balances a number of factors as noted above. For example, in an effort to control overtime costs, the Department must maintain a robust sworn strength throughout the year. Therefore, the onboard sworn strength must remain at or above the authorized sworn strength to accommodate attrition without increasing the resource gap. This allows the Department the maximum sworn officer utilization to meet core mission requirements.

However, in doing so, the Department is utilizing its appropriated salary funds to their maximum potential throughout the year. A by product of this level of funding utilization is the potential slowing of civilian hiring to allow for the funding availability for sworn hiring.

Further, the Department has an average of 40–60 sworn officers in recruit training during various parts of the fiscal year, which results in these sworn officer utility hours not having an immediate direct impact of the reducing the resource gap upon their entry on duty with the Department. Generally, recruit officers hired and trained after March of any given fiscal year will not have a impact on reducing the resource gap until the next fiscal year, assuming that the core mission does not increase or projected attrition is not exceeded.

In an effort to reduce requirements and narrow this gap, the Department has worked with the Capitol Police Board and its oversight committees to review possible requirements reductions. In fiscal year 2008 and fiscal year 2009, the Department closed a number of non-security posts, which allowed the Department to remain within the appropriated salary and overtime funding levels.

To further reduce the resource gap, the Department has looked at a number of opportunities to civilianize positions currently performed by sworn officers, so these sworn staffing resources may be realigned to meet other core mission requirements. In fiscal year 2009, the Department utilized available civilian positions to return former USCP employees from the Department of Labor's Worker's Compensation Roll to the Department's Communications Section. This allowed the Department to utilize civilian personnel to perform the security camera and alarm monitoring function in-house, rather than using contractors. Further, this allowed the Department additional general expense funds for potential use on technology, as well as allowing for some realignment of sworn resources.

Additionally, the Department civilianized 26 sworn positions in the Library of Congress command center during the LOC Police and USCP Merger. This allowed the Department to utilize civilianizing former LOC Police employees to perform the Command Center functions and realign sworn resources to other core mission requirements.

The Department is currently reviewing other areas that may result in civilianization of posts, which may provide additional available sworn officer utility. As these are developed, they will be vetted through the Capitol Police Board and appropriate stakeholders for consideration.

Even with these reductions efforts and the use of technology, the remaining requirements currently exceed the Department's appropriated overtime funding level. Therefore, the training hours contained within the 1,560 officer utility must be utilized to meet the requirements gap between available sworn officer resources and requirements.

An analysis was conducted by USCP with available data to estimate the current sworn officer utility, which is estimated in an approximate range of 1,650–1,725 per officer annually, including overtime. Almost all of these utility hours are used in support of USCP core mission requirement. Based on this estimated utility range, the Department is not currently meeting its 80 hour annual training target as contained in the target 1,560 sworn officer utility described above.

A random sampling of USCP officers in the Uniform Service Bureau (USB) indicates that approximately 7–20 hours were actually used for training in fiscal year 2009, vice the 80 hours allotted for training in the utility calculation. By focusing this analysis on USB, we are addressing the largest sworn population within the Department. This analysis did not include USCP specialty units such as K9, CERT or HDS and DPD.

The reduction of training hours will not have an immediate impact on the USCP mission. However the long term impact of reducing core training hours, will impact the recertification of officers in certain programs, may affect officer response capability and may result in the overall degradation of the proficiency of our officers to meet their mission. All of these will result in greater risks to the Department and create a cycle that will have long-term impacts on the Department.

In an effort to address this training matter before it becomes a serious issue and work toward the optimum sworn officer utility of 1,560, the Department has requested overtime funding to support a minimum of 16 hours of training for 1,500 sworn officers in fiscal year 2011. Because our current onboard officers cannot work increased overtime levels for the long-term without affecting their effectiveness, we are also requesting 52 additional officers to begin to narrow the resource gap while allowing for the minimum annual training level described above. These two resource requests are a part of a larger balance that the Department is attempting to reach between the use of personnel, overtime, technology and mission balance to meet required core mission requirements.

*Question.* What effect have these assessments had on post openings and closings? To what extent are there opportunities for further post closings?

*Answer.* In an effort to reduce mission requirements and narrow the sworn utility gap referenced above, the Department has worked with the Capitol Police Board and its oversight committees to review possible requirements reductions. In fiscal year 2008 and fiscal year 2009, the Department closed a number of non-security posts, which allowed the Department to remain within the appropriated salary and overtime funding levels.

To further reduce the resource gap, the Department has looked at a number of opportunities to civilianize positions currently performed by sworn officers, so these sworn staffing resources may be realigned to meet other core mission requirements. In fiscal year 2009, the Department utilized available civilian positions to return former USCP employees from the Department of Labor's Worker's Compensation Roll to the Department's Communications Section. This allowed the Department to utilize civilian personnel to perform the security camera and alarm monitoring function in-house, rather than using contractors. Additionally, this allowed the Depart-

ment additional general expense funds for potential use on technology, as well as allowing for some realignment of sworn resources.

Further, the Department civilianized 26 sworn positions in the Library of Congress command center during the LOC Police and USCP Merger. This allowed the Department to utilize civilianizing former LOC Police employees to perform the Command Center functions and realign sworn resources to other core mission requirements.

The Department is currently reviewing other areas that may result in civilianization of posts, which may provide additional available sworn officer utility. As these are developed, they will be vetted through the Capitol Police Board and appropriate stakeholders for consideration.

It is important to note, in order for the Department to reduce overtime utilization, the mission requirements expected of the Department cannot increase. Otherwise, the Department will be required to request additional overtime or staffing to meet the new requirements.

*Question.* Chief, one of the big issues you and your department face each year are the ever-mounting responsibilities that require the use of more and more overtime. I think you should consider a study to determine the feasibility and wisdom of contracting out some of your technology-related tasks, such as x-ray machines and magnetometers, to highly trained civilian technicians. This will free up your sworn personnel for other more traditional law enforcement activities. Obviously, sworn personnel will still provide appropriate law enforcement support and action at doors, as appropriate. What are your thoughts on this?

*Answer.* Prior to the 1998 shooting of two USCP sworn officers in the Capitol Building, we had instituted a staffing model that would place one unarmed civilian security aide at various entry points to operate the metal detectors and x-ray machine, as well as a single police officer to take law enforcement actions.

Based on our analysis of the 1998 shooting and reviews of other similar situations around the nation, we know that the confrontation point for an armed intruder will be at the screening locations. Therefore, we instituted a staffing model that eliminated the civilian position and replaced it with a sworn officer to improve security and the ability to confront an armed attack.

It is recommended that we maintain that model at building entry points.

That said, we will undertake a study to determine if we can place civilian screeners at select secondary screening points at interior building locations and will report the findings back to the Committee once completed.

*Question.* If you are held to your fiscal year 2010 appropriation in fiscal year 2011, what adjustments could you make to your request to maintain current staffing?

*Answer.* Within the context of reviewing our budget requirements at or near the fiscal year 2010 appropriations level, the Department has undertaken a comprehensive review of its fiscal year 2011 salaries and general expense request. The review was intended to determine the core mission requirements necessary to operate at our current staffing level (1,800 sworn and 393 civilian) in fiscal year 2011, while maintaining the ability to carry out our core mission.

Because of the fiscal year 2010 salaries miscalculation, our fiscal year 2011 salaries mandatory base funding requirement is higher than anticipated. In an effort to reduce the overall fiscal year 2011 budget requirements (both salaries and general expense), we are attempting to reduce all non-mandatory general expenses from our no-growth request.

As the Committee is aware, our fiscal year 2011 budget amendment resulted in a \$9 million difference between our original and revised fiscal year 2011 request. However, in our effort to develop a fiscal year 2011 request at or close to our fiscal year 2010 appropriated level, the Department anticipates that we will require in fiscal year 2011 an estimated \$14 to \$16 million in funding above of fiscal year 2010 appropriated level in order to meet our current staffing and mission levels, to include the carryover of the fiscal year 2010 salaries miscalculation.

We are again reviewing our fiscal year 2010 general expense base to look for potential areas to reduce this overall funding requirement and plan to submit to the Committees by the end of the second week of April, an fiscal year 2011 base requirements budget to support our core mission requirements.

*Question.* The fiscal year 2011 budget justification states that the 52 new sworn officers you are requesting would not reduce overtime until at least 2012 because of the time it takes to train an officer. What longer-term strategy does the USCP have to reduce overtime?

*Answer.* There are two factors which affect the Department's ability to reduce its overtime utilization: (1) sworn utility and (2) additional mission requirements.

To better manage our resources and to work toward determining the requirements needed for the Department to meet its mission, we undertook, with full support of our committees, a staffing study in 2007 focused on the core mission requirements at that time. This study resulted in a target sworn officer utility of 1,560 in an optimum resource environment, which includes a level of overtime needed to address unplanned events.

USCP plans and projects its resources, to include overtime (OT) requirements, based on this target 1,560 hours annual utility for each USCP officer. This number includes the use of leave both scheduled and unscheduled, holiday, training, and administrative time for each officer.

To determine the overall current staffing requirements for our mission in fiscal year 2010, the Department balanced the scheduled core mission requirements of today, projected unscheduled events (demonstrations, state funerals, heads of state visits, etc.), unfunded core mission requirements (those that have been added after the annual budget submission and appropriation of funds for the current fiscal year), and available annual salary and overtime funding to determine the level of sworn officer utility required to perform the mission of Department.

The Department's current authorized sworn strength does not provide the necessary utility to meet current core mission requirements within the target 1,560 utility. This was determined by applying the 1,560 utility hours against the hours necessary for base core mission requirements. The remaining hours must be met through overtime, post reduction, the use of technology, or reductions from within the utility, such as training.

To maximize the utilization of resources, the Department balances a number of factors as noted above. For example, in an effort to control overtime costs, the Department must maintain a robust sworn strength throughout the year. Therefore, the onboard sworn strength must remain at or above the authorized sworn strength to accommodate attrition without increasing the resource gap. This allows the Department the maximum sworn officer utilization to meet core mission requirements.

However, in doing so, the Department is utilizing its appropriated salary funds to their maximum potential throughout the year. A by product of this level of funding utilization is the potential slowing of civilian hiring to allow for the funding availability for sworn hiring.

Further, the Department has an average of 40–60 sworn officers in recruit training during various parts of the fiscal year, which results in these sworn officer utility hours not having an immediate direct impact of the reducing the resource gap upon their entry on duty with the Department. Generally, recruit officers hired and trained after March of any given fiscal year will not have a impact on reducing the resource gap until the next fiscal year, assuming that the core mission does not increase or projected attrition is not exceeded.

In an effort to reduce requirements and narrow this gap, the Department has worked with the Capitol Police Board and its oversight committees to review possible requirements reductions. In fiscal year 2008 and fiscal year 2009, the Department closed a number of non-security posts, which allowed the Department to remain within the appropriated salary and overtime funding levels.

To further reduce the resource gap, the Department has looked at a number of opportunities to civilianize positions currently performed by sworn officers, so these sworn staffing resources may be realigned to meet other core mission requirements. In fiscal year 2009, the Department utilized available civilian positions to return former USCP employees from the Department of Labor's Worker's Compensation Roll to the Department's Communications Section. This allowed the Department to utilize civilian personnel to perform the security camera and alarm monitoring function in-house, rather than using contractors. This allowed the Department additional general expense funds for potential use on technology, as well as allowing for some realignment of sworn resources.

Additionally, the Department civilianized 26 sworn positions in the Library of Congress command center during the LOC Police and USCP Merger. This allowed the Department to utilize civilianizing former LOC Police employees to perform the Command Center functions and realign sworn resources to other core mission requirements.

The Department is currently reviewing other areas that may result in civilianization of posts, which may provide additional available sworn officer utility. As these are developed, they will be vetted through the Capitol Police Board and appropriate stakeholders for consideration.

Even with these reductions efforts and the use of technology, the remaining requirements currently exceed the Department's appropriated overtime funding level. Therefore, the training hours contained within the 1,560 officer utility must be uti-

lized to meet the requirements gap between available sworn officer resources and requirements.

An analysis was conducted by USCP with available data to estimate the current sworn officer utility, which is estimated in an approximate range of 1,650–1,725 per officer annually, including overtime. Almost all of these utility hours are used in support of USCP core mission requirement. Based on this estimated utility range, the Department is not currently meeting its 80 hour annual training target as contained in the target 1,560 sworn officer utility described above.

A random sampling of USCP officers in the Uniform Service Bureau (USB) indicates that approximately 7–20 hours were actually used for training in fiscal year 2009, vice the 80 hours allotted for training in the utility calculation. By focusing this analysis on USB, we are addressing the largest sworn population within the Department. This analysis did not include USCP specialty units such as K9, CERT or HDS and DPD.

The reduction of training hours will not have an immediate impact on the USCP mission. However the long term impact of reducing core training hours, will impact the recertification of officers in certain programs, may affect officer response capability and may result in the overall degradation of the proficiency of our officers to meet their mission. All of these will result in greater risks to the Department and create a cycle that will have long-term impacts on the Department.

In an effort to address this training matter before it becomes a serious issue and work toward the optimum sworn officer utility of 1,560, the Department has requested overtime funding to support a minimum of 16 hours of training for 1,500 sworn officers in fiscal year 2011. Because our current onboard officers cannot work increased overtime levels for the long-term without affecting their effectiveness, we are also requesting 52 additional officers to begin to narrow the resource gap while allowing for the minimum annual training level described above. These two resource requests are a part of a larger balance that the Department is attempting to reach between the use of personnel, overtime, technology and mission balance to meet required core mission requirements.

*Question.* With the country in the midst of an economic crisis, attrition rates have been lower than usual. Has your department seen lower attrition rates? Have you taken this into consideration when preparing your budget request?

*Answer.* Yes, USCP has seen an unprecedented lower attrition rate (almost half of what would be normal). This was factored into the re-formulated budget for fiscal year 2011.

#### RADIO MODERNIZATION PROJECT

*Question.* On September 30, 2009, the Committee received the first funding obligation plan pursuant to the fiscal year 2009 Supplemental Appropriations Act that provided \$71.6 million for the USCP radio modernization project. That funding obligation plan specified \$3.5 million for the design and construction of the mirror site facility to house the radio system's technical requirements. Who is doing the actual design of the mirror site and when will it be completed?

Who will be doing the construction of the mirror site and when will it be completed?

*Answer.* The design and construction of the mirror site will be done by Verizon and its contractors under the supervision of the AOC and USCP. The design is scheduled to be completed by July 15, 2010 and the construction build out is scheduled to be completed by March 2011.

*Question.* When can the Committee expect to receive the next obligation plan?

*Answer.* The Committee can expect to receive the next obligation plan in March 2010 then another one in April 2010.

*Question.* Will the \$16 million requested in fiscal year 2011 be the final funding request for this project?

*Answer.* That is our intention and is our plan. At this point in time, the estimate for the total cost of this project is just over \$91.9 million. The total amount appropriated (assuming the \$16 million in fiscal year 2011) is \$97.562 million, leaving a contingency fund of \$5.655 million.

Should we need to utilize contingency funds during the project, the Department plans to notify the Committees and provide an explanation for its utilization.

Additionally, the Department plans to provide an update on the status of the radio modernization project to the Committees in the near future. As a part of this update, we will provide additional information on the development and status of our budget estimates, a current status of funds utilization, the status of the various phases of the overall project, and our revised obligation plan for the appropriated and requested funds.

*Question.* With only \$3.5 million obligated of the \$71.6 million that was appropriated in the fiscal year 2009 supplemental, is it really necessary to have an additional \$16 million in fiscal year 2011?

Answer. Yes, it is necessary. Without the additional funding, there will be insufficient funds to complete the project. The total cost of the project is estimated to be \$91.9 million, and that is without any contingency fund. The additional \$16 million in funding will bring the total appropriated amount to \$97.562 million which should be sufficient to complete the project and to provide for a small contingency fund.

Currently, there is an Obligation Plan that was recently sent to the House and Senate Appropriation Committees seeking permission to obligate another \$9.9 million. Another obligation plan will be prepared in April 210 for approximately \$12 million. This summer, once the Request For Quote process is completed over \$34 million should be obligated with most of the remaining funding obligated in the fall of 2010.

*Question.* What are the consequences of delaying or phasing this \$16 million?

Answer. The completion of the project would be delayed month for month for any delay in funding beyond October 2010. Many of the components of the project have long lead times for order delivery and then they have to be installed within the campus buildings. In order to complete the project by spring of 2012, the infrastructure and installation work must start in Spring 2012. Delaying the project would mean continuing to operate longer with an aging analog radio system that is becoming more difficult and more expensive to maintain.

*Question.* When do you anticipate having the new radio system completely installed and fully operational? Will there be a multi-phase implementation plan?

Answer. The project is scheduled for completion during Spring 2012. The most challenging part is the in-building wiring and installations in 16 different buildings/facilities including the Capitol Building. Though this work is expected to take about a year, there are always unforeseen issues when doing this type of work in these buildings. Also, if the in-building wiring work is not allowed to start prior to the passage of the fiscal year 11 budget, then the schedule is in jeopardy.

The project itself is divided into five phases as follows: Phase 1: Cost Analysis; Phase 2: System Design; Phase 3: Procurement, Integration and Installation; Phase 4: Acceptance Testing; and Phase 5: Operations and Maintenance.

We are currently entering into Phase 3. Within Phase 3, implementation will be conducted in a parallel approach. Inside work, outside work, facilities construction, etc. will be done in parallel; the goal is to have all the component pieces completed by September 2011 in order to then conduct system integration and testing. The "go-live" migration plan will have a single cutover event from the analog system to the digital system.

*Question.* When this system is completed, will it be fully interoperable with the systems of other first responders in this jurisdiction that are key partners to the day-to-day activities of the U.S. Capitol Police? Who does the USCP view as its key partners? Has the USCP, or NAVAIR on behalf of the USCP, consulted with those partners on the radio requirements to ensure interoperability?

Answer. Yes. The P25 Digital radio system was designed to be fully interoperable.

Our key partners are MPD, D.C. Fire/EMS, Office of the Attending Physician, FBI, U.S. Secret Service, U.S. Park Police, WMATA Police, and Amtrak Police.

Yes, the USCP is currently working on creation and updates on MOUs with all of the above mentioned agencies. The MOUs will include the Standard Operating Procedure (SOP) for the interoperability to occur. USCP, NAVAIR and the various agencies need to have further detailed meeting to determine the technical details for this. NAVAIR has the IP gateways, needed for interoperability, included in the cost estimate to perform this effort.

*Question.* The Committee remains concerned that all aspects of this significant procurement for the USCP will be openly and fairly competed. What assurances do you have from NAVAIR that this is the case?

Answer. Early in the program effort, in the review of the requirements document NAVAIR developed a broader specification to meet the requirements of the USCP radio program and to preclude any vendor specific solutions/capabilities. NAVAIR is not utilizing in-house, existing contracting vehicles for the required materials. NAVAIR is independent of any particular vendor, and are vendor agnostic. NAVAIR has engaged their designated Contracting Authority who is adhering to the Federal Acquisition Regulations and clauses, promoting full and open competition. Their Contracting Authority has issued Request For Information's for all significant procurements for the USCP effort. NAVAIR has assessed the RFI's against the specifications and are developing the Request For Proposal to be broad enough to include all of the vendors found to satisfy the requirements for the USCP radio program. Additionally, through extensive market research, NAVAIR knows there are vendors

capable of satisfying the requirement and if these vendors did not respond to the RFI they still have the opportunity to respond to the RFP.

#### ADDRESSING THREATS TO SENATE OFFICES

*Question.* What is your normal procedure when a threat is received against a member of the United States Senate? My office is somewhat frustrated at the lack of response received from the Threats Division after a threat was called into my office.

*Answer.* The United States Capitol Police Investigations Division provides a broad range of investigative services in support of the Department's protective mission. The Investigations Division is comprised of the Criminal Investigations Section (CIS), Threat Assessment Section (TAS), and the Intelligence Investigations Section (ISI). One of the key components to our protective mission is our ability to manage and investigate threats to the Congressional community. The Investigations Division continues to provide an investigative response to subjects who make direct or implied threats, or who demonstrate unusual or concerning behavior toward any USCP interests. Threats are conveyed in a variety of means to include in-person contact, telephone calls, and/or written correspondence/emails. Once notified by the community several investigative procedures are implemented to include notifying the FBI. Certain criminal offenses (U.S. Code Title 18 part 1, chap. 18 S351 Congressional, Cabinet and Supreme Court Assassination, kidnapping, and assault) provide specific investigative authority to the FBI. The Threat Assessment Section continues to actively work with the FBI Violent Crimes Task Force (VCTF) to facilitate investigative efforts. This task force position provides immediate access to law enforcement agent's nationwide in order to identify, locate, and prosecute criminal offenders. Aside from the task force position, the Investigations Division has special agents assigned to conduct criminal investigations to include the reporting of an offense, collection of evidence, coordination with prosecutors both locally and across the nation for the purposes of seeking prosecution of offenders.

In addition to the intensive investigative work associated with the Division, agents are often tasked with dual responsibilities to include elevation of the protection models for USCP interests. Not only are threats investigated, but offenders, once identified are examined in order to develop a viable threat assessment. Depending on the set of circumstances surrounding the threat and the offender, considerations are made for the assignment of protection details. Some of these factors include the behavior demonstrated by the offender, for instance if approaches have been made toward USCP interests. Extensive background investigations are also conducted by subject matter experts in the field of threat management to examine not only the offender's intent and ability, but also to verify access to weapons and relevant criminal history, and finally, ascertain the veracity of an offender's threat. If the assessment identifies an offender as a moderate or high threat than requests for protection details are considered. Protection teams are coordinated through the Dignitary Protection Division (DPD) with support of the Investigations Division.

Additionally, I have tasked that Division to reach out to your office to follow up on the specific threat you reference in the question above.

#### INTERNAL CONTROL WEAKNESSES

*Question.* The fiscal year 2008 Capitol Police financial statement audit report cited 3 material internal control weaknesses: (1) verification of employee hours worked; (2) inadequate timekeeping records; (3) internal weaknesses with regard to duplicate payments. The report also discussed problems related to payroll processing and invoice handling along with other issues. The problems the auditors cited are troubling.

What is the USCP doing about these internal control weaknesses? How do these weaknesses impact your budget proposal?

*Answer.* Since becoming the Chief of Police, we have focused our Executive Team and Executive Management Team energies on addressing material internal control weaknesses and recommendations from the Government Accountability Office and USCP Inspector General, as well as to establishing standardized and repeatable business practices. We believe that addressing these core issues will substantially address the long term systemic administrative issues within the Department.

To that end, Office of Administration under the guidance of the Chief Administrative Officer has indicated that they have taken the following steps to addressing the fiscal year 2008 financial statement audit material weaknesses:

An electronic system has been implemented, and is monitored by OHR in order to track and report time and attendance certification compliance. All recordkeeping requirements have been reinforced through briefings, training, and written memo-

randums. Random inspections to ensure compliance with timekeeping procedures are conducted quarterly with the results reported to Bureau Commanders.

With regard to payroll processing, the pre and post National Finance Center payroll data reconciliations have been reinstated and are executed within 4 weeks of payroll transmission. Variations are reported, researched and resolved.

Internal Standard Operating Procedures have been developed for payroll processing, as well as time and attendance certification procedures to ensure repeatable business processes are outlined and utilized.

The Office of Financial Management accounts payable section processed approximately 8,050 payments totaling \$46.3 million in fiscal year 2008. During the financial statement audit, 1 duplicate payment was noted for \$384.20. This duplicate payment was discovered by Accounts Payable staff and the amount was repaid to USCP prior to the financial statement audit.

To further enhance internal control, OFM accounts payable section has implemented a daily review of aging accounts payable invoices. Communication improvements have been established between OFM accounts payable section and the financial liaison officers from each of the bureaus and offices thru periodic status updates regarding oldest invoices. The OFM accounts payable section has implemented a Vendor Input System utilizing the Microsoft Access software which has significantly enhanced the detection of a potential duplicate payment prior to distribution. Additionally, OFM is currently updating an internal Standard Operating Procedure for the processing of payment vouchers.

To insure that these weaknesses are fully addressed, our Executive Team is working closely with the USCP Inspector General and the Department's auditors to validate our progress in the upcoming financial statements. Based on this audit feedback, we will continue our efforts to improve our administrative functions.

In the interim, we are working to close the many recommendations focusing on our administrative functions.

We believe that control weaknesses or a lack of standardized and repeatable business processes have potential impact on our ability to execute our management functions and responsibilities, to include budget formulation and execution.

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#### QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

##### SALARIES

*Question.* The budget justification material provided to the subcommittee states that the addition of these officers in fiscal year 2011 would not reduce overtime costs in fiscal year 2011. Please explain.

*Answer.* To better manage our resources and to work toward determining the requirements needed for the Department to meet its mission, we undertook, with full support of our committees, a staffing study in 2007 focused on the core mission requirements at that time. This study resulted in a target sworn officer utility of 1,560 in an optimum resource environment, which includes a level of overtime needed to address unplanned events.

USCP plans and projects its resources, to include overtime (OT) requirements, based on this target 1,560 hours annual utility for each USCP officer. This number includes the use of leave both scheduled and unscheduled, holiday, training, and administrative time for each officer.

To determine the overall current staffing requirements for our mission in fiscal year 2010, the Department balanced the scheduled core mission requirements of today, projected unscheduled events (demonstrations, state funerals, heads of state visits, etc.), unfunded core mission requirements (those that have been added after the annual budget submission and appropriation of funds for the current fiscal year), and available annual salary and overtime funding to determine the level of sworn officer utility required to perform the mission of Department.

The Department has on average 40–60 sworn officers in recruit training during various parts of the fiscal year, which results in these sworn officer utility hours not having an immediate direct impact of the reducing the resource gap upon their entry on duty with the Department. Generally, recruit officers hired and trained after March of any given fiscal year will not have an impact on reducing the resource gap until the next fiscal year, assuming that the core mission does not increase or projected attrition is not exceeded.

*Question.* With a total of 76 additional sworn officers proposed through fiscal year 2010 and 2011, will we start to see a reduction in overtime costs with the fiscal year 2012 budget request? Will there be a requirement for additional officers in fiscal year 2012?

Answer. For clarification, I offer the following explanation of what I believe the referenced 76 additional sworn officers includes.

In fiscal year 2010, the Department did not receive authorization or funding to support additional sworn personnel above our sworn authorization of 1,799 (now 1,800 with the reallocation of 1 civilian position). In the final quarter of fiscal year 2010, the Department has scheduled a recruit officer class consisting of 24 recruit officer slots to backfill sworn attrition from within our authorized strength referenced above should backfill be required.

In fiscal year 2011, the Department has requested 52 new sworn officers above our current authorized and funded sworn staffing level.

As for the reduction of overtime, there are two factors which affect the Department's ability to reduce its overtime utilization: (1) sworn utility and (2) additional mission requirements.

To better manage our resources and to work toward determining the requirements needed for the Department to meet its mission, we undertook, with full support of our committees, a staffing study in 2007 focused on the core mission requirements at that time. This study resulted in a target sworn officer utility of 1,560 in an optimum resource environment, which includes a level of overtime needed to address unplanned events.

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To determine the overall current staffing requirements for our mission in fiscal year 2010, the Department balanced the scheduled core mission requirements of today, projected unscheduled events (demonstrations, state funerals, heads of state visits, etc.), unfunded core mission requirements (those that have been added after the annual budget submission and appropriation of funds for the current fiscal year), and available annual salary and overtime funding to determine the level of sworn officer utility required to perform the mission of Department.

The Department's current authorized sworn strength does not provide the necessary utility to meet current core mission requirements within the target 1,560 utility. This was determined by applying the 1,560 utility hours against the hours necessary for base core mission requirements. The remaining hours must be met through overtime, post reduction, the use of technology, or reductions from within the utility, such as training.

To maximize the utilization of resources, the Department balances a number of factors as noted above. For example, in an effort to control overtime costs, the Department must maintain a robust sworn strength throughout the year. Therefore, the onboard sworn strength must remain at or above the authorized sworn strength to accommodate attrition without increasing the resource gap. This allows the Department the maximum sworn officer utilization to meet core mission requirements.

However, in doing so, the Department is utilizing its appropriated salary funds to their maximum potential throughout the year. A by product of this level of funding utilization is the potential slowing of civilian hiring to allow for the funding availability for sworn hiring.

Further, the Department has an average of 40-60 sworn officers in recruit training during various parts of the fiscal year, which results in these sworn officer utility hours not having an immediate direct impact of the reducing the resource gap upon their entry on duty with the Department. Generally, recruit officers hired and trained after March of any given fiscal year will not have a impact on reducing the resource gap until the next fiscal year, assuming that the core mission does not increase or projected attrition is not exceeded.

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To further reduce the resource gap, the Department has looked at a number of opportunities to civilianize positions currently performed by sworn officers, so these sworn staffing resources may be realigned to meet other core mission requirements. In fiscal year 2009, the Department utilized available civilian positions to return former USCP employees from the Department of Labor's Worker's Compensation Roll to the Department's Communications Section. This allowed the Department to utilize civilian personnel to perform the security camera and alarm monitoring function in-house, rather than using contractors. This allowed the Department additional general expense funds for potential use on technology, as well as allowing for some realignment of sworn resources.

Additionally, the Department civilianized 26 sworn positions in the Library of Congress command center during the LOC Police and USCP Merger. This allowed the Department to utilize civilianizing former LOC Police employees to perform the Command Center functions and realign sworn resources to other core mission requirements.

The Department is currently reviewing other areas that may result in civilianization of posts, which may provide additional available sworn officer utility. As these are developed, they will be vetted through the Capitol Police Board and appropriate stakeholders for consideration.

Even with these reductions efforts and the use of technology, the remaining requirements currently exceed the Department's appropriated overtime funding level. Therefore, the training hours contained within the 1,560 officer utility must be utilized to meet the requirements gap between available sworn officer resources and requirements.

An analysis was conducted by USCP with available data to estimate the current sworn officer utility, which is estimated in an approximate range of 1,650–1,725 per officer annually, including overtime. Almost all of these utility hours are used in support of USCP core mission requirement. Based on this estimated utility range, the Department is not currently meeting its 80 hour annual training target as contained in the target 1,560 sworn officer utility described above.

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The reduction of training hours will not have an immediate impact on the USCP mission. However the long term impact of reducing core training hours, will impact the recertification of officers in certain programs, may affect officer response capability and may result in the overall degradation of the proficiency of our officers to meet their mission. All of these will result in greater risks to the Department and create a cycle that will have long-term impacts on the Department.

In an effort to address this training matter before it becomes a serious issue and work toward the optimum sworn officer utility of 1,560, the Department has requested overtime funding to support a minimum of 16 hours of training for 1,500 sworn officers in fiscal year 2011. Because our current onboard officers cannot work increased overtime levels for the long-term without affecting their effectiveness, we are also requesting 52 additional officers to begin to narrow the resource gap while allowing for the minimum annual training level described above. These two resource requests are a part of a larger balance that the Department is attempting to reach between the use of personnel, overtime, technology and mission balance to meet required core mission requirements.

*Question.* The budget request proposes converting some contractor positions into full-time civilian positions with USCP.

Isn't it more expensive to take on a full-time employee for a position that is currently under contract?

Answer. Not in all cases. In the Information Technology field, it is not uncommon for FTE cost to be lower than contractor cost. We are requesting to convert two positions, a CP-11 and a CP-7, the annual cost for the two contractors is approximately \$405,000, while the fully loaded annual FTE cost for those positions is approximately \$225,000.

*Question.* Why do you feel it is more beneficial to the USCP to have some of the positions converted?

Answer. In situations where we have staff augmentation contractors that cost more than the fully loaded cost of an civilian FTE equivalent it makes financial sense to make the conversion. The Office of Information Systems did an informal review and determined they could save over \$1 million per year if they could convert most of their staff augment contractors to civilian FTEs.

*Question.* How were the decisions made about which positions to convert from contract to full-time?

Answer. Realizing the limitations of the overall Legislative Branch annual budgetary resources, we kept our fiscal year 2011 request for civilian positions to replace contractors to those that would provide the largest offset. We plan to review this matter annually and may make additional requests in future fiscal years for civilian positions to convert contractors.

## RADIO MODERNIZATION PROJECT

*Question.* On September 30, 2009, the Committee received the first funding obligation plan pursuant to the fiscal year 2009 Supplemental Appropriations Act that provided \$71.6 million for the USCP radio modernization project. That funding obligation plan specified \$3.5 million for the design and construction of the mirror site facility to house the radio system's technical requirements. Who is doing the actual design of the mirror site and when will it be completed? Who will be doing the construction of the mirror site and when will it be completed?

*Answer.* The design and construction of the mirror site will be done by Verizon and its contractors under the supervision of the AOC and USCP. The design is scheduled to be completed by July 15, 2010 and the construction build out is scheduled to be completed by March 2011.

*Question.* When can the Committee expect to receive the next obligation plan?

*Answer.* The Committee recently received an obligation plan in March 2010. The next obligation plan is anticipated in April 2010.

*Question.* Will the \$16 million requested in fiscal year 2011 be the final funding request for this project? With only \$3.5 million obligated of the \$71.6 million that was appropriated in the fiscal year 2009 supplemental, is it really necessary to have an additional \$16 million in fiscal year 2011? What are the consequences of delaying this appropriation?

*Answer.* That is our intention and is our plan. At this point in time, the estimate for the total cost of this project is just over \$91.9 million. The total amount appropriated (assuming the \$16 million in fiscal year 2011) is \$97.562 million, leaving a contingency fund of \$5.655 million. Should we need to utilize contingency funds during the project, the Department plans to notify the Committees and provide an explanation for its utilization.

Additionally, the Department plans to provide an update on the status of the radio modernization project to the Committees in the near future. As a part of this update, we will provide additional information on the development and status of our budget estimates, a current status of funds utilization, the status of the various phases of the overall project, and our revised obligation plan for the appropriated and requested funds.

Yes, the additional funding is necessary. Without the additional funding there will be insufficient funds to complete the project. The total cost of the project is estimated to be \$91.9 million, and that is without any contingency fund. The additional \$16 million in funding will bring the total appropriated amount to \$97.562 million which should be sufficient to complete the project and to provide for a small contingency fund.

Currently, there is an Obligation Plan that was recently sent to the House and Senate Appropriation Committees seeking permission to obligate another \$9.9 million. Another obligation plan will be prepared in April 2010 for approximately \$12 million. This summer, once the Request For Quote process is completed over \$34 million should be obligated with most of the remaining funding obligated in the Fall of 2010.

The completion of the project would be delayed month for month for any delay in funding beyond October 2010. Many of the components of the project have long lead times for order delivery and then they have to be installed within the campus buildings. In order to complete the project by spring of 2012, the infrastructure and installation work must start in spring 2012. Delaying the project would mean continuing to operate longer with an aging analog radio system that is becoming more difficult and more expensive to maintain.

*Question.* When do you anticipate having the new radio system completely installed and fully operational? Will there be a multi-phase implementation plan?

*Answer.* The project is scheduled for completion during late spring 2012. The most challenging part is the in-building wiring and installations in 16 different buildings/facilities including the Capitol Building. Though this work is expected to take about a year, there are always unforeseen issues when doing this type of work in these buildings. Also, if the in-building wiring work is not allowed to start prior to the passage of the fiscal year 11 budget, then the schedule is in jeopardy.

The project itself is divided into five phases as follows: Phase 1: Cost Analysis; Phase 2: System Design; Phase 3: Procurement, Integration and Installation; Phase 4: Acceptance Testing; and Phase 5: Operations and Maintenance.

We are currently entering into Phase 3. Within Phase 3, implementation will be conducted in a parallel approach. Inside work, outside work, facilities construction, etc. will be done in parallel; the goal is to have all the component pieces completed by September 2011 in order to then conduct system integration and testing. The "go-

live" migration plan will have a single cutover event from the analog system to the digital system.

#### NEW INITIATIVES IN FISCAL YEAR 2011

*Question.* \$16.2 million is requested for other new initiatives, beyond the radio project, which seems to be a lot of funding for new projects in one year. Does this request represent the full funding requirements for these projects, or will additional funding be requested in future fiscal years?

*Answer.* Funding requirements are specific to each project. In some cases the projects may be funded in stages. All future funding requests to support the continued maintenance and operation of the projects will be requested through increases in the Bureau's base annual general expense funding requests.

Because of the security sensitive nature of the information included in the Department's response to this question, I am respectfully providing my more detailed response under separate cover. I would, therefore, request that the information provided in that document not be included as a part of the public record.

*Question.* What would be the impact of providing only that funding which would actually be obligated in fiscal year 2011 for each of these projects?

*Answer.* Some of these projects could be funded in phases. Because of the security sensitive nature of the information included in the Department's response to this question, I am respectfully providing my more detailed response under separate cover. I would, therefore, request that the information provided in that document not be included as a part of the public record.

#### SUBCOMMITTEE RECESS

Senator NELSON. The subcommittee will stand in recess until 2:30 p.m. on March 18, 2010, when we will meet in room SD-138 to take testimony on the fiscal year 2011 budget requests of the Architect of the Capitol and Office of Compliance.

We are recessed. Thank you.

[Whereupon, at 6:08 p.m., Thursday, March 4, the subcommittee was recessed, to reconvene at 2:30 p.m., Thursday, March 18.]

## LEGISLATIVE BRANCH APPROPRIATIONS FOR FISCAL YEAR 2011

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THURSDAY, MARCH 18, 2010

U.S. SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,  
*Washington, DC.*

The subcommittee met at 2:47 p.m., in room SD-138, Dirksen Senate Office Building, Hon. Ben Nelson (chairman) presiding.  
Present: Senators Nelson and Murkowski.

### ARCHITECT OF THE CAPITOL

#### STATEMENT OF STEPHEN T. AYERS, ACTING ARCHITECT OF THE CAPITOL

##### OPENING STATEMENT OF SENATOR BEN NELSON

Senator NELSON. Good afternoon, everyone, and welcome. Senator Murkowski asked me to go ahead and start because she is going to be a bit delayed but will be here in short order. So that is what we will do.

Well, we meet this afternoon to take testimony on the fiscal year 2011 budget request for the Architect of the Capitol and the Office of Compliance. I want to welcome our two witnesses today: Stephen Ayers, Acting Architect of the Capitol; and Tamara Chrisler, Executive Director of the Office of Compliance.

I also want to welcome my good friend ranking member, Senator Murkowski, when she gets here, and I am hopeful that other members of the subcommittee, Senator Pryor and Senator Tester, may be able to join us as well.

##### CONGRATULATIONS ON NOMINATION

Mr. Ayers, I want to first congratulate you on your recent nomination by the President to serve as the next Architect of the Capitol. You will be only the 11th person in history to serve in this capacity, which is really quite impressive, and on behalf of the Senate and particularly this subcommittee, I want to thank you for your service over the last 3 years as acting Architect of the Capitol where your accomplishments include the opening of the Capitol Visitor Center (CVC), the staging of the 56th Presidential inauguration, and the opening of the Library of Congress' National Audiovisual Conservation Center, to name just a few. You have served us well in this capacity and we look forward to moving toward your confirmation by the Senate in the very near future.

Mr. AYERS. Thank you very much, Mr. Chairman.

Senator NELSON. I appreciate that. I do not want to in any way preempt the Senate from that effort on confirmation or to get ahead of anything, but I am certain that that is in the near future.

I also want to congratulate and acknowledge the hard work and dedication of your staff of 2,600 employees. We rely on these individuals for so many services around here, and this year, in particular, with the record snowfalls, I want to especially thank Ted Bechtol of your Capitol Grounds staff and his team for the long hours they put in removing more than 11,000 tons of snow from the complex. We are deeply grateful for their dedication and for the commitment of your entire staff.

#### FISCAL YEAR 2011 BUDGET REQUEST

Your budget request this year totals \$755 million, an increase of \$153 million, or 25.5 percent over current year. Now, I know you faced a difficult challenge when putting together your budget request, attempting to balance maintenance, security, energy efficiency, and new construction projects on an aging, historical infrastructure within limited resources. Hopefully, you understand the position the subcommittee is in, in trying to hold the line on spending while meeting the critical needs of your agency. So we definitely have our work cut out for us this year, and I look forward to hearing your testimony shortly.

Ms. Chrisler, the fiscal year 2011 budget request for the Office of Compliance totals \$4.7 million, an increase of \$300,000, or 6.7 percent over the current year. We appreciate the efforts that both of your agencies have made to work cooperatively toward resolving the many fire and life safety needs around the complex, once again, within limited resources. So we look forward to your testimony as well and to discussing the status of health and safety conditions throughout the Capitol complex.

#### BUDGET INCREASE CONCERNS

We held our first hearing of this fiscal year 2 weeks ago and just in case you missed it—I am sure you did not—I would like to reiterate a few concerns that were raised during that hearing. I am disappointed in some respects that this subcommittee has, once again, been presented with a large budget increase in fiscal year 2011. The fiscal year 2011 legislative branch budget request totals \$5.1 billion, or 10 percent over current year. Given the fact that the President has made it clear about holding the line on spending, this increase is not acceptable and it is not doable. The fact is that this country remains in economic turmoil and the American taxpayers simply will not tolerate unnecessary Government spending at a time of unemployment. It is questionable whether they will tolerate necessary Government spending at this time.

And last year, we received an overall increase of 5 percent in the legislative branch bill, including some fairly large ticket items for the House, over which we have no control. But that is history.

And I have stated repeatedly that I am going to do everything I can to hold the legislative branch flat this year. I believe we need to lead by example in this subcommittee as part of the Government, and we cannot do that by appropriating large increases to our agencies. The President sent the message loudly and clearly in

his State of the Union Address this year, noting that families across the country are tightening their belts and making tough decisions. The Federal Government must do the same, he said. And he announced a 3-year freeze on nonsecurity discretionary Government spending, and I think we need to do the same on this subcommittee.

And arriving just in time for my comments, turning it over now to our ranking member of the subcommittee, Senator Murkowski, for her opening remarks. What great timing.

#### STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Thank you, Mr. Chairman. And I have to tell you it is music to my ears. As I walk in, you are repeating the refrain that you and I have made these past 2 years on these budget hearings about the need for fiscal discipline. If we cannot set the example, if we cannot set the standard here, how can we expect others outside of our institution to exercise that same level.

But I want to thank you, Mr. Chairman, for calling the hearing as we consider the fiscal year 2011 legislative branch request from the Architect of the Capitol and the Office of Compliance.

I would like to welcome both of our witnesses here today and look forward to the opportunity to discuss some pretty important issues on how the agencies that you both represent are planning to move forward in the fiscal year. I appreciate the way that your offices have continued to work to develop the relationship that is necessary for good communication, continued cooperation in the common goal that we ensure a safe environment for our employees and our visitors while we maintain the important historic nature of the surroundings.

I will start by recognizing Mr. Ayers and congratulating you on your official nomination to be the next Architect of the Capitol. We anticipate that the confirmation hearing will be later on in the spring.

#### FISCAL YEAR 2011 BUDGET REQUEST

As the chairman has mentioned, the Architect of the Capitol is requesting \$754.8 million, an increase of 25.5 percent over the fiscal year 2010 enacted level. Again, the chairman's remarks about how we are going to do more with less I think are appropriate. I do recognize that the AOC's significant increase is associated with \$216 million requested for line item projects, a fair amount for deferred maintenance, capital renewal, capital improvement, capital construction.

But I do think it is going to be important in our discussions here today to figure out how we prioritize these projects because it is just simply not going to be possible to advance all that is contained within the proposal that we have before us. We have got to look for the best possible solutions, but it is all about prioritization.

Ms. Chrisler, I want to thank you for your leadership there at the Office of Compliance. While your budget increase is not on the level that we are seeing out of the Architect of the Capitol's Office, it still is a 6.8 percent increase. I know that you probably looked at that and said that this is a lean budget and the decisions that went into submitting a request of this nature are not easy. We ap-

preciate what goes into it. But I think we need to recognize that we continue to pare down the agency's request and that we are going to be working to pare down the Architect's budget, and that you will be working with the Architect of the Capitol in reprioritizing the projects for the year ahead.

I am anxious to hear from both of you this afternoon as to how we can all work together to ensure that we are taking care of the immediate needs of the historical structures that have been left to our care, how we minimize the risks to those who work here and to those who visit here every day. It is not an easy job, but we know we can do it.

Mr. Chairman, I look forward to the opportunity to get some questions and answers from our witnesses.

Senator NELSON. Thank you, and I continue to say how much of a pleasure it is to be able to work with you and to share many of the same ideas about an approach to dealing with the budgets and look forward to continuing this year.

Now I would like to begin with witnesses. Because of the time-frame, if it is possible to keep the opening comments to somewhere around 5 minutes or something of that nature, the rest of your comments will be received and, if written, put into the record. So with that, Mr. Ayers, we will start with you and then we will hear from Ms. Chrisler. Thank you.

#### SUMMARY STATEMENT OF STEPHEN T. AYERS

Mr. AYERS. Mr. Chairman and Senator Murkowski, thank you for the opportunity to testify today regarding the Architect's 2011 budget request.

I would like to first express my thanks to this subcommittee and the Congress for its support for the Architect over the past year, as we have worked to maintain and preserve the Capitol complex.

#### ARCHITECT OF THE CAPITOL—PROUD STEWARDS

Twenty-four hours a day, 7 days a week, and 365 days a year, the AOC serves as proud stewards of the most iconic buildings and grounds in the world. Nothing demonstrated our commitment more than our team's remarkable response to "snowmageddon" last month. AOC crews logged nearly 35,000 hours to remove more than 11,000 tons of snow to ensure that the Congress could continue to conduct its business.

The AOC had a very successful 2009, a year that began with the Presidential inauguration and ended with the first of three major blizzards to hit Washington. In between these major events, we welcomed more than 2.3 million visitors to the Capitol Visitor Center during its first year in operation and we carried out numerous projects designed to save energy and improve operations.

#### FISCAL YEAR 2011 PROJECTS

In that regard, our fiscal year 2011 budget request focuses on projects that are necessary to attend to the critical needs of the Capitol complex, and specifically this entails addressing a significant backlog of deferred maintenance and capital renewal projects, as well as security, life safety, and accessibility requirements.

Mr. Chairman, we are requesting \$755 million in fiscal year 2011, and the projects portion of this budget is devoted to addressing these critical issues needing the most urgent attention. Although every project on the list in our budget is necessary and will ultimately need to be done, we realize that not all can be funded in this fiscally challenging year.

However, we do take our responsibility to identify, quantify, and report to the Congress the state of facilities and the extent of deferred maintenance very, very seriously. Most importantly, our project prioritization tools we believe provide the Congress with concrete and practical assessments of our infrastructure enabling good decisionmaking about our future investments.

Over the past year, this process has matured to include a 5-year capital improvements plan, which examines phasing opportunities and project sequencing and other factors to better facilitate the timing of projects.

The AOC is committed to making the right choices by doing our part on energy savings on Capitol Hill. For 2009, the Congress met its energy reduction goals for the fourth year in a row and reduced energy consumption by 15.3 percent across the Capitol complex.

#### ENERGY CONSERVATION

To help meet future energy reduction requirements, last summer we entered into our first energy-savings performance contract to implement energy-saving projects across the House office buildings, and in December, we entered into an energy-savings performance contract for the Senate and the Capitol Building. These public/private partnerships will help us achieve significant energy reductions over the next several years.

On the operations side, we have been successful in our endeavors due to the professional men and women who make up this great AOC team. Their commitment to excellence allows us to provide exceptional service to the Congress and the visiting public every day. In that regard, our annual operating budget request for \$443 million supports the critical activities necessary to support the Congress and the other legislative branch agencies.

#### CAPITOL VISITOR CENTER

With regard to accommodating Members' and visitors' needs, the Capitol Visitor Center is top in its class. Now in our second year of operation, we continue to make improvements to our policies and tour procedures, including modifying the advance reservation system to give congressional offices more flexibility to modify, cancel, and reschedule tour reservations. We have also added a congressional staff line at the south information desk, increased the number of operators to ensure prompt response to phone calls, and are placing staff in strategic locations throughout the Capitol Visitor Center to improve visitor flow.

In addition, we continue to hold monthly listening sessions with congressional staff to receive feedback and answer questions, and to date, more than 5,200 staff members have attended our Capitol Visitor Center training program.

## PREPARED STATEMENT

Mr. Chairman, the AOC is ready to do what is necessary to keep the Capitol complex open and operating every day of the year under any circumstances. I am honored and privileged to work alongside this great team.

Thank you again for the opportunity to testify today.

Senator NELSON. Thank you.

[The statement follows:]

## PREPARED STATEMENT OF STEPHEN T. AYERS

Mr. Chairman, Senator Murkowski, and members of the Subcommittee, thank you for the opportunity to testify today regarding the Office of the Architect of the Capitol's (AOC's) fiscal year 2011 budget request.

I would like to begin by expressing my thanks to this Subcommittee and to the Congress for its support of the AOC over the past several years as we worked to fulfill our mission of serving the Congress and the American people by maintaining and preserving the U.S. Capitol complex. I also very much appreciate, and I'm honored by, the trust the President and the Congress have placed in me to lead this dedicated group as the nominee to serve as the 11th Architect of the Capitol as we continue to address the challenges ahead. We are very aware of the need to preserve the historic infrastructure on Capitol Hill while, at the same time, recognize the need for fiscal responsibility. It is a tremendous honor to have the opportunity to continue to work with this very talented team of professionals.

Twenty-four hours a day, 7 days a week, 365 days a year, the AOC team serves Congress as proud stewards of the most iconic buildings and grounds in the world. Through our work, we protect the past by preserving the historic integrity of the U.S. Capitol complex, we are boldly working today to promote a safe and sustainable workplace, and we continue to build a legacy of professionalism for generations to come.

Nothing demonstrated our commitment to our mission more than our team's remarkable response to the back-to-back blizzards that hit the Washington, DC, metro area in early February—otherwise known as “Snowmageddon.”



Throughout both of these snow emergencies, AOC employees successfully cleared the streets, sidewalks, entryways, and parking lots across the Capitol complex in order to support the Congress as it conducted its business on the weekend and during the following week, keeping the complex cleared of snow and ice for Members, staff, and the public. At the same time, we continued to operate and maintain all our facilities, and the Capitol Power Plant's service continued uninterrupted.



AOC crews logged in nearly 35,000 man hours to remove more than 11,000 tons of snow. Once the snow had ended, our work did not. Our crews continued to remove piles of snow from across the complex, treat the sidewalks, streets, and parking lots as the snow melted and re-froze overnight, and attended to hundreds of trees that were damaged in the storms.

This pride in our work extends throughout the organization. Stewardship of the Capitol complex is a unique challenge. The challenge is amplified by the historic significance of our buildings and landscape, aging physical infrastructure, and day-to-day operational requirements. We strive every day to improve the conditions of our facilities using innovative technologies and sustainable practices to ensure the U.S. Capitol remains the nation's most visible and treasured icon of our government for centuries to come.

Our fiscal year 2011 budget request details a number of projects necessary to ensure we address the critical needs of the Capitol complex as quickly and effectively as possible. Specifically, this entails a significant backlog of deferred maintenance and capital renewal projects, as well as security, life-safety and accessibility, and environmental requirements. Although every project that we have listed in our budget request is necessary, we realize that not all can be funded in these fiscally-challenging times.

However, we take our responsibility to identify, quantify, and report to Congress the state of our facilities and the extent of the deferred maintenance backlog very seriously. The prioritization tools we have developed and refined over the past several years provide Congress with concrete and practical assessments of our infrastructure. By using these tools, Congress can choose where best to make investments in the Capitol complex.

#### CAPITAL BUDGET REQUEST AND PROJECT PLANNING PROCESS

We are requesting \$755 million for fiscal year 2011. The majority of our capital budget request is devoted to addressing the critical projects we've identified as needing urgent attention, which are primarily classified as deferred maintenance. This

portion of our budget is the most volatile. It fluctuates greatly from year to year based on the size and complexity of the projects that have been prioritized as having immediate urgency.

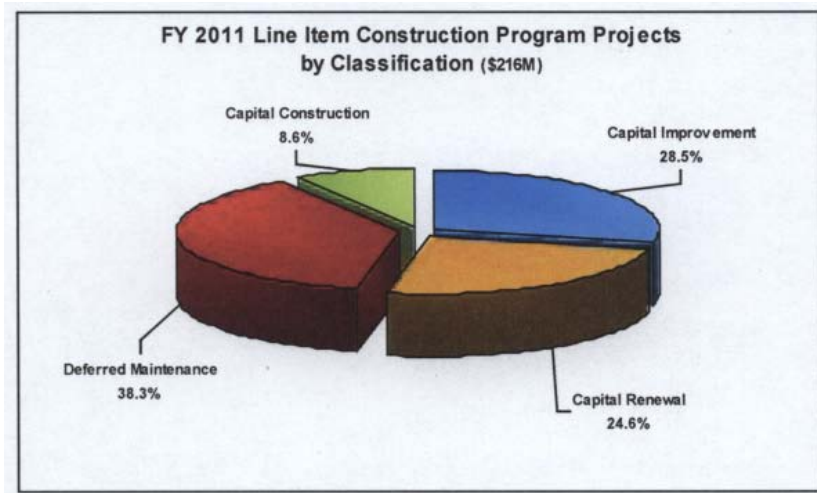


Only a small percentage of our requested increase is non-discretionary for mandatory cost-of-living increases, and other operating expenses or contract price increases. We deliberately worked to keep the growth of this segment of our budget to a minimum in order to maximize the capital budget. This will enable the greatest investment as possible in our infrastructure and to allow us to “buy down” the deferred maintenance backlog.

As I have discussed at previous hearings, we have successfully developed and implemented a robust and balanced process to prioritize projects based on the facilities’ conditions and the level of maintenance required to ensure they remain functional and viable working environments.

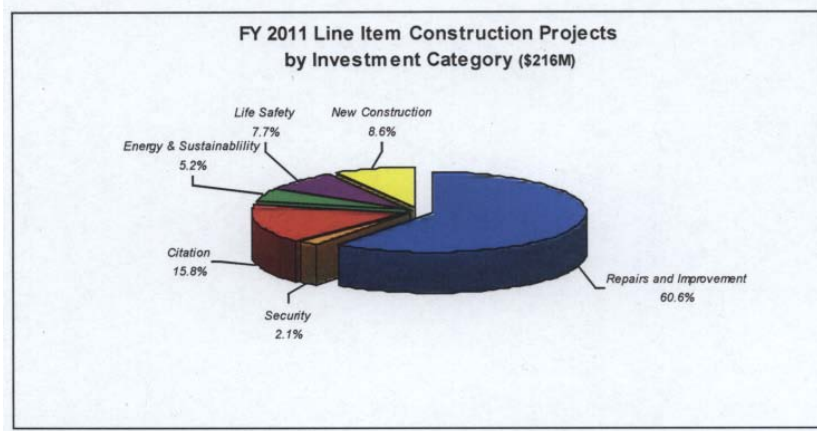
This process uses several tools in the formulation of the project prioritization list including Facility Condition Assessments, the Capitol Complex Master Plan, and Jurisdiction Plans. Over the past year, this process has matured to include a Five-

Year Capital Improvements Plan, which examines phasing opportunities, project sequencing, and other factors to better facilitate the timing of the execution of major deferred maintenance and capital renewal projects. As I discussed earlier, these tools assist us and the Congress in looking ahead and enable us to plan when and where to make future investments in our facilities and infrastructure. We also took into consideration the challenge of executing required programs efficiently throughout this process.



As this chart demonstrates, we continue to invest most of our resources in infrastructure projects that are designed to address the backlog of deferred maintenance.

Tied into the overall planning process is the Line Item Construction Program. During this process, projects are scored against six criteria: preservation; regulatory compliance; mission; economics; security, and energy efficiency and environmental quality.



As we developed our fiscal year 2011 budget, we considered \$373 million worth of capital projects, and are requesting \$216 million for Line Item Construction Program projects. The remaining \$157 million in projects were considered, but were not submitted in this budget request, and therefore remain on the deferred project list.

As I mentioned earlier, our Capital Budget request is quite volatile from year to year based on the projects that rise to the top of the priority list. The AOC's fiscal

year 2011 Capital Budget request includes nine projects that each requires an investment of \$10 million or more. They are:

- Utility Tunnel Improvement Program;
- Egress Projects in the Thomas Jefferson Building;
- Capitol Building Dome Skirt Rehabilitation;
- Capitol Building Exterior Stone and Metal Preservation;
- Copper Roof Replacement and Fall Protection System for John Adams Building;
- Roof and Skylight Replacement for Hart Senate Office Building;
- Refurbishment of Federal Office Building 8;
- Task 9, Phase II Infrastructure Improvements in Dirksen Senate Office Building; and
- Collection Storage Module V for Library of Congress.



Mr. Chairman, I'm pleased to report that our Utility Tunnel Improvement Program is on schedule to meet the June 2012 completion date. In addition, by utilizing our comprehensive planning process, we have been able to further reduce the program's cost. This was accomplished by collecting new information from engineering studies, visual examination of the exterior of the tunnels, and additional structural testing. Funds were also saved through an efficient procurement process and execution plans that consolidated work elements, thereby saving contract overhead costs. These actions enabled the AOC to reduce our fiscal year 2010 request and re-phase some work, thereby reducing the total projected cost of the program from \$186.4 million to \$176.13 million. We continue to seek additional ways to further reduce the program's total cost.

#### ENERGY CONSERVATION AND SUSTAINABILITY PROGRAMS

The AOC is committed to making the right choices and doing our part to save energy on Capitol Hill. With Congress' support, we have implemented a number of programs and completed a variety of projects designed to produce significant results in saving taxpayer dollars and conserving our natural resources. One of our biggest challenges is ensuring that we preserve the historic elements of our buildings, while at the same time making them as energy efficient as possible. That's why the Architect of the Capitol is committed to using sustainable design practices whether we're building a new facility or maintaining one that's 100 years old, like the Russell Building.

For fiscal year 2009, the Congress met its energy reduction goals for the fourth year in a row, and reduced energy consumption by 15.3 percent across the Capitol

complex. This exceeded the fiscal year 2009 requirement of a 12 percent reduction (as compared to the fiscal year 2003 baseline). For fiscal year 2010, a 15 percent reduction is required under the Energy Independence and Security Act of 2007, (3 percent reduction per year for a 30 percent reduction by 2015), and in fiscal year 2011, an 18 percent reduction is required.



To meet these requirements to further reduce energy consumption, we have requested \$11.2 million in fiscal year 2011 for energy and sustainability projects. In addition, we're asking for an increase of nearly \$10 million in operations funding for energy and sustainability purposes. These sustainable practices include using low-impact materials, installing energy efficient equipment, incorporating durable and high-performance systems and materials, investing in renewable energy, and encouraging and supporting a culture that promotes reuse and recycling. This includes using food waste, garden clippings, and other green waste, and repurposing it as compost for flower beds, and sustaining other plantings throughout the Capitol complex.

To better identify and evaluate energy savings opportunities in Capitol complex facilities, we have been using energy audits since fiscal year 2007. The data collected help us realize better cost-benefit results, and determine where best to invest our resources.

In December, the AOC entered into an Energy Savings Performance Contract (ESPC) in the Senate Office Buildings. The project includes nearly \$42 million in facility infrastructure upgrades in the Hart, Dirksen, and Russell Senate Office Buildings, as well as the Senate Underground Garage, and Senate Employees' Child Care Facility.

Highlights of this project include:

- Energy-efficient lighting upgrades of nearly 31,000 fixtures in all buildings, with state-of-the-art lighting controls, expanding AOC/Senate's centralized dimming system, integrating occupancy and daylight sensors;
- Upgrading of existing pneumatic and electric controls for heating, ventilating, and air-conditioning (HVAC) systems with direct digital controls (DDC) and providing an ongoing program to train building automation system operators specifically in the monitoring and diagnosis of energy-related controls deficiencies;
- HVAC Testing, Adjusting, and Balancing to trim excessive outdoor-air ventilation, provide for high-efficiency cog belts (for fan drives), and add weather stripping to exterior doors to minimize infiltration;
- Replacement of existing transformers with high-efficiency transformers; and

—Installation of removable insulation covers for steam valves to reduce heat loss, improve comfort, and reduce the safety risks associated with the hot surfaces. After implementation of all energy conservation measures over the 36-month construction period, the Senate Office Buildings are estimated to potentially realize: a 36 percent reduction in total energy consumption; and approximately \$3.9 million in annual energy savings.

We appreciate the support of the Senate Leadership, Chairman Schumer, and all of our Oversight Committees in our ongoing efforts to improve energy efficiency and reduce the carbon footprint of the Capitol complex. They have made clear their commitment to reduce energy consumption, conserve natural resources, protect the environment, and in the long term, save taxpayer dollars.

Last year, the AOC also entered into an ESPC to implement energy savings projects in the House Office Buildings. The contract includes nearly \$34 million in facility infrastructure upgrades in the Rayburn, Longworth, Cannon, and Ford House Office Buildings, as well as the House Page Dormitory.

After implementation of all energy conservation measures over the 30-month construction period, the House Office Buildings are estimated to potentially realize: a 23 percent reduction in total energy consumption; a 32 percent reduction in total water consumption; and approximately \$3.3 million in annual energy savings.

In our Energy Savings Performance Contract for the U.S. Capitol Building, nearly \$17 million in facility infrastructure upgrades are planned for the Capitol Building. They include:

- Upgrading existing light fixtures with high-efficiency lamps, ballasts and reflectors as well as new replacement fixtures;
- A comprehensive Building Automation System modernization, including the upgrade of existing pneumatic and electric controls for heating, ventilating and air-conditioning (HVAC) systems with direct digital controls. These improvements will reduce energy consumption and improve temperature and humidity control;
- Replacement of the air-handling systems with variable air volume (VAV) systems to reduce energy consumption while augmenting capacity and improving temperature and humidity control;
- Replacement of existing electrical transformers with high-efficiency transformers; and
- A comprehensive audit and repair effort to restore steam trap performance.

After implementation of all energy conservation measures over the 27-month construction period, the Capitol Building is estimated to realize: a 38 percent reduction in total energy consumption; and approximately \$2.2 million in annual energy savings.

In addition, we are continuing our efforts to complete the program to install steam, electricity, natural gas, chilled water, potable water, and condensate meters across the Capitol complex. This is a key effort in terms of being able to measure current consumption, look for improvement opportunities, and measure energy savings results. To date, approximately one-third of the meters have been installed. The remaining meters for facilities located outside the Capitol complex, as well as the rest of the Capitol complex, are included in our fiscal year 2011 budget request, with a final initial installation funding request projected for fiscal year 2012.

Because the Capitol Power Plant (CPP) plays a critical role in our long-term energy conservation strategy, we are continually working to improve and upgrade operations there. The CPP has served the Capitol complex very well since 1910, but in order to continue to provide these services into the future, it is time to transform the CPP and its operations. We started this transformation last February when we began using natural gas as the primary fuel source. We are now studying and evaluating potential new technologies to implement at the CPP. We recently completed our Strategic Long-Term Energy Plan, which will help to determine our future Energy Program planning, and explore various options for continued energy efficiencies.

Over the past several years we have been working to create a healthy and productive workplace where environmental awareness and sustainability are the normal ways of doing business in the Capitol complex. There are a number of initiatives that the AOC has been engaged in, and we continue to see results in our efforts to improve energy efficiency.



Here are just a few of our ongoing sustainability initiatives and projects:

- We recently renovated room G-50 in the Dirksen Building, to install new LED light bulbs that use over 80 percent less electricity, give off less heat, and have a life expectancy of 30 years. In addition, the carpet and paint used in the room has low or no volatile organic compounds (VOCs). We also use low-VOC and other green cleaning products throughout the complex to ensure we maintain excellent indoor air quality.
- We installed nine solar panels in a Senate parking lot to power new lights which make the parking lot safer.
- We have installed daylight harvesting systems in Member and Committee Offices that use electronic sensors to lower artificial lighting levels when enough natural light is available.
- Nearly 35 percent of AOC employees use public transportation to get to work.
- We are updating our 2006 Alternative Fuel Policy so, in addition to providing E-85 fuel to official government vehicles across the Capitol complex, we require the purchase or leasing of alternate fuel vehicles when replacing aging vehicles. To date, there are 40 flexfuel, hybrid, and electric vehicles in the AOC's fleet.
- In September 2009, the American Lung Association of the District of Columbia (ALADC) commended the AOC for its use of B20 blend biodiesel fuel in its shuttle buses that service Capitol Hill. The ALADC's Chief Executive Officer thanked the AOC for its leadership in switching to biodiesel noting, "The ALADC has long called for greater use of biodiesel to improve the air quality in our city, so it is particularly noteworthy that a highly visible location like the Capitol uses biodiesel to reduce emissions, including carbon monoxide, particulate matter and unburned hydrocarbons."
- The AOC recycles 100 percent of its e-waste in three basic ways. Computer equipment is donated by the Agency. If it's not donated, it is reused or resold. Any equipment that is not donated or reused is recycled by a commercial recycling company. Typically the equipment is either reused or broken down and its components are repurposed.
- As part of Committee office renovations, the AOC has incorporated sustainable design features. The AOC installed lighting control systems where the electricity is metered, used rapidly renewable materials and certified wood, and recycled more than 12 tons of construction waste in this Committee suite.
- For construction projects, we regularly purchase materials containing recycled content such as acoustical ceiling tiles, resilient flooring, sheet rock, doors, low

volatile organic compound materials, and medium density fiberboard. Whenever possible, construction materials are purchased locally.

- We continue to install low-flow fixtures and automatic faucets in restrooms, convert from pneumatic to direct digital controls to maximize energy usage efficiency, and replace incandescent light bulbs with Compact Fluorescent light bulbs throughout the Capitol campus.

#### U.S. BOTANIC GARDEN/SUSTAINABLE SITES INITIATIVE

Because sustainable design, construction, and landscape management can have a significant and positive impact on our environment, in November 2009, the U.S. Botanic Garden launched the Sustainable Sites Initiative, in partnership with the Lady Bird Johnson Wildflower Center and the American Society of Landscape Architects.

The goals of the Sustainable Sites Initiative encourage the sustainable design, construction, and maintenance of landscapes. These are the first national guidelines for building landscapes that will help to clean the air and water; mitigate temperatures; reduce flooding; provide more natural habitat for birds, insects, and animals, and help support our health and well-being.

The effort to transform the way built landscapes are designed, constructed, and maintained for generations to come is a very important one, and the AOC is proud to be among those leading this national effort.

#### ANNUAL OPERATING BUDGET REQUEST

Our fiscal year 2011 annual operating budget request for \$443 million provides funding for continuing the critical activities of operating and maintaining the infrastructure which supports the Congress, other Legislative Branch agencies, and the public, as well as other AOC essential mission support services. Some of these services include financial management, safety, human resources, project and construction management, planning and development, communications, information technology, procurement, and central administration.

As I mentioned earlier, this non-discretionary spending has remained fairly constant over the past several years, and significant reductions in this portion of our budget would greatly impact our ability to provide day-to-day services and maintain our facilities at expected and acceptable levels.

Other operating cost increases lie outside our control, including additional price increases that exceed inflation and are imposed by vendors as the cost of doing business. In addition, the cost of leases has increased, new technologies require investment in new networks, as well as hardware and software upgrades, and mandatory pay raises combined with the increase in costs for goods and services have added to the cost of our daily operations.

#### CAPITOL VISITOR CENTER OPERATING BUDGET REQUEST

At the opening ceremony for the Capitol Visitor Center (CVC) in December 2008, I noted that, “Visitors now have a respectful and dignified way to come to the People’s House, and I invite everyone to come and explore all that the Capitol Visitor Center and the U.S. Capitol have to offer.” Little did I realize that 2.3 million people would take me up on my offer in just the first year.



We are requesting \$23.9 million for CVC operations and administration, and four FTEs to support operations including an interpretive curator.

The CVC's first year of operation has been extremely successful. Average wait times continue to be 6 minutes versus the 3 or 4 hours in line in years past. More than 1,100 events have been held in the CVC's meeting spaces in the past year, and we're looking forward to large crowds again as Cherry Blossom season approaches.

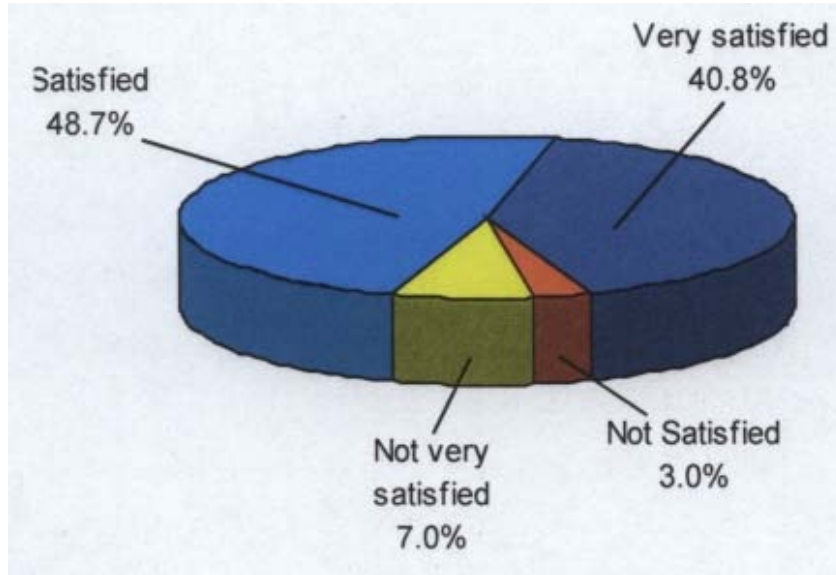
We continue to make improvements and adjustments to our policies and tour procedures including modifying the Advanced Reservation System to give Congressional offices more flexibility to modify, cancel, or reschedule tour reservations. We've also added a Congressional staff line at the South Information Desk, brought on more operators to ensure prompt responses to phone calls, and will be assigning staff to strategic locations in Emancipation Hall to help facilitate visitor traffic flow of staff- and guide-led tours.

We continue to hold monthly listening sessions with Congressional staff to receive feedback and answer questions, and to date, more than 5,100 staffers have participated in the CVC's training program.

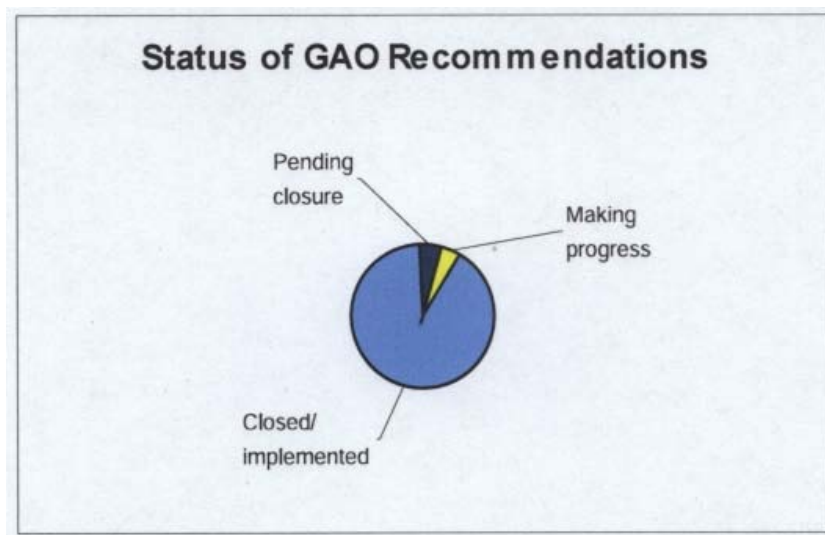
As a point of interest, I would like to note that in April we will install new documents into the CVC's Exhibition Hall. The new items, which include a map used by the National American Woman Suffrage Association showing their successful campaign for voting rights, the proclamation to residents of the Louisiana Territory that the United States had purchased the area from France, and the map showing the route of the Wilkes Expedition (the U.S. Exploring Expedition to the South Seas that brought to Washington a collection of living plants from around the globe) will be on display through early October.

#### AOC ACCOMPLISHMENTS

Mr. Chairman, this past year we have recorded a number of significant achievements. The following is a list of just a few of our many accomplishments.



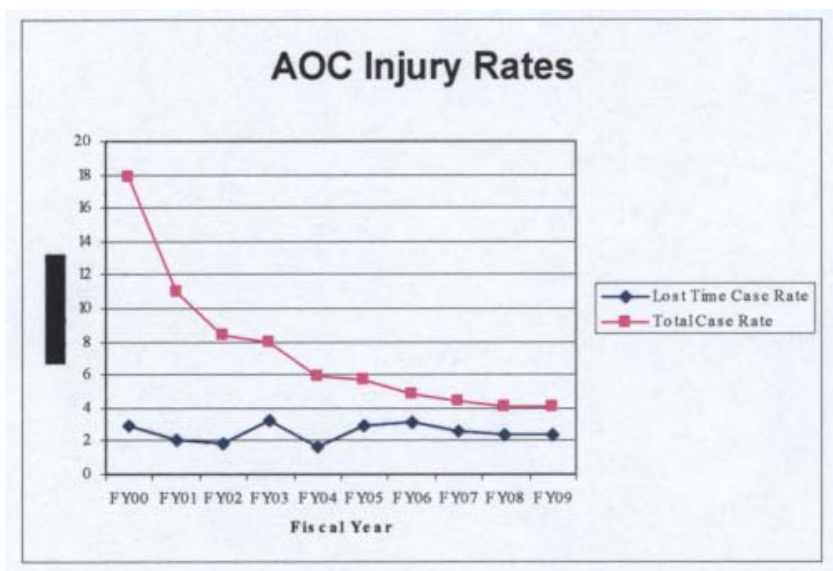
- Our annual Building Services Customer Satisfaction Surveys for fiscal year 2009 again showed that a large majority of our customers are satisfied or very satisfied with the level of service the AOC is providing them.
- We continued to improve our cost accounting procedures and internal controls, and received our fifth consecutive clean audit opinion from independent auditors on all of our financial statements. The Capitol Visitor Center construction project received a clean audit opinion; the third in 3 years. We submitted the first set of semi-annual financial statements for CVC operations in 2009, and received a clean audit opinion on those as well.



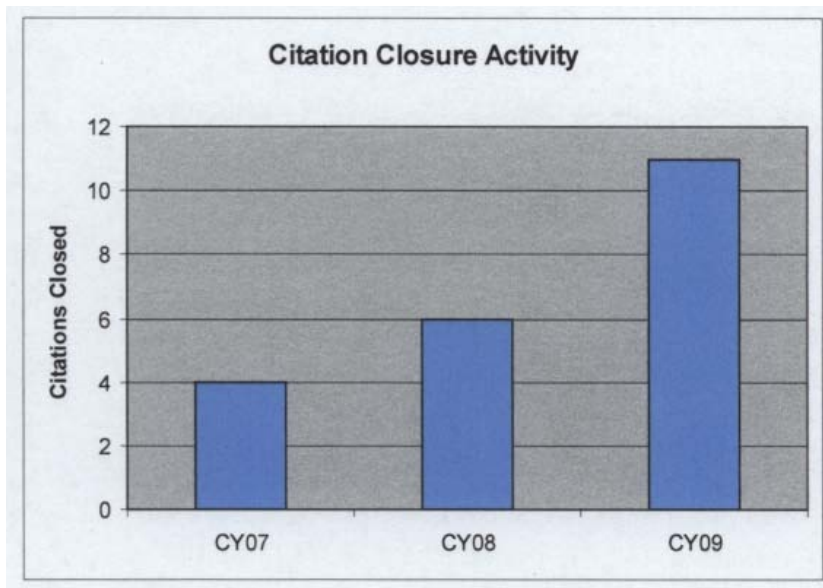
- We made tremendous progress to close out the recommendations from the Government Accountability Office's (GAO's) General Management Review (GMR) of the Agency. Ninety-one percent of the recommendations are now closed (61 out

of 67). Three of the items from the original GMR are pending closure, and expected to be completed in summer 2010. The remaining open items focus on long-term recommendations (not part of the original GMR). We are closely monitoring those activities and reporting status to GAO.

- We activated our pandemic flu plan in response to the H1N1 Flu threat, including implementing action plans to address continuity of operations; educating staff on how to prevent getting sick; providing hand sanitizing stations across the Capitol complex, and doing regular cleaning with a focus on cleaning hard surfaces, such as desks and tables.



- Worker safety remains one of our top priorities and our focus remains on decreasing our Injury and Illness Rate each year, as we have done since 2000. Safety training and education are keys to our success, with a particular emphasis on injury prevention through hazard recognition and elimination.
- We will complete the initial phase of our preventative maintenance standardization program this month. Included in this effort is the identification of common preventative maintenance issues across jurisdictions, minimum corrective procedures to follow, and timelines for completion. This information will be automated in our facilities management information system and allow us to track metrics in the future to identify opportunities for improvement.



- Since 2007, the Office of Compliance (OOC) has issued one citation to the AOC. AOC has worked collaboratively with the Office of Compliance to close older citations and has successfully closed 21 citations since 2007. Eighteen Citations remain open today; four are scheduled for closure in 2010. The remaining address longer term utility tunnel (6) and fire and life-safety (8) matters.
- During the 111th Congress, the AOC increased its emphasis on facility safety inspection, to include pre-inspections of Members' offices prior to the OOC's biennial inspections. As a result of the combined efforts of AOC and other employing offices, the OOC is reporting a decrease of 41 percent in the number of findings from fiscal year 2010 in the nine facilities in which the OOC has completed inspections to date.
- The U.S. Botanic Garden (USBG) was recognized as one of Washington's best tourist spots in August 2009, by Nickelodeon Television. The USBG won its "Parents' Picks Award," garnering more votes than several other area attractions. In December, the USBG was voted one of the nation's best spots to "catch the holiday spirit" by the American Automobile Association (AAA).
- The AOC team that managed construction of Modules 3 and 4 and four Cold Storage Rooms at the Library of Congress Fort Meade High-Density Storage Facility were honored with a national award in October from the Construction Management Association of America (CMAA), in the category of new construction for a project under \$50 million. The new storage units will house 33 million items from the Library's special-format collections.
- Later this month the AOC will be recognized by the Washington Building Congress with two awards that recognized special building skills. The House Office Buildings Sprinkler Installation Project will receive one award under the category of "Decorative Plaster" and the second under "Plumbing," which has also been nominated for a Star Award. The awards will be presented on March 26, 2010.

#### CONCLUSION

Mr. Chairman, as "Snowmageddon" has shown, the AOC is ready to step up and do what is necessary to keep the Capitol complex open and operating every day of the year—under any circumstances.

Today, we face a blizzard of deferred maintenance projects, and the forecast is not sunny. We do appreciate the investment Congress has made in our facilities over the past several years as we work to buy down the deferred maintenance backlog. The AOC has been successful in our work to be good stewards of the Capitol complex due to your support.

We also have been able to accomplish much and experience numerous successes because of the dedicated, professional men and women who make up the AOC team. I have been honored and privileged to work along side them. Because of their efforts and commitment to excellence, we continue to provide exceptional service to Congress, and have been able prevent system and facility failure due to their skills and ingenuity.

Once again, thank you for this opportunity to testify today. Mr. Chairman, we look forward to working with this Subcommittee, the House Subcommittee on Legislative Branch, and our Oversight Committees to address the backlog of maintenance and repair projects, and continue to protect and preserve the U.S. Capitol for generations to come.

I would be happy to answer any questions you might have.

## OFFICE OF COMPLIANCE

### STATEMENT OF TAMARA E. CHRISLER, ESQ., EXECUTIVE DIRECTOR

Senator NELSON. Ms. Chrisler.

Ms. CHRISLER. Thank you. Good afternoon, Mr. Chairman, Ms. Murkowski.

I am honored to be here to appear before you today representing the Office of Compliance in support of our 2011 fiscal year budget request.

#### CONGRESSIONAL ACCOUNTABILITY ACT 15 YEAR ANNIVERSARY

I would like to take a moment, though, before I go into the highlights of that request and note that the Congressional Accountability Act (CAA) celebrates its 15th anniversary this year, and it is not just a celebration for the Office of Compliance, but it is a celebration for the entire congressional community. The successes that are achieved under this Congressional Accountability Act are, in large part, due to the work of the member offices and the agencies and particularly this subcommittee. So we thank you for your support in the area of the work of our agency.

#### SAFETY AWARENESS

Because of this subcommittee, the agency has been able to raise awareness of safety and health on the Hill, resulting in an increase of four times the Safe Office Awards in the 110th Congress. And congratulations to you, Mr. Chairman, and you, Ms. Murkowski, for being recipients of that award this Congress. We appreciate your leadership in this area.

In addition, this subcommittee's active involvement in fire safety issues has led the Office of Compliance and the Office of the Architect of the Capitol to engage in collaborative discussions regarding the prioritization of open fire safety citations. These discussions have resulted in a prioritization schedule that is cost-efficient, practical, and mindful of the iconic nature of our environment.

I highlight these areas not just to show the progress that has been made under the CAA, but to thank you for your support and to emphasize that the OOC will be carrying out these and other programs without asking for additional resources, except where absolutely necessary.

#### FISCAL YEAR 2011 BUDGET REQUEST

There are three areas where the OOC has requested additional funding for fiscal year 2011, one being safety and health to develop a risk assessment approach to inspections; two being IT infrastructure to update and enhance our IT security; and three, human capital to provide mandatory salary increases and minimal merit increases.

The technical guidance we provide in the area of safety and health is well received and results in cost savings. We want to continue this type of service and increase cost savings within the legislative branch, and from the language in the fiscal year 2010 legislative branch appropriations conference committee report, you want us to continue that service too. In line with the conference committee's report, we anticipate developing a cooperative and cost-efficient approach to the identification and correction of safety and health hazards. This approach will be risk-based and, as the conference committee report indicated, focused on those areas which would yield the most reduction of risk to human health and safety. As we see it, those areas are work places and work activities that pose the biggest risk to safety. We will work very closely with employing offices as we develop this approach.

#### COMMUNICATIONS—IT SYSTEMS

As my written statement indicates, our communications and IT systems are antiquated and do not provide a cost effective way of securing information. Our current system of two computers per employee is an administrative burden on our resources. It is not cost efficient and it is cumbersome for staff. The funding we seek will allow us to migrate the two networks into a single system while maintaining security of confidential information.

The balance of our request is for mandatory cost-of-living increases, minimal staff increases, and associate benefits.

We understand the fiscal constraints of our environment, and in the spirit of cooperation, we have presented a budget request which we believe only has minimal increases, only those necessary to allow us to continue to serve you, to focus attention on those hazards that are the riskiest, to protect confidential and sensitive information, and to retain the talented workforce that carries out the mandates of the CAA.

#### ADDITIONAL RESOURCE AVAILABILITY

Though we have a need for additional resources to assist with our inspections of over 17 million square feet of space in the D.C. Metro area alone, with an additional 1 million expected in fiscal year 2012 and 2013, we are not seeking those additional resources this year. Instead, we are working with OSHA to secure nonreimbursable detailees to fill the need. We are hopeful that a mutual exchange of services between the two agencies will be of benefit to both agencies at no cost to the Government.

#### PREPARED STATEMENT

So on behalf of the Board of Directors and the entire staff of the Office of Compliance, I thank you for your support of the agency, and I am happy to answers any questions that you have.

Senator NELSON. Thank you.

[The statement follows:]

#### PREPARED STATEMENT OF TAMARA E. CHRISLER

Mr. Chairman, Ms. Murkowski, and distinguished Members of the Subcommittee, I am honored to appear before you today on behalf of the Office of Compliance ("OOC" or "Agency"). Joining me today are General Counsel Peter Ames Eveleth,

Deputy Executive Director Barbara J. Sapin, Deputy Executive Director John P. Isa, Deputy General Counsel Susan M. Green, and Budget and Finance Officer Allan Holland. Collectively, we present to you the Agency's request for appropriations for fiscal year 2011, and we seek your support for our request.

For fiscal year 2011, the Agency is requesting a total of \$4,675,491, a \$298,491 or 6.82 percent increase over the Agency's fiscal year 2010 appropriations level of \$4,377,000. This funding would provide the Agency with the bare minimum resources necessary to continue its operations. This minimal increase includes funding for the development and roll out of a risk-based assessment, essential improvements to our quickly aging and increasingly inefficient IT infrastructure, and salary increases required by Federal law.

Before I go into the details of our request, however, I would be remiss if I did not acknowledge the Subcommittee's continued support for this Agency. As you may be aware, the Congressional Accountability Act is celebrating its 15th anniversary this year. As we embark upon celebrating the successes Congress has achieved under this law, we must recognize the important role this Subcommittee has played: its vision and its support for this Agency and the work that we do. Because of this Subcommittee's steadfast assistance, the Office of Compliance has been able to continue to raise awareness of safety and health within our covered community. Just 2 weeks ago, the OOC presented four times as many Safe Office Awards as in the 110th Congress. These 154 Representatives and Senators ensured that their employees could work in and that constituents could visit Washington, DC offices that are free from hazards. These increased numbers are a result of the daily education efforts of our staff, along with cooperation from staff of the Office of the Architect of the Capitol, House and Senate Employment Counsel, and the Chief Administrative Officer. Without the recognition from this Subcommittee of the importance of the OOC's safety and health services, and without substantial funding to provide these services, we would not be celebrating these safe and healthy Congressional workplaces.

Because of this Subcommittee's dedication to safety issues, a Blue Ribbon Panel of architects and fire safety experts has been convened to provide an independent assessment of fire safety issues in the Russell Senate Office Building. This assessment will be instrumental in ensuring that fire safety hazards are abated in an effective and cost-efficient manner, while maintaining the beauty and history of the Halls of Congress. Indeed, this Subcommittee's active involvement in fire safety issues has lead the OOC and the Office of the Architect of the Capitol to engage in collaborative discussions regarding the prioritization of open fire safety citations. These discussions have resulted in a prioritization schedule that is cost-efficient, practical, and mindful of the iconic nature of our environment.

This Subcommittee's interest in the work performed by the OOC does not end with its help in the area of safety and health. Because of this Subcommittee's support, the Office of Compliance has increased its educational workshops provided to sister agencies about our unique dispute resolution system. Our colleagues have taken an interest in our services because we implement and administer a dispute resolution system that focuses on resolving disputes at the front end of a case using mandatory counseling and mediation. This approach results in lower costs for all parties and less workplace conflict.

We are providing training for new Congressional employees, and up-to-date publications for Members, employing offices, and Congressional employees about their workplace rights and obligations under the CAA. Training and knowledge of the law are a central part of our job on Capitol Hill. We are proud of the work we do for you, and we take pride in the fact that we do it nimbly and efficiently.

In addition, the OOC has been working with the Office of the Architect of the Capitol to implement a cost-effective approach to improving public access to Capitol Hill facilities for persons with disabilities. The goal is, in cooperation with the Architect of the Capitol's Office, as well as other employing offices, to focus resources on removing the barriers that will most improve access to the facilities for the lowest cost.

I highlight these programs to showcase the work that has been done and the progress that has been made in our legislative community because of this Subcommittee: your interest in our mission, and your support for our mission. We thank you. I also emphasize that we will be carrying out these programs in fiscal year 2011 without asking for additional resources except where it is absolutely essential.

#### STRATEGIC PLANNING

As the Office of Compliance celebrates these and many other accomplishments, we look forward to the next fiscal year, ready with a new 3 year Strategic Plan. Al-

though the Plan covers fiscal years 2010 through 2012, fiscal year 2011 will be the first fiscal year in which the Agency has requested funding in support of this Plan. The Strategic Plan focuses the efforts of the OOC on providing technical guidance to agencies and employing offices, serving as a resource to the covered community, expanding our outreach efforts to raise awareness of our services, and strengthening our infrastructure to improve the quality of service we provide to our constituents.

Our fiscal year 2011 request for appropriations supports the initiatives in our new strategic plan. Specifically, our budget request focuses on three major areas that are designed to support needed technical assistance to employing offices, as well as upgraded infrastructure for the Agency, and mandatory salary increases for staff.

#### SAFETY AND HEALTH INSPECTIONS

In line with the goals and initiatives in our Strategic Plan, the OOC requests funding to continue its cooperative and cost-efficient approach to the identification and correction of safety and health hazards. If funded as requested, our 2011 budget would support the ongoing development and implementation of the risk-based inspection and abatement approach that the Conference Committee on fiscal year 202010 Legislative Branch Appropriations directed OOC to institute.

The OOC is completing its third successive wall-to-wall OSH inspection of legislative branch facilities on Capitol Hill. The area we inspect is vast: over 17 million square feet of property in the National Capital Area, including locations in Maryland and Virginia. As the covered community grows, so does the area we inspect. We do these inspections with a small staff of inspectors whose role is critical. You provided us with funds to hire them because you recognized that by finding hazards and alerting employing offices about them, employing offices can abate these hazards one-by-one. The abatement trends are overwhelmingly positive and exemplify swift progress. The OOC has found that the number of hazards has dropped substantially during the most recent three Congresses: from 13,000 in the 109th Congress, to 9,000 in the 110th Congress, to an estimated 6,000 in the present Congress.

As you have recognized, there is still much to accomplish. At our last budget hearing, you challenged us, not just to point out hazards that need to be abated, but to target the most significant risks. In response to your directive, the Agency is developing an approach to target the riskiest workplaces and work activities in the 112th Congress. As we develop our risk assessment program, the OOC will be working very closely with the Office of the Architect of the Capitol's staff, as well as with other employing offices, to establish appropriate parameters. The OOC will work with employing offices to identify jobs and job sites that are inherently more dangerous: these may include, for example, the Capitol Power Plant and construction worksites. Our goal is to concentrate our limited resources where the risks are highest, to improve our ability to provide technical assistance focused on reducing on-the-job injuries and illnesses, and to remedy violations that pose serious threats to workers' safety.

In light of the need to limit our appropriations request as much as possible, OOC has not requested funding for an additional safety and health inspector contractor, which we believe is needed. The authorization and funding provided in fiscal year 2010 for an OSH Program Manager to replace the retiring detailee equips the OOC with necessary resources to continue supervising our safety and health inspectors, working with outside OSH experts, and providing expert technical advice to the General Counsel and guidance to OGC staff regarding the application of OSHA standards. However, this position alone will not provide the resources needed to fully handle approximately one million additional square feet of Legislative Branch work space that is expected in fiscal year 2011 and 2012. Ever-mindful of the financial constraints facing our Government, and with an eye toward being cost-conscious, the OOC is asking the Occupational Safety and Health Administration to provide one or more safety and health inspectors on a short-term, non-reimbursable basis, to provide temporary inspection services at no additional expense to this Agency, while simultaneously providing on-the-ground experience for OSHA personnel.

#### OOC INFRASTRUCTURE

The Office of Compliance's other focus during fiscal year 2011 is funding for OOC infrastructure. Communication and IT systems replacement/upgrades are at a crucial stage for agency efficiency and progress. Our IT systems impact all the programs discussed above, from dispute resolution, to education and outreach, to the protection of confidential information handled by our Agency. To ensure such confidential information is protected, the Agency maintains a dual computer network:

an internal system which secures confidential information, and an external system through a server administered and maintained by the Library of Congress. The practice of maintaining two computers for each employee significantly decreases efficiency and increases costs and administrative burden on the Agency. In an effort to work more productively and reduce administrative costs, we seek funding to migrate the two networks into a single system.

The balance of the increase that is being requested is for mandatory cost of living increases, minimal staff salary increases, and the associated benefits which allow the Office of Compliance to retain extremely high caliber employees to implement the programs described herein pursuant to the Congressional Accountability Act.

#### CONCLUSION

The Agency approaches fiscal year 2011 with heightened fiscal responsibility and an understanding that only minimal funding essential to meeting our mission may be available. We have examined our programs in conjunction with our statutory mandates, and we have made significant efforts to streamline our appropriations request to reflect the country's and the Government's current economic difficulties. With that understanding, we present to the Subcommittee only those items necessary to meet our statutory mandates. The three items discussed herein—risk-based inspections' approach, IT improvements, and mandatory salary increases—are the three major items that comprise our minimal increase of \$298,491. Funding for these items will allow the Agency to continue to provide needed services and technical assistance to the covered community.

On behalf of the Board of Directors and the entire staff of the Office of Compliance, I thank you for your support of this Agency. I would be pleased to answer any questions.

#### FISCAL YEAR 2011 BUDGET IMPACT

Senator NELSON. Mr. Ayers, the subcommittee recently asked you to look at the impact of holding your agency to fiscal year 2010 funding levels for fiscal year 2011. I know and appreciate the effort you have already put forward on this task, and I would like to ask you just a few questions about your efforts to do that.

The first one, perhaps the most obvious one, is what would be the impact of zero growth on your budget in fiscal year 2011.

Mr. AYERS. Thank you, Mr. Chairman. As we approached that analysis to keep our 2011 budget at the 2010 levels, it required us to make a reduction of \$154 million. So we took a three-pronged approach.

The first part of that was to look at our existing budget to see if there was any money we could drive out of that existing portion of our budget, and we were able to drive \$15 million out of that budget, which is equivalent to taking 11 projects off of the list of 46 projects that we have put forth.

The second thing we did was to look at the operations portion of our 2011 request and see what made sense to reduce there, and we were able to drive another \$14.5 million out of that portion of our request.

And of course, the most volatile portion of our request is the projects budget that goes up and down every year depending upon what projects are there, and the remainder of the required reduction came out of the projects request.

So the net result of being held to those levels is a couple of things. One, certainly with the rise in construction costs, ultimately the projects that are on our list will need to be done. They will simply cost a little more later.

Second, keeping at a zero percent growth is actually a decrease because we have to pay mandatory price increases and mandatory

payroll increases instead of furloughing people, and that would certainly be our objective to not furlough people.

There are a handful of projects that we think are in our operations side that are not going to get done. There are a series of full-time equivalents (FTEs) that we will defer to next year or the year after. Refreshing our information technology resources will not get done in 2011. Replacement of security barriers on a regular interval will just be pushed out in another year or two. So I think those are some of the impacts that we could expect.

Senator NELSON. In that regard, what method did you use to try to establish priorities there? Because obviously you are prioritizing. Did you have any particular methodology you used?

Mr. AYERS. Mr. Chairman, the project prioritization process that we have been working on for nearly 5 years has matured year after year. It has really developed into an excellent tool for the Congress to use to make important decisions on our budget. So every one of those 46 projects that is on our list goes through a rigorous prioritization process. In the budget that we have put forth, they are in priority order. So theoretically, if you needed to reach a certain reduction, you could simply start at the bottom of that list and cut those projects as you work your way up.

#### PROJECT PRIORITY RANKING

That process includes a number of factors. We look at mission, economics, energy, security, historic preservation, life safety. Every project gets a numeric score in each of those six categories. We also look at how urgent a project is, and every one of those 46 is measured against immediate, high, medium, or low urgency. And last, with the theory of you need to take care of what you have before you build new, every project receives a classification of either deferred maintenance, capital renewal, capital improvement, or capital construction. In our prioritization process a deferred maintenance project, which is something that is already broken and needs to be fixed, will move to the top of the list over new construction.

#### PRIOR YEAR BALANCES

Senator NELSON. In trying to establish the budget now in terms of the zero growth, do you take into account what are generally referred to as prior year balances? For example, I believe there is somewhere in the neighborhood of \$50 million that was appropriated in fiscal year 2010 for the House Historic Buildings Trust Fund. Do you take that into account as well?

Mr. AYERS. We certainly did take that into account, and we did a comprehensive review of our prior year funds. We did drive \$15 million out of what we thought was in excess to our needs. We were able to apply that to 11 projects that were on the list.

We do think that keeping the House Historic Buildings Revitalization Fund at \$50 million is a good thing for our budget. We have been working very hard with Congress for the last 3 years to make some seminal changes in our budget profile. We now have the tools available to look out 20 years. The future does not look good. So we have really been working to make a seminal change, and I think that change enables us not to cut off our nose to spite our face. So we make that investment later on.

Senator NELSON. But as you do that, how do you choose then to defer immediate-need projects involving roof replacement and fire protection? How would that historic trust fund come ahead of what seem to be more basic needs?

Mr. AYERS. It is making a down payment for the future. So we know, coming up in a few years, that we have over \$100 million in deferred maintenance in the Cannon House Office Building, which is the next building that we believe needs a top-to-bottom renovation. So we believe that we need to begin making that investment in 2016 or 2017. So without that money and building up a corpus of money, we are not going to be able to do that come 2016 or 2017. We are going to have to take that money out of the bandwidth that is available in this budget. That will prevent us from doing the projects on the list that given year. So we do think that the balance of projects we need to do now, as well as making investments for the future, is the right balance.

Senator NELSON. Well, I think part of the challenge we have is the future needs and setting aside money, but I think the American taxpayer will have a challenge understanding socking away money for future needs if we cannot make ends meet on the immediate needs that we face right now, such as roof repairs and other deferred maintenance that may raise life and fire safety issues. So I raise that as a question for your consideration.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman. I will follow on here as it relates to the projects because I think it is such an important part of what we are dealing with here in terms of priorities and how we allocate the dollars that are available.

#### SUBSTANTIAL PROJECT INCREASE

As I flipped through the various areas within the jurisdiction of the Architect of the Capitol, looking at the requests for general administration, you are looking for funding for three projects. That is an increase of 38.9 percent for those. Within the Capitol Building section, we have got nine different projects. This is an increase of 703 percent. In the category of Senate office buildings, you have got a number of projects, including what the chairman has mentioned, roof repairs, et cetera, waterproofing. But this is a 165 percent increase. In other categories under Library buildings and grounds, we have got 11 projects, a 279.7 percent increase in the projects. With the Capitol Police buildings, grounds, and security, we are looking at additional funding for six projects, 106 percent increase. The Botanic Garden—there are only three projects that are requested there. Still, that is an 87.8 percent increase.

I guess the question that I would have is, with these projects and a pretty substantial increase in terms of requested projects that now get on the to-do list, are these projects driven by citations that are coming out of the Office of Compliance or do they get on the list because they are deferred maintenance projects that the AOC is trying to work through? How do we get to this number of projects that are on the list?

Mr. AYERS. Certainly primarily projects come from independent assessments of all of the facilities on Capitol Hill. So for the past several years, we have engaged an independent company that spe-

cializes in this kind of thing to review every piece of equipment, every building system, and give us an honest, third party, independent assessment of its condition and its useful and expected life, and to help us classify whether it is broken, needs to be fixed, deferred maintenance, or whether we really need to add onto a system or capital improvement. This is developed into a significant database that maps out what needs to be done in all of our buildings across Capitol Hill for the next 20 years. That comes into developing what projects are on the list.

#### WHAT DRIVES THE BUDGET REQUEST

Also, our 20-year Capitol complex master plan has projects in it that drive what is in our budget request.

But certainly a small number of those—there are three of them this year. In fact, the top three are driven by citations from the Office of Compliance. So that will ebb and flow in any given year.

Senator MURKOWSKI. Are there only three that are driven by the Office of Compliance?

Mr. AYERS. There are only three in fiscal year 2011 that are driven by the Office of Compliance.

Senator MURKOWSKI. And which are those projects?

Mr. AYERS. The first is the utility tunnels and the second one is compartment barriers and horizontal exits in the Capitol Building. The third is a new exit stair in the Thomas Jefferson Building for the Library of Congress.

#### PROJECT LIST—SAFETY ISSUES

Senator MURKOWSKI. Well, I guess I want to understand more about the prioritization because I am engaged in overhaul of an old home myself, and believe me, my to-do list looks a heck of a lot different than my husband's to-do list who is doing all the work. Then when we go and we consult the checkbook and how we are going to pay for it, all of a sudden, the to-do list looks entirely different, and we are constantly resorting and reprioritizing.

So I guess I am a little concerned that knowing that the chairman and I have been very specific in asking the agencies, the departments to give us your lean and mean budget, that we would be looking at a whole list of projects that while they will be important to do at some point in time or they are things that we want, that we really have not figured out how we can present a very clean and doable list of projects that we must address because of safety issues.

So to know that of the many different projects in these various categories, we have got three that we have got Office of Compliance issues with or some form of citation that is out there, and that others that are on somebody's matrix of something that we want to have on the schedule, it does not give me a very clear picture of what we really think the priorities should be. I would hope that we will all be working together to perhaps give some more certainty as to where we are really going to go with projects for this year.

## BLUE RIBBON PANEL—FIRE CODE REQUIREMENTS

I know that there are some things that we can start, and it does not foul the process if we do not have the full funding to complete it, but I know that there are other things that you need to be able to complete once you initiate those projects. We need to know and understand which fall into those categories as well.

Senator NELSON. We talked about the Russell Building stairs and I think we were seeking a blue ribbon panel to review how the fire code requirements apply to historic buildings. Do we have the panel's findings with regard to the stairs in the Russell Senate Office Building? Has that blue ribbon panel study been completed?

Mr. AYERS. No, Mr. Chairman, it is not complete yet, but we do expect it to be complete in April.

Senator NELSON. Do you expect it to be helpful in assisting you in prioritizing the fire and life safety challenges that you face?

Mr. AYERS. Absolutely. I think we have brought together a really stellar blue ribbon panel, the best minds that we know of in the country, to help us address this issue. We are looking forward to their thoughts and suggestions and recommendations.

## PRELIMINARY FINDINGS

Senator NELSON. Have you had any preliminary feedback from this panel?

Mr. AYERS. Yes, we have. They did come and present to us a 50 percent completion document, and the entire team got together. They made a great presentation for us, and all of us felt that they were on the right track. We were very encouraged with the level of effort, the level of detail and the level of professionalism and engineering judgment that they are bringing to the table. So we are really looking forward to the report in April.

Senator NELSON. Have you included Ms. Chrisler in the development of the study and the preliminary findings? Ms. Chrisler.

Ms. CHRISLER. Yes. Actually the Office of Compliance was provided a copy of the report. We also attended the briefing, the 50 percent briefing. We were able to attend. We were happy to attend, and we also gave some comments based on the analyses that were conducted within the 50 percent report.

Senator NELSON. Did you find it helpful to be able to work together in that sort of an environment with that kind of a project?

Ms. CHRISLER. Extremely helpful. As Mr. Ayers indicates, the expertise that sits on the panel will absolutely be instrumental to the addressing of these issues, and we appreciate the opportunity to sit down and consult with them, along with the Office of the Architect of the Capitol.

Senator NELSON. You did not find it necessary to be adversarial in that environment, I am sure.

Ms. CHRISLER. Absolutely not. It is an independent assessment, and we appreciate the experts' opinion and we appreciate the time that they have taken, their perspective that they are bringing to the assessment of the issues, and it is very collaborative.

Senator NELSON. Good, thank you.

## UTILITY TUNNELS

In terms of the utility tunnel repairs, Mr. Ayers, the request includes \$14 million for the utility tunnel project and \$20 million in other citation-related projects. I am glad to hear that things are pretty much on schedule to complete the repairs in 2012. When the repairs are completed, do you anticipate being in full compliance with the applicable health and safety standards, as we might hope that you would be?

Mr. AYERS. Yes, we do, Mr. Chairman.

Senator NELSON. Maybe since some of the repairs were considered to be an interim fix, how long do you expect those interim repairs to last? Are they very short term or are they intermediate term?

Mr. AYERS. Our objective is to get another 20 years out of the utility tunnels. It is more of a longer-term approach we are taking.

## REVIEW OF REPAIRS

Senator NELSON. Ms. Chrisler, have you had an opportunity to review the repairs or some explanation of the repairs?

Ms. CHRISLER. We have consistent monitoring of the progress that is being made within the utility tunnels. We have a dedicated staff member who liaisons with the Architect's Office and is kept up-to-date and reviews the information and has weekly meetings and provides feedback. It is a very engaged effort on both agencies' parts. So yes, we are very, very much aware of the progress that is being made and the progress is very good, right on schedule.

Senator NELSON. And then in terms of the other citations, are there other citation-related projects included in the fiscal year 2011 request?

Mr. AYERS. We have three citation projects that are in our 2011 request. The first, of course, is the utility tunnels, our most important work. The second is compartment barriers and horizontal exits in the Capitol Building, and the third is a new stair in the Jefferson Building. It is important to note that those three have risen to the top of our priority list, but it is also important to note that those three are in priority order. As you know, we worked together this summer to develop a prioritization process where we can now prioritize these citations. So what you see before you in our prioritized list is in priority order.

## PRIORITIZATION OF CITATIONS

Senator NELSON. Ms. Chrisler, are you comfortable with the effort that has been made and the results of that prioritization effort?

Ms. CHRISLER. We, being the Office of Compliance and the Office of the Architect of the Capitol, sat down pursuant to the direction given by this subcommittee and engaged in some very productive discussions regarding the prioritization of the fire safety citations. And during those discussions, we collaborated and agreed upon an applicable standard, and based on that application of the standard, together reached this prioritization that we have before us. So, yes, we are very much in agreement and we think that it is right on point.

Senator NELSON. Well, I appreciate the collaboration and the spirit of cooperation there because it seemed to me a year ago that the Office of Compliance was more in the realm of a referee or an umpire throwing a flag here and throwing a flag there on a violation. And it is encouraging to see that there is more cooperation and collaboration on these projects so that the adversarial relationship is not necessarily helpful if you can go forward and work together.

Ms. CHRISLER. That is correct. And we see ourselves as a service agency and as a resource, and we cannot be the only ones that see ourselves that way. It is important for others to see us that way as well, and we understand that that perspective will only come from the work that we are doing and not just the dialogue that we are engaged in. So we are very much appreciative of the opportunity to be able to sit down and not just act as referee but to offer technical advice and technical assistance where necessary.

Senator NELSON. Great, thank you.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

#### FEDERAL ACQUISITION STREAMLINING ACT AUTHORITY—LEASE AUTHORITY

Mr. Ayers, let me ask you some questions about the two legislative language proposals that are contained within the budget request. The first is the Federal Acquisition Streamlining Act authority, the FASA authority, and long-term lease authority. And I understand that it would provide for procedures for commercial item acquisition, presumably to result in efficiencies and savings whether it is janitorial services or whatever.

I am trying to understand exactly what the budgetary impact of something like these proposals would actually be and whether or not there will be cost savings if, in fact, these authorities are to be granted; whether there are savings in operations and contracts immediately or whether we are going to see this play out over time. Can you just kind of give me a better picture so I can understand what it is that you are anticipating with this authority?

#### FASA BUDGET IMPACT

Mr. AYERS. Absolutely, Senator Murkowski. The Federal Acquisition Streamlining Act is an act that was enacted about 10 years ago and it is widely used throughout the executive branch. We are looking to have that kind of procurement flexibility with the Architect's Office. And you are absolutely right. The purpose of this is to save money, save time, and create efficiencies in our procurement office.

So what it does, is allows us to purchase commercial items up to \$5.5 million using simplified acquisition procedures. Today we are only capable of using those simplified acquisition procedures for procurements up to \$100,000. Those procedures are simply a purchase order, and maybe three or four or five pages tops of procurement and contract language to procure a commercial item today \$100,000 and below. Today, above \$100,000, we have to go through a contract procedure which is easily 100 pages of contract clauses to procure a commercial item up to \$5 million. This would really

significantly save time in our procurement office, allowing us to buy commercial things in a very simplified manner. It saves us money and prevents, I think the budget impact you were trying to get at. It prevents us from, in the future, having to come to you and ask for increases and increases in our procurement staff. We are gaining some efficiencies there and will not need to do that in the future.

Senator MURKOWSKI. So do you actually spend over \$100,000 a year moving statues?

Mr. AYERS. That is just one particular item.

Senator MURKOWSKI. I am just looking at it. I am thinking, okay, bulk fuel, yes; light fixtures, yes. And I was looking at the cleaning of the chandeliers—

Mr. AYERS. Like toilet paper, paper, all of those types of things.

Senator MURKOWSKI [continuing]. And I decided those chandeliers have got to be really expensive to clean.

But you do anticipate—I am assuming you have done some kind of a cost analysis that has said that consolidating these procurement policies is going to be beneficial in the short term and the long term.

Mr. AYERS. Absolutely. We did go back to all of our procurements in 2008 and analyzed every one of them to determine how many of them we could have taken from this 100-page contract phase and used the simplified acquisition procedures. There were 35 of them, and for those 35, we believe we could carve out 20 man-days on each one. So it is a very significant savings.

#### SENIOR EXECUTIVE SERVICE

Senator MURKOWSKI. Let me ask you about the Senior Executive Service (SES). Again, this is an area that has been used within the executive branch, but I am trying to understand why you believe within the AOC we need to have or we need to create these Senior Executive Service, similar to executive branch authority. You are talking about 37 positions here, which seems like a lot of senior level positions for an agency that has about a three-fourths blue collar, one-fourth white collar workforce.

So can you explain to me why you are seeking this authority, what you hope to gain from it, and give me a bird's eye view of what the 37 positions are again, that is a lot of folks here. What is the budgetary impact of converting 37 positions into Senior Executive Service positions? Can you just speak to this issue for a moment, if you will?

Mr. AYERS. Absolutely, Senator. First, our objective and my objective is to be the best. To be the best. To be able to recruit and retain the best people. I know that it is certainly your objective as well. We do not believe today we are poised to do that at the senior executive level because our pay and benefits package does not match those in the executive branch of the Government.

Senator MURKOWSKI. Should it?

Mr. AYERS. I am sorry?

Senator MURKOWSKI. Should it?

Mr. AYERS. I think it should, absolutely. Certainly not on the pay side. We recognize that our pay we cap below Member pay. So we

are not seeking authority on pay, and we do not believe that this flexibility will have any impact in the short term on funding.

I think it is important to note that when we go to recruit someone from the executive branch there are disparities, a great example of that is the amount of annual leave an executive can carry over. Today our executives can carry over 240 hours. In the executive branch, all of them can carry over 720 hours. So why would one of them be enticed to come work for the Architect of the Capitol when they are going to have to give up that benefit that they have, that the Government Accountability Office (GAO) has, that the Library of Congress has, but the Architect does not?

So I think the facts are very clear that benefits packages do not match and we think they should. We really think that there should be this easy exchange of executive talent between the executive branch and the legislative branch.

Senator MURKOWSKI. What about the number, the fact that you have got 37? It seems like a high number of senior level positions, again in an area where most of your workforce is not the senior level. It is more the blue collar level.

Mr. AYERS. Of those 37, all of them, I believe, are existing positions, and they are already paid at the Senior Executive Service level. The only thing that they would be affected by is a change in benefits' package for the annual leave carry over that I mentioned earlier. So they are not new employees.

Senator MURKOWSKI. These are existing people that you are just changing their ability to accrue annual leave, carryover, and bonuses. So what you are saying is that this does not cost, in terms of what you will see with your budget. It is more of a recruitment or a retention tool.

Mr. AYERS. That is exactly right. I think it is important for transparency. There is no question in the first year it does not cost us. In ensuing years, when employees retire they are paid out for their annual leave that they still have on the books. So this would enable an executive to accrue a larger amount of leave on the books than one would normally have today, but that is many years down the road.

Senator MURKOWSKI. Would this have any impact on salary increases in future budget requests?

Mr. AYERS. No, ma'am, it would not.

Senator MURKOWSKI. Mr. Chairman, thank you.

#### CAPITOL VISITOR CENTER

Senator NELSON. The Capitol Visitor Center. You were provided \$621 million for the construction, but due to reduced delay claims by sequence 2, a contractor, GAO currently estimates that the total cost to complete the Capitol Visitor Center is \$591 million. This leaves you with a balance of approximately \$31 million. Are those facts correct, and is there a remaining balance of \$31 million from this project?

Mr. AYERS. I do not believe that that is exactly correct, but there is no question—

Senator NELSON. There is some money—

Mr. AYERS [continuing]. That there will be at least \$20 million available for other priorities. I think that is a great testament to

the team that negotiated the final claims on this project, and they did just a terrific job and saved us considerable money.

Senator NELSON. Well, anything that comes under the ultimate price tag is a savings and it should be viewed that way. There is no doubt. I appreciate that.

I guess the question I have is could the funding, that additional \$20 million that is there—could that be applied toward your fiscal year 2011 needs?

Mr. AYERS. Yes, Mr. Chairman, absolutely.

#### CVC FTE INCREASE

Senator NELSON. Now, you request four FTEs for the Capitol Visitor Center. Does that mean you are not adequately staffed at the CVC now? For example, what are the duties of an interpretive curator? Are they not already available? Or is there a necessity to add that particular position or positions?

Mr. AYERS. We are requesting an increase of four FTEs for the Capitol Visitor Center, and I view those in two groups. The first group and the highest priority, the must-haves, are converting our two congressional liaison positions that are currently on board in a temporary capacity to permanent positions. They really have shown that they are extremely beneficial, not just for us but for Members, in working and providing tours at the CVC. So we think those are must-haves.

The second two are in a second tier of more improving operations and improving efficiencies. We think, certainly, a curator could help improve our operations in interpreting the things that are in the Exhibition Hall. But an interpretation curator and a special assistant do not rise up to the must-have level of our two congressional liaisons.

#### CAPITOL POWER PLANT FTE INCREASE

Senator NELSON. And then if we go to the Capitol Power Plant, your request there includes 3 additional FTEs for that plant, bringing the total to 98. Have you recognized any savings that would apply to reducing the number of FTEs as a result of the installation of a digitized control system at the plant? In other words, further use of technology should be able to help you reduce the reliance on human power. Have you realized anything or can you realize anything there?

Mr. AYERS. Well, we do think that there are some savings to be realized there. The numbers you mentioned are our FTE cap. The FTE cap at the Power Plant is 95. These 3, which I will address in a moment, would increase to 98. But on-board strength, we have somewhere in the low to mid 70s. We have purposefully, for the past 2 to 3 years, held recruitment very, very low in the Power Plant to accommodate these efficiencies. I know when I became Acting Architect 3 years ago, I think we were at 85 on-board people and we are now about 10 less than that. So I think we have been driving some efficiencies out of there.

## UTILITY METERS

The three new positions are, interestingly enough, a new mission area for the Architect. The Energy Independence and Security Act required us to install utility meters throughout all of our facilities. That resulted in about 320 new utility meters, very high-tech pieces of equipment installed in all of our buildings. These three new employees would operate and maintain those meters, do the preventive maintenance on those meters, as well as read the results of those meters.

## SUSTAINABILITY PROGRAM

Senator NELSON. In that regard, you are requesting \$11.2 million worth of projects and \$10 million in the operations budget with an energy reduction focus. Is that different than what we are talking about here with the Power Plant, or is it a part of it, or is it separate from it? I will ask it that way.

Mr. AYERS. It is certainly separate from the Capitol Power Plant appropriation, but it is part of our comprehensive sustainability program to meet the Energy Independence and Security Act goals of a 3 percent energy reduction per year.

Senator NELSON. Well, as you expect to use the \$11.2 million worth of projects and \$10 million in the operations budget, if funded, what will that achieve in terms of overall reductions in costs to the budget? In other words, I think you are spending money to try to bring down the costs. What would you expect in the way of energy savings in terms of dollars?

Mr. AYERS. In terms of dollars, I think a great example of that is the energy savings performance contract that we have awarded here in the Senate. This public/private partnership, where a private company is investing \$42 million in the Senate office buildings, and ultimately, reducing energy by 36 percent, which is almost \$4 million a year in energy savings being driven out of the Senate office buildings. Of course, initially that money goes to repay this company that is doing the work and borrowing the money. In the end, we keep those investments, we keep the upgrades and we reap the benefits after they are repaid.

Senator NELSON. How long will it take us to recoup the \$22 million? How many years do you think it is going to take us to where we have recovered that? It is good to reduce energy use. There is no doubt. And it is also good to reduce the cost that you get from energy reduction. As you try to correlate those two, how long will it take us to be neutral or have a net reduction in our costs?

Mr. AYERS. I believe here in the Senate, the projection is 18 to 20 years.

Senator NELSON. What about other buildings or other facilities? Do you have anything that might—in other words, is this \$22.2 million all in the Senate office buildings?

Mr. AYERS. It is. It is \$42 million, the investment they are making just in the Senate. We have a similar arrangement in the Capitol—

## PROJECTS BUDGET

Senator NELSON. Excuse me. That they are making. But you have got \$22.2 million in your operations budget in projects. Maybe I am not understanding what those dollars are for.

Mr. AYERS. Those dollars are primarily for two things. One is enabling us to manage these energy savings performance contracts across Capitol Hill. For these contracts that we have entered into, we are investing nearly \$100 million. So we are looking for contract help: engineers to help manage that work and coordinate that work and be sure it is installed properly and commissioned properly. That is primarily what much of that money is for.

Senator NELSON. And then it would take us about 18 years to get the full benefit of what it is we are trying to do in terms of dollars.

Mr. AYERS. That is correct.

Senator NELSON. Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Ms. Chrisler, I do not want to have all the attention focused on Mr. Ayers here, so we will ask you a couple.

## HAZARDS DECREASE

You referred to the number of hazards that have been identified and the fact that we have seen a decrease from 13,000 in the 109th Congress to 9,000 in the 110th to an estimated 6,000 in the 111th. And I think that is good. I would hope that given a level of outreach and education efforts, we would see the number of hazards continue to go down, and I think that is clearly the goal here.

Can you tell me how we count hazards? Is it every overloaded outlet that is counted? And then when they unload it or put the power strip in or what have you, is it still counted? How do you account for these multiple hazards?

Ms. CHRISLER. Thank you, Senator. It is a very good question.

What we do is we have inspectors that go out and inspect each office space and they identify the hazards, they identify violations of the Occupational Safety and Health Administration (OSHA) standards. Those are noted. Sometimes they are abated right on the spot.

Senator MURKOWSKI. And are they counted if they are abated?

Ms. CHRISLER. Yes, they are, but they are counted—if they are abated on the spot, no. So I am mistaken.

Senator MURKOWSKI. So if you unplug it, then you are good.

Ms. CHRISLER. You are good.

Senator MURKOWSKI. All right.

Ms. CHRISLER. If it takes something other than right on the spot, then yes, that is counted as a hazard within the findings.

[The information follows:]

During the hearing, I mistakenly indicated that the OOC does not record hazards found during biennial inspections if they are remedied immediately. In fact, OOC notes all hazards identified during a biennial inspection, whether they are abated on the spot or abated at a later time. This method of recording hazards is consistent with the longstanding practice followed by Occupational Safety and Health Administration inspectors. The OSHA Field Operations Manual provides: "Safety and health violations *shall* be brought to the attention of employer and employee representatives at the time they are documented." Field Operations Manual, Directive No. CPL 02-00-148 at 3-20 (Occupational Safety and Health Administration November 9,

2009) (emphasis added). In addition, this method of recording hazards allows the OOC to provide Congress with consistent and reliable data, as explained below.

The CAA requires the OOC to inspect legislative branch facilities for compliance with occupational safety and health standards at least once each Congress and report those results to the Speaker of the House, the President pro tempore of the Senate, and employing offices responsible for correcting violations. CAA Section 215(e), 2 U.S.C. 1341(e). As such, the OOC is required to notify Congress of the violations it identified irrespective of when those violations are remedied. Alongside the hazard findings, the OOC provides abatement information to provide context for the findings and establish a clear picture of what hazards remain. Although OOC encourages early abatement and applauds employing offices for their efforts to immediately abate hazards, OOC does not note a distinction in its identification of hazards if a hazard is abated immediately or if a hazard is abated at a later time: at the time of the inspection, a hazard that threatened workers' safety and/or health was present, and the CAA requires the identification of those hazards and a submission of same to Congress. The OOC is pleased with the continuing decline in hazards seen over the past three Congresses, and is hopeful that the abatement process continues to progress as well.

#### COMPLIANCE EDUCATION

Senator MURKOWSKI. Is it fair to say then that with continuing education and awareness, we are able to do within our own offices a significant level of compliance just on our own and we are learning so that as the years progress, hopefully, we will be near zero. I do not know if it is possible to eliminate all hazards, but I am assuming that is the direction that we are taking.

Ms. CHRISLER. Sure, absolutely it is. And that is part of where we are hoping to go in the future, as we see the decrease in hazards. And as you mentioned, it is partly due to the education efforts of our staff, the increased awareness of the staff and the Members' offices and the employing offices, and in part due to the employment counsel's offices as well in assisting us in conducting the inspections and providing the education that is necessary. So, yes, we are looking for the employing offices to be able to spot some of these hazards themselves and correct them right on the spot. That is part of our goal is to equip the employing offices with that type of knowledge so that they are able to utilize our office as a resource, as a kind of checkpoint to make sure that they are right on track.

Senator MURKOWSKI. Good. I appreciate that.

I also appreciate the comment that you made in your opening statement about working in collaboration with OSHA to provide some assistance, rather than bringing on new or additional staff working with them in a collaborative effort. I think that that is good. If there are other opportunities to do similar collaborating efforts, I would certainly encourage that.

#### IT SYSTEM

Let me ask you one more question about the IT system. You mentioned that you have got a somewhat unique system in that you are required to have two computers for each employee. Clearly inefficient. It obviously adds increased costs to the agency.

What do you anticipate your cost savings to be once the new system is in place? What is the total request for the system upgrade? And if the funding in fiscal year 2011 does not support the full cost of the system, how much additional funding do you figure you need in the out-years to kind of take care of this?

Ms. CHRISLER. Yes, thank you. The system that we have is unique. Because of the confidential information that our office maintains with respect to our dispute resolution program, we have taken great steps to ensure that that type of information remains protected and remains secure. The system that we have currently in place provides that protection, but it also inhibits employees from being able to work as productively as they could. Literally, there is a switch box that is on everyone's work station and employees literally have to transfer back and forth between computers when they are wanting to work. One of the systems is an internal system where we can communicate internally and the other one connects to the outside world, the Internet. And the two systems are not compatible.

#### SYSTEM SECURITY

Ms. CHRISLER. We have obtained the technical skills of an IT staff who has developed a program and a system by which we would be able to maintain that level of security but eliminate the two computers. So that is something that will result in a cost savings, will result in efficiency, will allow us to have a complete COOP plan for teleworking purposes. The total cost of the program is something that I can provide to you for the record at a later date.

[The information follows:]

The total investment for new system upgrade equals \$110,000, which encompasses the following: equipment (\$60,000—fiscal year 2011 budget request) and installation (\$50,000—fiscal year 2012 budget request). We expect to recoup the new system investment through cost savings over a 2½ year timeline (\$110,000 total upgrade/\$43,475 total savings equals 2.53 years).

Ms. CHRISLER. Should we not receive the funding for the improvements, we will have to reevaluate how to go about developing this plan. Of course, it is not just a 1 fiscal year project. It is something that we can break into pieces, if we have to. Some things will have to be delayed. The implementation would be delayed, but perhaps the development could continue on some levels.

Senator MURKOWSKI. Well, if you could get that information and kind of lay that out, that would be helpful.

Ms. CHRISLER. Thank you.

Senator MURKOWSKI. Thank you.

Senator NELSON. Thank you.

[The information follows:]

Ideally, OOC would purchase the equipment in fiscal year 2011 for \$60,000 and perform the installation in fiscal year 2012 for \$50,000. However, if funding is not provided in fiscal year 2011, OOC would have to delay the implementation of the new system. The cost would probably not increase dramatically if the timeline for implementation was delayed; the delay would simply move the cost to another fiscal year. However, not receiving the full requested budget for fiscal year 2011 and delaying the implementation increases the vulnerability of the agency for disaster recovery planning (COOP), reduces any efficiencies which could be gained through the ability to tele-work, and impacts the agency's cybersecurity initiatives.

Because the new IT system will allow for the use of one computer per work station as opposed to the current use of two, the agency anticipates enjoying significant cost-savings, not only in physical equipment, but in human resources as well.

The total annual estimated savings equals \$43,475; \$22,475 of which is attributed to equipment and software, \$21,000 of which is attributed to Human Capital. Because the new IT system will require the agency to maintain only one computer per

work station, as opposed to the two it currently maintains, routine upgrades will be fewer, resulting in significant savings.

Mindful of the costs associated with maintaining current technology for hardware and software compatibility, the agency looks to replace its employee PCs every 3 years. As such, once the system upgrades are in place, and only one PC per work station is being maintained, the agency will enjoy an annual savings of \$7,950 or \$23,800 over the 3-year replacement cycle. Annual software costs will result in a savings of \$11,300; and purchases of peripheral equipment will yield an additional savings of \$3,225.

The new IT system contemplated by the agency will result in a \$21,000 annual savings of IT staff resources. As the system currently operates, IT staff allocates 25 percent of their time annually for support and maintenance of the internal computer system. Once the new system is implemented, the staff would be able to utilize that 25 percent toward our IT Security and COOP initiatives, which have gone understaffed due to the time commitment necessary to maintain two computer systems.

#### HAZARD PRIORITIZATION

Senator NELSON. Ms. Chrisler, in establishing the 6,000 hazards, do you then categorize them as to priorities, priority 1, 2, 3, 4, 5? I assume that not every hazard is co-equal with every other hazard. So do you have a system of prioritization?

Ms. CHRISLER. Yes, Senator, we do. What we have is what we call a RAC system, and it is R-A-C. It is a risk assessment code. And when the hazards are identified, they are labeled with this RAC: RAC 1 being posing life-threatening potential, life-threatening issues; RAC 2 being dangerous and could cause bodily harm; and 3 and 4 of lesser degree of severity.

The majority of the 6,000 violations that we saw are not RAC 1. So that is very comforting to know. They fall more in the range of RAC 3, which is they are significant but they do not rise to the level of the immediate threat to life safety.

Senator NELSON. Well, I know that you pay close attention to OSHA and their inspection programs. Do we know what changes are being planned in the 112th Congress on OSHA inspection programs?

Ms. CHRISLER. That is something that we certainly will look into, Senator, and be happy to provide to you for the record.

Senator NELSON. Sure. That would be helpful. Thank you.

[The information follows:]

The Secretary of Labor ("Secretary") is responsible for promulgating occupational safety and health standards under the Occupational Safety and Health Act of 1970, 29 U.S.C. sections 651 et seq. Executive Order 12866 requires the Secretary to publish semiannually a Regulatory Agenda listing all regulations the Department of Labor expects to have under active consideration for promulgation, proposal or review during the coming year. The Department's most recent Regulatory Agenda was published on December 7, 2009 and can be found in its entirety at [www.reginfo.gov](http://www.reginfo.gov). The Department's Regulatory Plan, which is a subset of the Regulatory Agenda, "highlights the most noteworthy and significant regulatory projects that will be undertaken by its regulatory agencies," including the Occupational Safety and Health Administration ("OSHA"). 74 Fed. Reg. No. 233 at 52 (Dec. 7, 2009). The most recent Regulatory Plan lists four OSHA regulations: a modification of OSHA's Hazard Communication Standard; a rule setting Occupational Injury and Illness Recording and Reporting Requirements; a health standard regulating Crystalline Silica exposure; and an update of the 1971 Cranes and Derricks standard applicable to the construction industry. *Id.*

As certain OSHA standards apply in the legislative branch pursuant to section 215(d) of the Congressional Accountability Act ("CAA"), 2 U.S.C. section 1341(d), the OOC and its Board of Directors will continue its close monitoring of OSHA's regulatory activity in the coming year and assess its effect on the legislative branch.

## CAPITOL POLICE RADIO PROJECT

Senator NELSON. I do not know that I have any more questions to ask. I guess I could ask about the radio system here. I have got a question on that.

The Capitol Police radio project. Mr. Ayers, I know you are responsible for the facilities portion of that project. Can you give us an outline of how the facilities portion of the project is undergoing—or how that is going on right now?

Mr. AYERS. I would be happy to, Mr. Chairman. In support of the Capitol Police project, we are undertaking three activities on that project. The first is the design and construction of the primary site, which is where the radio operators and radio infrastructure will be, in Manassas. We are right on schedule and on track to complete that by December 2010. We have a contract awarded, and we are going through the contract design and submittal phase right now. So we see no issues there.

The second portion is the design and construction and property acquisition of the mirror site, or the backup site, here just off of Capitol Hill. We are currently in negotiations with the leaseholder now, both negotiations on the lease, and on the construction side. We do not see any issues meeting a March 2011 completion date to enable the Capitol Police vendor to begin installing their radio equipment.

And then last, and probably most importantly for me, is helping the Capitol Police contractors install and navigate through all of the office buildings and the Capitol Building and to installing their infrastructure, electricity, antenna wires, and antennas through the buildings. And we are working very closely with them now. I know that they have completed the design for the Senate office buildings. They are nearing completion of the design for the Capitol and House office buildings. We do not see any issues there as well.

So things are progressing well and we are very confident about completing our three tasks on schedule.

Senator NELSON. Well, I appreciate the update. It is good to know that it is on schedule and not slipping and staying within the budget as well?

Mr. AYERS. Yes, sir.

Senator NELSON. Well, if there is nothing else to ask, there is no reason to ask it. Right?

So I appreciate very much your being here today, your work, and the work of all your associates who, together with you, are doing such an outstanding job for us. Thank you for your candor and for your willingness to work with us. I know with such difficult times that we face right now with unemployment at a high level, it has also been a very energizing time because with all the snow and with everything else, it seems to come all at one time when everybody is saying, well, we need to slow down our costs at a time when the activity is increasing. It seems like those should not cross. They should match. But we are faced with difficult times, and I appreciate the fact that everybody understands that and we will try to work our way through it.

So thank you.

Senator Murkowski, do you have any closing comments?

Senator MURKOWSKI. Thank you, Mr. Chairman, and I look forward to working with the Architect of the Capitol, the Office of Compliance, and others as we kind of slog through how we prioritize the needs again for those who are working and visiting our capital. Thank you.

Senator NELSON. In addition to thanking our witnesses today, I want to thank Robin Morey, the Senate Superintendent, for keeping the room cool today.

SUBCOMMITTEE RECESS

The subcommittee stands in recess until Thursday, April 15, when we will meet again in this room at 2:30 to take testimony on the fiscal year 2011 budget request of the Government Accountability Office, the Government Printing Office, and the Congressional Budget Office. Thank you.

[Whereupon, at 4 p.m., Thursday, March 18, the subcommittee was recessed, to reconvene at 2:30 p.m., Thursday, April 15.]

## **LEGISLATIVE BRANCH APPROPRIATIONS FOR FISCAL YEAR 2011**

**THURSDAY, APRIL 15, 2010**

U.S. SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,  
*Washington, DC.*

The subcommittee met at 3:22 p.m., in room SD-138, Dirksen Senate Office Building, Hon. Ben Nelson (chairman) presiding.  
Present: Senators Nelson, Pryor, and Murkowski.

### **GOVERNMENT ACCOUNTABILITY OFFICE**

#### **STATEMENT OF GENE L. DODARO, ACTING COMPTROLLER GENERAL**

##### **OPENING STATEMENT OF SENATOR BEN NELSON**

Senator NELSON. The subcommittee will come to order.

Good afternoon to everybody, and welcome. We meet this afternoon to take testimony on the fiscal year 2011 budget request for the Government Accountability Office (GAO), the Government Printing Office (GPO), and the Congressional Budget Office (CBO).

I would like to welcome our witnesses here today—Gene Dodaro, Acting Comptroller General; Bob Tapella, Public Printer; and Doug Elmendorf, Director of the Congressional Budget Office.

I also want to welcome my good friend and ranking member, Senator Murkowski, as well as the other members of the subcommittee who will perhaps be joining us, Senator Pryor and Senator Tester. Senator Murkowski and I have enjoyed working with one another on these items of the legislative branch, and I know I look forward to continuing that effort.

This is our third budget hearing of this fiscal year, and I would like to reiterate a few concerns that were raised during our first two hearings. I am disappointed that this subcommittee has once again been presented with a fairly large budget increase request in fiscal year 2011.

And the fact remains that this country is in economic turmoil, and the American taxpayers simply are not ready to tolerate unnecessary Government spending. And some believe that any kind of Government spending is probably unnecessary, but particularly at a time of high major unemployment. And I have said repeatedly that I intend to do my best to hold the legislative branch flat this year.

I believe that spending restraints start at home. We need to lead by example on this subcommittee, and we can't do that by appro-

priating large increases to our agencies, even at a time when they may be totally justified.

I think the President sent the message loudly and clearly in his State of the Union Address this year, noting that families across the country are tightening their belts and making tough decisions. The Federal Government must do the same, he said, and he announced a 3-year freeze on nonsecurity discretionary Government spending. And I believe we must do the same with this subcommittee as well.

Having said that, I want to also say that we still appreciate the contributions made by each of your agencies in assisting Congress in our service to the country. We are truly grateful for the work you do, and we look forward to hearing from you and to discussing your budget requests.

I must say that I doubt there has ever been a time that staff for the Senate have ever had to work more lengthy hours and weekends than recently, and I am sure it is true with your departments as well. And so, at a time when we are looking to reward, it seems like the rewards are sort of fleeting away from us.

Mr. Dodaro, GAO is requesting an overall increase of 8 percent in fiscal year 2011, which includes funding for the continuation of your mandated requirements under the American Recovery and Reinvestment Act (ARRA), which I understand accounts for roughly one-half of your increase. And I look forward to discussing the specifics of your budget request, as well as GAO's latest findings on the American Recovery and Reinvestment Act effort.

Mr. Tapella, I understand that GPO will soon be celebrating 150 years of service to the Federal Government, and I would like to congratulate you and your entire staff on this accomplishment. GPO is requesting an increase of \$19 million, or 13 percent, over current year. And I understand that much of this increase is directly related to the Federal Digital System (FDsys) and a few other information technology upgrades and infrastructure projects, which I look forward to discussing with you a little later on.

Dr. Elmendorf, it is good to see you again. CBO is requesting \$47.2 million in fiscal year 2011, an increase of roughly \$2 million, or 4.7 percent, over the current year. And I understand that you feel this number is somewhat skewed by supplemental funding CBO received in fiscal year 2009, which you feel impacted your fiscal year 2010 appropriation.

And I know better than to argue the numbers with you.

So I look forward to discussing your budget and other obstacles that you face and your colleagues face.

Now I would like to turn over to Ranking Member Senator Murkowski for her remarks.

#### STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Thank you, Mr. Chairman.

And my remarks will be very brief this morning because they mirror so closely those that you have just made.

I would like to begin by welcoming the three of you—Mr. Dodaro, Mr. Tapella, Dr. Elmendorf. I think it is fair to say that you each, within your respective areas, are doing well by us, and we appreciate that. We do recognize that we task you with a lot, and I know

certainly, Dr. Elmendorf, the requests that have been made on CBO just this past year with all of the legislative initiatives as they relate to healthcare have been daunting. And I don't know if you have any more hours in your day than I do, but I commend you for the work that you and all your staff have done.

As the chairman has mentioned, each of you are requesting within your offices increases. The GAO increase at 7.9 percent, GPO at 13 percent, and then CBO, an increase of \$2.1 million, or 4.7 percent. And we recognize that while you may feel that they are entirely justified and may be much smaller than you had wanted, that these are significant increases within the legislative branch budget.

And the chairman's words, of course, come as no surprise, that we are looking for ways to demonstrate leadership by ensuring that our own budgets are tightened and trying to reduce those costs. So I will be curious to hear this afternoon how GAO, GPO, and CBO are prepared to make the adjustments in the fiscal year 2011 budget requests that have been submitted and do look forward to working with all of you to ensure that we can arrive on some mutually agreeable solutions to how we trim back the costs while at the same time providing the very essential services that all of you and your staffs provide.

Thank you, Mr. Chairman.

Senator NELSON. Thank you.

I was going to call on Senator—my colleague to the right, but he assures me that he wants not to be associated with the skinflints to his left.

Now I would like to call on Mr. Dodaro for your opening statement, followed by Mr. Tapella, and of course, then by Dr. Elmendorf. And if it is possible to keep your opening statements brief, around 5 minutes, we would obviously receive the rest of your statement for the record if there are additional statements to be made.

#### SUMMARY STATEMENT OF GENE L. DODARO

Mr. DODARO. Thank you very much Mr. Chairman, Ranking Member Senator Murkowski, Senator Pryor. I appreciate the opportunity to be here today to discuss GAO's budget request.

As the investigative arm of the Congress and the auditor of the Government's financial condition, I certainly appreciate and commend your objectives toward fiscal prudence. And in that light, GAO's budget request, as you mentioned, Mr. Chairman, is really in two parts.

The first part of our request is a 4.1 percent increase in our base appropriation that is intended to just maintain our existing staff levels in order to support our work for every standing committee of the Congress and about 70 percent of the subcommittees.

When I came before this subcommittee in 2008, my first year as acting Comptroller General, I mentioned we were at our lowest staffing level in GAO's history. Thanks to the support of this subcommittee, we have augmented that slightly over the last couple of years. We are well positioned to help the Congress deal with the range of domestic and international challenges that it faces across

the spectrum of its activities. This increase is just to maintain our current staffing level to support the Congress.

We also have been given new responsibilities in the healthcare legislation. There will be many more responsibilities in the financial regulatory reform legislation. And in the latest increase to deal with the debt ceiling increase, we were given an annual mandate to recommend duplication and other areas where Government spending could be eliminated.

In addition to GAO's normal responsibilities of responding to about 1,000 requests a year from the Congress, in the Troubled Asset Relief Program (TARP), we were given responsibilities to report every 90 days. Since we were funded through reimbursements from the Treasury Department, we will be in good shape to follow all those activities through until AIG, General Motors, and other arrangements work their way out and the Government returns them to their normal status.

The Recovery Act is a little bit different. That act, as you know, is now estimated to be about \$862 billion. We were charged with recurring responsibilities on bimonthly reviews of the use of that money by selected States and localities and quarterly reviews of the reports concerning the amount of jobs that were created and retained. So these are recurring responsibilities.

In recognition of the large amount of spending, and it being out of the normal appropriation cycle when the legislation was passed, Congress gave us \$25 million. That money expires at the end of fiscal year 2010, so by September this year we will have spent that money.

Now the money to the States and localities will continue in fiscal years 2011 and 2012 and beyond, out to almost fiscal year 2019, according to CBO's estimates. That means that there will be over \$120 billion that will still flow to the States and localities in fiscal year 2011 and beyond. The second part of our request provides funds for us to be in a position to continue to meet our mandates of bimonthly reviews.

I am also concerned that the risk level associated with some of the spending in the next several years will be at least as great as, if not a little bit higher than, the spending that has occurred to date because there will be new programs and greatly expanded amounts of money for other programs. So I think it is important for us to be in a position to do what Congress asked us to do, which is to be out in the States and localities making sure the money is spent appropriately for its intended purpose.

In closing, I know very well, as my colleagues do, the difficult fiscal challenges that await the country and the Congress, and there are a lot of difficult decisions. GAO is an important resource in helping Congress eliminate waste, increase revenues, and ensure programs are more efficient and effective. My colleagues and I are committed to making sure that whatever investment you make in GAO, that the dedicated people of GAO will give you a good return on that investment.

#### PREPARED STATEMENT

I know you will give careful consideration to our request, and I look forward to addressing your questions when appropriate.

Senator NELSON. Thank you, Mr. Dodaro.  
[The statement follows:]

PREPARED STATEMENT OF GENE L. DODARO

Mr. Chairman, Ranking Member Murkowski, and Members of the Subcommittee: I appreciate the opportunity to be here today to discuss the U.S. Government Accountability Office's (GAO) budget request for fiscal year 2011. At the outset, I want to thank all the members of the subcommittee for your continued support of GAO. With your support of our fiscal years 2009 and 2010 funding levels, we have been able to address the steady decline in staffing that GAO had experienced since fiscal year 2003 and begin to reverse this trend by restoring our staffing capacity.

This has put us in a better position to assist the Congress in confronting the many difficult challenges facing the nation. In fiscal year 2009, GAO supported congressional decisionmaking and oversight on a range of critical issues, including the government's efforts to help stabilize financial markets and address the most severe recession since World War II. In addition to providing oversight for the 2008 Economic Stabilization Act and the American Recovery and Reinvestment Act of 2009 (Recovery Act), we continued to provide the Congress updates on programs that are at high risk for waste, fraud, abuse, and mismanagement or are in need of broad reform, and delivered advice and analyses on a broad array of pressing domestic and international issues that demand urgent attention and continuing oversight. These include modernizing the regulatory structure for financial institutions and markets to meet 21st century demands; controlling escalating healthcare costs and providing more effective oversight of medical products; restructuring the U.S. Postal Service to ensure its financial stability; and improving the Department of Defense's management approaches to issues ranging from weapons system acquisitions to accounting for weapons provided to Afghan security forces. Overall, we responded to requests from every standing committee of the Senate and the House and over 70 percent of their subcommittees.

As a knowledge-based organization, our ability to timely assist the Congress as it addresses the nation's challenges depends on our ability to sustain our current staffing levels. We are submitting for your consideration a prudent request for \$601 million for fiscal year 2011, which will allow us to maintain our capacity to assist the Congress in addressing a range of financial, social, economic, and security challenges going forward. This amount represents a 4.1 percent increase (\$22.6 million) to maintain our fiscal year 2010 staffing level for "base operations," cover mandatory pay and uncontrollable costs, and reinvest savings from nonrecurring costs and efficiencies to further enhance our productivity and effectiveness. We have also requested a 3.8 percent increase (\$21.6 million) to maintain the current staffing level of 144 FTEs to continue mandated Recovery Act oversight beyond the expiration of the funding we received to help offset the cost of this new responsibility. The total requested increase of 7.9 percent will allow us to continue to be responsive in supporting congressional mandates and requests.

THE NATION'S CHALLENGES SHAPE GAO'S FISCAL YEAR 2011 EXPECTED WORKLOAD

GAO stands ready to continue assisting the Congress as it tackles the wide array of challenges facing the nation. Our past performance is evidence of the critical role our dedicated staff play in helping the Congress and the American people better understand issues, both as they arise and over the long term. These include:

- Assessing the government's continuing response to the current economic situation, including: assessing the effectiveness of financial and regulatory reform efforts and plans to ensure the stability of the overall banking, housing, and financial markets; conducting oversight of proposed programs to boost the economy, including job expansion and investments in infrastructure; and continuing to perform our responsibilities under the Recovery Act, including bimonthly reviews of how selected states and localities use the funds provided and quarterly reviews of recipient reports on job creation.
- Reviewing the government's efforts to identify and act on credible threats to homeland and border security, including to commercial aviation and seaports as well as those involving biological, chemical, and nuclear dimensions.
- Reviewing U.S. efforts related to Afghanistan, Iraq and other regions in conflict, including reviewing the effect of drawing down resources in Iraq, providing more resources to Afghanistan, and retooling operations in Pakistan.
- Supporting health care financing and reform efforts through analyses of Medicare, Medicaid, and other health programs.

- Identifying elements to help address the nation's financial challenges including Social Security, tax reform, retirement, and disability programs; opportunities to reduce spending; and reducing the gap between taxes owed and taxes collected.
- Performing specialized studies and technology assessments of a wide range of science and technology issues, such as climate change, the challenges of developing sophisticated space and defense systems, and green energy.
- Focusing on major areas that are at high-risk, including the U.S. Postal Service's financial condition, oversight of food and drug safety, and cybersecurity efforts.

GAO is uniquely positioned to support the Congress. For instance, pressures to reduce the federal deficit following an economic recovery will require a greater need for the type of analyses that are a hallmark of GAO. We recently were tasked by statute to provide an annual report addressing overlap and duplication among federal programs. Also, through our long-standing focus on high-risk programs and other activities, we can identify for policymakers the agencies and programs that require priority attention. These include helping focus on ways to help reduce improper federal payments, estimated at \$98.7 billion in fiscal year 2009, and the \$290 billion estimated tax gap. In addition, our dedicated and multidisciplinary staff have substantive agency and program expertise, as well as expertise in conducting financial and performance audits, program evaluations, policy analyses, and technology assessments.

In March 2010, GAO issued an exposure draft of our 2010–2015 Strategic Plan for serving the Congress, which describes our proposed goals and strategies for supporting the Congress and the nation as the United States undergoes a period of transformation, daunting challenges, and opportunities. Our framework is attached as appendix I.

#### GAO CONTINUES TO BE AN EMPLOYER OF CHOICE

Recognizing that GAO's accomplishments are a direct result of our dedicated workforce, management continuously strives to maintain a work environment that promotes employee well-being and productivity, and to be a world-class professional services organization. In both 2007 and 2009, GAO ranked second in the "Best Places to Work" rankings sponsored by the Partnership for Public Service. We are also proud of the current results from our 2009 annual employee feedback survey which indicate that employee satisfaction continues to increase. Importantly, the results of the 2009 annual employee feedback survey—the highest scores to date—provided GAO management with valuable information on how we can continue to attract and retain top talent.

GAO regularly seeks and values the input we receive from our employee organizations: the Diversity Advisory Council, Employee Advisory Council, and GAO Employees Union, International Federation of Professional & Technical Engineers, Local 1921 (the Union). Collaboration with these organizations has resulted in a number of improvements in GAO processes, including improved field-office working conditions; enhanced quality-control documentation that help staff ensure that our practices follow GAO policy and generally accepted government auditing standards; and new demographic questions on the annual GAO employee feedback survey that allow GAO management to track the views of certain employee populations. Also, GAO and the Union have made significant progress toward developing a master collective bargaining agreement.

GAO continues to make progress toward our goal to create a more inclusive work environment. The most recent data show that representation of minority groups in our workforce equals or exceeds the representation in the relevant civilian labor force. As of April 2009, minorities represented about 30 percent of GAO's total workforce and women constituted nearly 60 percent. By comparison, in the civilian labor force minorities represented about 27 percent and women about 47 percent. With our approach to continuous improvement, several areas merit continued attention, such as increasing the representation of Hispanics and the disabled in the total workforce. Looking forward, our action plan focuses on three areas: recruitment and hiring, staff development, and efforts to create a more inclusive work environment. We will continue to consult with the Union and all employee groups as we implement this action plan.

Our fiscal year 2011 budget provides funds to continue to strengthen employee development and benefits programs. We have also identified savings and efficiencies within our budget and plan to reinvest these resources to implement enabling technologies, such as energy improvements.

## GAO'S FISCAL YEAR 2011 BUDGET REQUEST

As a people-intensive organization, about 80 percent of GAO's budget funds compensation and benefits for over 3,300 employees, with the balance funding mandatory operating expenses, such as rent for field office locations, security services, and other critical infrastructure services required for ongoing operations.

GAO is requesting an increase of \$22.6 million to maintain our current capacity to provide timely, high-quality responses to congressional requests for assistance, and \$21.6 million to support staff currently working on mandated Recovery Act oversight. About 90 percent of the requested increase supports mandatory compensation and benefits.

A summary of our fiscal year 2011 request is shown in the following table and explained in further detail below.

TABLE 1.—FISCAL YEAR 2011 SUMMARY OF REQUESTED CHANGES

[Dollars in thousands]

Budget category	FTEs	Amount	Cumulative percentage of change from fiscal year 2010 to fiscal year 2011
Fiscal Year 2009 actual costs .....	3,141	\$529,526	.....
Fiscal Year 2010 enacted level .....	3,221	556,849	.....
Changes to the base:			
Maintaining staff capacity .....	49	20,444	3.7
Nonpay inflation and annualization .....		6,420	4.8
Change in offsetting collections/reimbursements .....		(4,225)	4.1
Efficiencies/savings and nonrecurring costs .....		(8,032)	2.3
Resource reinvestment .....		8,030	4.1
Subtotal—changes to the base .....	49	22,637	4.1
Recovery Act (to maintain existing staff) <sup>1</sup> .....	144	21,631	7.9
Total appropriation—salaries and expenses .....	3,414	601,117	7.9

<sup>1</sup> These staff are funded in fiscal year 2010 by Recovery Act resources provided to GAO to help offset costs for mandated oversight. While the oversight continues, the funds expire at the end of fiscal year 2010.

Source: GAO.

Maintaining staff capacity includes \$20.4 million to maintain our projected fiscal year 2010 onboard staff at a full-time equivalent (FTE) level of 3,270 FTEs to enable GAO to continue to meet our increased responsibilities in a timely manner. The requested increase primarily includes: the full-year cost to maintain the workforce in fiscal year 2011 resulting from fiscal year 2010 hiring and pay actions; mandatory January 2011 pay increase at 1.4 percent based on Office of Management and Budget guidance; and performance-based pay increases in lieu of executive branch General Schedule within-grade increases.

Nonpay inflation and annualization includes \$6.4 million to maintain purchasing power, sustain fiscal year 2010 operating levels, and cover projected inflationary increases in common carrier transportation costs, travel per diem rates, training, supplies and materials, and other essential mission-support services based on negotiated contracts, vendor notification, or historical trend data.

Change in offsetting collections/reimbursements reflects an increase of \$4.2 million in rental income and reimbursement from financial audits that reduces our request for appropriated funds.

Efficiencies and nonrecurring costs reflect \$8 million of efficiencies and non-recurring fiscal year 2010 costs resulting from: technology consolidations, such as our new core human capital system and integrated E-Gov travel solution; and enhanced building operations, including the installation of a gas- and solar-powered water boiler to improve energy efficiency.

Resource reinvestment reinvests \$8 million of nonrecurring fiscal year 2010 costs and operational efficiencies to: further enhance our information technology programs to enhance productivity and effectiveness; continue to address management challenges through increased information and physical security, enhanced appraisal systems, and retention incentives; continue cyclical building maintenance and repairs and enhance energy efficiency; and bolster support for audit engagements and technology assessments.

Recovery Act includes funds to continue the 144 FTEs necessary to help offset the cost to conduct the mandated oversight of the use of the funds provided in the Recovery Act to help ensure transparency and accountability. No new staff would be hired.

#### CONCLUDING REMARKS

With the strong support of the Congress and this subcommittee, in fiscal years 2009 and 2010 GAO increased our staff capacity. Our fiscal year 2011 budget request is prudent and essential to ensure that we can maintain this capacity and continue to provide timely, high-quality assistance to the Congress in confronting the critical economic, financial and security challenges facing the nation.

We have a proven track record of helping the Congress evaluate critical issues of national importance and improving the transparency and accountability of government for the American people. For example, our work in the banking sector provided a framework that can be used to help reform the financial regulatory system and to evaluate proposals to ensure that any new regulatory system is sufficiently comprehensive, addresses risks, and adequately protects consumers. Over the past 2 fiscal years our work yielded significant results. For example, during this period we delivered expert testimony on average at about 250 congressional hearings. We also documented on average over 1,300 actions taken by agencies and the Congress in response to our recommendations for improvements in government services and operations and changes to law. In addition, we recorded on average about \$50 billion in financial benefits, resulting in a return on investment in fiscal year 2009 of \$80 for every dollar the Congress invested in us.<sup>1</sup>

We remain committed to providing accurate, objective, nonpartisan, and constructive information to the Congress to help it conduct effective oversight and fulfill its constitutional responsibilities. I appreciate, as always, your careful consideration of our submission and look forward to discussing our proposal with you.

Mr. Chairman, Ranking Member Murkowski, this concludes my prepared statement. We would be pleased to respond to any questions that you or other members of the subcommittee might have.

#### APPENDIX I.—SERVING THE CONGRESS AND THE NATION: GAO'S STRATEGIC PLAN FRAMEWORK

**Mission.**—GAO exists to support the Congress in meeting its constitutional responsibilities and to help improve the performance and ensure the accountability of the federal government for the benefit of the American people.

**Trends.**—National Security Threats; Fiscal Sustainability Challenges; Economic Recovery and Growth; Global Interdependence; Science and Technology; Networks and Virtualization; Shifting Roles of Government; Demographic and Societal Change.

Goals	Objectives
Provide Timely, Quality Service to the Congress and the Federal Government: to Address Current and Emerging Challenges to the Well-being and Financial Security of the American People related to	Health care needs; Lifelong learning; Benefits and protections for workers, families, and children; Financial security; Effective system of justice; Viable communities; Stable financial system and consumer protection; Stewardship of natural resources and the environment; Infrastructure.
Respond to Changing Security Threats and the Challenges of Global Interdependence involving	Homeland security; Military capabilities and readiness; Advancement of U.S. Interests; Global market forces.
Help Transform the Federal Government to Address National Challenges by assessing.	Government's fiscal position and options for closing gap; Fraud, waste, and abuse; Major management challenges and program risks.
Maximize the Value of GAO by Enabling Quality, Timely Service to the Congress and Being a Leading Practices Federal Agency in the areas of.	Efficiency, effectiveness, and quality; Diverse and inclusive work environment; Professional networks and collaboration; Institutional stewardship and resource management.

<sup>1</sup> For additional information on GAO's fiscal year 2009 accomplishments, see GAO's *Performance & Accountability Report, Fiscal Year 2009*, and *Summary of GAO's Performance and Financial Information, Fiscal Year 2009*, available at [hyperlink, <http://www.gao.gov/about/strategic.html>]. Examples of how GAO assisted the nation and selected issues on which senior GAO officials testified at congressional hearings in fiscal year 2009 are included in appendixes II and III.

*Core Values.*—Accountability; Integrity; Reliability.

APPENDIX II.—HOW GAO ASSISTED THE NATION, FISCAL YEAR 2009

*Strategic Goal 1.*—Provide timely, quality service to the Congress and the federal government to address current and emerging challenges to the well-being and financial security of the American people:

- Highlighted weaknesses in the Food and Drug Administration’s oversight of medical devices;
- Helped to improve the healthcare provided wounded soldiers returning home;
- Investigated the death and abuse of children at public and private schools;
- Recommended additional oversight and controls of voluntary workplace safety and health programs administered by some companies;
- Enhanced management at the Pension Benefit Guaranty Corporation;
- Enhanced federal efforts to combat drug trafficking;
- Identified ways the Department of Housing and Urban Development could promote energy efficiency and green building in federal public housing programs;
- Informed the debate on hardrock mining reform;
- Reported on the Environmental Protection Agency’s reforms of its toxic chemical assessment process;
- Informed the Congress about the U.S. Postal Service’s deteriorating financial situation.

*Strategic Goal 2.*—Provide timely, quality service to the Congress and the federal government to respond to changing security threats and the challenges of global interdependence:

- Recommended actions to improve the Department of Defense’s (DOD) management of contractors in Iraq and Afghanistan;
- Helped the Congress assess DOD’s ability to provide trained and ready forces for military operations;
- Recommended that the State Department develop outcome measures for its capacity-building program in Iraq;
- Helped to improve DOD’s accounting of weapons provided to Afghan security forces;
- Helped to strengthen aviation security through improved passenger watch-list matching;
- Developed a framework to help the Congress evaluate proposals for revamping the U.S. financial regulatory system;
- Helped to assess the implementation of TARP;
- Informed the Congress about weaknesses in lender data that limit regulators’ ability to identify financial institutions at higher risk of discriminatory lending practices.

*Strategic Goal 3.*—Help transform the federal government’s role and how it does business to meet 21st century challenges:

- Helped to track how states and localities are using Recovery Act funds;
- Strengthened federal planning and preparedness efforts for the influenza pandemic;
- Helped DOD and the Department of Veterans Affairs better share electronic health records;
- Identified shortcomings in the Department of Homeland Security’s management of major acquisitions;
- Tested the adequacy of the complaint intake process at the Department of Labor’s Wage and Hour Division;
- Helped to reduce governmentwide improper payments;
- Recommended ways to reduce tax noncompliance.

*Strategic Goal 4.*—Maximize the value of GAO by being a model federal agency and a world-class professional services organization:

- Mobilized staff quickly to conduct mandated oversight work and ensure accountability of the federal assistance available through the Recovery Act;
- Contributed to enhancing the ability of the domestic accountability community to prevent fraud, waste, and abuse of federal funds;
- Helped enhance international accountability organizations’ capacity to implement strong professional standards by sponsoring training and participating in international forums.

APPENDIX III.—SELECTED TESTIMONY ISSUES, FISCAL YEAR 2009

*Goal 1.*—Address Challenges to the Well-Being and Financial Security of the American People:

- Auto industry bailout;

- Nonprime home loans and rising foreclosures;
- Pension Benefit Guaranty Corporation financial challenges;
- Social Security Administration challenges with disability claims processing;
- Wildland fire management;
- Mental health services for Hurricane Katrina's youngest victims;
- Clean water trust fund;
- Department of Veterans Affairs (VA) healthcare for women veterans;
- Corporate crime and deferred prosecutions;
- D.C. public school reform efforts;
- Limiting United States Postal Service losses;
- Reverse mortgages;
- Crime victims' rights;
- Federal Protective Service.

*Goal 2.*—Respond to Changing Security Threats and the Challenges of Globalization:

- U.S. strategies and plans in Iraq, Afghanistan, and Pakistan;
- Reforming U.S. defense acquisitions;
- Planning future army combat systems;
- DOD's business transformation;
- Financial regulators' oversight of large financial institutions;
- Security and Exchange Commission enforcement resources;
- TARP;
- U.S. cybersecurity strategy;
- Screening air cargo on passenger aircraft;
- Post-Katrina Emergency Management Reform Act;
- Climate change trade measures;
- Small Business Administration Disaster Loan Program reforms.

*Goal 3.*—Help Transform the Federal Government's Role and How It Does Business:

- Recovery Act;
- Influenza pandemic;
- Health IT;
- Management of DOD contractors;
- Key National Aeronautics and Space Administration challenges;
- U.S. government financial statements;
- 2010 Census preparations;
- Improper federal payments to suspended businesses;
- Offshore financial activity and tax enforcement;
- VA and DOD electronic health records;
- Illegal export of military technology.

## GOVERNMENT PRINTING OFFICE

### STATEMENT OF ROBERT C. TAPELLA, PUBLIC PRINTER

Senator NELSON. Mr. Tapella.

Mr. TAPELLA. Chairman Nelson, Senator Murkowski, and members of the subcommittee, thank you for inviting me here today to discuss GPO's appropriations request for fiscal year 2011.

I have submitted my prepared statement for the record, and I would just like to make a few brief remarks with your permission.

I want to begin by thanking the subcommittee for your support for GPO's appropriations request last year, fiscal year 2010. In addition to funding our congressional printing and documents distribution operations, these appropriated funds included working capital for critical IT projects, including our Federal Digital System, and Oracle financial system, as well as the initiation of our composition system replacement project.

It also provided funds for the ongoing renovation of GPO's elevators, both passenger and freight. Your recommendation of these funds is deeply appreciated both by me and the 2,300 employees at GPO.

For fiscal year 2011, we are requesting a modest increase of 3 percent for our congressional printing and binding funds to cover projected volume requirements for a first session year. As you are aware, GPO does not control the amount of printing Congress requires. We simply fulfill your needs and use historical data to project workloads.

For our Superintendent of Documents programs, we need to fund mandatory wage and price level requirements, ongoing projects supporting depository libraries, and operating expenses for the Federal Digital System that are attributable to this program. For this account, we have about \$1.5 million available in prior year unspent funds that could be transferred forward with your approval. So we will be requesting your approval. That transfer would reduce our requirement for new funds to an increase of only 4 percent.

For our revolving fund, we are seeking an addition to working capital that would cover a range of investments in IT, continuity of operations, facilities repair, and workforce retraining programs. As you know, our revolving fund was created in 1953, and Congress periodically has provided working capital to ensure the operation and maintenance of the Government Printing Office.

In view of the state of the economy and the constraints on the Federal budget, we fully understand there are limitations on what this subcommittee can recommend. And so, I would like to briefly discuss our priorities. Chief among these is the need to continue the development of FDsys, our world-class content management system, as well as our project to replace the last of GPO's legacy automated systems with Oracle-based systems.

Both of these investments are already yielding improvements in service and cost reductions. Our project to implement a digitally based advanced print technology at GPO, along with an automated workflow management system, is critical to achieving future economies in the production of congressional printing.

As GPO's experience has shown perhaps better than any legislative branch agency, investments in technology made today will yield significant and lasting savings tomorrow. We have clearly shown that in the chart on page A2 of the budget justification submitted to this subcommittee, and the Congressional Research Service shared similar findings to Congress in a report last year.

In addition to continuing repairs on our aging buildings, especially our elevators, ensuring the continuity of operations, or COOP, in support of congressional and other agency activities is an important priority. Recently, we brought a systematic approach to COOP planning, and we are working very closely with the House and Senate, as well as other entities like the Office of the Federal Register.

Our focus is to prepare GPO to respond to a spectrum of emergencies from the purely local—such as severe weather, a power outage, or a fire—to the catastrophic. Though not specified as such in our original submission, I consider it a top priority among our COOP projects to complete the work on a full system failover capability for FDsys, a need that was accurately pointed out during the public hearings before the House Legislative Branch Appropriations Subcommittee in February.

One final note. This is going to be another tough year for GPO, as it is for other agencies and businesses across America. We are continuing to cut costs and scale back expenditures to ensure we live within our budget.

Last year, with your understanding and support, we finished on a sound financial basis, generating a modest net income before other operating expenses. We are targeting a similar financial performance this year—positive, but very modest.

#### PREPARED STATEMENT

Chairman Nelson, Senator Murkowski, and members of the subcommittee, this concludes my remarks.

Thank you.

Senator NELSON. Thank you.

[The statement follows:]

#### PREPARED STATEMENT OF ROBERT C. TAPELLA

Chairman Nelson, Senator Murkowski, and Members of the Subcommittee on Legislative Branch Appropriations: It is an honor to be here today to discuss the appropriations request of the Government Printing Office (GPO) for fiscal year 2011.

#### RESULTS OF FISCAL YEAR 2009

Fiscal year 2009 began with a flood of activity associated with completing the necessary printing, binding, and related work supporting the impending transition of Administrations. For the Presidential inauguration, GPO completed a broad variety of printed materials, which for the first time included the production of secure credentials for law enforcement personnel involved with the event.

We also issued the quadrennially popular "Plum Book", known officially as "Policy and Supporting Positions", which was printed on behalf of the Senate Committee on Homeland Security and Governmental Affairs. Following the inauguration, GPO

printed the official portraits of President Obama and Vice President Biden for placement by the General Services Administration (GSA) in more than 7,000 Federal Government installations around the globe. Rounding out this effort, during the year GPO produced the Congressional Directory for the 111th Congress, issued by the Joint Committee on Printing, which includes a comprehensive directory to both the Senate and the House of Representatives as well as the officials of the incoming Administration.

Throughout the year, GPO worked to fulfill its pledge of support for President Obama's Open Government Initiative. In February, we launched our Federal Digital System (FDsys, at [www.fdsys.gov](http://www.fdsys.gov)), a world-class information management system developed to authenticate, preserve, and provide permanent public access to official Federal publications. We also offered a number of suggestions to the Administration to help implement the President's initiative, including providing public documents housed on FDsys in XML format to facilitate a greater range of user options. In partnership with the National Archives and Records Administration's Office of the Federal Register, we carried out this suggestion by offering the Federal Register in XML. By the year's end we were poised to follow up making the Code of Federal Regulations available in XML as well.

In addition to migrating the databases housed on GPO Access to FDsys, GPO also worked with staff from the Library of Congress, the Secretary of the Senate, and the Clerk of the House to develop a report on bulk data downloads of legislative information, and during the year we worked toward a plan for digitizing printed documents within the Federal depository library collection for online public access.

To fully support the commitment to environmental sustainability announced by the President and Congress, GPO is developing its future based on environmental sustainability. This means more than just going green: it means expanding our digital operations and making changes in paper, inks, equipment configurations, and energy sources so that we can support our customers in Congress, Federal agencies, and the public in a more efficient and environmentally responsible way.

During the year, with the help of funding provided to the GSA through the American Recovery and Reinvestment Act, we upgraded GPO's vehicle fleet with more fuel efficient and environmentally friendly vehicles. With the approval of the Joint Committee on Printing, we increased the postconsumer waste content of the newsprint we use to print the Congressional Record and the Federal Register from 40 percent to 100 percent. We also began an evaluation of how digital printing technologies can help us meet our production requirements in the 21st century.

GPO continued making progress in providing new options to meet the Government's secure credential needs. Along with the credentials supporting the Presidential inauguration, we designed, printed, encoded, personalized, and shipped more than 500,000 Trusted Traveler Program cards (NEXUS, SENTRI, and FAST) for the Department of Homeland Security's Customs and Border Protection, and developed additional cards to support the Western Hemisphere Travel Initiative, the Medicare program in Puerto Rico, and other Federal identification programs. Our smart card production operation is a rapidly growing segment of GPO's Secure and Intelligent Documents business unit, building on the expertise and capabilities we bring to our longstanding passport production operations.

Historically, the events dominating Congress and the Administration are reflected in the work produced by GPO, and 2009 was no exception. During the year, GPO recorded the debates and printed the legislation resulting in the American Recovery and Reinvestment Act, as well as the documents associated with consideration of healthcare reform in the House and the Senate and the various appropriations bills and other business before Congress. We also completed production of the main edition of the U.S. Code. GPO worked through the year to produce the documents required for the upcoming decennial census, and also produced thousands of traveler cards providing information on the H1N1 (swine flu) virus on behalf of the Centers for Disease Control.

To help the public find access to these and other documents, we created a new e-mail alert system that attracted thousands of subscribers, and we upgraded GPO's online Catalog of Government Publications to help users find documents in nearby depository libraries. We also carried on a longstanding GPO responsibility by updating and issuing a new edition of the GPO Style Manual, a publication that has served as a guide to the form and style of Federal printing for more than a century.

GPO's process improvement initiatives focused on obtaining certification under the International Organization for Standardization (ISO) 9001, a quality management system, and the implementation of 5S, a lean manufacturing program. ISO 9001 certification will ensure GPO's continued delivery of products and services that meet customer expectations, conserve agency resources, increase efficiency, reduce

waste, and improve quality. The 5S program instills employee process ownership and communicates and maintains organization of workspaces.

I'm pleased to report that the audit of our financial reports and systems for fiscal year 2009 conducted by KPMG LLP resulted in an "unqualified," or clean, opinion for GPO. We completed the year with a net income of \$1.2 million on total revenues of \$934.1 million, excluding Other Operating Expenses of \$4.1 million for an adjustment to GPO's long term workers' compensation liability and \$1.2 million for a capitalized software impairment loss.

The change in business from the previous year was attributable primarily to a reduction in overall passport production operations. The adjustment to workers' compensation liability and the capitalized impairment loss did not place GPO in an anti-deficiency position or require additional appropriations, and the state of GPO's finances remains sound, particularly as the result of increased new business opportunities in the secure and intelligent documents arena and continuing efficiencies achieved as a result of the sustained transformation GPO has undergone over the past decade.

GPO made substantial progress in 2009. By the end of the year, we began developing plans for the observance of our 150th anniversary, dating to the enactment of the congressional resolution of June 23, 1860, which established the Government Printing Office, and to March 4, 1861, the day we first opened for business. We look forward to celebrating a century and a half of accomplishment in the coming year.

#### FISCAL YEAR 2011 APPROPRIATIONS REQUEST

For fiscal year 2011, we are requesting a total of \$166,560,000, which will enable us to:

- meet projected requirements for GPO's congressional printing and binding operations during fiscal year 2011 and recover the shortfall in this account accumulated in fiscal year 2009 and projected for fiscal year 2010;
- fund the operation of GPO's Superintendent of Documents programs and provide investment funds for necessary information dissemination projects;
- continue the development of FDsys and implement other improvements to GPO's information technology infrastructure, perform essential maintenance and repairs to our aging buildings, undertake necessary continuity of operations (COOP) initiatives, and provide funding for employee retraining and workforce development.

#### CONGRESSIONAL PRINTING AND BINDING

	Amount
Fiscal year 2010 approved .....	\$93,768,000
Fiscal year 2011 request .....	96,652,000
Change .....	2,884,000
Change includes:	
Price level changes .....	4,192,000
Volume changes .....	(2,844,000)
Elimination of shortfall .....	1,536,000

This appropriation pays for the printing and binding for Congress as authorized by Title 44, U.S.C., and related statutes. GPO produces the daily and permanent editions of the Congressional Record, bills, resolutions, amendments, hearings, committee reports, committee prints, documents, stationery, and a wide variety of other products, in both print and online formats, that are essential to the legislative process in Congress. GPO provides Congress with immediate, reliable service in a work environment under its direct control.

For fiscal year 2011, we are requesting \$96,652,000 for this account, representing an increase of \$2,884,000 over the level approved for fiscal year 2010.

Included in the increase is \$1,536,000 to fund the shortfall in this appropriation accumulated in fiscal year 2009 and projected for fiscal year 2010. The shortfall occurred primarily due to increased volume for bills, resolutions, amendments, and hearings over our original estimates.

The balance represents a combination of price level increases that are attributable primarily to existing wage contracts and projected cost increases for materials and supplies, as well as estimated volume changes in certain workload categories based on historical data for first session years.

GPO projects an overall volume decrease due to projected workload decreases for the daily Congressional Record, business calendars, document envelopes and franks, and hearings. These decreases are offset in part by projected increased volume for miscellaneous printing and services, which will include funding for content management services provided for congressional documents maintained on FDsys; committee prints; miscellaneous publications including the Congressional Directory for the 112th Congress; bills, resolutions, and amendments; committee reports; details to Congress including funding for details to House committees; documents; and the Congressional Record Index.

## SALARIES AND EXPENSES OF THE SUPERINTENDENT OF DOCUMENTS

	Amount
Fiscal year 2010 approved .....	\$40,911,000
Fiscal year 2011 request .....	44,208,000
Change .....	3,297,000
Change includes:	
Mandatory requirements .....	1,452,000
Investment requirements .....	1,845,000

Under the relevant provisions of Title 44, U.S.C., GPO carries out its mission to Keep America Informed through the information dissemination programs of the Superintendent of Documents. These programs include the distribution of publications to approximately 1,250 Federal depository libraries nationwide (averaging nearly 3 per congressional district), cataloging and indexing, distribution to recipients designated by law, and distribution to foreign libraries which provide the Library of Congress with copies of their official Government documents in exchange. In addition, GPO's Government documents Web site, GPO Access, and its successor, FDsys, provide free online access to nearly a quarter million titles, including the Congressional Record, the Federal Register, Supreme Court opinions, congressional bills and reports, and other publications, from both GPO's servers and links to servers in other Federal agencies.

For fiscal year 2011, we are requesting \$44,208,000 for this account, an increase of \$3,297,000 over the level approved for fiscal year 2010. The increase is requested to cover mandatory pay and price level increases and continue improving public access to Government information in electronic formats.

Of the total increase, \$1,452,000 is for mandatory requirements, which include \$715,000 for pay and price level changes and \$737,000 for the level of overhead required to be distributed to Salaries and Expenses programs (the pay raise as submitted was calculated at an increase of 1.6 percent; an adjustment of this increase to 1.4 percent, the amount included in the President's budget, would result in a decrease of \$26,000 from pay and price level changes).

The increase includes \$1,845,000 for continuing investment requirements. This includes \$2,000,000 for FDsys annual operating costs attributable to Superintendent of Documents programs, offset by a reduction of \$155,000 in the continued costs of specific projects supporting the Federal Depository Library Program and the Cataloging and Indexing program, including the modernization of legacy systems, expansion of cataloging and indexing services, establishment and utilization of outcomes-based performance measures for depository libraries, and funds supporting the digitization of historical print documents pending approval of a project for that purpose by the Joint Committee on Printing.

GPO has the authority—with the approval of the Committees on Appropriations—to transfer forward the unexpended balances of prior year appropriations to the revolving fund, provided the funding is used to carry out the purposes for which it was originally appropriated. At this date there is approximately \$1,500,000 remaining unexpended from the Salaries and Expenses Appropriation from fiscal year 2005. These funds could be transferred forward to offset part of the new funding requested for this account for fiscal year 2011.

## REVOLVING FUND

	Amount
Fiscal year 2010 approved .....	\$12,782,000
Fiscal year 2011 request .....	25,700,000

	Amount
Change .....	12,918,000
Change includes:	
Investments in information technology .....	(782,000)
Facilities maintenance and repair .....	6,250,000
Continuity of operations (COOP) .....	4,200,000
Workforce retraining .....	3,250,000

All GPO activities are financed through a business-like revolving fund. The fund is used to pay all of GPO's costs in performing congressional and agency printing, printing procurement, and distribution activities. It is reimbursed from payments from customer agencies, sales to the public, and transfers from the Congressional Printing and Binding Appropriation and the Salaries and Expenses Appropriation of the Superintendent of Documents. The basic purpose of the revolving fund is to provide temporary financing for GPO operations pending the collection of funds for work performed. Whenever GPO has significant investment projects that require additional working capital, we seek appropriations to the revolving fund to cover the cost of those projects.

For fiscal year 2011, we are requesting \$25,700,000 for this account, to remain available until expended, to fund essential investments in information technology development, facilities maintenance and repair, COOP projects, and workforce retraining. This represents an increase of \$12,918,000 over the level of funding provided for fiscal year 2010.

The request includes \$11,000,000 for information technology development. This is a decrease of \$782,000 from the amount of funding provided for this purpose for fiscal year 2010. It includes \$6,000,000 to continue developing FDsys; \$2,000,000 for our Advanced Print Technology project, which is reviewing the potential for increasing the use of digital printing and automated workflow technologies to meet congressional and agency printing needs; \$1,500,000 to continue work with our project to replace GPO's aging automated composition system; and \$1,500,000 to continue replacing GPO's legacy business systems with an integrated network of Oracle systems.

We are requesting \$7,250,000 for facilities repair and related projects, an increase of \$6,250,000 over the amount provided for this purpose for fiscal year 2010. It includes \$2,000,000 for continued elevator repairs; \$2,000,000 to initiate the process of relocating production operations from GPO's building 4 to the main GPO complex; \$2,000,000 to begin the systematic upgrade of GPO's electrical, plumbing, and structural infrastructure; \$1,000,000 for utility monitoring and controls to improve energy efficiency; and \$250,000 to design and install a public exhibit in support of the observance of GPO's 150th anniversary in March 2011 and to serve as continuing exhibit space.

We are requesting funding for COOP and workforce retraining projects for fiscal year 2011, and have submitted the necessary language changes for this purpose. For COOP, we are requesting \$2,200,000 to locate and begin equipping a remote COOP operating and command center, pending approval by the Joint Committee on Printing, and \$2,000,000 for an onsite generator at GPO to supply power to the data center supporting production of congressional and agency requirements.

We are requesting \$3,250,000 for several workforce retraining and development programs, including \$1,000,000 for a Plant Operations Curriculum to build digital competencies; \$500,000 for supervisor development; \$500,000 for continuing education for basic skills development; \$500,000 for certification programs in finance and accounting; \$500,000 for a marketing curriculum; and \$250,000 for a technology integration program for training needs assessments and the provision of specialized training to operators and users of business support technology programs.

Chairman Nelson, Senator Murkowski, and Members of the Subcommittee, we look forward to working with you, and with your support we can continue GPO's record of achievement. This concludes my prepared statement, and I would be pleased to answer any questions the Subcommittee may have.

## CONGRESSIONAL BUDGET OFFICE

### STATEMENT OF DOUGLAS W. ELMENDORF, Ph.D., DIRECTOR

Senator NELSON. Dr. Elmendorf.

Dr. ELMENDORF. Thank you, Chairman Nelson, Senator Murkowski, and Senator Pryor. I appreciate the opportunity to testify today about the CBO's budget request for fiscal year 2011.

We are celebrating our 35th anniversary this year. It seems like a long time to us, although it pales next to my colleague from the Government Printing Office.

This has been a very challenging congressional session for us. We have produced hundreds of written cost estimates and reports, had uncounted conversations with congressional staff about the analysis we are doing on proposed legislation and on the budget and economic challenges that face the country.

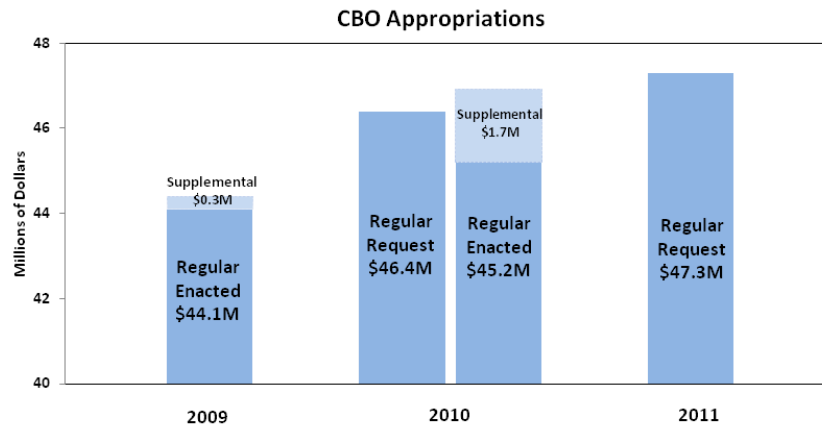
#### HEALTH

In particular, as you know, and Senator Murkowski mentioned, we have devoted a vast amount of time and energy to analyzing alternative proposals for reforming the Nation's healthcare and health insurance systems. In all of that work, the people who are the Congressional Budget Office have enhanced CBO's reputation as a provider of analysis that is objective, insightful, timely, and clearly explained.

For fiscal year 2011, we are requesting an appropriation of \$47.3 million. I have brought along some pictures I think you have in front of you to put that request in the context of the past few years' appropriations.

#### SUPPLEMENTAL

For fiscal year 2009, you appropriated \$44.1 million to CBO. Last year, I came before you and requested \$46.4 million. While that request was working its way through the appropriations process, certain Senators proposed a supplemental appropriation for CBO of \$2 million. This was not our idea. It was intended to bolster our ability to complete health estimates rapidly, and the money was put to that purpose.



<u>FTEs</u>			
2009 Plan	250	259	259
2011 Plan	242	254	258
		(Regular 249, Suppl. 5)	

Because it came late in the fiscal year, we spent just \$300,000 in fiscal year 2009 and are spending the remaining \$1.7 million in fiscal year 2010. With this supplemental money on the table, our regular appropriation was cut back to \$45.2 million.

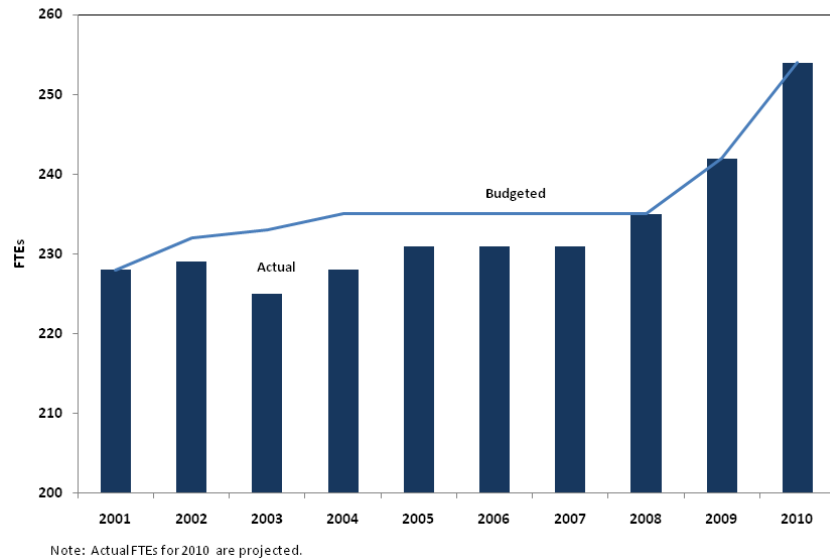
We entirely understand that the supplemental should not be a mechanism for CBO to have a permanently higher level of appropriations. However, we are concerned that if this year's appropriation process begins from last year's regular appropriations amount, which was reduced in light of the supplemental, then CBO will end up with a permanently lower level of appropriations.

For example, if our budget for fiscal year 2011 were set at last year's regular appropriations level of \$45.2 million, we would need to cut our staff.

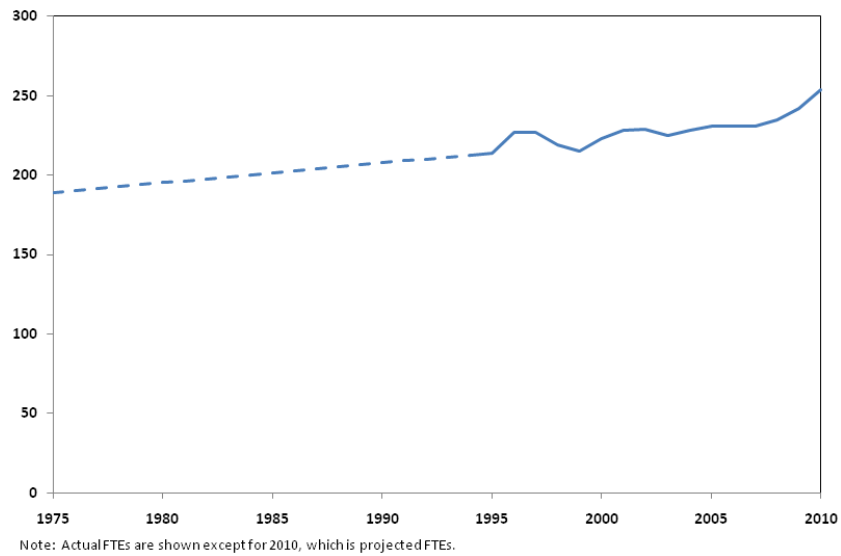
To remove the distorting effect of the supplemental, our perspective on this year's request was to begin with our request to you last year. Relative to that request of \$46.4 million, this year's request of \$47.3 million represents an increase of \$900,000, or about 2 percent.

Apart from the complications introduced by the supplemental, we view this year's request as the culmination of a multiyear plan presented to you 2 years ago to increase the size of the agency by roughly 10 percent. The goal, as my predecessor described it to you, was to enable CBO to better meet the needs of the Congress for analysis related to healthcare, financial issues, and other policy areas.

## CBO FTEs



## CBO FTEs



Indeed, that increase in staffing has been absolutely critical to our ability to provide sufficient analyses of these topics and others in the past couple of years. Our aim now in completing this plan is to increase our full-time equivalents (FTEs) from 254 to 258, roughly in line with the 259 that my predecessor suggested to you 2 years ago.

One might wonder why we are not reducing our staff if a central rationale for the increase was the demand for analysis of health proposals and the current cycle of health reform efforts appears to have drawn to a close. One reason is that congressional demand for health analysis remains strong. We need to incorporate the recently enacted legislation in our baseline projections this summer and in all subsequent baseline projections.

We also need to analyze proposed changes in the law, and we have already received such proposals from both sides of the aisle. The other reason that we cannot reduce our staff without hampering our ability to produce analysis is that we simply cannot maintain the quantity and the quality of analysis we have produced over the past year on an ongoing basis with the existing number of people.

The extraordinary pressure and 7-day a week nearly around-the-clock workload of the past year will soon drive good people away and diminish the effectiveness of those who stay. It really is a choice for us of having additional people or reducing the amount of output that we can provide on a year-to-year basis.

#### PREPARED STATEMENT

In closing, though, I would like to thank all of you for your strong support of CBO's work in the past. Your support of our budget request this year will help us to continue to meet our responsibilities to the Congress to the high standards that we and you expect.

Senator NELSON. Thank you.

Thank you very much.

[The statement follows:]

#### PREPARED STATEMENT OF DOUGLAS W. ELMENDORF

Mr. Chairman, Senator Murkowski, and Members of the Subcommittee, thank you for the opportunity to present the fiscal year 2011 budget request for the Congressional Budget Office (CBO).

CBO's mission is to provide the Congress with timely, objective, nonpartisan analyses of the budget, the economy, and other policy issues and to furnish the information and cost estimates required for the Congressional budget process. In fulfilling that mission, CBO depends on a highly skilled workforce. Approximately 90 percent of the agency's appropriation is devoted to pay and benefits; the remaining 10 percent is for information technology, equipment, supplies, and other services.

The proposed budget for fiscal year 2011 totals \$47,289,000, a \$2.1 million or 4.7 percent increase over CBO's regular appropriation for fiscal year 2010. CBO also received a supplemental appropriation in 2009 that was intended to cover additional costs in both 2009 and 2010 related to the analysis of healthcare legislation. After accounting for the portion of that supplemental appropriation that is being used in 2010 (about \$1.7 million), the 2011 request amounts to an increase of 0.9 percent over CBO's total 2010 funding.

The proposed \$2.1 million increase in CBO's regular appropriation is the net of changes in three broad categories:

- \$2 million is for rising mandatory pay and related costs for existing staff (including the costs of added staff funded through the supplemental);
- \$0.7 million results from CBO's request to increase its number of full-time-equivalent positions (FTEs) by 4, from 254 to 258; and
- \$0.6 million is cut from nonpay expenditures, made possible primarily because CBO will no longer be represented on, and providing resources to, the Federal Accounting Standards Advisory Board (FASAB).

## GROWING DEMAND FOR CBO'S ANALYSES

The proposed increase in FTEs is the culmination of a multiyear plan to enable CBO to better meet the needs of the Congress for information and analyses related to healthcare and a broad range of other policy areas.

Between fiscal year 2001 and fiscal year 2008, the number of FTEs at CBO averaged 230, and the number varied little from year to year. In 2008, however, the agency became concerned that it did not have sufficient resources to analyze policy changes regarding the delivery and financing of healthcare, which were emerging as a critical issue in the Congress. In addition, the agency was providing an increasing number of testimonies and formal cost estimates and engaging in a growing amount of informal analyses for Congressional staff on a wide range of topics, so redirecting a significant number of positions toward analyzing healthcare did not seem feasible. Accordingly, CBO proposed to the Congress a multiyear plan to boost the size of the agency to 259 FTEs, an increase of a little more than 10 percent.

*The First Phases of the FTE Increase*

The Congress approved the first phase of the proposed increase for fiscal year 2009, and CBO averaged 242 FTEs that year. Analysis of competing healthcare proposals absorbed a huge share of the agency's resources, and CBO analysts in that area have worked flat out for more than a year. At the same time, the financial crisis led to a jump in the Federal government's involvement in the financial sector (including the creation of the Troubled Asset Relief Program, the conservatorship of Fannie Mae and Freddie Mac, and expanded activities of the Federal Reserve and the Federal Deposit Insurance Corporation), which increased Congressional demand for pertinent analysis, budget projections, and cost estimates. Therefore, CBO proposed a further increase in staffing for 2010, and the fiscal year 2010 appropriation included an increase in funding sufficient to provide for 249 FTEs.

*The 2009 Supplemental Appropriation*

The Congress later approved a 2-year supplemental appropriation totaling \$2 million, which was designed to enhance CBO's ability to provide faster analysis of complex healthcare proposals. That supplemental funding covered 5 additional FTEs for 2010, bringing the total for this year to 254 FTEs. On the basis of staffing to date, CBO appears to be on track to have roughly 254 FTEs, on average, this year.

*The Proposed FTE Increase for Fiscal Year 2011*

For fiscal year 2011, CBO is requesting funding to support 258 FTEs, 4 more than are funded in fiscal year 2010. That level of staffing would essentially complete the multiyear increase that CBO proposed 2 years ago.

In developing its request for 2011, CBO recognized that the current surge of demand for analysis of healthcare proposals would probably not be sustained. Taken by itself, that point might justify a reduction in the number of positions devoted to analyzing healthcare. However, the agency is actually requesting a small increase in the number of such positions—three FTEs. That request reflects two considerations—first, that considerable Congressional interest in analysis of healthcare issues is likely to persist, and second, that the almost round-the-clock schedule maintained this past year by CBO's current staff cannot be maintained.

Let me elaborate on those points. Now that comprehensive health legislation has been enacted, CBO will need to make regular budget projections for the new and expanded Federal healthcare programs, and it will need to estimate the budget costs and other consequences of contemplated changes to those programs. In addition, CBO will probably need to respond to Congressional interest in exploring other possible changes to the healthcare system. Continued large Federal budget deficits and the key role of rising Federal healthcare spending in boosting future deficits ensure that health issues will remain central to the Congress's deliberations.

With the current staffing level, CBO cannot continue to produce the quantity of health analysis that it completed under the extraordinary pressure and almost round-the-clock, 7-day-a-week workload of the past year. That work schedule cannot be maintained if CBO is to retain the skilled and knowledgeable staff that have been working on health analyses. And even with the extraordinary effort of this group during the past year, the quantity of analysis that has been produced has not been sufficient to meet the needs of many Members of Congress.

The additional staff CBO is requesting will go, in some combination, to the Budget Analysis Division and the Health and Human Resources Division. If the needs for health analysis permit, CBO might reallocate some analysts in the Health and Human Resources Division from work on healthcare to work on income security and education—an area in which CBO has fewer analysts than necessary to meet Congressional needs.

The fourth additional FTE requested is for the Management, Business, and Information Services Division. That group includes information technology (IT) personnel, editors, Web personnel, financial managers, and others. As CBO has expanded its analytic staff in the past couple of years, the agency has added some staff in those support functions as well. The additional position would provide administrative support to enable senior members of the staff to focus more effectively on their core responsibilities.

#### SOME DETAILS OF CBO'S FISCAL YEAR 2011 BUDGET REQUEST

In fiscal year 2011, CBO will continue to focus on its core functions of providing budgetary information to the Congress, including budget and economic outlook reports, cost estimates, mandate statements, and scorekeeping reports. CBO expects to continue its work on healthcare, government interventions in financial markets, and climate change—providing major policy studies on those topics and others—and to further improve its long-term analyses of legislative proposals for healthcare and Social Security through the continued development of budgetary and economic models.

CBO's request would fund the following:

- A workload of roughly 600 formal cost estimates (most of which include both estimates of Federal costs of legislation and assessments of the cost of mandates included in the legislation that would affect state and local governments, Indian tribes, or the private sector) and hundreds of informal estimates, approximately 100 analytical reports, a variety of other products, and a substantial schedule of Congressional testimony;
- A projected 7.3 percent, or \$2.2 million, increase in base pay, of which \$0.5 million would support the four new FTEs and \$1.7 million would support a combination of across-the-board increases, promotions, performance bonuses, and merit increases for current staff (the across-the-board increase is budgeted at 1.6 percent for staff earning a salary less than \$100,000, which is consistent with the pay adjustment requested by most other legislative branch agencies);
- A projected 4.8 percent, or \$0.5 million, increase in the cost of benefits, of which \$0.2 million would go toward the four new FTEs and \$0.3 million would go toward current staff;
- The replacement of obsolete office equipment, desktop computers, and network servers, at \$0.6 million—a decrease of \$0.7 million, based on CBO's current replacement cycle;
- The acquisition of commercial data necessary for CBO analyses and studies, at \$0.6 million—an increase of \$0.5 million over the 2010 funding level (partially due to the fact that a portion of the agency's current needs in this area are being met through the 2-year supplemental appropriation provided in fiscal year 2009);
- IT system development, at \$0.3 million—the same amount as in fiscal year 2010, based on anticipated requirements;
- Essential software purchases, at \$0.3 million—about the same sum as in fiscal year 2010, based on anticipated requirements;
- Telecommunications and telephone services, at \$0.3 million—an increase of roughly \$50,000 to support expanded requirements;
- Equipment maintenance, at \$0.3 million—a little above the fiscal year 2010 funding, based on current contracting data;
- Temporary IT and clerical support, at \$0.2 million—the same amount as in fiscal year 2010;
- Expert consulting, at \$0.3 million—about the same funding as in fiscal year 2010;
- Purchases of office supplies and subscriptions, at \$0.6 million—an increase of roughly \$70,000, primarily attributable to an increase in costs for online subscriptions;
- Financial management services, including support for auditing, payroll, and financial systems, at \$0.4 million—a small increase from 2010, primarily because of anticipated price hikes when renewing option-year contracts (I am pleased to report that CBO received its sixth consecutive clean opinion in the latest audit of its financial statements);
- Office furniture and equipment, at \$0.3 million—a slight decrease from the fiscal year 2010 funding;
- Travel, at \$0.2 million—the same level as fiscal year 2010; and
- Management and professional training, at \$0.2 million—roughly the same sum as in fiscal year 2010.

Because CBO withdrew from the Federal Accounting Standards Advisory Board in fiscal year 2010, CBO's request incorporates a savings of \$0.5 million in support previously provided to that body.

One further consideration in this request for funding for four additional FTEs is the capacity of CBO's assigned space in the Ford House Office Building. CBO currently has only a handful of unused offices, which must accommodate temporary workers (like contractors, auditors, and interns). During the past few years, CBO has created a number of additional offices by reconfiguring underutilized space, and the agency is currently undertaking further modifications in its configuration and utilization of space. As a result, a sufficient number of new workspaces can be created for all of the FTEs that CBO is requesting in this budget.

In closing, I would like to thank the Committee for the support it has provided CBO, enabling the agency to carry out its responsibilities to provide information and analysis to the Congress as it grapples with the critical issues facing the nation.

#### FACILITIES REPAIRS

Senator NELSON. Let me start with Mr. Tapella. Your request for revolving funds totals \$25.7 million and includes everything from workforce retraining to building repairs. Are any of these items a matter of life and health and fire safety priorities that can't be put forward into another year?

Mr. TAPELLA. I would say—

Senator NELSON. Like the elevators in the past, yes.

Mr. TAPELLA. What I would say is the continued elevator repair is a life and safety issue. GPO has 33 elevators, 31 in current operation. Several of them we have shut down over the years. We just reopened the first two from funding two cycles ago, and it is a serious issue.

We manufacture on multiple levels. So the freight elevators moving congressional work up and down are important. And also, as we experienced this year, when we have an emergency situation, for example a medical emergency, being able to get personnel in and out of the building in a timely fashion is absolutely critical.

And so I would put, in terms of the building projects, the elevator repair as our highest priority.

#### INCREASING REVENUES

Senator NELSON. In terms of increasing revenues, what actions have you taken that would result in increasing revenues? In other words, getting paid for certain publications in the past that have perhaps been free or subsidized as to their costs, what actions have you been taking?

Mr. TAPELLA. Our greatest area for revenue generation has been in our security and intelligent document business, which is where we produce the United States passports. We also produce the trusted traveler cards for Customs and Border Protection. We have made some significant investments in infrastructure and equipment for so-called "smart cards", and among other things, we produced the credential used by law enforcement officials for the 2009 inauguration. We are working right now with the Department of State to produce credentials for diplomats.

We are working to try to get into the HSPD-12 business, which is the identification cards for Federal Government employees, and I see that as our greatest growth business. In fact, a small piece of it, we have also produced a credential for inspectors general in Government.

I believe that credentials are something that are inherently governmental and belong in a Government-owned, Government-operated secure facility, and that is where we have been focusing. And we have been seeing great results.

#### GAO'S REQUESTED FTE INCREASE

Senator NELSON. Okay. Mr. Dodaro, can you explain why the fiscal year 2011 request includes 49 additional FTEs to maintain current staffing levels? I am not sure I understand why additional FTEs are necessary to maintain current staffing levels.

Mr. DODARO. My understanding is that we are requesting enough to keep our existing staffing onboard for our base request. We are not asking for additional support. Let me just clarify that with my team to make sure I give you the proper answer.

Senator NELSON. Okay. Sure.

Mr. DODARO. The 49 FTEs are needed to annualize the hiring and attrition that will occur throughout the year. It is just for the people that we project to have onboard in fiscal year 2010, to annualize their time through next year. It is not needed for additional people, Senator.

Senator NELSON. So it is not a net increase of FTEs. It is what it takes to replace as you have turnover, and is that it?

Mr. DODARO. Yes. We have had a little less turnover than we had in the past this year due to the economy and the other issues, as I am sure you are aware of. But that is just to annualize those people that we will have onboard.

Senator NELSON. Okay. So the attrition rate has declined as a result of the economy, and—

Mr. DODARO. Yes. And we have adjusted our hiring accordingly.

#### GAO'S INVOLVEMENT WITH ADMINISTRATIVE ISSUES FACING THE CAPITOL POLICE

Senator NELSON. Sure. Okay. And let me say that we appreciate your work for the subcommittee and helping us with your sister legislative branch agencies. For example, I know you have done extensive work on the challenges facing the Capitol Police, particularly in identifying weakness in the Capitol Police's financial management operations.

What would you say from your standpoint is the biggest challenge facing the Capitol Police at the present time, and particularly in terms of the accounting issue that they have had?

Mr. DODARO. We are looking at that issue a little more carefully to identify exactly what the root causes of the problems are. There are budget formulation issues that we have identified in terms of how they prepare the budget, but there are also questions about how they execute and keep track of the budget and issues that have been raised by their financial auditors in the past.

We are working with their inspector general very carefully. We are also going to be meeting with their financial auditors. We discussed this with the House Appropriations Committee, and I agreed that we would look at this and try to advise the Congress on exactly what to do.

I am confident that over the next couple of months, we can figure out exactly what the root causes of the problems are. They will

need to have the issues documented so they can get the proper procedures and controls in place. They also will need the proper people to execute those controls to make sure there aren't breakdowns again as they have had over this past year.

I am committed to helping the police and you make sure that these issues are addressed.

Senator NELSON. So you would conclude that it is essentially an accounting and process and procedures challenge that they face, rather than something that would be criminal activity?

Mr. DODARO. I am not aware of anything right now that would fall in that category. I mean, some of our early findings were that they had misclassified some things as benefits instead of salaries, and because of that, you didn't have the compounding of the salaries plus the benefits. And that accounted for some of it.

But we are going to be looking more carefully at it, and if there are issues like that, obviously, we would pursue them with the inspector general over there. But so far, there is no indication of that type of activity.

Senator NELSON. Thank you.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

And I will just be a little bit sarcastic here, but I think that we could have avoided some of these budget increases had we not been dealing with healthcare reform. Because you look at it, Mr. Tapella would not have had to be printing multi-thousand pages bills. Dr. Elmendorf would not have to be staying up every single night, 7 days a week, analyzing this. And Mr. Dodaro would not be having to do the auditing. So I can help you with how we deal with the budget increases.

Senator NELSON. Well, we learn from the past.

Senator MURKOWSKI. Yes, we do. Well, I think it was you, Mr. Dodaro, that said that you anticipate that you will have more on your plate in terms of the assessments, the analysis, whether it is ongoing with healthcare or what may come ahead with financial regulatory reform. I think, again, that is why we recognize the importance of all that they do within their respective offices.

#### RECOVERY ACT OVERSIGHT

Mr. Dodaro, let me ask you about the ARRA dollars that you received, recognizing that you got the \$25 million to help offset this additional workload. Did I hear you correctly that that either has all been obligated or will be obligated by the end of this fiscal year? Is that correct?

Mr. DODARO. That is correct. So far, we have obligated about \$14 million of the \$25 million, and we expect to use the rest of the money throughout the year. We have also used some of our base appropriation.

Senator MURKOWSKI. Right.

Mr. DODARO. But, yes, that money expires, and we will have used it all.

Senator MURKOWSKI. So then with the \$21.6 million that you are now requesting, do you believe that this is going to be sufficient to carry you through 2014, or do you see that there is going to be a need for an additional request to help you bridge that?

Mr. DODARO. Yes. The money we requested this year was for the 2011 budget cycle. We will probably need some additional bridge money later, given the fact that there is going to be money spent beyond fiscal year 2011. But we will have to see in terms of the spend-out rates.

The estimates from CBO, which have been fairly reliable so far, are that the outlays for 2011 would be about \$63 billion additional, and then from 2012 through 2019, another \$60 billion. I think most of that will occur in 2012.

Senator MURKOWSKI. Let me ask you then——

Mr. DODARO. Yes.

Senator MURKOWSKI [continuing]. Because it speaks to an issue that Dr. Elmendorf is dealing with in CBO. You want to make sure that these not necessarily one-time, but short-term dollars that you had received through ARRA are not going to be a permanent part of your base funding and your FTE level.

So how can we ensure that that is not the direction that we are going? Because essentially, here you have got a couple of years going forward now with these increased levels. Does that then not become your base?

Mr. DODARO. We are not intending for that to happen, Senator. From the very beginning, what we have done is we have brought back some reemployed annuitants. We have had term appointments. So we have, from the beginning, structured it so that most of the people who we are bringing back to work on this are temporary people who will go away as the work goes away over time.

That is why we segregated it in our budget submission. We wanted to be very transparent. We are not intending this as a backdoor way to increase the base for our appropriation.

#### GAO'S OVERSEAS PRESENCE

Senator MURKOWSKI. Okay. Let me ask about the engagement support costs. I understand that you are working with the State Department to establish these field presences in Afghanistan, Iraq, and Pakistan. Will these be permanent presences in these countries then? And if so, what is that arrangement, and are you getting any contribution from the State Department with these particular engagement supports?

Mr. DODARO. They are not intended to be permanent. They will only be there during the buildup in Afghanistan, and the draw-down in Iraq. We have had three people on 6-month rotational assignments in Baghdad now for about a year or so. We are getting security support, obviously, from State Department and the Department of Defense (DOD). They have been very cooperative. We don't get any financial support.

Senator MURKOWSKI. But any money?

Mr. DODARO. No.

Senator MURKOWSKI. Should we, in your opinion?

Mr. DODARO. Well, it is really a policy issue. The Congress granted us authority to be reimbursed for our oversight of the TARP program. We have to be careful that we don't go too far in receiving financial support from agencies we audit, rather than funding from the Congress. This could compromise our independence.

But in extraordinary circumstances we have received additional financial support. For example, now that aid will be going to Haiti. I am sure we will be asked to audit that assistance over the next few years. In the past, when we were auditing the recovery from Hurricane Mitch in Central America, we were given travel money separately in an appropriation from the State, Foreign Operations Appropriations Subcommittee.

So sometimes we are given these special appropriations. I certainly would welcome your support in this regard because it is really intended to just provide a base. A lot of our travel is done because we need to go where the money is being spent, and we have had teams going back and forth to Iraq and Afghanistan for a while now.

Senator MURKOWSKI. Do you have any permanent presence in any of these countries where you are involved?

Mr. DODARO. No. Many years ago, we had offices in Frankfurt, and we based out of there. We also had an office in Honolulu to do the travel in Asia. But we don't anymore. We have consolidated, so we only have domestic locations.

Senator MURKOWSKI. Thank you.

Thank you, Mr. Chairman.

Senator NELSON. Senator Pryor.

Senator PRYOR. Thank you, Mr. Chairman.

I want to thank all of you for all of your help last year because healthcare was a very, very tough strain on all the resources around here. So I want to thank all of you.

And I know, Dr. Elmendorf, you were in the bull's eye for quite a bit of that process. So I just appreciate what everybody has done and everybody's team did to get us through that.

#### COMPUTERS

Let me ask you, Dr. Elmendorf, if I can, about your computers. I don't know how accurate this is. But either on this subcommittee or just in conversations in the past, we have talked about maybe you have a computer system that maybe takes longer to do some of the calculations, and I know you do a lot of complex modeling and all that kind of thing.

But tell me about your IT needs right now. Are you in good shape, or do you need to modernize what you have?

Dr. ELMENDORF. Senator, I think at this point, we are actually in good shape. We did buy faster computers last summer.

Senator PRYOR. And did that make a difference?

Dr. ELMENDORF. And that made a real difference. These very complicated proposals, we often would set a computer running overnight, and if we set it up—the program up wrong, we could not discover until the next day. And we shortened the time required for some of those estimates for a computer run very dramatically. So it made a real difference in what we did.

We also, in the request that you approved for us beyond the supplemental, just the regular appropriations enabled us to catch up on what had been a large amount of deferred IT work. So we have replaced the entire network that we have, which had not been done for a number of years. And we have replaced a number of the machines on people's desktops.

So, at this point, we think we are doing pretty well. And in fact, our request for IT support is coming near, for purchases of equipment is below what we are spending in fiscal year 2010.

Senator PRYOR. When you have technology improvements like you have had, does that help you in terms of your man-hours needed to do the various tasks that you are asked to do?

Dr. ELMENDORF. It doesn't—not really. It is not really a substitute for our staff. It is a complement. It is a tool that they use. Ninety percent of the CBO budget is staff. We luckily don't have some of the problems of the physical plant that the Government Printing Office does. Ninety percent of our budget is for staff, about 6 percent for IT, and 4 percent for everything else.

So the computers don't really—that is what the people need to work with. I mean, it is better to have them working, not sitting, waiting for a program to finish. But the programs still sometimes finish in the middle of the night, and we have people get up and pass results on to somebody else in the middle of the night.

#### WORKLOAD

Senator PRYOR. Do you—I know last year, the last couple of years with healthcare reform have just been extraordinary in terms of your workload. Do you think you will go back down to kind of a pre-2009 workload, or do you think the Congress will continue to do complicated pieces of legislation, and they will continue to need more and more of your expertise and time?

Dr. ELMENDORF. I think it is unlikely that we will face a year again like this past year, and I can only express my gratitude for that.

But, of course, once a program is in place, the Congress rarely leaves it alone. The passage of Medicare and Medicaid many years ago did not—CBO didn't exist at the time, but of course, much work has been done after that on those programs.

The passage of the Children's Health Insurance Program (CHIP) did not end our work analyzing CHIP proposals. We hired people who became experts in that program, and we analyze a vast number of proposed changes to it. So this large new program that has been put in place will require us to do ongoing work in our baseline projections and also in analysis of proposed changes to it and some changes one might think of as additions and some changes that are being proposed in the public sphere at least at this point are taking away some of what is there.

What exactly will happen, I don't—what will come to us in legislative terms, I don't know. But I expect a significant amount of ongoing work. In addition, for all of the health changes in that legislation, projected Federal health spending is very high and growing very rapidly, and the Federal budget deficit is large and projected to be large. The debt projected to grow rapidly, and the growth in Government health spending and the growth in the Federal debt are related phenomena, of course.

So I expect even beyond analysis related to this legislation that was enacted to have a lot of congressional interest and a lot of work on our part in pursuing further changes that might be made in the Government's budgetary commitment to healthcare.

## FOREIGN NATIONAL HIRING

Senator PRYOR. Mr. Chairman, I had one last question for Dr. Elmendorf, if I could? And that is a little different track here. But in section 704 of the 2010 omnibus appropriations bill, there is a restriction on the hiring of foreign nationals. Can you tell me why that is detrimental to your agency?

Dr. ELMENDORF. About two-thirds of people getting Ph.D.s in economics in the United States today are foreign nationals. About 40 percent of CBO staff are economists, people with Ph.D.s in economics.

Now, in a number of fields in economics, there are most of the job candidates, people we look to hire, are U.S. citizens. But there are some particular fields where the proportion of foreign nationals is especially high. And if you look at the CBO staff today, a good share of the people we have working on finance and in some areas of macroeconomics, especially when we try to model the effects of growing Federal debt on the economy and alternative policies for addressing that growing debt, a lot of the people we have now are foreign nationals.

Now this legislation grandfathers existing employees. So it doesn't affect them. But as we try to hire people to work in those areas, not being able to hire foreign nationals significantly restricts the pool of people we can look to and hampers our ability to hire the very best available people.

And before this change was made, we, and other parts of the Government, were able to hire foreign nationals not from every country, but from a significant set of countries, essentially those with whom the United States has a defense agreement. So there were certain limitations, but the pool was large enough that we could do the hiring we thought we needed. And this restriction really does hamper our ability to maintain the highest-quality staff in some of those very critical areas for us.

Senator PRYOR. Thank you.

Dr. ELMENDORF. Thank you, Senator.

Senator NELSON. Thank you, Senator Pryor.

## SHIFT RESOURCES

Dr. Elmendorf, in addition to hiring or besides hiring additional FTEs and the faster computers, has there been any other—have there been other efforts to try to shift internally resources within your agency where you get better results with lower costs?

Dr. ELMENDORF. So, Senator, we work very hard to try to move resources to where the greatest need is and not to just stay stuck in existing patterns of spending or resource allocation. And in fact, over the past few years, more of the existing slots for staff at CBO have moved in the health direction, anticipating demands in that area.

I think our ability to do that, though, is limited by the demands of Congress in other areas. Over the past—during this congressional session, the past year and a quarter, we released more than 600 formal cost estimates, which only a few are actually in health. Much of the work that we did was informal developmental work. So most of that, those estimates are in other areas.

With the Government's increasing involvement in the financial sector, we have, over the past few years, devoted additional resources so we can provide you with appropriately high-quality estimates of the effects of TARP, of the effects of the Government's conservatorship of Fannie Mae and Freddie Mac, of the greater demands on the Federal Deposit Insurance Corporation (FDIC), the Federal Reserve, other aspects in which the Government is engaged in the financial system.

Congress is considering very important changes in climate and energy policy. We have a large group of people who have been devoted to analyzing various different approaches that have been proposed. They are dealing with a set of energy problems and climate problems. And we are being asked to do increasingly sophisticated analysis of the effects of those sorts of proposals in terms of their effect on overall economic output, the effect on the well-being of households in different parts of the country, different income levels, and different years.

So we feel that we are pressed on a whole range of fronts, on national security work that we do. I promise you, Senator, there is nobody at CBO who is just sitting and waiting for something to come across their desks. We take very seriously the stewardship of the resources that you provided to us.

#### GAO HIRING FOR RECOVERY ACT OVERSIGHT

Senator NELSON. Mr. Dodaro, how many people have you hired using the stimulus funding, the special additional funding to deal with the ARRA expenditures?

Mr. DODARO. We have hired about 70 people as term employees and reemployed annuitants. We have tried to hire people who are living in some of the States that we are auditing in order to reduce our expenditures even further, and make the money go further.

We then increased our normal hiring by about 70 people with the belief, and we still believe this, that we will be able to absorb them through normal attrition over time. We also used some additional people within GAO because we had to get started right away. As soon as the act was passed our first report was due 2 months after the law was passed, and so, we redeployed some of our people. So collectively there is the equivalent of 144 FTEs that were charged to this account, but the number of people that we hired was about 70.

Senator NELSON. In recognizing that after these initial 2 years, the actual amount of money that will be going out is reduced significantly, as you point out. It is still a significant amount of money, but as a percentage, it drops. What would you estimate your hiring needs or your staffing needs for, let us say in terms of numbers of people, FTEs, in fiscal year 2011 and fiscal year 2012?

Mr. DODARO. We have proposed 144 FTEs during that period of time. I think that would be the appropriate level for fiscal years 2011 and 2012. After that, I think we can clearly phase down because there will be fewer programs at that point in time, and the money is spread out over a number of years.

What I am concerned about, Senator, is the fact that States are under a lot of fiscal stress at this point, and we have seen them cut back in the management of the programs and also their audit-

ing capacities over a period of time. For instance, the weatherization program is almost quadrupling the amount of money that would be spent there. There are new programs that are getting started. We have urged the OMB to use their power to require better audits of money through the single audit approach that is used over Federal programs.

But I am just concerned that a lot more money is flowing directly to the localities. And so, the States need to have the ability to track these funds. We have made a lot of recommendations to the Federal agencies that they monitor the use of the money at sub-recipients and sub-award levels. And so, I think the risk is there.

States, as well as the Federal departments and agencies, are going to remain under fiscal stress collectively for the next couple of years. I think that attention needs to be paid to this money to make sure it really achieves the desired effect and is used appropriately. And so, I take that responsibility very seriously, and that is why we are asking for these resources and help.

#### STATES' ABILITY TO MANAGE RECOVERY ACT FUNDS

Senator NELSON. And I would agree with you on that as well. Have you had or found many instances where the State thus far wasn't managing or supervising the delivery of the funds and programs that were under their control?

Mr. DODARO. I have been pleased early on that they have taken it seriously and responsively. But a lot of the monies in the early years are being delivered through existing programs such as the Medicaid program. They have rules and procedures in place. The highway programs have well-established procedures. And so, in the first couple of years, given the fact that the money is going through existing programs, it hasn't proven to be yet as stressful as it will be in the coming years.

Now, that being said, when we find occasions where things are going to ineligible recipients or there are ways the States could tighten up their programs, we are giving them suggestions. We also created a special hotline where any citizen can call in with complaints or allegations of fraud. We are currently following up on about a dozen of those examples. We have referred many others to the inspectors general.

We are looking at contracts both at the Federal level and at the State level. We are looking at whether or not the reporting coming back is accurate. I mean, this is a huge, decentralized set of programs and activities throughout the country. And so, I think our presence there also has had a deterrent effect to some extent because the States know that we are there.

We picked 16 States and the District of Columbia. They are going to receive two-thirds of the amount of money, and we announced to them we were going to be there for 2 or 3 years while the money was being spent. So they know we are there, and we have got good cooperation. I am pleased with that. But we need to keep a wary eye on the expenditures, and that is what you fund us to do.

Senator NELSON. I appreciate that.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

## FLAT BUDGET

Dr. Elmendorf, I would like to go back to you. Your increase here is primarily for salaries and benefits. Six-point-five percent of it is for that. The balance then is for other nonpay-related expenses and information technology that we have talked about here.

The question is if we were to move toward a flat budget from last year, how do you do that? Because you clearly need the employees. You have already trimmed the funding level for the nonpay and related expenses. Tell me what your operations look like if we go flat funding.

Dr. ELMENDORF. So can I ask back first, flat relative to just the regular appropriations or flat—

Senator MURKOWSKI. Well, that was how you started at your opening statement.

Dr. ELMENDORF. It makes, as you know, it makes a significant difference.

Senator MURKOWSKI. Sure, it does.

Dr. ELMENDORF. If you fund us at our regular, the same level as the regular appropriations from last year, then we would reduce staff. We have hired people using some of the supplemental money, and we would not, I think, have to lay them off. There is attrition at CBO. But we would end up reducing, taking those slots back, and we would go back to a level that was below the level we have today.

And we would set priorities in our work, and we do that now. Of course, in the health reform process for all of the work, I had an awful lot of angry phone calls from your colleagues asking why we couldn't do their—analyze their proposal, and they were right to be unhappy about that. And I kept telling them we were doing the best that we could.

So it is always a matter of prioritizing, but the constraints, of course, get much tighter if we end up going backward in the number of people that we have.

Senator MURKOWSKI. So would you lose four? Is that what you would anticipate? Because that is what you are asking for in this—

Dr. ELMENDORF. So I think we have hired five. I think we have hired five people. I think that supplemental, with the part of supplemental devoted to personnel amounted to five additional FTEs. So we would go backward by five FTEs from where we are now. That would be nine FTEs below where we would be if you funded our full request.

Senator MURKOWSKI. I see. Okay, I understand that. Thank you.

## REVOLVING FUND PRIORITIES

The chairman asked you, Mr. Tapella, about the revolving fund and if there were any projects on here that are life/safety, and you discussed a little bit about the elevator. Recognizing that this funding request represents over 100 percent increase over the fiscal year 2010 enacted level, you have got 17 projects. Some I am assuming are ongoing, some perhaps are new.

If you were held to the fiscal year 2010 level of \$12.8 million for the revolving fund, how do you prioritize this list of projects? Be-

cause you kind of got off easy on the last one, talking about the elevator.

And I am sure that we have got to have those elevators working to move those documents up and down. But how would you make this a prioritization?

Mr. TAPELLA. I would look at our total budget request and not look at the individual ones the way that we have them segregated into the three accounts.

And so, looking at that, I would request full funding for congressional printing and binding. For salaries and expenses of the Superintendent of Documents, I would request full funding less the \$26,000 adjustment because we used the original rate of 1.6 percent for the mandatory pay increases, and the President announced 1.4 percent. That is roughly \$26,000 that we could reduce. And if we can, with your permission, move forward the prior year funds of \$1.5 million, we basically request a reduction of \$1.526 million from the S&E appropriation.

When we go to the revolving fund, flat funding would provide \$8.127 million. With that, as I look at our priorities, I would request roughly \$5.127 million for FDsys development, \$1 million for our advanced printing technology initiative, \$1 million for COOP, and \$1 million for the continued repairs of elevators because that is a life and safety issue.

#### NEW VERSUS CONTINUING PROJECTS

Senator MURKOWSKI. Are there any new projects that are on this list? And I really appreciate what you have just run down there because you were really able to give some definition there. Are most of these ongoing, or do you have some new that we can look to at a later point in time?

Mr. TAPELLA. When you look at the Government Printing Office's appropriation for fiscal year 2010, at \$147 million, that represents roughly 12 percent of our gross revenue. The remainder we receive from the executive and judicial branches as reimbursement for the products and services we provide to them, as well as the general public through GPO's publications sales.

When we fund initiatives, typically the revolving fund is paying for a portion of it, if it is a congressional appropriation, and then the remainder coming out of our retained earnings. Last year our retained earnings were \$1.234 million, very, very slim. The prior year, it was in the \$30 million range, which means that our ability to self-generate investment capital has gone down considerably.

For the Federal Digital System, to date, roughly two-thirds of the spending has come from appropriations, primarily from unspent appropriations that were moved forward from previous years. The remainder came out of our revolving fund from retained earnings from all of GPO's operations.

The advanced printing technology assessment is new. However, GPO has always had continuous improvement in our technologies, whether we funded them from the revolving fund or asked for direct appropriations. And so, while that is a new initiative, I think it is absolutely critical if we want to continue driving the costs out of our congressional printing budget moving forward.

Up to this point, GPO has funded COOP through our revolving fund. We have significantly stepped up our COOP efforts. This past year has been a very rough year for GPO. We have had three fires, which we had to deal with, and we had a power outage in our data center, which threw off production by nearly a full day.

And that affected Congress. It particularly affected the House of Representatives because we were many, many hours late with the Congressional Record. And so, when you ask the question about new versus old, I don't think it works the same way as it does when Congress completely funds an initiative fully with appropriations.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Senator NELSON. Senator Pryor.

Senator PRYOR. Thank you, Mr. Chairman.

#### ENVIRONMENTAL SUSTAINABILITY

I would like to start with you, Mr. Tapella, about the GPO and a little bit on the money, but also just on your policy. And I am curious about what your agency is doing to support environmental sustainability? Because it seems to me that you have a lot of opportunities there with the volume of paper that you are using, the types of ink, the energy required to do all the printing, the recycling.

The fact that a lot of this is available online now, and you may not have to print as many copies, like you did in the old days. Your vehicles, building modifications, you have an old building. I mean, do we need to talk about the HVAC system there? Do we need to do like an energy contract there to try to save some money through that?

So could you give us just a few minutes on what you have got going on your environmental sustainability side?

Mr. TAPELLA. Thank you for the question, Senator Pryor.

Sustainable environmental stewardship has been one of my top priorities since becoming Public Printer in October 2007. And this past year, GPO made history by working with the Clerk of the House and the Secretary of the Senate, as well as the Speaker and Majority Leader, to increase the amount of recycled fiber in the newsprint used to produce the Congressional Record to 100 percent. And that was significant.

We are also now working on looking for more sustainable copier papers, seeing what we can have available. When it comes to Congress and the letterhead we can make available for Congress to use, it can be 100 percent recycled. It is a combination of rag, plus pulp, and that is new this coming year.

When we look at, for example, other items—

Senator PRYOR. I don't want to interrupt you on that, but—

Mr. TAPELLA. Yes?

Senator PRYOR [continuing]. As you are going through this, give us a sense of—I know all that is good for the environment, but does that also save money to do that, or is it more expensive to do that? Or give us a sense of how that works, too.

Mr. TAPELLA. Okay. When it comes to the Congressional Record, we were able to negotiate the exact same price for the paper that

had been 40 percent recycled for what is now 100 percent recycled newsprint. So that does not cost Congress any more.

When it comes to the one-star, I think it went up just marginally, but not much. I would call it a relatively insignificant amount.

#### SUSTAINABILITY ACHIEVEMENTS

Some of the areas where we are seeing significant success is in the area of recycling. GPO has been recycling since 1861, when we opened our doors for business.

When we look at diverting waste that would ordinarily go to the landfill, back in fiscal year 2008, my first full year as Public Printer, we were able to divert roughly 65 percent of the waste from GPO from going to the landfill. This past year, we were able to divert 87.5 percent of the waste leaving GPO, right down to the desks. Old wood desks are now ending up in Maryland and are being converted to mulch.

We have seen a reduction in volatile organic compounds, and that has to do with some changes we have made in the solvents we are using on our presses. We have removed all of our underground storage tanks, and we had fuel under there as well as solvent, and those have been removed.

The Environmental Protection Agency has lowered GPO status from being a large quantity producer of hazardous waste to a small quantity producer of hazardous waste. In fact, even though we are a 1.5 million square foot factory, probably the 13th largest printing house in the world, we are producing less hazardous waste than the typical mom-and-pop shop on the corner. And I am very, very pleased about that.

I want to thank the subcommittee for some of the funding for our new roof. We have replaced the majority of the roof on GPO, all of the flat portions of the roof. It doesn't cover elevators and a few appendages to GPO, but roughly 100,000 square feet are new, and that is a new biomass roof that is white. It is reflective.

It will not only have twice the life expectancy of a standard roof, but it also will reduce our energy consumption. And so, those are some of our sustainability achievements.

We have over 40 vehicles in our fleet, which includes trucks, vans, and cars. Thanks to funding provided to the General Services Administration, we were able to replace 21 of our vehicles. Eighteen of them are Flex Fuel E-85, and 2 of them are hybrid. These are what we use to make deliveries to and from the Hill.

That was at no cost to us. It was funded through the Reinvestment Act, and I am sorry I can't get the name correct. But we were able to take advantage of that.

Senator PRYOR. So it sounds like a lot of that will save the taxpayers money, if not in the first year, but in the out-years you will save?

Mr. TAPPELLA. Absolutely. I have appointed an executive to be in charge of sustainable environmental stewardship at GPO, and everything we are doing we are looking at the return on investment. We are typically looking for a less than 5-year return on investment in any investment we make when it comes to sustainability.

With the Federal Digital System, when we bought the servers for it, instead of the standard 80-watt processor servers, we used 50-

watt processor servers to significantly reduce energy consumption without losing any of its capacity.

Senator PRYOR. All right. Good.

Well, I am glad I asked that question then because you have a lot going on there, and it is good for us to be aware of that.

#### GAO'S DIVERSITY PLAN

Mr. Dodaro, I do have a question for you about diversity there in your office, in your agency. And I guess I would like to ask all three if you have a diversity plan, but specifically for you, I would like to know how your efforts at diversity are going?

Mr. DODARO. We are very committed to diversity at the GAO. Right now, 30 percent of our workforce are minorities. Women in our workforce are approaching 60 percent of the workforce. We have produced a diversity plan over the last 2 years which has goals that we set for ourselves in terms of focusing in on additional training.

Right now, most of the workforce at the GAO either equals or exceeds the relevant labor force numbers in those areas. We need to increase the number of Hispanics that we have in the organization, particularly in the administrative areas, but also throughout the rest of the organization. We are focused on that. We are focused on people with disabilities as well. We just entered into an agreement with the Library of Congress to use some of their facilities for testing out devices to help people who are disabled to go forward. I am personally committed to it. I am very committed to it. I think the effort is going well.

We created a diversity advisory council at GAO that has representatives from all the different employee groups. We are working very well with our union on collective bargaining agreements. We have an employee advisory council for people who aren't in the bargaining unit within GAO. We are making headway.

We have hired trainers and have developed diversity training programs that will become an integral part of our training curriculum at the GAO. I think it is very important for us to be reflective of the society of the American people, and their elected representatives and so I think we are doing well. But like everything else, you have got to keep working at it, and we intend to do so.

Senator PRYOR. And are you seeing your management workforce becoming more diverse as well?

Mr. DODARO. Oh, definitely.

Senator PRYOR. Now I would like to hear from the other two as well, but since I have way exceeded my time, maybe we could just submit those for our review. But I would like to see that.

Thank you.

Dr. ELMENDORF. Yes, Senator, we will do that.

Senator NELSON. Thank you, Senator Pryor.

#### GAO LABOR RELATIONS AND PAY

Mr. Dodaro, I understand that the GAO and the union recently reached an agreement on fiscal year 2010 performance-based pay increases. How will this agreement affect the performance-based pay increases already awarded to, let us say, the non-union workforce within the agency?

Mr. DODARO. We have a commitment that everybody is treated equally. So we are going to adjust the pay increases of the people in the nonbargaining unit to be the same as the people in the bargaining unit. It is important to be equitable, to be fair to all our employees, and we are committed to that.

Senator NELSON. What impact will that have on your budget?

Mr. DODARO. According to the agreement, some of the costs, such as permanent pay increases will roll forward to the budget for fiscal year 2011. And a lot will depend on what the Congress and the President agree for the across-the-board increase for fiscal year 2011. Part of the issue is not only what we carry forward, it is what we are going to be obligated to give by law next year in the 2011 budget.

So a very important principal that we had in the union negotiations was to not carry forward more cost than need be to get an agreement, and we achieved that goal.

Senator NELSON. And as you say, that will apply equally to those who are outside the union, as well as those in the union?

Mr. DODARO. Yes.

Senator NELSON. And will depend on what the budget of 2011 truly applies to?

Mr. DODARO. Yes. In terms of what the pay increase will be for next year. In our budget submission we are assuming a 1.4 percent across-the-board increase and then some other incremental increase for performance on top of that. But the across-the-board figure will be determined by the Congress and the President, and that was what was assumed in the budget.

For next year we have got to pay 9 months of the cost of the across-the-board increase. And by law, we have to give the same across-the-board increase to our employees as is set for the executive branch, which will be a compounding factor. That is why in terms of your questions about a flat budget for next year, a lot of that would have to be absorbed in addition to carrying the costs forward from employees.

In an organization like ours where 80 percent of our costs are people costs, a flat budget would have an impact in terms of hiring. We would have to scale back our hiring dramatically. We would have to release all of our temporary employees and even consider some furlough days next year if we were flat-lined.

#### GPO'S PERFORMANCE SYSTEM

Senator NELSON. Mr. Tapella, how would it affect you? I mean, I don't know that you have the same union issue, but do you have any performance-based plans in place that you have to account for as well?

Mr. TAPELLA. We do have performance plans in place. Do I understand the question correctly in terms of the flat-lining of the budget?

Senator NELSON. Yes.

Mr. TAPELLA. The only program that is funded directly with appropriations is our salaries and expenses appropriation of the Superintendent of Documents. We have a few vacancies there. So any reduction we would basically have to flat-line and not allow hires in that area.

The rest of GPO is covered under the revolving fund. So we can manage it appropriately.

Senator NELSON. Dr. Elmendorf.

#### PAY INCREASE

Dr. ELMENDORF. Senator, CBO employees who are paid less than \$100,000 a year receive an across-the-board increase and potentially also merit-based increases. Employees above that level receive only merit-based increases. We believe very strongly in rewarding the performance of the top performers the most. And people who are not—luckily, at CBO, we have a terrific group of people. But people who, for some reason or other, do not perform don't receive increases.

I think it is vitally important for us to continue to reward the people who are putting their hearts into this work. When we are hiring people, we are competing, of course, with other potential employers. We try very hard to keep CBO as a desirable place to work. I think we, in fact, won an award for being the third best small agency to work for, and the work is very exciting and important.

But at some point, people do take account of what they are getting paid. The starting salaries for new Ph.D.s in economics—again, Ph.D.s in economics represent about 40 percent of our workforce. The starting salaries on average in the country for that group has increased 5.7 percent per year for the last 4 years. Our salaries have not increased at that rate.

So we are losing ground as it stands, and we lose people to other—to the private sector or to universities. We just lost a terrific person to the IMF, International Monetary Fund, where she is being paid a substantially higher salary. So I think we could not maintain the quality of our work without maintaining the quality of our people, and that requires not falling too far behind too quickly what they can get paid other places.

Senator NELSON. Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

I think that is an important consideration for us. And it is difficult at a time when we are trying to crank in on the budget and expenditures. But I think we realize that we are asking an awful lot from these professionals, and you could probably work some better hours out in the private sector there and probably make comparable or well beyond.

So I think that is important for us, and I think that is one of the issues that we are seeing with the reality that we are facing or that we are hiring as many foreign nationals as we are. We can't keep our own here.

Mr. Tapella, I have one last question, and this is as it relates to the Federal Digital System, the FEDsys. I don't know what they call it, FEDsys or FDsys, just to understand a little bit more about what you are doing with this digital repository for all Federal documents.

With the \$6 million that is requested now, will this get this system up and running? Where are we in understanding what it is going to cost us to maintain on an annual basis? Do we have all the technology in place to capture all that we are looking to with

this system? Just give me an assessment of the readiness of this digital system.

#### FEDERAL DIGITAL SYSTEM

Mr. TAPELLA. I call it FDsys, other people call it FEDsys.

Senator MURKOWSKI. Okay.

Mr. TAPELLA. We launched it this past year. So it has been in operation now for more than 1 year. We are doing it in phases. We have release 1, release 2, and then we will have some future releases beyond that. And as much as my inspector general hates the idea of it, we actually don't believe that FDsys will ever be done.

When you have an electronic system that you are going to use as a system of record, you need to always keep it current and flush. As we look at technology, for example, who uses a floppy disk anymore? The same thing is true as we build the Federal Digital System. And we are building it with technology that can regularly be refreshed as technology changes.

The funding that we are looking at right now for this year will just about what we call "finish" the Federal Digital System. We will still need one more infusion after that. The total cost would be \$49 million we believe to "finish the system," which is release 1, release 2, and will allow us the ability to submit, as well as the output.

There are other things that we could be doing with the Federal Digital System, such as digitization, bringing in more content, and making certain that the search capabilities continue to improve. The Federal Digital System is replacing GPO Access, which was built in 1993. That was viewed as a closed system, and nobody thought about what would happen when you need to do technology refreshes. We have actually built that into our design map for the Federal Digital System.

Senator MURKOWSKI. So we have got the technologies now, but the technologies tomorrow may be changing is what you are saying. So we have got to stay on top and current with—

Mr. TAPELLA. Correct. We believe that we must stay on top and current as we move forward with the Federal Digital System. And it is one of the greatest concerns I know that is facing many in the library community, and obviously, one of our programs is the Federal Depository Library Program. We know today that a book will last 500 years if it is properly cared for. What happens to electronic systems?

And so, we have purposely built the system to make certain that it will never die. We have the responsibility under title 44 to make certain that the documents of our democracy are made widely available to the public and kept in perpetuity. That is the reason why I don't believe the system will ever "be done." However, we have designed it in such a way that we can, with each release, declare success.

Senator MURKOWSKI. Thank you, Mr. Chairman.

That is all the questions that I have.

#### ADDITIONAL COMMITTEE QUESTIONS

Senator NELSON. I believe I have asked all the questions that I had wanted to ask. And so, I want to thank you for being here

today, for your continuing service to the many taxpayers who support our Government and to our colleagues as you support them as well.

[The following questions were not asked at the hearing, but were submitted to the agencies for response subsequent to the hearing:]

QUESTIONS SUBMITTED TO GENE L. DODARO

QUESTIONS SUBMITTED BY SENATOR BEN NELSON

FISCAL YEAR 2011 REQUEST

*Question.* Mr. Dodaro, I have made it clear that I intend to hold the Legislative Branch to fiscal year 2010 levels in fiscal year 2011. What will be the effect of a flat funding rate on the operations of GAO?

*Answer.* A flat funding rate would significantly impair GAO's ability to serve the Congress on the full range of issues and negatively impact our timely provision of services. In order to operate at a flat funding level (fiscal year 2010 level) in fiscal year 2011, GAO would need to significantly reduce planned hiring and staffing levels by up to 150 staff through fiscal year 2011, beginning in fiscal year 2010. This staffing reduction will negatively impact our ability to respond in a timely manner to continuing and new mandates, such as the Recovery Act and the annual report to the Congress on duplicative and wasteful programs. This would not only reduce the staffing resources devoted to Recovery Act oversight by almost 60 percent, it would also severely impact staff available to support other congressional engagements. In order to even maintain this reduced staffing level and absorb mandatory pay and non-pay inflationary increases in fiscal year 2011, we would also need to reduce or defer critical infrastructure investments including security improvements in our field locations and potentially implement up to 6 furlough days in 2011.

*Question.* It is not my intention to fund additional FTE during a flat budget year. How much additional funding would you require in fiscal year 2011 to maintain your current workforce—that is the number of employees you currently have on board?

*Answer.* Our fiscal year 2011 budget request seeks only the funds needed to maintain our fiscal year 2010 workforce, including \$579.5 million for base staffing and \$21.6 million for Recovery Act oversight. The requested fiscal year 2011 FTE level represents annualization of fiscal year 2010 activity (the full-year equivalent of maintaining our current staffing level in fiscal year 2011), not an increase in the number of employees.

*Question.* Can you explain why your fiscal year 2011 request includes 49 additional FTE to “maintain current staffing levels”? Once again, I do not intend to increase our agencies' workforces during the next fiscal year.

*Answer.* Our fiscal year 2011 budget submission seeks only to maintain our fiscal year 2010 workforce. The additional 49 FTEs represent the annualization of fiscal year 2010 activity. There is no increase in staffing planned for fiscal year 2011.

When staff come on board and leave the agency at various times throughout the year, this results in less than a full year's cost and associated FTE usage in the year that the activity occurs—in this case fiscal year 2010. In fact, as most of our entry level staff start in the 4th quarter after graduation, while our attrition occurs throughout the year, this usually equates to a lower FTE in the first year of hiring, but requires a funding and FTE increase in the follow-on year, to ensure we have full costs/FTEs for the on-board workforce.

*Question.* Has GAO's attrition rate declined as a result of the current economic situation and unemployment rate? Have you taken any discrepancy in your attrition rate into account since putting together your fiscal year 2011 budget request?

*Answer.* Yes, attrition has declined over the last few years and we have considered this in our budget request. GAO experienced an annual attrition rate of 10 percent of our staff between fiscal years 2004 and 2008. In fiscal year 2009, attrition dropped to 6 percent (190 staff). Our fiscal year 2010 operating plan assumed a slight increase in attrition to 225 staff and our fiscal year 2011 budget request assumed an increase in attrition to 235 staff. However, based on current activity in fiscal year 2010, we have revised our attrition assumptions and reduced the fiscal year 2010 estimate to about 200 staff. This change increases our costs by about \$2 million a year and we've taken appropriate steps to adjust for this in our operating plan. Our fiscal year 2011 estimate remains at 235 staff.

## GAO'S WORK ON CAPITOL POLICE ISSUES

*Question.* Mr. Dodaro, we appreciate your agency's work for this subcommittee in assisting us with your sister Legislative Branch agencies. Your staff has done extensive work on the many challenges facing the Capitol Police, particularly in identifying weakness in the Capitol Police's financial management operations.

What would you say is the biggest challenge facing the Capitol Police right now?

*Answer.* The Capitol Police currently face three significant challenges—

- Effectively managing its workforce and other resources to satisfy security requirements and protect members and the Capitol Complex within available resources.
- Effectively formulating, approving, and executing reliable and supported budgets.
- Establishing and maintaining an effective internal accounting and administrative control framework.

*Question.* Did your review of the Capitol Police's fiscal year 2011 budget request, conducted at this subcommittee's direction give any indication that they had under-budgeted their personnel needs in fiscal year 2011?

*Answer.* GAO's review detected indications of problems with under-budgeting for salaries for fiscal year 2011. During the course of our work, we detected three errors: (1) a discrepancy between the budget request Capitol Police submitted to Congress and what it submitted to OMB to be included in the President's budget, (2) a calculation of salaries that did not include pay differentials, and (3) a potential compounding of these errors across fiscal years.

- After comparing information provided by USCP as support for what was reported in the President's Budget Appendix, we identified a discrepancy between the two documents. The amounts reported in the President's budget were \$5 million higher for benefits and \$5 million lower for salaries than what were shown in the supporting information provided by the USCP. The Capitol Police officials's February 17 explanation was incomplete and, after we asked further questions, we were told that the information reported in the President's budget was wrong.
- We found a second error when we reviewed a breakdown of benefits for fiscal year 2009 which was used in developing the fiscal year 2011 budget request. The benefits information provided to us by the USCP included amounts for night, Sunday, and holiday pay differentials that should have been reported as salary. This error resulted in an under-budgeting for salaries. In addition, since amounts requested for certain benefits are calculated as a fixed percentage of salaries, understating the amount requested for salaries also leads to understating the amount needed for benefits.
- The error in fiscal year 2009 information raised questions about whether it was repeated and carried forward into fiscal years 2010 and 2011. To the extent this occurred, the understatement would have been repeated.

*Question.* What can you do to further assist us in straightening out the Capitol Police's financial issues?

*Answer.* GAO has several efforts underway to assist the Congress and the Capitol Police Board in overseeing the Capitol Police's efforts to assess security requirements, manage its workforce, and identify and resolve internal accounting and administrative control weaknesses and deficiencies.

- GAO is assessing how the Capitol Police plans, tracks, and manages use of its sworn officers, including overtime and the Capitol Police's process to determine security requirements. GAO will also identify what existing security technologies could enhance the Capitol Police's ability to protect the Capitol Campus. In a related effort, GAO will review the processes and controls associated with authorizing, recording, and approving employee time charges, including overtime charges, and how resulting salary amounts are charged to available appropriations and accounted for and reported by the Capitol Police.
- GAO in coordinating with the Capitol Police Inspector General will monitor and review the Capitol Police Inspector General's ongoing audit of problems and related weaknesses with the Capitol Police's process for formulating and approving its fiscal years 2010 and 2011 budget requests.
- GAO will review recently identified internal control weaknesses and deficiencies to determine their current status and to identify underlying causes for their often persistent and pervasive nature. In doing so, GAO will consider the Capitol Police's internal accounting and administrative control framework; evaluate the status of corrective actions to deal with control deficiencies, including those associated with prior GAO recommendations; and explore systemic reasons why control weaknesses and deficiencies are not promptly resolved.

## ARRA FUNDING

*Question.* When we included \$25 million in the American Recovery and Reinvestment Act, it was not intended to permanently augment GAO's core base. It appears that your request for \$21.6 million to cover ARRA-related work is moving us in the direction of expanding your base.

How did you arrive at the \$21.6 million figure to continue ARRA-related work?

*Answer.* GAO's staffing strategy to meet the ARRA mandates recognizes the temporary nature of these oversight responsibilities and assumes that there will be no increase in base resources. While the \$25 million included in the Recovery Act is only available through September 30, 2010, our statutory oversight responsibilities for billions of dollars of funding to the states and localities continue until all funds have been distributed—estimated through 2019. For that reason, about 50 percent of the staff devoted to ARRA work are temporary staff (reemployed annuitants and term hires) who can be released once the mandates are completed. The remaining staff are permanent GAO staff. Our staffing strategy in the out-years assumes that the permanent GAO staff will be reabsorbed in our base by not fully hiring behind future attrition.

Our fiscal year 2011 request includes funds to maintain the current staffing level of 144 FTEs consistent with the funds provided in fiscal year 2009 and spent in fiscal year 2010. GAO expects to maintain this staffing level through fiscal year 2012 to address the mandatory oversight of the largest amount of the remaining Recovery Act funds estimated to be outlaid during that time. As approximately 85 percent of Recovery Act funding to programs administered by the states and localities is estimated to be paid out by the end of fiscal year 2012, GAO would start to reduce the staffing below the 144 FTE level by absorbing GAO staff back into the base behind attrition and phasing out the staff necessary to address the changing nature of the Recovery Act funding. Our expectation is that by the end of the required mandates, all permanent GAO staff will have been absorbed back into our base with no increase to the base resources to accommodate this approach.

*Question.* How much of the \$25 million included in the ARRA legislation have you already spent? My understanding is around \$4 million. Can you realistically spend the remaining \$21 million by the end of this fiscal year?

*Answer.* In fiscal year 2009, GAO spent \$4.2 million. Through the 2nd quarter of fiscal year 2010, we have spent \$13.7 million and expect to spend the remaining \$11.3 million to cover costs through the end of fiscal year 2010.

*Question.* How much of the ARRA workload could you absorb within your own workforce?

*Answer.* GAO could not absorb any of the ARRA workload within our own workforce without severely impacting our current workload to meet other congressional mandates and requests. We would need to seek legislative relief to the existing mandates in the Recovery Act to align with available staffing and funding.

*Question.* What will you do if this Committee does not provide the \$21 million for recovery-related work?

*Answer.* We are happy to work with the committee to identify alternative funding vehicles. In the event that we do not receive funding for the statutorily-mandated recovery-related work, GAO would first reduce the FTEs devoted to Recovery Act oversight by almost 60 percent by eliminating temporary staff. This would negatively impact our ability to meet the reporting requirements of the Act and require that we seek legislative relief to the Recovery Act mandates to align with available staffing and funding.

We would also need to absorb the permanent GAO staff currently devoted to Recovery Act oversight back into the GAO base which would impact our ability to maintain our planned workforce levels necessary to be responsive to other congressional requests and mandates.

*Question.* How many people have you hired using stimulus funding? How many of these hires do you anticipate bringing onboard as permanent GAO staff?

*Answer.* We have hired 74 temporary reemployed annuitants and staff under term appointments. A handful of temporary staff have been identified as potential candidates to fill existing GAO vacancies behind attrition. However, it is not our intention to bring the majority of these staff onboard as permanent GAO staff nor grow the base.

*Question.* You identified \$8 million in savings from non-recurring items funded in fiscal year 2010 which you assigned to "reinvestment of savings" in your budget request. These items include upgrades to your information technology systems and repairs to your building. Could this funding be assigned to ARRA mandated work instead?

Answer. We do not believe this to be in the best interest of the agency. In order to maintain the technology infrastructure supporting our staff and to address our management weaknesses in information security, human capital and physical security, it is essential that we be able to reinvest savings from non-recurring items and efficiencies in these areas. Planned investments will allow us to protect the safety and security of field-based staff, further enhance our information technology programs to gain productivity and increase effectiveness, and continue our efforts to enhance the energy efficiency of our facilities.

## GAO UNION

*Question.* I understand that GAO and the Union have recently reached an agreement on the fiscal year 2010 performance-based pay increase. How will this action affect the performance-based pay increases already awarded to your non-union workforce? How much will this additional increase cost?

Answer. To treat all employees equitably, GAO extended the provisions of the Union agreement on fiscal year 2010 performance-based pay increases to non-Union staff. This will cost GAO an additional \$724,000.

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 QUESTIONS SUBMITTED TO ROBERT C. TAPELLA

## QUESTIONS SUBMITTED BY SENATOR BEN NELSON

## BUDGET

*Question.* Mr. Tapella, how will GPO respond to no funding increase in fiscal year 2011? Can you continue to run your agency on the fiscal year 2010 level?

Answer. GPO will be able to conduct operations with funding at the fiscal year 2010 level, or \$147.5 million. At this level, full funding should be provided for our request for the Congressional Printing and Binding Appropriation. For the Salaries and Expenses Appropriation of the Superintendent of Documents, our request could be reduced by \$26,000 to reflect a pay raise factor of 1.4 percent as requested in the President's budget, instead of the factor of 1.6 percent we used. Our request for this account could also be reduced by \$1.5 million if the Appropriations Committees approve our request to transfer forward this amount in the unexpended balance of this account from fiscal year 2005. Funding at the fiscal year 2010 level would provide approximately \$8.1 million for GPO's revolving fund.

*Question.* Your fiscal year 2011 request for the revolving fund totals \$25.7 million and includes everything from workforce retraining to building repairs. Are any of these items critical needs for your agency given that we're trying to maintain a flat budget this year?

Answer. With approximately \$8.1 million for the revolving fund for fiscal year 2011, we would fund the Federal Digital System (FDsys) at \$5.1 million and provide \$1 million each for our advance printing technology, continuity-of-operations (COOP), and elevator repair projects.

*Question.* Please explain the \$3.2 million request for workforce retraining and development programs. Can this be deferred?

Answer. Our request for employee retraining projects includes \$1 million to ensure that all personnel involved in the printing process receive training to maintain core competencies in related crafts and to build on new competencies as emerging technologies are identified; \$500,000 for provide a curriculum for supervisors to hone leadership and management skills and incorporate the latest trends from throughout public and private sectors; \$500,000 provide basic-skills training for our workforce, as we modernize our technology and implement our vision of GPO's digital future; \$500,000 for courses to develop specialized experience and technical skills in financial management; and \$500,000 to equip employees with the skills needed to communicate GPO's mission in the production of secure and intelligent documents, identify potential revenue streams, identify future trends within the industry, and offer these new products to congressional and agency customers, and \$250,000 to provide annual training needs assessments and program and curriculum evaluation for all training provided, develop models to target specific training modules for just-in-time instruction, and provide specialized training to operators and users of business support technology programs. These programs have not been identified as priorities under GPO's flat funding scenario for fiscal year 2011.

## FEDERAL DIGITAL SYSTEM

*Question.* GPO is requesting over \$6 million in fiscal year 2011 for the Federal Digital System—its new online data system. What is the status of the implementation of this system?

*Answer.* Release 1, which is the foundational content management system assuring preservation and permanent public access to online Federal information, is nearing completion. The content from GPO Access will be completely migrated to FDsys in the next 2 months and a failover instance for continuity of access, or backup system, will be completed in August. At that point, we will start decommissioning GPO Access, making FDsys the system of record, with shutdown of GPO Access targeted for December 2010.

*Question.* How much has been spent on this effort so far?

*Answer.* Approximately \$37.5 million has been spent so far, with a projection of \$41 to \$42 million to complete Release 1 by the end of fiscal year 2010.

*Question.* How much more funding does GPO need to complete this system?

*Answer.* Approximately \$8 million will be required to complete Release 2, which is the submission functionality of the system, by the end of fiscal year 2011. However, if the current team cannot be maintained due to budget constraints, the time to develop Release 2 will extend and the total cost may increase as a result of retraining. Assuming availability of the necessary funds, the total investment in FDsys by the end of fiscal year 2011 will be \$49 to \$50 million.

*Question.* Why has 20 percent of your information still not been migrated to the new format?

*Answer.* The process to migrate content to FDsys is complex. We have been migrating content in phases to ensure that the process is without errors and meets the requirements.

*Question.* Wasn't the original estimate for this system \$29 million? What is causing the cost overrun?

*Answer.* The initial cost estimate for the core functionality of FDsys was estimated in 2004 to be \$29 million. The primary cause of the cost overrun is a result of data migration activities to move GPO Access collections to FDsys. These were not a part of the original cost estimate and the effort has been much more difficult than anticipated. The cost of this effort alone will be about \$11 million by the time we complete the migration from GPO Access to FDsys.

*Question.* What will the annual operating costs be for this system?

*Answer.* Initially, the annual operating cost will be about \$3.25 million. These costs consist of software license maintenance as well as the labor to maintain the system, at approximately \$1.75 million per year, plus the costs of replacing aging hardware and software over time, at approximately \$1.5 million per year. The annual operating costs could go down in 2–3 years as GPO staff assume work currently performed by contractors. Future development costs, which are optional, could run in the neighborhood of \$4.75 million per year.

## PASSPORT PRODUCTION

*Question.* How is GPO's current demand for passport production? Are you fully implementing your production capability?

*Answer.* The State Department initially requested that GPO produce 11 million passports during fiscal year 2010. Since then they have said they plan to order an additional 2 million passports for the remainder of fiscal year 2010, bringing the total to 13 million books. The Department has also notified the GPO that they intend to budget and order 15 million passports in fiscal year 2011. GPO has the capacity to produce 20–24 million passports annually given the equipment and personnel on hand without resorting to overtime. As GPO's security and intelligent document business grows, particularly in the smart card area, we intend to utilize any available labor resources to staff the card equipment and processes.

*Question.* As a follow up to a conversation we had during last year's hearing, have you given any further consideration to the production of foreign passports?

*Answer.* We have explored the possibility of producing passports for foreign nations and have found several challenges that need further consideration before we can proceed.

*Question.* What challenges do you face in this undertaking?

*Answer.* Currently, there are statutory limitations on GPO producing non-U.S. Government printing. We have not been able to determine whether a Federal agency with the capability to conduct bilateral international agreements would be willing to act as a broker for our services with foreign nations. There also are unresolved questions concerning the acceptability of providing foreign nations with access to GPO's passport production facilities and proprietary processes.

## GPO BUILDING ISSUES

*Question.* You are requesting \$2 million to initiate the process of relocating production operations from GPO's building 4 to the main GPO complex. Why are you doing this?

*Answer.* The primary benefit is avoiding one-time building 4 infrastructure improvement costs and investing those resources in more energy-efficient equipment and system upgrades within the main GPO complex to support passport operations. Infrastructure investment of one-time facilities costs to building 4 would be for utility and HVAC upgrades, new windows, and general building maintenance improvements. The passport operation within the main GPO complex would utilize more energy-efficient enterprise and lower operating costs from variable speed drives, energy efficient lighting, and variable speed air handling units with savings realized year-over-year.

*Question.* What will this investment buy us?

*Answer.* GPO could offer building 4 space under space-sharing agreements to other legislative branch agencies for storage or light industrial use, offsetting the annual operating cost to idle the building and recover costs. A full return-on-investment study would be necessary to completely analyze the cost benefit of renovations to all floors into class A office space for lease purposes.

*Question.* What is the total cost of this proposed relocation?

*Answer.* In addition to the initial \$2 million appropriation, which would cover relocation of current operations in the main GPO building to accommodate the move, costs would be incurred for passport and warehouse operations equipment relocation, estimated at \$2 to \$6 million (depending on whether one or both passport production lines are moved); construction of new office space for training and bindery operations estimated at \$850,000; and construction of a new wastepaper facility to house the secure waste processing system within the main GPO complex, at an estimated cost of \$500,000 to \$1 million. Other variables are the requirements and schedule of the State Department and costs to install equipment through an exterior building window that is too big for the freight elevator.

*Question.* What is your agency doing to support environmental sustainability?

*Answer.* GPO has been involved in environmental sustainability activities for many years regarding paper, ink, emissions reduction, energy efficiency, digital dissemination, waste management, recycling, and related measures. Some of the highlights of GPO's recent sustainability activities include the following:

- With the approval of the Joint Committee on Printing (JCP), in 2009 GPO increased the recycled content of the newsprint to print the Congressional Record and the Federal Register to 100 percent from 40 percent with no runability or printability problems. The 100 percent recycled paper is being supplied at no increased cost over the previously supplied 40 percent recycled paper. GPO is also evaluating responses to a request for proposal for the most sustainable copier paper available in today's market.
- GPO has established a voluntary partnership with EPA's WasteWise program to baseline and monitor waste reduction and prevention activities. We have reduced our landfill waste by issuing a contract to ensure all of our wood waste (pallets, skids, and old furniture) is recycled. Currently, GPO's wood waste is being used for mulch in Maryland.
- Over the past year, GPO has reduced VOC emissions in plant operations by 86 percent from the previous rate, which also reduced our purchasing costs for fountain solution by 22 percent.
- Using appropriations to the revolving fund provided for fiscal year 2009, GPO installed roughly 100,000 square feet of an environmentally sustainable roof on its main complex buildings. The highly reflective roof coating provides a cool roof environment that not only reduces cooling demands inside the building but improves the life expectancy and efficiency of rooftop equipment. Additional roof repairs will be carried out as necessary using available funds in the revolving fund.
- This past year, GPO received 21 new vehicles including 18 alternative flex fuel (E85) vehicles and two new hybrid vehicles through funding provided to the General Services Administration as part of the stimulus bill.
- FDsys utilizes 50-watt processors instead of the standard 80-watt processors. This decision will realize more than \$12,000 per year in energy savings, as these servers operate at a much higher efficiency.
- GPO has established an Environmental Protection and Regulatory Affairs Committee consisting of key leaders from each business unit to ensure attention to top sustainability initiatives.

*Question.* What is the most pressing infrastructure challenge you face at your building?

*Answer.* Currently we are continuing with our program of elevator repairs. The elevators are essential to movement of personnel and materials in our 8-story main complex, and are a life/safety measure where the rapid evacuation of persons with critical medical conditions is concerned.

#### COOP PLAN

*Question.* Can you explain the \$2.2 million for Continuity of Operations funding you are requesting in fiscal year 2011? Given our current budget situation, is this something that can be deferred?

*Answer.* GPO has identified continuity-of-operations (COOP) funding as a priority for fiscal year 2011, at a level of \$1 million. The \$2.2 million originally requested included funding for a distant site as well as enhancements to GPO's offsite computer systems. Recently GPO received feedback from Senate staff that a mobile strategy that does not rely on fixed sites to support the production needs of Congress should be considered. We are beginning to assess the costs and implications of supporting Congress through so-called "fly-away" kits. This would require GPO to establish production capabilities from pre-packaged equipment and supplies that would be unpacked and an empty facility set up for that purpose. Of the \$1 million identified as COOP priority funding, approximately half would be dedicated to this purpose.

Additionally, there is a requirement to complete the needed redundancy for GPO critical operations at the Legislative Branch Alternate Computer Facility (ACF) in support of Congress, including completion of a backup system for FDsys. The other half to of the funding provided to COOP would be devoted to this purpose.

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#### QUESTION SUBMITTED BY SENATOR MARK PRYOR

*Question.* Mr. Dodaro, I do have a question for you about diversity there in your office, in your agency. And I guess I would like to ask all three if you have a diversity plan, but specifically for you, I would like to know how your efforts at diversity are going?

*Answer.* In compliance with the directive in the Joint Explanatory Statement accompanying H.R. 1105, providing omnibus appropriations for fiscal year 2009, GPO has adopted a formal written policy, in accordance with all applicable Federal laws, to develop and institute an affirmative action plan with specific goals and objectives to further the ability of women, minorities, and individuals with disabilities to achieve balanced representation within the Legislative Branch workforce and management. GPO's Affirmative Employment Plan has adopted many of the elements set forth in the Equal Employment Opportunity Commission's Management Directive 715 to ensure that all employment decisions are free from discrimination.

GPO has made substantial gains in diversity in its management ranks. Employees at the Grade 15 level currently are 65 percent white and 35 percent minorities. In the last report to Congress submitted in 2008, 32 percent of positions at the Grade 15 were held by females; females now represent 36 percent of the employees at this grade. This demonstrates small but steady strides that GPO is making to increase its diversity at the higher grade levels.

Grade 13 supervisors are the feeder group for managerial positions and this grade has experienced a significant change. The placement of qualified minorities and females into supervisory grade 13 positions will prepare them to become GPO's future leaders. Presently, 51 percent of Grade 13's are white and 49 percent are minorities. In this grade 36 percent of employees are male and 67 percent are female.

During my tenure I have made a personal commitment to increasing diversity. I have conveyed this commitment in a meeting with senior management, and I have issued a policy statement to all employees indicating the importance of diversity. To further implement GPO's support of diversity, diversity has been included as an element in GPO's Strategic Vision.

GPO has continued its policy of outreach to colleges and universities that will strengthen our applicant pool with highly qualified diverse candidates. These colleges include Florida A&M University, the University of Texas at El Paso, the University of New Mexico, and the University of California at Berkeley.

GPO also recruits at the National Technical Institute for the Deaf for qualified employees, to include persons with disabilities in our diversity program. The Equal Employment Opportunity Commission (EEOC) has indicated that the percentage of people with disabilities in the Federal Government is decreasing. However, GPO continues to rank as one of the top Federal employers for people with disabilities.

As of September 30, 2009, GPO had a workforce of 2,322 employees. Of these, almost 7 percent are individuals with a reportable disability, and of them approximately 1.5 percent are individuals with targeted disabilities. By comparison, most Federal agencies have fewer than 1 percent of their employees with targeted disabilities. These employees work in business units throughout GPO.

In addition to our recruitment plan, we have entered into a strategic alliance initiative with California State University at Los Angeles, which is a Hispanic Serving Institution. This initiative allows university seniors to develop an actual design project that prepares them for the job market and provides the organization with an actual product.

Where veterans are concerned, GPO continues to be involved with the Coming Home to Work Initiative. Through this initiative with the Department of Veterans Affairs, eligible service members and veterans are placed in positions at GPO to gain work experience.

GPO carries out a number of efforts to ensure that supervisors and managers know the agency's perspective on diversity and equity in the workplace. GPO's Director of Equal Employment Opportunity (EEO) and Deputy EEO Director meet with business unit managers semi-annually to discuss their organizations' diversity and other EEO-related issues. During these meetings we discuss their current workforce statistics and possible strategies to address any noted imbalances.

GPO supervisors and managers are also required to participate in training on EEO and Discriminatory Harassment. I personally address each of these sessions to inform supervisory personnel of my commitment to EEO, and I use these classes as a mechanism to impart the significance of diversity and equality in GPO's workplace.

GPO clearly recognizes the significance of attaining diversity at GPO and we are firmly committed to achieving this goal.

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#### QUESTIONS SUBMITTED TO DOUGLAS W. ELMENDORF

#### QUESTIONS SUBMITTED BY SENATOR BEN NELSON

#### FISCAL YEAR 2011 FLAT BUDGET

*Question.* How will your agency cope with a flat budget in fiscal year 2011?

*Answer.* Fiscal year 2011 funding equal to the 2010 appropriation of \$45.2 million would represent a reduction in funding for CBO because the agency's 2010 operations are being financed, in part, by funds from a 2009 supplemental appropriation. In total, CBO's 2010 funding comes to about \$46.4 million.

Most of CBO's budget is devoted to personnel. Because a flat fiscal year 2011 budget would, in practical terms, represent a reduction in CBO's funding, the agency would need to reduce its full-time equivalents (FTEs) by 9 from the 258 proposed in its fiscal year 2011 budget request—eliminating the 4 additional positions requested for next year and another 5 that are funded this year. Those reductions would save about \$1.5 million. They would, however, represent a setback in terms of CBO's ability to provide estimates and analysis for the Congress as it addresses major issues on the legislative agenda. With the support of the Congress, CBO staffing has expanded in recent years, especially in the health area. But the needs for estimates and analysis have continued to expand as well, and despite extraordinary efforts by CBO staff, the agency could not satisfy all the requests for estimates for healthcare proposals. A reduction in staffing below the current level would make it more difficult to meet future needs of committees and Members. Congressional deliberations on topics such as climate change, immigration, the defense budget, financial reform, and deficit reduction, the new statutory Pay-as-You-Go requirements, new issues that cannot even be foreseen now, and CBO's ongoing responsibilities to produce hundreds of formal cost estimates and even more informal estimates will require substantial efforts on CBO's part. Faced with reduced staffing, CBO would work with the Congress to prioritize requests for analysis to ensure that the most critical requirements were addressed in a timely way.

In addition, CBO would have to reduce information technology (IT) spending by \$0.5 million—primarily in the areas of communications, software development, disaster recovery, equipment replacement, and commercial data. Also, library operations would be reduced by \$0.1 million—primarily in the area of online subscription services.

## HEALTHCARE STAFF

*Question.* Over the past few years, CBO has increased its capacity in the healthcare area. Now that the legislation has passed, do you expect to transition back to less staff in that area? How do you envision managing that transition? What happens to staff hired for healthcare expertise?

*Answer.* CBO was able to meet the incredible demands placed on the agency for healthcare analysis and cost estimates over the past 2 years only because many of the agency's health staff frequently worked 7 days a week, often 12 to 15 hours a day (and sometimes more), for a significant portion of those 2 years. Even so, CBO struggled to keep pace with the demand for cost estimates and other analyses related to healthcare. As the Congress grapples with the long-term budgetary pressures facing the nation, stemming to a significant degree from rising healthcare costs, and with the issues that will arise regarding implementation of the new healthcare legislation, the need for CBO analyses of health issues is likely to remain great. We anticipate that the staff will be quite busy responding to requests for estimates and analyses, and carrying out the research necessary to produce such responses—but, hopefully, at a more measured pace than what was necessary in recent months.

There are still many unanswered requests from Members of Congress about various policy proposals and their potential effects on both the budget and the private health insurance market. In addition to preparing analyses for specific Congressional requests, CBO hopes to conduct modeling and research to address a variety of health policy questions that will allow the agency to provide useful information to the Congress for future legislative efforts in 2011 and subsequent years. Because the healthcare arena is complex, significant lead time is necessary to prepare for a broad range of potential legislative action. For example, a key reason that the agency was able to prepare several dozen estimates of major health insurance proposals in 2009 is the fact that CBO spent considerable effort in 2008 and prior years to develop its health insurance modeling capability.

CBO expects that the analysts at the agency who work on health issues will be busy and fully engaged for the remainder of this year and in fiscal year 2011. A few of the contributors to CBO's health team's work over the past year were doing "double-duty" while they were also working on their "regular" responsibilities of covering issues besides healthcare. Some of those members of the large 2009–2010 health team may return to working solely or primarily on legislative issues unrelated to healthcare. CBO expects that its full-time health analysts—whether recently hired or long-time CBO staff members—will not face any shortage of interesting and challenging work in the near future.

## ROLE IN NEW HEALTHCARE LEGISLATION

*Question.* How do you see your role during the implementation of the new healthcare legislation? What, if any, difference in required expertise do you envision needing?

*Answer.* As a Congressional support agency, CBO does not have a direct role in implementation of the new law. However, the agency recognizes that there is very keen interest in the Congress for information about how the law will be implemented and how the combination of regulatory actions and the behavior of states, private organizations, and individuals will affect spending and receipts for the Federal government through the Medicare and Medicaid programs, through the new private insurance exchanges, and through other health-related programs created or modified by the legislation. As part of its Congressionally mandated efforts to prepare baseline projections of spending and receipts under current law, CBO will need to gather data and update a large number of budget projection models. Those efforts will require an extensive amount of work over the next few years; and the focus of that work will evolve as CBO analysts learn more about how the Department of Health and Human Services is carrying out the myriad provisions of the new law.

CBO has worked hard to hire and develop a diverse staff of health policy analysts. The current group of such analysts is well suited to conducting research and developing budget-oriented models related to the implementation of the new law and any potential legislative revisions that might be considered by the Congress.

## SUPPLEMENTAL FUNDING SPENT

*Question.* Of the \$2 million provided in the fiscal year 2009 supplemental appropriations bill, how much has CBO spent?

*Answer.* CBO has spent \$1.5 million of the \$2 million in supplemental funding. The agency anticipates spending the remaining balance by September 30, 2010.

## BENEFITS OF WORK FOR CONGRESS

*Question.* What changes were implemented at CBO with the supplemental funding which benefits your work for Congress?

*Answer.* One significant use of the supplemental funds was to replace or upgrade computers used by health analysts. CBO analysts utilize a variety of computer models to help estimate the impact and cost of various healthcare proposals. Numerous iterations are typically required to assess the effect of changing multiple variables, and before receipt of the supplemental funds, model runs for a particular proposal consumed many hours. The new computer equipment acquired with the supplemental funding significantly reduced turnaround time for model runs, enabling analysts to respond to inquiries from the Congress much more rapidly. Health models that previously ran in 10 hours took only 2 hours to run, and models that took 2 hours finished in 15 minutes.

CBO was also able to accelerate the hiring of additional staff, which enabled the agency to respond more quickly to Congressional inquiries on health issues. In addition, the agency was able to reward its employees who were engaged in the health efforts with performance bonuses for the grueling almost around-the-clock, 7-days-a-week work that was necessary to meet the legislative schedule. Those bonuses boosted morale and thereby helped CBO to sustain that intense effort over a period of many months.

Also, CBO purchased actuarial services that enabled the agency to consult with experts in the areas of actuarial science and health insurance. That assistance was valuable to CBO in estimating the effects of options involving differing packages of insurance benefits and variations in their actuarial value or scope of covered services, and proposals to reshape the delivery of healthcare.

## NEW FTES FOR FISCAL YEAR 2011

*Question.* Why are you requesting four additional FTEs in fiscal year 2011?

*Answer.* Now that comprehensive health legislation has been enacted, the nature of healthcare analysis at the agency changes some, but it does not go away. CBO will now need to make regular budget projections for the new and expanded Federal healthcare programs, and it will need to estimate the budget costs and other consequences of contemplated changes to those programs. In addition, CBO will probably need to respond to Congressional interest in exploring other possible changes to the healthcare system. Continued large Federal budget deficits and the key role of rising Federal healthcare spending in boosting future deficits ensure that health issues will remain central to the Congress's deliberations.

With the staffing level as it was, CBO's health analysts produced the quantity of health analysis that they did only by adopting an almost round-the-clock, 7-day-a-week schedule, which could not have been maintained. And even with that extraordinary effort, the quantity of analysis that was produced was not sufficient to meet the needs of many Members of Congress. The formidable work that still remains to be done in analyzing healthcare is something that CBO hopes to undertake in a sustainable fashion.

Three of the four additional staff that CBO is requesting would go, in some combination, to the Budget Analysis Division and the Health and Human Resources Division. If the needs for health analysis permit, CBO might reallocate some analysts in the Health and Human Resources Division from work on healthcare to work on income security and education—an area in which CBO has fewer analysts than necessary to meet Congressional needs.

The fourth additional FTE requested is for the Management, Business, and Information Services Division. That group includes IT personnel, editors, Web personnel, financial managers, and others. As CBO has expanded its analytic staff in the past couple of years, the agency has added some staff in those support functions as well. The additional position would provide administrative support to enable senior members of the staff to focus more effectively on their core responsibilities.

## BIGGEST CHALLENGE MOVING FORWARD

*Question.* What do you see as CBO's biggest challenge moving forward?

*Answer.* CBO faces a number of significant challenges that we are working hard to meet. One such challenge is a growing demand for analyses of impacts of legislation beyond just budgetary effects. For example, in the case of the recently enacted healthcare legislation, there was great interest in proposals' effects on health insurance premiums and on the nation's total spending on healthcare. (We were able to address questions on the first but not on the second.) There has also been much interest in the effects of climate policies on employment and economic growth. (CBO

has produced reports on both of those topics.) But producing such information on the basis of careful research and analysis can be both difficult and time-consuming, which makes it particularly challenging to produce useful results in time for Congressional consideration of the legislation in question. In order to accomplish that objective, we need to anticipate the issues that will arise and the types of analysis that will be requested far enough in advance to allow us time to build a proper analytical foundation so that CBO's analysis can be both well-thought-out and timely. We regularly seek guidance from the budget committees and others as to the particular issues that are likely to need CBO's attention.

Another significant challenge is recruiting and retaining high-quality staff, a vital ingredient to CBO's success. This is not a new challenge, but is one that has to be met every year if we are to maintain or enhance the quality of CBO's work. It is a difficult challenge to meet, however, and especially so for Ph.D. economists. The market for economists is very competitive; salaries are higher in the private sector, in academia, and at the Federal Reserve and some other government agencies; and many economists do not think of working for the government when they first start job-hunting. We continue to recruit aggressively and to strive to maintain a workplace environment that will be attractive both to the current staff and to potential new hires.

#### SHIFT RESOURCES INTERNALLY

*Question.* Besides hiring additional FTEs, have you been able to shift resources internally to better meet Congress's growing demand for your services?

*Answer.* CBO frequently adjusts staff assignments in order to respond to changing legislative priorities—sometimes for a period of weeks or months, sometimes for longer periods. In the case of healthcare, the agency shifted the responsibilities of numerous staff members during the past 2 years in order to meet the great need for analysis in that area. In the past year, we have also shifted resources into work on the government's involvement in financial markets, nutrition assistance, climate change, and student loans. In fact, because of the growing need for analysis of the government's financial commitments, we are establishing a separate Financial Analysis Division in order to more effectively focus resources in that important area.

#### RESTRICTIONS IN HIRING FOREIGN NATIONALS

*Question.* Please describe why section 704 of the 2010 Omnibus Appropriations bill, relating to restrictions on the hiring of foreign nationals in government agencies, is detrimental to your agency. Is there not enough talent within the United States to support your agency's needs?

*Answer.* Section 704 effectively eliminates the ability for CBO to hire foreign nationals who are not permanent residents. This restriction has a particular effect on CBO's ability to hire recent graduates with Ph.D.s in economics, because more than half of such graduates are foreign nationals. In 2008 (the most recent data available) 1,091 people received Ph.D.s in economics in the United States; of those, only 405 were citizens or permanent residents of the United States. Eliminating access to the majority of these graduates makes it tremendously difficult to recruit qualified candidates.

This market is particularly important to CBO because approximately 40 percent of the agency's staff members hold Ph.D.s in economics. CBO's Ph.D. economists conduct economic research and policy analysis of Federal activities with the objectives of assessing the risk, costs, and consequences of these activities for the Federal government and for the economy.

The market for Ph.D. economists is very competitive. Most new Ph.D. economists, 60 percent, go to academia, and 18 percent go to industry and business, including financial institutions. The government garners only about 13 percent. Compensation is generally greater in academia and industry, and CBO, like other government agencies, is constrained in the salaries that it can offer.

Another challenge of the market for economists is that recent graduates have skill sets that are separate and distinct from the skill sets of more experienced economists. Specifically, recent graduates have been trained in cutting-edge quantitative techniques, making them particularly suited to developing and maintaining complex economic models. In the past CBO has had success recruiting foreign nationals who contributed to our work while holding various types of visas and then converted to permanent residency or moved to other positions. Hence, CBO's Macroeconomic Analysis Division (and specifically the Fiscal Policy Studies Unit and Financial Markets Unit) has been particularly reliant on the work of foreign nationals.

## QUESTION SUBMITTED BY SENATOR MARK PRYOR

## DIVERSITY STATUS

*Question.* I would like to know how your efforts at diversity are going?

*Answer.* As part of the Omnibus Appropriations Act of 2009, CBO, like the other legislative branch agencies, was asked to write a plan related to workforce diversity. CBO first enunciated a policy of maximizing diversity in recruitment and then completed a statistical analysis of its workforce to identify areas in which greater diversity efforts should be focused. The agency is in the process of writing its plan to address those areas; the plan should be finished by the first of June.

## SUBCOMMITTEE RECESS

Senator NELSON. So thank you. We will stand in recess.

[Whereupon, at 4:40 p.m., Thursday, April 15, the subcommittee was recessed, to reconvene subject to the call of the Chair.]



## **LEGISLATIVE BRANCH APPROPRIATIONS FOR FISCAL YEAR 2011**

**THURSDAY, APRIL 29, 2010**

U.S. SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,  
*Washington, DC.*

The subcommittee met at 3:33 p.m., in room SD-138, Dirksen Senate Office Building, Hon. Ben Nelson (chairman) presiding.  
Present: Senators Nelson, Pryor, and Murkowski.

### **LIBRARY OF CONGRESS**

**STATEMENT OF HON. JAMES H. BILLINGTON, LIBRARIAN OF CONGRESS**

#### **ACCOMPANIED BY:**

**JO ANN JENKINS, CHIEF OPERATING OFFICER**

**DANIEL P. MULHOLLAN, DIRECTOR, CONGRESSIONAL RESEARCH SERVICE**

**ROBERTA SHAFFER, LAW LIBRARIAN**

#### **OPENING STATEMENT OF SENATOR BEN NELSON**

Senator NELSON. Good afternoon, everyone. I think what we will do is we will get started, and when my ranking member arrives, then we will have her give any opening statement she would like to make.

I want to welcome all today. We meet this afternoon for our fourth and final legislative branch budget hearing for fiscal year 2011. Today, we will hear from the Library of Congress (LOC) and the Open World Leadership Center.

It is my pleasure to welcome in short order my ranking member. We have worked very well together, and I know we will continue to be able to do that, as well in the future. And I welcome her right now.

And I also want to welcome our witnesses—Dr. James Billington, the Librarian of Congress, and Ambassador John O’Keefe, Executive Director of the Open World Leadership Center. It is good to have you, as well as Ms. Jo Ann Jenkins. It is good to have you gentlemen and lady here this afternoon, and we look forward to hearing from you.

If it is possible to keep opening statements brief, around 5 minutes, it would be very helpful. And of course, the rest of the testimony would be received for the record.

One thing that we have established at our first three hearings—and I think it bears repeating—is that we intend to hold the legis-

lative branch flat this year. I believe that spending restraints start at home, and we need to lead by example on this subcommittee. We can't do that by appropriating large increases to our agencies.

I think the President sent the message so loudly and clearly in his State of the Union Address this year, noting that families across our country are tightening their belts and making tough decisions, and the Federal Government must do the same, he said, and he announced a 3-year freeze on nonsecurity discretionary Government spending.

The President said, "Like any cash-strapped family, we will work within a budget to invest in what we need and sacrifice what we don't."

And he warned further, "If we don't take meaningful steps to rein in our debt, it could damage our markets, increase the cost of borrowing, and jeopardize our recovery—all of which would have an even worse effect on our job growth and family incomes."

Dr. Billington, I want to welcome you and your Chief Operating Officer, Jo Ann Jenkins. Sadly, I understand that Ms. Jenkins has accepted a position as the executive director of the American Association of Retired Persons Foundation. When I say "sadly," I am not sad that you are accepting that position, I am sad that you will be leaving the Library next month.

We appreciate the 15 years that you have been a steadfast presence at the Library, and of course, we wish you the very best. Among her many accomplishments are her work on the Library's Bicentennial Celebration, management and oversight of nine National Book Festivals, the opening of the new Library of Congress Experience at the Jefferson Building, and the completion of the Library of Congress and the U.S. Capitol Police merger.

So, on behalf of the Senate, and in particular this subcommittee, I want to thank you for your service to the Library of Congress and very much wish you success and happiness in your future.

Thank you.

The Library this year is requesting \$670 million for fiscal year 2011, an increase of \$31.4 million, or 4.8 percent, over the fiscal year 2010 enacted level, as well as 30 additional full-time equivalents (FTEs). I understand about one-half of these new FTEs and around \$5 million are for expanded research capabilities at the Congressional Research Service (CRS). So I look forward to hearing your testimony and discussing the particulars of your request.

As a brief aside, I continue to hear from a number of organizations concerned about the performance royalties bill that would affect local radio stations. And I make this brief note here only because of the Copyright Royalty Board's potential role under this legislation. And along with many of my colleagues, I continue to oppose this bill and wouldn't support an attempt to attach such legislation to an appropriations bill, whether it is this one or any of the others, for that matter.

And I also want to welcome Ambassador O'Keefe of the Open World Leadership Center. Ambassador O'Keefe and I had a pleasant experience in Lincoln, Nebraska, where he conducted an evening discussion of the work of the Open World Leadership that was not limited to Nebraskans, but many from Iowa, Kansas, and

the surrounding areas were there as well. I thought it was an excellent presentation. I appreciate that.

Ambassador O'Keefe, your budget request totals \$14 million, an increase of \$2 million, or 16.6 percent, above current year. I strongly support the important work done by Open World and its commitment to Congress and the legislative branch, and I look forward to hearing your testimony as well.

Now it is my pleasure to turn to my ranking member, Senator Murkowski, for her opening remarks. And as I said at the beginning, we have enjoyed a wonderful working relationship, and I know that is going to continue well into the future.

So the podium is all yours.

#### STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Thank you, Mr. Chairman. I appreciate it.

And as we have gone through these series of discussions with the various entities that are under the oversight of the Legislative Branch Subcommittee, you have been very consistent in conveying the message that we do need to be conscientious about our budgets. We do need to be setting the standard, and we have been working together well in that regard.

I welcome you this afternoon to the subcommittee and join the chairman in his comments of welcome to you, Dr. Billington. It is always good to see you.

Mr. Chairman, you might not have known, but Dr. Billington was the star in one of our Alaska reports where he was able to highlight some of the collection that is housed over there in the Library of Congress that relates to the history of my State. And I think it was one of our more popular programs in terms of the viewership. So I commend you for that, and it was a wonderful learning opportunity.

I also extend my warm welcome to you, Ambassador O'Keefe, and appreciate your leadership over at the Open World Leadership Center. Appreciate both of you being here today to discuss how your agencies are planning to move forward in this upcoming fiscal year.

Ms. Jenkins, I join the chairman in commending you on your 15 years of service. We greatly appreciate it and wish you well in your coming endeavors over at the AARP. I know that everyone who has had an opportunity to work with you will miss you, but they have appreciated all your years of service.

Mr. Chairman, you have provided the assessment or the overview, if you will, of the Library of Congress budget request and mentioned the increase in additional full-time equivalents, the FTEs, 30 FTEs. I look forward to hearing why the Library needs these additional FTEs at this time, whether or not this is a permanent expansion of the Library or perhaps a temporary solution to a shorter-term situation.

As far as the Open World Leadership Center fiscal year request, I do understand that the fiscal year 2011 budget request is only \$100,000 over the fiscal year 2009 enacted level of \$13.9 million, but the Center is currently living within the fiscal year 2010 enacted level of \$12 million. So I am anxious to hear why the Center

feels that it needs to return to the previous funding level. So I will look forward to hearing your response to that.

And again, welcome both gentlemen and Ms. Jenkins to the subcommittee.

Senator NELSON. Dr. Billington.

SUMMARY STATEMENT OF HON. JAMES H. BILLINGTON

Dr. BILLINGTON. Thank you, Mr. Chairman and Senator Murkowski.

It is really an honor to be here to present the fiscal year 2011 budget request of the Library of Congress just 5 days after the 210th anniversary of its birth as the Nation's oldest Federal cultural institution.

I am accompanied, as you both noted, for the last time by our outstanding Chief Operating Officer, Ms. Jo Ann Jenkins, who will leave, as you pointed out, to become on June 1, in fact, president of the AARP Foundation. That happens to be my birthday, June 1. This is an unusual type of negative present.

But we are grateful for all that she has done.

Now, among those with me today for the first time are Roberta Shaffer, the new Law Librarian of Congress. Ms. Shaffer has much experience in the Library and the broader legal community. And two who have served the Library well for 20 years and will assume new responsibilities in June as members of the Executive Committee—Robert Dizard, who will become Chief of Staff, and Lucy Suddreth, who will become Chief of Support Operations. They are both here as well.

Now, Mr. Chairman and Senator Murkowski, recognizing the difficult budget environment that you have both mentioned, we are presenting a lean funding request, a 4.6 percent increase over fiscal year 2010. Fifty-eight percent of the increase is for required pay raises for our excellent staff and price level increases. Sixteen percent is for addressing urgent congressional needs in CRS. And the smaller remaining requests are largely to strengthen staff management capabilities and to support clear Library-wide priorities.

These requests are mainly for people, which are urgently needed by an institution doing many times more work than in 1992, but with 1,076 fewer employees. Our workforce has become ever more skilled and creative in order to remain the "library of last resort" and to acquire, as we have, our national and international leadership role in building a new electronic library while sustaining a traditional one and the values of the book culture itself.

Mr. Chairman, the Congress of the United States has created and, thanks to your subcommittee and your leadership, sustained the largest, most inclusive, best-preserved record in one place of both the world's knowledge in 460 languages and America's creativity in all kinds of fields. In many ways, the Library of Congress contains our Nation's strategic information reserve, preserves the cultural patrimony of our free and diverse people, and is a lighthouse to the world for a whole concept of a knowledge-based democracy.

We are now nearing completion of a focused effort that I initiated 10 months ago collaboratively to address Library-wide management requirements—a mid-course review of our strategic plan, strength-

ening governance and processes in information technology, and integrating the Library's Web presence into the central core of our work and our management structure across the entire Library.

In the last 20 years of, in effect, superimposing an entirely new digital library on top of our traditional artifactual one, we have created an education-focused National Digital Library of 19 million items, almost all of which are original documents of American history and culture. We put online just 1 month ago in Paris a World Digital Library with UNESCO support, including some material from the cultures of all 193 United Nations (U.N.) nations.

We now have enormous digital content and work with 170 partner institutions in this country and 44 different States in leading a national program to archive important materials online, in accordance with our congressional mandate.

But in the past 10 years, global book publishing has also increased by 40 percent. Digital information is proliferating virally, as we say, but it will never replace our heritage assets or, indeed, other new physical records that continue to be added to our often one-of-a-kind collections.

#### FORT MEADE MODULE 5

Our most critical material need and highest mission priority this year is for Fort Meade Module 5, as requested in the Architect of the Capitol's fiscal year 2011 budget. We are already 8 years behind in the storage schedule for Fort Meade that we established with Congress and began implementing in 1997. The already functioning modules are efficiently compacted, magnificently controlled for preservation, and have provided prompt, 100 percent delivery to our Capitol Hill reading rooms of all materials so far requested.

This fifth module is essential if we are to sustain our core mission of preserving and making accessible collections needed both for present and for future generations. The Library of Congress is the only institution in the world capable of sustaining collections on this scale. Our key role for America in the information age could be compromised, perhaps irretrievably, if we cannot continue to acquire original written and published materials.

These artifactual materials often provide the only near-permanent records of human creativity and, unlike digital materials, cannot be tampered with, censored, or rendered inaccessible by technological obsolescence.

Thanks to this subcommittee's wonderful support, in conclusion, Mr. Chairman, we already have state-of-the-art preservation storage not only at Fort Meade, but also in Culpeper at the world's biggest and best facility for audio-visual conservation. We must continue to grow, preserve, and provide access to our artifactual collections if they are to remain usable for Congress, and we will need space to store them.

#### PREPARED STATEMENTS

Thank you again for your support for the Library and for your consideration of our fiscal year 2011 budget.

[The statements follow:]

## PREPARED STATEMENT OF DR. JAMES H. BILLINGTON

Mr. Chairman, Senator Murkowski, and other Members of the Subcommittee: I am pleased to present the Library of Congress fiscal 2011 budget request.

Mr. Chairman, I am grateful to you and the subcommittee for your outstanding support for our fiscal 2010 request, which included a major investment in an initiative to renew and restore the Library's technological infrastructure. Through the 2009–2010 Management Agenda process, which I initiated last July, we are enhancing the governance and internal oversight of information technology investments to assure the most effective use of, and maximum accountability for, these funds.

In recognition of the difficult budget environment, we are requesting a total fiscal 2011 budget of \$715.5 million, a lean increase of \$31.4 million or 4.6 percent over fiscal 2010. Fifty-eight percent of this request is for mandatory pay and price level increases. The largest program element in the modest requested increase for critical operations is the \$4.9 million needed to address urgent Congressional needs in the Congressional Research Service budget. Our requested increase of 30 FTEs is necessitated by the greatly increased workload of the Library during the period from 1992 to 2010, in which an entire digital library has been added to the traditional library while the level of FTEs has fallen by 1,076 FTEs to 3,770.

The details of the Library's budget request are described in this statement. At the start, I want to address a subject of paramount importance: the Library's collections. Our most critical need and highest priority this year is Fort Meade Module 5—for which funding is requested in the AOC's fiscal 2011 budget.

The increased importance of this unique repository of human knowledge is solidly based on its history. Over two centuries, the Congress has built its Library into the largest and most diverse collection of human knowledge ever assembled by one institution. The Library also preserves the closest thing to a mint record of America's creativity thanks largely to its exclusive status as the depository of copyrighted works. It annually collects significant world cultural and scholarly resources in more languages and formats than any library in the world. Sustaining Congress' support for the mission of this unique American cultural institution is more important than ever before in this "information age," when our economy and leadership depend more and more on usable knowledge.

When the original library, housed in the Capitol, was burned by British troops in 1814, Thomas Jefferson within a month offered his personal library as a replacement. The Jeffersonian concept of universality argued that all subjects are important to the library of the American legislature, and this has guided the comprehensive collecting policies of the Library.

The Library of Congress is the only institution in the world capable of sustaining collections on this scale. We cannot foresee all that will be important to those who come after us. But we have innumerable examples of how past items we saved have proven useful later in unforeseen ways. We are inspired as well as informed by preserving the thoughts, anxieties, achievements, and aspirations of past generations. If we collect less and the Library's collections diminish, future generations will know that we deprived them of that open window into their past.

I have been asked, "When is this going to stop?" If we want the Library of Congress to exist for future generations as it does for us today and has for generations past, it cannot, should not stop. Our request for Fort Meade Storage Module 5 is not about another building. It is about preserving our collections and protecting the very essence of the Library of Congress.

I can assure you that the Library of Congress does not keep everything. We have carefully thought-out acquisitions policies, developed and updated regularly by our curators and other experts. We continually work to improve our collections management, including inventory management, and with the Congress' great support, we now have storage modules at Fort Meade to secure and preserve our most valuable items. We will continue to do everything we can to be more efficient; but we will continue to need more space to store the Library's growing collections, and we are heartened by having a 100 percent retrieval rate from the Fort Meade repositories to our reading rooms.

I have also been asked why we need to sustain collections when so much content is available electronically. It is a myth that as digital content has exploded onto the scene, hard copy materials are significantly declining. In fact, in the past 10 years alone, global book publishing has increased by 40 percent, and published books are increasing in number everywhere except (and for the first time this year) in the USA. The Library has enormous digital content holdings, but digital information will never replace our heritage assets, the physical record of knowledge and creativity represented in the collections. And there is a need to keep hard copies of

many materials in view of the risks of tampering and the impermanence of much digital material.

The Library of Congress was established out of our forefathers' conviction that knowledge is important to governance. Jefferson in essence established our collections policy. I believe that he would understand why we must continue to build the collections even though we face challenges in being able to store them, preserve them, and make them accessible. For the past 210 years, the Congress has made it a priority, through good times and bad, to allocate resources to properly fund the Library of Congress—to meet its acquisition and related storage needs. As a result, people living today have access to an incredible record of knowledge and creativity.

If we succeed in our mission, our descendants—25, 50, and 200 years from now—will be able to benefit from what we found important to acquire and preserve in 2011.

Facing both relentless technological change and ever-increasing demands on the Federal budget, the Library has to be both disciplined and creative to fulfill its historic mission of service to the Congress and to the American people.

This budget request is informed by an ambitious 2009–2010 Management Agenda that I launched in July 2009 to ensure that the Library's investment priorities are focused even as its programs reflect new ideas and solutions. We have instituted a Library-wide approach to updating the Library's strategic plan and aggressively developed coordinated plans for information resource management, enterprise architecture, human capital management, facilities management, website content, the acquisition of electronic works through mandatory deposit, and the creation of a culture of innovation at the Library.

The Management Agenda also addresses findings from a number of recent internal management-related studies, including a report from an internal Library Committee on Strategic Direction, an Inspector General report on information technology strategic planning, and a Library-wide employee survey. The agenda will help the Library's Executive Committee continue to strengthen Library decisionmaking, allocation of resources, and accountability.

Since its July launch, the Management Agenda has emphasized the development of results-oriented outcomes, broad involvement from all levels of Library staff and managers, and implementation of best practices in Library management structures and processes.

For the Library's fiscal 2011 request, our principal requests for program increases are for:

*Broadening Research Capacity and Enhancing Data Management Technology to Better Serve Congress on Complex Emerging Policy Issues*

*Broaden Research Capacity—\$2.8 million*

The Congressional Research Service (CRS) requests funding and FTEs in fiscal 2011 to broaden its expertise and strengthen analytical capacity in the areas of science and technology, healthcare, financial economics and accounting, and social policy related to employment, immigration, and the work force. This funding will enable CRS to enhance its unique multidisciplinary analysis on the range of complex policy issues before the Congress. The request is the first half of a 2-year initiative to provide the additional analytical skills needed to fully support the expanding needs of the Congress in these areas. This additional analytical capacity will also give CRS the long-term flexibility to adapt to rapidly changing issues and debates that will arise in these critical areas.

*Enhance Technology—\$2.1 million*

CRS also requests funding to adapt and strengthen its information technology research architecture in order to meet growing congressional demands in almost every policy area for analysis requiring an increasing quantity of complex data. This funding will enable CRS to create and maintain a state-of-the-art information research architecture, establish a robust research data management (RDM) structure, and develop new mechanisms to deliver CRS products and services to its congressional clients.

*Assuring Access to the Collections Now and into the Future*

The Library's fiscal 2011 budget request includes modest support for key operational and technological improvements that directly affect the delivery of core mission services. The request will support our newly reorganized strategic planning efforts over the last several years to prioritize our needs and allocation of resources.

*Acquisitions and Bibliographic Access Directorate Space Reconfiguration—\$1.05 million*

The request includes support for a reconfiguration of space in the Acquisitions and Bibliographic Access Directorate (ABA) to realize efficiencies in acquiring and processing collections materials. This is a critical core function of the Library. Heretofore these processes have been based on a century-old library model. Work processes have been reengineered and streamlined, and now a space reconfiguration is needed to fully implement our new workflow model by creating appropriate processing areas, mail receiving areas, shelving, and secure housing areas.

*Collections Inventory Management—\$1 million*

The requested increase in funding will also help to make inventory control an ongoing, core function. This funding will support the continuation of the baseline inventory initiative begun in 2002, as well as the inventory work related to the transfer of collections to Fort Meade. The Library is working with leaders in the private sector to identify and incorporate best practices in inventory control.

*Integrated Workflow and System Replacement—\$1.35 million*

The Library also requests funding to take full advantage of technology by completing the analysis of Library Services' systems and workflows begun in fiscal 2009. This effort is developing a process management system to integrate current systems and databases, thereby streamlining Library-wide business functions. The Library's renewed enterprise architecture program will guide the development of the system. This request also includes support for the replacement of an inadequate MS DOS-based order, distribution, and accounting software system used by the Library's overseas offices.

*Elimination of Foreign Legal Gazette Backlog and Class K Conversion—\$1.1 million*

Finally, to ensure that the law collection is both comprehensive and current, the Library requests funding for contractual services to eliminate a preservation backlog of foreign legal gazettes, as well as personnel resources to reclassify 610,000 volumes in the law collections. This reclassification will allow new legal specialists to search and retrieve all portions of the collections, as staff members most familiar with the older classification system retire.

*Investing in Human Capital*

*Supervisor Development—\$1.05 million*

In alignment with the Management Agenda's focus on human capital management, the Library requests an investment in developing supervisors and staff, as well as funding for a Library-wide student loan program to support recruitment and retention of the next generation of Library employees. The request for funding for supervisory development flows in part from a Library-wide employee survey, which revealed the need for enhanced supervisory and leadership skills to develop new and existing supervisors with the skills to hire and cultivate a diverse and effective workforce.

*Staff Development—\$1.6 million*

The Library requests funding to invest in staff development to address critical training gaps, and to develop and sustain a culture of innovation. Funding for the Library-wide student loan program modeled on the programs of the Congress and the Executive Branch will give the Library the retention and recruitment tool that it needs.

*Ensuring Effective and Efficient Maintenance and Operation of the Library's Public Spaces and Facilities*

*Public Space Maintenance and Operations—\$1.5 million*

The Library's request includes funding to support Library-wide and public space facility needs. The expanding workload associated with the greatly increased number of visitors, aging historic buildings, complex regulatory requirements, and broad new energy conservation initiatives cannot be accomplished with currently available resources. In fiscal 2011, the Library requests support to address flooring issues in public spaces, including carpeting that has long ago exceeded its normal replacement cycle; to implement greening and energy conservation initiatives; to eliminate an Office of Compliance-reported workstation safety hazard; to modernize food service areas; and to expand the use of contract professional design and engineering services as recommended by the Office of the Inspector General.

*Furniture Inventory Management—\$391,000*

In addition, the request includes funding to implement an ongoing contract for an automated furniture inventory and recycling system for furniture reuse. This funding will support the Library's highly successful furniture inventory and reuse pilot project, which since 2006 has effectively reused 13,196 pieces of furniture to achieve a 3-year savings/cost avoidance roughly ten times the annual cost of a furniture inventory management contract. This requested funding will also support a small stock of high demand, frequently needed items for rapid provision to offices that are experiencing losses of productivity because of the long lead time required for procurement processing.

*Acquiring In-House IT Capability in the Electronic Copyright Office (eCO) and Licensing/Royalty Distribution Systems**Copyright Technology Office IT Support—\$475,000*

In response to an increase in responsibilities related to system infrastructure and development support for the electronic Copyright Office (eCO) system on which the great majority of Copyright Office activities are processed, the Copyright Office requests funding to acquire in-house IT expertise for the system. This funding will provide highly skilled and experienced IT professionals to support the eCO system so that the Copyright Office will rely less on contract support for day-to-day maintenance and operations. This funding will also result in more detailed and efficient system implementation and testing.

*Licensing Reengineering Project—\$790,000*

The Copyright Office also requests funding for contractor support to complete the implementation of the Licensing Division reengineering effort to automate the royalty calculations process. Reengineering Licensing's processes and automating the calculations process will improve productivity and strengthen responsiveness to both copyright claimants and users of the public licenses. In addition, the Copyright Office requests funding for IT staffing to support the reengineered licensing/royalty distribution system.

The committee last year appropriately expressed concern about the number of copyright registration applications waiting processing. Through internal efforts in the Copyright Office and a recent program which I initiated to temporarily assign 50 other Library personnel to the Office, we have made a significant reduction—close to 70,000 claims—in that backlog. Both the Register and I will continue to give this effort a high priority.

In summary, senior management's extensive recent efforts to renew and improve governance processes and accountability across the Library account for our fiscal 2011 funding request to support these critical operational requirements and immediate congressional needs.

Mr. Chairman and members of the subcommittee, thank you again for your support and your consideration of our fiscal 2011 budget.

## PREPARED STATEMENT OF DANIEL P. MULHOLLAN

Mr. Chairman, Senator Murkowski, and other Members of the Subcommittee: Thank you for the opportunity to present the fiscal year 2011 budget request for the Congressional Research Service (CRS). I would also like to describe how we align our work with that of the Congress to serve you most effectively and steps we are taking to ensure continued success in that mission.

## ALIGNMENT OF CRS WORK WITH THE CONGRESS

CRS works closely with the Congress on a daily basis and has maintained this working relationship since its inception. Members know they can count on CRS to be nonpartisan, objective, authoritative, and confidential. Experts at the Service align their work with the congressional agenda from the moment a new issue arises and continue to meet the needs of lawmakers throughout all stages of the legislative process and across the full range of active public policy issues. CRS analysts examine the nature and extent of problems facing the Congress, identify and assess policy options, assist with hearings on policy proposals and on implementation of existing policies.

We closely support the Senate in the confirmation process involving executive officers and judges and are currently gearing up for another nomination to fill a Supreme Court vacancy. A team of CRS attorneys and procedural experts is also assisting the Senate in preparing for an impeachment trial of a Federal district court judge. With high profile treaties on the agenda, CRS will continue its analytical sup-

port of the treaty ratification process. CRS brings a high level of expertise and institutional memory to assist with these essential constitutional responsibilities of the Senate.

Highlights of the past fiscal year illustrate the breadth and depth of services that meet continuing congressional needs for legislative assistance.

As the financial crisis peaked and the U.S. economy continued to stall, CRS experts focused on options for economic stimulus under consideration by Congress: understanding the effectiveness of Federal spending increases, income tax cuts, and the application of monetary policy. During formulation, deliberation, and implementation phases of the stimulus bill, the American Recovery and Reinvestment Act of 2009, analysts assessed how the provisions could provide stimulus, in what ways they could be utilized, and by whom. They addressed debt and deficit issues and measures of economic recovery. As Congress debated measures to address weaknesses of the financial system, CRS supported congressional efforts to reform key elements of consumer finance, including credit card markets, mortgage finance, and predatory lending. Experts studied and reported on systemic risk, resolution of problems of banks deemed too big to fail, mark-to-market accounting, and credit rating agencies. When the effects of the financial downturn began to be felt in other parts of the world, CRS analyzed the impact of the crisis on the European Union, China, Canada, Latin America, and Russia.

The healthcare debate also saw CRS heavily involved in analyzing the various proposals and consulting with Member, committee, and leadership offices. CRS formed a health team with participants from several CRS divisions marshaled to provide a multidisciplinary perspective on this highly complex issue. Our congressional procedures experts also responded to many complicated procedural questions that arose during consideration of legislative proposals. This issue remains a continuing focus of CRS work.

The President also submitted his first nomination to the Supreme Court last year. CRS analysts and information professionals, as in years past, worked closely with Senate Judiciary Committee staff in supporting the advice and consent process. CRS prepared analyses of court of appeals decisions of Judge Sotomayor and developed resources available on our website to assist with the hearings and Senate deliberation of the nomination.

Other congressional concerns required impartial CRS policy analysis, such as the influence of Iran's policies on the security of the Middle East region, Afghanistan stabilization, and the handover of major security missions to Iraqi forces; unemployment compensation, job creation, and training needs resulting from the severity of the recession; food and drug safety; and responses to the potential public health threat of an H1N1 influenza pandemic. Additional examples of support include analysis of environmental and climate change concerns, U.S. energy security and independence; the crisis in the automobile industry and subsequent bankruptcies of large automobile companies and suppliers, the U.S. missile defense program and its technical capabilities, national security issues and military law regarding wartime detainees, and the increase of drug trafficking violence at the U.S.-Mexican border.

CRS management consults with congressional leadership regularly to ensure that the Service's research agenda is aligned with lawmakers' needs. To confirm that CRS remains aligned with the Congress and supportive of its legislative needs, we appreciate your support for engaging outside expert assistance to inform and reinforce our efforts to align our work with the congressional agenda. We recently entered into a contract with LMI, a not-for-profit strategic consulting firm, to evaluate independently CRS's current staffing models and procedures to determine how effectively we are meeting our statutory mandate. LMI has gathered both qualitative and quantitative information from committees, subcommittees, Members and staff and CRS staff. We were proactive in contacting over 3,700 staff members by e-mail before the distribution of a staff survey by LMI to encourage a strong response rate. That effort produced a response rate with a margin of error of less than 3 percent for the data. LMI conducted interviews with Members or senior staff from 15 congressional offices and focus groups with staff from the House and the Senate—all groups selected using a stratified random sample. LMI will also report on best practices for research organizations geared to ensuring responsiveness to client needs, and assess communication channels, including a Member Advisory Committee, that would ensure that CRS remains aligned with the work of the Congress and the needs of its clients. In addition, LMI conducted meetings with CRS staff. We expect their final report in August.

On January 15, 2010, CRS implemented telework for its non-bargaining unit staff, following guidance in the conference report that CRS have in place by January a telework policy modeled on that of the Library. Following negotiations with CREA, the certified bargaining representative, and with the help of a mediator from the

Federal Mediation and Conciliation Service, we reached a formal agreement on March 26, 2010. We will modify the telework agreement for non-bargaining unit staff so that it conforms to the agreement reached with CREA, and will implement telework for all CRS staff on May 3, 2010. CRS has invested significant resources to set up a robust infrastructure to support those who seek the telework option. I believe that the telework policy implemented for CRS staff provides the benefits to employees of an additional alternative work arrangement. At the same time the policy preserves the ability of CRS to be there when Congress needs us and to remain fully aligned with the legislative agenda and your work patterns.

#### CRS AS SHARED STAFF

We understand the difficult budget outlook, and CRS is prepared to play its part in arriving at a responsible budget for the next fiscal year that achieves critical agency objectives within a constrained funding environment. Congress faces enormous challenges in fashioning policy on high-profile issues such as health, immigration, the aging population, the conduct of two wars, burgeoning technological advancement, and financial restructuring. In CRS, Congress has at its disposal adjunct staff available to every Member and committee. This means that Member and committee offices need not hire the specialized expertise that CRS is able to retain and make available to all congressional offices and committees as shared staff. In difficult budget times, CRS offers a model that achieves economies and savings and at the same time affords the Congress the expertise and resources it needs to legislate wisely and in an informed manner with respect to the complex issues that confront it and the country.

In that regard, before explaining our budget request, I want to discuss briefly a matter that relates to this model that Congress intended for CRS and the constitutional status of CRS and the Library of Congress. As the Library has already informed you, in February, the Federal district court in *Live365, Inc. v. Copyright Royalty Board*, preliminarily rejected a challenge to the Librarian's authority to appoint Copyright Royalty Judges ruling that it was likely that the Library would prevail on its argument that the Librarian of Congress is the head of a department who may appoint such officers under Article II of the Constitution. The court relied in part on an earlier 1978 case—*Eltra Corp. v. Ringer*—which upheld the Librarian's power to appoint the Register of Copyrights. The judge noted the *Eltra* court's findings that the Library was a hybrid agency with both executive functions (e.g., the Copyright Office's registration function) and legislative functions (e.g., CRS).

I feel that the hybrid formulation captures the original intent of Congress in placing CRS within the Library. Congress extensively debated the relationship between CRS and the Library prior to the creation of the modern CRS in the Legislative Reorganization Act of 1970. At the time, it was thought "the Library serves as a useful mantle for protecting the Service from partisan pressures. Furthermore, the effectiveness of the CRS will be enhanced by its continued instant access to the Library's collections and administrative support services." I believe that that rationale is still valid today and that the model that the Congress devised back in 1970 works. While CRS remains open to any change the Congress deems advisable, the overall relationship whereby Congress' policy research and analysis support arm is housed within the Library of Congress is a valuable one worth preserving.

#### FISCAL YEAR 2011 BUDGET REQUEST

The CRS budget request for fiscal year 2011 is \$119,919,000, with almost 90 percent devoted to pay and benefits for our staff. This request includes funding for mandatory pay increases and price-level increases due to inflation, added staff with specialized technical skills and policy expertise, and an upgraded information architecture supporting ready access to the many and varied data sets required for research. CRS continues to operate at its lowest staff level in more than three decades, and the small percentage of non-pay expenditures is limited to basic operational needs. Therefore it is necessary to request additional funding when investments are needed to expand or upgrade the capabilities of the Service to meet the growing policy demands placed upon Congress.

An internal review of our capabilities to analyze the evolving and increasingly complex challenges facing the Congress identified gaps in the specialized skills needed for comprehensive multidisciplinary analyses and assessments. This budget request includes \$2.8 million for 17 of the 34 FTEs needed to rectify these concerns. Thirteen of these 34 positions would enhance scientific and technical capabilities in areas such as energy, climate change, information technology, military weapons, and security and provide additional expertise in disciplines such as physics, engineering, and biology. Eight positions would provide new skills in analyzing the

healthcare industry, health informatics, and veterans' health. Another eight positions would focus on financial regulatory and oversight issues with expertise in financial accounting and auditing, consumer financial protection, credit markets, and financial derivatives. The remaining five positions would be skilled in labor economics, demography, tax policy, and statistics to support the analyses of issues pertaining to employment, immigration, workforce, and economic well-being. This 2-year targeted increase in staff would require that CRS return to a FTE total that is only four over the level authorized in fiscal year 2007. These experts would have a direct impact on providing all relevant information and analysis needed for informed decisions.

The budget request also includes \$2.1 million to address our need to manage in a more sophisticated way the rapidly growing data necessary for authoritative analysis. We must invest in tools and services to establish an architecture that accommodates changes in technology. With this funding, CRS would create service-wide frameworks for data sets that would allow for efficient access to reliable data and full utilization of its contents. This investment would also allow us to employ modern content delivery capabilities, including interactive maps, data set mining, personalization features such as content tagging, and enhanced access to CRS products from mobile devices. Delays in this investment would cause a decline in efficiency and effectiveness as problems would increase due to technological obsolescence.

#### CONCLUSION

This budget request identifies the resources needed for the talented and dedicated staff of CRS to provide the full scope of information and analysis that is relevant to the work of Congress. CRS scrutinized the plans for this spending to ensure the returns justified the investment in this period of difficult economic conditions. My colleagues and I have and will continue to examine every activity and program for efficiencies and reduce or eliminate costs where possible while fulfilling our mission. We are proud of our unique role in providing comprehensive, non-partisan, confidential, authoritative, and objective analysis to the Congress, and we thank you for your support.

Thank you.

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PREPARED STATEMENT OF MARYBETH PETERS, REGISTER OF COPYRIGHTS, COPYRIGHT OFFICE

Mr. Chairman, Senator Murkowski, and other Members of the Subcommittee: Thank you for the opportunity to present the Copyright Office's fiscal 2011 budget request. Today I will discuss my fiscal 2011 budget request for additional funds and FTEs to support the electronic Copyright Office system and for offsetting authority and FTEs to complete and maintain the Licensing Division Reengineering effort. I will also highlight some of the Office's accomplishments and challenges of fiscal 2009 and 2010.

#### SUPPORT OF THE UNITED STATES COPYRIGHT SYSTEM

The Copyright Office administers the U.S. copyright law, under which owners of creative works register claims to protect their copyrights, cable and satellite companies and other users of statutory licenses pay royalties related to their statutory licenses, and publishers and other distributors of works published in the United States deposit copies of copyrightable works for possible addition to the Library's collections. Congress enacted the first copyright law in May 1790; in 1870, it centralized the administration of the Federal copyright law in the Library of Congress. The Copyright Office typically handles more than 500,000 copyright claims each year, representing well over one million works, and transfers copies of selected copyrighted works to the Library's collections. In fiscal year 2009, the Office received 532,370 claims to copyright and registered 382,086 claims. It transferred to the Library over 739,000 copies, valued at over \$32.2 million. The Office as a whole answered almost 360,000 non-fee information and reference inquiries and served a substantial number of visitors to the Public Information Office and the Copyright Public Records Reading Room.

The Licensing Division of the Copyright Office receives royalty fee payments related to licenses that deal with secondary transmissions of radio and television programs by cable television systems; secondary transmissions of superstations and network stations by satellite carriers; and the importation, manufacture, and distribution of digital audio recording devices and media. In fiscal 2009, the Licensing Division collected more than \$262 million in royalties from cable and satellite com-

panies subject to statutory licenses, accrued more than \$10.5 million in interest on royalties for the copyright owners, and distributed close to \$273 million to copyright owners. The Office moved forward with reengineering the Licensing Division and building an electronic filing system.

#### HIGHLIGHTS OF COPYRIGHT OFFICE ACCOMPLISHMENTS AND CHALLENGES

##### *Addressing the Copyright Office Backlog*

As discussed in its December 31, 2009 report to you, the Copyright Office has been focusing on reducing the outstanding backlog of applications for copyright registrations. As highlighted in the report, the Copyright Office's backlog reduction efforts are in three key areas: additional staff; improved technology; and increased eService usage. We added over 30 Registration Specialists: 17 in spring 2009 and 16 in January 2010. Those hired in 2009 are now fully productive; the class of 2010 is in training and currently productive in several categories of works. We improved the technology, supporting the processing of serial publications in the fall of 2009, through a combination of new hardware installation and new software. Finally, eService, the online copyright claims submission system, is now the predominant new claims filing method, accounting for over 70 percent of our weekly filings.

In addition, between January and March 2010, the Librarian of Congress provided short term resources to assist in reducing our claims backlog. Fifty-one Library technicians were assigned to this effort, focusing on clearing over 43,000 serials (approximately 10 percent of our processable claims backlog); many television programs and audio books and more than 10,000 pre-screened performing arts/sound recording claims. Through the combined efforts of the Copyright Office and Library staff, and despite weather related closings, we achieved our goal of reducing the backlog by 100,000 claims. The Copyright Office is grateful to the Librarian and the Library as a whole in supporting our efforts to resolve the backlog issues.

##### *Operations Activities*

The Copyright Office implemented its business process reengineering project at the end of fiscal 2007 and released eService, the electronic Copyright Office (eCO) online registration system, in July 2008. eService filings quickly displaced the use of paper applications, constituting 54 percent of all claims received for fiscal 2009 and 72 percent for the first quarter of fiscal 2010.

In addition to the backlog reduction work previously discussed, the Copyright Office focused on: long-term strategic improvements to the eCO system; modified its fee schedule; completed preparations for the Copyright Records Digitization Project; and as part of our succession planning effort, established a new leadership training program.

In the Summer of 2009, the Office awarded a contract for major eCO software upgrade that will improve eService user processing, improve Copyright Office throughput time, and in a later version, provide automated statistics to support internal management.

##### *Processes*

Through a continuous improvement initiative, the Copyright Office further refined its reengineered processes. For instance, Registration Specialists proposed two changes adopted by the Copyright Office: one resulted in decreasing the time required for the copyright deposit dispatch process; the other led to improved inter-divisional communications, resulting in faster problem resolution. We also examined our mail operation and throughput times in our Receipt, Analysis and Control Division which resulted in improvements in data entry and processing of correspondence. We expect to continue our improvement efforts by identifying additional areas where efficiencies can be achieved.

In August 2009, the Copyright Office adjusted its fee schedule to reflect post-reengineering operational changes. Fees associated with filing copyright claims were adjusted to reflect processing costs, with eService filings remaining at \$35, and paper claims increasing to \$65: a reflection of the increase in the cost of processing paper claims. eService claims are less costly: they do not require data entry and they require fewer quality controls. Other fee services, such as research or certified copies of deposits, were also adjusted to more closely reflect the actual costs of the service.

##### *Organization*

As previously mentioned, during fiscal 2009, the Office hired 17 registration specialists. The new hires were immersed in an accelerated training program combining classroom instruction with actual claims processing in the production environment. As of this month, 16 registration specialists achieved independence in

claims processing. A second class of 16 registration specialists was hired in January 2010 and is currently engaged in an accelerated training program. The addition of 32 new registration specialists will significantly increase our production capacity. Recruitment for both groups was extensive, with a special effort made to attract underrepresented populations into our workforce. The interest level was overwhelming, allowing us to select a high caliber of new Registration Specialists.

In mid-2008, the Copyright Office realized the need for a good succession planning program and a corresponding need to implement a leadership training program. In the spring 2009, we launched the Aspiring Leaders Program with an inaugural class of 12 participants. This is a competitive program in which candidates from the across the Copyright Office were selected to participate in a series of education programs focusing on leadership, communications, decisionmaking, and strategic thinking. Participants also had detail opportunities to other Federal agencies including the National Archives, Smithsonian Institution, and offices thought the Library of Congress. Our goal is to offer this program to other Copyright Office staff on an annual or bi-annual basis.

#### *Information Technology*

In fiscal 2009, the Copyright Office continued to make significant improvements to the eCO system through periodic software development releases and hardware installations. The cumulative effects of these actions are better system performance, stability and enhanced functionality for both Office staff and online filers. This included expanding the eService capacity to accommodate up to 500 concurrent users and ensuring its stability through an automatic backup system that will operate if the primary system fails. Also, in November 2009 the Library of Congress Information Technology Service installed a new computer hardware suite that resolved recurring system throughput issues, improving the accessibility of eCO information by the Copyright Office staff.

System improvements are continuing through fiscal 2010 as the Office is engaged in a major eCO upgrade designed to improve eService customer experience, improve Copyright Office throughput time, and in future versions, the automated capability to provide automated statistical software. The project includes an upgrade to the newest version of the software application that drives eCO and the installation of new network hardware. The initial implementation, scheduled for June 2010, will be followed by subsequent releases introducing new system functionality based on feedback elicited from internal and external users. Expected improvements in eCO system performance and functionality will ultimately result in increased production and decreased registration processing times.

For fiscal 2011, the Office seeks approval to hire three new highly skilled IT specialists to provide expertise in the areas of project management, business analysis, requirements definition, and system testing. Providing for more in-house IT support will result in direct and indirect cost savings by reducing reliance on contractors for ongoing maintenance and operations, enhancing our ability to undertake critical projects, improving project and resource management, and improving testing methods.

#### *Copyright Records Digitization Project*

We made significant progress on our Copyright Records Digitization Process during fiscal 2009 and early 2010. Based on an extensive analysis of our existing records, we determined that, since 1870, the year the registration function was moved to the Library thereby consolidating the copyright functions in the Library of Congress, 34 distinct processes have been employed to capture and preserve copyright data. Each process, from the large books signed by the A.R. Spofford, the Librarian of Congress in 1870, through the handwritten and typed card catalogue, and even a citizenship certification signed on a playing card, required testing to ensure the best possible image could be captured and stored for preservation and public use.

Based on the analysis, the Copyright Office will undertake the following steps to complete the digitization task and allow full public access to the country's copyright records:

- Complete imaging the Catalog of Copyright Entries (660 volumes). This is a 6 month process and should be completed by the fall 2010;
- Complete imaging of 2.5 million assignment cards. This should also be completed by fall 2010;
- Begin imaging the 49 million card catalogue by catalog series, beginning with the most recent (1977) data and working backward;
- Begin metadata creation for imaged records to ensure public searchability. This is a manual process and must be done for each image; and

—Begin the cross referencing between and integration of imaged records.  
I look forward to sharing our progress on this project at future hearings.

#### *Licensing Division Reengineering*

In fiscal 2009, the Licensing Division resumed its reengineering efforts, reviewing its current administrative practices and underlying technology, performing a needs analysis for future operations, and beginning to design its re-engineered systems. This included developing an operational baseline, consulting with external stakeholders and preparing the organization for the change process inherent in re-engineering. The goals of this reengineering effort are to: decrease processing times for statements of account by 30 percent or more; implement an online filing process; and to improve public access to Office records. In fiscal 2010 the Congress authorized the Licensing Division to use \$1.1 million from the royalty pools to cover the reengineering costs and associated supporting software. Earlier this month the Office released a Request for Proposal to support this effort. As part of our fiscal 2011 budget request, we requested an additional one time authorization of \$500,000 to cover any unforeseen reengineering expenses. As always, any funds not expended will be returned to the royalty pools. We are also asking for authorization of 2 FTEs and \$285,000 to cover ongoing system costs and maintenance for the new information technology system.

#### *Legal and Policy Activities (Domestic and International)*

The Office worked closely with the staff of the Senate Committee on the Judiciary on the reauthorization of Section 119 of the Copyright Act, a statutory license available to satellite services for the carriage of certain-over-the-air television signals, which was to expire on December 31, 2009. In 2008 the Office submitted its report to Congress on updating this license as well as two other statutory licenses; this report served as the beginning point of this past year's legislative activities. During the year much discussion ensued and the Senate introduced S. 1670. However, work on this legislation was not completed by the end of last year and since then Congress has enacted several temporary extensions of the section 119 statutory license.

The Office spent significant time during the year evaluating the legal and business implications of the ongoing Google Book Settlement litigation. The Office assisted the Justice Department in preparing its Statement of Interest filed September 18, 2009 for the October fairness hearing. That hearing was postponed when the parties announced that they were amending the settlement agreement to address concerns that had been raised by a wide range of parties. An amended settlement agreement was filed with the court in early November and the fairness hearing was rescheduled for February 18, 2010. The Office once again assisted the Department of Justice with its second Statement of Interest, filed February 4, 2010. Both statements expressed concerns about the effect of the settlement on copyright law and policy and on competition. Additionally, the Office assisted the Justice Department in a number of court cases, including the preparation of amicus briefs filed with the Supreme Court concerning the interpretation of various provisions of the Copyright Act and filings in other cases involving constitutional challenges to the copyright law.

The Omnibus Appropriations Act of 2009 mandated that the Copyright Office prepare a report for Congress on the copyright treatment of pre-1972 sound recordings; this report is due in March 2011. Specifically, the Office has been directed to study the desirability of, and means for, bringing sound recordings fixed before February 15, 1972 under Federal jurisdiction. Sound recordings fixed before February 15, 1972 are governed by state law which in many cases is not well defined. The Federal copyright law allows states to protect these pre-1972 sound recordings until February 15, 2067. Work on this complicated issue is underway, and we expect to meet our deadline.

On the policy front, office attorneys spent considerable time in 2009 examining the ways in which the United States provides copyrighted works in accessible formats to the blind, visually impaired and print-disabled. The Office led an extensive consultation process regarding the operation of the U.S. exception, 17 U.S.C. § 121, generally referred to as the "Chafee Amendment." The Copyright Office website contains the record of this public process. The Office also conducted a day-long public meeting to explore the topics raised in the comments it received. These included: the operation of the Chafee Amendment for the general reading public as well as for students at the K-12 and college levels; the cross-border movement of accessible works for the blind and visually impaired; the role of technology; the role of trusted intermediaries; and existing systems for providing accessible versions of copyrighted works to the blind. The Office has worked diligently with other U.S. Government agencies in preparing for and attending meetings of the World Intellectual Property

Organization's (WIPO) Standing Committee on Copyright, which has this issue on its agenda. The Office is currently working with the Library's National Library Service for the Blind, as well as with advocates for the blind and other stakeholders to explore ways to improve standards, resources and responsible cross border movement of works in accessible formats. Finally, during the week of March 8, the Office and the WIPO sponsored an international training program at the Library of Congress. The program focused on exceptions for the blind in the United States and other countries and consideration of a series of timely questions about resources, technical standards and market solutions designed to improve accessibility in the digital world, an area in which the United States has long been a leader. Attending were representatives of developing countries and countries in transition as well as experts from various parts of the world. Speakers included government and private sector experts from the United States and other countries. Staff from the Judiciary Committees of the Senate and House spoke on "Copyright Policy on Capitol Hill."

Additionally, the Copyright Office assisted Federal government agencies with many multilateral, regional and bilateral negotiations and served on many U.S. delegations, including negotiations regarding a proposed Anti-Counterfeiting Trade Agreement and negotiations and meetings relating to the implementation of intellectual property provisions of existing Free Trade Agreements and Trade Promotion Agreements. The Copyright Office also participated as part of the U.S. delegation at various meetings of the WIPO.

#### CONCLUSION

Mr. Chairman, I ask you to support the Office's fiscal 2011 budget request for two FTEs and additional offsetting authority to complete and maintain the Licensing Division Reengineering efforts and additional FTEs to provide long-term support for eCO, our information technology system.

I also want to thank you for your past support of the Copyright Office re-engineering efforts and its budget requests.

Senator NELSON. Ambassador O'Keefe.

Thank you, Dr. Billington.

#### STATEMENT OF AMBASSADOR JOHN O'KEEFE, EXECUTIVE DIRECTOR, OPEN WORLD LEADERSHIP CENTER

Ambassador O'KEEFE. Thank you, Mr. Chairman, Senator Murkowski, Senator Pryor. I appreciate the opportunity to testify on the Open World Leadership Center's fiscal year 2011 budget request.

As a unique congressional center and resource, Open World is the dynamic catalyst for hundreds of international projects and partnerships that constituents have developed with emerging leaders from the countries of Eurasia. More than 6,000 volunteer American families in all 50 States have hosted 15,500 young professionals. More than 75 percent of Open World's fiscal year 2009 appropriation was expended on U.S.-based goods and services.

Our U.S. hosts immersed these professionals in American life and values, contributing \$1.9 million in cost shares. American volunteer hosts have enthusiastically stepped forward, keeping the demand for 2010 visitors at nearly triple our supply.

In the past year, we have intensified our continuing efforts toward working with Senators, Representatives, and their staffs in coordinating programs with civic organizations in towns across America. We have doubled the number of Members of Congress who have met with our delegates. The Open World Board of Trustees has also directed the Center to draft a new strategic plan with goals that will engage Members of Congress and their constituents even more.

We brought delegates from all 83 regions of Russia, all parts of Ukraine, from the Caucasus and central Asia. They now constitute 10 percent of the Russian Duma, one-third of the Council of

Judges, and are the engines for change in fields from education to medicine.

In the security sphere, for example, a Georgian Open World participant has been promoted to be his country's first "cybersecurity czar." As he crafts Georgia's strategy to thwart the emerging threat of cyber attacks, he has reconnected with Department of Homeland Security experts that he met on our program.

In a very recent example, a Kyrgyz parliamentarian, whom the Montana Senate majority leader both hosted in Helena and then visited in Bishkek, is one of the leaders writing the new constitution in Kyrgyzstan right now following the April revolution.

Open World offers an extraordinary "bang for the buck" in terms of efficiency, cost effectiveness, and value. The Center boasts an overhead rate of 7 percent, and every grant contains cost-shared elements. Unfortunately, to keep costs down, I had to let go one of our nine staff here in Washington.

Funding at the \$14 million level requested by the Board of Trustees will enable the Center to resume its important nonproliferation program, bringing nuclear experts to enhance working relationships not covered by other programs. We will expand to Armenia, Uzbekistan, and Belarus and will fund a full-time development expert.

With your support, Americans throughout the United States will engage a promising new generation of political and civic leaders—parliamentarians, mayors, environmentalists, anti-human trafficking activists, and others—in a dialogue that has, for example, doubled the number of Rotary Clubs throughout the regions we operate in and created 20 sister courts.

#### PREPARED STATEMENT

This unprecedented congressional program has proven to be an exciting vehicle for linking grassroots professionals and emerging leaders. It helps create more transparent and accountable governments and expands cooperative arrangements between America and Eurasia.

Thank you very much for your attention.  
[The statement follows:]

#### PREPARED STATEMENT OF AMBASSADOR JOHN O'KEEFE

Mr. Chairman, Senator Murkowski, and other Members of the Subcommittee, I appreciate the opportunity to present testimony on the Open World Leadership Center's budget request for fiscal year 2011. The Open World Leadership Center, of which I am the Executive Director, is a unique congressional center that is a resource for Members of Congress and their staff and constituents. It seeks to assist Congress in its foreign policy oversight responsibilities and aid Congress in inter-parliamentary and similar legislative activities. In this capacity, the Center conducts one of the largest U.S. exchange programs for Eurasia, through which some 6,100 volunteer American families in all 50 states have hosted thousands of emerging leaders from former Soviet countries. As a result of these exchanges, hundreds of projects and partnerships beneficial to all have been initiated and enhanced. All of us at the Center are very grateful for Congress' continued support, and to the Members of Congress who participate in the Center's Open World program and who serve on our governing board. We look forward to working with you, other Members of Congress, congressional interest groups, and volunteer hosts throughout the United States to set the future path of Open World.

The Board of Trustees suggested that the Center seek greater congressional involvement in the Open World program and develop a strategic plan that makes our agency an even more valuable resource for the legislative branch. I am pleased to

share with you that nearly one out of two program participants in 2009—48 percent—met with Members of Congress or their staff. When our board convened on February 4, 2010, we discussed important legislative components of a new strategic plan for 2012–2016, and I look forward to sharing these components with you as we develop them.

Allow me to update you on the Center's operations and some recent program accomplishments. More than 15,000 emerging leaders from Russia, Ukraine, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan, Lithuania, and Uzbekistan have participated in Open World. Significantly, more than 48 million Muslims reside in countries where Open World is active, and these countries have approximately 2,000 miles of shared borders with Iran and Afghanistan.

Since its inception, the Center has awarded grants for overseeing our U.S. exchanges to 60 organizations headquartered in 25 different states and the District of Columbia. These grantee organizations host delegations themselves or award subgrants to local host organizations to do so. By 2010, well over 600 local host organizations—including universities and community colleges, Rotary clubs and other service organizations, sister-city associations, and international visitor councils and other nonprofits in all 50 states and the District of Columbia—had conducted Open World exchanges for the Center.

More than 75 percent of Open World's fiscal year 2009 appropriated funds were expended on U.S. goods and services through contracts and grants—much of it at the local community level. American volunteers in 48 states and the District of Columbia home hosted Open World participants in calendar year 2009, contributing a large portion of the estimated \$1.9 million given to the program in the form of cost shares.

In fiscal year 2010, Open World had a 14 percent reduction in appropriated funds. As a consequence, Open World terminated one of its most important but costliest programs, the nonproliferation exchange program for Russian nuclear experts and decision makers. Nevertheless, through cost shares, contract renegotiations, donations, and an interagency transfer, the Center was able to maintain the quality of the Open World program as well as to double the number of participants from the Republic of Georgia.

The Center's budget request of \$14 million for fiscal year 2011 was reviewed by our Board of Trustees. We will seek to fulfill our Board-approved strategic plan to expand to Armenia, Uzbekistan, and Belarus, as well as to bolster our development efforts. At this level, we will bring 1,400 participants in calendar year 2011. We estimate that, again, more than 75 percent of the appropriated funds will be spent on U.S. goods and services, including nearly \$4.5 million in direct grants to American host organizations. The funds will allow thousands of Americans throughout the United States and their counterparts abroad to generate hundreds of new projects and partnerships and other concrete results.

#### OPEN WORLD PROGRAM RESULTS

There are many examples of solid, productive results from the Open World program:

A Moscow principal who is pioneering inclusive education at her school instituted new curriculum activities for her students with disabilities—and became an advocate for Individualized Education Programs for special-needs students—after her 2008 Open World education exchange to Worcester, Massachusetts. Russian President Dmitry Medvedev met with this alumna and toured her institution on September 1, 2009, the first day of the Russian school year. The Russian president was impressed by the curriculum additions and by the alumna's point that inclusive schools like hers do not receive any government funding to defray the cost of the extra services provided to special-needs children. President Medvedev said he would have the Ministry of Education look into this funding issue and praised the alumna's school for being in the vanguard of inclusive education. The school visit was covered by three national TV channels.

In agribusiness, a Moldovan alumnus, Dr. Gheorghe Arpentin, commenced a series of Skype online lectures recently at the request of North Carolina grape growers, many of whom have recently converted their fields into grape vineyards. The first lecture, on using organic viticulture, was well received; Dr. Arpentin's recommendations were referred by members of the North Carolina Wine and Grape Council to North Carolina State University, where they are now being field tested on North Carolina soils for prospective application. Dr. Arpentin was recently named a deputy minister of agriculture. His second lecture is scheduled for late April 2010.

This is what one of the American participants in Dr. Arpentin's first Skype class had to say:

"The SKYPE Lecture on Grape Growing by Dr. Arpentin from Moldova was exactly what we needed. We Americans tend to reach for 'chemicals' to increase our crop productions. Dr. Arpentin directed us to 'go natural with use of select rotated wild grasses' which will increase our yield, decrease bitterness of the grape, maximize plumpness and yes, save us money. With Moldova's 3,000 year history of successful grape growing and wine making and with Moldova's awards in the field, I listened closely and learned."

In an example touching on U.S. security interests, Open World Georgian delegates involved in drafting their country's personal data protection act met in November 2009 with House Energy and Commerce Committee staff members working on H.R. 2221, the Data Accountability and Trust Act, to discuss and compare their legislative provisions. Upon returning home, one of the delegates became the director of the Georgian Ministry of Justice's Data Exchange Agency, which is responsible for the nation's cybersecurity and e-government program. He continues to communicate with those he met on Open World, including representatives from the Department of Homeland Security's Computer Emergency Readiness Team and congressional staffers.

At the Civil Society Summit held in Moscow last July in conjunction with the U.S.-Russian Presidential Summit, 12 of the 75 American and Russian attendees were Open World partners. All 12 now serve on working groups for the U.S.-Russian Bilateral Presidential Commission, which was created as a result of the presidential summit to explore new opportunities for U.S.-Russian partnership. In January 2010, a Russian alumnus was invited back to Washington, DC, where he had spent much of his 2008 Open World visit, to participate in the inaugural meeting of the Commission's civil society working group. The alumnus, who heads a nongovernmental organization (NGO) that aids homeless, exploited, and at-risk children and teens in Astrakhan Region, is an authority on child welfare issues, a major focus of the working group's first meeting. He is also active in advocating for Russia to create a counterpart agency to the Virginia-based National Center for Missing and Exploited Children, which he first learned about—and visited—during his Open World exchange. This same alumnus was just appointed to and made chairman of the Astrakhan city election commission.

Open World alumni are continuing to climb up the ladder into leadership positions while bringing about changes from the periphery in and the bottom up. The Open World Leadership Center tracks these and other such results using eight categories, or "bins," such as partnerships with Americans, alumni projects inspired by the Open World experience, and benefits to Americans. Since launching a results database in August 2007, Open World has identified more than 3,000 results (see attached Results Chart).

#### OPEN WORLD AND CONGRESS

As a U.S. Legislative Branch entity, the Open World Leadership Center links Congress to experienced and enthusiastic citizens throughout the United States who are engaged in projects and programs in Open World countries, and actively supports the foreign relations initiatives of Congress. The Open World program routinely involves Members in its hosting activities and is responsive to congressional priorities. Seven of the 18 congressional members of the Commission on Security and Cooperation in Europe (Helsinki Commission) met with Open World delegates last year. The Center also regularly consults with the Congressional Georgia Caucus, the Congressional Ukrainian Caucus, the Russia Caucus, the Congressional Azerbaijan Caucus, the Congressional Caucus on Central Asia, the Friends of Kazakhstan Caucus, other congressional entities, and individual Members with specific interests in Open World countries or thematic areas.

Some examples of Member and congressional staff interaction with Open World in 2009 and early 2010 are:

—In February 2009, Senate Foreign Relations Committee Ranking Member Richard Lugar of Indiana met with four Turkmen parliamentary deputies taking part in Open World, including International and Interparliamentary Affairs Committee Chairman Batyr Berdyev. They were able to compare notes on legislative jurisdiction, schedules, campaigning, and staffing with Senator Lugar. The group also discussed how the United States and Turkmenistan are dealing with the global economic crisis, and briefly reviewed Turkmenistan's proposal in the U.N. General Assembly to create an international security system for transnational energy pipelines.

- In October 2009, five Tajik journalists visiting Connecticut joined Senator Christopher Dodd at the award ceremony for the Thomas J. Dodd Prize in International Justice and Human Rights. The award was presented to the Committee to Protect Journalists and the delegates had the opportunity to talk about issues related to the freedom of press with the senator and other journalists at the event.
  - In January 2010, Congressman David Price of North Carolina hosted a group of Moldovan parliamentarians in Raleigh and then in Washington, DC. The group's visit coincided with that of Moldovan Prime Minister Vlad Filat to both of these cities in order to further cement sister-state relations between North Carolina and Moldova. The Moldovan delegates proposed and discussed the idea of forming a North Carolina Caucus in their parliament.
  - In September 2009, Texas Senator Kay Bailey Hutchison met with an Open World delegation of Kazakhstani women leaders, including Bakhyt Syzdykova, Kazakhstan's youngest member of parliament. Representative Robert Aderholt of Alabama, a cochair of the Friends of Kazakhstan Caucus, also met with Syzdykova and discussed the idea of establishing a relationship between the Alabama Youth Legislature and the Kazakh Youth Parliament. Since then, we have begun making plans to bring regional coordinators for the Kazakh Youth Parliament to Alabama on an Open World exchange.
  - Pennsylvania Representative Allyson Schwartz, cochair of the Congressional Georgia Caucus, met in November with Georgian parliamentarians to discuss opportunities for future collaboration with the Caucus, and Georgia's geopolitical situation.
  - Open World partnered with the International Conservation Caucus Foundation in co-hosting the visit of Russian environmental leaders. Senators Tom Udall of New Mexico and Sheldon Whitehouse of Rhode Island met with the delegation, which included representatives of the Russian Duma, to discuss issues related to preserving endangered species and protecting the environment.
  - Open World arranged meetings with alumni leaders for the members of a Senate staff delegation during their late August-early September visit to Moldova, Georgia, and Russia. In Moldova, the congressional staff delegation met with mayors who had been hosted in North Carolina in 2007 on Open World. During this meeting, the staff delegation presented the mayors with letters of greeting from North Carolina State Representative Larry Brown and Winston-Salem Mayor Allen Joines, who had both taken part in the Moldovan mayors' Open World visit.
  - At the invitation of Chairman Eni Faleomavaega of the House Subcommittee on Asia, the Pacific and the Global Environment, Open World Executive Director John O'Keefe participated in December in a roundtable discussion with high-ranking Kazakhstani government officials about their country's human rights record and chairmanship of the Organization for Security and Cooperation in Europe.
- Open World plans to build on these congressional partnerships and to be even more active in serving Congress.

#### NONAPPROPRIATED OPEN WORLD FUNDING

The Center, which is authorized to receive contributions from private sources, has redoubled its efforts to seek a wide range of supporters to increase and further diversify funding and strengthen the Open World program through cost-share partnerships. The major sources of nonappropriated funding are direct contributions from foundations and individuals, interagency transfers of funds, cost shares from Open World grantees and American hosts, and other forms of in-kind contributions, especially for Open World's alumni program, which receives no appropriated funds.

In an effort to track the very generous in-kind support Open World receives from grantees and American citizens, the Center in 2007 initiated a cost-share reporting requirement for all grantees participating in the program. We received \$1.7 million in donated goods and services from hosts and grantees in 2008—equal to 19 percent of the Center's fiscal year 2008 appropriation. While the exact figure for 2009 will not be available until later this spring, early estimates indicate it will be near \$1.9 million.

As an example of cost shares from grantees, Supporters of Civil Society in Russia (SCSR), the American partner of the prestigious Moscow School of Political Studies (MSPS), contributed \$95,000 worth of lodging, meals, interpretation services, and other goods and services—53 percent of the total U.S. programming cost—to bring one group of 20 emerging Russian leaders nominated by MSPS to St. Louis, Missouri, in April 2009 and another group of 28 to Chicago, Illinois, in October 2009.

for intensive accountable governance programming. Open World awarded a 2010 grant to SCSR to host again in both these locations with a similar cost share.

Concurrently, Open World actively seeks donations from private sources. In 2009, Open World Trustee Walter Scott made a 3-year pledge of \$525,000 from his family foundation to support Open World programs. Under the expert guidance of our development consultant, the Center is also approaching other individuals and organizations interested in the region.

Reciprocal visits by Americans to Open World alumni help fulfill Open World's mission of strengthening peer-to-peer ties and partnerships. These visits by American professionals, hosts, or grantees involved in Open World are self-funded. For example, in May 2009, eight representatives of the League of Women Voters, an Open World grantee organization, traveled to Moscow, Kaluga, and St. Petersburg, Russia, and discussed electoral processes and women's political leadership with more than 25 alumni who had been hosted by various chapters of the League. Numerous U.S. judges and legal experts involved with Open World exchanges also make independently financed reciprocal trips to meet with program alumni. In 2009, American jurists involved with Open World's rule of law program made 59 reciprocal professional visits to Open World countries to meet with program alumni and senior judicial leaders to discuss judicial reform.

Direct contributions from individuals, foundations, and other private sources during the same time period totaled more than \$400,000. A fiscal 2009 interagency agreement with the National Endowment for the Arts (NEA) supported all the hosting costs (up to \$500,000) of the Russian Cultural Leaders Program.

Finally, the Center has temporarily engaged the services of a development consultant. In tandem with helping define and update our strategic goals and agency mission statement, this specialist will help the Center establish an in-house capacity for fundraising.

#### OPEN WORLD 2010 ACTIVITIES, 2011 PLANS, AND 2012–2016 STRATEGIC PLANNING

Interest in the Open World program remains vibrant within the American hosting community. The "demand" for Open World visitors from Russia in 2010 is more than double the "supply"—potential American grantees applied to host up to 1,816 Russian participants, while the Center will only have funding to bring 750 to the United States. For the 2010 Ukraine program, demand was triple the supply of available hosting slots, and for Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, and Turkmenistan, potential grantees proffered a total of 1,158 hosting slots, while Open World can afford to host only 314 visitors from these seven countries.

Open World continues this year to host in thematic areas that advance U.S. national interests in general, and congressional interests in particular, and that generate concrete results while strengthening the ties between American communities and their partners abroad. This programming emphasizes and builds on Open World's incremental successes in such areas as governance (focusing on the legislative branch's role in helping to bring about good governance and affecting public policy), the rule of law, human-trafficking prevention and prosecution, and environmental issues. This year Open World will also increase its non-Russian programming to approximately 46 percent of its total programming, which is double Open World's 2007 level of non-Russian programming.

One example that demonstrates Open World's commitment to supporting existing partnerships and initiatives is our involvement with the 15-year-old relationship between Maryland and Russia's Leningrad Region. Open World has sponsored 14 Leningrad-Region delegation visits to Maryland since 2002, helping this sister-state partnership work on such substantive areas as accountable governance, education, social services, and the rule of law.

In turn, the State of Maryland has funded reciprocal visits to Russia. In August 2009, a delegation of Maryland educators led by the director of international affairs of the Maryland Secretary of State's Office visited Leningrad Region. Then in December, an official Maryland Sister States delegation met in Russia with over 40 Open World alumni associated with this partnership and worked with government officials to nominate an Open World delegation of Leningrad regional legislators.

These regional legislators were hosted for Open World in January 2010 by the Maryland Secretary of State's Office. The delegation spent much of its time in the Maryland legislature, focusing on how a state-level legislature functions and on the legislative process. Other programming covered such topics as legislative advocacy, lobbying, ethics, state taxation and fiscal structure, and economic development.

The Center will also continue women as leaders programs, like the one planned in April 2010 for a delegation of women parliamentarians from Kyrgyzstan and

Kazakhstan. Their programs will focus on women's issues, with the Kyrgyzstani leaders participating in Congresswoman Eddie Bernice Johnson's Women's Peace Initiative in Dallas, Texas, and the Kazakhstani leaders being hosted in Illinois by Congresswoman Debbie Halvorson.

In 2010 and 2011, the Center will actively seek to host more regional legislators—especially legislators from Central Asia and the Caucasus, based on congressional interest. We will have a large pool of newly elected regional legislators to draw from. Rule of law programming for Open World countries whose judiciaries demonstrate continued movement towards independence will also have a focus. Finally, with Board approval and in consultation with the Appropriations Committees, the Center is prepared in 2011 to expand the Open World program into other countries.

By the end of this fiscal year, the Center will have finalized a new strategic plan spanning 2012–2016 with a focus on making the Center an even more valuable resource for Congress and its constituents. There will be in-depth program changes to increase congressional involvement in Open World and focused efforts to provide support to the constituent hosts who have established programs and partnerships in Open World countries. The Board, in its preliminary discussion of the new Strategic Plan, suggested considering the following:

- Ensuring that a substantial portion of future program participants are legislators, either at the national, regional or local level.
- Engaging more Members of Congress to host Open World parliamentarians.
- Increasing the percentage of Open World delegations that meet with Members of Congress, congressional entities, and/or congressional staff to discuss issues of relevance to both sides.
- Ensuring that every delegation gains a working understanding of the role of the U.S. Congress and state and local legislatures in government operations.
- Adding subthemes to Open World programming to highlight how citizens and interest groups work to affect the legislative process at the Federal, state, and local levels.

#### FISCAL YEAR 2011 BUDGET REQUEST

Funding at the requested level of \$14 million will enable the Center to fully respond to congressional interests in the region and beyond while continuing its proven mission of hosting young political and civic leaders who return home to launch projects and programs in cooperation with their American counterparts and hosts. The Board of Trustees believes that maintaining a robust grassroots-based Open World presence in the region is necessary and important for future U.S. relations in these politically significant countries.

The budget request, in conjunction with projected donations and cost shares, will also allow the Center to increase hosting to a level of approximately 1,400 total participants. Actual allocations of participant slots to individual countries will be based on Board of Trustees recommendations and consultations with the Subcommittee and the U.S. Embassies in these countries. The requested funding will also help offset an expected decrease in prior year recovered funds and Trust revenue income.

Major categories of requested funding are:

- Personnel Compensation and Benefits and other operating expenses (\$1.73 million);
- Contracts (\$7.8 million—awarded to U.S.-based entities) that include:
  - Coordinating the delegate nomination and vetting process,
  - Obtaining visas and other travel documents,
  - Arranging and paying for air travel,
  - Coordinating with grantees and placing delegates,
  - Providing temporary health insurance for participants; and
- Grants (\$4.47 million—awarded to U.S. host organizations) that include the cost of providing:
  - Professional programming for delegates,
  - Meals outside of those provided by home hosts,
  - Community activities,
  - Local transportation,
  - Professional interpretation,
  - Administrative support.

#### CONCLUSION

In an increasingly connected world, where citizen ambassadors on Main Street are conducting important work in the sphere of public diplomacy, Open World gives community leaders a unique institutional base in the legislative branch for partnering with Congress while providing them with the resources to succeed. As

Dr. James Billington, chairman of the Open World Board of Trustees, stated at the annual Board meeting on February 4, 2010:

“Citizen diplomacy is becoming much more important. In an increasingly connected world, it is not just State Department officials but North Carolina farmers who now have access to a deputy minister in Moldova. And the Federal judge who hosts counterparts in Kentucky is now in direct contact with a supreme court justice in Ukraine. The secretary of state from Maine regularly exchanges emails with the mayor of Arkhangelsk, Russia. Open World helps create these and thousands more lines of communication.”

Open World offers an extraordinary “bang for the buck” in terms of efficiency, cost-effectiveness, and value. The Center boasts an overhead rate of about 7 percent, every grant contains cost-shared elements, and more than 75 percent of our appropriation is plowed back into the American economy every year. At the local level, where the funds and the jobs are most needed, our delegates, as part of their “after hours” Open World experience, participate in American life at local restaurants, cultural sites, sporting events, shopping centers, and other places in the community. During the professional portion of their local program, they not only benefit from working with their American counterparts, but also share their own expertise in turn. In this way, the Center is both a mini-stimulus plan as well as a true international exchange program.

Funding the 2011 Open World program at the requested level of \$14 million will allow Americans in hundreds of Congressional Districts throughout the United States to engage up-and-coming Eurasian political and civic leaders—such as parliamentarians, environmentalists, and anti-human trafficking activists—in projects and ongoing partnerships. Americans will, once again, open their doors and give generously to help sustain this successful congressional program that focuses on a region of profound interest to U.S. foreign policy. To that end, the Subcommittee’s interest and support have been essential ingredients in Open World’s success.

Senator NELSON. Thank you.

Why don’t we go to a 6-minute round of questions?

#### ACQUISITION STRATEGY AND STORAGE COSTS

Two years ago, at our request, the Government Accountability Office (GAO) looked at the Library’s management of its collections. One of their recommendations was that the Library develop a Library-wide strategy for making its collection available in electronic form, both as a means of providing greater access to its collections, as well as a substitute for physical storage.

Now I heard what you said, Dr. Billington, about making certain that the original copies are available because of the potential of altering anything that is digitized. Is there any way that we can find to be able to overcome the costs of the actual storage of such materials? For example, is it possible to have, in some cases at least, fees for the ability to do that?

I know in the case of copyright, the Copyright Office is self-sustaining in terms of the copyright fees. But that doesn’t include the storage, ultimate storage, which is what is creating the challenge for us, one of the challenges that we have right now.

So it is a broad question, but is there a way to overcome this situation because it is driving up our storage costs?

Dr. BILLINGTON. Well, Mr. Chairman, in terms of exploring cost recovery as a factor, I know you have mentioned that to us, and I have already asked the staff to prepare a careful study of that. So we will get back to you in detail on that.

On the question of storage, our authorizing committee asked us to look into this, and we found the company in the private sector that may be most analogous to the Library in terms of the volume of storage that they contend with and the issue of storage overall.

Their engineers are specialists in this. This is Amazon we are talking about.

Their people concluded that no meaningful solution for long-term effective collection management can be implemented until more space is created; that there is no realistic alternative. I could go into the reasons for this in detail.

The modules at Fort Meade are enormously efficient for this purpose because of their size and ultimate scale. They contain enormous amounts of material already. But we add 2, 2.5 million analog items every year, even in the face of the digital explosion. There we have a shared program, national program with the many other institutions that I mentioned.

#### ADDITIONAL SPACE FOR COLLECTIONS ESSENTIAL

But there really is no alternative to having more space, and that was confirmed, as I say, by experts, objective experts in the private sector. There is danger in our current circumstance of having 200,000 books that are on the floor of the stacks now because we are at full capacity on Capitol Hill, despite the fact that we have shelving that reaches almost from here to Chicago, somewhere between Detroit and Chicago, if you put the shelves end to end. We are the only comprehensive collection of its kind in the world.

Maintaining, not merely acquiring these things, but having them inventoried and accessible, becomes very, very difficult when you get this much new material in and there is no place to put it. You have a situation where you are going to be tempted to severely cut back on acquisitions. We are studying acquisitions, as you suggest. We did a very exhaustive study a couple of years ago, and we are now taking a comprehensive, fresh look at it.

But there is a danger, if there is a gap in acquisitions, that the most recent things later will be more and more difficult to acquire and to afford and to make accessible. And that reduces the value of your collection by more than just one year's missing or reduced capacity, because the gaps pile up, and pretty soon, you lose what is an enormous advantage to the United States—not just to the Library of Congress and to the Congress and the Government itself—of having a collection that is comprehensive.

Because we include in our collections items that nobody else acquires, and all other libraries and other research libraries in this country are under even more severe restrictions than we are these days, whether it is from the university, municipal, or State budgets. And so, maintaining the Library of Congress as the “library of last resort,” as the library that is able to answer questions that cannot be fully answered elsewhere, even by the vast amount of digital material that is available, is very important.

#### RECOUPING COPYRIGHT STORAGE COSTS

Senator NELSON. Well, what about going to the area of copyright where you could not only get the copyright processing covered, but the ultimate storage as well?

Dr. BILLINGTON. Yes. Well, copyright storage is included in the fee costs. Costs and fees are reevaluated every third year. So it is actually a part of the fee computation to include at least a percentage of the storage cost.

There is some relief in sight in copyright despite problems we have had. We undertook a massive effort to bring the processing backlog under control; 50 people worked to help overcome these backlogs. But now 75 percent of registrations are processed electronically, and so that should help a great deal.

But all collections, of course, do not come through copyright. Copyright is only one source. We have gifts. We have exchanges. We receive collections material in a variety of different ways and, of course, through very extensive purchasing. We have the overseas offices as a source not just for us, but for any other research library in America that wants to seriously keep up their foreign language collections.

But the margin between what the Library of Congress provides and what any other institution provides is growing rather than declining. Therefore, the need to sustain this national resource is, I think, growing even faster than the necessary costs of sustaining it.

Senator NELSON. Thank you.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

#### TWITTER ARCHIVE

Dr. Billington, I would like to ask you about the new media. You mentioned that the number of volumes, I guess, out there is just growing exponentially, and we recognize that there is another world out there that is growing insofar as the level of communication. And I understand that earlier this month, the Library of Congress entered into a gift arrangement with Twitter to donate its digital archive of the public Tweets to the Library.

A couple of questions for you. First of all, I am just coming into the world of Twitter and using it to keep in touch with my constituents. But the question that I would have to you first is a pretty basic one. How will the Library use this information? What will the purpose be?

And then, second, how do you retain this archive of Tweets, recognizing just how much is out there? Will you archive the Tweets to the Library on an annual, quarterly basis? How do you update this digital information, recognizing the rate with which it will be coming to you?

And then, finally, I am curious to know how we deal with the cost side of it. I assume that because the archive of public Tweets was donated that there is no initial cost to the Library, but I would have to imagine that there would be some cost associated with receiving or organizing.

So if you could just speak to this, I am very curious. It seems like you are embarking into a bold new world where no man hath gone before. So more power to you, but it is kind of interesting to understand how we would integrate this within the Library of Congress.

Dr. BILLINGTON. Well, the short answer is there are some short-run surprises, happy surprises in the answer to your question, and there are some long-run questions that we will be in the process of intensively examining over the next few months.

A short-run surprise is that, first of all, this is a gift, and the preparation and delivery of it will be done by the Twitter company themselves. Twitter will bear the cost of preparing and transferring it to the Library's servers. I am surprised but also reassured that the cost to technically support the collection will be very minimal because we can absorb it in our existing infrastructure—the basic technical infrastructure.

#### ACCESS TO TWITTER COLLECTION

Our cost of taking and storing the archive then will be minimal, but we will need to look into how to catalogue it, how to make it retrievable, while addressing privacy needs and how we make it accessible—this is a classic acquisitions problem. How we make it available would be defined by our basic acquisitions policy. These are all challenges that we will be addressing intensively in the next months. So far, for the initial period, this is really pretty much a gift that we can accommodate.

How we make it available, how we deal with it, that is important not simply as it relates to this one collection. It is important because this is not going to be the last of the technological innovations. In order to continue our historic mission of acquiring, preserving, and making accessible the world's knowledge and the Nation's creativity, we must incorporate these new media.

And something else, this process of studying new technologies and ways to make them available is part of our relating much more intensively the new digital world to the basic world of acquisitions and the core mission, the historic mission. There has been no change to the mission of the Library. The media through which knowledge and information and creativity in America are conveyed are going to change and keep on changing.

We feel that the process of integrating the Twitter collection and finding out exactly how we use it, how we access it, and so forth will be a useful learning process for the next few changes and innovations. Otherwise we fall behind and become less comprehensive than this institution has historically aspired to be ever since it acquired Jefferson's then virtually universal library in 16 languages.

So this is a new language, if you like. I can't tell you the answer, but I can assure you that we are going to be looking into these problems very intensively and will be informing this subcommittee and others here in the Congress of our discoveries and conclusions.

Senator MURKOWSKI. Well, as you point out, this is just kind of the beginning of the acquisition of the social networking media. And it will be a challenge.

#### FORT MEADE AND COMPETING PRIORITIES

I want to go back, just very quickly if I can, to the storage issue that the chairman has raised, and particularly collection storage Module 5 at Fort Meade. In order to fund this at \$16.9 million and recognizing that we are trying to balance the priorities out here, we have got to balance the Library's request with the AOC's request and each of the other agencies within the legislative branch, are there any other increases within your budget that you could perhaps delay so that you could move forward?

Because I understand that this is the number one priority is the storage collection Module 5. And first of all, I guess I want to make sure that I am correct in that, that this is that high priority. And if so, is there anything else that, again, could be delayed in terms of taking it up this year so that we could help address this aspect of the storage?

Dr. BILLINGTON. Well, there is not much question of the Library's priority. It is clear that in terms of the things that the Architect of the Capitol (AOC) is requesting with regard to the Library that this is by far the top priority because this affects core mission and continuity. We are 8 years behind in the schedule that was agreed to way back in the 1990s. And so, this is our priority in the Architect of the Capitol request.

Now within our own budget, I have been talking with the Executive Committee in view of the concern about levels of funding. I would say that we have to have as our first priority sustaining core services—the mandatory pay raises and price level increases. I can give you a detailed scenario, if you want it, in writing.

Senator MURKOWSKI. Well, if you would help us out with that, Dr. Billington, and I know it is difficult to rank, if you will. But I think it is going to be important to us. I think we appreciate that from the perspective of being able to meet your core mission, you have got to have the storage capacity. You have indicated that the backlog, the 8-year delay in this, and we appreciate that.

But if you could perhaps help us out, put it in writing, I think that that would be helpful for the subcommittee.

Dr. BILLINGTON. Okay. Well, we will be happy to do that.

Senator MURKOWSKI. Thank you.

Dr. BILLINGTON. In general, I can say that if we have to, if we have to balance that against our budget submission, or if we have to absorb the cost of living allowances (COLAs), the mandatory COLAs and so forth, we would have to cut, in some cases perhaps even eliminate, some of the other things that we have done in recent years. We have already looked very intensively at the possibilities, and we would have to probably reenter any such programmatic cuts for funding in the 2012 Federal budget.

We have not considered training for cuts; with minimal funding we have produced some training programs to get the most out of our people. It would be largely people and the people-centered things that we would have to preserve. The demands, when you have so many fewer people than we have had, really are very great, and the need for continuous training, because of the sophisticated nature of our work, is very great.

Our Chief Operating Officer has played an important role in developing some of these programs. I can itemize them for you, but we will get you a detailed study if you want—

Senator MURKOWSKI. I would appreciate it.

Dr. BILLINGTON [continuing]. Of how we would proceed.

Senator MURKOWSKI. Thank you.

Dr. BILLINGTON. As I say, it is in process. So we should be able to give that to you fairly rapidly.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Senator NELSON. Yes, thank you, Senator Murkowski.

## MANDATORY PAY INCREASES

At the risk of being indelicate, would you explain the mandatory COLAs? If we don't have a union contract, what would be mandatory about COLAs or salary increases? Not suggesting that people shouldn't expect salary increases, but help me understand the structure that you are talking about.

Dr. BILLINGTON. Well, yes, 90 percent of this is absolutely mandatory by law, and the rest is more or less required. It is very difficult to avoid it. We have very little discretion, except in the senior level.

I don't have the authority to withhold or change pay adjustments for the 90 percent and really can't do it for most of the rest, except for maybe senior-level pay, which we wouldn't cut. It won't save you very much.

Anyhow, I can provide more detailed legal information if you would like. We have looked into this quite extensively.

Senator NELSON. Yes, it would be helpful to understand that because that was a new concept to me. I didn't realize—I didn't believe there was a union agreement. But if there is statutory responsibility, we obviously have to follow it. I would just like to know what it is. It would be helpful.

Oh, yes?

Ms. JENKINS. I just want to add that it isn't necessarily union agreements, but under title V, employees who are in GS or wage grade positions are automatically entitled to certain increases. That represents 90 percent of our staff. So the other 10 percent would be senior management, which is not mandatory. But for 90 percent, under title V, it is covered, according to our counsel.

## COLLECTION POLICIES AND COST

Senator NELSON. I understand. Okay. Thank you.

I am intrigued by the access of the Tweets through a gift. I would imagine that the costs, while not necessarily involving the storage, would come from trying to figure out how to have access, protect the right to privacy, and that. Do you have any idea or do you have anyone looking at what that might involve in terms not simply of activity, but what the costs of putting that kind of a program in place is because we would be talking about something fairly sophisticated, I would assume?

Dr. BILLINGTON. Yes, the material won't be delivered for a while. We will have time to examine and analyze all options. One of the things in addition to the management agenda that I established in July, is a governance board whose challenge is to integrate the whole digital universe directly, more directly into the established policies of acquisition, preservation, and access.

And so, they are going to have to examine these questions thoroughly. I set it up in January and they have been meeting since February. How to provide access to electronic information like the Twitter collection is one of the big challenges that will have to be covered.

I am not sure I heard exactly a specific question.

Senator NELSON. Well, I realize it is probably not a fiscal year 2011 matter, but I suspect that it could be coming at us in the fis-

cal year 2012 budget or some future budget and am not suggesting that this not be accomplished. What I am suggesting is that we have a cost-benefit analysis that needs to be made on this. It is one thing to receive it. It is another thing to create the opportunity for access.

Dr. BILLINGTON. Yes. It is currently estimated that a small team over the next 6 months will devote about 144 hours or under \$10,000 to the details of handling the archive. I think that it is probably going to end up costing a little more than that, but we will give you clear progress reports on this.

#### WEB GOVERNANCE BOARD

But I have set up, as I say, in January a Web governance board to determine and execute a Library-wide strategy, Web strategy for the future. That Board has been meeting, getting the content people and the specialists in Web matters together, hammering out policy options. And that is an ongoing activity. Unlike a lot of the management agenda, which is nearly completed—the eight task forces, which will shortly get their final reports in—this will be an ongoing enterprise, in addition to the team that I have just mentioned, which will not be very expensive.

Incorporating the latest technologies is a challenge, but if we did not take this on, we would risk losing early exposure to what is clearly going to be an increasing communications phenomenon of our culture.

Senator NELSON. Well, there is no question that it is and it ought to be preserved. I will have to try to figure out the probative value or societal utility of having access from the general public to the Tweets. Retaining it and preserving it is one thing. Creating what might be access could be not only costly but, I don't know, of questionable value to the average person. Curiosity is at a certain level, there is no doubt, but I don't know what the societal value would be of that for access. So I hope you would look at that aspect of it.

Dr. BILLINGTON. No, our use for it—it was also conveyed to Google. We won't have the main responsibility to be the processor of every request. But how it is to be handled and if we have it for different purposes than they do are questions at this point. Google may be able to do some things that we can't do. They probably will.

Our job is to do exactly what you say. It is easier to compute the cost than it is to define the benefits. But the overall benefit is one of keeping this unique repository of the world's knowledge and of America's creative expression, that deals with the phenomenon of change in our society.

Senator NELSON. I understand, but it is not quite like a book you can check out.

Dr. BILLINGTON. No.

Thank you, sir.

#### ADDITIONAL SPECIALISTS FOR CRS

Senator NELSON. On CRS, you are requesting 17 new FTEs for the Congressional Research Service to broaden the research expertise. How did you arrive at the number, and if funded, will you be requesting more FTEs for CRS in fiscal year 2012? In other words,

is this something that is an ongoing requirement? Or is it a backlog of Member requests, or perhaps you could give some explanation as to why there would be a request of this size?

Dr. BILLINGTON. I will just say one word and then give it to Director Mulhollan of the Congressional Research Service. But basically, it is a phenomenon of the reduction in staff at a time when the complexity and volume of requests has increased. So it is their analytic response to your requests. By "you," I mean the Congress. There is a strong interest in scientific and technical matters that have become far more complex, with far more requests coming in far more frequently.

So it is 2 years, as I understand it. It is a 2-year phenomenon to regain some of the very considerable amount of lost staffing that has occurred over recent years. But the Director can answer it more fully.

Senator NELSON. Sure.

Mr. MULHOLLAN. Thank you, Mr. Chairman.

I appreciate the question. How we arrived at it is we took a top-down view throughout the service with regard to what the demands are now and what we anticipate the demands will be in the future, as well as our current capacity. And what that capacity is in a number of areas.

What we are asking for is a total of 34 positions, 17 for fiscal years 2011 and 2012, which would get us back to slightly more than the 705 FTE level we had in fiscal year 2007. Why do we need to get back to that earlier level? One example is that 13 of those positions are in science and technology. I am sure you both have heard about the need for increasing capacities and the demands on the Congress in these areas.

Just recently, the Homeland Security and Governmental Affairs Committee of the Senate reported out S. 1649, which authorized \$2 million for 3 years to increase CRS's science and technology capacity, as an example. This is something that the Congress is going to be facing. And what you have in CRS, I would argue, is a cost-effective tool and a shared expertise.

You have a physicist that can work for Commerce, Science, and Transportation in the morning, for Armed Services in the afternoon, and Environment and Public Works in the evening. It is shared expertise. It is cost effective.

Second, we are asking for eight researchers with expertise in financial regulation and the financial services industry, and eight on the health side. Our experience is that my colleagues in both those areas did not have a 2-day weekend for over a year. And I foresee that demand in the future.

Because of the demands in the future, we feel that these are reasonable requests. I haven't asked for additional FTEs for CRS since fiscal year 2003, and so I hope you view us as being prudent with the taxpayers' hard-earned money. But we are looking at what Congress needs and the incredible challenges being faced. The shared expertise you have here is a good investment.

Senator NELSON. I understand.

Senator Murkowski. Thank you.

Senator MURKOWSKI. Thank you, Mr. Chairman.

## OPEN WORLD LEADERSHIP CENTER

I will go to Ambassador O'Keefe. I don't want you to feel left out here this afternoon.

Back when we had the fiscal year 2010 legislative branch conference report, we included some language in that that encouraged the Open World Leadership Center to expand its effort to raise private funding in order to reduce requirements for appropriations, and then in this hearing last year, I had asked a question about outside funding sources. This was as it related to the United States-Russia Foundation and whether or not there could be a possibility of some funding to the Center.

Can you speak, Ambassador, to the issue of any efforts to raise private funding to help offset some of the funding requirements and kind of where we are in some of these efforts?

Ambassador O'KEEFE. Yes, ma'am. I can speak to that.

## FUNDRAISING EFFORTS

Last year, we raised \$413,000 in outside funding. For this year, we are projecting \$619,000. So we have got a bit of a boost.

With regard to foundations, we are seeking grants not only from the United States-Russia Foundation, but from other foundations. We have not yet been successful in getting those grants.

In terms of more structural approach, as I mentioned, we reduced staff by one. I have hired an expert on a 6 month contract to help us find our way with a really good, solid funding strategy, to help us develop the kinds of basic materials that will have the funds manager at a foundation actually look at what we have.

So I can't say that we are rolling in dough or that we will be rolling in outside funding next year, but I can tell you that we have this effort moving forward. I don't want to take up too much time. But I would also mention that we will seek funds from individual donors as well.

## EXPANSION OF THE OPEN WORLD PROGRAM

Senator MURKOWSKI. Then let me ask about the Center's plans for expanding the exchange program into other countries. I think you mentioned Belarus and Armenia. I think you mentioned three, did you not?

Ambassador O'KEEFE. Uzbekistan was the third, Senator. Yes.

Senator MURKOWSKI. Uzbekistan, okay. What does it cost to start up a program in other areas? As far as expansion costs, what does this mean to the Center, and give me a little background there.

Ambassador O'KEEFE. Start-up costs are, depending on how we approach it, about a minimum of \$50,000 or so to get the logistics contractor to function in the country. What we look for is whether they have existing offices. But then we have to pay for whatever additional staff they need.

We have taken a slightly different approach in the latest expansion in Turkmenistan. We skipped the logistics contractor and just had the Embassy do the logistics for us. It was 30 percent cheaper. We could do it there because the Embassy staff wasn't as pressed as in some of the other countries where we have a more robust relationship.

I would say that entry cost is not prohibitive. We can manage it. The reason for the three countries is that it is not simply part of the strategic plan, but these three distinct areas—central Asia, Caucasus, and that slowly changing European border, which seems to move back and forth—are areas important to United States interests.

And in particular, I would stress that in Uzbekistan and Belarus, there has been limited exchange because of strained relationships. Because we are a legislative branch agency and because we are associated with the Library, we have a much easier time of operating and attracting people in the program in those countries.

Senator MURKOWSKI. If you were held to the fiscal year 2010 funding level of \$12 million, how would it impact the operations, the staff level? Would you be able to move forward with these proposed expansions? Just give me some assessment as to what it might look like.

Ambassador O'KEEFE. Yes, ma'am.

#### FREEZE LEVEL SCENARIO

I would say that if we are at the same amount, we are going to have to cover increased costs in our information technology (IT) contract and in our logistics contract. So to cover those costs, we would probably reduce numbers. Expansion would be held off for the time being.

One of the things we might seek, as I mentioned, is cost shares. If we could find an organization to do a 50–50 cost share in any of these three places, we would consider it.

Senator MURKOWSKI. Thank you.

#### COPYRIGHT APPLICATIONS BACKLOG

And then, Dr. Billington, I just have one last question for you, and this is as it relates to the Copyright Office. Can you give me any detail on the extent of the backlog right now within copyright and how you are addressing the backlog issue?

Dr. BILLINGTON. Well, very briefly, the current backlog is 326,000 claims. We expect to return to a normal processing level, 150,000 claims, by this time next year, roughly speaking. We realize that we were not responding as quickly as we had hoped and so the Library detailed at the beginning of this year 50 Library employees outside of copyright to make a kind of storming effort to reduce this, which they did very successfully.

We are getting there, and the prospect of deliverance comes both from the fact that they have hired a lot of new people, and they had this big jolt from additional staff effort. But also, the electronic registration system now covers 75 percent of the claims now, up from 54 a year ago. And so, automation is rapidly helping address the problem, as we hoped.

And with the few FTEs that are required to complete the electronic registration process, this should be a one-time concern that we can overcome by this time next year.

Senator MURKOWSKI. Good. Thank you.

Thank you, Mr. Chairman.

## TECHNOLOGY INFRASTRUCTURE FUNDING AND PROGRESS

Senator NELSON. Dr. Billington, in fiscal year 2010, the Library received \$15 million for technology infrastructure upgrades. Can you give us an update on how these funds have been used and what the Library has been able to accomplish with fairly large investment?

Dr. BILLINGTON. Well, the general picture is that about \$9 million of that is going to deal with the hard technology and the supporting software, networking software, which will fortify the three major data centers of the Library, which are the Capitol Hill complex, Culpeper, and Manassas, where the backups are. \$3.5 million will deal with content, the content problem, and \$2.5 million with content presentation.

We are in the process of getting this much more precisely defined. But by and large, this is—that is the rough definition of the work. But we are in the process, as I say, of getting this much more exactly defined, and we will get you a more detailed account shortly.

## INVENTORY MANAGEMENT OBJECTIVES

Senator NELSON. Sure. And in the new request for fiscal year 2011, you have included \$1 million for inventory management. How will this money be expended, and what will that accomplish?

Dr. BILLINGTON. I am sorry, I couldn't—

Senator NELSON. The \$1 million for inventory management?

Dr. BILLINGTON. Yes. Well, this is an ongoing process. We have already done a fair amount of inventory management, but it is a very demanding process. I can provide you with exactly what this request covers for the record.

Senator NELSON. Sure. That would be fine. Does it include FTEs? Do you hire an outside firm to do it? I guess if you can give us that for the record, that would be helpful.

Dr. BILLINGTON. No, I think we are doing it internally.

Ms. JENKINS. I was just going to say that it is contract support. It is \$1 million for us to do an inventory across the general collections in library services, but it is no new FTEs, just \$1 million—

Senator NELSON. So it is contract?

Ms. JENKINS. Yes.

Senator NELSON. That is what I wondered, yes. So no ongoing, it is a one-time sort of expenditure?

Ms. JENKINS. It is ongoing funding of contract personnel.

Senator NELSON. I see. Sure.

Dr. Billington, in the Law Library account, there are two items that are being requested, class K conversion and Gazette preservation backlog. Is this an area where there is a potential for user fees to help us with the budget?

Dr. BILLINGTON. I am sorry. I didn't quite hear that again.

## USER FEES AND LAW LIBRARY SERVICES

Senator NELSON. There are two items in the Law Library in the fiscal year 2011 budget request. One was called class K conversion and Gazette preservation backlog. In connection with your answer—

ing those questions, I have the other question of whether this is an area where we might access some user fees, the Law Library?

Dr. BILLINGTON. Well, that is a complicated question. You have the whole question of the user fees. The Library of Congress, by and large, does not do that. Many other libraries do, but we don't do that. When I sign for an acquisition, for anything for the Library, I don't sign for the Library of Congress. I sign for the United States of America. And I am basically committing our resources to preserving it and making it accessible.

Now if you get into the user fee business, you end up drifting your talent inevitably toward somebody's user fee. But the users are the entire people of the United States. Of course, in the first instance, the Congress itself. And so, that is an area we are reluctant to get into. But what you have with this request is something of rather great importance to the Congress and the Government and to the judiciary, for that matter, and the executive branch, which is to have the up-to-date Gazettes, which are the basic laws of other countries.

Law collections have already been catalogued before completion of the K classification, but they are not accessible because the people who know both the old system and the new are retiring. We must complete the K class conversion. The legal community has been agitating about this, and you may want to consider the arguments they have made.

The new head of our Law Library has great experience both in the private sector and in the public sector. Do you want to have a word here?

Ms. SHAFFER. Yes, thank you, Senator. Good afternoon.

The issue here really is making this collection easily and immediately attainable when you, the Members of Congress, need the material. And in its current format, it is either fragile because of its physical properties or it is inaccessible because it isn't organized in a way that makes it quickly available.

And so, the purpose of both of these projects is to accomplish a stability for the Gazettes so that we will have access to them whenever you need them, and particularly for many jurisdictions where the Gazette is the only resource, where there are no commercial resources that duplicate what is there.

And in the case of the K class, it is kind of like thinking of going to a grocery store and not having the different categories of food organized by category. So it makes it very inefficient and could lead to an inability to find things on a timely basis for Congress, our key client and customer.

Thank you.

Senator NELSON. Thank you.

Dr. BILLINGTON. I have to say, the legal community has been very concerned about the K class conversion, and this is an area where, while one doesn't want to get into the business of charging fees, if there were some donations on the part of a committee of this kind, we have ample opportunity to receive donations and use them directly for this purpose.

Senator NELSON. You aren't going to be waiting very long for generous lawyers, are you?

I understand.

Well, thank you very much, all of you. I want to thank our witnesses for joining us today. It has been a very informative hearing.

#### LIBRARY BUDGET OFFICER EMPLOYEE OF THE WEEK

And before we recess, I would like to acknowledge one more person from the Library of Congress staff, the Library's Budget Officer, Ms. Mary Klutts, and to congratulate her for being honored as one of Senator Kaufman's Federal employees of the week. We thank you for your many years of hard work.

And we know that you will provide many more, and we also appreciate the fact that Senator Kaufman recognized you for it.

#### ADDITIONAL COMMITTEE QUESTIONS

Any additional questions from members will be submitted to you for response in the record.

[The following questions were not asked at the hearing, but were submitted to the Library for response subsequent to the hearing:]

#### QUESTIONS SUBMITTED BY SENATOR BEN NELSON

##### FLAT BUDGET

*Question.* I am committed to a flat budget in fiscal year 2011. What could the Library do to assist me in obtaining that goal? Have you considered options within the Library for recovering any of your costs?

*Answer.* The Library has actively pursued opportunities to offset costs through reimbursable services over more than 20 years, significantly building its range of fee-supported programs and services over those years by both statute and policy.

The Library administers its fee-based activities under the authority of 2 U.S.C.182b-c and 2 U.S.C. 150, which enable the Library to recover the costs associated with specific services provided to customers and the general public:

- The operation of a gift shop and other sales of items associated with collections, exhibits, performances, and special events of the Library of Congress for public visitors and other individuals or organizations;
- Document reproduction and microfilming services for researchers, libraries, government agencies, and other entities in the United States and throughout the world;
- The sale of Library of Congress cataloging data and related publications to libraries and information service organizations and individuals in the United States and throughout the world;
- The procurement of commercial information services, publications, and library support services, as well as related education and information services, for Federal libraries and information centers (FEDLINK program);
- Customized research reports, translations, and analytical studies for a fee for entities of the Federal Government and the District of Columbia on a cost-recovery basis. The products derived from these services make the Library's vast collections available to analysts and policy makers throughout the Federal and District of Columbia governments, maximizing the utility of the collections through the language and area expertise of the Federal Research Division staff.
- Preservation, duplication and delivery services for the Library's audiovisual collections, including motion pictures, videotapes, sound recordings, and radio and television broadcasts.

However, charging fees for public services that traditionally have been "free" presents challenges. In 2007 the British Library proposed new fees for basic services such as reading room use. The proposal met with widespread public dissent which included public protests. The British Library ultimately did not implement the proposed fees. The British Library does charge for services that add value to their core work for the public good, as does the Library of Congress. The services for which the British Library charges are defined by law, the British Library Act 1972, as is the case with the Library of Congress, and include content reproduction, retail gift shop operations, and document delivery. As with the Library, these services largely cover costs and do not have sufficient market scale to generate substantial profit.

In fiscal 2009, Library Services reorganized the Office of Business Enterprises. This program consolidates the business operations of three cost-recovery services to

create economies of scale and cost efficiencies. Examples of efforts that will provide additional service to Congress and the public while also reducing and recovering costs include: network printing in the Library's reading rooms, print-on-demand for Library publications, digital reproduction of collections, and cooperative agreements with external entities.

*Question.* Is cost-sharing a possibility in any of the services you provide? Could you consider additional charges for copyright services to offset the costs associated with storage of the items; perhaps to charge more for larger items requiring more storage?

*Answer.* The Library provides a number of services on a cost-sharing basis, as indicated in the answer above. The Copyright Office, in addition, engages in cost-sharing with respect to most of its services to the public. Section 708 of the Copyright Act directs the Office to set its fees for services at "not more than that necessary to cover the reasonable costs incurred by the Copyright Office for the services." The fees "shall be fair and equitable and give due consideration to the objectives of the copyright system." Copyright fees are periodically evaluated and adjusted following an activity-based costing methodology. Because the Copyright registration system is voluntary and because it is in the public interest to encourage registration so that authors and copyright owners can be identified, fees are set at levels that are intended to encourage registration while recovering as much of the cost of the service as is possible. The current registration fee covers most but not all of the cost of performing that service, including the cost of physical storage of deposits. The annual appropriation of the Copyright Office supports service-related activities not recovered by fees and other costs not related to fee services. Fees for services that are performed only for the benefit of the person paying the fee are set at or near full cost recovery. In August 2009, the Copyright Office adjusted fees to reflect its new reengineered processes. Typically, fees are adjusted every 3 years.

#### COLLECTIONS MANAGEMENT

*Question.* Two years ago, GAO looked at the Library's management of its collections. One of GAO's recommendations was that the Library develop a Library-wide strategy for making its collection available in electronic form—both as a means of providing greater access to its collections as well as to substitute for physical storage. In response, the Library developed a preliminary digitization strategy. What is the current status of the Library's digitization strategy?

*Answer.* The Library's digital strategy guides all efforts to add digital content to the collections Library-wide. The Library now has enormous digital content holdings, however digital information is not viewed as a replacement for the physical record of knowledge and creativity represented in the paper-based collections. Our digital strategy recognizes a need to maintain hard copies of many materials in view of the impermanence of digital material. While we expect an increasing percentage of the materials we collect will come to us in electronic form in future years, the current reality is that the production of physical materials has not slowed, and there is little overlap between our physical and digital collections. Expanding our digital content holdings will not result in a reduced requirement for physical storage space.

*Question.* The strategy indicated that the Library would design a study to examine the feasibility of substituting digitized content for physical storage. Has such a study been conducted? If so, what were the results?

*Answer.* The Library's study of this issue has shown that digital preservation technology serves immediate access needs, however digitized content is vulnerable to silent and virtually undetectable loss over time. While a digital collection can be stored in a relatively small space, hacking, user error, technological failure, and future migration to new formats and platforms could have the same devastating effect of a fire on such a collection. Libraries and the Library have largely eliminated the catastrophic effects of fires; they have not been able to eliminate the technological risks posed to digital collections. Almost universally, preservation experts have questioned digitized content as a safe medium for passing the nation's intellectual legacy onto the next generations. The Library is working actively to address the technical challenges of digital preservation.

*Question.* Two possible options to reduce physical storage requirements are (a) changing the requirements for copyright deposit to allow for electronic formats as "best available," and (b) maintaining the second required deposit copy in electronic form. To what extent have you looked into these two options?

*Answer.* The Library is actively pursuing deposit of electronic works. We are looking at recommending changes in the Copyright law so that the "best edition" requirement can be modified or replaced to permit the submission of electronic copies

even when the only copies that are “published” are in non-electronic formats, or to permit the submission of one electronic copy and one non-electronic copy in such cases. Such a change would be subject to consultation and input from copyright owners (i.e. publishers). The Library is also working on an e-Deposit system to address several important needs. Chiefly, an electronic submission service is essential to provide the technological infrastructure needed to support electronic submissions. While we are currently in the developmental stages of this effort, we expect to have an operational system for the receipt of electronic serials within a year. We will doubtless learn much from this experience, and we intend to incorporate the lessons learned in the development of a similar system for the deposit of monographic materials.

*Question.* According to the preliminary strategy, an increasing volume of deposits are “born digital.” How has this been factored into future demand for physical storage?

*Answer.* At present, the rise of digital publishing has not been accompanied by a decrease in print publishing; hence there has been no reduction in the need for physical storage. If the output of print publications diminishes substantially in coming years, the Library’s need for additional space will correspondingly be reduced.

*Question.* The Library’s strategy also lays out ambitious goals for building and securing an IT infrastructure, which this subcommittee funded last year. How will the Library use this technology to achieve greater efficiencies through reduced need for physical storage?

*Answer.* Enhancements to the core IT infrastructure will not directly lead to greater efficiencies through reduced need for physical storage. Information technology tools and services are utilized in ever more effective ways to provide discovery of and access to the Library’s digital content. This infrastructure can lead to greater efficiencies for internal operations and enhanced access for remote users, but it has little impact on the need for physical storage.

#### STORAGE

*Question.* I feel that we cannot continue to take in the current volume of items without recovering some of the costs for their storage and I feel strongly that this is something we need to look very carefully at. I know one of your top priorities for fiscal year 2011 is funding the construction of book storage module 5. This is going to be difficult to accomplish in a flat budget year as I have committed to this year. Are there any items you’d be willing to cut from your budget to fund this project?

*Answer.* In the event of a flat budget, the Library already will have to absorb \$18 million in mandatory pay and price level increases—costs that we are statutorily required to pay. The Library could absorb the cost of mandatory pay and price level increases through a significant reduction of base programs, specific options that we are investigating. If the Library were to further identify a funding source within its base for Fort Meade Module 5, this would very likely have an impact on staffing.

*Question.* Are storage modules 1–4 currently at full capacity? When do you expect to have them completely utilized?

*Answer.* Module 1 has been completely filled since late 2005. Module 2 will be completely filled within the next 2 months. Extensive planning has been done over a period of years to ensure that every inch of space in Modules 3 and 4 is fully and effectively utilized to store non-book, special format collections. A detailed blueprint of every shelf and what will be placed on each shelf was developed and will serve as the guide to the placement of each of 237,000 trackable containers of special collections items. The Library has embarked on a 3 year transfer program to complete the filling of Modules 3 and 4. By the close of fiscal 2010, 25 percent of the trackable containers will have been moved to Fort Meade, with the remainder to follow over a period of 18–24 months.

*Question.* What efforts are being made to streamline your acquisition process so that we are getting the best “bang for our buck” in terms of the utilization of limited storage space?

*Answer.* The Library has taken steps to address and reaffirm its collecting policies and to assure that they continue to be in the best interests of the Library, Congress, and the American research and general user communities, carefully revising its Collections Policy Statements to assure that it was continuing to collect and retain only appropriate materials for the collections. The revised statements take into account the emergence of digital content and the acceptance of digital content over print or other formats where appropriate. In addition the Associate Librarian for Library Services has begun to work with staff to consider the number of copies of individual works to retain for the collections in the digital age.

The Library also has issued a new regulation governing the mandatory deposit of copyrighted electronic serials available online that will allow the Library to determine if it can accept digital serial content instead of print. The outcome of this phase of mandatory deposit for digital content will set the stage for expanding to other formats of digital content.

The Library has undertaken an ambitious plan to restructure the massive exchange program (International Exchange Service—IES) that provides access to documents produced by more than 120 other national government agencies and international bodies. IES is being revamped to allow the Library to have online access to this content of foreign governments that is so invaluable to Congress and the legislative process. As part of review of IES, new agreements have been forged that have already reduced the number of print titles shipped to the Library in favor of remote virtual access.

Library Services has been working to develop a plan to establish a central unit devoted to collections development. This unit will have responsibility for advising the Librarian and the Associate Librarian on acquisitions policies, helping to ensure that defensible acquisitions are being made. In June the Librarian will convene the annual meeting of key acquisitions and recommending managers and staff to discuss items acquired over the past year. At this meeting as in past years, he and the Associate Librarian will reaffirm that staff are adhering to sound acquisitions policies.

#### CRS

*Question.* You are requesting 17 new FTE for the Congressional Research Service to broaden research expertise. How did you reach this number? If funded, will you be requesting more FTE for CRS in fiscal year 2012? What prompted you to request a large increase in staffing for CRS? Is there a backlog of member requests?

*Answer.* CRS research managers identified gaps in specialized skills that cannot be resolved by reassigning positions or retraining staff. Full analytical support for the complex emerging issues facing Congress will require 34 new positions. Half of this increase is requested in fiscal year 2011 with the remainder expected to be included in the fiscal year 2012 budget request. This request is prompted by the need to broaden expertise and strengthen analytical capacity in the critical areas of science and technology, healthcare, financial economics and accounting, and social policy related to employment, immigration, and the workforce. There is no backlog of member requests. However, CRS not only responds to congressional inquiries but must anticipate congressional needs to provide the research and analysis when Congress requires it. This request would help alleviate workload issues but the primary benefit is producing more comprehensive and sophisticated analyses of increasingly complicated issues.

*Question.* You are also requesting \$2.1 million for “information technology research architecture” for CRS. This Committee provided \$15 million for information technology upgrades library-wide in fiscal year 2010. Can you explain this new request?

*Answer.* The increased funding in fiscal year 2010 for library-wide information technology upgrades did not include the information technology research architecture that is unique to CRS. Improvements are needed in research data management due to the increasing number of large complex datasets needed to produce authoritative multi-disciplinary analysis. The \$2.1 million investment will provide the expertise and systems (hardware and software) to efficiently access reliable data and information from a CRS-wide data library that is constructed to allow full utilization of its contents. It will provide modern content delivery technologies including interactive maps, data set mining, personalization features such as content tagging, and enhanced access to CRS products from mobile devices.

*Question.* Dr. Billington, when prioritizing your request, how would you rank your request for new CRS personnel?

*Answer.* The request for new CRS personnel ranks third in the Library’s priorities for fiscal 2011, after funding for mandatory pay and price level increases and funding for Fort Meade, Module 5.

#### LAW LIBRARY

*Question.* Please explain the two items you are requesting for the Law Library. (Class K Conversion and Gazette Preservation backlog).

*Answer.* The Library has requested \$353,000 and 3 FTEs over 10 years to complete the classification of the legal collections for the following reasons:

- The Class K standard expanded the shelving arrangement according to jurisdiction, subject, form, author, and year to create a unique classification number for each title.
  - Since it is difficult to find contractors with the necessary experience in legal cataloging, legal publishing, and the law, the Law Library must rely on its established staff base.
  - Limited staffing to support the conversion of titles acquired before the implementation of the Class K system has resulted in 610,000 volumes remaining unclassified.
  - Until classified, legal materials remain mostly invisible and inaccessible, yet these materials have critical research importance in a global environment.
  - In order to cope with the Library managing two distinct collections (K-classed and unclassified), two different systems for shelving materials have been used. Staff members knowledgeable about the two systems are retiring. As a result, materials are more difficult to find.
- The Library has requested \$760,000 over 3 years for microfilming official gazettes, to eliminate the Gazette preservation backlog:
- Most nations publish their newly effective laws, regulations, and treaties in newspaper form known as official gazettes—a source of legal documentation essential to a comprehensive, authoritative law collection.
  - Due to the volatility of newsprint, the Law Library uses microfilm as a means of preservation. In the past, the Law Library had partners sharing the cost of preserving the gazettes. However, the loss of these partners has resulted in a 5.3 million-page backlog.
  - The inability to keep up with this preservation workload will result in future permanent gaps in the Law collection, and will adversely impact the usability and veracity of the Law Library collection for research.

## STAFF DEVELOPMENT

*Question.* What is included in the \$1.6 million Staff Development Program you are requesting?

*Answer.* This request supports substantially expanded loan repayment and tuition reimbursement options for the Library to attract and retain the top talent needed to operate in today's dynamic operating environment. Such flexibilities are accepted practice in other government agencies.

A formal training needs assessment conducted across the Library revealed common agency training priorities that could be more efficiently addressed by consolidating expenses through delivery of centralized training. Currently the Library operates an award-winning staff development program that trains 60 staff members per year. With the requested funding, the Library plans to expand the developmental opportunities available to the entire Library staff population. There is a particular need for training to help the Library's multi-cultural, multi-generational staff improve customer service and collaborative skills to keep up with technological advances and the changing work environment. This request also enables the Library to offer staff career planning services, another critical and long-standing need articulated by the Library's labor organizations.

*Question.* What is the Supervisor Development Program you are requesting \$1.048 million for?

*Answer.* The Library has requested \$1.048 million and 3 FTEs as part of a centralized training and development program. The Library's current Supervisor Development Program requires centralized funding to provide essential training to supervisors Library-wide. Individual Service and Support Units have not been able to consistently fund all the elements of required foundational training that apply to all supervisors. The Library recently established quarterly Supervisor Forums for all managers and supervisors to share information, initiatives, clarify questions, and share best practices for effectively supervising and managing staff at the Library. These forums, along with other supervisor focus groups, feedback from existing supervisory courses, and the Library-wide Employee Survey results have all indicated a clear need for additional supervisory training to motivate and support high levels of staff performance and a high performance culture across the agency. Part of the requested funding will be used for Workforce Performance Management advisory and support services, to ensure that supervisors know how to set appropriate performance expectations for employees, provide performance feedback, and effectively evaluate performance. We are also requesting funding for Senior Leadership Development, to develop and implement a pilot program to prepare current middle management for positions at the senior managerial level. Currently 50 percent of the Library's senior-level staff is eligible for retirement.

*Question.* Is the Library's Office of Opportunity, Inclusiveness, and Compliance adequately staffed? How is diversity at the Library?

Answer. In 2008 the Library began a process of reorganizing its Office of Workforce Diversity to develop a more responsive and efficient operation. The Office of Opportunity, Inclusiveness, and Compliance (OIC) is now structured and funded in a manner consistent with Federal best practices, based on the results of an Inspector General review.

A talented and diverse workforce is at the heart of the Library's vision for the future and a key component of the Librarian's management agenda and strategic plan. The current workforce includes slightly more than 3,600 employees. These employees represent every race and gender and speak a collective total of more than 50 different languages. As of December 31, 2009, the Library's workforce consisted of 56 percent women and 44 percent minorities. This diversity is consistent with strong and ongoing efforts to train and nurture the workforce, including annually rating Library managers on their demonstrated commitment to leverage diversity in their organizations. The OIC is working on a comprehensive diversity report to be issued by the end of fiscal 2010. The Library is working to ensure OIC's efforts and human resource strategies are complementary in development of the 5-year human capital plan. This human capital plan, when finalized, will contain clearly defined strategies for continuing to improve diversity at the Library and specific performance indicators to measure results and further enhance accountability.

#### TWITTER

*Question.* I understand that Twitter recently agreed to donate its digital archive of public tweets to the Library of Congress. What is the relevance of this collection?

Answer. As the keeper of the mint record of American creativity, the Library has over time collected works in whatever form that activity is expressed, most recently digital. The Twitter archive is a new form of communication with world-wide participation. Scholars today and in the future will mine the data set, researching a vast number of subjects and trends. A number of researchers have already expressed interest in gaining access to the material. The Twitter collection provides an important opportunity to learn more about preserving large research data sets.

*Question.* Will this donation result in additional maintenance costs to the Library?

Answer. We estimate that a small team will be able to work out the details of handling the Twitter archive over the next 6 months. The cost of tape storage and equipment to operate the tapes, based on 5 terabytes of data per year, is estimated to be \$3,000 the first year and an additional \$1,000 for succeeding years and can be handled within our existing technical infrastructure. Because accepting and preserving collections are part of regular staff responsibilities, we do not anticipate additional staff costs. Once the Library completes an assessment of privacy and access issues related to this archive, it is likely that additional costs will be identified to make the collection accessible.

#### COPYRIGHT

*Question.* Your fiscal year 2011 request includes an additional 5 FTE for the Copyright Office. What are these additional personnel needed for?

Answer. Three FTE's are to support of eCO, the backbone technology system for Copyright Office operations. The FTE will expand our technical capabilities in database management, software development, and project management. Two FTE's will oversee the Licensing Division's newly reengineered technology operations. Work on reengineering Licensing Operations begins in early Summer 2010, with system implementation scheduled for a year later. With the envisioned web-based licensing submissions and electronic processing, the Licensing Division will need technical support. As the Licensing Division is self-funded, this would not impact the Library of Congress Federal appropriation.

*Question.* What is your current backlog of copyright applications waiting to be processed?

Answer. As of May 16, 2010 the backlog of claims awaiting processing is approximately 317,000.

*Question.* How effective is your new paperless registration system? What percent of applications do you currently receive online vs. in the mail?

Answer. eService, the Copyright Office online registration system, is very effective. Currently we receive 75 percent of our weekly submissions through electronic filing. As we improve our online systems, we expect electronic submissions to increase.

## INFORMATION TECHNOLOGY

*Question.* Dr. Billington, you received \$15 million in fiscal year 2010 for technology infrastructure upgrades for the Library. Can you update the subcommittee on your use of these funds? What has the Library been able to accomplish with this large investment of resources?

*Answer.* The long-term vision for this funding is, by 2016, to acquire, preserve, and deliver important cultural, legislative and copyright information online that is reliable and authentic; where anyone can find what is meaningful to them through a set of updated online navigation approaches and tools. In fiscal 2010, funding is being invested in three broad areas to support this vision:

- \$9 million in the core technology: the hardware, operating software, and network devices needed to support the Library's three data centers. This includes: \$7 million in equipment and software to improve the network, storage, backup and restore, and continuity of operations technologies and facilities to provide the infrastructure for content management and content delivery; \$1.4 million for services to support the implementation of the new equipment and software; \$0.6 million for maintenance for the new equipment and software;
- \$3.5 million in new software for content management that restructures the underlying data for better searching (metadata and data ontologies), including legislative information data dictionaries, establishment of data relationships and patterns (including search & navigation patterns), data relationship tools and metadata creation tools, and linking of computing functionality to data sets; digital content ingest, including content integrity preservation, and reusable, modular, flexible and scalable ingest and management tools and services
- \$2.5 million in web architecture development and open source software for the presentation and delivery of content online, on mobile devices, and through easy-to-use interfaces for the user.

The Executive Committee approved the core technology investment plan in December, 2009. To date, requisitions have been submitted for all of the \$9 million in core technology investment. An investment plan and requisitions have been prepared for the \$3.5 million for new software for content management. The enterprise-wide IT Steering Committee (the LOC IT capital investment management board) reviewed this plan on May 25. The investment plan for web architecture development and open source software for presentation and delivery of content online has not been finalized. This \$2.5 million plan will undergo review by both the Web Governance Board and the IT Steering Committee.

## INVENTORY MANAGEMENT

*Question.* You have included \$1 million in your request for Inventory Management. What will this cover? Are all items in the Library's collections currently "inventoried?"

*Answer.* The funding will cover 23 contractual staff who will continue the inventory of the Library's book and periodical collections. The staff will also inventory the special format materials that will be transferred to Modules 3 and 4. Since the start of the inventory program in fiscal 2002, more than 4 million items have been inventoried. In the general, area studies, and Law Library collections of books and bound periodicals, there are approximately 17 million items, leaving approximately 13 million that need to be inventoried. For the special format collections, e.g., manuscripts, maps, sheet music, and prints and photographs, inventory is also essential to capture information on what we have and where the items are at any given point in time, and to ensure effective access and retrieval.

## QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

## FORT MEADE STORAGE MODULE 5

*Question.* Is the \$16.9 million requested for Storage Module 5 the total cost for design, construction and complete outfitting of the storage unit, so that it would be ready to accept collections for storage? Will additional funding be needed for this storage module in future fiscal years?

*Answer.* The \$16.9 request for Storage Module 5 will cover construction and outfitting costs. No additional funding will be required by the Library of Congress to make Module 5 fully operational; however, annual funding of \$1 million for ongoing collections inventory management is necessary—a fiscal 2011 funding request—to ensure items transferred to Fort Meade have accurate online records and to continue the inventory of the collections remaining on Capitol Hill. The Architect of the

Capitol will require a funding increase to maintain the facility and for additional utility charges. Module 5 design is complete but will need to be updated to incorporate lessons learned from Modules 1–4, in conjunction with the solicitation of construction contract proposals.

*Question.* If only partial funding is provided in fiscal year 2011, will it be possible for the Library to begin work on this storage unit and then complete it when the balance of funds are available; or does the Library need the total amount in full before it can begin work on this unit?

*Answer.* For this construction request, the full amount would be necessary at the time of the construction contract award. (This response has been coordinated with the Architect of the Capitol.)

#### REQUESTED FTES—HUMAN RESOURCES SERVICES

*Question.* Why is it necessary to have three additional FTE's for the Human Resources Supervisor development program and two additional FTE's for the Human Resources Staff development program? Are these staff development programs new, or are they being expanded in some way that requires additional personnel?

*Answer.* Of the total staff development request of \$1.6 million, a quarter of it (\$408,000) is for two GS–12 career planning specialists and contractual support, to provide career planning services for the entire Library. This funding would enable Human Resource Services to expand on staff development services they already provide in response to a need articulated by the Library's labor organizations for professional career planning services.

*Question.* Are there certain elements of the supervisor development program and the staff development program that can be combined so as to achieve efficiencies in the organization, operation, and cost of the programs?

*Answer.* Of the three FTES requested for supervisory development, one is for the coordination of supervisor development training services; the other two are to staff the workforce performance management program. Both of these functions currently are being provided on a skeletal level because of the absence of dedicated personnel. The Library's current performance management practices, coordinated by a staff of one, were flagged as a critical weakness in the recent Employee Survey. The five requested positions address separate operational needs, all essential, in the Library's human resources program.

*Question.* What are the goals of the supervisor and staff development programs?

*Answer.* Goals of staff and supervisor development services are to enable the Library to provide consistently outstanding services to an expanding customer base, within a dynamic work environment involving the use of wide-ranging new technologies, with fewer and fewer staff.

*Question.* What is the anticipated outcome from this investment?

*Answer.* Additional funding will enable the Library to address critical training and development gaps, increasing efficiency and effectiveness across the entire organization.

#### CAPITOL POLICE MERGER

*Question.* Last year we completed the merger of the Library of Congress security officers with the U.S. Capitol Police. From the Library's perspective, how were the police merger and the transition of personnel, resources, and police mission handled? Was this a smooth transition?

*Answer.* Overall, the police merger and transition of personnel, resources, and police mission were successfully accomplished.

*Question.* Since the police merger, have the Capitol Police and the Library of Congress worked through the remaining issues related to the reimbursement of overtime for Library events?

*Answer.* The two agencies have worked out the key details for the Library's reimbursing the USCP for supporting Library special events. The USCP and LOC Memorandum of Understanding (MOU) will be amended to reflect the reimbursement agreement. Further discussions are occurring to improve coordination and to streamline procedures.

*Question.* Are there any remaining police coverage issues that the Library has yet to resolve with the Capitol Police? If so, what are those issues?

*Answer.* The unresolved issues include:

- Jurisdictional issues between the Library's Office of the Inspector General (OIG) and the USCP.
- Formalization of information-sharing between the Library and the USCP.
- Finalization of the Library's special events funding coordination and procedural matters.

*Question.* Since the police merger, have there been any jurisdiction issues related to the collections or building regulations? How have those been resolved?

*Answer.* Unresolved are jurisdictional issues related to the investigation of criminal activity occurring at the Library, such as suspected theft and malicious damage to Library collections and property. The Library's OIG has proposed that an MOU be formalized between the OIG and the USCP.

#### CRS SERVICES EVALUATION

*Question.* The Legislative Branch conference report for fiscal year 2010 concurred with the House report language regarding a CRS services evaluation, which requested that the Director of CRS "conduct a formal evaluation of how well its current staffing models and procedures meet user needs." Has CRS conducted this evaluation? Where is CRS in that process?

*Answer.* The consulting firm LMI will assess communications mechanisms, including a "Member Advisory Committee", and make recommendations on the best options to promote optimal communication between CRS and Members of Congress. LMI will use the client feedback data they receive and best practices research in developing its recommendations on communications mechanisms. No decision on new mechanisms will be made until the LMI evaluation is completed.

#### CRS MEMBER ADVISORY COMMITTEE

*Question.* The House report language that was included in the fiscal year 2010 Conference Report also directed CRS to "consider creation of a new mechanism such as a Member Advisory Committee which would allow routine discussions between CRS leadership and users." Has CRS created a Member Advisory Committee? If so, please explain how the committee is intended to work, or is working.

*Answer.* The consulting firm LMI will assess communications mechanisms, including a "Member Advisory Committee" and make recommendations on the best options to promote optimal communication between CRS and Members of Congress. LMI will use the client feedback data they receive and best practices research in developing its recommendations on communications mechanisms. No decision on new mechanisms will be made until the LMI evaluation is completed.

#### DIGITAL TALKING BOOK PROGRAM

*Question.* Please give us an update on the Digital Talking Book program.

*Answer.* The Library is on schedule with both digital talking book player and book production. To date approximately 204,000 machines have been produced, with production ongoing at a level of 20,000 players per month. More than 857,000 copies of nearly 2,169 digital titles have been produced and distributed on flash cartridge. A download site now offers nearly 19,000 digital book titles and grows daily. The one-millionth book was downloaded in March 2010.

#### CONCLUSION OF HEARINGS

Senator NELSON. So thank you, and the subcommittee stands in recess. Thank you.

[Whereupon, at 4:40 p.m., Thursday, April 29, the hearings were concluded, and the subcommittee was recessed, to reconvene subject to the call of the Chair.]



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