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LEGISLATIVE BRANCH APPROPRIATIONS FOR FISCAL YEAR 2011

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 timeframe, 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

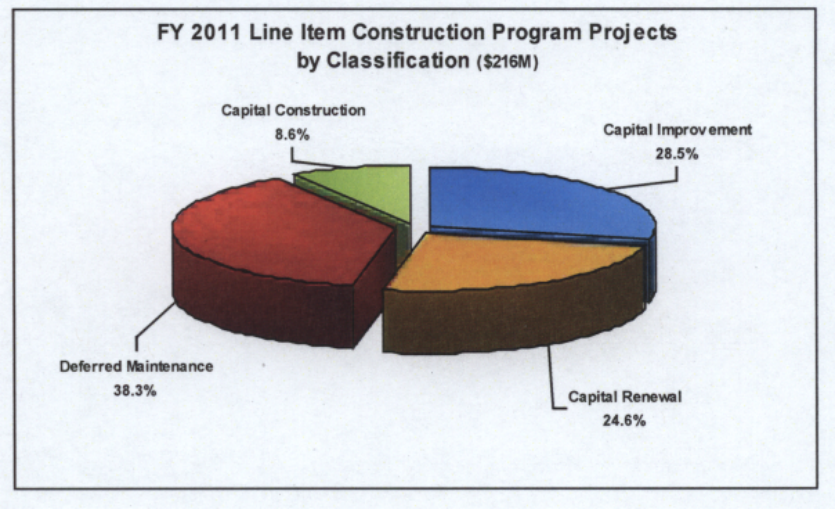
portion of our budget is the most volatile. It fluctuates greatly from year to year based on the size and complexity of the projects that have been prioritized as having immediate urgency.

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.

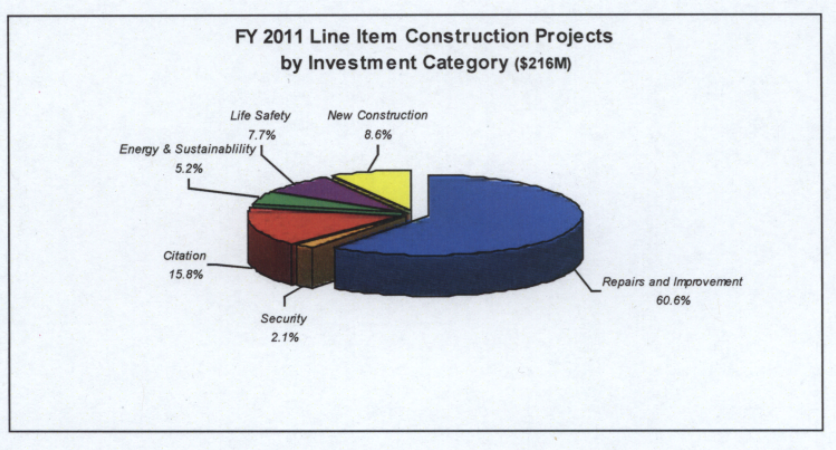
This process uses several tools in the formulation of the project prioritization list including Facility Condition Assessments, the Capitol Complex Master Plan, and Jurisdiction Plans. Over the past year, this process has matured to include a Five-

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.

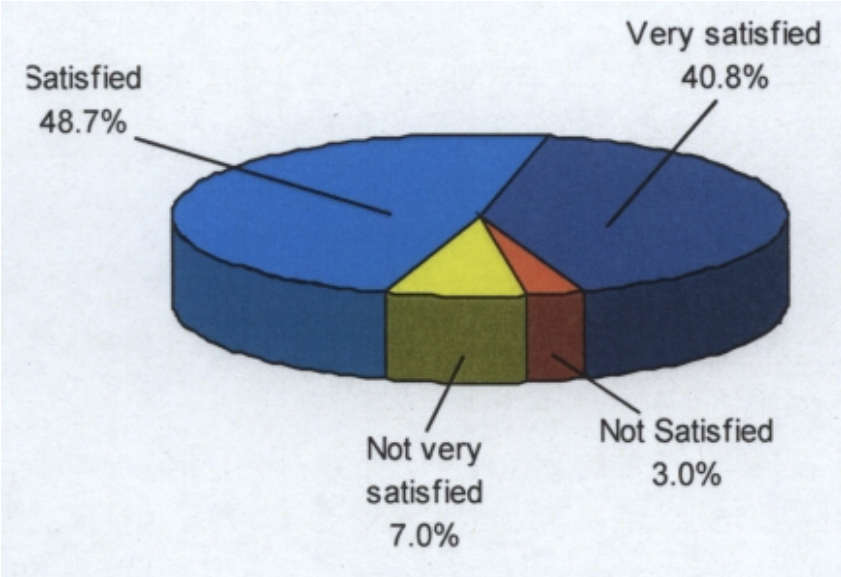
We continue to make improvements and adjustments to our policies and tour procedures including modifying the Advanced Reservation System to give Congressional offices more flexibility to modify, cancel, or reschedule tour reservations. We've also added a Congressional staff line at the South Information 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.

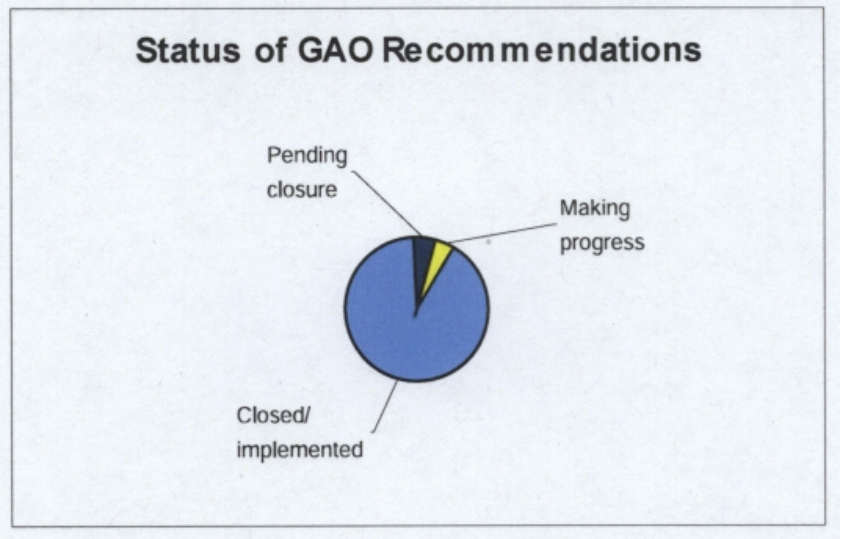
AOC ACCOMPLISHMENTS

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.

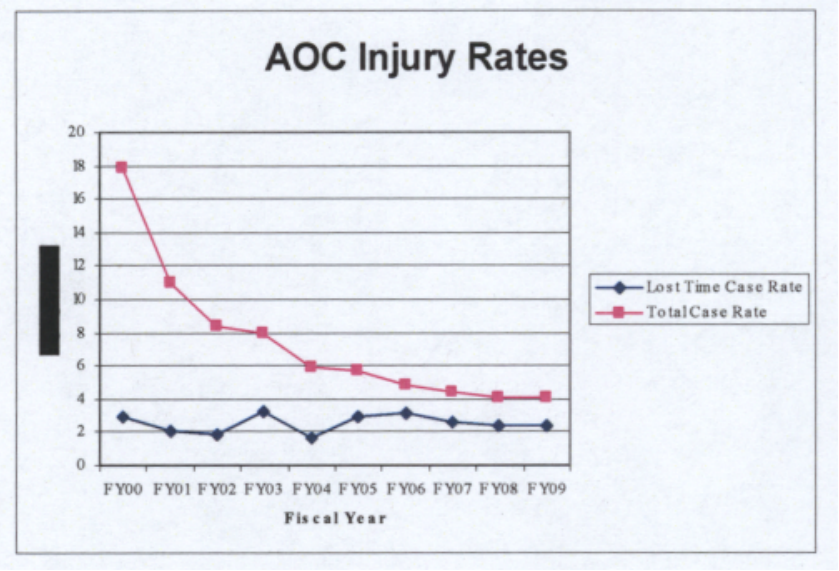
—We continued to improve our cost accounting procedures and internal controls, and received our fifth consecutive clean audit opinion from independent auditors on all of our financial statements. The Capitol Visitor Center construction project received a clean audit opinion; the third in 3 years. We 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

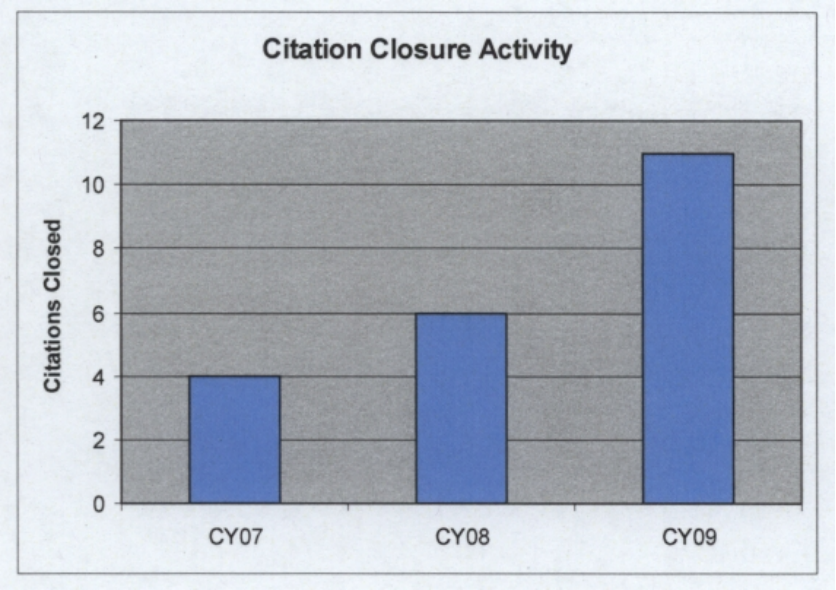
of 67). Three of the items from the original GMR are pending closure, and expected to be completed in summer 2010. The remaining open items focus on long-term recommendations (not part of the original GMR). We are closely monitoring those activities and reporting status to GAO.

—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. 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.]