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Senate Hearings

Before the Committee on Appropriations

District of Columbia Appropriations

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DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 1973

HEARINGS

BEFORE A

SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS UNITED STATES SENATE

NINETY-SECOND CONGRESS

SECOND SESSION

ON

AN ACT MAKING APPROPRIATIONS FOR THE GOVERNMENT OF THE DISTRICT OF COLUMBIA AND OTHER ACTIVITIES CHARGEABLE IN WHOLE OR IN PART AGAINST THE REVENUES OF SAID DISTRICT FOR THE FISCAL YEAR ENDING JUNE 30, 1973, AND FOR OTHER PURPOSES

Printed for use of the Committee on Appropriations

PART 1



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SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS

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DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 1973

MONDAY, FEBRUARY 7, 1972

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, D.C.

The subcommittee met at 10 a.m., in room 1224, New Senate Office Building, Hon. Daniel K. Inouye (chairman) presiding.

Present: Senators Inouye, Percy, and Ellender.

DISTRICT OF COLUMBIA

STATEMENT OF HON. WALTER E. WASHINGTON, MAYOR-COMMISSIONER

ACCOMPANIED BY:
GRAHAM W. WATT, DEPUTY MAYOR-COMMISSIONER;
COMER COPPIE, BUDGET OFFICER

RESOURCES MANAGEMENT

Senator INOUYE. The special meeting will come to order.

About a year ago on March 15, as you know, I began last year's budget hearings. Now we find another fiscal year upon us.

Mr. Mayor, I have studied the congressional hearings and the reports of previous years and it appears to me that one of our real shortcomings is that we have not maintained as much continuity as we should.

This is a break between fiscal years and we often tend to relate continuing problems to this year or that year. In fact, most of our fundamental problems are no year problems and their solutions are basic to obtaining our real goal, the proper management of the people's resources.

Reflecting on these matters, I concluded that before we began to get involved in the problems of fiscal year 1973, we should take note of problems which we identified last year and take stock of what we have or have not been able to do about them.

I have been advised you have a statement prepared for this morning's session and, if you wish to, Mr. Mayor, proceed, sir.

MAJOR ITEMS HAVING DISTRICT-WIDE IMPACT

Mayor WASHINGTON. First of all, I wish to say, Mr. Chairman, that I welcome this opportunity to review with you the progress that we are making in executing the fiscal year 1972 budget.

I would like at the beginning, in an informal way, to submit to you a brief chronology, indicating our activity during the period since December 15. Since the time the revenue and appropriation bills were passed, some 6 or 7 weeks ago, we have been in the process of putting together a fantastic number of items, as well as getting ready for the 1973 budget, which you, Mr. Chairman, have invited us to appear for and which we must submit to the Council, hopefully, the coming week.

The District government has not recessed during this period, in an effort to bring all of these things together in a very short time frame. I wish to report to you this morning some of the major items that have citywide impact, Districtwide impact, and hope that we can indicate to you the nature of the progress that we have made.

Senator INOUYE. If I may interrupt at that point. I have noted your statement saying that we have not recessed. That is what this committee is trying to achieve. We feel that we have been recessing too often and coming into action just to consider the fiscal year budget. It is the intention of this committee, as long as I am Chairman, to keep this committee operating at all times and requesting progress reports as we go along.

Mayor WASHINGTON. I certainly welcome that opportunity. I think that is the kind of partnership that we spoke of very early on. And, in this direction, I think that you will see the efforts that we have tried to make in closing the gap between recess and recess.

In the approximately 7 weeks since the passage of the appropriations bill, we have acted promptly to comply with the provisions it contained. I would like to summarize the major steps we have taken Districtwide.

COMMISSIONER ORDERS

We have issued three Commissioner's orders to implement actions or to enforce limitations in compliance with the wishes of the Congress.

The first order dealt with expenditures for personnel, overtime, and out-of-town travel.

To implement phase II of my austerity program and also to stay within the congressional employment ceiling, 1,150 unfilled permanent positions have been abolished and a selective freeze on hiring has been put into effect.

I would like, Mr. Chairman, as I conclude, to introduce each of those orders for the record, for your examination.

Senator INOUYE. Without objection, so ordered.

EXPENDITURE LIMITATION: OVERTIME AND TEMPORARY EMPLOYMENT

Mayor WASHINGTON. To keep expenditures for paid overtime and temporary employees within 5 percent of the amount appropriated for personnel compensation, the freeze on expenditures for these purposes has been extended. The Office of Budget and Program Analysis will allot each agency a certain amount for these items and will monitor spending each month.

TRAVEL EXPENSES

To limit out-of-town travel to $300,000 Districtwide, such travel has been restricted to an agency allotment determined by the Office of Budget and Program Analysis.

As you are well aware, the Office of Budget and Program Analysis reports directly to me and my office in an effort to maintain a close surveillance of such matters.

(The order follows:)

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Commissioner's Order 71-455

December 30, 1971

SUBJECT: Limitations on Personnel and Selected Other Obligations

ORIGINATING AGENCY: Office of Budget and Program Analysis

By Commissioner's Order No. 71-311, effective August 19, 1971, I initiated a comprehensive program of cost-cutting measures throughout the District of Columbia Government. That action was taken in response to the precarious financial position of the District Government and to national economic and governmental policies.

The goals established by that earlier order have now largely been achieved. The indefinite freeze on hirings and selected other obligations has already produced considerable savings for the District Government. In addition, 1,016 positions have been abolished in the first stage of the program to reduce by five percent the authorized employment ceiling of the District Government as of August 19, 1971; the remaining 1,150 positions, which will bring the total positions abolished to five percent, will be eliminated as a result of this order. Also in accordance with the cost-cutting program, the agencies have submitted detailed plans for bringing grade escalation under control and for reducing the average grade level when necessary.

The initial success of the austerity program would not have been possible without the outstanding cooperation of all the agencies of the District Government. I now ask for your continued cooperation as the District Government moves into the second phase of the austerity program.

Partial continuation of the austerity program is required by the outcome of the appropriations process for Fiscal Year 1972. The Fiscal Year 1972 appropriations act contains a number of spending limitations, which we must implement.

In addition to the need to deal with the financial problems resulting from the current budget authority, the District Government will adhere to the cost-control measures still in effect in the Federal Government.

Accordingly, by virtue of the authority vested in me by Reorganization Plan No. 3 of 1967, the following actions are hereby ordered:

1. Personnel Limitations:

   These actions shall be taken to implement personnel limitations:

   a. The Office of Budget and Program Analysis shall notify agencies as soon as practical of the number of additional full-time permanent author-

ized positions to be eliminated during Fiscal Year 1972. Together with the positions that have already been abolished, these additional positions will reduce the District's overall employment ceiling by the five percent goal that has been set.

b. Each agency shall identify the specific full-time permanent authorized positions to be abolished as a result ofthe Office of Budget and Program Analysis instruction. Each agency shall submit this information to the Office of Budget and Program Analysis, along with a plan for eliminating the designated positions.

c. When the Office of Budget and Program Analysis is assured that an agency has abolished the designated positions, the restriction on making appointments to full-time permanent authorized positions shall be lifted for that agency. The Budget Officer shall be responsible for deciding when to remove the restriction and shall notify the agency of his decision.

d. No appointment shall be made to a temporary position until further notice. This limitation shall not apply to grant positions; for the purposes of this Order, any position that is funded 50 percent or more from grant monies shall be considered a grant position.

2. Limitations on Selected Other Obligations:

These actions shall be taken to implement limitations on selected other obligations:

a. Present restrictions on overtime shall remain in force. Therefore, no obligations shall be made for purposes of paid overtime except for emergency purposes as determined and approved by the Budget Officer. In cases in which an extreme emergency has arisen and overtime has been worked prior to Office of Budget and Program Analysis approval, agency heads must notify the Budget Officer of the circumstances as soon as practical.

b. Obligations for travel outside the Washington Metropolitan Area shall not exceed the agency allotment determined by the Office of Budget and Program Analysis; this Office shall inform each agency of its allotment as soon as practical.

3. Approval of Appeals:

In the next few days I will be issuing administrative instructions to implement this Commissioner's Order. Questions about or emergency appeals from this Order shall be directed to the Budget Officer. He is hereby designated administrative responsibility to establish, maintain and hear requests for exceptions to this Order. Authority for granting final approval for requests for exceptions resides with the Mayor or Deputy Mayor.

4. Previous Order Superseded:

This Order supersedes Commissioner's Order No. 71-311 except for Section 2 of that Order, which establishes guidelines for the control of grade escalation.

5. Implementation:

I urge all District agencies to give full support to the second phase of the austerity program so that we can continue to move toward the important goal of strengthening the financial position of the District Government while providing for needed and essential services. The limitations on personnel and selected other expenditures will be rescinded by another Order when deemed appropriate.

6. Effective Date:

The provisions of this Order shall take effect as of January 3, 1972.

Walter E. Washington
Commissioner of the
District of Columbia

Creation of Department of Highways Motor Vehicle Pool

Mayor Washington. The second order, issued early this year, created a motor vehicle pool service in the Department of Highways and Traffic and transferred to that agency the necessary positions, equipment, and personnel. We have requested a progress report from all affected agencies on the status of the driver positions that were to be abolished or transferred.

Fiscal Management Improvement

The need to strengthen—and we will report further on that matter this morning, as time permits—financial management throughout the District government prompted the third order, which set up a committee to direct overall fiscal management improvement efforts. With the leadership of this committee, these actions are underway:

A standardized coding system is being developed to relate accounting information to budget documents, and a statement of accounting principles and standards has been provided to the General Accounting Office.

A task force is building a system for improved management of supplies and commodities.

Another team is developing an improved personnel management and reporting system, with a pilot system to be installed in the central personnel office by August 1972.

In other areas, instructions have been issued to the agencies to implement the required actions.

(The order follows:)

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Commissioner's Order 72-11

January 13, 1972

SUBJECT: General Purpose Transportation

ORIGINATING AGENCY: Office of Budget and Program Analysis

In accordance with the authority vested in me by Reorganization Plan No. 3 of 1967, it is hereby ordered that:

1. There is hereby established in the Department of Highways and Traffic a motor vehicle pool operation and such related activities as may be required from time to time to provide all necessary general purpose transportation for District Government employees in the performance of their official duties.

2. Definitions:

a. Official General Purpose Transportation - Official general purpose transportation refers to transportation of District Government employees whose transportation requirements are of a general, non-routine, irregular nature. This is contrasted with the special, regular needs of persons with field duties such as inspectors and investigators. Official general purpose transportation precludes the transportation of District Government employees to or from their domiciles or place of private business consonant with the prohibition contained in Public Law 79-600, Section 16.

b. Central Core of City - The central core of the city is the area circumscribed by New York Avenue to Massachusetts Avenue to 22nd Street on the N. W.; 22nd Street to Ohio Drive on the West; Independence Avenue to 3rd Streets, S. E. on the South; 3rd Street, S. E. to New York Avenue on the East.

3. Functions:

The Director of the Department of Highways and Traffic, in providing such general purpose transportation to District Government employees, shall perform the following functions:

a. Provide a centrally dispatched, motor vehicle pool service, available on call to transport District Government employees.

b. Provide a scheduled shuttle bus service to transport District Government employees in the central core of the city from one D. C. facility to another.

c. Provide a decentralized vehicle service to furnish self-driven transporation for District Government employees.

4. Implementation:

The Director shall further develop, issue and administer uniform policies, procedures and regulations necessary for the efficient discharge of the functions listed in Section 3, and shall accomplish implementing action by February 6, 1972.

5. Transfers of Positions, Personnel and Equipment:

Such positions, personnel, equipment, and funds, as set forth below, directly relating to the functions set forth in Section 3 of this Order, are hereby transferred to the Department of Highways and Traffic as follows:

a. Transfer of Positions: The appropriated positions formerly assigned to the department, agency or office listed in Attachment A are transferred to the Department of Highways and Traffic.

b. Transfer of Equipment: The vehicles formerly assigned to the department, agency or office listed in Attachment B are transferred to the Department of Highways and Traffic.

c. Transfer of Personnel: The employees formerly assigned to the department, agency, or office listed in Attachment C are transferred to the Department of Highways and Traffic.

6. Transfer of Funds:

All unexpended balances of appropriations, allotments, and other funds available or to be made available relating to the positions, personnel, and equipment transferred pursuant to paragraph 5 herein are hereby transferred to the Department of Highways and Traffic, including $500 for each vehicle for which maintenance funds have not been provided in the Department of Highways and Traffic budget.

Walter E. Washington
Commissioner of the District of Columbia

Attachment A

Government of the District of Columbia
Positions Transferred to
Department of Highways and Traffic

General Operating Expenses:		Title of Position
Executive Office:		
Office of Budget and Executive Management	(1)	Driver/Messenger
Other Independent Offices and Agencies:		
Human Rights Commission	(1)	Clerk/Messenger
Department of Finance and Revenue	(3)	Clerk
Department of General Services	(2)	Clerk/Messenger
Department of Economic Development	(4)	Clerk
Education:		
Public Schools	(7)	Driver/Messenger
Washington Technical Institute	(1)	Clerk
Federal City College	(1)	Clerk
Recreation:		
Department of Recreation	(1)	Motor Vehicle Operator
Human Resources:		
Social Services Administration	(7)	(6) Messenger (1) Chauffeur
Vocational Rehabilitation Administration	(2)	Motor Vehicle Operator
Community Health Services Administration	(12)	(2) Mail Clerk/Messenger (3) Motor Vehicle Operator (4) Truck Driver (2) Amb. Bus. Driver (1) Mail Clerk
Highways and Traffic:		
Department of Motor Vehicles	(2)	(1) Clerk/Typist (1) Supervisory Clerk
Environmental Services:		
Department of Environmental Services	(5)	(1) Chauffeur (2) Truck Driver (2) Motor Vehicle Operator
Total	49	

Attachment B

Government of the District of Columbia
Vehicles Transferred to
Department of Highways and Traffic

	Vehicle Tag Number
General Operating Expenses:	
Executive Office:	
Office of Budget and Executive Management .....(1)	GF-052
Department of Finance and Revenue .....(3)	GF-054
	GF-061
	GF-062
Department of General Services .....(2)	GF-011
	GF-010
Department of Economic Development .....(4)	GF-023
	GF-027
	GF-032
	GF-125
Office of the Corporation Counsel .....(3)	GF-160
	GF-088
	GF-065
Public Library .....(2)	GF-074
	GF-075
Education:	
Public Schools .....(7)	BE-108
	BE-001
	BE-002
	BE-101
	BE-199
	BE-141
	BE-143
Washington Technical Institute .....(1)	GF-136
Federal City College .....(1)	GF-135
Recreation:	
Department of Recreation .....(1)	GF-013
Highways and Traffic:	
Department of Motor Vehicles .....(2)	HT-169
	HT-031
Human Resources:	
Social Services Administration .....(7)	GF-97
	GF-98
	HR-13
	GF-70
	GF-153
	HR-003
	GF-058

Attachment B (Cont'd)

	Vehicle Tag Number
Vocational Rehabilitation Admin. .....(2)	GF-044
	GF-045
Community Health Services Admin. .....(12)	GF-046
	GF-047
	GF-066
	GF-093
	GF-068
	HR-015
	GF-094
	GF-100
	GF-095
	HR-090
	GF-096
	GF-057

NOTE: Five additional Econoline buses will be transferred to the Department of Highways and Traffic from the Department of Human Resources, when identified by the Director of the Department of Human Resources.

Environmental Services:	
Department of Environmental Services.....(5)	DSE-015
	DSE-016
	DSE-172
	DSE-174
	DSE-177

Attachment C

Government of the District of Columbia
Transfer of Personnel to
Department of Highways and Traffic

Department	Employee Transferred
Department of Economic Development	Johnnie W. Nipper
	A. M. Redd
Department of Recreation	Edward Smith
Department of Environmental Services	John Lee
	Raymond A. Evans
	Clarence T. Fells
	Stanley Bennett
	Edward Butler
	O. B. Davis
	Alonzo Boyd, Jr.
	Samuel Miller
Department of Finance and Revenue	Herbert Casey
	Milton Douglas
	James T. Gilchrist
	William Griffin
	Jackie C. Matthews
	Joseph T. Walker
Public Schools	Roland Waters
	Chester Whitman
	David Worthy
	Aldophos Horne *
	Nelson Dove *
	Harold Abney *
	Calvin Moore *
	Gerald Broussard *
	James Moyer *

* Transfer of these employees is subject to the unavailability of other appropriate positions in Public Schools.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Commissioner's Order 72-3

January 3, 1972

SUBJECT: Establishment of Mayor's Financial Management Improvement Committee

ORIGINATING DEPARTMENT:

By virtue of the authority vested in me by Reorganization Plan No. 3 of 1967, IT IS HEREBY ORDERED THAT:

1. Establishment and Purpose: There is established in the District of Columbia the Mayor's Financial Management Improvement Committee which shall advise and assist the Mayor in developing and implementing policies and actions designed to improve financial management throughout the District.

2. Composition: The Mayor shall serve as Chairman of the Committee. The Deputy Mayor shall chair the Committee in the absence of the Mayor and shall assure coordination of its activities. Permanent members of the Committee shall include the Special Assistant to the Mayor for Budget and Program Analysis; the Director, Department of Finance and Revenue; the Director, Department of General Services; and the Director, Office of Planning and Management. Other heads of Departments and Agencies will be invited to attend as determined appropriate by the Chairman of the Committee.

3. Administration: The Committee will receive secretariat support from the Office of Budget and Program Analysis and support in systems design and development from the Office of Planning and Management.

4. The provisions of this Order shall take effect immediately.

Walter E. Washington
Commissioner of the District of Columbia

REPROGRAMING PROCEDURES

Mayor WASHINGTON. The agencies have been told of the procedures for obtaining written prior approval of operating reprograming above $25,000 and of all capital reprograming. They will also notify us of all other reprogramings as they occur so that we can keep this committee fully informed.

I think, Mr. Chairman, you are already aware that the reprograming instructions have been put in effect. In discussion between us, we have certainly crystalized the system, of which all agencies under my jurisdiction have been duly informed. That is, no reprograming will go forward without my personal knowledge. I think that we have maintained that procedure up to now, and I fully intend to maintain the reprograming process with appropriate instructions having been given to each department.

REIMBURSEMENT OF DEPARTMENT OF HIGHWAYS AND TRAFFIC FOR TELEPHONE COSTS

The agencies will reimburse the Department of Highways and Traffic for telephone costs from available agency operating funds. Procedures for allocating costs are being developed.

All of these matters, I might point out parenthetically have been discussed with the major department heads in conference with me and the top members of my staff.

EXECUTIVE REVIEW AND CONTROL OF FEDERAL GRANTS

We will soon implement a system to strengthen executive level review and control of all Federal grants to District agencies. Through this improved process of grant application and reporting, we will be able to avoid duplication of effort and to direct grant monies toward our high priority goals.

CAPITAL IMPROVEMENTS PROGRAM

We have also strengthened procedures for developing the capital improvements program, particularly the selection of financing methods. Most importantly, all permanent improvements have been consolidated in one account under the Department of General Services, which will decide what projects should be funded from the operating budget and what projects should be funded from the capital budget with long-term financing. In addition, the debt service associated with the capital program is being projected; and a uniform, financial status report for all capital projects is being prepared.

WELFARE REFORM PROGRAM

Through the Office of Budget and Program Analysis, I have been monitoring the actions of the individual agencies to comply with the committee's directives. Progress in one area deserves special mention. I had hoped to introduce the Director of Human Resources to the chairman this morning. I understand the director, Mr. Joseph P. Yeldell, will be along; and I will introduce him at that time. The area

74-704 O - 72 - pt. 1 - 2

deserving special mention is the public assistance system. The Director announced last Thursday, in a press conference that I attended, an innovative program of welfare reform to tighten the administration of the public assistance system and to provide constructive help to welfare recipients.

I believe, Mr. Chairman, copies of material relative to the reform program were furnished to you prior to our press conference.

The 45 additional positions provided in the fiscal year 1972 appropriations act will be used to clear the caseload of ineligible persons and thus to help insure the integrity of the public assistance system in the District of Columbia. We have already provided you with details of the program. And we hope to enlarge upon it this morning.

1973 BUDGET

While implementing the budget for the current fiscal year, we have been preparing our budget request for fiscal year 1973. I am looking forward to presenting that request to the committee next month, as you have indicated and requested. I know the committee will bring to bear the same high degree of sensitivity and responsibility in reviewing the upcoming proposals as it did in considering the fiscal year 1972 budget.

Mr. Chairman, this concludes my brief prepared statement, which is based upon considerable staff work. I am very sure that it is simply the beginning.

INTRODUCTION OF ASSOCIATES

I have with me the Deputy Mayor, Mr. Graham W. Watt; my Special Assistant for Budget and Program Analysis, Mr. Comer S. Coppie; and other appropriate staff members who I think can deal with the details of the District-wide actions just described and any other matters that you might wish to review.

INADEQUACIES OF ACCOUNTING SYSTEM AND PERSONNEL RECORD

Senator INOUYE. I thank you very much, Mr. Mayor.

As you are well aware, Mr. Mayor, in my opinion, perhaps the greatest single problem of the District of Columbia government is the inadequacy of its accounting system and personnel recordkeeping. The concern of the Congress in this area is rather well documented and from our hearings last year, you should be aware of my own deep personal concern.

My research indicates that the problem was first focused upon by my predecessor, Senator Byrd, about 5 years ago, and in later years; namely, in the fiscal 1970 hearings, Senator Proxmire called to your attention that little or no action had been taken to bring the District's accounting standards into compliance with the General Accounting Office directives.

If I may refresh your memory, the committee report for that year stated "Sufficient personnel and funds allowed to permit the implementation of program, planning, budgeting, and three additional systems accountants provided as recommended by the Comptroller General." The latter reference was to funds for three high-grade account-

ants for the specific purpose of bringing the District's accounting system into compliance with GAO standards. These shortcomings were once again dwelt upon in fiscal 1971 hearings, still again in fiscal 1972 hearings, followed by report language which I am sure you will recall.

Mr. Mayor, surely you are aware of the vital and fundamental importance of such matters. Just why is it that after all of these years, the District of Columbia government still seems as incapable today of coming to grips with this problem as it was 3 years ago?

Mayor WASHINGTON. Mr. Chairman, I would like to say first that I have consistently shared this concern. I would think that, in moving forward, it would be well for us to report what we have done, to place it in the historical perspective, and to say what we are doing and intend to do.

I will ask Mr. Watt if he will proceed along that line.

Mr. WATT. Good morning, Mr. Chairman.

Senator INOUYE. Good morning, sir.

GOVERNMENT-WIDE JOINT FINANCIAL MANAGEMENT AND IMPROVEMENT PROGRAM: COMPLIANCE WITH GAO STANDARDS

Mr. WATT. Mr. Chairman, in order to put this matter into context, let me refer to the existence of the joint financial management and improvement program, which is a Government-wide cooperative effort by all agencies, including the District of Columbia government, under the joint leadership of the Comptroller General of the United States, the Secretary of the Treasury, the Director of the Office of Management and Budget, to establish systems of financial management that are of maximum usefulness.

The Budget and Accounting Procedures Act of 1950, as amended, places the responsibility for establishing and maintaining adequate systems accounting and internal control upon the head of each objective agency. And, in our case, that responsibility rests with Mayor Washington. These systems must conform to the accounting principles, standards, and related requirements prescribed by the Comptroller General of the United States.

NATIONAL COMMITTEE ON GOVERNMENTAL ACCOUNTING PRINCIPLES

Since the District government is a municipality, it is also guided by the principles of governmental accounting and reporting as prescribed by the National Committee on Governmental Accounting in 1968.

COMPLIANCE PHASE I: ESTABLISHMENT OF PRINCIPLES AND STANDARDS

We have divided our compliance with the joint financial management improvement program into a series of phases. Phase I, the establishment of accounting principles and standards, has been completed, and draft of the accounting principles and standards has been submitted to the General Accounting Office for review.

The draft statement has had a preliminary review. Our discussions with the General Accounting Office have indicated to us the necessary revisions, and a revised draft has been submitted to the General Accounting Office.

Senator INOUYE. When did you begin phase I?

Mr. WATT. When did we begin phase I? Mr. Back—Kenneth Back, Director of the Department of Finance and Revenue—what was our starting date on phase I?

Mr. Chairman, I believe Mr. Joseph Haley can answer your question.

Senator INOUYE. Would you identify yourself.

Mr. HALEY. My name is Joseph Haley. I am Chief of the Financial Management System Development Division of the Office of Planning and Management.

Senator INOUYE. Please proceed.

Mr. HALEY. Phase I, the development of the accounting principles and standards for the District of Columbia government for submission to the General Accounting Office Comptroller General, started sometime in 1964. In December 1966, we submitted to the Comptroller General a draft of our proposed accounting principles and standards.

Senator INOUYE. This is 1972.

Mr. HALEY. Yes, sir.

Those suggested principles and standards were reviewed by the Comptroller General and were returned to us in July of 1968.

GAO RETURN OF RECOMMENDED PRINCIPLES AND STANDARDS UNAPPROVED

Senator INOUYE. Were the various departments of this city made aware of these new standards?

Mr. HALEY. The various departments were aware that the standards were being developed and submitted to the General Accounting Office.

Senator INOUYE. Did they provide any input?

Mr. HALEY. Yes, sir.

Senator INOUYE. Did they cooperate?

Mr. HALEY. Yes, sir.

Senator INOUYE. Somehow the results do not seem to indicate that.

Mr. HALEY. The Comptroller General returned our proposed principles and standards in July 1968, but he did not approve them. In his letter of transmittal, he enumerated several areas that he thought should be changed.

We proceeded to revise the accounting principles and standards and have been in very close contact with the representatives of the General Accounting Office. This contact has been maintained off and on over this whole period of time. We have not been working, of course, on a full-time basis but have worked off and on, as time was available, to develop the accounting principles and standards for resubmission.

Senator INOUYE. Don't you consider this matter to be of the highest priority?

Mr. HALEY. Yes, sir.

As far as I personally have been concerned, it has been the No. 1 priority for years.

Senator INOUYE. Why was it just off and on? On a part-time basis?

Mr. HALEY. Well, for several reasons. One reason is that projects came along periodically that had to be handled immediately. These projects included special requests from departments, special requests from staff officers and systems development work that had to be handled immediately.

Mr. WATT. The development of the accounting principles has not been, of course, the exclusive responsibility of the small unit that Mr. Haley heads. I might also note that we have over the years dealt with a succession of GAO representatives, who have reflected, I think, over time, a varying point of view, a varying approach to the District government's somewhat unique situation. We have hoped that the GAO representatives would not only be mindful of the need to comply with the requirements they may have established for Federal agencies, but would also assist us in functioning and complying with requirements imposed by our status as a municipality.

It is somewhat unique, I think, for the General Accounting Office to be dealing with us since they must recognize that the District government is a unique structure within the Federal system, as they see it.

1970 EMPLOYMENT OF THREE HIGH-GRADE ACCOUNTANTS

Senator INOUYE. Well, fiscal 1970, the funds were provided to hire three very high-grade accountants. Were these high-grade accountants hired?

Mr. HALEY. Yes, sir, they were. They were all hired in 1970. One position has since become vacant.

Senator INOUYE. Have you made attempts to fill that?

Mr. HALEY. Yes, sir. We have concentrated on filling it. However, we did not want to fill it with the first person who came along so we have been rather selective and have run into an unfortunate set of circumstances. We found a very desirable person. At almost the exact same time that we found a suitable person, the mayor's temporary freeze on hiring went into effect. By the time the freeze had been lifted, this person had found another job. We went back and forth that way a couple of times.

Senator INOUYE. Were these three positions off and on on this project?

Mr. HALEY. No. They were not used on the development of accounting principles and standards. I have to take the full blame for anything wrong in this area. I have been the one doing the development and the dealing with the General Accounting Office and the monitoring of this program.

Senator INOUYE. Were they put on full time?

Mr. HALEY. Yes, sir. They were put on full time. They were employed full time in developing accounting systems, but they have not been involved in the development of the accounting principles and standards.

If any explanation is needed of the differences between the two, I can furnish it now.

Senator INOUYE. That is quite all right, sir.

Do you wish to say any more?

Mr. HALEY. Accounting principles and standards have to be developed before we complete the development of the Districtwide accounting system because these systems have to be consistent with the principles and standards. But, at the same time, the staff of systems accountants working in our office have been working on many valuable accounting systems improvements.

1973 Request for Additional Employees

Senator Inouye. Have you ever requested additional help for this office, knowing the concern expressed by my predecessors, Senators Byrd and Proxmire?

Mr. Haley. No, sir, not to my knowledge. But we have requested it in the next year's budget.

Revisions in Compliance With GAO Demand

Senator Inouye. How long will this first-phase study take?

Mr. Haley. We are relatively certain that it is completed. As Mr. Watt indicated, we submitted the proposed principles and standards to the General Accounting Office in December 1971. In January 1972, we were requested to make a number of revisions, which we made.

Monitoring of Departmental Accounting Systems

Senator Inouye. Does your office monitor the accounting systems of the various departments?

Mr. Haley. Only as they affect the central accounting system and the processing within the accounting system. We establish the principles and standards for the departmental systems, and we assist the departments to the extent that we are asked to. But, without being asked, we do not develop all of a department's accounting systems.

Senator Inouye. Who is responsible for monitoring the system?

Mr. Haley. The Department of Finance and Revenue.

Senator Inouye. Are you satisfied that his monitoring is done?

Mr. Haley. It is done, I know. Whether or not the degree of monitoring is satisfactory, of course, is a matter of personal judgment.

Present Prescribed Standards

Senator Inouye. Are you satisfied that the standards you have described are being followed at this time by all of the departments?

Mr. Haley. Yes, sir. I am satisfied that the standards that we have described are being followed.

Senator Inouye. Would you be able to sit down and look through the books of any department and understand what is going on?

Mr. Haley. Yes, sir. There is no question about it.

Senator Inouye. Including the Education Department?

Mr. Haley. Yes, sir.

Senator Inouye. Somehow, I gather that people have had difficulty understanding the procedure followed by the Department.

Mayor Washington. I number myself among those persons, sir.

Senator Inouye. Mr. Mayor, are you satisfied that we have a unified system in the District of Columbia?

Mayor Washington. No; I do not think we have a unified system, in the sense that you speak of, sir.

Monitoring of Expenditures: Price-Waterhouse Study

Senator Inouye. Would your budget officer be able to pick up the books of any department and make sense out of it?

Mayor Washington. He should be able to do so, but I will let him answer.

Mr. COPPIE. Mr. Chairman, I think that the progress we are making in our accounting system is significant; and I think this progress has been documented pretty clearly by Mr. Haley this morning. It is that progress that I think is important.

Actual monitoring of expenditures is taking place. I think it is important to keep in mind that there has been no violation of the Anti-Deficiency Act by the District government in terms of the expenditure of funds.

But that does not mean that more progress is not needed. Indeed, I think that we are making the commitment to greater improvements in our testimony this morning.

Senator INOUYE. I am certain you have read the four-volume study submitted by Price-Waterhouse?

Mr. COPPIE. No; I have not read that study, Mr. Chairman. I have read about it in the newspaper, and I understand it is going to be transmitted officially to us today. I have talked with the Price-Waterhouse staff.

Senator INOUYE. I have been advised that the team studying this city's budgetary system looks upon it as the most complex and most confused encountered in any city of any size in the United States. Would that surprise you, sir?

Mr. COPPIE. Mr. Chairman, that assessment does not come as any surprise to me.

I believe that I have pointed out, in the 4 years I have been here that the District's system is the most complex budget system of any jurisdiction I know anything about. I do not know everything about every jurisdiction in this country, but there is no jurisdiction of which I am aware that has to have its budget approved by two legislative bodies. And, of course, in the case of the District of Columbia, it is really not two, it is perhaps five legislative bodies.

So there is a range of complexity that does work against effective management; and we expect it to, very candidly. But that is not to dismiss the need for proper accountability of our expenditures.

CREDIBLE ACCOUNTING SYSTEM IMPERATIVE

Senator INOUYE. Mr. Mayor, I am certain you are aware that I do not sit before you as an adversary, but as a friend who has to share part of your burden in presenting the budget to the members of the Congress. And I have found it, to put it mildly, a rather difficult task.

Mayor WASHINGTON. We share it, sir.

Senator INOUYE. Because of one thing: the credibility of your accounting system. If we are not able to come forth with a credible system, one that has credibility, then you will be constantly faced with slashes which you might feel unnecessary, uncalled for and dangerous. Because, frankly, there are many in the Congress who have very little faith in the presentation as far as statistics are concerned.

There are times, I must confess, Mr. Mayor, that I, too, find it rather difficult to really believe what is being presented. Because events that follow seem to point out that in fact we did not need 100 positions but 75 would have done; or that certain areas have been padded unncessarily. So I hope if we do set up any priority within the organization, that you make this matter one of the highest priorities.

Mayor WASHINGTON. We do, indeed. I simply point out, Mr. Chairman, that this matter does not come as a singular matter within the control of this government. We wish to proceed with the highest degree of credibility. This is what we have endeavored to do.

PROGRESS AREAS

There have been constraints, as you point out, from three different chairmen. We have had three different thrusts. This situation does not suggest that we should not maintain by far the best system. It is something that I think we are very, very concerned about. I am concerned personally, and I would like Mr. Watt to continue to indicate some of the areas of progress.

Senator INOUYE. Before Mr. Watt proceeds, I would like to point out, as one Senator here, the time is coming when it will be most difficult for me to convince my colleagues that something is being done by just using the usual bureaucratic phraseology of task forces, special study groups, contracts for special groups to study. It will not suffice, sir. I would hope that in the very near future—by that I mean within the next 6 months or so—you will come up with something that you have been working on since 1964.

Mr. WATT. Mr. Chairman, I believe I can provide you with at least a degree of reassurance that I know you seek, by indicating to you what is underway and what some of our anticipated completion dates are.

Senator INOUYE. All right, sir, please proceed.

Mr. WATT. I mentioned the submission of the accounting principles and standards which, as Mr. Haley has said, must be the basis upon which accounting system design and operation is founded. We believe our revised standards will receive early approval from GAO.

PHASE II: SYSTEMS DESIGN

The second phase of that effort, the systems design, is underway. In that task we are building upon the accounting principles and standards. We are being guided by the recommendation of the Urban Information System Inter-Agency Committee in its efforts regarding the development of new types of municipal information systems and particularly the municipal finance subsystem project. That is nearing completion in the city of Dayton, Ohio.

That phase, system design, will be followed shortly by systems implementation. Then, of course, there will be the need to monitor and evaluate the work that is done and that is then under way.

PHASE DURATION

Senator INOUYE. How long will this phase II take?

Mr. WATT. System design.

Mr. HALEY. Phase II will take, I would estimate, Mr. Chairman, somewhere between 2 and 3 years to complete for the District.

Mr. WATT. Complete and implement?

Mr. HALEY. Yes. Based on present resources.

Mayor's Financial Management Improvement Committee

Mr. Watt. That does not mean, Mr. Chairman, there are not things that can be done that are significant improvements. That is the area to which I would like to address my remarks now.

On January 3 of this year, the Mayor, by Commissioner's order, established the Mayor's Financial Management Improvement Committee. In recognition of his role and his responsibility, the Mayor designated himself as Chairman of the Committee but gave me the responsibility of chairing the Committee on his behalf and assuring the coordination of its activities.

The members of this Committee include the Special Assistant to the Mayor for Budget and Program Analysis, Mr. Coppie; the Director of the Department of Finance and Revenue, Mr. Kenneth Back; the Director of the Department of General Services, Mr. Sam Starobin; and the Director of the Office of Planning and Management, Mr. John Ingram.

We will bring in other department and agency heads or representatives as necessary as the Committee proceeds with its work.

Short-Range and Interim Improvements

Before the end of January, that Committee reviewed our status and the need for short-range and interim improvements in the capacity of the District's fiscal management efforts. We established for ourselves a series of high priority budgets. Those projects having the highest priority are: First, improving the accounting support for the budget; second, coordinating central and agency accounts; third, improving the accounting for profit; and fourth, improving central reporting.

These are the four activities that we have given, together with internal audit, our No. 1 priority attention.

Standardization of Codes

With regard to the first, the improvement of accounting support for the budget, the basis for these efforts must be the standardization of coding within the accounting system. In order to synchronize accounting, budgeting, personnel, payroll, and our planning programing budgeting system efforts, we must take that first step of standardizing accounting codes.

We have begun that step, and we anticipate completing this phase of the project in 4 to 6 months. We have an interagency group at work to establish the standardized coding system.

Cooperation With General Accounting

Senator Inouye. May I interrupt at this point? While this is all progressing, what is your relationship with the GAO?

Mr. Watt. Mr. Haley is our principal representative to the GAO. I would say that my general impression is that the GAO representatives have been supportive. We have relied upon them for assistance and advice although that, of course, is very limited because they have to manage many quarters.

Senator INOUYE. Do you consult with them as you take steps?

Mr. WATT. Yes, we do.

Mr. Haley can respond.

Mr. HALEY. We have worked very, very closely with them over the past year in the development of the accounting principles and standards. We have maintained very close contact all of the time.

Senator INOUYE. How was your contact, say, in 1964, 1965, 1966, 1967, 1968?

Mr. HALEY. We worked rather closely with them back in those days. As was indicated earlier, however, we have worked with different groups of representatives from the General Accounting Office.

Senator INOUYE. How was it that with all of this close coordination, that in 1968, when you presented your program, they turned it down? Wasn't it coordinated by them?

Mr. HALEY. Yes, sir. It had been coordinated; the manner in which the proposed principles and standards were turned down in July 1968 was a surprise to me. We had worked closely with some rather high-ranking officials in the General Accounting Office in the development of the principles and standards that we submitted in December 1966.

Mayor WASHINGTON. As a matter of fact, aren't they in the building?

Mr. HALEY. Yes.

Mayor WASHINGTON. I think the Senator is trying to elicit what the nature of the contact is. It is a day-to-day contact; is it not?

Senator INOUYE. I bring this up because of all of the so-called accounting organizations in the minds of most Members of Congress, the most reliable would be the GAO. They are the most influential upon what our decisions may be. So it is well to listen to Price-Waterhouse and to the Ohio Special Commission, but I would hope you would work very closely with GAO.

Mayor WASHINGTON. I was trying, Mr. Chairman, to elicit from Mr. Haley's comments a picture that might indicate the GAO representatives are in the building. My assumption, based on what I am told, is that District staff are in day-to-day contact with the GAO representatives.

Is that not the case?

Mr. HALEY. Yes. Definitely. We are in day-to-day contact.

Mayor WASHINGTON. I think the Senator wants to understand that. Don't be timid. Go right ahead and tell him.

INEXACT SCIENCE OF ACCOUNTING: GAO CHANGE OF PHILOSOPHY

Mr. HALEY. Yes.

This close contact has in some way caused some of the delay. We are talking about the field of accounting; cost accounting is not an exact science. We could have some rather extreme differences of opinion between accountants.

The General Accounting Office, philosophy and approach to accounting principles and standards have changed somewhat over the past 6 or 7 years. I am talking about technical areas such as accrual accounting and capitation of assets and the need to depreciate these assets and the need to accord accrued annual leave and some rather technical areas of accounting.

Very frankly, it is my personal opinion that the General Accounting Office's ways of thinking and its philosophy toward some of these approaches have changed. As an example, the letter sent by the Comptroller General in July of 1968, when he stated his reasons for not approving our principles and standards, indicated seven or eight items that he thought should be taken care of. I immediately concentrated on trying to take care of those seven or eight items. But when I submitted my principles and standards the next time, the thinking had changed on these subjects. Instead of wanting more detail, more specificities in some of these areas, GAO then did not want as much detail as we had developed.

Senator INOUYE. What I cannot understand is that on the second submission, as you were preparing to comply with the directive of GAO; weren't you working with them?

Mr. HALEY. Yes, sir. I have always had very, very close contact.

Senator INOUYE. How is it that on the second time they turned you down again?

Mr. HALEY. Again, that was a surprise to me. I honestly cannot answer that, Mr. Chairman.

GAO PERSONNEL CHANGES: ANTICIPATED APPROVAL OF PHASE I

Mr. WATT. Mr. Chairman, I think part of the answer—and I can understand Mr. Haley's reluctance to point it out—is that in addition to a changing or evolving philosophical approach to accounting that has characterized the General Accounting Office and the field of accounting generally, particularly municipal accounting, there have been changes in personnel. The man who testified before this committee a year ago that we were very close to agreement on the accounting principles and standards has now retired. We are dealing now with another man.

We again believe, on the basis of our close relationship with GAO, that the present submission as revised within the last 2 weeks will receive the approval of the General Accounting Office.

Senator INOUYE. Are you satisfied that the results of Phase I would meet the approval of the GAO?

Mr. WATT. That is our informal understanding at this time. Yes, sir. We do not have a formal letter of approval, but the discussions with the GAO representatives indicate to us that our submission can now be approved.

PHASE II DURATION: CREATION OF SUBSYSTEMS

Senator INOUYE. You have indicated, or Mr. Haley has, Phase II will take 2 to 3 years?

Mr. HALEY. Mr. Chairman, that is my estimate of the time needed to complete the system design in all phases of accounting for the whole District of Columbia government.

This system will consist of seven or eight subsystems, such as the subsystem for payroll, the subsystem for revenue and receipts, and so on.

We will attack each of these areas one at a time, and none of these subsystems will take long to complete.

PERSONNEL INCREASE: REDUCTION OF DURATION

But the whole, the total system will, in my opinion, take 2 to 3 years to complete, unless we wanted to bring to bear much more resources than we now have.

Senator INOUYE. What do you mean by a lot more resources?

Mr. HALEY. At the present time, I have only six people working in this particular area.

Senator INOUYE. What does the fiscal year 1973 budget call for?

Mr. HALEY. We have requested eight more positions.

Senator INOUYE. Do you think with that, you can speed it up?

Mr. HALEY. Yes, sir.

Senator INOUYE. How many years would that take, now?

Mr. HALEY. If all eight positions were approved, we could very well cut the time in half.

Mayor WASHINGTON. I have recommended approval of those eight positions because of my wish to reduce the time needed to under 2 years. The eight positions will appear in my budget of 1973.

Senator ELLENDER. Mr. Chairman.

Senator INOUYE. Mr. Chairman.

COOPERATION WITH GENERAL ACCOUNTING OFFICE SCHOOL SYSTEM

Senator ELLENDER. I am sorry I was not here earlier, and I regret that I have not been attending these committee hearings more often. I have been very busy with others.

To what extent, Mayor Washington, have you consulted the GAO to try to assist you in getting a good accounting system? That is part of their business.

Mayor WASHINGTON. Yes. We have just finished explaining what we have been doing over the years and up to now in that process.

Senator ELLENDER. To what extent have you followed their advice? It seems that your accounting situation here is not too good, particularly in the schools. That has been spread all over the papers, as I recall.

That is very important and there is a question as to whether or not your school deficit is $5.5 million or $2 million or $3 million. Why is it that you did not have at hand the number of employees in the schools? That, to me, is very peculiar.

It strikes me, with the assistance of GAO, that would have been the first order of business, to get a good accounting system into your administration.

MISPLACEMENT OF VOUCHERS

Mayor WASHINGTON. The GAO, Senator, has been in the school system for a number of months on this very subject. I think it may or may not be accounting problems at fault. We have been examining the situation at the request of the public schools. We are finding problems other than accounting matters and have now suggested some courses of action to relieve those problems.

Senator ELLENDER. What do you mean by "other than accounting"?

Mayor WASHINGTON. Well, there was a question, for instance, of where some vouchers were. A million dollars worth of vouchers were

found in someone's desk drawer, for instance. That is not an accounting problem; that is a matter of someone misplacing a set of vouchers that should have been in the system. Thus, we have sent in a team of central staff personnel to try to identify the problems during a 10-day review. It is my intention to go further into that matter with or without a request from the public schools.

Autonomous Body: Responsibility of the Mayor

Senator Ellender. Have you any department or any people under you whose duty it is to keep up with the affairs of the department?

Mayor Washington. The schools have their own system.

Senator Ellender. I know, but it is under you, is it not?

Mayor Washington. This is the real question. The Board of Education is an independent body, autonomous, and elected. The school system has its own accounting resources.

Senator Ellender. Well, what have you to do, at all, with the school system?

Mayor Washington. I have, first of all, the responsibility of approving the school system's budget and transmitting it to the Congress.

Senator Ellender. Well, in approving that budget, do you go behind the scenes to see how they used past budgets?

Mayor Washington. To a degree, yes. The question I think you are asking is whether or not we look at the full accounting for the schools at the time the budget goes forward.

Mr. Haley, how far do you go into that?

Mr. Haley. We process all of the accounting documents for the schools. That is, we set up the appropriations allotment and process the obligating documents and the disbursement documents through the central system.

Proper Identification of Teachers

Senator Ellender. In order to be able to do that, isn't it necessary for you to know the number of teachers that there are in the school system, so that you can decide how much is necessary to pay them?

Mr. Coppie. The answer to that question, Mr. Chairman, is quite clearly yes. As we have looked at the school system's problem, which has been so much in the headlines over the last several weeks, we have discovered that perhaps the major problem is that the School Superintendent is, of course, an educational leader.

There appears to be no one directly under the school superintendent who has the proper delegation of responsibility and the proper delegation of authority for the entire management of the resources of the public school system.

Senator Ellender. Irrespective of that, though, you are supposed to aid in fixing the budget; you are supposed to look into it?

Mr. Coppie. We do do that, Mr. Chairman.

Senator Ellender. How could you overlook the number of teachers that were employed?

Mr. Coppie. Mr. Chairman, I think that during an annual review of the budget the particular number of teachers would be identified.

On the other hand, I believe the Mayor is saying that he cannot manage the school system from his desk and that I cannot manage the school system from my desk.

Senator ELLENDER. I understand that.

Mr. COPPIE. It has to be done by the school system.

Senator ELLENDER. I can understand that. But since he has supervisory responsibility over them, it strikes me he——

Mayor WASHINGTON. I was not sure, Mr. Senator, that I had.

SUPERINTENDENT'S REQUEST FOR HELP

Mr. COPPIE. Mr. Chairman, I think it is important to keep in mind that the School Superintendent came to the Mayor for help, and within a very short time from the time that request was made, the Mayor responded. We feel that the problem outlined to the Mayor by the school superintendent is now moving into a very important period of constructive change. I think that the problems you are sensitive to we are also sensitive to. We are moving to do something about them.

Senator ELLENDER. Of course, I did not know a thing about it until I saw it in the newspapers. It did not look too good. That is why I am wondering the extent to which the Mayor and any of his employees have jurisdiction over the budget and those employed by the school authorities.

Mayor, why is it you did not know about it? Isn't it provided somewhere in the charter or the laws, the jurisdiction that you have over the schools?

Mayor WASHINGTON. Well, I am not certain that my jurisdiction is very clear in this area, Senator Ellender. This ambiguity grows out of long experience. As you know, the School Board is an autonomous board. In 1906 it was given responsibility for policy. The Reorganization Act No. 3 of 1967 did not change that responsibility. However, there is still some doubt about the precise division of responsibility and authority.

We have discussed with the Nelsen commission what the Mayor's responsibility is, on the theory that this act gave the schools responsibility for the policies of the School Board. Yet the Mayor has some responsibility generally for the school system's budget, which was not removed. We have to move on this assumption.

For instance, I waited until the Superintendent asked for my help before moving on the problem. The school said they did not know how many teachers they had, and so forth.

The Superintendent asked if we would assist them. The public schools had their own accounting people, but they could not come up with the appropriate accounting balances.

On the basis of that request, we went in for a short period and at least saw some of the practices that we have reported, such as floating obligations from one year to the next, as a way of balancing the books, taking whatever was left and putting it from 1970 and 1971, for instance, over to 1972, without coming to a precise figure.

We said the practice was inappropriate, and we said to stop it.

Senator ELLENDER. When did you find out about that?

Mayor WASHINGTON. About the same time you did.

Senator ELLENDER. You mean you saw it in the newspaper.

Well, for the last 18 months or 2 years, I would say, I do not think there is a week that has passed by that you did not have some kind of discussion about the dissension in the school board, with the school board. That is, somebody was finding fault with it and they were nipping at each other.

I am just wondering whether or not you took note of that and what did you do about it.

DISSENSION IN THE BOARD OF EDUCATION

Mayor WASHINGTON. Senator, in that area, the dissension was in the school board. I am completely without authority. No one from the Congress or any other body has seen fit to vest me with any authority to adjust or manage matters of the school board on policy. I think this situation is clear. When the Congress authorized the election of the School Board, they reposed in that body the power to set policy for the city's public schools.

Senator ELLENDER. Has the School Board an accounting system?

Mayor WASHINGTON. Yes.

Senator ELLENDER. And what jurisdiction has your accounting system over the School Board's? Any?

Mr. HALEY. The authority that we have in the area of accounting system design for the school is very limited. We have the right to control the manner in which they process documents through our central accounting system because we obligate the documents, we prepare the checks, and we make the disbursement, et cetera.

Therefore, we can say that within that area the school system has to perform in such a manner.

When we move from the central accounting system into the departmental system, our authority over the School Board or the school system disappears.

However, it is a fact that in the past year the school board has called at our office on several occasions and asked for assistance. Any time that they have, we have helped them in the area for which they had requested assistance.

Mayor WASHINGTON. They also have their own accounting system.

Mr. HALEY. Oh, yes.

Senator ELLENDER. When the School Board is ready to present its budget, what jurisdiction has the Mayor over this budget, either increasing it or decreasing it, or doing anything about it?

Mr. COPPIE. Mr. Chairman, the position that Mayor Washington has taken relative to the elected school board is that he, by law, does have the responsibility to determine the level of support for the school system; and he has met that responsibility.

However, he has allowed the School Board and the school administration to determine the priorities with regard to the specific levels of need within the school system and to establish their own programs.

Senator ELLENDER. Does that include the amount of money necessary to pay the teachers at a rate fixed by the Board?

Mr. COPPIE. The salary for the public school teachers in the District of Columbia is set by a law enacted by the Congress.

Senator ELLENDER. Then, of course, the budget for the school teachers, the pay for the school teachers, is fixed by the number of teachers that are working in the District?

Mr. COPPIE. This is correct, Mr. Chairman.

NUMBER OF PUBLIC SCHOOL TEACHERS

Senator ELLENDER. That is why I asked a while ago; since that is the case, why didn't someone in the Mayor's office know about the number of schoolteachers? Because you have to have that to estimate the amount of money necessary to operate the schools, if the salary of the teacher is fixed. To find out the amount of money necessary to pay the teachers, you certainly would have to know the number of teachers.

Mr. COPPIE. Mr. Chairman, I think there is a complexity here that has worked against effective controls. It is not clear, even to us now, whether the school system has more teachers on the current payroll than the number authorized by the Congress.

However, I think the specific answer to your question, in terms of what we have available to us today, is that from July of this year until December of this year we are working under a continuing resolution of Congress. The school system's budget proposal specifically recommended a redirection of positions, many of which were abolished in the ultimate appropriations bill for the subsequent year.

The number of teachers under the continuing resolution was higher than the number in the ultimate appropriations bill. I think that is where the problem has come.

We have been sensitive to the need to get on top of this situation, as the School Superintendent. We feel we are moving into the period of appropriate resolution of any difference or potential difference in the number of teachers.

Senator ELLENDER. I can see where this continuing resolution would cause difficulty and I express the hope we will not have to get into that any more.

Mayor WASHINGTON. Thank you, Senator. We do, too.

Senator ELLENDER. I realize that, Mayor. I know it. I have seen it, and there has been much confusion even in the use of sums because of this continuing resolution system. It is my hope that we will have all of the appropriations bills in the hands of the President on or before June 30.

Mayor WASHINGTON. Senator, you understand that our continuing resolution went all the way to December.

Senator ELLENDER. I know that. You were one of the four that were left out and that is because of the fact you did not have the authorizing legislation to permit this committee to obtain the money necessary.

Mayor WASHINGTON. That is right, sir.

Senator ELLENDER. I hope that does not happen any more.

Mayor WASHINGTON. We appreciate that.

Senator INOUYE. Mr. Watt.

Mr. WATT. Mr. Chairman, I have already mentioned the critical and urgent need to improve the accounting support for the budget; we believe that the work of the standardized coding system group will substantially facilitate that improved support.

You have raised the question about the coordination of agency accounts and the central accounting system. Let me comment briefly, if I may.

There are a number of reasons for the existing duplication and overlap between the central accounts and the departmental accounts. They relate primarily to two bases of accounting: Namely, cash obligation basis and cost accounting.

Many departments and agencies maintain accounts for obligations because they feel the central reports are sometimes untimely and inaccurate and heretofore may not be fully relied upon. We have been engaged in a continuing effort to improve the timeliness and the accuracy of the reports. As a result, reports now are being prepared generally on the third or fourth workday of the following month, the month following the accounting period.

Only in an emergency have they been significantly late.

Also, an effective editing program has been instituted, appreciably decreasing the incidence of errors. Certainly, human errors, which the edit table cannot recognize, still occur; but, fortunately, they are few.

We are continuing to strive to increase the value of the centrally prepared reports and thereby to eliminate the need for agency accounts.

We are investigating the desirability of real time on line systems to optimize the value of the system, to provide instant access for essential accounting data.

Senator INOUYE. Under the present system, would you get instant itemized information from the Department of Education?

Mr. WATT. The answer to that, I understand, is "No."

Senator INOUYE. Please proceed.

ACCOUNTING SYSTEMS IMPROVEMENTS

Mr. WATT. This work will be done as part of the system design being carried on under phase II, which I referred to earlier.

The third area of our top priority concern is to improve the accounting for property. This divides again into three areas.

First, personal property; second, work in process and fixed assets; and third, capital improvement program. We are proceeding in generally this manner.

We are working to improve supply management in the District. In that regard we have initiated this month the first of what we intend to be a series of commodity manager programs, commodity management system. In this particular case, we have designated a single agency and given an official within that agency the responsibility to serve as commodity manager for two commodity classes.

The agency is the Department of Human Resources and the commodity classes encompass dental, medical, and veterinary equipment and supplies, instruments and laboratory equipment.

This commodity management system, as it is implemented for other classes of commodity, using other agencies and other officials as commodity managers will, we are sure, bring that aspect of supply management into control in a manner that has not heretofore been possible.

74-704 O - 72 - pt. 1 - 3

The accounting for fixed assets and for work in process, again, will be implemented in connection with phase II of the accounting system design.

And a task force under Mr. Coppie's direction is working now to provide a better basis for accounting control of the capital improvement program. He can speak to that point.

Finally, Mr. Chairman, I would point out that by virtue of the availability of a grant through the Intergovernmental Personnel Act, which was approved for the District in late January, we now have the resources we have been seeking. These resources will permit us to proceed with a project, which we have long wished to implement, to establish a position management and personnel reporting system.

The IPA grant will permit us to establish a pilot project covering a limited number of agencies, totaling about 1,800 employees.

Again, we are involved in systems design, in a computer-based project. The design is proceeding. The pilot implementation will be used as a means of testing and perfecting, validating the system. Once that has been done. we will move with as much dispatch as possible to replicate that pilot system in the other departments and agencies in the District government. It is our intention to move first into those departments and agencies that are still maintaining essentially manual personnel management systems, and ultimately into those departments and agencies that have their own individual or discreet computer-based system. But that work, too, is now underway.

Senator INOUYE. Mr. Mayor, am I correct to conclude that you have very little effective control over the accounting system of the Department of Education?

Mayor WASHINGTON. At least in the way it has operated, I would say this has historically been the situation.

Senator INOUYE. Would you need legislative authority to change this?

MAYOR'S AUTHORITY OVER SCHOOL SYSTEM

Mayor WASHINGTON. I think the question is whether we need legislation to correct it or to clarify it. I think the history of this situation is confused about where the responsibility resides.

The 1906 act, I think, refers to the fact the schools will direct their expenditures.

There is also a direction to the Commissioners at that point. I think it is a question of how effective the control of the Commissioner can be when, at the same time, we have created the Board of Education as a relatively autonomous body, elected by the people.

Senator INOUYE. Would you call upon the Corporation Counsel to provide this committee with clarifying language that can be considered by the Congress?

Mayor WASHINGTON. Yes; we would be very happy to do so. There has been one opinion, which I think needs to be updated in view of present circumstances.

Senator INOUYE. What is your control over other departments like the police, human resources, and highways?

Mayor WASHINGTON. I think it is very much clearer in regard to other departments.

Senator INOUYE. Do you have effective control over the accounting systems of the Human Resources Department?

Mayor WASHINGTON. Presumably so. I would say that there is a fairly definite responsibility there.

Senator INOUYE. What about the police department?

Mayor WASHINGTON. I think the only one that probably falls close to the schools is the courts, which function to a great extent within their own system, on the basis of separation of powers and related factors.

Senator INOUYE. Mr. Watt, after the completion of phase II, will the central office of the city, the mayor's office, have effective control over the accounting systems of all of the different departments and agencies?

Mr. WATT. Mr. Haley.

Mr. HALEY. Mr. Chairman, they will have control over all of the departments for which it has been determined that the Mayor has the executive control.

Senator INOUYE. What departments are out of the Mayor's control?

Mr. HALEY. This is one of the areas on which the General Accounting Office and I have spent considerable time in the last few months trying to determine, and it is still not clear. There are a number of agencies that appear to be outside the Mayor's control—the D.C. Armory Board, for example.

We have placed in our accounting principles and standards the following statement:

The following agencies, boards, and commissions sometimes considered part of the District Government, are not subject to the principles and standards requirements and procedures prescribed by the Commissioner: They are the Apprentice Training Service; Convention and Visitors' Bureau; Council of Governments; National Guard, D.C.; U.S. Courts, the District Court of Appeals, and Public Defender; Washington Aqueduct; Washington Metropolitan Area Transit Authority; and the Washington Metropolitan Area Transit Commission.

Senator INOUYE. Yet you are called upon by law to present the budgets of all of these agencies?

Mayor WASHINGTON. Yes, sir; and some others.

LETTER TO SENATOR INOUYE FROM COMPTROLLER GENERAL DATED MARCH 15, 1971

Mr. COPPIE. Mr. Chairman, I think it might be appropriate at this point if I recalled for your purposes a letter of March 15, 1971, to you from the Comptroller General of the United States. This letter is in the hearing report for fiscal year 1972. This is a direct quote from the letter:

> We have also noted that the Commissioner's responsibilities have not been clearly defined, relative to several agencies, that is, public schools, public library, Federal City College, over whose operations he does not have direct administrative control.
>
> These responsibilities must be defined before it can be determined whether the central accounting system or the agencies of this internal accounting system can produce the financial information needed by the Commissioner.

Senator INOUYE. Will you provide the language necessary to bring this about, Mr. Mayor?

Mayor WASHINGTON. Yes, sir.

DRAFT OF ACCOUNTING MANUAL SUBJECT TO GAO APPROVAL

Mr. WATT. Mr. Chairman, to further clarify, or perhaps to clarify the confusion, the accounting manual, the standards and requirements which you understand is still in draft form, subject to approval by GAO, contains this statement:

The following agencies, boards, and commissions serviced by the central accounting system are not under the administrative direction of the Commissioner:

Apprenticeship Council (Council Members' Salaries & Expenses only).
Armory Board.
Bail Agency.
Board of Elections.
Board of Zoning Adjustment.
D.C. Commission on Judicial Disabilities and Tenure.
D.C. Council.
D.C. Court of Appeals.
D.C. Teachers College (Board of Higher Education).
Federal City College (Board of Higher Education).
National Guard, D.C. ("Maintenance of Public Order" funds only).
Public Library (Board of Library Trustees).
Public School System (Board of Education).
Public Service Commission.
Superior Court of the District of Columbia.
Washington Technical Institute (Board of Vocational Education).
Zoning Commission.

And there is listed a longer list than Mr. Haley referred to: Apprenticeship Council, Armory Board, Bail Agency, Board of Elections, Board of Zoning Adjustment, District of Columbia Commission on Judicial Disabilities and Tenure, District of Columbia Council, District of Columbia Court of Appeals, District of Columbia Teachers College, Federal City College, National Guard, District of Columbia, Public Library, Public School System, Public Service Commission, Superior Court of the District of Columbia, Washington Technical Institute, and the Zoning Commission.

Still quoting:

Although these agencies, boards and commissions are not required to follow the Commissioner's prescribed principles and standards requirements and procedures in their internal accounting operations, they may elect to adopt them rather than submit separate statements of accounting principles and standards and designs of their own accounting systems to the Comptroller General of the United States for review.

Senator INOUYE. Would you provide language that will require all of these agencies to follow one standardized system?

Mayor WASHINGTON. You may require a statute, but I think you are not going to that. It is a matter of language.

I think we ought to do this, Mr. Chairman. It seems to me you are discussing the basic problem that concerns me. That is the question that was asked by Senator Ellender, who is a great friend of ours.

Everyone holds me responsible, and here is a list of 20 to 25 agencies that are functioning pretty much on their own.

Senator INOUYE. Well, let's change that situation. If you will pro-

vide me with the language, I will make certain that it will be properly introduced and presented to the Legislative Committee, and I shall request expeditious consideration, sir.

DESIRABILITY OF GAO ASSISTANCE IN PREPARING LEGISLATION

Mayor WASHINGTON. I would also ask, Mr. Chairman, if you would suggest to GAO that in this process they work with us so that we can develop legislative language that is agreeable to our Government and to GAO. I think it would be most helpful if we could work jointly on that language.

I think, Mr. Chairman, that we can finally settle this matter. It worries me to be in the position of being called upon by people to respond when I do not have the authority or the jurisdiction in these areas. Yet this situation is unimaginable to people I talk to not only in this city but around the country. They just cannot understand how I can pass on a budget for an agency while having no responsibility for the operation of that agency.

Senator PERCY. Mr. Chairman, I would like to interrupt at this point, then, and ask several specific questions in areas where at least we presume Mayor Washington does have responsibility.

You are now 7 months down the road on this budget, with less than 5 more to go, and we have very infrequent opportunities to question you as to how we are living under the financial resources you have available.

I would like some brief comments from you in three areas: Welfare, health care for the indigent, and our community correction problem, as to how they relate to the funds available and the kind of a job that you are expected to do.

In welfare I listened with great interest as very frequently your voice was on local radio, talking about the welfare program, where you intend to save a million dollars. You are clearly outlining in fact that our resources should be used for those people who are in need, but that we have no obligation to provide funds to those people not in need or who are not meeting certain standards.

Mayor WASHINGTON. Absolutely.

Senator PERCY. It is your intention to crack down and effectively so. I applaud you for this.

Let's say we do save that million dollars. Would you care to comment on the level of support that welfare has now in the fiscal 1972 budget and what, if any, human needs there are, that are very real, and which are not being met by the level of resources you have available to you?

And this is an area where you do have direct responsibility?

Mayor WASHINGTON. Yes. This is an area, Senator, for which I have direct responsibility. This discussion will give me an opportunity to introduce my new Director of the Department of Human Resources, Mr. Joseph Yeldell, who has participated with me in putting together a program that you well described. You have followed the course of the program.

I would like, Mr. Chairman, with your permission, to introduce Mr. Yeldell and to ask him if he might not wish to respond.

Senator PERCY. Welcome to the committee, sir.

Mr. YELDELL. Thank you, Mr. Chairman.

WELFARE REFORM PROGRAM

Senator Percy, I, too, would like to comment as the Mayor has. I think we can summarize the statement we have made on welfare reform.

As I understand it, your question is in two parts. One, you want an explanation of the welfare reform program that we have announced; and, two, you want to know what is the situation confronting us in the current fiscal year as it relates to welfare.

If I could answer the second one first: We are still roughly about $6 million short of the anticipated dollar need for this fiscal year. This situation results from the current 1972 budget, in which the Congress failed to appropriate all of the dollars that we felt were needed to meet the welfare need.

We have identified sources for reprograming funds from within our own department. With this reprograming request, which will shortly come before the Council and then before the Congress, we can in fact maintain the level of payment at 75 percent of 1970 standards for the remainder of the fiscal year.

In regard to the welfare reform program itself, it is specifically directed so that persons who are on the rolls fraudulently are in fact found, prosecuted, and removed from the rolls. It is also directed to the fact that there is a tremendous amount of improvement we can make in administrative functions. It appears that the amount of dollars from overpayment is in fact greater than I think the amount connected with fraud.

We are directing our attentions, therefore, to get rid of the issuance of overpayment, caused either by the error of the client or by the error of our own department.

One way that we are handling this problem is to institute a flat grant method, which means there is no need to calculate the many varied and special payments categories.

The issuance of a simple grant for a family of a given size would eliminate a great deal of the problems we have in the actual computing of the grant, which leads to an overpayment factor.

STRENGTHENING ADMINISTRATION OF WELFARE PROGRAM

We are also tightening up administratively many of our processes. In some instances our payment clerks or our payments assistance workers have caseloads of 500 to 600 cases per worker.

However, about 40 percent the workload for payment clerks is clearly related to change of address notifications. The simple institution of a change of address card will relieve 40 percent of the burden of those payment clerks from the very beginning, and then they can begin to deal with the client in a professional way.

Also, we have reorganized or realigned the department to create a Social Rehabilitation Administration. The main function of that administration is geared to helping the welfare recipient. The administration will work with the welfare recipient to help him set goals.

In other words, our whole process will be goal-oriented. From the minute the welfare recipient comes to us, we will not just be concerned with whether in fact he is entitled to payment, or how much that pay-

ment is; we will also be concerned with what it takes to remove that person from the welfare rolls eventually.

A program for helping the recipient achieve financial independence would be worked out at that point. Our staff will be evaluated on how well they meet those goals. The ultimate result of that effort as I say, is if in fact that person can be removed from the rolls, that will be done and at a given point in time.

Senator PERCY. As I understand, your objective is savings of a million dollars in the next fiscal year.

Mr. YELDELL. That is correct, sir.

Senator PERCY. Do you have any idea how much you are going to be able to save by this crackdown program during the current year, or will the administrative work to get started actually cost you more money than you will get back in return?

Mr. YELDELL. Senator, I do not think it will save us money this year. At least we are not in the position to predict any savings because of the administrative startup itself.

However, we do propose to take care of the administrative startup within our own resources and not to request new dollars.

Senator PERCY. You are not expecting this year much of a payback from the program?

Mr. YELDELL. No.

Senator PERCY. So you are really going to be $6 million short this year?

Mr. YELDELL. That is correct.

Senator PERCY. Is this a theoretical shortage, or is this something that comes out of people's hides? I am an advocate for cracking down, for eliminating waste, duplication, whatever it may be, and payments to people who do not deserve or need them. That is as much a crime against society as any I can think of, because they are taking it away from someone who does need assistance.

Let's say the 6 million is going to be short those who need it. Can you put into human terms what that is going to mean? Who are you taking it away from? Who are these people in many of my colleagues' minds are shiftless and lazy and who may not be in that category at all, as you well know? Who are they who are going to be deprived now in the Nation's Capital in this year because of that shortage of 6 million?

PROFILE OF PUBLIC ASSISTANCE CASELOAD

Mr. YELDELL. Senator, I think it is a very crucial point you make. We have about 102,000 persons on the welfare rolls, but about 66,000 of those are children. Obviously, these children are not on the rolls through fraud. They are deserving of all of the care that we can give them.

In addition, there is another 17,000 permanently and totally disabled. So, we are really dealing with a tremendous amount of people who are in fact, in need of welfare services and who will remain in need.

Senator PERCY. So that is 83,000 of 102,000 are either children or permanently disabled?

Mr. YELDELL. That is right.

Senator PERCY. And the permanently disabled include the blind, physically handicapped of all kinds, or the very aged, who simply cannot get out and go to work. It is pretty hard to tell an 83-year-old woman to go out and get a job for herself, if she has trouble even getting down the stairs.

Mr. YELDELL. That is correct, Senator.

Of the total load, about 21,000 are AFDC mothers, and it is to this group that we are directing our basic attention. If you examine the 21,000 AFDC mothers in terms of the percentage figures we have, then you see the incidence of fraud is, in fact, very slight.

Senator PERCY. What incidence of fraud is evident, based on your experience? In other words, what is our goal? What are we after?

Mr. YEDELL. Our goal is zero-percent incidence of fraud. That is the intent of the welfare reform program.

PERCENTAGE OF WELFARE FRAUD

Senator PERCY. Of the 21,000, how much fraud do you think there might be? Would it be 30, 20, 5 percent?

Mr. YELDELL. Well, Senator, it is very difficult to say, and I am not trying to hedge on it. I think figures have come up anywhere between 5 percent, to a maximum of 8 percent; we are trying to determine this now.

I might say further, Senator, that the 45 investigators given to us by the Congress will be used extensively to examine the current rolls; to discover incidence of fraud; and further, where incidence of fraud occur, to refer those cases to a new office that has been structured in the Department, the Office of Inspection and Program Analysis. This office is going to work very closely with the Corporation Counsel to move those cases to prosecution.

I think we are concerned that we present credible rolls. I think if we can once and for all remove this concern about fraud, by a vigorous program of our own, we can then deal with those persons who are realistically in need of welfare. Therefore, we can push for payments of a hundred percent of current year standard, which is the situation we want to achieve.

Senator PERCY. Would it be useful or instructive for you to select at random a dozen cases, right out of the case files, and see what effect the lack of full appropriation for welfare in Washington, D.C., is having on those families?

Mr. YELDELL. Yes; we can do that.

Senator PERCY. Can you give us those case histories? And I ask they be inserted in the record at this point.

Senator INOUYE. Without objection, sir.

Mr. YELDELL. Very well.

(The information follows:)

AN ANALYSIS OF THE IMPACT OF PAYMENT OF WELFARE BENEFITS COMPUTED ON THE BASIS OF 41% OF CURRENT BUDGET STANDARDS

12 CASE STUDIES

The following studies have been selected randomly from cases currently active with the Bureau of Intake and Income Maintenance, Social Services Administration, Department of Human Resources. A total of twelve cases were examined in this brief study; eight receiving Aid to Families with Dependent Children (AFDC) and one from each of the four adult categories of Old Age Assistance, Aid to the Blind, Aid to the Permanently and Totally Disabled, and General Public Assistance.

Present public assistance budget standards paid to welfare recipients in the District of Columbia are computed on the basis of 75% of the February 1970 cost of living index as compiled by the U.S. Department of Labor. The cases selected for illustrative purposes indicate the great amount of financial hardship resulting from currently inadequate payments. Grants based on 41% of current budget standards would impose even greater and more severe hardships on the twelve families studied. This situation would also be true for the majority of public assistance recipients in the District of Columbia.

Aid To Families With Dependent Children

CASE 1

Name - Gladys W., age 28

Children - son, age 2

Date of Original Application - May 20, 1970

Reason for Application - Loss of income from other person in the home

Hardships Caused by Inadequacy of Public Assistance Grant:

Client is unable to afford acceptable housing due to limited financial resources. Her grant now totals $154.50 of which $73.50 is considered the total shelter allowance. Payment at 41% of present budget standards would reduce her grant to $84.46.

The client was unable to continue paying $125.00 monthly rental for her former apartment. In order to manage she is now sharing a one room efficiency apartment with her son and another woman and pays $60.00 per month towards the $125.00 rental. In order to make "ends meet" she is forced to live in crowded conditions and does not enjoy any privacy.

100% of present budget standards would increase the monthly grant to $206.00 and monthly shelter allowance to $98.00.

CASE 2

Name - Cathleen Y., age 22

Children - male, age 4 months

Date of Original Application - July 9, 1971

Reason for Application - Unable to support herself due to pregnancy.

Hardships Caused by Inadequacy of Public Assistance Grant:

Present grant totals $145.88. Payment at 41% of current budget standard would reduce the grant to $79.95.

Mother is currently paying $115.00 per month rent for her apartment. This leaves a balance of $30.88 per month for the purchase of food, clothing, etc. Mother is under extreme pressure due to her financial situation. She is being referred to the WIN training program as she is anxious to have training as a practical nurse or keypunch operator. The WIN training program is currently over-subscribed until additional training slots can be funded. In-the-meantime, it is not possible to alleviate her financial

crises except for an occasional emergency assistance allowance.

100% of current budget standards would increase the overall monthly grant to $194.50.

CASE 3

Name - Wilma S., age 20

Children - male, age 4 months

Date of Original Application - October 6, 1971

Reason for Application - Pregnant, no means of support.

Hardships Caused by Inadequacy of Public Assistance Payment:

Client currently receives $145.88 monthly allowance based on 75% of current standards. Payment at 41% of standard would reduce the grant to $79.74.

Shelter allowance is approximately $70.00 per month. Monthly rental actually payed is $80.00 which leaves a balance of $65.88 for other maintenance costs. Major problem was created when client moved to current address on 2/4/72. Landlord demanded $80.00 deposit in addition to a months rent for which client was granted emergency financial assistance.

100% budget standards would increase the overall payment to $194.50.

CASE 4

Name - Willie Mae W., age 23

Children - son, 3 years

Date of Original Application - January 5, 1969

Reason for Application - Pregnant, no means of support

Hardships Caused by Inadequacy of Public Assistance Grant:

Client currently receives monthly allowance of $99.37 since she is residing with relatives. 41% of current budget standards would reduce the grant to $79.74.

The small apartment is over crowded as 5 adults and 2 children are living there. The client is anxious to secure her own living arrangements but is unable to find an apartment due to the high rental fees asked as well as a hesitancy on the part of landlords to rent to Public Welfare recipients. The attitude of land lords is partially due to their experience of not being paid because recipients cannot meet their financial obligations on the 75% formula.

100% of present budget standards would increase the grant to $194.60.

Category AFDC

CASE 5

Name - Loretta W., age 29

Children - female, 2½ years

Date of Original Application - July 10, 1971

Reason for Application - Loss of employment and multiple health problems

Hardships Caused by Inadequacy of Public Assistance Payment:

Mother pays $132.00 out of her current grant of $181.00 for rent. Payment at 41% of standard would reduce the grant to $79.74.

After payment of rent mother has only $49.00 left for food, clothing and incidentals. Mother is desirous of getting off public assistance and into WIN training. If mother were to move out of present quarters to obtain an apartment more in line with monthly shelter allowance of $73.50 she would be forced to accept substandard housing.

100% of budget standard would increase the grant to $194.74.

Category AFDC

CASE 6

Name - Emily B., age 42

Children - female, 13½ years

Date of Original Application - October 31, 1970

Reason for Application - illness - Unable to continue to perform domestic work due to health problems.

Hardships Caused by Inadequacy of Public Assistance Grant:

This mother is currently paying $100 a month rent plus costs for gas and electricity out of $160.50 monthly grant. If she were to receive 41% of current public assistance standards she would receive a monthly grant of $87.74. Food stamps are $29.00 leaving $31.00 for all other needs. The mother has worked as a domestic in D.C. for 19 years and had been receiving $100.00 a month child support. Since March 1971 she has received no support for child. Her landlord indicated that she is $526.15 arrears in rental payments.

If she were to receive 100% of current public assistance standards she would receive a monthly grant of $214.00.

Category AFDC

CASE 7

Name - Miss E.S., age 31

Children - female, age 4½; female age 3½

Date of Original Application - January 14, 1970

Reasons for Application - Unemployable due to inadequacy of child care plan.

Hardships Caused by Inadequacy of Public Assistance Grant:

The total monthly grant for this family is currently $180.01. The

family occupies an apartment for which the rent is $88.50, $4.50 more than the shelter allowance. $36.00 per month is expended for food stamps, leaving a balance of $55.51 per month for clothing, carfare, school expenses, etc. The family is having difficulty making "ends meet" for this reason.

A decrease to 41% of standards would mean that the family would receive a monthly allotment of $86.92 and would not be able to manage. The client has not finished High School and has no special work skills. However, she is very anxious to enter WIN training program. Her financial difficulties are creating emotional pressures which may affect positive motivation toward self sufficiency if allowed to continue.

An increase to 100% of standard would give the family a grant of $212.00 monthly.

Category AFDC

CASE 8

Name - Estelle B., age 21

Children - female, 4 months

Date of Original Application - August, 1971

Reasons for Application - Pregnant, no means of support

Hardships Caused by Inadequacy of Public Assistance Grant:

The client currently resides with her mother and receives a monthly allotment of $146.00. She would receive $79.74 under 41% of standard. She pays her mother $65.00 per month towards rent; she also pay $29.00 monthly for food stamps. The client wishes to find her own apartment because of serious overcrowding in her mother's home, however, she is having extreme difficulty finding a place to live. Most landlords have insisted on a deposit of $50.00 with her application. She is unable to

pay this. When she pays rent, buys food stamps, and other items, she has no money left for a deposit.

She would receive $194.50 under 100% standards and in all probability remove herself and daughter from a very unhealthy and unstable home situation.

Category APTD

CASE 9

Name - Mr. D., age 47

Children - Male, 10 years

Date of Original Application - November 1, 1971

Reason for Application - Out of funds and unemployable

Hardships Caused by Inadequacy of Public Assistance Grant:

The client was forced to quit his job because of a severe cardiac disorder which limits his activity. When employed, he and his child moved into an apartment where rent is $175.00 a month. They were not able to locate low cost housing and are now in serious financial condition. They have applied for a public housing unit but as yet have not secured this. In-the-meantime, they are expending all their resources for rent. The client's major problems are his being forced to change his life style from full time work to living on P.A. and his concern for his 10 year old's education and supervision.

His current grant, at 75% of standard, is $154.50. If 41% of standard were paid, it would be $84.46 monthly.

If 100% of grant were paid, it would be $206.00 a month.

Category OAA

CASE 10

Name - Mr. and Mrs. A., ages 75 & 51 respectively

Children - None

Date of Original Application - November 1967

Reason for Application - Supplementation of Social Security

Hardships Caused by Inadequacy of Public Assistance Grant:

The clients live in a basement apartment in S.E. Washington. He has suffered strokes and has difficulty walking and talking, she recently underwent surgery for an ulcer. After they pay $54.00 for rent and buy food stamps there is no money for other needs. Frequently, they run out of money before the end of the month and have to rely heavily on churches and other charities for food. On occasions they have to try to secure clothing from churches. Additionally, Mrs. A. has to do without doctor's prescribed lotions and other drug articles not covered by Medicaid.

Their current grant is $154.50 per month. If 41% of standard were paid, it would amount to $84.46.

If 100% of grant were paid, it would amount to $206.00.

Category Blind OAA

CASE 11

Name - Mrs. B (AB), age 57
Mr. B (OAA), age 57

Children - None

Date of Original Application - June, 1964

Reason for Application - Without funds

Hardship Caused by Inadequacy of Public Assistance Grant:

This blind client and her husband pay $94.00 rent per month plus gas and electricity out of a total income of $166.00.

If they received 41% of standards, their grant would be $84.46.

The wife is a diabetic requiring a special diet. She cannot cope with public transportation and must use cabs for all trips. There is no

extra money for clothing, household furnishings, laundry and cleaning. Although both these clients receive $34.21 each from outside resources, as well as $48.79 per month from public assistance, their total income is still only $166.00 per month. After their expenditures for rent plus all utilities, they have only $62.00 left for all their other needs.

If they received 100% of standards, their grant would be $206.00.

Category GPA

CASE 12

Name - Mrs. G, age 40

Children - None at home

Date of Original Application - September 1, 1971

Reason for Application - Without funds and unable to secure employment.

Hardships Caused by Inadequacy of Public Assistance Grant:

The client receives $119.50 per month in General Public Assistance due to major physical disabilities of epilepsy, diabetes, and psychiatric problems. The grant, if reduced to 41% of current standard would total $61.50.

She is experiencing difficulties as her special diet needs as recommended by her physician far exceed the value of her food stamp authorization. She pays $72.00 monthly for rent and $5.00 monthly for utilities. This monthly expense of approximately $77.00 plus the cost of Food Stamps of $18.00 totals $95.00 leaving her $25.50 for other living needs. The obviously small amount of money remaining is used by the client for transportation to clinics two or three times weekly.

If Mrs. G were to get 100% of need, she would receive $150.00 per month.

74-704 O - 72 - pt. 1 - 4

STUDY CASES

EFFECTS OF GRANT REDUCTIONS TO 41%
(Standards Based on Cost of Living February, 1970)

Case No.	Present Grant (75%)	100% of Grant	Grant If Reduced to 41%
1	$154.50	$206.00	$84.46
2	$148.88	$194.50	$79.75
3	$145.88	$194.50	$79.74
4	$ 99.37 (Living with Relatives)	$194.50(If living alone wi child)	$79.74
5	$181.00	$194.50	$79.74
6	$160.50	$214.00	$87.74
7	$180.01	$212.00	$86.92
8	$146.00	$194.50	$79.74
9	$154.50	$206.00	$84.46
10	$154.50	$206.00	$84.46
11	$166.00	$206.00	$84.46
12	$119.50	$150.00	$61.50

POSITIONS AUTHORIZED FOR INSPECTORS

Senator PERCY. Of the 45 authorized positions for inspectors, how many do you have now on board?

Mr. YELDELL. In order to expedite the situation, Senator, we have transferred 27 current staff members to that task. We have asked the Civil Service Commission to give us a register so that we can begin to hire all 45 of those persons and to get them to work in this very first phase that I talked about, of examining all of the existing caseloads.

Senator PERCY. What is your target date to have all of them effectively at work?

Mr. YELDELL. Assuming we can get the quick cooperation of the Civil Service Commission, I would say we can begin recruitment and have this underway within 30 days.

The request has already gone, of course, to the Civil Service Commission. Once the register is established, it is simply the matter of bringing prospective employees in for interviews. Of course, there is some training that is necessary. That is another reason why the 27 current staff members are being brought over so they can work and train the new people as they come on board. In that way we will not lose the time in terms of investigating cases.

Senator PERCY. I would presume you have periodic reports from the head investigator. Would it be an undue burden, administratively, on you to furnish to this committee, sending to the chairman, a summary of the results every 30 to 60 days, as to what they are finding and how cost effective this program is? I hope it is going to be effective.

Mr. YEDELL. Yes, Senator; I would be happy to supply that.

Senator PERCY. I think we would be most interested in following it. We would like to look at both sides of it, how much fraud we are able to find, how effective this is, because what we develop here as a pattern, as a model, maybe we can apply to the rest of the country, then.

Also, we would like to be kept abreast as to what human effect the shortage of funds is having on families right here in the District of Columbia.

WASHINGTON POST ARTICLE: DISTRICT OF COLUMBIA GENERAL HOSPITAL SEEKS AID IN CARE OF POOR

In the area of health care, I would like to insert in the record at this time an article in the Washington Post recently by Kirk Scharfenberg. on "District of Columbia General Hospital Seeks Aid in Care of Poor."

(The article follows:)

DISTRICT OF COLUMBIA GENERAL SEEKS AID IN CARE OF POOR

(By Kirk Scharfenberg)

The chairman of D.C. General Hospital's governing board said yesterday that he has called a meeting of representatives of all hospitals in the city to establish a voluntary agreement on handling and treatment of indigent patients.

Describing the present situation as a crisis, Ron Linton, the governing board chairman, said "the increasing number of transfers" of poor patients from private hospitals to D.C. General has "severely overtaxed" D.C. General's emergency room operations.

"The existing crisis surrounding the indigent person's need for quality health

care in the District must be answered in an effective and immediate way," Linton said.

Linton said he would like to see a system established whereby poor patients would be treated at the hospital closest to them or at the hospital of their choice.

He said the conference of hospital representatives, scheduled for Jan. 27, would be asked specifically to establish criteria to judge whether or not a patient can be transferred, develop administrative procedures to accomplish transfers and establish a voluntary quota system for accepting emergency room patients too poor to pay for medical services.

Linton said invitations to the conference were sent out last week. Informally, he said, private hospital officials have indicated they will attend, although official word is not expected until next week.

D.C. General, as the city's only public hospital, must accept all patients. Private hospitals claim they lose between $38 and $100 a day on the care of indigent patients. Congress last year refused funds to supplement the present $38-a-day payment for caring for poor patients.

In November, according to D.C. General records, 169 patients were transferred to D.C. General. Most of them were too poor to pay for treatment.

In September, Dr. Eliza J. Taylor, head of D.C. General's emergency room, charged that private hospitals were continuing to "dump" many patients on the public hospital who were too ill to withstand ambulance trips between hospitals.

Linton said it would take three to four months for the hospitals "to agree or agree that they can't agree" on a voluntary compact. Linton was optimistic that a compact would be reached.

Hospitals invited are Cafritz, Georgetown, George Washington, Columbia, Children's, Doctors, Hadley, Rogers Memorial, Sibley, Washington Hospital Center, Freedmans and Providence.

COMPACT WITH PRIVATE HOSPITALS

Senator PERCY. As I understand the problem, the private hospitals are literally dumping on to the District of Columbia General Hospital a great many cases. In fact, they are turning away people and dumping them on the city hospital, moving them over, many of whom are not in a condition to be even moved. The health of these people is impaired by the very transfer from existing facilities.

As I understand it, you are trying to formulate a compact with the private hospitals. Can you give us an idea, Mayor Washington, as to how that stands now, what progress we are making, and whether you are optimistic or discouraged about the health care situation in the District?

Mayor WASHINGTON. Well, I am a little more optimistic on that subject than I was a year ago. I think the hospitals are beginning to work in closer relationship with our activities, particularly in District of Columbia General. The big problem there, of course, is the emergency room, which ultimately receives the residue of whatever activity is occurring in the private hospitals.

I do not know that compact has moved. There has been discussion, and I have been in discussions personally with the representatives of the hospital. You may have some detail on it, Mr. Yeldell.

TRANSFERS OF PATIENTS TO DISTRICT OF COLUMBIA GENERAL HOSPITAL

Mr. YELDELL. Yes, Senator Percy. Under the auspices of the District of Columbia General Hospital governing board, a meeting was held with all of the private hospitals in the area. This topic of transfer of patients from the private hospitals to District of Columbia General was discussed.

Many times the transfers are undertaken at great risk to the patient. What we are attempting to work out is a proper method of handling this situation, so that transfers do not occur without due regard for the patient's safety.

I might say, also, we are looking intensively again through my new Office of Inspection and Program Analysis at the requirements of the Hill-Burton Act and the private hospitals, to assume their share of load for indigent patients.

I believe we will uncover some very interesting things here, and I think extract from the private hospitals much greater concern for the care of indigent patients in Washington, D.C.

I might say further in this area we are examining HMO's, so we can establish them across the city. I think the thrust the Mayor has asked them and we are trying to develop is that really there should not just be a hospital for the poor, but the people of the city should be able to receive full health care around the city and this should be on a mixed basis and not on a segregated basis, by any means.

This is something I think we are looking at with a great deal of concern and I would hope we will come up with a pattern where people can go to the nearest hospital and receive health care, and if it is a matter of dollars that the city can provide the dollars necessary to receive the care. They will not be denied simply because they happen to be poor.

Senator PERCY. I think this committee would be most interested in keeping in touch with this situation. If there is any way we can help, we would want to, of course. I am pleased at least you are somewhat more encouraged than the Mayor was a year ago.

COMMUNITY CORRECTIONAL PROGRAM

My last area of questioning relates to corrections. We have discussed this a great deal, of course, in theory and in practice. It has been my theory that we can substantially reduce correctional costs by trying to move people from our prisons and penitentiaries into the community and the correction centers. The cost is only a fraction of what it is to maintain them in strict confinement situations. At least they are out in the community and not in a finishing school for advanced courses in crime techniques, which most of our prisons constitute.

I have been very encouraged in the last week, I noticed in California a program has been instituted, is now highly successful, for drastically reducing correctional cost by emphasizing community correction programs. And Governor Reagan can hardly be accused of being soft on crime. I think this progressive attitude on the State's part has been responsible for relieving a lot of their budget pressure.

In trying to keep in touch with this situation, I understand that a meeting was held in late January, at which time four private contractors, who operate nine community corrections centers with 200 residents, were told because of budget cuts made by the Congress, a 40-percent reduction in operating costs would be effective from January 1972 to June 1972.

However, because during the month of January, about 60 percent of their funds were spent, it seems the centers could operate for only another 2 or 3 weeks at that time.

So most of them were to shut down, sending 200 residents back to Lorton, which again drastically increased costs. You already had a terribly overcrowded condition there.

I understand the crisis was resolved by the Mayor, when he agreed to add an additional $600,000 to the supplemental request to be used for the community correction centers. I just wondered what the status of that is, whether my information is correct, and again, give you the chance to talk about this program as an investment of less money than we would actually need if we did not carry out quite as progressive a program by just sending them back to Lorton. To send them back is the easy way out, and I think it is a rather expensive and regressive way.

Mayor WASHINGTON. I do, too. I would like to have Mr. Coppie clear this budget air. I think you are entirely correct. In fact the four units that you are referring to have been saved by some action, as well as the introduction of supplemental in the amount of $600,000.

I would like to have him just comment on that and hope that I can reserve a few moments to speak more generally on the subject, which is very dear to my heart.

Senator PERCY. I think any concise comment would be appreciated. I know the central purpose of these hearings is the budgetary control and administrative procedures, but I think these specific cases are very important, also.

FUNDING PROGRAM

Mr. COPPIE. The Mayor wants to get into the record, Senator Percy, the problem in getting sufficient funding in the 1972 appropriation bill for our current community correctional program.

The 1972 request was for $2.7 million—$1.1 million in the base and $1.6 as the requested increase. All of the increase was denied.

Therefore, we were left with the base allotment of $1.1 million for our current authorized program, for which the first appropriation was made by the Congress in the 1969 second supplemental.

I believe the reason the full increase request for 1972 was denied is because in our testimony we failed to distinguish carefully between the amount that was needed to meet the commitments to the currently authorized program, which is the program that had been previously approved by the Congress, and the amount that was needed for an expanded program.

That was divided between a million dollars for the current program, and more than half a million dollars that was requested for an expanded program.

So this supplemental for 1972 that is currently pending before the City Council will request $600,000, as a deficiency request, in order to sustain the current posture of the city with regard to its community correctional program. That is an indispensable requirement to fund the authorized program for the current year.

Overcrowding at Correctional Institutions

Mayor Washington. Senator, I might just add a little philosophy and I will not take long. I want this to be pretty clear. Our District jail is at twice its capacity, our Lorton facility is very overcrowded. We have a substantial amount of money in the budget both for new facilities and for programs.

Were they not overcrowded, my posture would be virtually the same, that we need to move out—move into the outreach area, or into alternatives to incarceration as a concept in a community, that really gets close to the rehabilitative effort, the rehabilitative opportunity and possibilities with respect to our inmates.

This is very, very important, I think, that we not now but at some time, spend some time on this, in terms of our community based corrections versus our institutions, recognizing that certain limits have to be created. But if we can set the pattern here, because we have receptivity in the community to a great degree, we now have 14 such centers operating between the narcotic treatment program and the corrections program.

So we have an opportunity here, and I think what we are trying to do is establish that balance between the institutional need in terms of maximum and minimum security in an institution, and the community outreach.

The problem we have, as I have indicated it, in some of the outreach programs we have slippage. The people are very prone to react to a slippage rather than look at the value of the innovative program. And on this we will need much help.

But I think we are in position to take care of the immediate situation. I am hoping, as you indicated just at the close of the last session, that we will have some greater opportunity to explore this. We would welcome that opportunity.

Request for Cost Data To Be Furnished for Record

Senator Percy. I would like to have the record available for insertion by you that would just give us this general feel.

What is the cost of maintaining 200 residents, for instance, in this community correction program? What are the costs for surveillance of them, to maintain the security of these men, to protect society? And what are their potential earnings? What is their tax revenue? What is our tax revenue from those earnings, if they are able to rehabilitate at dignity, have a job, and yet be responsible through the correction facilities, to society?

What is the cost of just sending the 200 back? In other words, that is the easy road out, no one will ever object to your sending 200 more men. You have 10 men in the cell, put 12 in, you know. What is the cost to society, really, of doing that?

What kind of prison problems do you have? What does it cost per man to do that? And what is the end result, if instead of 200 men released through a correction program, what is the incidence of repeat crime? What is the cost to society having 200 men released eventually without any correctional experience, any chance to rehabilitate them. What is the incidence of crime in those 200 men, say.

And are we really, absolutely foolish, not providing adequate money for an enlightened program right here in the Nation's Capital?

I would like it just as strictly in dollars and cents as we can. What is the cost to society? What are the advantages and disadvantages to society?

And I hope then that that would be convincing enough proof for our chairman, other members of the committee, and myself to convince our colleagues, and in conference, also, that this money is necessary.

I am an advocate on intuition, but I would like to have it proven to me by solid, hard facts.

Mayor WASHINGTON. Very well, Senator. Thank you for the opportunity.

Senator PERCY. Thank you, Mr. Chairman. We always appreciate very much you and your colleagues being with us.

(The information follows:)

Cost Benefits of Community Correctional Centers

This paper compares the costs of housing 200 men in community correctional centers with the costs of housing 200 men in the Lorton medium security complex.

Data are based on Fiscal Year 1971 statistics and cost estimates. Because residents usually spend much less than a year in community facilities, information for those facilities represents a composite of many more than 200 persons.

There are two types of community centers now in operation for adult males. One type is operated under contract with private organizations; the other is operated directly by the Department of Corrections. Data for Fiscal Year 1971 indicate that it costs $1,340,000 per year to house 200 men in contract houses and $1,440,000 per year in centers operated by the Department.

Day-to-day costs of housing 200 men at Lorton for one year were approximate $1,252,000 for fiscal 1973. To make realistic comparisons, however, it is necessary to consider as well the costs of constructing the corrections institutions. Modern prisons are expensive to build; new prison facilities for 200 men would cost an estimated $6.6 million. Construction costs would be financed over a long period of time. When the prorated costs are added to the operating expenses, the annual costs of housing and caring for 200 men at Lorton are $1,300,000.

These figures show that the cost differential between the two alternative programs is less than $150,000 a year - a moderate difference. That is, the most expensive community programs cost about 10 percent more than the prison programs.

There are some important financial offsets to the cost of community correctional centers. We estimate that the employment of 200 men in the community during Fiscal Year 1971 produced the following financial benefits:

Gross wages:	$541,150
Taxes:	63,936
Maintenance:	50,280
Dependents' Support:	62,304
Creditors:	16,800

The maintenance item is a charge for living in the center and is a reimbursement to the District of Columbia. Gross wages are relatively low because it takes some time for the men to secure jobs.

Persons incarcerated in prison will earn, if employed, $0.20 per hour. Maximum yearly earnings at such a rate for 200 men would be $80,000. However, very rarely do persons in prison work steadily every day; and a realistic figure for earnings would be a fraction of $80,000, perhaps $5,000 for 200 individuals.

The operation and performance of the Department of Corrections' community programs are presently undergoing study and review. We can postulate with some degree of confidence that persons released from community centers commit new crimes at a lower rate than do persons released directly from prison. Recent study indicates that 18 percent of those persons released from community centers were returned to prison within eight months while the corresponding figure for those persons released directly from prison may be as much as 28 percent.

Almost any degree of positive performance on the part of persons housed in and released from community centers is noteworthy. Many of the men assigned to centers are recommended for the program by the courts, and a significant proportion of the balance are considered poor "risks" in need of counseling and support before being paroled.

NUMBER OF CHILDREN IN WELFARE CASELOAD

Senator ELLENDER. Mr. Chairman, may I revert to Federal expenditures?

Senator INOUYE. Yes.

Senator ELLENDER. You said a moment ago, Mr. Yeldell, there were 66,000 children.

Mr. YELDELL. That is right.

Senator ELLENDER. And 17,000 disabled.

Mr. YELDELL. About 17,000; that is correct.

Senator ELLENDER. Did you look into the matter of amounts received by children? I understood that some of the inspectors were denied the right to go count the children of the parents or whoever claimed support for them; is that true, or not?

Mr. YELDELL. Senator, only to the extent the courts have ruled against invasion of privacy. We do make field checks and would continue to do so. We would certainly make field checks as necessary by using the new positions approved for fiscal year 1972.

I believe that every effort can be made and every effort will be made to clean up the welfare rolls.

Senator ELLENDER. But you are looking into that, also, and not relegating your work to the 19,000 that are on, that are matured?

Mr. YELDELL. No; we would look at the entire situation, Senator, and examine each case.

And I'd say it is very clear to me, even after this short time, that the incidence of fraud is not nearly as high as people would have it. The main cost problems we are experiencing involve overpayment to people, either because they do not specify the accurate number of persons in the home or because they do not report income.

Of course, we are going to direct our attention to this problem area very heavily.

Senator ELLENDER. As I recall, when Senator Byrd from West Virginia made an examination of the welfare program here—I may be in error, and if I am, I would like to be corrected—there were about 36 or 37 percent of the people on the rolls not entitled to welfare.

Mr. YELDELL. Senator, I think that is extremely high. I would certainly question that figure quite vigorously.

Senator ELLENDER. I will have somebody look at the accurate figures and put them in the record. One thing I would like to ask: Why is it that the rolls have increased so drastically, let's say from 1970, it was $37 million?

CASELOAD INCREASES WAIVER OF RESIDENCY REQUIREMENT AND INFORMED PUBLIC PERCENTAGE OF INELIGIBLE CASES IN THE PUBLIC ASSISTANCE CASELOAD

The information was not provided as requested; however, the Department advises that further information will be provided in connection with fiscal year 1973 hearings on the budget for the Government of the District of Columbia.

Mr. YELDELL. I think this cost increase has direct relationship to the change in the residency requirement that has affected not only this city but others as well. The 1-year residence requirement has been

waived, which means that people can get on the welfare rolls after being here a short period of time. This change in requirements has had a significant increase on the caseload.

Senator ELLENDER. This was started—this decision was what year, 1970?

Mr. YELDELL. I think it was 1970.

Mayor WASHINGTON. I think it was 1969. I am not sure.

Senator ELLENDER. You attribute the increase both on the local government as well as the Federal share to this Supreme Court decision?

Mr. YELDELL. I think it had an impact on the local situation, Senator. I think it is also clear that there are more enlightened groups who are forming, and these groups are informing more and more people about their rights, so to speak, and informing them of their right to welfare. More people are applying for welfare benefits as a result.

WELFARE FRAUD CASES

Senator ELLENDER. Out of these 19,000 that you looked into specifically, what are you doing with those who violate the law?

Mr. YELDELL. Any case of violation of law, Senator, willl be prosecuted. It will be referred to the corporation counsel for prosecution.

Senator ELLENDER. Up to now, how many have you found?

Mr. YELDELL. It is my understanding 10 cases have been referred up to now, to the Corporation Counsel, only one of which has been successfully prosecuted. There are probably a combination of factors for that, but what I am suggesting to you, in the welfare reform program we have announced is by establishment of a new Office of Inspection and Program Analysis, where we will work extremely closely with the Corporation Counsel for a complete review of the cases and complete follow through as well as the Corporation Counsel's intent to follow those cases through and get reports on them in terms of the prosecucution status, that I think we will see a marked increase in this situation.

I would, sir, still like to underscore the fact I think there is a great deal of attention given to the incidence of fraud. To that degree the Mayor and I are committed to eliminating any fraud. But I just do not think it is anywhere near the magnitude people have spoken about.

One newspaper article recently stated that there was a 6-percent incidence of fraud and therefore 6,000 fraudulent cases. But, obviously, they were applying the 6-percent figure to total number on welfare. This includes all of the children, as well. I just do not think the figures are valid.

Senator ELLENDER. I think the figures ought to be corrected and get the truth about it, and not just simply mentioning figures that have not been proven.

1972 PUBLIC ASSISTANCE APPROPRIATION

I notice here that the budget amount for 1972 is almost $78 million. Did we provide all of that, Mr. Chairman, do you remember?

I am informed by the clerk of the committee here that of the total amount of $78 million, the committee, the Congress, eliminated $6 million.

Mayor WASHINGTON. $5.3 million.

Mr. YELDELL. $5.3 million. Considering total funds, District and Federal, the reduction equals $10.6 million.

Senator ELLENDER. The Senate provided you the full amount but the House lopped off $6 million.

Mr. YELDELL. I think the total cut was $5.3 million, was it not?

Mayor WASHINGTON. Yes, sir.

Senator ELLENDER. Whatever it is, we had provided it and I understand the House cut it back.

Mr. YELDELL. That is correct.

Senator ELLENDER. Thank you.

WELFARE PAYMENTS

Senator INOUYE. Mr. Yeldell, when the conferees were considering the fiscal 1972 budget, we were advised by one of your officials that the District had made overpayments in the amount of $6 to $8 million. Is this the situation?

Mr. YELDELL. Senator, I think that that was a very unfortunate statement, which was not completely explained. The figure has not been substantiated at either $6 or $8 million. It may be somewhere between $4 and $5 million.

Moreover, the figure alluded to full-year cost including both Federal and District money. In the time frame we were discussing, which was one-half of a fiscal year, even with a $6 million problem, only $3 million of District money for a full year would be unvalued. Or $1.5 million for the period of time we were talking about in the budget, which was half a fiscal year.

So I think it was an extremely misleading figure.

I would like to say to the Senator that I just do not know at this point exactly how much money is involved in the area of fraudulent or incorrect payments. But I can assure the Senator we intend to mount a vigorous program to clean the situation up because it is the mayor's intent to restore complete credibility to the rolls.

We believe anyone who is on the rolls fraudulently is taking dollars from those persons who in fact deserve care. So to the extent we can quickly clear up any misconceptions of fraud, I think the District would be better off in doing so and presenting a clean welfare caseload to the Congress on the statement of fraud. So we can in fact then have every dollar available to attain the living standards for the current year.

Mayor WASHINGTON. Senator, I am not having a task force in this area. I am doing this reform program with Mr. Yeldell. And I expect much less than a 2-year period for implementation. I am talking about months.

REDUCTION IN WELFARE PAYMENTS

Senator INOUYE. During the closing hours of the conference, Mr. Mayor, you are aware that we kept in close touch with the members of your staff. We were advised that, if we approved the final amount set aside for human resources, it would mean that the city would have to reduce its payments by approximately $5 million. Wasn't that the amount?

Mr. COPPIE. That is correct. The cut was $5.3 million.

Senator INOUYE. And that this would mean that in some cases individuals would be receiving about half their payments. What is the present situation?

Mr. YELDELL. Senator, if in fact we do not get the reprograming request approved, the $5.3 million additional, it would mean effective March, we would have to cut payments to 41 percent of the 1970 standard. If we continue to pay at the current rate, there would be absolutely no money for May or June.

Senator INOUYE. What rate are you paying at this moment?

Mr. YELDELL. We are paying at 75 percent of the 1970 standard.

Senator INOUYE. So this is what they received during the last fiscal year?

Mr. YELDELL. That is right and what they are currently receiving.

REPROGRAMING OF FUNDS

Senator INOUYE. Your supplementary request calls for $5.3 million?

Mr. YELDELL. Except, Senator, we are not going the supplemental route. We are asking for reprograming of funds.

Senator INOUYE. Where would you reprogram?

Mr. YELDELL. From various programs within the Department of Human Resources. We have identified sources of funding within the Department, a detail which I believe the Budget Office could supply you with, that would aggregate the $5.3 million.

Senator INOUYE. I would suppose this would mean $5.3 million worth of services would be discontinued?

Mr. YELDELL. They are not all services. We have looked at administrative overhead as well. We have tightened the belt, there is no doubt about that, but we have tried not to affect services.

Senator INOUYE. What sort of programs will be reprogramed?

Mr. YELDELL. I do not have that information with me.

Mayor WASHINGTON. We have not identified that fully at this point, Senator. We will be very happy to present this information to you.

Mr. COPPIE. It will, of course, be presented as part of the reprograming request, Mr. Chairman.

Senator INOUYE. The next fiscal year, are you requesting that these $5.3 million, which have been reprogramed, be once again financed?

Mr. YELDELL. Yes; we would, sir.

Senator INOUYE. So it is a temporary programing?

Mr. YELDELL. That is right, sir.

TIMELINESS OF FINANCIAL AND STATISTICAL REPORT

Senator INOUYE. Mr. Mayor, I would like once again to revert back to our central issue, a matter of accounting.

Mr. Mayor, you recall that my first act after being appointed as chairman of this subcommittee was to visit you in your office, and this fell on February 8. At this first meeting I spoke to you of my great concern in learning from my predecessor, Senator Proxmire, the District's fiscal 1969 financial and statistical report had not been completed, and this was 18 months after the conclusion of fiscal year 1969.

At that time, February 8, it was also the 6 months after the close of fiscal 1970. Needless to say the fiscal 1970 report was not available.

As a result of my conversation with you on that date, the fiscal year 1969 and 1970 reports were combined, and finally made available on March 3, 1971.

LETTER OF SENATOR PROXMIRE DATED JANUARY 5, 1971

Now, on January 5, 1971, Senator Proxmire wrote to Mr. Watt and he said as follows:

If these reports are to have a useful purpose, it would seem essential that they be made in a timely manner and a target of 60 days after conclusion of the fiscal year for the financial report and 120 days for the financial and statistical report appears reasonable.

LETTERS OF MR. WATT DATED FEBRUARY 1 AND MARCH 2

Mr. Watt replied on February 1, stated because of certain circumstances which he outlined that—

we believe a realistic and meaningful goal is September 30 for the financial report, and November 30 for the financial and statistical report.

In another letter to me on March 2, Mr. Watt stated:

We are currently preparing the report for fiscal year 1971. It is anticipated that this report will be published shortly after the close of fiscal year 1971.

The letters will be inserted in the record at this point.

(The letters follow:)

JANUARY 5, 1971.

HON. GRAHAM W. WATT,
Assistant to the Commissioner, Government of the District of Columbia, Washington, D.C.

DEAR MR. WATT: It is a matter of concern to me that it has taken over eighteen months after the end of fiscal year 1969 to compile the information necessary for the District's 1969 Financial and Statistical Report. Even more important, it has taken over six months after conclusion of the 1970 fiscal year to finalize the Financial Report for this period, and work has not even begun on the 1970 Financial and Statistical Report.

If these reports are to have a useful purpose, it would seem essential that they be made in a timely manner, and a target of 60 days after conclusion of the fiscal year for the Financial Report and 120 days for the Financial and Statistical Report appears reasonable.

The record will reflect my personal interest and the Subcommittee's success in securing sizable increases in personnel and funding for both the Office of Budget and Management and the Department of Revenue. For this reason, I am particularly concerned that information needed by the Committee from these reports is being so long delayed.

Best wishes.

Sincerely,

WILLIAM PROXMIRE,
Chairman, Subcommittee on the District of Columbia.

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
Washington, D.C., February 1, 1971.

HON. WILLIAM PROXMIRE,
Chairman, Subcommittee on Appropriations for the District of Columbia, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: We agree completely with your desire that the District's Financial and Statistical Reports be issued promptly after the end of each fiscal year. The timely completion of the Financial and Statistical Reports is essential if we are to realize maximum benefits from them and to use them meaningfully in our planning and management decisions.

It has largely been through your efforts that the District has begun to strengthen its financial management capability. Increases in personnel and funding for both the Office of Budget and Executive Management and the Department of Finance and Revenue which you have supported are a key to our realizing maximum benefits from all our management systems. We are continuing to recruit additional personnel. Our additional resources will be used in such areas as PPBS development, special cost benefit studies, development of improved management systems, and tax auditing and collection as well as preparation of the Financial and Statistical Reports.

A parenthetic comment: a portion of the information contained in the Financial Report is gathered from a number of reports which must be prepared by the various District agencies. The agencies cannot begin this report work until after June 30. These reports are then forwarded to the Department of Finance and Revenue for consolidation and inclusion in their report. We believe a realistic and meaningful goal is September 30th for the Financial Report and November 30th for the Financial and Statistical Report.

Thank you for your continued interest, and particularly your efforts in our securing the tools to enable us to make progress in this area.

Sincerely yours,

GRAHAM W. WATT,
Assistant to the Commissioner.

FEBRUARY 8, 1971.

Hon. GRAHAM W. WATT,
Assistant to the Commissioner,
Government of the District of Columbia,
Washington, D.C.

DEAR MR. WATT: Upon my return to the office I found a copy of your reply to Senator Proxmire's letter of January 5. This, as you will recall, is the matter I mentioned at the time of my visit to Mayor Washington's office earlier this afternoon.

I am glad to know that you share Senator Proxmire's and my view concerning the importance of the time of submission of such basic financial and statistical information. Using your own "realistic and meaningful goal," it would appear that you are sixteen months late in the submission of the 1969 data and four months late in the submission of the 1970 data.

Please advise me why both cannot be submitted by March 1 in order that they might be used in connection with our 1972 hearings which, as you know, will begin on Monday, March 15.

Sincerely yours,

DANIEL K. INOUYE,
Chairman, Subcommittee on the District of Columbia.

FEBRUARY 22, 1971.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR BILL: I appreciate your forwarding to me the letter from Graham Watt in response to your request that the District financial and statistical reports be issued promptly at the end of each fiscal year.

May I also take this opportunity to thank you for your best wishes on my new assignment. I know that I shall be seeking your counsel and advice from time to time in my effort to understand more fully the problems facing the District.

Sincerely,

DANIEL K. INOUYE,
U.S. Senator.

THE DISTRICT OF COLUMBIA,
Washington, D.C., March 2, 1971.

HON. DANIEL K. INOUYE,
Chairman, Subcommittee on Appropriations for the District of Columbia, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I have received your letter relative to the District of Columbia's 1969 and 1970 Financial and Statistical Information Report.

We have combined the reports for these two fiscal years into one document and the 1969–1970 Report has been forwarded to the printer, We will present this report to your Committee no later than March 3, 1971.

We are currently preparing the report for the Fiscal Year 1971. It is anticipated that this report will be published shortly after the close of Fiscal Year 1971.

I would like to emphasize again that our goal is to ensure more timely financial and statistical reports in the future through employment of greater resources for their production. We stand ready, as always, to provide whatever information is needed by your Committee in its deliberations.

Sincerely yours,

GRAHAM W. WATT,
Assistant to the Commissioner.

STATUS OF 1971 REPORTS

Senator INOUYE. What is the status of your financial and statistical report for the fiscal year 1971?

Mr. COPPIE. Mr. Chairman, the responsibilty for the preparation of that report is in my office. The report is either about to go to the printer or has just been submitted to the printer. It will be available within a short period of time for official submission to you.

I might say, parenthetically, that I am not satisfied we are on the kind of schedule that gives the information available the greatest usefulness or the greatest meaning; my commitment is to improve that. But we are on an improved schedule.

Senator INOUYE. When can this committee expect to receive a copy of the report?

Mr. COPPIE. It will be sometime later this month, Mr. Chairman.

Senator INOUYE. So, you are telling this committee that this report is now at the printers?

Mr. COPPIE. It is either at the printer or just about to go to the printer. I did not talk with the person that is preparing it today.

Senator INOUYE. If that is the case, what is the cash balance of the deficit for public schools?

1969, 1970, AND 1971 PUBLIC SCHOOLS CASH BALANCES

Mr. COPPIE. Mr. Chairman, the task force report looked at the cash situation for 1970 and 1971, or the balances for 1970 and 1971. After a series of adjustments, all of which were legal and consistent with accounting practice, the balances are in the black for both 1970 and 1971.

Now, the specific dollar balances, I will have to provide for the record.

Senator INOUYE. What were they in 1969 and 1970?

Mr. COPPIE. I do not have the 1969 figure here this morning, Mr. Chairman. The 1970 and 1971 figures I can provide almost immediately, and 1969 I can provide for you, too.

(The information follows:)

DISTRICT OF COLUMBIA GOVERNMENT—UNOBLIGATED BALANCES FOR DISTRICT OF COLUMBIA PUBLIC SCHOOL OPERATING APPROPRIATION

	Fiscal year—		
	[1] 1969	[2] 1970	[2] 1971
Returned to U.S. Treasury	14,816		
District of Columbia accounting balance	864	586,026	1,184,396

[1] Entries for fiscal year 1969 were obtained from the appropriation allotment balance statement prepared by the central accounting system of the District government. The entry for funds returned to the Treasury was based on the balance as of June 30, 1971. The entry for accounting balance was based on the balance as of Jan. 31, 1972.

[2] Entries for fiscal years 1970 and 1971 were based on balances shown in the appropriation allotment balance statement as of Feb. 9, 1972, with adjustments from audit results developed by the mayor's task force assigned to review the public schools' financial status. These balances are not final because disbursements and reimbursements are still being charged to them.

1970 AND 1971 OPERATING DEFICITS

Senator INOUYE. Would I be correct in following that as of December 31, 1971, the school system operating appropriations balances for fiscal year 1970 showed a deficit of $465,561?

Mr. COPPIE. What was the date, again, Mr. Chairman?

Senator INOUYE. As of December 31, 1971. Would I be correct in that the school system operating appropriations balance for fiscal year 1970 showed a deficit of $465,561?

Mr. COPPIE. That is correct.

Senator INOUYE. As of fiscal 1971, $267,473?

Mr. COPPIE. I believe that is correct, too, Mr. Chairman. I will be quick to point out that as we did a detailed analysis of the budget situation, adjustments were made that have now provided for those balances to be in the black for those 2 years.

TIMELY REPORTING IMPERATIVE

Senator INOUYE. I brought this up to dramatize why this committee has been requesting timely reports. If I had known about it, if the committee had known about the shortages in a timely fashion, if your office had been aware of it in a timely fashion, we would not, I suppose, be mixed up in the can of worms we have in the last couple of weeks.

1970 ADJUSTED BALANCE

Now, doesn't the adjusted balance for fiscal year 1970, which is including Federal grants, have a deficit of $3,723,559?

Mr. COPPIE. Including grants, Mr. Chairman, I believe that is correct.

Senator INOUYE. Will your report show that?

Mr. COPPIE. No, I do not believe the report will show that.

Senator INOUYE. Why won't it show that?

Mr. COPPIE. The adjustments that have taken place will be reflected in the ultimate financial and statistical report we will present to you, and the accounts will be shown in the black for the 2 years.

I want to point out here, Senator, that we are not satisfied that the accounts have been adjusted in the time frame that is necessary and in accordance with good accounting practices. On the other hand, the adjustments that were made were legal adjustments and in accordance with accounting practices. It is the time frame in which they were made that was not satisfactory to us.

Senator INOUYE. There is another matter that concerns me. I would think it would be helpful to your office, to my office, if we could be a bit more candid about some of these problems we have and if we do have shortages, I think it would be better in the long run for the District to come out and say so, instead of making adjustments and covering it up; because, believe me, I would like to know about them.

I am certain if this committee had been aware of these shortages, of some of the problems that you have faced, adjustments could have been made through the committee.

But here, again, we do not have a report in front of us and we are just about ready to move into our next fiscal year budget hearings and it places this committee at a disadvantage and it places your Government at a disadvantage.

Mayor WASHINGTON. It places us at a disadvantage.

Senator INOUYE. I think it would be to your advantage to let us know what the report shows.

I think it would help you to come out and just show us exactly what it is.

Mr. COPPIE. I want to make it clear——

Senator INOUYE. Without covering up with cosmetics or other accounting adjustments. It is not going to help you.

LEGALITY OF ADJUSTMENTS IN SCHOOLS' ACCOUNTS

Mr. COPPIE. We appreciate the spirit in which that statement is made, Mr. Chairman. The point I am making is that the adjustments that have been made in the school accounts—and that is the one area you identified specifically—are legal adjustments that normally would not be shared with the Congress because they are part of the execution in the budget for a particular fiscal year. They are legal adjustments, and they are consistent with accounting practices.

Where we have a need for a deficiency appropriation in a particular area, such as the correction area that we talked about a few moments ago, we do propose to come forward to the Congress, either through the supplemental route or the reprogramming route. We will share that need in an open and candid and honest way.

Senator INOUYE. This once again demonstrates the need for effective centralized control of the system.

Mayor WASHINGTON. I think so, Mr. Chairman, and there is one thing we ought to clear up. I hesitate to see the word "cover" used when the task force has gone in to make the adjustments. The problem that was reported to me was that the schools had used the process of floating apparently to make these adjustments.

Now, I came down very hard on that practice, as you know, Mr. Chairman. I was invited in to study the situation, and I came down hard on that practice, indicating that it must stop immediately.

Whatever the figures ultimately show—and, as you know, we are still reviewing the problem—will be reported. I just believe that, in the accounting terms, the school system is letting something stand that should not properly stand in terms of what the adjustments mean. That problem grew out of a process of taking obligations of one year and putting them over into another.

In accounting terminology it is called floating, which as has been identified, is a very poor practice. In my report to the public schools I said this practice must stop instantly, as well as some of the other practices that we could identify. Obviously, in 7 or 8 days, they were not able to straighten out the accounts.

Senator INOUYE. Apparently the accounting system of that department does not follow your standards.

Mayor WASHINGTON. Not only apparently, but obviously.

MISPLACEMENT OF SCHOOL PURCHASE ORDERS

Senator INOUYE. Like you, Mr. Mayor, I am concerned about the so-called million dollars in purchase orders being found in someone's drawers, and the practice of floating items from one account to another.

And the implementation that errors can be washed out or brought into balance by recording adjustments of transfers.

We are not kidding anyone by doing this.

Mayor WASHINGTON. Absolutely not.

Senator INOUYE. It may be legal but it is not helping you.

POSSIBILITY OF ANTIDEFICIENCY ACT VIOLATIONS

Can you or anyone state positively and unequivocally that neither the letter nor the spirit of the Antideficiency Act was violated by the District government in fiscal year 1971?

Mayor WASHINGTON. I am not sure that anyone can at this point. Those are the beliefs my accountants have given me. And what I have said is to go back in there to make sure.

Senator INOUYE. How soon after June 30 can you give me such assurance for fiscal year 1972?

Mayor WASHINGTON. They say 60 days, Mr. Chairman.

Senator INOUYE. Last year we were told we would be getting it in 60 days. It is way beyond 60 days now.

Mayor WASHINGTON. I think this is important. This is a matter that has now come to our attention, and I think that I would personally want to see that it is resolved within that time frame, if not sooner, so we know where we are; because these practices, I submit to you, are just practices that should not continue.

And with the kind of authority you are suggesting, I can assure you that it won't happen.

Senator INOUYE. If you will provide me with the language, I will have it introduced immediately, sir, and I will ask the legislative committee to give prompt attention to that request.

PROCESSING OF PURCHASING ORDERS

One more item on the school department. I formerly advised you I would not be touching upon the school department, because since it does affect the accounting system, just as a matter of curiosity is the high official who had somehow slipped into his drawers a million dollars of purchase orders still operating in this capacity?

Mr. COPPIE. There is no clear way of telling who it is, Mr. Chairman.

Senator INOUYE. No one knows who is responsible for the million dollar purchase order?

Mr. COPPIE. Well, you are asking the official that had the million dollars worth of vouchers. I think in one sense, Mr. Chairman, that man is to be praised because he took the vouchers when they came in and said that if they were allowed to go through, we are going to be overspent in the public school system.

That was a control, a bad control, an unfortunate control, but at least he had enough sense not to allow the purchase orders to go through and be ultimately processed so the purchase was delivered and could not be paid for.

Senator INOUYE. The real question—and this is what I think my first question was speaking to —was why did the purchase orders get to a level where they should ultimately go forward to begin with? And there is a breakdown in the controls of the public school system, where the purchase orders originate. That is the real question and the real problem with regard to this particular issue.

How did you find out about the million dollars? Did the official tell you about it?

Mr. COPPIE. The purchasing officer of the public school system was very candid in pointing it out to us.

BREAKDOWN OF INTERNAL CONTROLS

Senator INOUYE. And yet no one had any control, as you said, processing the purchasing order up to that point?

Mr. COPPIE. That is correct, Mr. Chairman. It is a breakdown of the internal controls and the purchasing area of the public school system.

Mayor WASHINGTON. Mr. Chairman, you realize my concern about it was that somebody—and I mentioned it—somebody was holding the vouchers. If they had been processed they would have entered our system and would have resulted in a million dollars in addition to whatever existed overspent. But that situation would not have come until the vouchers entered the central system.

Therefore, Mr. Coppie mentions—I don't know who is to be praised—but I come out just a little differently than he does on that. Because if I find another one of those, you won't have to hear about it, you may believe me.

But in that process, I just think it was unfortunate. These are the kinds of things we have called to the attention of the school system, and I intend to continue to do so.

FINANCING OF CAPITAL IMPROVEMENTS

Senator INOUYE. Mr. Mayor, I am certain you recall in our conference committee report, we called upon the District to submit only those capital projects with a useful life of 30 years, defined as from 30-year loans. Will the 1973 capital budget be limited to such projects?

Mayor WASHINGTON. For the most part. I think the committee had already acted on the court building and the new jail. If I recall, which are back in for another increment here. But those two items, I assume, were not involved.

Senator INOUYE. I am talking now about capital budget.

Mr. COPPIE. Mr. Chairman, I think the major area of concern, and frankly it is a concern of ours, too, was in the area of general improvements to capital facilities. That is, improvements that would normally be paid for out of the operating budget.

The committee was saying we were borrowing money for 30 years and paying for it out of the capital budget. We will take the first step in our proposal for 1973 and will only include those improvements that have a life of 15 years in the capital budget and all of the remaining improvements will be in the operating budget.

Moreover, we are placing the Director of the Department of General Services in a direct position of responsibility to monitor these improvements. There will be one account in his Department. We feel we have moved consistently with the committee's concern, and we are limiting the 1973 request in the capital outlay area to improvements with a minimum life of 15 years.

Senator INOUYE. We are going to borrow money and pay for 30 years for a project that has a life of 15 years?

Mr. COPPIE. What we are looking at right now, Mr. Chairman, is the possibility of a 15-year loan to finance this kind of improvement. That is something that we have to discuss with the Treasury Department since that is our broker in the bond area.

Senator INOUYE. Isn't this something like purchasing an automobile with a useful life of 5 years on a loan that will run for 10 years?

Mr. COPPIE. Mr. Chairman, I think any real analysis of practices across the country with regard to the financing of capital improvements will show improvements that do have a substantial life associated with them will be paid for from long-term borrowings.

But certainly if it is a 5-year life and it is a 30-year borrowing, that is a gap which is not healthy. But if it is a 15-year life against a 15-year borrowing, I think it can be justified.

Senator INOUYE. Up until now we have had 5-year life on 30-year loans.

Mr. COPPIE. That is correct, and I think the committee has been justified in calling for a halt of that practice.

Senator INOUYE. The committee will take a hard look at your 15-year life projects. Because our directive was to submit only those projects with 30 years useful life. We will take a look at it.

DISTRICT-WIDE MOTOR VEHICLE POOL

My final question relates to the District-wide motor pool. How is it working, sir?

Mayor WASHINGTON. Well, Mr. Chairman, this has been a very interesting piece of business. I think for the most part we have complied with the committee's request. I would like to ask Mr. Thomas Airis, Director of the Department of Highways and Traffic, to report on that.

Senator INOUYE. Welcome, sir.

Mr. AIRIS. Senator, I am glad to be here, sir.

A motor pool was established unofficially shortly after the passage of the fiscal year 1972 Appropriations Act. I staffed it with personnel from the Department of Highways and Traffic. It has been carrying an increasing load ever since we did start it in either the first of January or latter part of December.

Now, the Mayor issued an administrative order on the 13th of January, activating the pool today. Today is the first full day of operation, in which vehicles and drivers from other agencies have been taken over.

Now, after the limited system has been in operation practically a month prior to today, all I have gotten so far is general comment to the fact that it has been working satisfactorily. That is on the reduced basis.

How are we going to do it in the future? We are going to try very hard. We have a model; we are going to try harder, et cetera. I think the final answer will be from the department heads and others who use the pool, what they tell you when you ask them the same question. I hope that they can answer that the motor pool has been entirely satisfactory.

Senator INOUYE. The first full day of operations, how many cars did you have?

Mr. AIRIS. About eight cars, sir.

TRANSFER OF VEHICLES FOR MOTOR POOL

Senator INOUYE. I thought we had transferred about 50 over to your department.

Mr. AIRIS. The effective date for getting the remainder of the vehicles is today. Probably because of the growing pains, in a week or two we will get all of them.

Mayor WASHINGTON. Mr. Chairman, I think we ought to correct this. I think when Congress transferred positions, which immediately went over and not cars. The cars were transferred by my action, pursuant to this, in tightening the whole matter up. I think that is accurate.

Senator INOUYE. But you will have ultimately 50 chauffer-driven cars, won't you?

Mr. AIRIS. Approximately, sir. Depending on the load. If we need that many, fine. If we do not need that many, we will cut down.

Senator INOUYE. Just a part of procedure. If I were an official of the city, could I under your program request the use of a car and a chauffeur for 24 hours?

Mr. AIRIS. No, sir.

Mayor WASHINGTON. Tell him how it works.

Mr. AIRIS. Well, we have an order. I have set up for 10-minute service in the 1972 act. It refers to official business only. And that is what we are being guided by. Now, there will have to be some interpretations of the act that prescribes official business and probably further clarification of it. But that is what our intention is, to follow it out, and that would not permit 24-hour usage of the car and chauffeur.

Senator INOUYE. Thank you, sir.

I have another question, I am sorry, Mr. Mayor.

CARS FOR DEPUTY MAYOR AND COUNCIL CHAIRMAN

Mayor WASHINGTON. Mr. Chairman, you also realize that in regard to two cars this directive has come with some little strain on the situation. My order is rather stringent, I must say. And, as Mr. Airis has

reported, we immediately discontinued the leasing arrangement with respect to the two cars for the Deputy Mayor and the Chairman of the City Council. This was done, I think, by the first of the year.

Mr. AIRIS. Yes, sir. The cars were stripped and turned over within 10 to 15 days thereafter. They were turned back to the lessors in accordance with the lease.

Senator INOUYE. I would like to congratulate you gentlemen.

FUNDS FOR SPECIAL EDUCATION PROGRAMS

Mr. Mayor, you will recall the intense interest in special education held by the subcommittee and my keen disappointment that the final conference action did not approve all of the funds for special education which were included in the bill as it passed the Senate.

Now, I gather that there may be some question as to whether or not the small increase that was provided in the final bill will be used as it was intended. Can you bring me any assurance in this regard?

Mayor WASHINGTON. I hope not. In my directive to the schools, I did not. There is some confusion about that reported in the press. But I did not specify where the cuts should be made. It is my understanding that the schools intend to use that modest increase effectively and appropriately, as the committee had intended.

In other words, I think someone has confused the issue, at least as far as I am concerned, because I have never asked the school system to make cuts in any particular area. I told them they have to make cuts in order to come within the framework of their authorization in the 1972 act.

Mr. Coppie, do you have anything further on how they are going to do this?

Senator INOUYE. What you are saying, Mr. Mayor, am I to conclude, that none of the moneys go into special education?

Mayor WASHINGTON. I am saying just the opposite. I believe that they plan to use that modest amount in special education.

We also have a small sum in our supplemental for buses for special education.

REPORT OF THE SUPERINTENDENT OF SCHOOLS

Mr. COPPIE. Mr. Chairman, the Mayor's task force specifically asked the School Superintendent to come back with a report on February 4, relative to the task force recommendations. That report was delivered on Friday of last week and in item 6 on page 26 of the Superintendent's report to the Mayor, the Superintendent of Schools specifically says the following:

> The Division of Special Education has beeen directed to present a detailed and realistic statement of its spending level for the remainder of fiscal year '72, in order to assure sufficient funds are available for all authorized new services.

Now, I would say that the timely review of this task force report with the School Superintendent, we suggested the special education program should receive an absolute priority in light of the priority that was given by you and ultimately the conference in the 1972 appropriations. I do now believe the school superintendent is proceeding with regard to that kind of priority implementation.

Senator INOUYE. I brought this up because of an article that appeared in the Post on January 26. I am certainly aware of that. It quotes the Deputy Director of the Budget Office, Mr. Max Chaikin. Your Deputy Director has cited as an example, a listing of a proposed expense of $900,000 to fill 30 new positions for special education in community schools. Mr. Chaikin said that his deficit projection assumed that because of a hiring freeze, those jobs would not be filled. (The article follows:)

[From the Washington Post, Jan. 26, 1972]

SCHOOL AIDE EXPECTS $5.5 MILLION DEFICIT

(By Irna Moore)

The hassle over how large a deficit the city schools will have at the end of the current fiscal year got another new statistic yesterday when the system's chief budget official confirmed that he has revised his estimate upward to $5.5 million.

Delroy Cornick, associate superintendent for budget and executive management, said he came up with the new figure on Jan. 18, as an "interim projection." He had estimated a $3 million deficit last month.

Cornick's new figure is similar to a deficit potential reported last Saturday by the D.C. City Council, which said that a figure of $5.4 million was contained in a confidential memo to Supt. Hugh J. Scott from one of his special assistants.

Still another figure, $3 million, was the funding, also announced last Saturday, of a four-member task force named by Mayor Walter E. Washington. He acted after Scott asked for help in getting an accurate assessment of the financial situation.

Max Chaikin, the chairman of that task force, said yesterday that the different figures are not necessarily contradictory.

"We've used some different assumptions. Projections are always assumptions. If history proves some of the assumptions wrong, we'll revise the figures," said Chaikin, who is the city's deputy budget director.

He cited as an example Cornick's listing of a proposed expense of $900,000 to fill 80 new positions for special education and community schools. Chaikin said that this deficit projection assumed that because of a hiring freeze, those jobs would not be filled. Neither he nor Cornick was able to give a detailed comparison of every item that went into their differing estimates.

Cornick said he will draft a new deficit projection every month, and that the figures will change "as the factors change along the way."

Mr. COPPIE. I recall that article, and it was an article that was substantially distorted. During the period that we were trying to get on top of the 1972 situation, a hiring freeze was in existence, and I believe today a hiring freeze is in existence. But because they are now in a position to properly reconcile 1972 implementation with 1972 appropriations, it is our understanding that the special education positions and the special education program will proceed in accordance with the congressional priority.

Mayor WASHINGTON. That is my understanding from the superintendent.

Senator INOUYE. When do you think we can get a report on the implementation of the directive of the Congress?

Mr. COPPIE. I will go back today, Mr. Chairman, and raise that question with the school superintendent and give you an interim report immediately. I will also ask him when he could have a final report to you.

Senator INOUYE. The committee will appreciate that, sir.

(The report follows:)

EXPANSION OF SPECIAL EDUCATION PROGRAM

Efforts to expand the Public Schools' Special Education Program are progressing along three fronts.

First, decisions are being made on how to allocate the additional appropriated funds during Fiscal Year 1972. The school system intends to expend all new resources provided for special education during the balance of the fiscal year. The administration has proposed to the Board of Education that:

a. The school system should prepare for the September 1972 school year by organizing and staffing these new programs; placement office; supervision of the emotionally disturbed; staff development; local school administration; and specialized service to the blend.

b. Nonpersonnel funds should be obligated for teacher training, materials and media, and a pupil accounting system.

c. Development of the Mamie D. Lee School should continue as transportation for the children becomes available.

d. New teaching positions (professional and paraprofessional) should be filled beginning June 15, 1972 so that necessary training can be conducted over the summer.

Carrying out these proposals will require a reprogramming of some funds.

It now appears that Federal Impact Aid funds will not be available to support the Special Education Program during Fiscal Year 1972. The grant award was $1 million less than the amount originally anticipated. In addition, the school system's current financial problems may require using Impact Aid monies for other purposes.

Second, the Public Schools are dealing with the class action suit on behalf of the children who are not presently receiving any schooling but who can probably benefit from special education.

Third, the long-range issues concerning the Special Education Program are being studied. This study will result in:

a. Identification of the City's unmet need for special education.

b. Census, by type of disability, of the children who are now unserved.

c. Determination of the resources required to meet the identified need.

d. A plan for providing special education services to all the children who need them.

These tasks are being carried out by a task force composed of representatives from the Public Schools and the Department of Human Resources.

ANTICIPATED SUBMISSION OF SUPERINTENDENT'S REPORT TO BOARD

Mayor WASHINGTON. I might say, Mr. Chairman, based on his report to me on Friday, he indicates that he will be submitting this to the Board on the eighth. It may be that you would want to await that action. However, we can convey to Mr. Jordan, if you will, his recommendation going to the Board, which I understand takes care of or utilizes the funds that were made available.

Senator INOUYE. We appreciate it.

Mayor WASHINGTON. I want to make the record clear, very clear, that I gave no direction to the school system with respect to where they should find the required funds, however.

REQUESTED MEETING WITH THREE ACCOUNTANTS

Mr. JORDAN. Is Mr. Haley still with us?

Mr. Haley, I wonder if it would be possible for me to meet with the three accountants that were provided 3 years ago, this afternoon? You said there was one vacancy, so I assume there are two of them. I would like the chance to talk with them this afternoon at 3 o'clock in my office. Do you think they could be there?

Mr. HALEY. Certainly.

HEARINGS ON 1973 BUDGET REQUESTS

Senator INOUYE. Mr. Mayor and gentlemen, once again I want to say how deeply I appreciate your appearance this morning. I hope this will be setting a precedent for similar types of meetings.

I believe the morning has been well spent. I trust that it was constructive. I look forward to beginning the fiscal 1973 budget hearings on Tuesday, March 15.

As you know, the District Legislative Committee has responded in a very positive way to my request for 2-year authorization. So there should now be no obstacle for our reporting that kind of bill for fiscal 1973.

If everything goes well, as the chairman of the full Appropriations Committee indicated, we should have our bill completed before June 30.

Mayor WASHINGTON. You will certainly have the full support of my staff in making this come about, Mr. Chairman.

Senator INOUYE. If we can have the financial and statistical reports before March 15, it will be extremely helpful.

Mr. COPPIE. You will have it, Mr. Chairman.

(The following will be inserted in the record at this point:)

CHRONOLOGY OF MAJOR EVENTS
SINCE DECEMBER 15, 1971

1.	D. C. Revenue Act of 1971	December 15, 1971
2.	D. C. Appropriations Act of 1972 Fiscal Year ...	December 18, 1971
3.	Travel Limitations for 1972 - Request for Information Sent to All Agency Heads (Memo from Comer S. Coppie)	December 21, 1971
4.	Call for 1972 Fiscal Year Apportionment Schedules and Financial Plans (Memo from Comer S. Coppie).	December 23, 1971
5.	Limitations on Personnel and Selective Other Objects - Commissioner's Order 71-455	December 30, 1971
6.	Mayor's Financial Improvement Committee is Created to Direct a Program of Financial Management Improvement (Commissioner's Order 71-455)	January 3, 1972
7.	Motor Vehicle Pool Operation is Established (Commissioner's Order 72-11)	January 13, 1972
8.	Establishment of the Mayor's Task Force on the Financial Condition of the D. C. Public School System	January 13, 1972
9.	Abolishment/Transfer of Driver and Public Information Positions - Progress Report on the Implementation of Congressional Directives (Memo from Comer S. Coppie)	January 21, 1972
10.	Policy on Reprogramming and/or Redirection (Memo from Comer S. Coppie)	January 22, 1972
11.	Mayor's Task Force on Public Schools Financial Condition Submits Report	January 22, 1972
12.	Program for Public Assistance Reform in the District of Columbia is announced	February 2, 1972

In addition to all of the above, the 1973 fiscal year budget and financial plan has been formulated in this period. The 1973 Fiscal Year Budget is scheduled for release the week of February 14, 1972.

LETTER, DATED FEBRUARY 7, 1972, SENT BY SUBCOMMITTEE CHAIRMAN TO MAYOR-COMMISSIONER OF THE DISTRICT OF COLUMBIA RELATING TO PREVIOUSLY DISCUSSED SUBJECT MATTER

United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, D.C. 20510

February 7, 1972

The Honorable Walter E. Washington
Mayor-Commissioner of the District of Columbia
District Building
Fourteenth and E Streets, N. W.
Washington, D. C. 20004

Dear Mr. Mayor:

This morning I listened attentively to everything you said and I have read your staff's written memorandum on recent initiatives you have taken to improve the District of Columbia's accounting and record keeping. I wish that I thought these were adequate, but in all candor I do not feel that they are.

-- After three years of sharply critical Congressional hearings, reports and discussions, the District still does not have an accounting system which meets its own desired standards -- much less than those of the General Accounting Office.

-- There is no one individual who has been identified to me as having been responsible for past failures or who can be credited with future successes. In this type situation, there is substantial truth than the old adage "what is everybody's business is nobody's business."

-- The District's fiscal year 1971 financial and statistical report is still not available -- seven months after the close of the fiscal year. Over a year ago, in correspondence with the Deputy Mayor this matter was identified by me as a matter of the highest priority and I received his assurance that it would be made in a timely manner.

-- After our public (and several private) conversations concerning the critical and fundamental need for improved accounting and personnel record keeping, the most optimistic projection I have is a pilot personnel system next August in the Office of Personnel -- one of the smallest agencies of the District Government. As I understand from our hearing this morning, the earliest date we can expect to have an adequate accounting system in operation is three years away.

This is a critical situation. The problem we faced in the conference in connection with last year's appropriation bill is no secret. The District Government's credibility is at stake and unless this matter is dealt with on an emergency basis -- as a matter of the highest priority -- almost every spending program you present either to the City Council or to the Congress will be under a cloud -- most of them unnecessarily so.

I hope that I have established myself as a friend to the District of Columbia. As a friend, however, I must tell you frankly that I cannot successfully carry the continued burden of "floating figures", "balancing out" or "internal adjustments" of large year-end discrepancies, a school system that does not know how many students are attending schools, a million dollars in purchase orders "in somebody's drawer", or an administrator who does not know that he is carrying hundreds of unauthorized employees on his department's rolls.

I have reflected long and hard about this and I do not want to take any action precipitously. However, I have tired of "committee responsibility" and "planning groups" and especially "task forces."

I have asked the Committee staff what more I can do than I have already done and I am advised that the rules under which we operate restrict me from making conditional or contingency appropriations. There are perhaps good reasons for this but I do not at the moment see them as being applicable to this situation. Therefore, it is my present intention to recommend to the Committee and to the Senate that appropriation of the Federal payment to the District of Columbia for fiscal year 1973 be conditional upon the District implementing a system of accounting and record keeping that can meet both the Comptroller General's and your own standards of acceptability for the District's needs.

I stand ready, willing and able to do everything within my power to assist you, and this includes a willingness to approve reprogramming of any necessary funds or personnel within the present District of Columbia budget -- or the allocation of any new resources available to deal with what I believe to be a "crisis of credibility."

By sending a copy of this letter to the Comptroller General, I am requesting that the General Accounting Office render every possible assistance to you in bringing the District's accounting system into compliance with its requirements.

Sincerely,

DANIEL K. INOUYE
Chairman, Subcommittee on
the District of Columbia

SUBCOMMITTEE RECESS

Senator INOUYE. Thank you very much.

The hearing is recessed.

(Thereupon, at 12:30 p.m., Monday, February 7, the subcommittee was recessed, to reconvene at the call of the Chair.)

DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 1973

TUESDAY, MARCH 14, 1972

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, D.C.

The subcommittee met at 10:05 a.m., in room 1224, New Senate Office Building, Hon. Daniel K. Inouye (chairman) presiding.

Present: Senators Inouye and Hatfield.

DISTRICT OF COLUMBIA

GENERAL OPERATING EXPENSES: OFFICE OF THE COMMISSIONER

STATEMENT OF HON. WALTER E. WASHINGTON, MAYOR-COMMISSIONER

ACCOMPANIED BY:
GRAHAM W. WATT, ASSISTANT TO THE COMMISSIONER
COMER S. COPPIE, SPECIAL ASSISTANT TO THE MAYOR-COMMISSIONER

BUDGET NOT FORMALLY TRANSMITTED

Senator INOUYE. Ladies and gentlemen.

Once again we are forced to begin hearings on the District of Columbia budget not yet formally before the Congress. While the Congress itself cannot escape blame for such delays when it fails to act in a timely manner on a previous year appropriation—the District of Columbia government and the President's Bureau of the Budget are falling altogether too easily in a pattern of delay which is cumulative with an end result of frustration of the entire appropriation process.

For the time being, we will use the figures contained in the Mayor's budget; but in the final analysis—and prior to markup—these will be adjusted to reflect the formal Presidential submission. Past experience indicates that any change will be well within 2 percent of the figures we have before us now.

At the outset, I want to acknowledge that for the first time in 9 years the District has submitted a budget the financing of which is not contingent upon congressional enactment of new taxes or a greatly increased Federal payment. In part, this was possible because the increase in the Federal payment last year was the greatest ever and the fact that it was authorized for 2 years instead of 1 year. It is nevertheless true that with the ever spiraling cost of running a large city, it took resourcefulness, commitment, and a measure of discipline

74-704 O - 72 - pt. 1 - 6

to achieve this goal so long advanced by the Congress, and so, Mr. Mayor, to you and those of your staff, the committee owes a debt of gratitude for our job is thereby made immeasurably easier.

However, as I pass out bouquets, Mr. Mayor, do not think that I have grown soft——

Mayor WASHINGTON. I do not think so.

Senator INOUYE (continuing). or lackadaisical over the last 12 months. It is unnecessary to repeat my initial commitment that I hope to be one of the last "overlords" of District spending. But so long as I have the responsibility assigned to me, I will continue to perform it to the best of my ability with "no holds barred" and no item too small or insignificant to be scrutinized.

So, Mr. Mayor, welcome once again to the committee. Shall we begin with the presentation on fiscal year 1973, as you see it, sir.

Mayor WASHINGTON. Yes, sir. Thank you very much, Mr. Chairman.

I must say that I come with a strong feeling that you, in your inimitable way, will remain the same posture that you have always. I see nothing soft about your position whatsoever. It is fair, candid, and constructive.

However, as I start, if you have other bouquets, please feel free to grant them. I will be very happy to receive them from time to time.

Senator INOUYE. They will be thrown from time to time, sir.

CRUCIAL YEAR FOR DISTRICT OF COLUMBIA

Mayor WASHINGTON. Thank you.

Mr. Chairman, I have a rather unique statement this time. I think, if I may be permitted just a moment of informal discourse, I would say that we come this year to what I would call a very crucial year, crucial in many respects. Crucial in the sense that I believe we are moving closer and closer, with your help, to a centralized, strong government for the District of Columbia.

I say with your help because, having served for this period of time, I believe that I have seen no one who has been more concerned than you as we move toward home rule to get the central government strong enough to carry its rightful position in the affairs of the District of Columbia.

Moreover, Mr. Chairman, I think it is crucial because we are approaching the time when plans must be developed for the bicentennial if that is to be a meaningful celebration. We look upon it, however, as far more than a celebration. We look upon it as an opportunity to put this city into its true model role. And if we are to do that, we must begin that effort now. It certainly cannot wait until 1976.

We think that the initiative that we will be discussing and developing will be important to you and important to the city in the days to come.

So I have tried this time, as somewhat of a digression, not only to point up the problem that we have relating to the current budget, but also to cast my hopes and desires and optimism for the future of the city and, indeed, of this great Nation.

I am hoping that you will look kindly upon this statement as background and will understand that we are fully prepared to justify our

budget. At the same time, I feel constrained to make a point or two about the future. And I have tried to do that in a limited way in my opening statement.

OBJECTIVES AND HOPES

It is an honor and a privilege to present the 1973 fiscal year budget for the District of Columbia. We know that we will receive a thorough, but sensitive, review and that the city's spending proposals will be examined in a constructive and cooperative spirit.

For us, the budget is more than a device to measure spending against revenue. It is our plan for the year ahead and our opportunity to outline our long-range objectives and to present our hopes for the future.

Mr. Chairman, I pause for a moment——

INTRODUCTION OF SENATOR HATFIELD

Senator INOUYE. Mr. Mayor, before we proceed any further, I would like to present to you a new member of the committee. It is a great privilege on my part to present to the city of Washington, the new and ranking minority member of the Subcommittee on the District of Columbia Appropriations, Senator Mark Hatfield of Oregon.

Mayor WASHINGTON. Senator, it is a great privilege for me to see Senator Hatfield. He has just been introduced, but he is a long-time friend of this city and a long-time personal friend. I certainly welcome him because I know of his spirit with respect to this city and this Nation.

GOALS OF THE CITY

Before turning to the substance of our budget, I would like to say a word about our goals for this city and its people.

We look forward to the day when the people of the city will be permitted to govern themselves, to elect their Mayor and City Council, and to have voting representatives in the Congress. We feel that the steps we are taking now to strengthen this government will pave the way for us to achieve those voting rights that represent our American birthright.

Meanwhile, we are determined to make this a better city for the citizens as well as a great Capital. Our program budget sets out our goals for the next 5 years—where we want to go.

We are encouraged by the emerging partnership with the National Government to ready the city to celebrate the Nation's 200th birthday in 1976. The desire to renew and refurbish our city in time for that event should spur to completion such projects as the new town at Fort Lincoln, Anacostia Park, and the Eisenhower Civic Center—as well as the museums, Federal buildings, and other elements of our bicentennial planning.

I would note at this point, parenthetically, that threading through these larger projects for our city will be a number of smaller trusts that are contained even in this budget. We would hope to bring these projects to fruition as a full plan, not only for the museums and the great buildings but also for the improvement of the quality of life for our people in this city.

And such long-term construction and development projects as Metro and Blue Plains should move ahead with the three-way commitment of the city, the suburbs, and the Federal Government.

These are projects for people—for the people of our city, for those who live in the metropolitan area, and for those who will visit us from around the Nation and around the world. We hope these projects will be in place by the bicentennial.

There has been significant progress, but there is still much to do.

REDUCTION OF CRIME IN THE DISTRICT

I would like to touch briefly on just our program—the success in reducing the levels of the serious crime and in dealing with narcotics addiction.

Safer streets mean more than personal security for our citizens, important as that is. It is our opportunity to turn increased attention to other sectors of the criminal justice system and, even more importantly, to the eradication of the root causes of crime.

I would say parenthetically that even with the progress we report in reducing crime, we must attack with equal vigor the root causes of crime—the problems of education, of housing, of unemployment, and, yes, of underemployment, Mr. Chairman. Unless we solve these problems, we will not make the sustained improvement that we would all like to see.

It is the job of government to tackle such problems. The District looks to its budget for the resources to do the job.

The officials who have helped to prepare this budget are mindful of the intense scrutiny it faces.

Detailed planning for it began nearly a year ago, while congressional review of the fiscal 1972 spending plan was even then getting underway. Final enactment of that budget did not occur until late December, leaving just 2 months to complete the development of the fiscal 1973 program in time for the start of City Council consideration.

The Chairman has already spoken to that problem. We share your concern with respect to this delay. I wish to say at this time that my staff, particularly Mr. Comer Coppie, my special assistant for budget and program analysis, and others who have had to wrestle within 2 months with the adjustments from 1972 and to project the 1973 budget, deserve a bouquet or commendation. It was indeed a difficult problem. But we believe, Mr. Chairman, that we have done well and are prepared to move forward with you in a reasonable fashion to justify our budget request.

City Council hearings on the budget are nearing completion. According to the schedule prescribed by law, the Council will return the budget to me with any recommended revisions by March 18. There will then be a 15-day period to reconcile differences.

I then will submit the city's budget to the Federal Office of Management and Budget for transmission by the President to the Congress.

IMPORTANCE OF TIMELY APPROVAL OF BUDGET

Timely passage of the District's appropriation bill is of great importance to the city. The Chairman has my assurance of full cooperation with his effort to clear the measure before the expiration of the current fiscal year.

The message that you sent, Mr. Chairman, during last year's hearing I received with some concern and with some degree of priority. I think I made every effort to achieve what you wished to achieve, that of timely passage of the budget. If we can together achieve that goal, this city will be in far better position to begin a fiscal year and to plan for the next one. Our departments and programs will be able to unfold during a full year, rather than start with a continuing resolution that stays in effect for a full 6 months. Then the departments will not have to try to pick up their programs in a couple of months and to move forward. Even then, there is the necessity of containing most of my staff for hearings through this final 6-month period.

All of this difficulty can be eradicated, it seems to me, by the plan you have outlined for moving ahead. I fully support it.

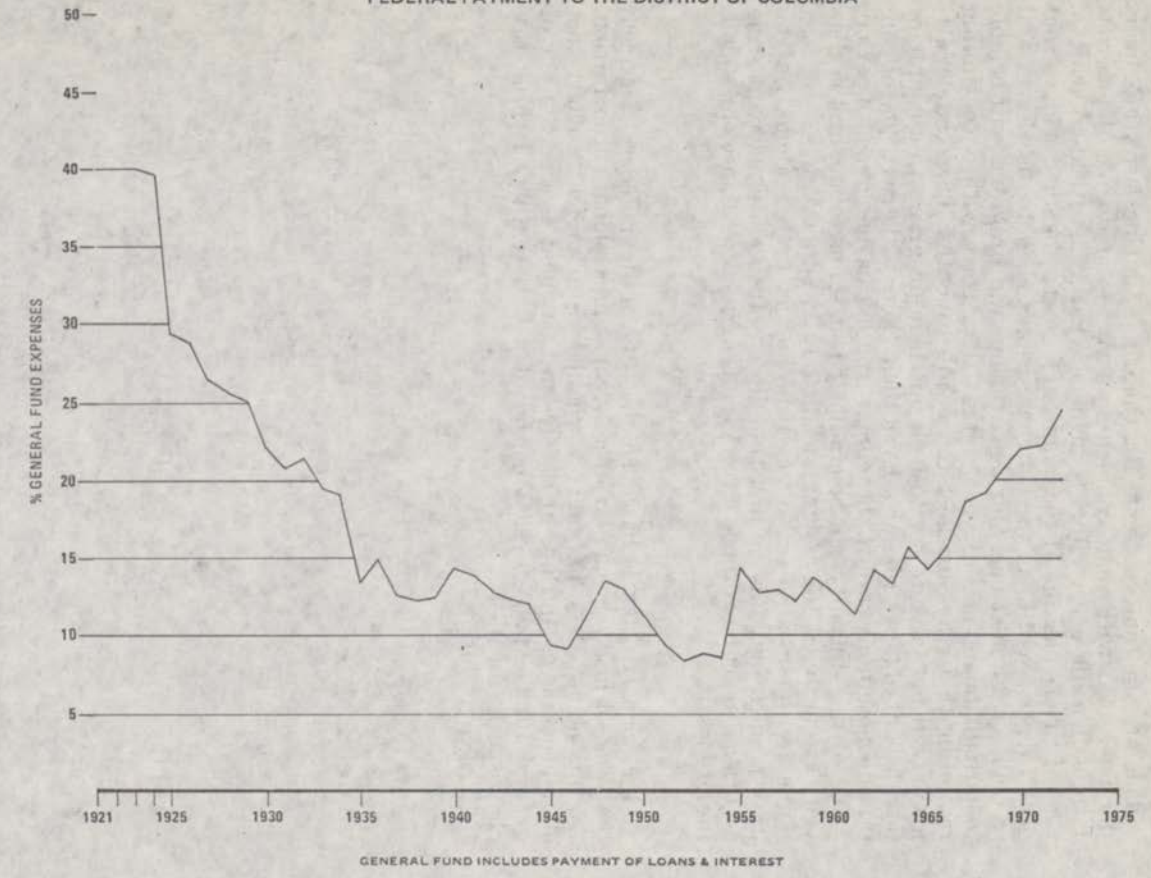
We are doing our part to speed the budget process along. As you have pointed out, for the first time in 9 years we are not requesting additional revenue authority from the Congress to balance our spending proposals.

FINANCIAL PLAN

Our financial plan is based on the $190 million Federal payment that was set last year as part of a 2-year congressional authorization. At this point, Mr. Chairman, I would like to present a chart that shows the downs and ups of the Federal payment as a percentage of general fund expense over a period of a half century. I think this chart speaks for itself.

(The chart follows:)

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA



FEDERAL PAYMENT

Mayor WASHINGTON. As you will probably note, it has taken us more than 40 years to reach the position of 25 percent in the Federal payment we were in, in 1929. Actually, in the period prior to that, the Federal payment had been as high as 40 percent, as this chart shows. It dropped from 40 percent in 1921 to approximately 25 percent in 1929.

We point out that there have been many ups and downs of the Federal payment. We do believe that the establishment of the 2-year plan, which you fully supported and initiated, will have a very salutary effect on our ability to move forward, to plan, and to operate this government in a far better manner.

REVENUE GAP

A revenue gap remains. It is one that I have asked the City Council to fill by drawing on its rate-making authority, particularly its power to fix the real property tax rate and its authority to set water and sewer user charges. The Council will need to raise $19.5 million, including $12 million for the general fund and $7.5 million for the water and sewer funds.

I have identified the real estate tax as a tax that has all of the legality that is possible. But I have also said to the Council, in all candor, that if they find other alternatives that are appropriate and can be enacted, I am perfectly willing to receive them and to consider them. That is my position, whatever you may have read or heard in the press.

I have described the 1973 fiscal year budget as one of governmental consolidation, but also of civic opportunity; an austerity budget, but nevertheless one that recognizes human needs.

Our fiscal 1973 request totals $910 million, with $760 million for operating purposes and $150 million for capital improvements.

There is a $6.5 million reserve for anticipated classified and wage board pay increases, but no provision for increases for policemen, firemen, and schoolteachers, which require statutory authorization and additional revenue.

I call this matter to your attention at this time, Mr. Chairman, because the teachers, firemen, and policemen have been without a pay raise since 1969. They are in the process of bargaining. Such increases will probably be brought before the Congress. We must recall that there is no authorization at this point, and that there will be a need for additional revenue to finance any such increases that come forward.

I am trying in all candor to bring that to your attention in the early period of these hearings.

Senator INOUYE. Mr. Mayor, if such request should be made of the Congress for authorization and additional revenue, where will the revenue come from?

Mayor WASHINGTON. Mr. Chairman, I am not prepared at this moment to identify the sources. We know that it will probably have to come from the obvious area of taxation. I do not look at the Federal payment at this point. As we move along and as the plan matures, we would be more pleased to present to you our views. We know the raises

are going to have to be financed, and our problem at the moment is that we do not know the size of the financing requirement.

Senator INOUYE. What is the outside possibility?

Mayor WASHINGTON. I cannot give you an outside possibility. We could possibly come close to the requirement for police officers and firemen; but my office has not entered into negotiations with the teachers. The School Board has started negotiations, however. I just do not even have a ballpark figure on the requirement for teachers at this point.

Senator INOUYE. Please proceed.

CAPITAL FUNDS

Mayor WASHINGTON. Our capital funds request is within the ceiling suggested by Congress last year.

The operating requests are $68 million above total 1972 requests, an increase of 10 percent. These higher costs are due largely to higher personnel costs and other mandatory charges including expected increases in the welfare caseload and medicaid costs.

AUSTERITY MEASURES

We were successful in holding the cost rise to 10 percent of operating amounts by applying a number of austerity measures to control hiring and other expenditures. Approximately 1,900 positions have been abolished in the two phases of our austerity program. All departments have been called upon to absorb 15 percent of recently authorized employee pay increases and of almost all cost increases for equipment and supplies due to inflation.

Mr. Chairman, I submit to you that this has not been an easy task; but we have tried very hard with what you refer to as discipline, to achieve it for the most part.

One byproduct of our program of welfare reform that was announced earlier this year is a proposed $1 million reduction in projected welfare costs. We expect to save that sum through more efficient operations and by removing ineligibles from the rolls. Only by doing so can we make sure that available resources go to those who need and deserve assistance.

To help able assistance recipients become financially independent, we have hope to provide them with job-training and job-finding services.

For those who remain on the rolls, I again ask that we increase the level of assistance from the present inadequate 75 percent of February 1970 cost levels to 85 percent, an adjustment that will cost $3.9 million in fiscal 1973.

EXPANSION OF COURT SYSTEM

We are also asking funds to expand the city court system in accordance with the 1970 Court Reform and Criminal Procedure Act.

If we are to continue our momentum in the widely acclaimed narcotics treatment program, we must have new funds to replace expiring Federal grants. This is certainly no time to cut back the city's ability to treat the serious problem of drug addiction.

Our request includes 16 new positions to strengthen the role of the newly approved Office of Consumer Affairs in the Department of Economic Development.

About $900,000 is requested to finance special city services in support of the 1973 Presidential Inaugural.

There is one problem, Mr. Chairman, that has been a matter of grave concern to me since the beginning of this reorganized government—and that is the need of the corrections system. This budget provides additional funding. Along with the supplement request that is now before you, we provide for corrections staff, services and facilities.

The condition of the District Jail, which was built to house 600 inmates and now houses 1,200 or more, is central to my concern. For many years, the need to build a modern detention facility to replace the jail has been identified as a top priority matter. The District Crime Commission labeled the jail as grossly inadequate as far back as 1966. Ever since I have been in Office and have come to understand this problem in its many dimensions, I have called attention to this problem with some priority. The Bureau of Prisons task force that I requested called attention to the jail's severe shortcomings in 1969.

It was not until 1970, when $450,000 in planning money was provided, that work on a new detention facility got underway in earnest. Initial construction money was provided in the fiscal 1972 budget. With continued funding the new structure adjacent to D.C. General Hospital should be completed by 1974.

EFFORTS TO DEAL WITH GROWING INMATE POPULATION

The city corrections department has been in the forefront of national efforts to find sensible ways to deal with growing inmate populations. It has turned to half-way houses, to inmate narcotics treatment programs, and to special educational and employment programs. Our goal has been twofold—to provide an atmosphere where rehabilitation may occur and to relieve overcrowding, which has reached dangerous levels.

As we increase the crime-fighting effectiveness of the police department and as we step up the capability of the courts, we add to the burden on the corrections department.

Corrections is at the end of the line and is often invisible. Yet, it has a crucial part to play, not only in fighting crime but also in restoring human lives.

Mr. Chairman, I took a little more time to explain this because I think it is a matter that you have expressed concern about. It should be the subject of very careful analysis during our budget period. I am hopeful that we can provide additional support for corrections. We have added 2,000 policemen; we have added 17 judges to the courts; we have increased our prosecution; we are about to add seven more judges. We now have to insure that the corrections element of our total criminal justice system is as operative as the other levels in order to make permanent and lasting impacts on the total crime problem in the city.

I know that it will get your full attention.

Last December, when the Appropriations Committee reported out the current budget, you pointed out that one of the problems besetting this city government is the voteless character of its citizens.

Undeniably, a democratically elected total government is likely to be more responsive to the citizens and hence more effective. This is in the nature of things. But the District of Columbia government is a government of limited powers. From time to time I find out how limited in power I am. Of course, you are attempting to correct that situation, and I am grateful. What we are saying now is that we do not have jurisdiction over all of the municipal functions; there is no government formally accountable to a local electorate.

PRESENT MAYOR-COUNCIL GOVERNMENT

The government that was superseded 4 years ago by the present Mayor-Council arrangement was one that was divided three ways at the top. Nominally reporting to it was a collection of semiautonomous departments and agencies, each with its own special constituency.

Our task was to weld these departments and agencies into a single government with a unified program and with the entire citizenry as its constituency. That was the intention of the Reorganization Act No. 3 of 1967, which created the present government.

It is now time to strengthen further the central administration of this government, not only for tomorrow when we will achieve home rule, but also for the needs of today.

I think many of us have forgotten this little bit of history, and I recount it today because I say that this is a crucial year in this thrust toward self-government.

ONE GOVERNMENT CONCEPT

My commitment is clear. Recently, in departments and staff meetings—and I say this to you publicly—I stressed that this city has only one government, one Mayor, one executive office, and one City Council. Separate departmental and agency policies and special bureaucratic privileges can no longer be afforded or tolerated, if they ever could. Mr. Chairman, I mean that.

The little Hoover Commission, which will soon file its report, has arrived at the right time—the time to remove any remaining archaic procedures and outmoded practices of the previous fragmented government. Its report will get attention at the highest levels of this city administration. I expect to be back before you with proposals to carry out its recommendations. I intend to take personal charge of this effort, so vital do I regard it.

Meanwhile, we have received important assistance from the General Accounting Office, which has approved the city's statement of accounting principles and standards, permitting the city to go ahead with the design of a system that will give the Executive Office the timely information that it needs for effective management and control.

In approving our statement, Comptroller General Elmer Staats pointed to the fact that the statement does not necessarily govern the internal accounting systems of the numerous agencies, boards, and commissions still not under the administrative direction of the Mayor's Office. At this point, I would like to present Mr. Staats' letter to me for inclusion in the record, Mr. Chairman.

I believe you may have received this. I think it is attached to my statement. You will note a matter that I refer to in the first full para-

graph of the second page of the Comptroller General's statement, and he is pointing out:

INTERNAL ACCOUNTING SYSTEMS

Even though the internal accounting systems of agencies, boards, and commissions not under your administrative direction are not specifically covered by this statement, we intend to permit such organizations to adopt your principles and standards relative to their internal accounting operations rather than to require them to submit separate statements of accounting principles and standards to our office for review and approval.

This may be well for now as an interim measure. I have spoken with the representatives of GAO, and they seem to feel that this will hold the matter for the present. But I must say to you, Mr. Chairman, upon your request, I am also reviewing the District of Columbia Code language to determine whether there is a need for further clarifying language or further legislation with respect to this entire matter of control of subsystems within the total system. And we will have a report for you on that matter before too long.

We are working in conjunction with GAO. As you remember, you raised that point with me.

(The letter follows:)

February 18, 1972

Dear Mr. Washington:

We have reviewed the statement of accounting principles and standards for the District of Columbia Government that was submitted for our approval by the Deputy Mayor-Commissioner on December 23, 1971. During the review, our respective staffs agreed upon certain changes which the Deputy Mayor-Commissioner incorporated into the statement by letter dated January 10, 1972.

On the basis of our review, we approve the principles and standards contained in title 2 of your statement as being in conformity in all material respects with the accounting principles and standards prescribed by this Office. Our approval of this statement indicates that we have reached agreement with you and your staff on the basic accounting principles and standards which are to govern the efforts of the District as it now proceeds with the development of accounting systems to meet legislative requirements and the needs of management.

The statement has been prepared in rather broad terms. As you undertake to design accounting systems for application to the numerous and diverse activities of the District, there will be a need to state many of the principles, standards and policies in more definitive terms. Our staffs have agreed that this information will be developed and submitted for our review and approval early in the development of the design of each accounting system or major subsystem.

Your statement contemplates that certain revenues of the District Government, including income and sales taxes, will be accounted for on a cash-receipts basis rather than on the accrual basis. Although the maintenance of accounts on the accrual basis is a basic requirement for our approval, we are allowing an exception to this requirement for these taxes. We are making this allowance because accrual of these taxes is not currently required by the Municipal Finance Officers Association and because the state-of-the-art in accruing taxes makes it very difficult to arrive at the amount of such accruals with reasonable accuracy. This allowance is also made with

the understanding that further consideration will be given during your design of the systems to the practicality and usefulness of accruing these revenues.

It is our understanding that the approved principles and standards will be formally promulgated for the guidance of employees responsible for designing and operating all accounting systems in the District Government. Even though the internal accounting systems of agencies, boards, and commissions not under your administrative direction are not specifically covered by this statement, we intend to permit such organizations to adopt your principles and standards relative to their internal accounting operations rather than to require them to submit separate statements of accounting principles and standards to our Office for review and approval. They will, of course, be required to provide the additional specific information referred to previously during the design of their systems.

Your accounting principles and standards will require revision from time to time, to incorporate changes in our prescribed principles and standards and to maintain the statement as a current, complete, and accurate expression of the District Government's accounting policy. These revisions should be discussed with representatives of this Office before they are formally promulgated to determine whether they require our approval.

We hope that approval of this statement of accounting principles and standards marks the beginning of a concerted effort to improve accounting operations in the District Government. We strongly recommend that high priority be given to the next phase of accounting system development--the preparation of system designs--that will meet the requirements for approval by this Office. Our representatives will continue to cooperate with your staff as needed during this very important phase of accounting system development.

Sincerely yours,

Comptroller General
of the United States

CENTRALIZED CONTROL

Mayor WASHINGTON. Mr. Chairman, more centralized control is indeed desirable not only for accounting, but also for overall governmental administration. It is my hope that this year, with the support of this committee, we will be able to take significant steps to add to the ability of the Executive Office to give overall direction to this government.

There are some measures that can be taken under existing administrative authority; and wherever that is the case, they are being taken.

For instance, we have pulled together in one Department of Environmental Services our programs to control air and water pollution and to manage solid waste disposal. Previously, as you know, the Department of Human Resources and the Department of Economic Development were created so that related functions could be administered together under strong leadership. Our service area system is working on the delivery of coordinated government services at the neighborhood level.

Funds have been requested in the budget to strengthen the city's central planning capability. Following the lead of this committee, we are moving to enlarge the scope of the city's public affairs office. Steps being taken to provide a stronger and more centralized purchasing system for the city will be outlined by Director Sam Starobin of the Department of General Services when he testifies.

Detailed presentations will be made by city department heads and other officials, who will fill in the basic framework that I have outlined. We will, of course, furnish any additional information that is required as this budget goes forward.

I have described this budget as one of necessary consolidations, but also as one of opportunity.

It is, in my opinion, an austerity budget, but one that recognizes human needs.

It is a budget of strictly imposed departmental spending ceilings, but also one that would improve the quality of life in our city.

SIGNIFICANT YEAR FOR THE CITY

Mr. Chairman, I feel this is a truly significant year in the history of this city. Before us is the opportunity to unify this government, to insure that our programs reinforce and complement each other, and to strengthen the processes of our government to make it more responsive to the needs of our citizens.

So, as I conclude, I do so with a look into the future. I invite you and this committee to look into the future with me just briefly, to that day when our just demands for self-government and national representation will be granted.

I invite you to look into the future to see the results of the strong partnership being forged between the city and the National Government to design the future Washington. I have already commented on that partnership in relation to the bicentennial program.

I invite you to look into the future to see the whole metropolitan area realize its full potential as we strengthen the partnership between the city and the suburbs.

I see and I note your great concern about that because of your relentless fight to see that Metro was placed in a position to continue.

I see ahead a vision of a great Capital worthy of the name, and a city worthy of its people.

They, the people of this city, are why all of us are here. It is our task to serve them. I point out to you, Mr. Chairman, that we have no interlopers in this city. They are citizens. It is their vision as well as ours. We must not fail, and we will not fail if we work together. That, Mr. Chairman, is the opportunity in this budget and our opportunity. I am most thankful to you and to Senator Hatfield for patiently listening to my statement. I have been referred to as a perennial optimist. I still have optimism that this city will take its rightful place among cities of the world, if not become the greatest city in the world.

Senator INOUYE. Mr. Mayor, I pray that some day your vision will become a reality, sir.

Mayor WASHINGTON. Thank you.

Senator INOUYE. Thank you very much for your statement this morning.

ANTI-DEFICIENCY ACT

Mr. Mayor, you will recall that on February 7, when you appeared here, I asked if you or anyone on your staff could state positively and unequivocably that neither the letter nor the spirit of the Anti-Deficiency Act was violated by your government in fiscal 1971.

The record indicates you stated:

I am not sure that anyone can at this point. This is the belief my accountants have given me. And what I have said is go back in there and make sure.

I believe you have had an opportunity to review this matter now. What do your accountants tell you and what is your considered opinion of the District's compliance with the Anti-Deficiency Act in fiscal year 1971?

Mayor WASHINGTON. I feel I am on far firmer ground now than I was when I appeared before you. I would like Mr. Coppie to speak to this point in some detail. We have discussed it even as late as the first of last week.

Mr. COPPIE. Mr. Chairman, we have carefully examined the 1971 accounts. The most recent review was as of February 29, 1972, when we reviewed the accounts in relationship to possible deficit, unobligated balances.

We do find that in no case is there a red balance or a deficit in an appropriation made by the Congress. However, in some agencies there are red balances or deficit marks. One of the most significant is for the Metropolitan Police Department, which is showing a red balance in excess of $1 million.

SPENDING ASSOCIATED WITH MAY DAY DEMONSTRATIONS

The reason for that red balance is the spending associated with the May Day demonstrations in the Spring of 1971. The spending that was associated with that demonstration was documented to the committee in a communication subsequent to the May Day. The deficit figure in the Police Department's balance can be covered by the total appropriation for public safety in the 1971 fiscal year.

Another example of a deficit balance is for the Board of Elections. The Board of Elections did receive a supplemental appropriation for

the 1971 fiscal year that was less than what the District government had proposed as being indispensable to finance the cost of elections in the 1971 fiscal year. Those elections, of course, had to be held in accordance with public law. The amount required beyond the appropriations for the Board of Elections in 1971 was just under $100,000.

1971 APPROPRIATIONS

Mr. Chairman, beyond identifying examples such as this, I have stated that the appropriations are in the black in all instances for the 1971 fiscal year. I also want to say, in total candor to this committee, that we are not satisfied that the city's financial management is all that it should be. I think the Mayor has made that point perfectly clear in his testimony here this morning, and in previous testimony, as indeed the Government has made it clear in communications to the committee and to the committee's staff. We are committed to a program of financial management reform in the District of Columbia. We are committed to clarifying the Anti-Deficiency Act in relationship to the execution of our budget, and I believe we are moving properly to do just that.

But in terms of the 1971 fiscal year, all appropriations are in the black. There are some deficit balances in some accounts, which we feel can be justified in light of the uniqueness surrounding those particular agencies' operations in the 1971 fiscal year.

OPINION OF COMPTROLLER GENERALS

Senator INOUYE. Mr. Mayor, in an effort to reach an independent conclusion on this matter, the following day, February 8, I called upon the Comptroller General for his opinion which was provided in a letter which I received yesterday. I will ask the secretary to give you a copy of this letter.

This letter will be made a part of the record at this point.

(The letter follows:)

COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

March 13, 1972

Dear Mr. Chairman:

In your letter dated February 8, 1972, you asked to be advised whether or not the District of Columbia was in violation of the Anti-Deficiency Act in connection with its fiscal year 1971 appropriations or allotments.

The Anti-Deficiency Act (31 U.S.C. 665) was enacted in response to a need in the Federal Government for effective control over the use of appropriated funds to prevent obligations in excess of appropriations and the consequent need for supplemental appropriations. The D.C. Code (47 D.C. Code 105) states that appropriations of the District of Columbia are subject to the provisions of the Anti-Deficiency Act.

The act contains various provisions concerning the apportionment and obligation of appropriations and prescribes penalties and procedures to be followed when these provisions have been violated. In regard to the apportionment of funds, the act provides that any appropriation available to the District of Columbia shall be apportioned or reapportioned in writing by the officer having administrative control of such appropriation. District officials informed us that this officer in the District would be the Commissioner.

The Commissioner has delegated the authority for the making of apportionments of appropriations or changes therein, and the establishment of budgetary and administrative reserves to the Budget Office (now the Office of Budget and Program Analysis).

The act provides for an administrative division of the apportioned funds. In this connection section 665(g) of the act states:

> "Any appropriation which is apportioned or reapportioned pursuant to this section may be divided and subdivided administratively within the limits of such apportionments or reapportionments. The officer having administrative control of any such appropriation available to the legislative branch, the judiciary, or to the District of Columbia * * * shall prescribe by regulation, a system of administrative control (not inconsistent with any accounting procedures prescribed by or pursuant to law) which shall be designed to (A) restrict obligations or expenditures against each appropriation to the amount of apportionments or reapportionments made for each such appropriation, and (B) enable such officer or agency head to fix responsibility for the creation of any obligation or the making of any expenditure in excess of an apportionment or reapportionment * * *."

The prohibitory provisions of the act stipulate that expenditures or obligations cannot exceed either the amounts appropriated or the amounts thereof apportioned or reapportioned. Further, the act prohibits the obligation or expenditure of funds in excess of the amounts

(allotments within apportionments) permitted by the regulations issued pursuant to the above quoted provision.

The act sets forth the penalties for violation of the prohibitory provisions and prescribes that, for the District of Columbia, the Commissioner shall immediately report all such violations to the President and the Congress, together with a statement of the action taken thereon. The District has not issued regulations to implement section 665(g) of the act.

Although the required regulations have not been issued, the District Budget Officer, acting for the Commissioner, approves apportionment schedules for each appropriation for operating expenses. For example, the annual appropriation act for the District contains a total amount for education. The District Budget Officer approves apportionments of this appropriation to four operating units--the Superintendent of Public Schools, the President of Federal City College, the President of D.C. Teachers College, and the President of Washington Technical Institute. While the recipient of each apportionment (and in some cases the District Budget Officer) makes allotments of funds to programs and/or activities, we did not consider these allotments as being under the provisions of the Anti-Deficiency Act since in the absence of regulations, allotments are not covered by the act.

In order to ascertain whether the District was in violation of the Anti-Deficiency Act for its fiscal year 1971 appropriations, we compared the obligations shown in the District's financial statement for fiscal year 1971 with the cumulative apportionments and reapportionments for each operating expense appropriation for that fiscal year. As agreed with your office, we did not examine into the support for, or the reliability of, the obligated amounts shown in the financial statements.

This comparison showed that the total obligations charged against each appropriation had not exceeded the total amount of the appropriation, but that in 18 instances (see enclosure) the obligations exceeded the amount of the cumulative individual apportionments of a particular appropriation to operating units. In our opinion these 18 instances would each constitute a violation of the Anti-Deficiency Act. The District has not reported any of these violations under the act.

While District officials have not reviewed the contents of this letter, they have been advised of the requirement in the Anti-Deficiency Act for regulations setting forth the procedures for administrative control of funds.

Sincerely yours,

Comptroller General
of the United States

INSTANCES WHERE OBLIGATIONS EXCEEDED THE AMOUNTS APPORTIONED TO DISTRICT AGENCIES

FISCAL YEAR 1971 APPROPRIATIONS

Agency	Apportionment	Net Obligations	Obligations in excess of apportionment
D.C. City Council	$ 485,200	$ 489,112	$ 3,912
Department of General Services	13,093,905	13,242,554	148,649
Board of Parole	296,500	322,415	25,915
Board of Appeals and Review	57,500	60,778	3,278
Human Relations Commission	492,985	495,369	2,384[A]
Board of Elections	353,500	420,082	66,582
Youth Development Service	0	69,380	69,380
D.C. Public Schools	139,763,513	139,958,108	194,595
D.C. Teachers College	2,966,803	3,217,137	250,334
Office of Director Human Resources	1,591,421[B]	1,731,868	140,447
Narcotics Treatment Administration	2,001,300[B]	2,598,459	597,159
Health Services	18,597,644[B]	19,560,355	962,711
Social Services	72,145,796[B]	73,256,413	1,110,617[A]
Vocational Rehabilitation Administration	1,007,842[B]	1,013,758	5,916[A]
Juvenile Court	2,234,031	2,302,847	68,816
D.C. Bail Agency	352,535	389,771	37,236
Metropolitan Police	89,562,323	90,995,215	1,432,892
Department of Corrections	21,042,122	21,098,607	56,485[A]

[A] Amounts held in reserve by the D.C. Budget Officer exceeded these figures.

[B] These amounts are based on apportionment and reapportionment schedules that were made available to us. However, the District Budget Officer informed us that he considered these to be allotments of the total amount apportioned to the Department of Human Resources. Total obligations for the Department of Human Resources did not exceed the total apportionment (appropriation for Human Resources).

POSSIBLE VIOLATION OF ANTI-DEFICIENCY ACT

Senator INOUYE. I would like to read a few pertinent paragraphs from this statement. This is the letter from Mr. Staats:

> The act sets forth the penalties for violation of the prohibitory provisions and prescribes that, for the District of Columbia, the Commissioner shall immediately report all such violations to the President and the Congress, together with a statement of the action taken thereon. The District has not issued regulations to implement section 665(g) of the act.
>
> Although the required regulations have not been issued, the District Budget Officer, acting for the Commissioner, approves apportionment schedules for each appropriation for operating expenses.
>
> In order to ascertain whether the District was in violation of the Anti-Deficiency Act for its fiscal year 1971 appropriations, we compared the obligations shown in the District's financial statement for fiscal year 1971 with the cumulative apportionments and reapportionments for each operating expense appropriation for that fiscal year.
>
> This comparison shows that the total obligation charged against each appropriation had not exceeded the total amount of the appropriation, but that in 18 instances the obligations exceeded the amount of the cumulative individual apportionments of a particular appropriation to operating units. In our opinion these 18 instances would each constitute a violation of the Anti-Deficiency Act. The District has not reported any of these violations under the act.

CASES OF EXCEEDED APPORTIONMENTS

If you look at the enclosure on instances where obligations exceeded the amounts apportioned to District agencies, for fiscal year 1971:

D.C. City Council, the obligation is in excess of apportionment $3,912; Department of General Services, obligation in excess of apportionment $148,649; the Board of Parole, the excess was $25,915; Board of Appeals and Review, the excess was $3,278; the Human Relations Commission, the excess was $2,384; Board of Elections, the excess was $66,582; Youth Development Service, $69,380; Public Schools, $194,595; D.C. Teachers College, the excess was $250,334; the Office of Director of Human Resources, $140,447; Narcotics Treatment Administration, $597,159; Health Services, $962,711; the Social Services, $1,110,617; Vocational Rehabilitation Administration, the excess was $5,916; the Juvenile Court, $68,816; the excess for the D.C. Bail Agency was $37,236; Metropolitan Police, the excess of apportionment was $1,432,892; and the Department of Corrections, the excess was $56,485.

That is a substantial amount. It will total out to $5,177,308.

And under the provisions of the Anti-Deficiency Act, Mr. Mayor, you are supposed to report to the Congress and the President. It did not take the Comptroller too long to come up with these figures and I am just wondering why it has taken your staff so long to come up with the few figures that you have presented this morning.

Mayor WASHINGTON. I think we have come up with them. Of course, I do not want to react to the report of GAO at this time. I have just now received their figures. Mr. Coppie may want to react, Mr. Chairman.

These cases are something we should look into. We have touched on several examples that you refer to. There have been, as I understand from Mr. Coppie, serious discussions with GAO. We may have provided them the figures, I am not sure.

Senator INOUYE. Mr. Mayor, I would have presented these figures to you earlier, but I should tell you we received the letter at 7 o'clock last night. So we did not have an opportunity.

Mayor WASHINGTON. The point is, I do not wish to react to them now, unless Mr. Coppie has a staff report personally, because I have not seen them.

Senator INOUYE. I wanted to point out that there is a section in the Anti-Deficiency Act and I believe that the Mayor and the budget officer should be made aware of this, because I would not do it but somebody might—

It says here:

> In addition to any penalty or liability under other law, any officer or employee of the United States who shall violate subsections A, B or H, of this section shall be subjected to appropriate administrative discipline, including when circumstances warrant, suspension from duty without pay or removal from office. And any officer or employee of the United States who shall knowingly or willingly violate sections A, B or H of this section shall, upon conviction, be fined not more than $5,000 or imprisoned for more than 2 years or both.

And the sections that the Comptroller General has been addressing himself to in this letter are A, B and H. So I thought I should point this out to you, Mr. Mayor.

This involves a rather serious charge.

DETAILED ANALYSIS TO BE PREPARED

Mr. COPPIE. Mr. Chairman, I believe we are well aware of that. We would like to provide a detailed analysis of each obligation in excess of apportionment that the Comptroller General has addressed in his communication to you.

I believe it is significant to point out at this time, however, that we do receive seven appropriations for the District Government in the operating area. One of those appropriations is for Human Resources, for the Department of Human Resources. I think you will note in the enclosure to the Comptroller General's letter that he has identified five areas as obligations in excess of apportionments belonging directly to the Department of Human Resources, beginning with the Office of the Director of Human Resources.

My point here, Mr. Chairman, is that we received the appropriation for Human Resources, and the funds are apportioned to the Department. It would only be the Department that could be in violation, not the subunits of the Department.

I would question the validity of five examples on the enclosure to the Comptroller General's letter.

(The analysis appears on p. 663.)

Mr. COPPIE. And I might say, Mr. Chairman, the appropriation for the Department of Human Resources for the 1971 fiscal year is in the black, according to our most recent analysis.

SENATE APPROVAL ON LINE ITEMS

Senator INOUYE. Although it is not the desire of the Chair to act upon the budgetary request on a line item basis, we have been doing this. So, to a great extent, the apportionment has already been made by the Congress of the United States in the legislative history of the

act of the appropriations bill. and in the bill itself. The Comptroller General is just pointing out that the District of Columbia Government has failed to live up to the apportionments prescribed in the Appropriations Act.

As you are well aware, we do not come out and say, "Oh, the department of schools, x number of dollars." We leave it up to you. We have made our own apportionment within the District itself. The Comptroller General is suggesting that these apportionment restrictions which have been set forth by Congress have not been complied with, which would be a violation of the Anti-Deficiency Act.

Mr. COPPIE. The other area I would speak to, Mr. Chairman, since it does represent the largest single obligation in excess of apportionment, is the Metropolitan Police Department.

I believe we have carefully and appropriately documented to this committee the costs associated with the May Day demonstrations during the May–June period of 1971. While there may have been a technical violation of the Anti-Deficiency Act, I would suggest the far greater consideration for the District government during this period and particularly, for the Mayor during this period, was the emergency surrounding the May Day demonstrations and the need to meet those demands. A report concerning the cost associated with the demonstrations was submitted to this committee. It was also submitted to the Federal Office of Management and Budget.

So that the police department obligation in excess of the apportionment is one that we would speak to in terms of its accuracy, not in terms of the toal accuracy of the funds, but terms of its being an obligation in excess of apportionment. We feel it was justified in light of the national emergency surrounding this city during May of 1971.

REPORTS TO BE SUBMITTED

Senator INOUYE. If I may, I would like to go to another subject. But before I do, may I request that in compliance with the Anti-Deficiency Act, that your office submit to the President of the United States and to the Congress of the United States a formal report as to deficiencies, if any? I would also like, for the committee files, to receive your response to the letter submitted by the Comptroller General.

Mayor WASHINGTON. Very well.

Senator INOUYE. Mr. Mayor, as you have indicated, I have expressed on several occasions my concern over the District government's implementation of accounting system. Like you, I am pleased that the Comptroller General has approved your statement of accounting principles and standards on February 18.

Now, it appears that you have a job ahead of you to implement the system designed. It has been said it may take anywhere from 2 to 3 years, but you have suggested that you could do it in half the time.

Mayor WASHINGTON. Yes.

Senator INOUYE. In order that this committee may be able to measure your progress in the months ahead, may I request that a report be submitted on a monthly basis, on the first day of each month, as to what has been done, and what has been completed?

Mayor WASHINGTON. I would like, Mr. Chairman, to get the——

Senator INOUYE. I am just trying to assist you in providing discipline for the organization.

Mayor WASHINGTON. Yes. I am providing my own discipline now. Let me look at the matter of providing the report on the first of the month. I am requesting a monthly report, and I would like to use the same report, if possible.

Senator INOUYE. Fine, sir. Just a copy would be sufficient, sir.

Mayor WASHINGTON. Yes.

Senator INOUYE. Mr. Mayor, in our hearing last month, on February 7, I believe, you agreed to supply this committee with language needed for legislation that will require all agencies serviced by the Central Accounting System to follow one standardized accounting system. I am certain you recall that, sir?

Mayor WASHINGTON. Yes. I refer to that in my statement.

PROPOSED LEGISLATION

Senator INOUYE. When do you plan to submit the proposed legislation?

Mayor WASHINGTON. As you recall, you suggested that we confer with GAO on the matter of language. We have done so. The GAO staff was anxious to reach approval on the District government's standards and principles, which you just referred to. In the meantime, we have gone to the code. The history of the code on this matter, I might say, is rather interesting. Our Corporation Counsel and legislative unit are in the process of analyzing the code provisions to see what actually is needed.

As I indicated, in some cases we need clarification, particularly where the Central Government and the agency are both given responsibility. In some other areas, legislative language may be required to deal with the situation.

I would suspect in the next 30 days, at least before these hearings are concluded, we would have that material on proposed language before you. I am very anxious to get it.

Senator INOUYE. I am very anxious, also, Mr. Mayor, and very concerned. Because our study indicates there are several agencies which are presently exempted.

Just for the record, I would like to list them off to you. The Apprenticeship Council, the Armory Board, the Bail Agency, the Board of Elections, the Board of Zoning Adjustment, District of Columbia Commission on Judicial Disabilities and Tenure, District of Columbia Council, District of Columbia Court of Appeals, District of Columbia Teachers College, Federal City College, District of Columbia National Guard, Public Library, public school system, Public Service Commission, Superior Court of the District of Columbia, Washington Technical Institute.

This is quite a bit.

Mayor WASHINGTON. Yes. You left out the Zoning Commission, which is in the same list.

Senator INOUYE. I think I put in the Board of Zoning Adjustment.

Mayor WASHINGTON. But the Zoning Commission——

Senator INOUYE. And the Zoning Commission, I am sorry.

Mayor WASHINGTON. It is a matter of our mutual concern, Mr. Chairman. That is what I spoke to at the earlier session. These areas

are outside my administrative direction; yet I have been held responsible for them. The Comptroller General's letter approving the accounting principles indicated that, although these agencies were outside, GAO would seek to get them to conform to the approved standards. In the meantime we will go forward to develop the required legislative language. I have been personally in touch with GAO on this matter.

RESISTANCE WITHIN CITY BUREAUCRACY

Senator INOUYE. Have you found any resistance within the city bureaucracy, especially among the existing agencies, in implementing their systems in accordance with that approved by the GAO?

Mayor WASHINGTON. I cannot say it is resistance at this point. I would not identify it that way. I think there is some concern as to whether or not some of these agencies can meet the principles and standards that have been approved in a timely way. Many other systems must be recast to conform with the basic central system.

I would not call that resistance, or necessarily reluctance. I think that a great deal is going to have to be done, however. But it will be done.

Senator INOUYE. All right. I am not an accountant, sir. My inquiry may not be proper, but I for one cannot see how it would take any agency of your government 3 years to set up a new accounting system.

Mayor WASHINGTON. Nor can I, Mr. Chairman.

Senator INOUYE. At one time, I did some law practice and did some corporate practice and corporations were required to change their accounting systems and they generally did that in less than 6 months. They were major organizations. I find it difficult for, say, the Zoning Commission, or the——

Mayor WASHINGTON. School system.

Senator INOUYE (continuing). The Bail Agency, or the Armory Board, or the District of Columbia court of appeals, taking that long to set up a new system.

JURISDICTION OVER THE COURTS

Mayor WASHINGTON. Mr. Chairman, with the courts, for instance, we have many problems in terms of whether or not we have jurisdiction as the executive branch. It is an old problem there, as you have identified.

Mr. Chairman, we have to be candid. The accounting system problem is symptomatic of a whole series of other problems. Yes, we might be able to improve the accounting system. However, the whole history of the way the government has been permitted to grow over the past generations is part and parcel of the whole problem of control we face today.

You can isolate the accounting system practices you refer to here. You have been careful to point out, even though no one believed the situation before you raised the question, that there are 18 to 20 agencies not under my administrative jurisdiction. Every day in the press I am held responsible for one or more of these agencies.

If you isolate one problem area, the accounting principles, you are only getting the tip of the iceberg. That problem is symptomatic of a much broader difficulty: that is, some forces wanted the government of the District of Columbia to operate in this fragmented way, with-

out central control, without anyone having the ultimate authority, without anyone being able to say exactly who would call the shots. I do not think that this development is happenstance.

This is a difficulty that I would like to take some time to discuss, Mr. Chairman. Congress knows, as well as I do, that that is the way they wanted the District Government to operate, and I think, the Executive Branch, also. That is why these fragmented parts have developed over the years. This is the way the District Government has been permitted to function.

What you know and what I know is that this fragmentation has something to do with our ability to maintain strong central control, or to move forward toward self-government, self-determination or Home Rule. This is a serious constraint, when a Mayor or Commissioner, whatever you want to call him, walks into his office and immediately finds 18 agencies he cannot do anything about.

Senator INOUYE. Mr. Mayor, as you are well aware, in the past year——

Mayor WASHINGTON. I am talking to the wrong person, I know.

Senator INOUYE (continuing). I have been trying to give you that central control.

Mayor WASHINGTON. You absolutely have, and that is why I say it is like the Baptist preacher on the bad day when nobody is in the church. We are talking to the wrong people. You are here, and you are the only one I have to say this to. But you know, your cup truly runneth over with this. I am serious about it, though. I am serious about having to walk through the city and having people say to me, "Where is the Mayor?" When everybody knows that I cannot put my hands on half of this government from time to time.

Senator INOUYE. I agree with you, sir.

Mayor WASHINGTON. You know, it does get to a point where, you know—I still have optimism. It wears thin in this kind of situation.

SUBMISSION OF PERSONNEL INFORMATION

Senator INOUYE. Keep it up, sir.

Mr. Mayor, 3 months ago, the committee requested certain personnel information. There is a memo to Mr. Coppie from Mr. Jordan, dated December 17, for certain personnel information to be in the hands of the committee as soon as possible, after the first of January, but by February 15.

As of yesterday, this information was not received from the Office of Human Rights, Department of Corrections, Public Schools, Federal City College, and Human Resources. As a result, it is impossible to assemble and compute District-wide data and the entire project is of limited usefulness.

Why has this information not been provided?

Mr. COPPIE. Mr. Chairman, as you realize, the greatest part of the information that was requested has been presented to the committee.

Several agencies still have not submitted their information. They were told by my office that the information was to be in my office not later than March 10, 1971. Unfortunately, all information was not made available, and we regret that. I offer no apology for it.

In all cases, with the exception of public schools, it is my understanding that preparation of this performance information is being given top priority and that it will be submitted very shortly.

Senator INOUYE. Well, as a means of encouraging a better response to committee requests, these five delinquent agencies I have referred to will not be heard in their regular order but will be called later whenever the committee can work them in.

Mayor WASHINGTON. There again, Mr. Chairman, four of the five are on the list.

Senator INOUYE. So, I am just trying to provide some muscle for you, sir.

Mayor WASHINGTON. Yes, sir. We are working together. I haven't any problem with you.

Senator INOUYE. Mr. Mayor, are there any problems in this year's budget, for which the District does not have legislative authorization?

Mayor WASHINGTON. None that I know of.

LEGISLATIVE AUTHORITY FOR BUDGET LANGUAGE

Mr. COPPIE. Mr. Chairman, we have been reviewing with your staff director from time to time the legislative authority for the total budget. I believe we have reached an understanding that there are several areas of the budget that do require substantive legislation. I am not sure there is complete agreement on every area, but I believe that there is near agreement on those areas where we do not have sufficient authority.

The District government has proposed legislation in the form of the Administrative Improvements Act. That act did pass the Senate in December of 1971 and is pending in the House of Representatives. We do therefore have substantive legislative authority in the record of the Senate for all provisions for the budget. However, we do not have a final public law for every single item in the budget; therefore, there are some problem areas. We would speak to those candidly and have spoken to them candidly with your staff assistant.

Senator INOUYE. As you have indicated, you have several areas where legislative authority is either lacking or there is some question as to what is needed. If the committee were not to act upon those programs where there is questionable authority, it would result in difficulties. Therefore, we would like to have the city proceed to get legislative authority before this committee acts. In the long run, if we approve appropriations with no legislative authorization, we are asking for big trouble.

Mr. COPPIE. I would want to make it clear, Mr. Chairman, that nothing in the increase proposed for 1973 is without legislative authority. It is in the base operations of the District government that we do have some problems. And, of course, these items are subject to a possible challenge in terms of point of order. But they have stood the scrutiny every single year prior to this year, both in the Senate and in the House.

Senator INOUYE. That may be so, Mr. Coppie, but there is an article in the Star of September 23, 1971, by Mr. Stephen Green, who was then with the Star. He touched upon the programs without authorization. What I am afraid is that it would take just one Senator or one Member of the House to raise a point of order and object to it, and the city would be in deep trouble.

(The article will be inserted in thet record at this point:)

THE EVENING STAR, September 23, 1971

IT TAKES ONE VOICE TO SNOW CITY UNDER

By STEPHEN GREEN
Star Staff Writer

Programs on which the District government already has spent millions of dollars could be killed by only one member of the House or Senate when city appropriation measures come up for floor votes soon.

The tenuous existence of the programs, which range from snow removal to emergency police action, has resulted from an apparent oversight by the city in failing to obtain congressional authorization for them.

Even though appropriation committees of the House and Senate may recommend spending money on a program, any House member, or senator, may rise on the floor to make a point of order that the activities have never been authorized and therefore may not be funded.

Under legislation that gave the city its present form of government, Mayor Walter E. Washington has the power to create departments and agencies without congressional approval.

But he must obtain such approval to institute new programs. Some of the programs never authorized date back to the time when three commissioners appointed by the President governed the city.

Earlier this year, Sen. Sam J. Ervin Jr., D-N.C., privately warned the city he would make a point of order to stop funding unauthorized programs.

As a result, city officials quietly sought friendly congressmen to introduce a single bill that would authorize all the programs. Sen. Adlai Stevenson III, D-Ill., introduced the bill on the Senate side and Rep. Donald M. Fraser, D-Minn., introduced it in the House. No hearings have yet been held.

Among unauthorized programs is any action by the mayor to meet emergency conditions, such as riots and demonstrations.

This means, according to the office of the District Corporation Counsel, that the several-million-dollar expenditure by the city during the Mayday demonstrations was not approved.

Also not authorized is the thousands of dollars spent by the police department each year to pay informers and to make purchases of narcotics needed to obtain evidence against drug pushers.

Snow and ice removal in the city never have been authorized by Congress. Neither have employes of the city summer schools been approved.

Even civic-minded citizens who volunteer their services to aid recreation and welfare programs have a legal cloud over their heads because Congress hasn't authorized volunteerism for the District government, according to Asst. Corporation Counsel William A. Robinson.

Among programs now in effect but also never authorized are activities funded by the $500 to $1,000 personal, confidential accounts of the mayor, City Council chairman, superintendent of schools and presidents of Federal City College, Washington Technical Institute and D.C. Teachers College, according to Robinson.

The funds usually finance such needs as the purchase of liquor for official social functions, despite the fact such activities have never received congressional sanction.

Mr. COPPIE. We understand that, Mr. Chairman.

Senator INOUYE. It is true that up until now, no one has raised his voice.

Mr. COPPIE. I think the record should clearly show that the District has not been insensitive to the problem as, indeed, the Senate has not been insensitive to it. We did propose legislation and that legislation has passed the Senate and is currently pending before the House District Committee.

Mayor WASHINGTON. That was in the first session.

GROWTH IN DEBT SERVICE

Senator INOUYE. Mr. Mayor, you recall the concern which I expressed at last year's hearing about the continuing growth in yearly debt and debt service charges.

The District of Columbia's highly ambitious program of capital improvements will have a tremendous impact on the operating budget in both the immediate and distant future.

I would like to further highlight this problem by quoting from the conference report on the 1972 appropriation bill.

> The District which had no indebtedness in the general fund to 1962 now finds itself with a yearly cost of $23 million in this year's bill for the amortization of existing loans. This amount would increase to some $63 million per year to underwrite the cost of projects approved prior to actions on this year's bill. In addition, a still further increase of $8 million will be required for each $100 million in borrowing required to fund the capital outlay program approved in this and future years.
>
> It is, therefore, strongly recommended that strict Districtwide priorities be established and adhered to in the proposal of future projects and that the entire capital outlay program proposed for fiscal year 1973 be held to no more than $150 million.

The 5-year projections which we requested are partially supplied to the multi-year program and financial plan. Your charts in the capital improvements program section show total debt service costs rising from $28 million for fiscal year 1973 to $113 million in 1978 and to $133 million in 1981. I might add that the chart columns do not seem to be drawn to scale, but that may be to avoid alarming the viewer.

In another chart you project debt service excluding METRO as a percent of revenue rising from 2.4 percent in fiscal year 1973 to 8.5 percent in 1978 and to 11.9 percent in 1983.

This information serves to focus attention on the problem. The implications of this problem for the District's fiscal future are serious indeed.

What do you project the District's revenue from local sources to be in fiscal year 1978?

Mayor WASHINGTON. Do you wish us to react to that?

Let me start first, by saying, Mr. Chairman, I think the single recommendation there was that in 1973, we hold——

PROJECTIONS OF DEBT SERVICE

Senator INOUYE. I ask this question because from your projections, the debt services are going to exceed $100 million. And if your revenue does not rise, and the debt service continues to rise, the programs will

have to be cut back. The question would be, what programs would the Mayor in 1978 propose to cut back?

Mayor WASHINGTON. Well, I want to start by saying that I concede of the committee's recommendation for 1973 as $150 million, and that is precisely where I came out in 1973. Now, you have projected it to a 5-year plan. I thought you were going to give me a gratuity on 1973, Mr. Chairman. I got $150 million in there.

Senator INOUYE. You did very well.

Mayor WASHINGTON. We did not start with that. We complied with the committee's recommendation of 1973. And what we did, realistically, as we were moving into 5-year projections was to go into the community and to get some priorities for Capital projects. I think this is best reflected in what citizens' views were at that point in time. We have projected on a 5-year plan.

But I make a very specific point of the fact that the request now before the Congress and the committee is for $150 million; we have complied with congressional guidelines for 1973. I think we would have to look at the year-by-year projections and come before you to make that allocation. Although, if you wish us to speak on the 5-year projection, we will do so.

Senator INOUYE. I would like to hear that, sir. What sort of revenue projections do you make?

REVENUE PROJECTIONS

Mr. COPPIE. We have developed projections based on the current authorized revenue base. We have not done projections based on new possibilities of revenue for the District of Columbia.

Senator INOUYE. Under the present base, what is the projection for 1978?

Mr. COPPIE. I do not have that figure right in front of me, Mr. Chairman. I would say that, on the bases of a straight line projection of the current appropriation for 1972, and projecting that through 1978 in relationship to revenue growth, we are showing a substantial deficiency situation. However, that projection precludes consideration of a great many different factors. It precludes examination, for example, of the economic development of the city; the impact, for example, of what Metro will mean to the economic development of the city.

Perhaps more important is what we have not been able to measure—that is, what are the cost-benefit factors of an expanded capital improvement program. You have pointed out in your statement that we had no debt before 1962 in the general fund. An analysis of our debt situation to finance our capital program, in comparison with the situation in other cities in the United States, does show that the District's debt requirements are relatively low now and are projected at a relatively low level in the years ahead. Nevertheless, the need for capital improvements for this city are very, very great.

We can only speculate what the cost-benefit factors will be in terms of the economic development of this city. We know that the cost-benefit payoff is going to be very substantial in certain areas, such as Metro. I think that it is difficult to say what the revenue situation is going to be in 1978, because we have not been able to measure fully what the

impact of a capital program, for example, will be on the economy of the city.

Senator INOUYE. It may be well if you made such a projection because there are factors you can be certain of between now and 1978 in addition to the rise in the debt service cost of somewhat in excess of $75 million. One can almost count upon increased costs of personnel.

DIFFICULTY OF PRODUCING FINANCIAL SITUATION

Mr. COPPIE. Mr. Chairman, as I said, we can do a straight line analysis. What I am also saying is that it is very difficult for this city, or for every city in this Nation, to do a clear financial analysis for a multiyear period, unless it has a better line on what is going to happen, in terms of realining the fiscal structure of the Nation's economy.

For example, if we achieve significant revenue sharing between the Federal Government and the States and the cities during the period of the 1970's, that is going to help our situation and to help the American city considerably. If we achieve national welfare reform through Federal legislation and ultimate public law, that is going to alleviate the financial burden for this city and for every other American city quite considerably.

If that kind of financial realinement does come, we are going to be able to release appropriated funds that we now have to finance other programs. I think it is difficult for us to say that the situation in 1978 is going to be more desperate than it is today. I hope that is not the case. But I think there is going to be some correlation between raising that question and the answer to that question, between what happens to the economic development of this city and what the Congress of the United States does to help finance the American city.

According to a straight line financial projection, our situation is difficult. On the other hand, I think all of us in the District government share our Mayor's optimism about the future of the city. We also share the optimism I think is coming from Congress of the United States with regard to financial relief.

Senator INOUYE. It may be well, even if the outcome is dismal, to have you make a projection. I would like to see one. One that is not too iffy, but one that is a bit more realistic. We may, as a result, get on idea as to where we are headed. The way I presently perceive the situation the debt service cost is rising astronomically and the revenue sources are remaining almost static.

(The financial projection follows:)

Projections of Revenues and Expenditures

FY 1974 - 1977

Office of Budget and Program Analysis
District of Columbia Government

The following table summarizes expected D. C. operating costs, including debt service, and estimated local revenues over the fiscal 1974-77 period for all funds. The revenue estimates include the Federal payment but not loans and grants. Loans are not included since they are not used to finance operating costs. To include grants would increase revenues and expenditures by an equal amount. Expenditure estimates are based on continuing existing programs, while revenue estimates are based on past experience. No new programs or revenue sources are assumed.

Expected Revenues and Operating Expenditures

FY 1974-77, All Funds

(Excludes Loans and Grants)

($Millions)

	FY 1974	FY 1975	FY 1976	FY 1977
Revenues*	755.3	781.0	815.4	851.5
Expenditures	791.7	844.1	899.7	932.9
Difference	(36.4)	(63.1)	(84.3)	(81.4)

* Assumes Federal Payment = 40 percent of local General Fund revenues.

Analysis of existing programs should provide a basis for reallocating resources among those programs and may even free some resources to provide new and improved services. However, it is likely that new revenue sources will have to be found to allow for expansion of current services to meet the needs of District residents and to cover higher costs related to inflation. Through such proposals

as welfare reform and revenue sharing, Federal assistance may well be forthcoming to the cities of America, particularly as the nation begins to recognize more fully the critical financial squeeze its cities face. It is nonetheless clear that over the course of the next five years, the financial problems of the District of Columbia will continue to be a major consideration in attempting to meet the needs of its citizens.

These projections are only estimates; as such, they are subject to change from a variety of factors, both controllable and uncontrollable. Nonetheless, the differences between revenues and expenditures strongly indicate that the gap between needs and resources experienced by the District in the past will continue in the future.

Expenditure Estimates

A major assumption underlying the estimates of future expenditures is that present programs will continue with increases only for staffing new facilities, meeting statutory or eligibility requirements, and providing for regular advancement in employee pay within existing pay grades. It is important to note that these estimates do not assume increases related to inflation or to government-wide increases in pay rates. Neither do the estimates reflect any additional expenditures to provide for new programs or services, or even for new personnel necessary to handle greater workload requirements.

The major reasons for the expenditure increases shown in the table are increases in debt service and higher personnel costs associated with within grade raises for District employees.

Revenue Estimates

General Fund long term revenue estimates are based on the experience of the

past five years with emphasis on the past two or three years. Current estimates assume only a moderate increase in the price index and a continuation of the high level of new construction.

All estimates are based on current law. Adjustments have been made where current law provides for future rate changes - - e.g. Inheritance and Estate Tax. The estimates deal with aggregates so that single amounts are not assumed for particular projects (e.g. the proposed Convention Center-Sports Arena, Bicentennial Observances). However, such projects are included to the extent that new construction during the next six years reflects past trends.

Income tax revenues are expected to grow at nearly the same rate of growth experienced during the past half-decade. This rate reflects a somewhat reduced rate of increase of household income countered by the City's new nine individual income tax brackets, which produce more revenue than the previous brackets as income increases. Business income estimates assume an unusually good year in Fiscal Year 1973 and a modest growth throughout the following five years. This type of income in the District has been subject to wide fluctuations including year-to-year losses in the past; these fluctuations are expected to continue into the future.

Sales and use tax revenues are expected to grow at a slightly higher rate than they did in the period of 1968-1970, when very little growth occurred. The rate of growth after Fiscal Year 1975 is higher, reflecting the end of subway construction downtown and the increased retail sales.

Taxes based on consumption expenditures (alcoholic beverages, cigarette, gasoline tax) reflect the almost static rates of growth experienced in the past. Appropriate increases have been made for the Inauguration in January 1973.

BASE CUTS

Senator INOUYE. Mr. Mayor, last year for the first time this committee went into your base to make sizable adjustments both up and down. To what extent have you been able to penetrate your base in coming up with your 1973 budget?

Mayor WASHINGTON. I think I referred to those cuts, Mr. Chairman, in my statement. If you wish me to recall that, I can do so. We can also give you some more detail beyond the statement.

Senator INOUYE. If you will submit that for the record, I would be very pleased, sir.

(The information follows:)

District of Columbia fiscal year 1973 base reductions

Nonrecurring	$4,525.9
Phase II	6,683.8
Increase lapse rate, personnel services	1,529.0
Other:	
Postage	.1
Overtime	35.9
Advertising and maintenance of parking (fringe) lots	14.2
St. Elizabeths	300.0
Other contractural services	44.1
Positions other than permanent, part-time	24.1
Settlement of claims and suits	23.0
Total	13,180.1

REPROGRAMING PLANS

Mayor WASHINGTON. For instance, in describing the financial plan, I pointed out that 1,900 positions have been abolished, which, of course, represent base cuts. I would like to detail the entire impact that has on the base.

Senator INOUYE. I would appreciate that.

Mr. Mayor, I am certain you recall that Mr. Yeldell, your new appointee, stated at last month's hearing that he would soon present plans for reprograming $5.3 million within the Department of Human Resources to maintain the level of payment at 75 percent of 1970 standards.

More than 1 month has passed and we have not yet received your plans. So my question is, once again, where are these funds to come from?

Mayor WASHINGTON. I believe the reprograming is now before the Council. It is my understanding that they approved it yesterday. You should have it promptly, if I am advised correctly.

Mr. COPPIE. That is correct.

Senator INOUYE. Could you just give us a thumb-nail sketch as to the sources of funds for the reprograming?

Mr. COPPIE. It is coming from programs across-the-board in the Department, Mr. Chairman. In the communication you will receive from the Mayor, we will itemize those programs.

The Mayor has made it clear to Mr. Yeldell, and he will make it clear in his communication to you, that while the reprograming is at some sacrifice to some programs in the Department of Human Resources, the Department has been charged to try to maintain as high a

quality of service as possible in those areas from which the funds will be reprogramed.

We have given the public assistance funding requirement the highest priority for reprograming in fiscal year 1972.

That request will be before you this week.

ACTION ON APPROPRIATIONS BILL

Senator INOUYE. I appreciate that.

Mr. Mayor, I am certain you are aware of my commitment to timely action on the appropriations bill for the District of Columbia. There may have been other ways in which we may have been helpful to the government that we have overlooked. One of the purposes of these hearings is to seek solutions to common problems. But it was frustrating, and that is an understatement, to begin hearings in a timely fashion last March and be the last appropriation bill to pass the Congress in December.

Now, you have been here for quite some time. If you know of any other avenues that we could follow to bring about this timely consideration, I would be very happy to hear from you, sir.

Mayor WASHINGTON. Well, I cannot think offhand, Mr. Chairman, of any other source. I think the one great thing that was done was to establish a Federal payment for the 2-year period, which means that we can go forward in the appropriation area.

One of our big problems has been the fact that our revenue has not come forward in a timely fashion over the years. This delay has necessitated our operating on continuing resolution for 5 to 6 months, while you must wait after you have completed your work.

I think you have taken one great step within this system: I think we will have the opportunity this year to gain approval for the city's budget before the next fiscal year begins. You are starting your review in a very timely fashion. I have spoken with the District's office and department heads and have asked them to have their material ready and prepared. I hope that it will be done.

We have had one trial run on the review of the fiscal 1973 budget with the Council. It has gone very well. I have charged, the department heads, to the fullest degree possible, to be prepared to respond, not only to inquiry but also to requests for information. In those areas within my control, I think we have put machinery together that ought to go forward. And with your timely start and consideration, I think we ought to be able to get a budget approved by July 1.

If you want me to go beyond that, I would rather prepare a statement for you than to talk off the cuff. Improving the system would involve some substantial changes in the entire budgetary procedure.

Senator INOUYE. I would appreciate that, sir.

If you have any suggestions, the committee would like to hear from you, sir.

(The information follows:)

Suggestions for Improving the Budgeting Process
District of Columbia Government
Office of Budget and Program Analysis

One of the greatest problems the District Government faces in developing an effective budget process is the complexity of present procedures for gaining approval for revenue and expenditure proposals. The many parties who review the budget, various intervening factors, and the time span over which the budget is formulated and approved make it difficult to plan and allocate resources effectively.

Whether or not the District of Columbia is granted Home Rule, the current budget process should be reviewed to simplify it, to shorten the time span, and to provide greater coordinator among the various participants.

Consideration should be given to making changes within the Congress that would reduce the number of reviewing parties and would consolidate the presentation and review of District fiscal programs. These changes could be made within the existing governmental and legislative framework (i.e., as established by Reorganization Plan No. 3 of 1967 and the requirements of the Federal Budget and Accounting Act).

Considerable time and effort is expended in preparation for hearings by the District's Office of Budget and Program Analysis and by the operating agencies. Closer coordination would also reduce time delays that often result in the City's beginning a fiscal year without an appropriation for that year.

It may be possible to alleviate these problems by restructuring the responsible Congressional committees. For example, there might be created a Committee on District of Columbia Fiscal Affairs in the House of Representatives and in the Senate. This committee would review expenditure and revenue proposals together in each house of the Congress. It would have the ultimate responsibility for recommending a fiscal program for the City to the respective bodies of the Congress. This fiscal program would represent a balance of revenue needs and expenditure levels.

Another alternative is to create a Joint Committee of the Congress on District Fiscal Affairs. This is a more consolidated approach involving joint consideration and action by House and Senate committee members.

Both alternatives would simplify the District Government's budget process, allowing for more efficient financial management of appropriated funds.

If Home Rule were legislated for the District of Columbia, the primary responsibility for appropriations action would reside with the City Council. There would nonetheless remain some Federal and Congressional responsibility, particularly for appropriation of the Federal payment. In this case, consideration might be given to the creation of a joint Congressional committee for the review and recommendation of the Federal payment.

RECOMMENDATIONS OF NELSEN COMMISSION

Mayor WASHINGTON. I know the Nelsen Commission has dealt with this problem. We have been in discussions with the Commission and have made certain recommendations to the staff. They will be coming forward with a few recommendations, which we—this committee and our office—should consider in terms of their effectiveness in speeding the process.

TWO-YEAR AUTHORIZATION FOR FEDERAL PAYMENT

Senator INOUYE. Mr. Mayor, we are now operating under the 2-year authorization for Federal payment. I would assume that when this authorization expires, that the city will be coming forth with another request for at least a 2-year authorization.

Mayor WASHINGTON. At least 2 years.

Senator INOUYE. If not more.

I questioned Mr. Coppie on the projection because of just this matter. If we cannot make a projection and if you are coming up with a 5-year or 2-year authorization, it would be most difficult. At least the city should be prepared to present to this committee and the Congress a projection of your revenue needs for the next 2 years, if you are going to seek a 2-year authorization of Federal payments.

PROJECTION OF CAPITAL IMPROVEMENTS COSTS

Mayor WASHINGTON. I agree with you. The 5-year projection for the capital program was based on a great deal of citizens input. As I noted, it was the year 1974 that went above. I do not know that the benchmark of $150 million for the fiscal 1973 capital improvements program was necessarily suggested for the remaining period.

But as you noted, the projections went to $170 million and then back to $150 million, and down to $101 million in 1978. That does not say anything to about the point you are raising. Realistically, if we are going to a 2- or 3-year authorization for the Federal payment, we ought to look at these projections within that framework to identify our priorities.

One problem is that we are dealing with a great deal of obsolescence particularly in schools. We are also dealing with new thrust like METRO and Blue Plains. It would seem to me to be wise to recast it with the possibility of a 3- or even 5-year period.

That was one of the reasons, Mr. Chairman, I tried to provide a simplistic treatment of the Federal payment. I assumed that we would be going in that direction. Many people misunderstand the role of the Federal payment in terms of the percentages it represents of total resources. The charts we have submitted in another statistical document indicates that we have come from 40 percent of Federal payment down to 20 percent. In 1955, the payment moved below 10 percent.

We must begin to think of a period of time for authorizing the Federal payment that gives us the resource we need to meet requirements over a projected or protracted period.

Senator INOUYE. Thank you very much, sir.

Senator Hatfield?

Senator HATFIELD. Mr. Chairman, I am in a learning role today in that I am here to listen more than to seek because of my newness to this committee. I am delighted to be in association here with the chairman, a longtime friend, and also very happy to see you here this morning, Mr. Mayor.

I feel like I am coming on the committee at a particularly historic time. According to your testimony, on page 4, especially, when you speak to the point that this is the first time in 9 years you are not requesting additional revenue authority from the Congress to balance spending proposals. And the fact you are operating now on a 2-year Federal payment program, both of which I, of course, applaud as great improvements.

I suppose I can only emphasize with you as you refer to 18 agencies within the District of Columbia government which move independently to some degree, or at least less than responsive to your central direction and leadership, by the simple fact, as the chief executive of my State for 8 years, I had 110 boards and commissions which were semiautonomous, operated outside of even certain budgetary control, let alone policy control.

I can only say to you that beginning a program of reorganization and with patience, the problem is being gradually overcome in my State. I am hopeful the same pattern can follow with the report of the little Hoover Commission here in the city.

Mr. Chairman, I am very much aware of the reforms you have brought forth here in the budgeting process. You referred awhile ago to the fact that last year the hearings commenced in March and the final passage of the budget was in December. Yet, I understand the markup program started on April 19. That is just a matter of information.

Perhaps I should ask staff as to what occurred during this procedure or process, which sort of undid all of your early planning and all of your early programing of hearings and markup.

Senator INOUYE. I do not think it undid anything. It was just frustrating, waiting for our turn. In the final analysis, I think the Senate committee was able to come forth with most of the major programs.

Senator HATFIELD. The House moved likewise?

Senator INOUYE. The House had its own views, but in due course you will experience how the differences are resolved.

Senator HATFIELD. Mr. Chairman, as you might suspect, it was sort of a leading question. Just having read the columns in the newspapers and the various reportings, I kept abreast of some of your frustration. I do not know whether I am looking forward to joining your frustration or not, but I certainly want to pledge you my cooperation in every way possible.

Senator INOUYE. I thank you, sir. It is a unique experience.

Senator HATFIELD. As reported in the press, you mean?

Mayor WASHINGTON. You heard him say it, Senator.

Senator INOUYE. Well, I thank you very much, Mr. Mayor.

CITY COUNCIL

STATEMENT OF HON. GILBERT HAHN, JR., CHAIRMAN

ACCOMPANIED BY:
STANLEY J. ANDERSON, COUNCILMAN
JERRY A. MOORE, JR., COUNCILMAN
DAVID SCHWARTZ, SECRETARY
ROBERT MOORE, ASSISTANT SECRETARY

BUDGET REQUEST

Senator INOUYE. Mr. Hahn, once again, welcome.

Our next witness is the Chairman of the City Council, Mr. Gilbert Hahn.

For the record, would you introduce your associates?

Mr. HAHN. Mr. Chairman, Senator Hatfield, I want to introduce, on my right, Councilman Jerry Moore, who is on the Committee on the City Council Budget.

Senator INOUYE. Welcome back, sir.

Mayor WASHINGTON. Mr. Chairman, we have Mr. Coppie with some very beautiful charts we had hoped to describe to you. We are at your disposal.

Senator INOUYE. Could we take a rain check on that particular presentation? I see that we have Mr. Hahn here, and he has been waiting very patiently all morning. I am certain that the Chairman would like to be able to have his Council meeting in the afternoon.

So, Mr. Coppie, if you could be prepared for this afternoon to give us an overall view of the city's finances, I would appreciate it very much.

I thank you very much.

Mr. HAHN. On my left is Councilman Stanley Anderson from the Committee that has charge of the Council personnel; on my far right is Mr. David Schwartz, Secretary to the Council; on my far left, Mr. Robert Moore, who is the Assistant Secretary to the Council.

Thank you very much for your courtesy in hearing us this morning.

Shall I read my statement?

Senator INOUYE. Please do so.

Mr. HAHN. I am pleased to appear on behalf of the budget of the District of Columbia Council for fiscal year 1973. As you know, we on the City Council are now in the process of concluding our own review of the fiscal year 1973 budget request for the District of Columbia. Our report to the Mayor is due next Sunday.

The conduct of our detailed hearings on the Mayor's operating and capital budget requests has brought home even more strongly the fact that the Council has developed in the last 3 years from a largely inactive and ineffective body to one that is now effectively handling the full role of a legislative body for a major city government.

The Council's budget hearings this year have been the most professional ones we have ever held—both from the standpoint of our own preparation and the presentation made by the agencies. The contrast between the level of performance by the agencies at our hearings this year, compared to prior years, is striking. We compliment the Mayor on this performance. It is apparent that we have reached the point where the departments and agencies of the District government realize that the Council will not accept second rate performances.

I might add, parenthetically, Mr. Chairman, I will be surprised, indeed, if you are not impressed by the improved performance of the various Department Heads as they make their presentation to you. They were well prepared, they were documented with what they had to say. And as you may have observed from the lack of news about the matter, questions were made and answered without a lot of confusion, and the answer was given no matter how unpalatable to the Department Head. And we paid, as I said, our compliments to the Mayor for this.

REGULATORY MATTERS

This development in the budget review process is coupled with the Council's willingness and ability to handle regulatory matters dealing with a wide variety of subjects.

Having established with recent favorable decisions of the courts that Congress delegated to the city the full municipal ordinance-making function where not in direct conflict with Federal statute, the Council is able to deal with many matters which formerly required congressional action.

I believe that it is in the interest of Congress that this role of the Council should grow and expand.

Our budget request for 1973 is only for mandatory increases and for the addition of one more secretary. Our total budget request is for $531,900, including this new staff position.

With your permission, Councilman Moore will more fully explain our request for fiscal year 1973.

Senator INOUYE. Councilman Moore?

STATEMENT OF COUNCILMAN MOORE

Mr. MOORE. Mr. Chairman, Senator Hatfield.

I am a member of the City Council Committee responsible for reviewing the Council's own budget. Vice Chairman Sterling Tucker, who is Chairman of the Committee, is out of the country. The budget request which the Council is making for 1973 is $531,900. This represents an increase of $30,000 and one position over our 1972 budget; $26,800 of the increase is for mandatory personnel expenses.

We believe that our present staff organization is an effective one. The Council is divided into nine committees with nine specific substantive areas. Each councilman chairs one of these committees. Aside

from our administrative staff, legal counsel and assistants to the Chairman and Vice Chairman, our professional staff members serve as clerks to one or more of these committees. We are requesting one additional secretarial position in 1972 to handle some of our secretarial overload.

REQUESTED INCREASES FOR CITY COUNCIL

In closing, I would like to summarize the $30,000 increase requested by the Council as follows:

(1) Annualization of classified pay increase of January 1, 1972. This amounts to $16,500.

(2) Within-grade advancements. This aggregates $10,300.

(3) Additional positions, $3,200. This represents one GS–7 position for 4-months' funding.

Thank you, Mr. Chairman.

Mr. HAHN. Mr. Chairman, if there are any questions at this time, we will endeavor to answer them.

Senator INOUYE. I thank you very much, Mr. Chairman.

The request of the operating budget, I must say, appears to be rather reasonable.

Mr. Hahn, if I may, I would like to ask some questions relating to sources of revenue.

Mr. Chairman, yesterday, Mayor Washington transmitted formally his revenue proposal to the Council that calls for an increase in the real estate tax and an increase in water and sewer charges. I am sure you are aware under the present authorized revenue sources, there is a shortage of about $19.5 billion, which will have to be covered by new sources of revenue.

Can you advise this committee as to the action you anticipate the Council taking on the Mayor's proposed revenue package?

Mr. HAHN. Certainly.

PREPARED STATEMENT

At this time, if I may, I have a written statement which I would like to leave with the chairman. I will not read the statement at this time, bu it does give almost all of the answers that I would make to you.

Let me make a few observations.

Senator INOUYE. Without objection, the statement will be made a part of the record at this point, sir.

(The statement follows:)

Mr. Chairman:

The members of the City Council and I are opposed to any increases in the real estate tax this year.

At the beginning of the budget procedures for this year, the Council announced to the Mayor its intention to find alternatives to the real estate tax increases proposed by the Mayor by making budget cuts, reallocating funds and looking to other local taxing proposals.

When the Mayor submitted the 1973 budget to the Council almost a month ago, he committed to me both in writing and personally, that the Council might find alternatives to his 30¢ real estate tax increase.

The budgeting process is not yet complete and will not be complete before the veto and override process which will end in early April.

By the saving of a $1.5 million in the 1972 Supplemental, the Council has already saved the need for 5¢ of the real estate tax increase and it hopes by the budget cuts that are before the Committees now to save anywhere from 10¢ to 20¢ more besides that.

I think it would be well for all of us to wait until the completion of our budgeting processes to fix what, if any, real estate tax increase will be needed.

Councilman Moore and I have set down hearings for March 28th on a parking tax regulation which will tax all-day parking in the City. If these hearings sustain the proposed regulation, two readings of the bill may take place in April and the tax could go into effect the first of May. The Council has the legal power to pass this tax.

I consider that the Council's power over the real estate tax to be a home rule issue and I cannot agree arbitrarily to pass a 30¢ tax just for the sake of passing it. The real estate tax is the most damaging tax to those least able to afford it and should not be resorted to unless everything else fails.

Over the past three years the Mayor has proposed combined real estate tax increases of 80¢ which would have put the real estate tax rate at $3.90. So far the Council has agreed to one 10¢ real estate tax increase.

The equity and utility of taxes on real estate are everywhere being called into question. The President himself has pointed this out and last month the President spoke again of his opposition to continued reliance on real estate tax increases.

It is well to consider just who really pays real estate taxes and who does not.

For example, there are those of us who are fortunate enough to be in that category of income taxpayers who itemize income tax deductions. Since real estate taxes are a deductible item for us, real estate tax increases tend to have little or no impact on us personally. We set off real estate taxes as deductions against Federal and District income taxes.

It is actually people whose incomes are generally below $10,000 a year and who do not itemize their deductions, or who are retired or disabled, or on welfare, who tend to feel the full impact of real estate tax increases.

Further, at our hearings on Phase II rent stabilization programs it was made clear that property tax increases are definitely an item which can be passed on directly to the almost 200,000 tenants in our City. Under the Phase II rent regulations requiring that tax increases be allocated over a twelve-month period, a landlord who does not pass increases along at once begins to lose his right to reimbursement. Consequently, any real estate tax increase that we grant, and we may have to grant it, will immediately raise everybody's rent in the City, probably including the rent of those people who are under FHA rent assistance.

Finally, I should note that under the reassessment efforts of the Department of Finance and Revenue, effective property taxes are going up steadily without any increase in rates, and that real estate tax revenues will have risen in Fiscal 1972 by about $12 million, even without the 30¢ rate increase.

The Council, and I individually, are appreciative of the Mayor's prior commitment to work with us this year to avoid if we can any increase in real estate taxes.

I think you will agree with me that we should not, if we can avoid it, increase the rent of every tenant in the City and increase real estate taxes on those householders least able to afford real estate tax rises.

Mr. HAHN. As the Mayor said, and I join him in it, at the beginning of the budgeting process, he and I reached an understanding that is still viable between us, that during the budgeting process if there were other ways than a 30-cent increase in the real estate tax that would solve our problem we would try to seek them between ourselves.

As you know, we have not finished the budgeting process, which includes the veto and override process.

Now, let me give a few illustrations. Among the possibilities for dealing with this problem are not only other local sources of revenue, and the use of other funds; there is also the strong possibility of budget cuts. We are anticipating, although until the votes are cast, one cannot be sure, returning the Mayor's budget that will have cuts in it. As you indicated yourself, Mr. Chairman, a 2-percent change in the budget, one way or another, might not be unreasonable. That is, for example, $20 million.

Now, for example, in the fiscal 1972 supplemental, which has been already returned to the Mayor, we have cut $1.5 million out of that budget freeing up funds which will be available if that is approved through all of the other stages it has to go through. For example, that would require, as a maximum, a little over a 25-cent increase instead of a 30-cent increase to begin with.

We are looking toward budget cut possibilities that may go anywhere from a further 10- to a further 20-cent decrease. Hopefully, we will come up with a budget that will require no real estate tax increase at all.

Let me add one further item that I think is of some interest and I will come back to the water and sewer in a moment.

As you observed, it struck me that this is the first time in 9 years that the final step between what Congress authorizes and the revenue, may be left to the real estate tax. Interestingly enough, that brings into play two sections of the code which are sections 47–501, I believe, and 47–709. I have a memorandum here for the chairman. The purpose of these sections are that under those circumstances, the Commissioners (the power now being transferred to the Council) are to provide after July 1 for any excess of budget provided by Congress over existing revenues. This, of course, goes back to a time when the real estate tax was the source of revenue in the District of Columbia, other than the Federal payment.

It is, after all, possible because it has happened before that the Congress, itself, could find ways to cut the budget that we did not think of.

Now, my point is, that because of its particular impact on those people who make $10,000 or less, and those people who are on fixed incomes, or disabled and cannot itemize their deductions, and because phase II almost requires a pass-on to tenants in direct increase of their rent if we raise real estate taxes, I and many of us feel that if there is any other way in which we can act, raising the real estate tax is the last thing we ought to do, bearing in mind the entire fiscal health of the city.

ACTION ON REAL ESTATE TAX RATE INCREASE

It is for those reasons that we have not acted yet and would not plan to act in the immediate future on the real estate tax request which the Mayor has put to us.

As to the sewer and water increase, those are somewhat more difficult problems, and I have not briefed in writing for the chairman.

Now, there is no clear-cut way in which the Mayor and the Council can deal with it. Our view would be that it is a matter of discretion as to how to handle the accounting with respect to the needs of an increase in the water tax. Our view would be, as a matter of judgment, although I realize that it is easy to disagree, that the $2.5 million increase requested there is not needed and could be dispensed with.

With respect to the increase in sewer charges, here we find some difficulty with the figures presented to us, which have not been completely explained to our satisfaction. During the fiscal year 1972 projections, the Department projected the revenue from existing rates as being at about $13 million. In the tables we have on fiscal 1973, those projections are at $11 million. We do not understand why this is and although this may be explained by the time we are through with our deliberations, and those deliberations need not be completed by the 19th, it is not necessarily clear whether that full $5 million for the sewer or all of it is going to be needed.

When the Council has a better view as to both of those subjects, we will communicate our view to the Mayor and ultimately that will come to this committee.

Senator INOUYE. Is it your contention, then, that a hike in the real estate tax would affect the poor people more than any other group?

Mr. HAHN. Yes.

COMPARISON OF TAX BUREAUS

Senator INOUYE. Studies indicate that of 25 large cities—cities of comparable size to Washington—this city ranks presently fourth from the bottom as far as realty tax is concerned. We stand about the middle between the States of Maryland and Virginia. I presume that all of these other cities have problems with the poor, maybe to a greater extent than the District.

Is this the only reason you are withholding realty tax?

Mr. HAHN. No, Mr. Chairman, and let me, if I may, respond to the data that you have prefaced your question with.

It is very difficult comparing real estate taxes as between one jurisdiction and another. This is because of differences between assessment rates and one thing and another. But that is not the only difference that is apparent. It is probably true that there are many cities and many States where there is chief reliance, whether this is right or wrong for those jurisdictions, nevertheless, there is a chief reliance upon the real estate tax.

Now, I will present—and I do not have it with me today—for the chairman, a study that was done by the Commerce Clearing House, based on the census data gathered in 1970, and this study came the closest I know with coming up with a true comparison of taxes within jurisdictions. What they did, they took all local taxes, State, county,

and local, excluded all Federal taxes, leaving local dollars and dividing by people.

Now, under those circumstances, what that study came up with was that the District was the fourth highest in the country, exceeded only by New York, California, and Hawaii.

Now, this tells us a good deal about the fact that the mix of taxes here is indeed high. That is an important factor.

Another important factor is that our real estate taxation while it is of some importance, as to what its comparison is with a city in Iowa, or in upstate New York, much more sensitive for my purposes is how does it compare with the rates in suburban Maryland and Virginia. As the chairman has already correctly observed, we stand between slightly higher rates in Maryland and slightly lower rates in Virginia.

Also, as far as I am aware, Mr. Chairman, no other jurisdiction in the metropolitan area except the city of Falls Church, which is planning to go up 10 cents in its real estate taxes is, at the present time, planning a real estate tax increase.

I would also point out one final thing, that we are talking about real estate taxes in an area like the District of Columbia where the biggest part of the people and indeed the biggest part of the poor people are not homeowners, nor are they on farms. There are 200,000 tenants in buildings we know very well. And phase II regulations make it even more direct that what we do when we raise real estate tax rates here is we raise the rents for everyone of those 200,000 tenants in the city. This is quite apart from its effect on those household taxpayers who do not, like some of the rest of us, itemize our deductions.

PER CAPITA INCOME FOR DISTRICT OF COLUMBIA

Senator INOUYE. Well, Mr. Chairman, it is true that the District of Columbia tax burden on a per capita basis ranks the city fourth highest in the Nation. But isn't it also true that from the standpoint of income, on a per capita basis, the city ranks No. 1? And if you analyzed the tax burden as a percentage of income, where would the city rank?

Mr. HAHN. Well, all I can say to that, Senator, is that that may be some comfort to some of us but it is not a comfort to the people with whom I am basically concerned, which is the bulk of our citizens who are in this income category of $10,000 and below. These rates have an unfair impact on them.

Senator INOUYE. I share your concern, Sir. If your concern is that great, and since we have all sorts of programs to lessen the misery of the poor, why not consider a rebate on property taxes for just these poor people?

PROPERTY TAX REBATE

Mr. HAHN. Well, the rebate idea has several parts to it. Part 1 is the idea that it is used in Virginia and other States, which is that senior citizens—those would be particularly people over 65—should get a break on the real estate taxes. I have said I am for this.

Second, if we put such a proposal into effect at this time, which I think it probably not possible, then we are going to have to raise other

revenues. For instance, if we should be able to provide rebates, then we may have to go up 40, 50, or 60 cents on the real estate tax.

And most important of all, the proposal that was outlined yesterday does nothing at all for the people with whom I am most concerned, which is the tenant. A real estate rebate does not help a tenant any and they are the poor and those on welfare. This is a city made up much more of tenants than it is of homeowners, so that real estate rebate would not affect or help a tenant. And the problem of setting up one would, I think, at this point be unworkable. This is what I meant in context when I said the rebate was untimely and unworkable.

It is untimely because we have to provide additional revenues. I would rather go to that solution at a year when we had more ceiling room in revenue. It is unworkable because I see no way that is in our power to let the tenant have a share in this benefit.

Senator INOUYE. Mr. Chairman, I think I should point out to you that in my conferences with my colleagues in both the Senate and House, I confront a few problems on convincing them of the necessity on the part of the Congress to increase the Federal contribution to the District of Columbia.

The Federal contribution is now $179 million. The previous amount was $126 million. The increase was 43 percent. Now, in that same period District of Columbia realty tax collections increased by approximately 6 percent. And the question raised by my colleagues on many occasions is, why can't the city share in pulling its own weight?

RANKING OF PROPERTY TAX RATES

Mr. HAHN. Well, I have, if you will, three points I would like to make in answer to the question. The first one I made already, which is that there is a misconception about the fact that the rates taken all in all are not high here. On a per capita basis, the District stands only after Hawaii as the fourth highest per capita jurisdiction in paying local taxes. And I think too much attention is given solely to the real estate tax rate.

Second, I would feel that because of the nature that I have already spoken to of real estate taxes and their effects, to which the President has addressed himself, not only to the District, but to the country as a whole, which is seeking and looking for other means to provide revenue, I would feel sorry if the congressional thrust—this is not meant in this room—but if the congressional thrust was punitive in the sense that the idea of putting on a 30-cent tax is done or requested to be done just for the sake of doing it, when the money was not needed.

Now, if it comes about that we do not need the additional $12 million or some portion of that, I would be sorry that the thought could be that we should pass a 30-cent tax just to do it. I have the feeling sometimes when I hear people address themselves to this subject, that this is the sole idea. As I have said before, when it comes down to meeting the final needs of the city, if it is going to need more than 30 cents, and that is the only way to get it, we will vote it.

Senator INOUYE. Mr. Chairman, you will recall that in last year's consideration of the budget, I did not bring this matter up.

Mr. HAHN. I do recall that, and that is why I made my remarks.

Senator INOUYE. In fact, I left it up to the Mayor and City Council to resolve this problem by themselves. What I am just relating to you is what I consider to be legitimate concerns and legitimate questions.

Mr. HAHN. Those concerns have been public, Mr. Chairman.

PARKING TAX

PROPOSAL

Senator INOUYE. If I may go to another aspect of this, you have been quoted as proposing a parking tax?

Mr. HAHN. That is true.

Senator INOUYE. Is this a timely tax?

Mr. HAHN. Yes, it is.

Senator INOUYE. Is it enforceable?

Mr. HAHN. Yes, in my opinion. We are holding hearings on this tax on the 25th of March. I hope to have two votes of the Council taken on it during April, and if all goes well to put it into effect by the first of May.

Now, this is a regulatory tax. It comes about under the power you have given to us under the 1968 Clear Air Act. Imposing a regulatory tax of this kind should be related to producing the object sought under that act.

In this instance, it presumably would be reducing the use of automobiles by commuters and increasing the amount of ridership on buses. As the President of the Council of Governments, after three times discussing with my colleagues on the Council of Governments the thrust of this proposed regulation, it would be our recommendation—of course, the Congress has the ultimate disposition of this—that the funds be ultimately used as a subsidy for a bus company or companies when they are publicly owned. When we discussed this matter with the other jurisdictions in the Council of Governments, there was general agreement at that time, a unanimous resolution for public ownership, and a unanimous resolution for local subsidy, for the companies after they were publicly owned.

Now, it was in response to that, that we felt that this was the contribution that we could make; 80 percent of that subsidy would be ours and this is an act which could furnish that money. If as a consequence of that, there are revenues flowing into the general fund, fine. But the main purpose of that is regulatory and to produce the ends desired under the 1968 Clean Air Act.

REVENUES TAX

Senator INOUYE. At the suggested rate of $1 a day, what do you anticipate the revenue for fiscal year 1972 to be?

Mr. HAHN. We have a difficulty, Mr. Chairman, because the hearings are going to have to develop in the basis of what is before the committee what rate would produce the effect. In one sense, it would not be my desire to produce quite as much revenue as $1 a day might produce. That might produce somewhere between $20 and $30 million. The question is whether a lower rate might have the desired effect wanted under the act. That is, if you had too small a rate would you

74-704 O - 72 - pt. 1 - 9

deter drivers? The subsidy in the first year, in my estimate, comes somewhere around $3 million.

So we have talked about what possible rates might be. None has been suggested yet, because testimony at the hearing will have to support what that rate ought to be.

Senator INOUYE. I am asking these questions because we anticipate concluding our consideration of the budget by mid-April. And under the plans that we have, we hope to have our markup soon thereafter. According to your time-table, the earliest that we would learn about your decision would be the first of May.

Mr. HAHN. Well, as I said——

Senator INOUYE. That poses a special problem for me. We would have to hold up our markup until we received word from you.

Mr. HAHN. Well, it need not, Senator, because under the little brief I have given you we would not be able to act on the real estate tax before the 1st of July, in any case. However, we could indicate by that—first of all, we will know better at that time whether or not there is going to be any need for any additional tax at all. For instance, you might see fit to cut the budget and might see fit to cut the budget in places different from those the Council would choose, but I do understand exactly what the chairman is saying to me. And, as you said, this is the first time in 9 years that we have reached this situation.

When that real estate tax was the prime source, that was the way in which the Congress intended that it should act, which was that after Congress said how much was to be spent over and above what were available revenues, the Commissioners acted thereafter on the real estate tax.

TIMING OF INCREASE IN PROPERTY TAX RATE

Senator INOUYE. For purposes of discussion, I am inclined to go along with your analysis of the law, and grant that it is a correct analysis. Do you propose to consider an increase in the real property tax the following fiscal year? Because by then you will be very timely and you will have a full year to consider it.

Mr. HAHN. That is the year we are talking about, the following fiscal year, fiscal 1973, as that term is used. That is the year we are talking about.

Senator INOUYE. I am talking about fiscal 1974.

Mr. HAHN. Oh, fiscal 1974.

Senator INOUYE. It will not be timely, according to your analysis for fiscal 1973.

Mr. HAHN. The statute in this context refers——

Senator INOUYE. But is there anything to stop you from considering a hike in real property tax for fiscal 1974? You have a whole year to consider it then.

Mr. HAHN. Well, as I read the statute the tax for fiscal 1974 should be considered in July and August of 1973.

Senator INOUYE. What you are telling me is that under the present laws you cannot raise the tax at all?

Mr. HAHN. Yes, the Council has the authority to raise the real estate tax.

Senator INOUYE. You can do it tomorrow, can't you?

Mr. HAHN. I believe the law requires it to be done in July or August.

Senator INOUYE. You are acting upon the Mayor's budget and according to your own timetable for your vote upon the Mayor's budget, you will not have acted upon the revenue measures, the real property tax, or the parking tax.

Mr. HAHN. Parking tax——

Senator INOUYE. You will have a deficit of $19.5 million. In your consideration, how do you propose to act upon it?

Mr. HAHN. Well, as to $7 million of that, that is involved with the water and sewer rates. This we can deal with promptly, I believe.

PROPOSALS ON WATER AND SEWER RATE INCREASE

Senator INOUYE. Are you going to go along with the Mayor on his suggestion on the water and sewer rates?

Mr. HAHN. As I have indicated before, I have some question about the need for part or all of those rate increases, and our deliberations are not completed on those yet.

Senator INOUYE. You suggested—I watched you on television—and you suggested you can cut the budget $9 million.

Mr. HAHN. $4 to $9 million was the figure I used, yes.

Senator INOUYE. Where do you propose to cut the $4 to $9 million?

Mr. HAHN. Again, you will understand that the Council has not acted yet and the committee reports are still being prepared. So that when I give you an answer to your question, these will be my own individual thoughts and not those of the Council.

Senator INOUYE. I would like to hear them.

SUGGESTED REDUCTIONS IN BUDGET REQUEST

Mr. HAHN. All right. One of the areas we are looking at is subsidized parking for city employees. We believe $350,000 may be saved in this area.

As a second area, we were not satisfied that the extreme efficient use is being made of rented buildings, and we are suggesting up to $1 million cut in the budget for this, simply to require consolidation of space.

Next, we were not satisfied about expenditures for travel, telephone, furniture, moving expenses. We had some across-the-board cuts proposed here.

I have some cuts I am recommending in the area of the sanitation department, what is now called the Department of Environmental Services.

Let me give you an illustration. As you know, we put on last year a charge for the collection and disposition at a city collecting point of $5 a ton for solid waste. Now, we got an answer from Mr. Back of the Revenue Department that he was only estimating a million and a quarter or a million and a half from these fees, therefore, estimating that we were handling 300,000 tons a year from private sources.

The Department of Environmental Services has asked us to give them funds to handle 600,000 tons a year at collection points.

Obviously, one of these figures has to be changed. We are suggesting a cut in that budget to be based on 300,000 tons instead of 600,000 tons.

We think that it is not justified to keep a $4.5 million surplus unused in the highway fund and that these funds should be used for highway purposes instead of the general operating fund.

That change alone would save ten cents of the real estate tax.

There are other and smaller changes. There are two departments that we propose to eliminate. One is the Motor Vehicle Parking Agency and one is the Board of Appeals and Reviews. If this measure passes, the detailed reason for this will be presented to you.

Those are some of the ideas on our agenda.

REAL PROPERTY TAX RATE INCREASE

Senator INOUYE. If I may, one final question.

Going back to the realty tax, are you suggesting to this committee that under the applicable laws you will not be able to come forth with a new realty tax rate that would be effective in the upcoming fiscal year?

Mr. HAHN. Yes. We have passed real estate tax increases twice since I have been on the Council. Each time it has been done in August. It was done in August of last year. And those go out in September as the bills for fiscal 1973.

Senator INOUYE. It can be done then, can't it?

Mr. HAHN. Yes.

Senator INOUYE. If you wanted to——

Mr. HAHN. If I gave you that impression, I did not mean to. Yes.

Senator INOUYE (continuing). The City Council could in its wisdom and judgment decide upon a new tax rate?

Mr. HAHN. I only meant to say, yes, we can do this. But, yes, at the time as prescribed within which we act officially on it.

Senator INOUYE. It just says not later than July 1.

Mr. HAHN. Not later than July 1.

Senator INOUYE. It could be May 1 or April 1.

Mr. HAHN. Not later than July 1, the Commissioner—that is the Mayor in this case—is to come forward with the assessed base. And after that, section 47–501, which describes when the Council shall act.

Senator INOUYE. Would you act on the realty tax right now if you knew exactly how much the Congress had authorized?

Mr. HAHN. I am sorry; I did not understand the question.

Senator INOUYE. It says here, "shall fix the rate of taxation on real and personal property at will and add it to the other taxes and revenue of the District to produce enough money to enable the District to pay promptly all sums directed by Congress to be paid by the District."

Mr. HAHN. That is correct, Mr. Chairman. In other words, we do not yet know, Congress having not yet acted, whether the requirements you will put on the city will exceed those from existing revenues or not. You see, last year, for instance——

Senator INOUYE. I do not think the section says that the only time you can act is after the Congress has acted. You have always anticipated what Congress would do in setting your rates.

Mr. HAHN. The request has always been made to us. We did act in August of 1971 on a 10-cent increase. That was following the de-

cision by Congress that there had to be an additional expenditure because of the subsidy for schoolbus fares which had not heretofore been provided in the budget. So that was a special case, and that became clear. We here had made a commitment that if our position before the Congress was lost on the subsidy we would come forward, and we did come forward with it in August.

Senator INOUYE. Well, I thank you very much, Mr. Chairman.

Mr. HAHN. Mr. Chairman, I thank you for your courtesy in receiving us and appreciate it.

Senator INOUYE. I look forward to the budget emanating from your office, sir.

SUBCOMMITTEE RECESS

The subcommittee will stand in recess until 2 p.m., this afternoon, at which time we will first hear the Office of the Commissioner, and then continue in the regular budget order, with the exceptions heretofore noted.

(Whereupon, at 12:30 p.m., the subcommittee recessed, to reconvene at 2 p.m., the same day.)

(AFTERNOON SESSION, 2:05 O'CLOCK, TUESDAY, MARCH 14, 1972)

DISTRICT OF COLUMBIA

STATEMENT OF COMER S. COPPIE, SPECIAL ASSISTANT TO THE MAYOR-COMMISSIONER

DESCRIPTION OF BUDGET REQUEST

Senator INOUYE. May we resume our hearings.

Before proceeding with the Office of the Commissioner, I would like to call upon Mr. Coppie to make his chart presentation.

Mr. COPPIE. Mr. Chairman, the first prechart indicates how the funds in the operating budget, which totals $753.4 million, are divided among the program categories for fiscal 1973.

I believe it is significant that 55 percent of the total operating budget fell into the broad area of "Human resources"—30 percent specifically for "Human resources" and 25 percent for "Public education," including "Public higher education," which, as you know, is an increasingly important area for the District of Columbia.

Senator INOUYE. How does this "Public protection" percentage compare with the percentage in other cities?

Mr. COPPIE. I would say that it is probably higher than the percentage for other cities, primarily because of the fact that we have State and local courts, whereas most other cities have only local court systems. Relatively, I would think our percentage would be higher, but I do not have the specific comparisons in front of me.

The chart shows 20 percent for "Other," which is primarily general government and community development, primarily highways and traffic and Department of Environmental Services.

This is our Capital budget for 1973, broken down by program areas. The total Capital budget, as you know, Mr. Chairman, is $150 million. That amount was the specific recommendation of the conference in approving the 1972 appropriation bill. We have been successful in

honoring that directive in the formulation of our 1973 Capital program.

LIFESPAN OF CAPITAL PROJECTS

Senator INOUYE. What percentage of your projects have a lifespan of, say, less than 15 years?

Mr. COPPIE. It is a very small amount, Senator. I do not have the specific amount in front of me. The directive in the 1972 conference report expressed the need to eliminate from the Capital program projects or items with lifespans of less than 30 years that were being financed with 30-year loans. We have been successful in substantially meeting that requirement in this budget by including only those items for the general improvements of facilities that have a life of 15 years or longer. All other similar projects are in the operating budget. We are sensitive to that requirement, and we are going to move to implement it fully over the next period of time; $57.1 million, or 38 percent of the total Capital request, is for public education. That is primary public schools. That is the largest amount in this Capital program for 1973.

CONSTRUCTION OF COURT COMPLEX

Senator INOUYE. Does your program include the court complex?

Mr. COPPIE. Senator, the initial funding for the construction of the court building is in the supplemental request for fiscal 1972. This budget for fiscal 1973 does not contain funds for the court complex because no additional funds are expected to be needed in 1973.

Fiscal year 1974 would be the next year in which construction funds would be needed, assuming that the fiscal 1972 supplemental request is honored.

WESTINGHOUSE REPORT ON COMPLEX

Senator INOUYE. When will the committee receive the final finished draft of the Westinghouse report?

Mr. COPPIE. Mr. Chairman, I believe that report is due during the latter part of this month. I think we will transmit it immediately upon its submission. I am sure Mr. John Ingram, director, Office of Planning and Management, will be prepared to answer that question when he appears here this afternoon.

Senator INOUYE. Mr. Ingram, do you have the Westinghouse report?

Mr. INGRAM. Not yet, sir. I believe the date that Mr. Coppie gave is the date we expect it. I think the Department of General Services is the agency that receives that report on the court.

Mr. COPPIE. I believe it will be the end of this month, Mr. Chairman.

Senator INOUYE. You were able to submit a second supplemental on the court complex even without the report?

Mr. COPPIE. Well, the report has been used as a guideline in the development of that request.

Senator INOUYE. If the report was used as a guideline, why don't we have the report in our hands?

Mr. COPPIE. I do not believe the final report has been officially submitted to the District government. I am sure Colonel Starobin, di-

rector, Department of General Services, can speak to that in more detail.

I would want to make it clear that the amount requested in the supplemental for fiscal 1972 is for the first increment on the construction of the court complex. It is not the final funding for the facility. But I would feel more comfortable by having the question addressed to Colonel Starobin.

Senator INOUYE. Will you advise the appropriate officials that this committee will not consider that second supplemental until we have the report in our hands?

Mr. COPPIE. I will do that, Mr. Chairman.

FURTHER EXPLANATION OF TOTAL REQUEST

Mr. COPPIE. Community Development accounts for $46.2 million, or 31 percent, of the total capital request. That is primarily the District's share for Metro in 1973, which is at about $34 million. The balance is primarily for the Department of Highways and Traffic and the city's transportation program.

The remaining request for capital improvements is divided among a number of different areas, public safety being a big one at $19.1 million (13 percent). That request is highlighted by $10 million for the Department of Corrections, as the first construction cost increment for the new District of Columbia Detention Center, to be located adjacent to District of Columbia General Hospital.

$11.6 million, or 8 percent is requested for the Department of Human Resources. About $8 million of this is for an expansion of the Glenn Dale Hospital, which is the geriatric hospital for the District of Columbia.

Senator INOUYE. Do you have funds in there to tear down the Employment Security Building?

Mr. COPPIE. Mr. Chairman, I do not believe that the budget specifically carries that funding; but Colonel Starobin, I believe, will be prepared to speak to the court complex.

Senator INOUYE. Fine.

BREAKDOWN OF OPERATING REQUEST

Mr. COPPIE. This is a further breakdown of our operating budget for 1973 by specific program areas. Total, $753.4 million, with the largest program category being the Human Resources, $228.3 million, or 30 percent of the total.

The second largest is Public Education, $185.7 million, or 25 percent of the total. And the third largest is Public Protection, $184.8 million, or a rounded 25 percent of the total. The balance is split between General Government, recreation, environmental protection, and community development.

ANTICIPATED EMPLOYEE PAY INCREASES

Senator INOUYE. That $6.5 million, does that cover the police, firemen, and school teachers?

Mr. COPPIE. Mr. Chairman, it does not. This budget reserve is designed specifically to meet an anticipated general schedule employee

pay increase for January 1973 and a wage board increase that we anticipate will become effective in November 1972.

Senator INOUYE. What percentage of increase do you anticipate?

Mr. COPPIE. I believe these increases will be at the current requirement of 5.5 percent or less. The reserve requirement has been developed in specific cooperation with the Federal establishment as it relates to pay increases in those two categories. Pay increases for general schedule employees are determined by the President, with the congressional acquiescence. The wage board increases have been coordinated with Federal wage board system.

Senator INOUYE. What do you anticipate as the possible outside limit of pay raises that might be well anticipated by this committee?

Mr. COPPIE. Mr. Chairman, this budget contains the necessary funding for pay increases that are normally funded through the operating budget.

POLICE, FIREMEN, AND TEACHERS PAY RAISES

Senator INOUYE. I am talking about the present negotiations you are having, and everyone seems to have concluded, police, fire, and teachers are going to get their pay raise. This is the message that I received from the community. If this is so, have you anticipated it?

Mr. COPPIE. Mr. Chairman, we have not anticipated those increases in this budget. We do anticipate that there will be pay increases effective in the 1973 fiscal year for police and fire officers and perhaps for teachers. However, we also will have a commitment that any pay proposal for police, firemen, and for teachers that require legislative action on the part of Congress will also contain its own funding proposal.

That was the way the legislation was presented in 1970 and approved in 1970, and it is the way we would propose to have it presented this year. We did not want to have this budget tied to a program that specifically required susbtantive funding authorization on the part of Congress. That is why police, firemen, and teachers pay raises are not in this proposed budget or financial plan.

Senator INOUYE. Please proceed.

1973 CAPITAL PROGRAM

Mr. COPPIE. This is the capital program which, as you know, is at $150 million, broken out by departments. The largest is the public school system, $51.5 million. The second is for the Washington Metropolitan Area Transit Authority, for the District subway contribution in 1973, $33.5 million. The remaining amount is divided among the various departments, with a large amount going to the Department of Corrections for the new District of Columbia Detention Center, $13.2 million for the Department of Human Resources, $13 million to the Department of Highways and Traffic, and the rest.

Senator INOUYE. For that very modest $200,000 for library, of that amount, how much is set aside for new library facilities?

Mr. COPPIE. Mr. Chairman, it is for a new library facility, it would be for one of the smaller community libraries in the city, and it would be primarily for design.

Senator INOUYE. Isn't that true that there is none in there for new facilities?

Mr. COPPIE. That perhaps is correct. As you know, the major new facility has already been funded and will open sometime very shortly, which is the new Martin Luther King Library in downtown Washington. I am not sure specifically what this $200,000 is earmarked for, but the major new facility has already been constructed and is scheduled to open shortly.

PRIORITY FOR CITY LIBRARIES

Senator INOUYE. Are libraries given sufficiently high priority in the city?

Mr. COPPIE. I believe there is no question about the priority, Mr. Chairman. The fact that we do have a new multimillion dollar facility, which will open shortly in downtown Washington, the fact that we have substantial libraries now associated with both the Federal City College and the Washington Technical Institute, in addition to what has been a growing program of decentralization of library facilities, I believe the commitment speaks for itself, Mr. Chairman.

Senator INOUYE. Please proceed.

FINANCING OF FISCAL 1973 OPERATING REQUEST

Mr. COPPIE. Mr. Chairman, this is the chart to show how we propose to finance the $753.4 million operating budget. I think it is significant that of the total requirement for 1973, 75 percent will come from local revenues and 25 percent from the Federal payments.

Senator INOUYE. And the 3 percent is a real property tax?

Mr. COPPIE. That 3 percent represents $12 million as a proposed increase in the property tax, and $7.5 million for a proposed increase in water and sewer rates in the District of Columbia.

As you know, the Federal payment has been authorized for 1973 at $190 million. We propose that all of that be appropriated to support this budget in 1973. That is 25 percent of our total requirement.

The three major local taxes, as the chairman is aware, are the income tax, the sales tax, and the property tax, and then there is a 16 percent that comes from other sources. That is primarily the gasoline tax, water and sewer charges, motor vehicle fees, and so forth.

But I think it is significant that of this financial plan for 1973, 75 percent will be financed from local resources.

Mr. Chairman, this breaks out our gross increase for 1973, which is at $92.8 million. The largest single increase is for "personnel," $36.5 million. That is primarily for the cost associated with new positions and for the normal within-grades. There is also an increase of $8.4 million for retirement, unemployment, disability compensation payments. A large mandatory increase is for the continued growth in the welfare caseload and the medicaid caseload in the District of Columbia.

We also propose in this budget, as indeed we did in 1972, an increase in public assistance payments from 75 percent of the 1970 cost-of-living standard to 85 percent. That would be effective January 1, 1973. It will cost $3.9 million for the 6 months that it is proposed in the 1973 fiscal year budget.

Another large discretionary increase is "narcotics treatment," $2.5 million. This additional funding is primarily to pick up in appropriated funds, grants that are expiring in the 1972–73 period.

And, as you can see, the debt service does continue to increase in the District of Columbia. We do propose an increase in 1973 of $4.6 million for debt service costs associated with the execution of our capital improvements program.

REPROGRAMING FOR HUMAN RESOURCES

Senator INOUYE. In your "human resources" account, you will be submitting to the Congress a reprograming amounting to $5.3 million?

Mr. COPPIE. $5.8 million, Mr. Chairman.

Senator INOUYE. $5.8 million.

Now, the programs covered within the $5.8 million are resubmitted in this new budget?

Mr. COPPIE. They are, Mr. Chairman.

Senator INOUYE. How is that handled, as an increase or just reoccuring costs?

Mr. COPPIE. It would be merely a restoration of the base for 1973, plus whatever is required for the particular programs. I believe they would be what we would call the mandatory increases associated with salaries and so forth. But we would not in any way suggest that these are programs of low priority. They are merely lower in priority than the current requirements to meet the specific needs of the families receiving public assistance in the District of Columbia during the current fiscal year.

As I believe you know, the markup of the 1972 budget did not provide sufficient funds to sustain the 75 percent requirement for the full year. If we are unsuccessful in having the reprograming considered and approved, we would not be able to make any public assistance payments during the months of May and June in 1972.

Senator INOUYE. Will the reprograming of the $5.8 million involve reduction in the personnel force of the city?

Mr. COPPIE. It will not, Mr. Chairman.

Senator INOUYE. Where will it come out of?

Mr. COPPIE. We pointed out this morning, when we do officially submit the letter to the chairman and to the committee for its consideration, we will document as fully as necessary the specific programs that are affected. We are prepared to do that and to speak to the request with the absolute candor required to have the reprograming considered and hopefully approved. We are not prepared at this time to outline specifically the programs that will be affected. But as I indicated this morning, because of the magnitude of the reprograming request that is proposed, almost the entire range of program activity in the Department of Human Resources will be affected.

REORGANIZATION OF DEPARTMENT OF HUMAN RESOURCES

Senator INOUYE. Does the Commissioner's Office concur with the statement made by Mr. Yeldell to the effect that in the reorganization of the Department of Human Resources, no one will be fired?

Mr. COPPIE. It does, Mr. Chairman.

Senator INOUYE. And this is a firm position?

Mr. COPPIE. That no one will be fired as a result of the reorganization?

Senator INOUYE. Are you assuming that all persons in the Department are equally important and essential?

Mr. COPPIE. I would want Mr. Yeldell to have the opportunity to speak to his own Department, but I doubt very much that he would say that everyone in the Department takes on the same priority in terms of need. I am sure some are more valuable than others; but it has been the commitment of the Commissioner, as he has moved to eliminate positions in the District of Columbia, to avoid elimination of a position that was already filled, thus resulting in an employee's losing his job.

Senator INOUYE. Is it true that in this city, in the past 2 years you have never had a reduction in force which involved laying off individuals? You just red-circle vacant positions; isn't that right?

Mr. COPPIE. Mr. Chairman, that is correct. The austerity programs that have been implemented by the District government, authorized by the Commissioner, and implemented by the District government, have been designed to avoid a reduction in force. That has been a deliberate commitment of the Commissioner.

Senator INOUYE. I asked this question because in just about every other agency of this Government, the national austerity program has had to include, sadly, reduction in force. And as the Senator from the State of Hawaii, I am well aware of this. When the Defense Department was called upon to cut down its appropriations and budgetary requests, you have several hundred being laid off at the shipyard or the Army base or the airbase. This city insists upon maintaining its personnel at the present level without firing anyone.

DISTRICT GOVERNMENT PERSONNEL LEVELS

Mr. COPPIE. I want to clarify one point. We have not maintained our personnel at the current level. We have eliminated about 5 percent of our authorized strength as of August of 1971. That was about 1,900 positions.

Senator INOUYE. Unfilled positions?

Mr. COPPIE. Unfilled positions. However, it was done—and I think that we take some pride in this—without a reduction in force. And I think it would be the Commissioner's position that he would want to avoid a reduction in force. But we have not been committed to the sanctity of our employment base. We have reexamined it, and we have reduced it.

Senator INOUYE. Please proceed.

CAPITAL PROJECTS IN RELATION TO SERVICE AREAS

Mr. COPPIE. Mr. Chairman, one of the things we have been sensitive to in the District of Columbia is the impact of our Capital program on specific community areas of the city. As you perhaps know, several years ago, the Commissioner divided the city into nine service areas. This chart shows where the $150 million capital request for fiscal 1973 falls in relationship to specific community areas; $63.6 million of the total will directly affect one of the nine service areas and provide proj-

ects designed to meet a specific need of particular service areas of the city. The balance of the request is for District-wide projects, relating to District-wide programs and District-wide responsibilities.

I think it is significant that 51 percent of the total amount relating to service areas falls into an areas which the Mayor has given particular priority over the last several years: the Anacostia-Southeast area. This area has a growing population, relatively young population; it is an area that is in tremendous need of public services and public facilities. And 51 percent, or $32.5 million of this total request, is specifically earmarked for the Anacostia area.

Two service areas do not receive any funds for fiscal 1973. The next chart shows the 1968 to 1978 Capital program for the District of Columbia. It shows that $410.3 million is specifically earmarked for the nine service areas in this period. Again, Anacostia receives 25 percent, or $102.3 million, of the total. But every area of the city, of course, does benefit from this substantial Capital program.

HUMAN RESOURCES PROGRAMS

Mr. COPPIE. Mr. Chairman, you have been particularly sensitive to the needs of human resources in the District of Columbia, and this chart is merely an effort to show specifically where the $228.3 million for Human Resources does fall in terms of broad program areas for 1973.

The largest, of course, is $72.2 million, or 32 percent, for family stability. That amount substantially reflects the public assistance requirements in the District of Columbia.

I might say this chart includes the Department of Corrections in the broad area of "Human resources," with "Offender rehabilitation," $27.1 million, or 12 percent of the total. The rest is divided among "Job development," "Physical health," "Mental health, drug, and alcoholic rehabilitation," and "General support."

Mr. Chairman, this next chart was covered this morning in your discussion with us concerning the growing impact of our Capital program on the District of Columbia, and therefore I will not go over it again. But the chairman is correct in calling attention to the growing impact of the debt service on our operating budget in the District of Columbia. We feel that it is a debt service that can be justified in relationship to the very great need for physical development of the city.

The one thing that I regret that the chart does not show is what the cost-benefit factors of the physical development of the city will be. But we do believe that the capital investment that is projected here will have a significant payoff in terms not only of the physical development of the city, but also of the economic and social development of the city. And that is not an unimportant consideration for this particular city now and in the years ahead.

BENEFITS OF JUDICIAL CENTER

Senator INOUYE. Have you done a cost-benefit analysis for the $90 million Judicial Center?

Mr. COPPIE. Yes. I would want the authorities on public safety to speak specifically to that question. I think that the cost-benefit factor, in the broad sense, would be the improvement of the court system of the District of Columbia, and in turn the improvement of the criminal justice system in the District of Columbia. We feel that in that light, it can be justified.

I am not speaking, Mr. Chairman, to the $90 million, because I am not sure what the ultimate cost of that facility will be. I am speaking specifically to the need for a modern judicial facility. I think the correlation between that facility and the improvement of the criminal justice system can and will be documented.

Senator INOUYE. As a budget officer, would you say it is absolutely necessary it be placed on Pennsylvania Avenue?

Mr. COPPIE. I am not prepared to speak to that, Mr. Chairman. I really think that is a question for perhaps the Deputy Mayor or for the court officials, when they do appear before you.

Senator INOUYE. As an official do you think it would make any difference whether the courthouse was on Pennsylvania Avenue or one avenue to the north of Pennsylvania Avenue?

Mr. COPPIE. In the most pragmatic sense, Mr. Chairman, I think our commitment is to the need for a modern judicial facility. The location would be secondary to that. But I think there are some very practical considerations concerning the site of the facility in the District of Columbia, and those considerations will ultimately influence the decision.

Senator INOUYE. Please proceed.

Mr. COPPIE. That is the final chart, Mr. Chairman. I would be glad to answer any additional questions.

Senator INOUYE. Thank you very much.

OFFICE OF THE COMMISSIONER

STATEMENT OF HON. GRAHAM W. WATT, DEPUTY MAYOR-COMMISSIONER

GENERAL OPERATING EXPENSES

Senator INOUYE. The first appropriation for the District of Columbia under "General operating expenses" is a total of $66,073,900, an increase of $8.921 million over fiscal year 1972 adjusted base, and an increase of $12,103,500 over fiscal 1971 obligation.

I am pleased to once again welcome back our Deputy Mayor-Commissioner, Mr. Watt, who will present testimony on the budget request for the Office of the Commissioner. The amount there is $673,500.

POLICYMAKING AND ADMINISTRATION

Mr. WATT. Thank you, Mr. Chairman.

The Office of the Commissioner, which includes the Mayor-Commissioner and the Deputy Mayor-Commissioner and their immediate staffs, is the policymaking and administrative heart of the District government.

The Mayor-Commissioner has the top executive responsibility for the management and organization of the city government, exercising,

as he does, a direct executive responsibility for 17 departments and having a fiscal and coordinative relationship with about 38 autonomous, independent, or semi-independent agencies of the government.

As the chief executive, the Mayor-Commissioner determines general policy direction and proposes fiscal programs including the annual budget. He also has extensive duties as the official representative of the city and its government to national leaders, international visitors, various public service and public interest organizations—both local and national—as well as to the citizens of the District.

Our fiscal year 1973 budget request for the Office of the Commissioner is $673,500 compared with $476,300 appropriated for fiscal year 1972. We are not requesting any increases in the number of authorized positions, 20, for 1972 and the same number for 1973. With respect to those positions, however, an increase of $22,200 is needed to meet scheduled pay raises and within grade increases.

FUNDING FOR BICENTENNIAL CELEBRATION

We are requesting an increase of $75,000 to support the city's planning for the Bicentennial. The Bicentennial is expected to be a most significant event in the history of the Nation's Capital. President Nixon has proposed to the Congress an ambitious program. We are, for example, now planning to serve 40 million visitors in 1976.

To assist in these efforts, the Mayor-Commissioner has established a Bicentennial Commission and Assembly. The Assembly is projected to have 250 community representatives. The Commission has 26 members and has been meeting monthly since December.

If I may, for just a moment, I would like to quote from the President's message on the District of Columbia Bicentennial observation, submitted to the Congress on February 4, 1972, where he says in part:

> Both local and Federal plans for the Bicentennial celebration here in the Nation's Capital are far from complete at present. It is right that they should continue to evolve and expand as we move toward 1976. This message, however, attempts to set the tone and theme for Federal participation over the course of the next 4 years and also to convey some of the aspirations of Washingtonians themselves, without presuming to dictate what those aspirations should be. The various levels and jurisdictions of government in the Washington area are well organized to follow through on the proposals I make today and to supervise further planning.

He goes on to say:

> The District government is well served by the responsive local assembly and commission structure to which I referred above. Mayor Washington is also establishing liaison with suburban planning bodies and the State officials of both Virginia and Maryland. The massive and diverse physical construction effort outlined in this message has been coordinated through a full time District of Columbia Bicentennial Task Force within the General Services Administration.

BICENTENNIAL COMMISSION AND ASSEMBLY

The purposes of the Commission and Assembly are:

1. to generate maximum community participation in program planning and implementation;

2. to develop private resources and efforts from the local community and from national business, labor, and professional organizations; and

3. to work with the American Revolutionary Bicentennial Commission to coordinate the District program with national programs.

The requested funding will provide $50,000 for essential staff for the Assembly and Commission, consisting of a program director ($25,000), assistant to the chairman ($16,000) and an administrative aide ($9,000). In addition, funds will be used for publications, newsletters, and promotional materials ($10,000); office rental ($5,000); office supplies and telephone service ($6,000); and travel ($4,000).

This additional funding will supplement the $25,000 appropriated in fiscal years 1971 and 1972 and included in the fiscal 1973 base for the Office of the Commissioner. This amount is necessary to support the District government's role in Bicentennial planning and program implementation.

With the requested funding, the District can continue to execute its major role in preparing for the national celebration.

REQUEST FOR MANAGEMENT IMPROVEMENT ACCOUNT

We are also requesting $100,000 for the Mayor's Management Improvement Account. This account was financed in fiscal 1970 and 1971 appropriations, but was not included in fiscal 1972.

The Mayor, as Chief Executive Officer, needs access to management skills, talents, and capabilities which may not be readily available in the District government organization. Consultant services are a normally accepted means of obtaining such skills and expertise and the funds requested will again provide the Mayor with the capacity to avail himself of such services expeditiously when needed.

This is particularly important in fiscal 1973. We are awaiting the recommendations of the Nelsen Commission and we will need them to study how the recommendations of that body should most expeditiously be translated into specific improvements in our operations and methods. The management improvement account will permit us to undertake many of these improvements in fiscal 1973.

The Director of the Office of Planning and Management, Mr. Ingram, in his testimony, will describe some of the projects made possible by the funds provided for this purpose in 1970 and 1971, and can respond in greater detail as to the anticipated utilization of these funds in 1973.

This concludes my statement, Mr. Chairman. I will be pleased to respond to whatever questions you may have.

Senator INOUYE. Thank you very much, Mr. Watt. You have been very helpful, sir.

Office of the Secretariat

STATEMENT OF MARTIN K. SCHALLER, EXECUTIVE SECRETARY

BUDGET REQUEST

Senator Inouye. I would like to now call on the Executive Secretary of the Office of the Secretariat, Mr. Martin Schaller, who will offer a statement concerning the budget request for his office of $604,700.

PREPARED STATEMENT

Mr. Schaller. I am delighted to be here. I have a statement I would like to submit for the record.

Senator Inouye. Without objection, it will be inserted in the record at this point.

(The statement follows:)

74-704 O - 72 - pt. 1 - 10

The Office of the Secretariat, Executive Office of the Commissioner is requesting funding in the amount of 604.7 thousand dollars and 25 positions for the Fiscal Year 1972. The increased level of funding in the amount of 22.2 thousand dollars which is being requested in our budget is necessary to cover within grade advancements and represents annualization of the January 1, 1972 classified pay increase. The Office of the Secretariat is not requesting any additional positions in the 1973 Fiscal Year. The positions and funds requested are necessary to provide administrative and staff support to the Commissioner through the performance of ministerial duties and the maintenance of official records and correspondence. In carrying out these duties the Executive Secretary, D. C. and the Office of the Secretariat are required to:

... Receive all District of Columbia departmental action documents prior to submission to the Commissioner for approval, and maintain records of such actions.

... Process all correspondence for the Commissioner and the Assistant to the Commissioner

... Serve as Secretary of the Commissioner's Cabinet, and in that capacity prepares agenda and records actions

... Issue notary public commissions and certifications of notary public commissions

... Administer the publication provisions of the Administrative Procedure Act (P.L. 90-614), including publication of the District of Columbia Register, and maintenance of the Publications Fund, publication, storage, and distribution of all D. C. Codes, maps, regulations, and amendments.

... Prepare for approval of the Commissioner and after approval issue Orders of the Commissioner, resolutions, proclamations, letters of greeting, public service awards, directives, official notices, and memoranda to heads of departments and agencies.

... Make arrangements for public hearings of the Commissioner

... Provide personnel assistance and support for certain offices under the jurisdiction of the Commissioner

... Process applications for nomination by the Commissioner to the Merchant Marine Academy

... Serve as Chairman of the Special Events Committee, by providing the coordinated planning of arrangements and services requiring the cooperation and participation of departments and agencies of the municipal government in connection with ceremonies, conventions, parades, festivals and pageants.

... Provide and arrange for orientation sessions on the organization and structure of the District of Columbia Government for foreign government officials and other visitors; serves as ceremonial and protocol officer on the occasion of visits by foreign officials, dignitaries, and others to the city government; and, as necessary, represents the Commissioner at ceremonial events.

... Provide the necessary administrative services for the Police Complaint Review Board. (Formal complaints are filed by aggrieved persons and are referred to the Chief of Police for investigation prior to hearings and official action of the Board.)

... Receive and process applications received from the public for temporary street and/or alley closings

... Process appointments and reappointments made by the Commissioner to the various boards, commissions and committees of the District of Columbia.

... Prepare advertising orders for local and out-of-town newspapers as required by law or as requested by departments and agencies of the District of Columbia Government

... Provide the necessary administrative and other support services for the Hacker's License Appeal Board.

... Maintain budget and fiscal accounting services for certain offices under the jurisdiction of the Commissioner.

With respect to the compilation of District of Columbia Regulations as of October 21, 1970, the compilation, known as the D. C. Rules and Regulations (DCRR), was published as required by Public Law 90-614, D. C. Administrative Procedure Act.

The DCRR consists of 32 titles and a General Index - all of which were published as Special Editions of the District of Columbia Register. The 32 titles include rules and regulations as they relate to the functions and operations of the various District of Columbia Government agencies. In addition, formal codification work is proceeding on refining and republishing materials which were published in the DCRR in 1970, and which will result in a uniform precise and up-dated compilation of the rules and regulations of the District of Columbia Government.

LIMIT ON OUT-OF-TOWN TRAVEL

Mr. SCHALLER. I would like to briefly summarize my statement.

The Office of the Secretariat is not asking for any additional funds or positions over and above those which are required as a result of the Pay Act of 1972. We are asking for $604.7 thousand, which is an increase of $22.2 thousand over last year, and that is necessary to cover within grade advancements and represents annualization of the January 1, 1972, classified pay increase. As you know, the Office of the Secretariat has responsibility for providing staff support to the commissioner through the performance of ministerial duties and the maintenance of records and correspondence.

I would be delighted to answer any questions you may have, Mr. Chairman.

Senator INOUYE. Mr. Schaller, you are aware that Congress has placed a limit on the amount the city is permitted to spend on travel outside of the metropolitan area. I suppose this restriction has put a crimp in the life style of some of the officials. But my question is, has this limitation restricted the efficiency of operation of the city government in any way?

Mr. SCHALLER. I am not quite certain whether I can really respond to that, sir, since my office is not really involved in the travel of the various departments of the District government.

I have in my own office a very small travel allocation and I would generally only get involved in the mayor's travel, or the deputy mayor's travel, that would become necessary. My office has the budget responsibility for the work that is involved in handling travel arrangements for District-wide officials.

Mr. JORDAN. Is it not true that last year your office issued a proclamation with reference to travel limitations?

Mr. SCHALLER. That is correct.

Mr. JORDAN. But you are no longer doing that?

Mr. SCHALLER. Well, no. My responsibility is to issue orders, memoranda and directives from the commissioner, but I issue those by order of the commissioner.

Mr. JORDAN. There is no commissioner's order for fiscal year 1972; that is being handled in another manner?

COMMISSIONER'S ORDER ON TRAVEL LIMITATIONS

Mr. COPPIE. Excuse me, Mr. Jordan. He does have the responsibility for the actual issuance of the order. The preparation of the order, however, is a responsibility of the Office of the Budget and Program Analysis. An order was issued for the 1972 fiscal year consistent with the requirements that were outlined in the Appropriations Act for the 1972 fiscal year.

Mr. JORDAN. Mr. Coppie, then I do not know that we will have a better opportunity to ask this particular question. Do you have any information as to projections against the $300,000 limitation of travel outside Maryland, the District, and Virginia?

Mr. COPPIE. I do have that projection, Mr. Jordan, As you know, the limitation in the Appropriations Act was $300,000. We have made allotments to the amount of $235,000, leaving a reserve at this time of $65,000 to handle contingency requirements. That is where we stand at this particular time. We can provide a copy of that order for the record.

(The order follows:)

SUBJECT: Limitations on Personnel and Selected Other Obligations
ORIGINATING AGENCY: Office of Budget and Program Analysis

By Commissioner's Order No. 71-311, effective August 19, 1971, I initiated a comprehensive program of cost-cutting measures throughout the District of Columbia Government. That action was taken in response to the precarious financial position of the District Government and to national economic and governmental policies.

The goals established by that earlier order have now largely been achieved. The indefinite freeze on hirings and selected other obligations has already produced considerable savings for the District Government. In addition, 1,016 positions have been abolished in the first stage of the program to reduce by five percent the authorized employment ceiling of the District Government as of August 19, 1971; the remaining 1,150 positions, which will bring the total positions abolished to five percent, will be eliminated as a result of this order. Also in accordance with the cost-cutting program, the agencies have submitted detailed plans for bringing grade escalation under control and for reducing the average grade level when necessary.

The initial success of the austerity program would not have been possible without the outstanding cooperation of all the agencies of the District Government. I now ask for your continued cooperation as the District Government moves into the second phase of the austerity program.

Partial continuation of the austerity program is required by the outcome of the appropriations process for Fiscal Year 1972. The Fiscal Year 1972 appropriations act contains a number of spending limitations, which we must implement.

In addition to the need to deal with the financial problems resulting from the current budget authority, the District Government will adhere to the cost-control measures still in effect in the Federal Government.

Accordingly, by virtue of the authority vested in me by Reorganization Plan No. 3 of 1967, the following actions are hereby ordered:

1. Personnel Limitations:

   These actions shall be taken to implement personnel limitations:

   a. The Office of Budget and Program Analysis shall notify agencies as soon as practical of the number of additional full-time permanent authorized positions to be eliminated during Fiscal Year 1972. Together with the positions that have already been abolished, these additional positions will reduce the District's overall employment ceiling by the five percent goal that has been set.

   b. Each agency shall identify the specific full-time permanent authorized positions to be abolished as a result ofthe Office of Budget and Program Analysis instruction. Each agency shall submit this information to the Office of Budget and Program Analysis, along with a plan for eliminating the designated positions.

   c. When the Office of Budget and Program Analysis is assured that an agency has abolished the designated positions, the restriction on making appointments to full-time permanent authorized positions shall be lifted for that agency. The Budget Officer shall be responsible for deciding when to remove

the restriction and shall notify the agency of his decision.

d. No appointment shall be made to a temporary position until further notice. This limitation shall not apply to grant positions; for the purposes of this Order, any position that is funded 50 percent or more from grant monies shall be considered a grant position.

2. Limitations on Selected Other Obligations:

These actions shall be taken to implement limitations on selected other obligations:

a. Present restrictions on overtime shall remain in force. Therefore, no obligations shall be made for purposes of paid overtime except for emergency purposes as determined and approved by the Budget Officer. In cases in which an extreme emergency has arisen and overtime has been worked prior to Office of Budget and Program Analysis approval, agency heads must notify the Budget Officer of the circumstances as soon as practical.

b. Obligations for travel outside the Washington Metropolitan Area shall not exceed the agency allotment determined by the Office of Budget and Program Analysis; this Office shall inform each agency of its allotment as soon as practical.

3. Approval of Appeals:

In the next few days I will be issuing administrative instructions to implement this Commissioner's Order. Questions about or emergency appeals from this Order shall be directed to the Budget Officer. He is hereby designated administrative responsibility to establish, maintain and hear requests for exceptions to this Order. Authority for granting final approval for requests for exceptions resides with the Mayor or Deputy Mayor.

4. Previous Order Superseded:

This Order supersedes Commissioner's Order No. 71-311 except for Section 2 of that Order, which establishes guidelines for the control of grade escalation.

5. Implementation:

I urge all District agencies to give full support to the second phase of the austerity program so that we can continue to move toward the important goal of strengthening the financial position of the District Government while providing for needed and essential services. The limitations on personnel and selected other expenditures will be rescinded by another Order when deemed appropriate.

6. Effective Date:

The provisions of this Order shall take effect as of January 3, 1972.

Walter E. Washington
Commissioner of the
District of Columbia

Out of City Travel - Fiscal Year 1972

	Actual 7/1 - 12/31/71	Estimates 1/1 - 6/30/72	FY Total	Budgeted Travel 1/	FY 72 Out--of-City Travel Allowance
General Operating Expenses					
Office of the Commissioner ...	2,363	...	2,363	7,700	...
City Council	0	...	0	4,500	...
Executive Office:					
Office of the Secretariat ...	0	0	0	100	0
Office of Public Affairs	0	0	0	0	0
Office of Budget and Program Analysis	1,393	500	1,893	2,500	1,893
Office of Planning & Mgmt. ..	3,174	3,445	6,619	8,600	6,619
Personnel Office	316	240	556	1,800	556
Office of Civil Defense	0	495	495	400	400
Department of Finance & Revenue	2,659	3,792	6,451	9,400	6,451
Corporation Counsel	1,000	4,485	5,485	4,100	3,000
Department of Economic Dev. ..	2,836	38	2,874	81,300	2,874
Department of General Services	320	974	1,294	2,900	1,294
Public Library	1,113	3,214	4,327	500	4,327
Other Independent Agencies & Offices:					
Special Assistant to the Commissioner for YOS	0	0	0	8,100	0
Special Assistant to the Comm. for Housing Programs..	0	0	0	1,800	0
Control of Alcoholic Bev. ..	150	514	664	5,200	664
D.C. Board of Parole	1,934	1,813	3,747	4,500	3,747
Dept. of Insurance	780	800	1,580	1,700	1,580
Minimum Wage & Industrial Safety Board	289	1,087	1,376	4,000	1,376
Recorder of Deeds	0	0	0	300	0
Public Services Commission..	1,664	332	1,996	700	700
Zoning Office	0	644	644	700	644
Board of Appeals & Review ..	0	0	0	100	0
Office of Human Rights	978	1,705	2,683	5,000	2,683
Board of Elections	396	344	740	600	740

	Actual 7/1 - 12/31/71	Estimates 1/1 - 6/30/72	FY Total	Budgeted Travel 1/	FY 72 Out--of-City Travel Allowance
General Operating Expenses (Continued)					
Office of the Surveyor	0	0	0	0	0
Commission on the Status of Women	0	0	0	0	0
Commission on Judicial Disabilities & Tenure	0	250	250	0	0
Board of Labor Relations ..	0	3,000	3,000	3,000	3,000
Miscellaneous Contributions:					
D.C. Apprenticeship Council	345	800	1,145	2,300	1,145
Total, General Operating Ex.	21,710	28,472	50,182	161,800	43,693
Public Safety					
Metropolitan Police	24,209	25,374	49,583	138,400	49,583
Fire Department	87	2,164	2,251	2,800	2,251
Courts:					
Appeals	307	1,283	1,590	22,300	1,590
Superior	12,205	15,843	28,048		20,048
U.S. Courts					
Public Defender Service ...	0	0	0	12,800	0
Bail Agency	0	0	0	5,000	0
Department of Corrections ...	5,882	2,285	8,167	14,600	8,167
National Guard	1,000	0	1,000	1,300	1,000
Total, Public Safety	43,690	46,949	90,639	197,200	82,639

	Actual 7/1 - 12/31/71	Estimates 1/1 - 6/30/72	FY Total	Budgeted Travel 1/	FY 72 Out--of-City Travel Allowance
Education					
Public Schools	...	...	...	261,000	0
D.C. Teachers College	4,606	2,555	7,161	5,000	5,000
Federal City College	7,099	0	7,099	0	7,099 2/
Washington Technical Inst.	8,757	0	8,757	0	8,757 2/
Total, Education	20,462	2,555	23,017	266,000	20,856
Recreation Department	300	1,480	1,780	29,100	1,780
Human Resources					
Office of the Director	1,522	5,518	7,040	4,500	7,040
Vocational Rehab. Admin.	3,780	2,252	6,032	9,800	6,032
Comm. Health Services Admin.	4,592	11,672	16,264	51,100	16,264
Social Services Admin.	882	23,084	23,966	234,200	23,966
Veteran Affairs Admin.	1,054	0	1,054	800	1,054
Narcotics Treatment Admin.	0	0	0	27,400	0
Hospital & Medical Care Admin.	947	6,175	7,122	70,600	7,122
Mental Health Admin.	1,365	5,905	7,270	29,600	7,270
Chief Medical Examiner	0	1,440	1,440	0	1,440
Total, Human Resources	14,142	56,046	70,188	428,000	70,188
Highways and Traffic					
Dept. of Highways and Traffic.	1,965	5,890	7,855	10,200	7,855
Motor Vehicles	672	785	1,457	2,500	1,457
Motor Vehicle Parking Agency..	0	626	626	1,000	626
Total, Highways and Traffic...	2,637	7,301	9,938	13,700	9,938

	Actual 7/1 - 12/31/71	Estimates 1/1 - 6/30/72	FY Total	Budgeted Travel 1/	FY 72 Out--of-City Travel Allowance
Department of Environmental Services	1,940	2,998	4,938	2,700 3/	4,938
Washington Aqueduct	93	692	785	2,800	785
Total, Sanitary Engineering .	2,033	.3,690	5,723	5,500	5,723
Total, District of Columbia .	104,974 *	146,493 *	251,467 *	1,101,300	234,817 4/

*Excludes Public Schools - data not available.

1/ Represents total allowance for travel and transportation of persons as approved by the Congress.

2/ Represents out-of-city travel incurred prior to the passage of the D. C. Appropriations Act.

3/ Does not reflect additional travel transferred in Environmental Health allotments from the Department of Human Resources.

4/ Does not reflect any additional allowance from Federal City College or Washington Technical Institute reprogrammings being processed.

Office of Budget and Program Analysis
February 6, 1972

FIRST-CLASS TRAVEL FOR DISTRICT OFFICIALS

Mr. JORDAN. There were also questions last year concerning the class of travel. Has there been continued travel in other than—in the first-class status?

Mr. COPPIE. Mr. Jordan, I believe that the general requirement throughout the District government would be tourist class, as we indicate in transportation terms. However, there are exceptions to that, and they could be documented for the record. I am not prepared to document all of them at this time.

Mr. JORDAN. This was in the hearing last April and I thought that perhaps—I did not know whether it had been continued in fiscal year 1972 or not. As far as your office knows, those records are available, but it has not been compiled; is that correct?

Mr. COPPIE. The records pertaining to other than——

Mr. JORDAN. Other than second-class travel.

Mr. COPPIE (continuing). Other than second class. I am sure they are available through the accounting office of the District government. As I said, I believe the record will show that the general requirement is tourist class.

Senator INOUYE. Could you advise this committee at this time as to what the exceptions were?

Mr. COPPIE. Mr. Chairman, I believe one standing exception is for the Office of the Commissioner, for the travel of the Mayor and the Deputy Mayor; that exception dates back to 1968. I believe that is the only general exception that is provided for on a continuing basis.

(The information follows:)

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF FINANCE AND REVENUE

March 21, 1972

Dear Mr. Jordan:

During the recent hearings on the fiscal 1973 budget this Department was asked to supply the following data.

1. Report on Lost or Stolen Salary and Public Assistance Checks

2. Chart showing State and Local Per Capita Tax Burdens as a Percent of Per Capita Income

3. Report on the Use of First Class Travel by the District of Columbia Government during Fiscal 1972

These reports have now been completed and are enclosed for your information. Regarding the report on the use of first class travel I should point out that during the hearings the Executive Secretary to the Commissioner, Mr. Martin Schaller, was asked whether he was required to travel first class during fiscal year 1972. Inadvertently, Mr. Schaller replied in the affirmative. A check of the record shows that although the trip ended in July 1971, or during the current fiscal year, it was begun during June and charged to the fiscal 1971 appropriation. As a result, Mr. Schaller's trip to Africa with Mayor Washington is not listed on the enclosed chart.

If you have any questions regarding these reports, please feel free to call.

Sincerely yours,

Kenneth Back
Director

REPORT ON USE OF FIRST CLASS TRAVEL BY DISTRICT OF COLUMBIA GOVERNMENT, FY 1972

The criteria for the use of first class travel in the District of Columbia Government are prescribed in the Standard Government Travel Regulations issued by the U. S. Office of Management and Budget, and Commissioners Order 63-1515, dated June 25, 1963. The following are key extracts from these policy documents:

Standard Government Travel Regulations

Secs. 3.3d(2) - 3.3d(3)

(2) Justification for use of first-class accommodations. In view of this policy the use of first-class accommodations should be limited to the following instances:

(a) Regularly scheduled flights between authorized origin and destination points provide only first-class accommodations.

(b) Space is not available in less-than-first-class accommodations in time to carry out the purpose of the travel.

(c) An authorizing officer authorizes or approves the use of first-class accommodations as necessary for the conduct of the mission or for reasons of the traveler's health.

(d) An authorizing officer authorizes or approves the use of first-class accommodations for flights within or between foreign areas because available less costly accommodations do not provide adequate standards of sanitation, health or comfort.

(e) The cost of first-class accommodations offered by a commercial air carrier does not exceed the charge for less-than-first-class accommodations offered by any other commercial air carrier in connection with their operation of regularly scheduled flights between the same points.

(3) Authorization of airplane accommodations. Officials responsible for approving travel authorizations may not be able to anticipate circumstances which may arise while a person is traveling which necessitate the use of first-class accommodations. In such circumstances, even though the use of first-class accommodations is authorized, the traveler is responsible for using the less costly accommodations when they will meet all reasonable requirements. For audit

purposes, the traveler's judgment in these instances will be considered conclusive. However, agencies may specify on travel authorizations, or other administrative directives, that the less costly accommodations be used. In that event, the traveler will be limited to the type of accommodations specified.

(4) Maximum authorized accommodations. When first-class accommodations are authorized under 3.3d(1) - (3) the lowest first-class accommodations available between the points involved will be used. Use of superior accommodations may be authorized or approved in accordance with 3.3a.

(5) Jet surcharges. Accommodations not designated "first-class" on jet planes (with or without a surcharge) may be used without specific authorization or approval where the total cost of the transportation, including surcharge if any, is less than the lowest "first-class" air accommodations available between the points involved.

Commissioners Order No. 63-1515

Section IV. Airplane Accommodations

When traveling by air, persons in official travel status for the District of Columbia shall use accommodations provided by airlines which are designated as "air coach," "tourist," etc., for which rates are less than those charged for "first-class" accommodations. "First class" accommodations shall be authorized by Department Heads only when such are the only accommodations available within scheduling requirements for the authorized travel or the travel is for emergency purposes. When "first class" accommodations are authorized by Department Heads, a statement of the reasons therefore shall be included on A.S.O. Form 60, "Request for Authorization and Travel." Official travel plans shall be formulated sufficiently in advance of actual travel to permit compliance with the above requirement for the use of "air coach" or "tourist" accommodations with the exception of emergency travel.

According to the records of the Department of Finance and Revenue, approximately twenty-two trips involving first class travel have occurred during fiscal year 1972. The attached chart provides the details of these trips.

USE OF FIRST CLASS TRAVEL BY DISTRICT OF COLUMBIA GOVERNMENT[1/]
Fiscal Year 1972

Name and Title	Agency	Dates	Destination	Reasons Cited on Travel Voucher for Use of First Class Travel
Roy W. Dugger Board Member	Washington Technical Institute	8/18/71 - 8/20/71	Washington, D. C., from Waco, Texas & return	Tourist accommodation not available
Roy W. Dugger Board Member	Washington Technical Institute	10/15/71 - 10/19/71	Same as above	Same as above
Roy W. Dugger Board Member	Washington Technical Institute	12/15/71 - 12/17/71	Same as above	Same as above
Roy W. Dugger Board Member	Washington Technical Institute	1/18/72 - 1/21/72	Same as above	Same as above
Samuel M. Nabrit Board Member	Washington Technical Institute	8/18/71 - 8/20/71	Washington, D. C., from Atlanta, Ga. & return	Tourist accommodation not available
Samuel M. Nabrit Board Member	Washington Technical Institute	9/15/71 - 9/17/71	Same as above	Same as above
Samuel M. Nabrit Board Member	Washington Technical Institute	10/15/71 - 10/19/71	Same as above	Same as above
Samuel M. Nabrit Board Member	Washington Technical Institute	12/15/71 - 12/17/71	Same as above	Same as above
Samuel M. Nabrit Board Member	Washington Technical Institute	1/18/72 - 1/21/72	Same as above	Same as above
Asa T. Spaulding Board Member	Washington Technical Institute	8/18/71 - 8/20/71	Washington, D. C., from Durham, N. C., & return	Tourist accommodation not available
Asa T. Spaulding Board Member	Washington Technical Institute	9/15/71 - 9/17/71	Same as above	Same as above

Name and Title	Agency	Dates	Destination	Reasons Cited on Travel Voucher for Use of First Class Travel
Asa T. Spaulding Board Member	Washington Technical Institute	12/15/71 - 12/17/71	Washington, D. C., from Durham, N. C., & return	Tourist accommodation not available
Asa T. Spaulding Board Member	Washington Technical Institute	1/18/72 - 1/21/72	Same as above	Same as above
Robert L. McKee Coordinator B.S. Program	Washington Technical Institute	7/8/71	Flint, Michigan, from Washington, D. C., & return	Only class available for portion of trip
Roberta Brown & Geo. Roby Social Workers	Human Resources, Soc. Sec. Adm.	9/8/71 - 9/9/71	Atlantic City, N. J., from Washington, D. C., & return	Only class available
Philomene Von Herberg Client	Vocational Rehabilitation	10/8/71 - 12/31/71	Little Rock, Arkansas, from Washington, D. C., & return	"Confined to wheel chair & it only fits thru first class door"
Arnold Speiser Chief, Prog. Plan. Branch	Environmental Services	11/29/71 - 11/30/71	St. Paul, Minnesota, from Washington, D. C., & return	"I will accompany consultants traveling first class"
Edward Dulcan Economic Develop. Officer	Redevelopment Land Agency	9/23/71 - 9/24/71	Erie, Pennsylvania, from Washington, D. C., & return	Only class available
Philip K. Hayes, Program Develop. Specialist	Redevelopment Land Agency	12/16/71 - 12/17/71	Atlantic City, N. J., from Washington, D. C., & return	Only class available
Philip K. Hayes Program Develop. Specialist	Redevelopment Land Agency	9/10/71	Philadelphia, Pa., from Washington, D. C., & return	Only class available
G. I. Sawyer & John J. Grady Bur. Des. & Engr.	Highways and Traffic	10/1/71	Chicago, Illinois, from Washington, D. C., & return	First Class only TO Chicago--only class available
Robert C. Holle (Brought to D. C. for interview - Redevelopment Land Agency)		10/27/71	Washington, D. C., from Middleton, Conn., & return	Only class available

1/ Does not include trips taken by Mayor and Deputy Mayor.

TRAVEL FOR MR. SCHALLER

Senator INOUYE. Thank you very much.

Mr. JORDAN. Mr. Schaller, I think you were one of the exceptions last year, now that I think about it. You made a rather extensive trip at first class for reasons you explained. Have you had occasion to travel for the District of Columbia this year?

Mr. SCHALLER. I traveled last summer, which was fiscal 1972; yes, sir.

Mr. JORDAN. Was it possible to use other than first-class travel, or did you again elect first-class travel?

Mr. SCHALLER. It was first-class travel. I accompanied the Mayor on his trip; yes, sir.

Senator INOUYE. Where was the destination, if I may ask?

Mr. SCHALLER. The Mayor went on an eight-nation State Department good will tour to West Africa.

Mr. CLARK. Are you familiar with Federal regulations? Are there not exceptions in Federal regulations which generally call for tourist or other than first-class travel? If my memory is correct, traveling beyond a certain distance or something like that under Federal regulations, Government officials in the regular Federal Government are authorized to travel first class? Isn't that true?

Mr. SCHALLER. Yes, sir; I am familiar with those. Also, if no other space is available and this type of thing; traveling certain distances, first class is permitted. Some airlines only have first-class service is another one.

Mr. CLARK. Thank you.

Senator INOUYE. I thank you very much, Mr. Schaller.

Office of Public Affairs

STATEMENT OF SAMUEL T. EASTMAN, PUBLIC AFFAIRS OFFICER

BUDGET REQUEST

Senator Inouye. Our next witness is the public affairs officer, Mr. Samuel Eastman. The budget request for his office is $234,700.

Welcome, sir.

PREPARED STATEMENT

Mr. Eastman. Mr. Chairman, I have a statement which I could submit for the record.

Senator Inouye. Without objection, it will be made a part of the record, sir.

(The statement follows:)

The requested budget for the Public Affairs Office for Fiscal Year 1973 is $234,700.

No increase is being asked except for an additional $13,100 to cover higher pay costs.

In regard to the current budget, I would like to make a brief report on what we are doing to carry out the Committee's instructions to establish a centralized public information system under the Mayor's direct control. We have been moving ahead to carry out this directive, which dovetails with the Mayor's emphasis on increasing efforts all along the line to unify the city government.

In its report, the Committee said it was seeking to eliminate "the diffusion of responsibility for public information services which are media oriented and related to politically significant issues or events" by establishing a central system directly under the Office of the Mayor.

The Committee, in its action on the 1972 Fiscal Year budget, eliminated 12 positions scattered in six city government agencies and gave my office funds for six additional positions.

All six positions have been established and three of them have been filled. I hope to fill the remaining jobs this month.

Our plan is to provide every agency under Mayor Washington's control with needed public information assistance while continuing to serve the Mayor. Staff from this central office will work with agency officials in all areas involving the news media. We also will have a liaison arrangement with the remaining agencies that have public information staff for needed coordination.

The Committee also provided this office with $20,000 for a report to the citizens on how the District Government spent its funds in Fiscal Year 1972. We are completing work on a booklet on city government services, which includes the financial information, and expect to distribute the pamphlet about the first of May.

ESTABLISHMENT OF A CITYWIDE PUBLIC INFORMATION SERVICE

Mr. EASTMAN. We are not requesting any additional funds for the Public Affairs Office, other than an amount of money needed to cover higher personnel costs. Meanwhile, the Office is moving ahead to carry out the directive of this committee to establish a citywide public information service under the direct control of the Mayor.

As you know, the committee eliminated in its action on the fiscal 1972 budget, 12 public information positions scattered throughout the various departments, and at the same time provided my office with funds to set up six additional public information positions. We have done that. We have filled three of the positions, and I hope to fill the remaining three this month.

The committe also added $20,000 to my budget to publish a booklet that would be distributed to the community, dealing with how the taxpayers' money was spent. We are in the final stages of that work. It is now being typed, and I hope to have that distributed to the community by the first of May.

Senator INOUYE. Do you believe the consolidation has been a source of efficiency and economy?

Mr. EASTMAN. Mr. Chairman, I think it is too early for a test. We really have not put that into full—that is not in effect yet. We will put that in effect as soon as I fill the three remaining positions. I am hopeful that will be the case, though.

Senator INOUYE. If my recollection is correct, we eliminated 12 positions.

Mr. EASTMAN. Yes, sir.

Senator INOUYE. Now, what about the 12 people who filled those positions? Were they eliminated?

Mr. EASTMAN. I do not have firsthand knowledge, but it is my understanding—well, let me say this. Two of the three positions that I have filled so far of the six given to my office were filled from the 12. Of the remaining 10, it is my understanding, most, if not all of them, have been placed in open positions with new duties. I have no knowledge of any one of these people being fired.

Senator INOUYE. This committee has been advised that the remaining 10 have been retained in the various departments in which they served as either experts or advisers, thereby very successfully and I suppose, legally, circumventing what we have been trying to do.

We eliminated the positions, but the same functions are being carried out. Is that observation unfair? I do not have firsthand knowledge of this.

Mr. COPPIE. Mr. Chairman, I would like the record to show that the committee eliminated 12 public information positions, and it also eliminated 43 driver or driver-related positions in the 1972 fiscal year budget. The Mayor took an active interest in implementing this requirement, and the positions were abolished and abolished within the appropriate time frame. The Commisioner made it clear at the time that he did not want to have a reduction in force in the District of Columbia. At the same time, the incumbents were not to be retained in positions where they would be carying out the same responsibility.

I am prepared to provide for the record documented evidence on the way we have implemented this directive in accordance with the requirement, and also documented confirmation from each operating head that was affected.

I would want the record to show very clearly from the District government that we have implemented policy consistent with the congressional requirements.

Senator INOUYE. It will be very helpful, because some of the information we have been receiving would suggest that these people have been retained in the same department and essentially carrying on the same function, with a different title.

(The summary follows:)

Summary Status Report on Transfers and Abolishments of Driver, Chauffeur and Public Information Officer Positions

Department or Agency	Drivers and Chauffeurs Schedule 1 & 2	Drivers Schedules 3	Public Information Officers	Total	Status
City Council	1			1	The position has not yet been abolished as the incumbent is currently replacing another employee out on extended sick leave.
Office of the Secretariat	2			2	The two positions have been abolished.
Office of Budget and Executive Management		1		1	The position has been transferred to the Department of Highways and Traffic. There was no incumbent to be affected.
Department of Finance and Revenue	7	3		10	One position has been abolished and nine have been transferred to the Department of Highways and Traffic. Four incumbents have been reassigned within the agency and six transferred to the Department of Highways and traffic.
Corporation Counsel	3			3	Three positions have been abolished and the two incumbents reassigned within the agency.
Department of General Services	1	2		3	One position has been abolished and two transferred to the Department of Highways and Traffic. The only incumbent was reassigned within the agency.
Department of Enconomic Development		4		4	The four positions have been abolished and two incumbents have been transferred to the Department of Highways and Traffic
Public Library	2		1	3	The three positions have been abolished . All three incumbents have been reassigned to other positions within the agency.
General Operating					
Assistant to the Commission for Housing Programs			1	1	The position has been abolished and the incumbent was reassigned within the agency.

Recorder of Deeds.....	1			1	The position has been abolished. There was no incumbent in the affected position.
Human Relations Commission		1	1	2	The positions have been abolished. One incumbent transferred to the Office of Public Affairs and the other terminated.
Total, General Operating.....	17	11	3	31	
Public Safety					
Fire Department	2			2	The positions have been abolished. The incumbent have been reassigned within the agency.
Department of Corrections.....	1		1	2	The positions have been abolished. The incumbent has been reassigned within the agency.
Total, Public Safety	3		1	4	
Public Schools	6	7		13	The positions have been abolished.
Federal City College.....	1	1		2	One position has been abolished and one transferred The only incumbent was reassigned within the agency.
Washington Technical Institute	1	1		2	The required positions have been abolished. One position has been transferred to the Department of Highways and Traffic and the incumbent reassigned within the agency.
Total, Education	8	9		17	
Recreation					
Recreation Department.....	2	1	1	4	The four positions have been abolished. One incumbent retired, one has been reassigned within the agency and two have been transferred to other agencies.

Human Resources					
Office of the Director.....	1			1	
Vocational Rehabilitation Admin	1	2	2	5	Five driver and seven public information positions have been abolished. Of the incumbents in these positions, five have been reassigned and four are pending reassignment or reduction in force proceedin Twenty-one driver positions have been transferred to the Department of Hifnways and Traffic and the incumbents have been reassigned within the agency.
Community Health Serfices Admin.	1	12	3	16	
Social Services Admin	1	7	2	10	
Mental Health Admin	1			1	
Total, Human Resources.....	5	21	7	33	
Highways and Traffic					
Department of Highways and Traffic.....	3			3	Three positions have been abolished. Incumbents in two of the positions were reassigned within the agency.
Motor Vehicles.....		2		2	Two positions have been abolished. The only incumbent has been reassigned within the Department.
Total, Highways and Traffic.....	3	2		5	
Sanitary Engineering					
Department of Environmental Services...	5	5		10	The ten positions have been abolished. Five of the incumbents have been reassigned within the Department and five were transferred to the Department of Highways and Traffic.
Grand Total, Operating Expenses...	43	49	12	104	

To COMER S. COPPIE, Special Assistant to the Mayor

From DAVID H. SCHWARTZ, Secretary to the City Council

Date February 3, 1972

Subject Abolishment/Transfer of Driver and Public Information Positions

This is in response to your memorandum of January 21, 1972.

The Fiscal Year 1972 Appropriations Act abolished one of the existing Council positions - that of our clerk-driver-messenger.

We still have the incumbent of this position, Alvin Baltimore, on our payroll, and we are absorbing his compensation. The reason for this is that the Council's other clerk, Richard Carter, has been out of the office for the past two months recuperating from major spinal surgery. We are waiting to see if, and when, Mr. Carter returns before deciding whether to transfer Mr. Baltimore or retain him in Mr. Carter's position.

Department, Executive Office
Agency, Office: Office of the Secretariat

TO: Comer S. Coppie
Special Assitant to the Mayor-
Commissioner

FROM: Martin K. Schaller
Executive Secretary, D.C.

Date: February 4, 1972

SUBJECT: Abolishment/Transfer of Driver and Public Information Positions

1. Two positions are in the process of being abolished. We have contacted Personnel office and papers are being processed.

2. None

3. The two positions have been requested as temporary positions.

TO: Comer S. Coppie
Special Assistant to the
Mayor-Commissioner

Department, Agency, Office: Office of Budget and Program Analysis

FROM: Johan Ruud
Administrative Officer

Date: February 4, 1972

SUBJECT: Abolishment/Transfer of Driver and Public Information Positions

In response to your memorandum of January 21, 1972, the position identified below, with the appropriate funding, has been transferred to the Department of Highways and Traffic:

Motor Vehicle Operator WG-5703-05 (Agency Position No. 35-1-5)

The position in question was not encumbered at the time the 1972 Appropriation Act directed the transfer.

TO: Comer S. Coppie
Special Assistant to the Mayor-Commissioner

Department, Agency, Office: Finance and Revenue, Office of the Director

FROM: Kenneth Back
Director

Date: January 25, 1972

SUBJECT: Abolishment/Transfer of Driver and Public Information Positions

This is in reply to your memorandum dated January 21, 1972, subject as above.

1. Four (4) of the ten (10) driver related positions have been abolished. The six remaining positions are encumbered by Assessor's Aid-Drivers. Their incumbents are being transferred to the Central Motor Pool, effective February 6, 1972 in accordance with C.O. 72-11.

2. Three (3) of the four (4) positions reported above as "abolished" are in fact being transferred to the Department of Highways and Traffic. The transfer is to coincide with establishment of the Motor Pool.

3. Four (4) of the ten (10) employees involved have been assigned to other clerical positions and are being retained on our rolls. The remaining six (6) employees are to be employed in the Highways and Traffic Motor Pool as of February 6, 1972.

It should be noted that the principal cause of delay may be attributed to awaiting issuance of Commissioner's Order No. 72-11 and subsequent instructions concerning assignments to the H & T Motor Pool. Had the ten (10) positions not all been encumbered we would have been able to abolish the positions earlier.

Department, Corporation Counsel
Agency, Office:

TO: Comer S. Coppie
Budget Officer, D.C.

FROM: C. Francis Murphy
Corporation Counsel, D.C.

Date: February 2, 1972

SUBJECT: Abolishment-Transfer of Driver Positions

As requested in your memorandum of January 21, 1972, on the above subject, the following information is submitted:

1. Three chauffeur-messenger positions were abolished in the Office of the Corporation Counsel.

2. No positions were transferred to the Department of Highways and Traffic.

3. The two former chauffeur-messenger positions in the Office of the Corporation Counsel are being reassigned to clerical positions. The actual reassignment is pending classification of the positions.

If you have any further questions on this matter do not hesitate to contact me.

Department,
Agency, Office: General Services

TO: Comer S. Coppie
Assistant to the Mayor for
Budget & Program Analysis

FROM: Sam D. Starobin
Director

Date: FEB 9 1972

SUBJECT: Abolishment/Transfer of Driver and Public Information Positions

The following information is submitted in response to your memorandum of January 21, 1972.

1. Our Chauffeur position has been abolished.

2. The two required positions have been transferred to the Department of Highways and Traffic.

3. Only one of the affected positions was filled. That employee has been transferred to another position in the Department

Department, Agency, Office: Economic Development / Office of Administration

TO: Comer S. Coppie
Special Assistant to the
Mayor-Commissioner

FROM: Jesse Johnson
Administrative Officer

Date: February 4, 1972

SUBJECT: Abolishment/Transfer of Driver and Public Information Positions

Reference is made to your memorandum of January 21, 1972 subject as above.

1. 29 positions have been abolished.

2. 4 positions were transferred to the Department of Highways and Traffic.

3. 2 incumbents of affected positions were transferred to the Department of Highways and Traffic.

February 2, 1972

TO: Mr. Comer S. Coppie
Special Assistant to the Mayor-Commissioner

FROM: Joe Y. Lee, Acting Director
D.C. Public Library

SUBJECT: Abolishment/Transfer of Driver and Public Information Positions

In response to your memorandum of January 21, 1972 on the above subject, I am pleased to report that the Public Library has fully implemented the requirement in the Fiscal Year 1972 Appropriation Act that the Library abolish certain driver and public information positions.

1. The three positions listed for the Public Library have been abolished.

2. No Public Library positions were required to be transferred.

3. The incumbents of the three affected positions have all been reassigned to other positions within the Public Library:

   a. The former Head, Community Relations Department, has been reassigned to the position of Coordinator of Community Library Services.

   b. The two incumbents of the abolished Truck Driver positions have been reassigned to positions as Assistant Building Engineers.

4. No Public Information activities are now being engaged in by the Public Library.

5. In accordance with a pre-arranged schedule (Memorandum of January 27, 1972 from Mr. T. F. Airis) the two vehicles from the Public Library will be delivered to the Central Motor Pool on February 14, 1972.

Joe Y. Lee
Acting Director

TO: Mr. Comer Coppie
Special Assistant to
the Mayor

Department,
Agency, Office: Housing Programs

FROM: James G. Banks
Assistant to the Mayor
for Housing Programs

Date: FEB 2 1972

SUBJECT: Response to January 21, 1972 memorandum from your office "Abolishment/Transfer of Driver and Public Information Positions."

In response to the memo from you listed above, this office is in the process of transferring the one individual who held a Public Information position on my staff when it was abolished by Congressional action on the 1972 budget. We have been delayed somewhat in our efforts to complete this action primarily because of transfers away from this office of personnel assistance.

We will transfer the individual in question, Mrs. Ruth Wenzel, to a position in the Model Cities program which I also direct in addition to my responsibilities with Office of Housing Programs and the National Capital Housing Authority. We intend to complete this action in as short a time as possible.

Additional information regarding this matter can be obtained from either Byron Hallsted (5217) or Dana Williams (5423) who are on my staff.

TO: Mr. Comer S. Coppie January 31, 1972
Special Assistant to the Mayor-Commissioner

FROM: Peter S. Ridley
Recorder of Deeds, D. C.

With reference to your memorandum dated January 21, 1972, concerning Abolishment/Transfer of Driver and Public Information Positions, the position of Chauffeur is no longer included in our authorized positions.

There was no incumbent in the affected position.

74-704 O - 72 - pt. 1 - 12

TO: Comer S. Coppie
Special Assistant to the
Mayor-Commissioner

Department, Agency, Office: Office of Human Rights

FROM: James W. Baldwin
Director

Date: February 29, 1972

SUBJECT: Abolishment/Transfer of Driver and Public Information Positions -- Your memorandum dated January 21, 1972

Our office had only one such position, that of Public Information Officer. It was abolished on January 22, 1972 and the incumbent, I. Benjamin Singelton, was transferred to the Public Affairs Office of the Executive Office of the Mayor-Commissioner effective the following day.

Another position, that of a temporary GS-2 clerk-typist, was erroneously reported to the Budget Office as being a permanent chauffeur position. In fact, this individual only occassionally drove for me - our official car is used by our Police-Community Relations Specialist and is assigned to that function. We were required to delete one of our permanent positions by the Congress because of the erroneous report. The individual who occupied the temporary GS-2 position, Luther Glenn, resigned on October 19, 1971 and a permanent GS-4 employee, Sue H. BuSey, was terminated due to a reduction in force on January 22, 1972 to conform to a Congressional directive.

TO: Comer S. Coppie
Special Assistant to the
Mayor-Commissioner

FROM: Joseph H. Mattare
Fire Chief

Date: January 25, 1972

SUBJECT: Abolishment of 2 Aide positions for the Assistant Fire Chief, Operations.

On page 35 of the U. S. Senate's report on the District of Columbia Appropriation Bill, 1972 (Report No. 92-550) the Appropriations Committee noted that it had abolished 2 positions assigned as Aides to the Assistant Fire Chief, Operations, in the Fire Department.

In compliance with your memorandum dated January 21, 1972, the Department reports it has accomplished this reduction in the following manner. You were advised by memorandum on January 12, 1972 of the distribution of all 23 positions ordered abolished by the FY 1972 Appropriation Act. The 2 Aides for the Assistant Fire Chief, Operations, were included in the 5 positions abolished in the Firefighting program by that memorandum.

One of the 2 incumbents has been reassigned to a vacant position as Aide to the Fire Chief. The other has been detailed to a vacant position in the Apparatus Division pending reassignment.

TO: Comer Coppie
Special Assistant to the Mayor

FROM: James T. Brown, Vice President
for Administration and Finance, Acting

SUBJECT: Abolishment/Transfer of Driver Positions

In accordance with your memorandum dated January 21, 1972, on the above subject, the following information is submitted:

(1) Number of relevant positions abolished?
one abolished, none remain

(2) Number of relevant positions transferred?
one transferred, none remain

(3) Status of incumbents?
The position abolished was vacant. Willis Belle who at one time occupied the position had been transferred as of September 17, 1970. The incumbent in the position transferred, John Kelly is being reassigned to a Warehouseman position in the Business Services Division at Federal City College.

TO: Mr. Comer Coppie February 8, 1972

FROM: Cleveland L. Dennard

SUBJECT: Position Transfers Correction

This memo is a corrected statement of my earlier letter of January 28, 1972 indicating that three positions for Public Information Specialist had been transferred to other assignments. The statement should have read that no Public Information positions at WTI are affected and that one driver position would be transferred to the Department of Highways and Traffic.

TO : Comer S. Coppie, Special Assistant to the Mayor-Commissioner

DATE: January 28, 1972

FROM : Cleveland L. Dennard, President

SUBJECT: Position Abolishment and Transfers

Pursuant to your memorandum of January 21 relative to actions taken to transfer personnel in public information positions to other assignments, the assignments have been executed with the effective date of February 1, 1972. Positions affected: three (3) persons. Transferred three (3).

The information development and dissemination needs for WTI's educational program require that a formal request for language exemption from this constraint must be included in our Fiscal Year 1973 appropriation request.

TO: Comer S. Coppie
Special Assistant to the Mayor-Commissioner

Department, Agency, Office: Recreation Administration

FROM: Joseph H. Cole
Director

Date: February 4, 1972

SUBJECT: Abolishment/Transfer of Driver and Public Information Positions

The Fiscal Year 1972 Appropriations Act affected 4 positions relating to driver and public information positions in the Department of Recreation. This included 3 driver positions and 1 public information position.

The following is the status of the position and the incumbents affected.

Grade	Title	Status of Position	Status of Incumbent	Effective Date
WG-5	Motor Vehicle Operator	Abolished	Retired	Jan. 7, 1972
WG-5	Motor Vehicle Operator	Abolished	Transferred to Dept of H. & T.	Feb. 5, 1972
WG-6	Preventive Maintenance Worker	Abolished	Reassigned to Maintenance Division - Dept of Recreation	Feb. 5, 1972
GS-11	Public Infor. Specialist	Abolished	Transferred to D.C. Office of Public Affairs	Jan. 8, 1972

Action has been taken regarding all 4 positions and as of February 5, 1972, the Department of Recreation is in compliance with the Congressional Order.

Department, Agency, Office: Human Resources

TO: Mr. Comer S. Coppie
Special Assistant to
the Mayor-Commissioner

FROM: Joseph P. Yeldell
Director, Department of
Human Resources

Date: FEB 14 1972

SUBJECT: Abolishment/Transfer of Driver and Public Information Positions

This is with reference to your memorandum of January 21, 1972 in which you request a progress report on the implementation of the Congressional orders regarding abolishment and/or transfer of driver and public information positions.

The status of this action is as follows:

1. How many of the relevant positions have been abolished? If any remain, what is the cause of the delay?

   Five driver and chauffeur positions and 7 public information function positions have been abolished.

2. How many of the relevant positions have been transferred? If any remain in your agency, what is the cause of the delay?

   Twenty-one driver positions have been transferred to the D.C. Department of Highways and Traffic.

3. What is the status of the incumbents of the affected positions? How many have been transferred to other positions in your agency? How many have been transferred to other agencies?

   Attachment A provides the status of the incumbents of the affected positions.

STATUS REPORT - OFFICE OF PUBLIC AFFAIRS

The Office of Public Affairs was formally abolished, effective December 18, 1971, by Departmental Organization Order #36, dated January 17, 1972. A memorandum from the Director to the D.C. Budget Office on February 4, 1972 completed the administrative actions incident to formal abolishment of the media-oriented public affairs positions deleted by Congress. Disposition of personnel, property, and equipment of the former Office of Public Affairs follows:

I. Positions Abolished by Congress (7)

--Clyde M. Reid, GS-15--Placed as a GS-14 Community Organization Specialist in Area C Community Health Center. In this capacity his communications skills and broad experience in the department are being used to provide a link between the treatment facility and the community. Here the emphasis will be on establishing a meaningful liaison between the program and users of our services.

--Robert Conn, GS-15--Placed as a GS-14 Health Educator in the TB program. This represents no essential change for Conn. Although officially assigned as Deputy Director of the Public Affairs Office, he concentrated in the field of Health Education. In his new responsibility he will specialize in informing the public about prevention and treatment programs for TB.

--Anna Berliner, GS-11--Placed as a GS-11 Project Monitor in the Narcotics Treatment Administration. This is a general administrative position and Mrs. Berliner will monitor NTA projects with Community groups, other governmental agencies and prepare written reports on their status for use by all levels of government.

--Denise J. Haikal, GS-12; Jerry S. Dyson, GS-11; and Katherine Russell, GS-7--We have not been able to place these three individuals in a specific departmental job. Katherine Russell has retention rights under formal RIF procedures and would place high on a Retention Register established for that purpose. Until now we have delayed using the formal RIF procedures because (1) we recognized that the action to abolish media-oriented public affairs positions was without prejudice

to the incumbents in those positions, and (2) to allow the individuals a maximum opportunity to find suitable employment and to exercise their rights under applicable Civil Service Rules and Regulations. Formal procedures will begin immediately and be completed on or about March 7, by which date all will be either placed or terminated, as appropriate.

--One GS 5/6 position abolished by the Congress was vacant and required no action beyond deleting it from the listings of our authorized positions.

II. Remaining Positions, Office of Public Affairs

--Visual Aids Division (7 positions)--Functions, personnel and property transferred intact to the Assistant Director for Administration. The unit supports the department with printed materials, films, exhibits and other visual aids used in training or to inform the public about programs.

--Health Information and Referral (3 positions)--Transferred to the Associate Director for Inspection and Program Analysis. Function has been broadened to include the dissemination of information to callers on the total Human Resources package.

--Other positions (4 positions)--The 4 remaining personnel of the former Office of Public Affairs are being reassigned to the Associate Director for Inspection and Program Analysis. In addition to assisting in the general program review function of that office, they will play a role in providing information to the public in a variety of Human Resources programs and services. For example, under the recently announced DHR Welfare reform program, it will be important to tell recipients of all new reporting and employment requirements.

STATUS REPORT - DRIVERS AND CHAUFFEURS

The status of the 5 chauffeur positions abolished by the D.C. Appropriations Act of 1972 and the 21 driver positions, along with the vehicles transferred to the Department of Highways and Traffic, is as indicated below:

I. Abolished Chauffeur Positions (5)

Of the 5 chauffeur positions abolished, 2 were vacant and required no further action. Two of the 3 remaining personnel have been placed in other positions in the Department. (It should be noted that while listed as chauffeurs, these personnel performed a variety of duties, not necessarily associated with driving.)

1. George Harrison (CHSA)--Has been reassigned as a GS-4 File Clerk under the Administrative Officer, Community Health and Hospitals Administration.

2. James Henson (VRA)--Reassigned as a GS-4 Clerk, Office Service Aid, in the Technical Assistance Division, Social and Rehabilitation Administration.

3. Eddie Butler--Has not been formally placed. Is being considered for a GS-4 admitting clerk position in Area A Mental Health Center.

II. Transfer of Drivers and Cars (21)

Twenty one positions have been transferred to the D.C. Department of Highways and Traffic. Our options were to transfer either the driver or the position. We transferred positions, filling other DHR driver vacancies with the incumbents.

Vehicles associated with the specified drivers have been identified and readied for transfer. Although initially scheduled for February 7, 1972, the physical relocation of the 21 vehicles has been delayed until later in the month, at the request of the Highways and Traffic Department.

TO: Mr. Comer S. Coppie
Special Assistant to the
Mayor-Commissioner

Department, Agency, Office: Highways and Traffic

FROM: George M. Boynton
Assistant Director
for Business Administration

Date: February 1, 1972

SUBJECT: Abolishment/Transfer of Driver and Public Information Positions

In compliance with your memorandum of January 21, 1972, the following information is submitted.

This department has abolished the three Motor Vehicle Operator positions cited in the fiscal 1972 budget mark, of which one was a temporary position. Incumbents in two of the positions were transferred to other positions in this department.

TO: Office of Budget and
Program Analysis

Department, Agency, Office: Motor Vehicles
Business Administration

FROM: William J. Quinn,
Executive Officer

Date: February 4, 1972

SUBJECT: Abolishment/Transfer of Driver and Public Information Positions

Reference Office of Budget and Program Analysis memorandum dated January 21, 1972, subject as above, we submit the following:

The position of Motor Vehicle Operator that was transferred to the Department of Highways and Traffic by the Congress has been abolished and the incumbent transferred to another non-driving position for which he qualified within the Department.

The second position that was transferred to the Department of Highways and Traffic by the Congress was that of Warehouseman. The incumbent in this position performed only very limited driving duties and only as required in performance of his property receipt and storage duties. Therefore, another vacant position was abolished to comply with the Act and to permit the Department to retain its only property receipt and storage position and permit the incumbent to continue to perform the related duties - other than motor vehicle operation - essential to support the Department's daily services and activities.

The two vehicles that were previously operated by the incumbents of these positions have been transferred to the Department of Highways and Traffic.

TO: Mr. Comer S. Coppie
Special Assistant to the
Mayor-Commissioner

Department, Agency, Office: Environmental Services
Executive Management

FROM: Edward T. Curley, Director
Office of Executive Management

Date:

SUBJECT: Abolishment/Transfer of Driver Positions

The following is in response to your memorandum of January 21, 1972 concerning the subject:

1. All of the positions except two have been abolished. The delay in abolishing these positions is caused by the time required to complete the personnel actions to effect a reassignment.

2. Incumbents of seven of the positions have been transferred to the Department of Highways and Traffic. The incumbents are: Stanley E. Bennett, John Lee, Raymond Evans, Alonzo Boyd, O. B. Davis, Matthew Dickens, and Norris Owens.

   Four of the incumbents remained in the Department of Environmental Services. Two were assigned to truck driving duties at the WG-6 grade level; one is presently detailed to a Surveying Aid position pending completion of personnel action to reassign him to the position, and the other employee will be assigned to the Department of Highways and Traffic, effective March 19, 1972. It was believed that his skills could be utilized within the Department, but the position did not materialize.

   Two of the employees originally reassigned to the Department of Highways and Traffic have been returned to the Department of Environmental Services to allow them to complete a training program for food sanitarians.

..

replaced Clarence Pettis

Clarence Pettis is the 11th person mentioned.

REPORT TO DISTRICT CITIZENS

Mr. JORDAN. Mr. Eastman, you indicated that $20,000 has been appropriated to advise the citizens of the District of Columbia as to what was done with their revenues.

Mr. EASTMAN. Yes, sir.

Mr. JORDAN. But this year, the District's financial and statistical report was not available until the 1st of March. Have you drawn up your plans when you would anticipate issuing this report to the citizens of the District of Columbia?

Mr. EASTMAN. I am reasonably certain we will have it distributed by May 1.

Mr. JORDAN. By when?

Mr. EASTMAN. The 1st of May.

Mr. JORDAN. For what year?

Mr. EASTMAN. Of this year.

Mr. JORDAN. What fiscal year will it reflect?

Mr. EASTMAN. The booklet which we are preparing goes somewhat beyond what the committee directed us to do. We hope to outline the range of services offered by the District government with appropriate phone numbers of officials. In addition to that, we would include financial information on fiscal year 1972.

Senator INOUYE. Thank you very much, sir. We appreciate that.

Office of Budget and Program Analysis

STATEMENT OF COMER S. COPPIE, SPECIAL ASSISTANT TO THE MAYOR-COMMISSIONER

BUDGET REQUEST

Senator Inouye. We now have, once again, Mr. Coppie, Special Assistant to the Mayor-Commissioner, to present the budget request for the Office of Budget and Program Analysis, at $693,200.

PREPARED STATEMENT

Mr. Coppie. Mr. Chairman, I do have a prepared statement, which I will provide for the record.

Senator Inouye. Without objection, it will be made a part of the record, sir.

(The statement follows:)

Office of Budget and Program Analysis

The Office of Budget and Program Analysis, established August 2, 1971, is the key staff arm of the Mayor-Commissioner on matters concerning budget and budget-related program analysis. Grants management, development of the District's six-year capital improvements program, and administration of the City's Federal Emergency Employment Act program also come within the Office's responsibilities.

In the area of budgeting, the Office staff works directly with District agencies in preparing their operating and capital budget submissions for each fiscal year. The Special Assistant for budget and program analysis, who heads the Office, then advises the Mayor-Commissioner on major resource allocation decisions in the formulation of the Executive Budget.

We take the lead in presenting and justifying the City's budget to the Congress, the District of Columbia City Council, and the Federal Office of Management and Budget. We prepare the required budget documents, support the Mayor-Commissioner and other District officials during budget hearings, and develop additional information as requested.

In line with this responsibility, we develop ways to improve the budget process.

Our role does not end with passage of the appropriations act. We are also charged with controlling the funds appropriated to the District Government in accordance with Congressional directives and those of the Mayor.

For example, the Office of Budget and Program Analysis has administered the Mayor's austerity program. We have supervised the abolishment of almost 1,900 unfilled positions since August 1971 and have enforced limitations on expenditures for travel, overtime, temporary positions, and other purposes.

The Office is currently monitoring the spending limitations imposed by the Congress for fiscal 1972.

As the State Clearinghouse for Federal Assistance, the Office is responsible for coordinating and reviewing Federally funded programs in the District Government. We are developing a system of executive-level control over grant monies that will lead to the elimination of duplication of program effort and will help ensure that grant funds support the City's most important objectives.

The Office is also administering the City's Emergency Employment Act program, a Federally funded effort intended to reduce unemployment. The District has been awarded grants of $3.4 million to support 540 positions. Almost all these positions have now been filled to provide added staff in such areas as environmental services, health, social services, corrections, narcotics treatment, and housing.

The broad range of our responsibilities brings the Office into contact with almost every issue and problem arising in the District Government. To provide a structured approach to dealing with major concerns, the Office of Budget and Program Analysis recently initiated a formal issue study process. Through this process, we will indentify important issues and ensure that they are thoroughly analyzed in time to influence budgetary decisions.

To support its activities during Fiscal Year 1973, the Office of Budget and Program Analysis is requesting $693,200 and 36 positions.

The only increases are $30,800 for the employee pay raise authorized for January 1, 1972, and $15,100 for employee within grade increases.

OFFICE RESPONSIBILITY

Mr. COPPIE. As I believe you do know, the Office of Budget and Program Analysis was created by a commissioner's order of July 30, 1971. Its primary responsibility is the budgetary mission in the District of Columbia government for the Mayor-Commissioner.

I am available to answer any questions that the chairman might have at this time.

Senator INOUYE. Am I correct that the combined Office of Budget and Executive Management was authorized a total of 102 positions in fiscal year 1972?

Mr. COPPIE. That is correct, Mr. Chairman.

Senator INOUYE. Then, how is it that this year's base shows 36 for Budget and 79 for Management, and if my addition is correct, a total of 115?

BUDGET OFFICE POSITIONS

Mr. COPPIE. Mr. Chairman, the Budget Office positions are 36. I believe at the time the budget was appropriated for 1971, there were 37 positions and one position was transferred in 1972 as a part of the driver reassignment in the District government. That reduced our authorized position strength to 36.

Mr. Ingram can speak specifically to the Office of Planning and Management, but I believe the differential is associated with the creation of his office, and the abolishment of the Office of Community Services and the absorption of the positions from the Office of Community Services in the Office of Budget and Executive Management. I believe he can speak more specifically to his situation at the time that he appears.

Senator INOUYE. What became of the driver's position which was previously allocated to your office?

Mr. COPPIE. Mr. Chairman, in the case of the driver position that was allocated to my office, it was transferred to the Department of Highways and Traffic. The position was vacant at the time. The incumbent died in December, and the vacant position was transferred. It is currently being used by the Highways and Traffic Department.

Senator INOUYE. Was your office upgraded during the last fiscal year, your position?

Mr. COPPIE. Yes, in the sense that I understand the question. The answer to that question would be, Yes.

Senator INOUYE. How was this done?

Mr. COPPIE. Well, perhaps I should ask a question of clarification, Mr. Chairman, by what do you mean by "upgraded?"

PROCEDURES FOR UPGRADING POSITIONS

Senator INOUYE. Was there any procedure involved where we were not made aware of the upgrading of positions which we are ordinarily advised of?

Mr. COPPIE. In the upgrading of positions?

Senator INOUYE. Upgrading.

Mr. COPPIE. In terms of the Office of Budget and Program Analysis, you were advised of the creation of that office in July of 1971.

Senator INOUYE. But your position was upgraded—and I congratulate you——

Mr. COPPIE. Thank you.

Senator INOUYE. From GS–16 to 17, wasn't it?

Mr. COPPIE. I believe, Mr. Chariman, that we have the general authority to reallocate positions without the specific approval of the congressional committee, assuming that the cost of that reallocation can be sustained from within the apportionment for the fiscal year. And in my case, it could be.

Senator INOUYE. How frequently is reallocation without notification carried out with relationship to supergrades, such as 16 and 17?

Mr. COPPIE. I would want the personnel officer to speak specifically to that, Mr. Chairman. I am really not qualified to speak to it.

Senator INOUYE. Thank you very much, Mr. Coppie.

Mr. COPPIE. Thank you, Mr. Chairman.

Senator INOUYE. I would like to pass over the next budget item—the Office of Planning and Management. We have just received some information and I have not had time to look over the documents. So we will hear from Mr. Ingram the first thing tomorrow morning.

PERSONNEL OFFICE

STATEMENT OF JOHN H. EATON, PERSONNEL OFFICER

ACCOMPANIED BY:

DONALD H. WEINBERG, CHIEF, PAY SYSTEMS AND LABOR RELATIONS DIVISION

MR. BAIRD, ADMINISTRATIVE ASSISTANT

BUDGET REQUEST

Senator INOUYE. I would like to now call upon Mr. John H. Eaton, the Director of Personnel, testifying in behalf of the Personnel Office, and requesting the amount of $999,300.

Mr. EATON. Thank you.

I have with me Mr. Weinberg on my right, who is Chief of Pay Systems, and Labor Relations, and Mr. Baird, administrative assistant, on my left.

Senator INOUYE. Welcome.

PREPARED STATEMENT

Mr. EATON. I have a prepared statement, if you would like to put that in the record.

Senator INOUYE. Without objection, your statement will be made a part of the record, sir.

(The statement follows:)

74-704 O - 72 - pt. 1 - 13

THE D. C. PERSONNEL OFFICE IS RESPONSIBLE FOR DEVELOPING AND ADMINISTERING A COMPREHENSIVE PERSONNEL MANAGEMENT PROGRAM FOR THE DISTRICT OF COLUMBIA GOVERNMENT, AND SERVES AS THE PRIMARY ADVISOR TO THE MAYOR AND DEPUTY MAYOR ON ALL MATTERS RELATING TO PERSONNEL ADMINISTRATION WITHIN THE DISTRICT GOVERNMENT.

ORGANIZATIONALLY THE PERSONNEL OFFICE IS COMPRISED OF FIVE PRINCIPAL DIVISIONS WHICH HAVE FUNCTIONAL RESPONSIBILITY FOR A VARIETY OF BROAD PROGRAM AREAS, INCLUDING: POSITION CLASSIFICATION; EMPLOYEE RELATIONS; PERSONNEL MANAGEMENT EVALUATION; POLICY DEVELOPMENT; SALARY AND WAGE ADMINISTRATION; LABOR-MANAGEMENT RELATIONS; RETIREMENT; RECRUITMENT, SELECTION, AND PLACEMENT; TRAINING AND CAREER DEVELOPMENT; EMPLOYEE RECOGNITION; SAFETY MANAGEMENT; ADMINISTRATION OF EMPLOYEES' DISABILITY COMPENSATION; AND THE ADMINISTRATION OF SEVERAL GRANT-FUNDED EMPLOYMENT AND TRAINING PROGRAMS FOR THE DISADVANTAGED.

FOR FISCAL YEAR 1973, THE OPERATING COST OF THE PERSONNEL OFFICE IS ESTIMATED TO BE $999,300. THIS REPRESENTS AN INCREASE OVER LAST YEAR'S BUDGET OF $168,400. ALMOST HALF OF THE INCREASE, OR $70,200, IS FOR MANDATORY INCREASES.

MANDATORY INCREASES

1972 CLASSIFIED PAY INCREASE	$41,000
WITHIN-GRADE ADVANCEMENTS	22,200
REALLOCATIONS	7,000
TOTAL	$70,200

THE REMAINING PORTION OF THE INCREASE REQUESTED, $98,200, INCLUDES: (1) FUNDS FOR TEN NEW POSITIONS; (2) FUNDS FOR THE RENTAL OF ADP EQUIPMENT AND SUPPLIES; AND (3) FUNDS FOR THE ESTABLISHMENT OF A DATA PROCESSING SYSTEM TO BE USED FOR PAY SYSTEMS AND LABOR RELATIONS APPLICATIONS.

POSITION MANAGEMENT AND PERSONNEL REPORTING AUTOMATED SYSTEM

AN INCREASE OF $47,700, WHICH INCLUDES THREE OF THE NEW POSITIONS REQUESTED, AS WELL AS FUNDS FOR THE RENTAL OF ADP EQUIPMENT AND SUPPLIES. THIS PROJECT IS CURRENTLY FUNDED BY GRANT MONEY AND IS DESIGNED TO IMPROVE POSITION MANAGEMENT, PERSONNEL OPERATIONS AND BUDGETARY CONTROLS ON POSITIONS THROUGHOUT THE DISTRICT GOVERNMENT BY PROVIDING A VARIETY OF STATISTICAL INFORMATION THROUGH AN AUTOMATED PERSONNEL INFORMATION STORAGE SYSTEM.

FUNDS FOR THE POSITIONS IN THIS PROJECT HAVE BEEN REQUESTED ON AN ELEVEN MONTH BASIS AS THE GRANT FUNDING FOR THIS PROJECT WILL EXPIRE ON JULY 31, 1972.

1 GS-13, PERSONNEL SPECIALIST	$18,900
1 GS- 5, PERSONNEL CLERK	8,500
1 GS- 4, PERSONNEL CLERK	7,800
ADP EQUIPMENT RENTAL AND SUPPLIES	12,500
TOTAL	$47,700

PAY SYSTEMS AND LABOR RELATIONS

AN INCREASE OF $50,500 IS REQUESTED FOR THE PAY SYSTEMS AND LABOR RELATIONS DIVISION. THIS REPRESENTS FUNDING FOR SEVEN NEW POSITIONS AND THE ESTABLISHMENT OF A DATA PROCESSING SYSTEM FOR PAY SURVEYS, FRINGE BENEFITS AND LABOR RELATIONS APPLICATIONS.

1 GS-13, PERSONNEL MANAGEMENT SPECIALIST	$ 7,500
1 GS-13, LABOR-MANAGEMENT RELATIONS SPECIALIST	7,500
1 GS-12, HEARING OFFICER	1,100
1 GS-12, STATISTICAL AND RESEARCH ASSISTANT	6,600
1 GS- 9, LABOR-MANAGEMENT RELATIONS SPECIALIST	4,900
1 GS- 7, STATISTICAL CLERK	4,600
1 GS- 6, PERSONNEL CLERK	3,300
ESTABLISHMENT OF A DATA PROCESSING SYSTEM	15,000
	$50,500

MR. WEINBERG, THE CHIEF OF THIS DIVISION WILL CONTINUE WITH A STATEMENT JUSTIFYING THIS PORTION OF OUR REQUEST.

REQUESTED INCREASES

Mr. EATON. An increase of $168,400 has been requested for fiscal year 1973. Mandatory items require $70,200. The remaining portion of the increase requested, $98,200, includes funds for 10 new positions, funds for rental of ADT equipment and supplies, funds for the establishment of a data processing system to be used for pay systems and labor relations application.

Position management and personnel reporting automated system costs $47,700, which includes three new positions, as well as funds for the rental of ADP equipment and supplies. This project is currently funded by grant money and is designed to improve position management and personnel operations, and budgetary controls of positions throughout the District government by providing a variety of statistical information through an automated personnel information storage system.

Funds for positions in this project have been requested on an 11-month basis, as the grant funding for this project will expire on July 31, 1972.

That is the IPA—Intergovernmental Personnel Act—funds that we received from Civil Service Pay Systems and Labor Relations, at a cost of $50,500 for the Pay Systems and Labor Relations Division. This represents funding for seven new positions and the establishment of a data processing system for pay surveys, fringe benefits, and labor relations applications.

STATEMENT OF DONALD H. WEINBERG

Mr. Weinberg, chief of this division, will testify on the seven new positions.

Mr. WEINBERG. Mr. Chairman, I have a statement I hope you will accept for the record.

Senator INOUYE. Without objection, it will be made a part of the record.

(The statement follows:)

MR. CHAIRMAN, OVER THE LAST THREE YEARS THE PAY SYSTEMS AND LABOR RELATIONS DIVISION HAS HAD TO COPE WITH A DRAMATIC INCREASE IN WORKLOAD. THE DIVISION IS PRESENTLY OPERATING WITH JUST SIX PERMANENT POSITIONS. IT IS DIRECTLY RESPONSIBLE FOR (1) PREPARATION OF PROPOSED LEGISLATION AND SUPPORTING MATERIAL FOR POLICE, FIRE, TEACHER AND SCHOOL OFFICER SALARY AND RETIREMENT BENEFITS INCREASES; (2) DEVELOPMENT AND ADMINISTRATION OF THE DISTRICT'S LABOR RELATIONS PROGRAM; (3) ADMINISTRATION OF PAY SYSTEMS FOR 24,000 DISTRICT EMPLOYEES, INCLUDING POLICEMEN AND FIREMEN, TEACHERS AND SCHOOL OFFICERS, WAGE EMPLOYEES, MEDICAL INTERNS AND RESIDENTS, AND FACULTY AND ACADEMIC ADMINISTRATIVE PERSONNEL IN HIGHER EDUCATION; AND (4) CONDUCT AND PUBLICATION OF A NUMBER OF MAJOR NATIONAL AND LOCAL AREA WAGE AND FRINGE BENEFITS SURVEYS. MANY OF THE ABOVE RESPONSIBILITIES HAVE HAD TO BE ACCOMPLISHED SIMULTANEOUSLY AND ANY DELAY WOULD HAVE SERIOUSLY AFFECTED PAY OR RETIREMENT BENEFITS INCREASES FOR SIGNIFICANT CATEGORIES OF EMPLOYEES. THE SHORTAGE OF STAFF AND THE RIGID DEADLINES IMPOSED TAKE A SERIOUS TOLL OF THE CAPABILITIES OF EMPLOYEES IN DEALING WITH COMPLEX PROBLEMS AND PROJECTS. THE NEED FOR ADDITIONAL STAFF TO PROPERLY ACCOMPLISH THE DIVISION'S SPIRALING WORKLOAD IS CRITICAL.

APPROXIMATELY 15,000 DISTRICT GOVERNMENT EMPLOYEES ARE CURRENTLY PAYING DUES TO RECOGNIZED LABOR ORGANIZATIONS WHILE AN ESTIMATED 18,000 OF OUR EMPLOYEES ARE REPRESENTED BY UNIONS AS PART OF BEING IN EXCLUSIVE UNITS.

AS UNIONIZATION HAS INCREASED AND BECOME MORE SOPHISTICATED THE TIME, ENERGY AND RESOURCES EXPENDED BY THE

PAY SYSTEMS AND LABOR RELATIONS DIVISION ON COLLECTIVE BARGAINING MATTERS AND OTHER ASPECTS OF LABOR RELATIONS HAVE INCREASED PROPORTIONATELY BUT WITH NO CORRESPONDING INCREASE IN STAFF.

AN INCREASE IN THE NUMBER OF UNIONIZED SERVICES HAS COMPLICATED AND AGGRAVATED THE DIFFICULT QUESTION OF WAGES, SALARIES AND FRINGE BENEFITS. DISTRICT GOVERNMENT EMPLOYEES SUCH AS SANITATION WORKERS, POLICEMEN, FIREMEN AND TEACHERS ARE NEITHER IGNORANT OF NOR INDIFFERENT TO THE WAGE SCALES OF THE OTHERS.

THE UNIQUE ASPECT OF LABOR RELATIONS AND THE STATE OF BARGAINING IN THIS CITY GOVERNMENT IS THAT THE NATIONAL AND INTERNATIONAL HEADQUARTERS OF UNIONS WITH WHICH WE DEAL AND WHO TAKE GREAT INTEREST IN THE AFFAIRS OF THEIR DISTRICT GOVERNMENT LOCALS ARE LOCATED IN WASHINGTON AND THEY USE THE DISTRICT BOTH AS A TEST VEHICLE AND SPOTLIGHT FOR BARGAINING DEMANDS MADE IN OTHER LARGE CITIES. IT IS SELDOM THAT RESEARCH AND TECHNICAL PERSONNEL OF THE NATIONAL AND INTERNATIONAL OFFICES ARE NOT PRESENT IN SOME WAY AT NEGOTIATIONS WHETHER THEY ARE ON A LOCAL OR CITY-WIDE BASIS.

THE FORMULATION OF ACCURATE WAGE POLICIES FOR 24,000 OF OUR 39,000 EMPLOYEES BY OUR SMALL DIVISION OF SIX STAFF PERSONNEL REQUIRES CONSTANT AND READY DATA WHETHER IT PERTAINS TO PAY AND/OR RETIREMENT SYSTEMS FOR HIGHER EDUCATION, MEDICAL INTERNS AND RESIDENTS, SCHOOL CAFETERIA EMPLOYEES, POLICEMEN AND FIREMEN, TEACHERS AND SCHOOL OFFICERS OR BLUE COLLAR EMPLOYEES.

CURRENTLY THE DIVISION MAKES FROM 11 TO 15 NATIONAL AND LOCAL SALARY AND WAGE AND FRINGE BENEFITS SURVEYS EACH YEAR. THIS IMPORTANT RESPONSIBILITY IS SHARED BY EACH STAFF MEMBER THEREBY PLACING AN ADDITIONAL WORK RESPONSIBILITY ON LIMITED STAFF TIME. THE IMPORTANCE OF THIS FUNCTION CANNOT BE UNDERESTIMATED AND WE ARE CURRENTLY LOOKED UPON AS ONE OF THE FOREMOST SOURCES FOR SALARY AND FRINGE BENEFIT DATA IN THE COUNTRY. IT IS INTERESTING TO NOTE THE INTERNATIONAL CITY MANAGEMENT ASSOCIATION AND THE PUBLIC PERSONNEL ASSOCIATION HAVE ASKED US FOR ASSISTANCE IN THE CONDUCT OF POLICE AND FIRE SALARY SURVEYS. HOWEVER, THE DEMANDS OF BOTH LABOR-RELATIONS AND PAY ADMINISTRATION NOW LEAVE LITTLE TIME TO DEVOTE TO THIS WORK AND SINCE COMPARABILITY IS THE KEYSTONE OF OUR SALARY PROGRAM MORE INFORMATION IS NEEDED NOT LESS.

THE STATISTICAL AND RESEARCH ASSISTANT GS-12 AND STATISTICAL CLERK GS-7 ARE THE MODEST BEGINNING NEEDED TO KEEP PACE WITH THE RESEARCH FACILITIES NOW BEING MAINTAINED BY THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, THE AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, THE AMERICAN FEDERATION OF TEACHERS, THE NATIONAL EDUCATION ASSOCIATION AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS. THE $15,000 BEING REQUESTED FOR THE DATA PROCESSING SYSTEM WILL GIVE US THE ABILITY TO PLACE THESE DATA ON TAPE FOR INEXPENSIVE STORAGE AND QUICK RETRIEVAL AND MOVE US FROM THE "DARK AGES" OF DATA ACQUISITION TO ONE OF ENLIGHTENMENT.

THE OTHER POSITIONS REQUESTED ARE NEEDED NOT ONLY TO PERMIT MORE EFFICIENT ACCOMPLISHMENT OF ON-GOING PROGRAM RESPONSIBILITIES, THEY ALSO ARE VITAL TO THE IMPLEMENTATION OF IMPORTANT PROGRAMS PLANNED FOR THE FUTURE THE PURPOSE OF WHICH

IS TO ESTABLISH GREATER OVERALL EFFECTIVENESS IN ACTIVITIES THAT HAVE SIGNIFICANT BUDGETARY IMPACT AS WELL AS PROMOTE A HIGHER DEGREE OF COORDINATION BETWEEN THE DIVISION'S PAY ADMINISTRATION AND LABOR RELATIONS FUNCTIONS.

THE PERSONNEL CLERK GS-6 BEING REQUESTED WOULD GIVE US OUR FIRST PERMANENT CLERICAL POSITION TO PERFORM THE VARIETY OF CLERICAL AND ADMINISTRATIVE DUTIES ASSOCIATED WITH ALL THE DIVISION'S ACTIVITIES.

THERE IS EVERY REASON TO BELIEVE, BASED ON OUR ANALYSIS OF THE DIVISION'S SEVERAL PROGRAMS, THAT SIGNIFICANT SAVINGS IN BOTH MONIES AND PERSONNEL RESOURCES CAN BE ACHIEVED THROUGH THESE ADDITIONAL POSITIONS.

THE OBJECTIVES OF THE NEW PROGRAMS ARE OUTLINED AS FOLLOWS:

I. <u>IN THE AREA OF PAY AND RETIREMENT ADMINISTRATION THE PERSONNEL MANAGEMENT SPECIALIST GS-13 WILL STRENGTHEN OUR CAPABILITY TO MEET NEW CHALLENGES</u>

1. TO PERFORM A COMPLETE REVIEW AND ANALYSIS OF THE SIX OR MORE PAY SYSTEMS CURRENTLY ADMINISTERED BY THE DIVISION TO ASCERTAIN POSSIBLE NEED FOR REFORM, CONSOLIDATION, AND/OR FLEXIBILITY WITH REGARDS TO COLLECTIVE BARGAINING, EFFECTIVENESS AND OVER-ALL COST IMPACT.
2. TO ESTABLISH EVALUATION SYSTEMS FOR EMPLOYEES COVERED BY THE HIGHER EDUCATION SALARY SYSTEMS.
3. TO PROVIDE GREATER CONTROL OF THE ADMINISTRATION AND COST OF SEVERAL RETIREMENT SYSTEMS SUCH AS POLICE AND FIRE, TEACHERS AND HIGHER EDUCATION. THIS WILL INCLUDE THE RELATIONSHIP OF BENEFITS AS

THEY RELATE TO TOTAL COMPENSATION, FUNDING AND ADMINISTRATION BASED ON ACTUARIAL STUDIES NOW BEING MADE BY THE U.S. TREASURY DEPARTMENT.

4. TO ESTABLISH PROGRAMS IN THE AREA OF OTHER FRINGE BENEFITS SUCH AS HEALTH AND DISABILITY INSURANCE, INCENTIVE PAY, ENVIRONMENTAL AND OTHER FORMS OF PREMIUM PAY, ETC. DEMANDS BEING MADE BY UNIONS TO ACHIEVE GREATER BENEFITS IN THESE AREAS REQUIRE COMPLETE AND DETAILED DATA IN THIS REGARD.

5. TO PREPARE LEGISLATIVE PROPOSALS AND SUPPORTING MATERIAL FOR SUBMISSION TO CONGRESS REGARDING POLICE AND FIRE AND TEACHER AND SCHOOL OFFICER SALARY INCREASES; AND ADJUSTMENTS IN RETIREMENT BENEFITS, FOR POLICEMEN, FIREMEN, TEACHERS, SCHOOL OFFICERS AND THEIR SURVIVORS ON A TIMELY BASIS IN ORDER TO MAINTAIN COMPETITIVENESS, MEET EVOLVING NEEDS AND CULMINATE LABOR-MANAGEMENT AGREEMENTS IN THESE AREAS.

II. <u>IN THE AREA OF LABOR RELATIONS THE LABOR-MANAGEMENT RELATIONS SPECIALISTS GS-13 AND GS-9 WILL ENABLE THE DIVISION TO IMPROVE ITS ABILITY TO MEET THE EVER INCREASING DEMANDS MADE BY INCREASED UNIONIZATION</u>

1. TO ACHIEVE CENTRALIZATION OF FUNCTION WHICH INCLUDES CONTRACT NEGOTIATION AND REPRESENTATION ISSUES. THIS WILL ACHIEVE UNIFORMITY IN COLLECTIVE BARGAINING AND ELIMINATE CURRENT WHIPSAWING TACTICS.

2. TO DEVELOP AND PRESENT ALL CASES BEFORE THE D.C. BOARD OF LABOR RELATIONS INCLUDING WRITTEN BRIEFS, ORAL ARGUMENT AND TESTIMONY ON SUCH MATTERS AS

UNFAIR LABOR PRACTICES, REPRESENTATION ISSUES AND OTHER LABOR DISPUTES.

3. TO DEVELOP MORE EFFECTIVE CONTRACT PROPOSALS AND COUNTERPROPOSALS DEMANDED BY AN EXPANDED NEGOTIATION FUNCTION. FOR EXAMPLE, IN JANUARY AND FEBRUARY ALONE, THE DIVISION EXPENDED OVER 300 MANHOURS JUST FOR NEGOTIATIONS WITH SANITATION WORKERS, INCLUDING THE PREPARATION THEREFOR.
4. TO ESTABLISH INSERVICE TRAINING AND INSTRUCTION IN LABOR RELATIONS TECHNIQUES AND RESPONSIBILITIES AT ALL LEVELS OF MANAGEMENT AND DEVELOP GREATER SKILLS IN DAY-TO-DAY CONTRACT NEGOTIATIONS.
5. TO PROVIDE CLOSER REVIEW OF CONTRACT ADMINISTRATION IN DISTRICT DEPARTMENTS AND AGENCIES.
6. TO REVISE PORTIONS OF THE CURRENT LABOR MANAGEMENT RELATIONS POLICIES TO ENSURE A STRONGER MANAGEMENT ORIENTED APPROACH FOR DEALING WITH LABOR ORGANIZATIONS. THIS IS NECESSARY AS A DIRECT RESULT OF REORGANIZATIONS MADE BY PRINCIPAL UNIONS TO ACHIEVE GREATER BARGAINING STRENGTH AND THEREBY GAIN GREATER CONCESSIONS FROM MANAGEMENT.
7. TO RESEARCH, PREPARE, AND ISSUE GUIDELINES BASED ON DECISIONS BY THE D.C. BOARD OF LABOR RELATIONS AS WELL AS DECISIONS RENDERED BY OTHER THIRD PARTY BODIES.

III. IN THE AREA OF RESEARCH THE STATISTICAL AND RESEARCH ASSISTANT GS-12 AND STATISTICAL CLERK GS-7 ARE THE KEY IN THE VERY IMPORTANT RESEARCH AREA.

AS MENTIONED PREVIOUSLY, IN ORDER TO BROADEN THE INPUT OF MEANINGFUL STATISTICAL DATA, WHICH IS USED AS A MEANS OF EVALUATING THE DISTRICT'S CURRENT WAGE AND FRINGE BENEFITS PRACTICES, THE PAY SYSTEMS AND LABOR RELATIONS DIVISION CONDUCTS SOME FIFTEEN HIGHLY COMPREHENSIVE NATIONAL AND LOCAL WAGE AND FRINGE BENEFIT SURVEYS SOME OF WHICH RUN AS LARGE AS 50 PAGES.

THESE SURVEYS COVER NEARLY ALL CATEGORIES OF EMPLOYEES FOR WHICH THE DISTRICT OF COLUMBIA GOVERNMENT HAS PAY SETTING RESPONSIBILITY AND SERVE AS THE BASIS FOR RECOMMENDING PAY AND FRINGE BENEFIT CHANGES TO THE MAYOR AND/OR CONGRESS. RATIONAL PAY ADMINISTRATION DECISIONS ARE DEPENDENT UPON CURRENT INFORMATION OBTAINED IN REGULARLY CONDUCTED SURVEYS.

THE PROPOSED INCREASED RESEARCH ACTIVITY WOULD BE ABLE TO FILL PRESENT GAPS IN THIS VITAL AREA AND PERFORM THE FOLLOWING DUTIES:

1. TO COLLECT DATA FROM OTHER JURISDICTIONS FOR CONTRACT NEGOTIATIONS, INCLUDING BARGAINING PROPOSALS AND NEGOTIATED AGREEMENTS AS AIDS IN PREPARING MANAGEMENT POSITIONS FOR NEGOTIATIONS WITH THE SAME UNION OR THE SAME TYPES OF EMPLOYEES;
2. TO COLLECT INFORMATION RELATING TO LABOR RELATIONS PROGRAMS AND PRACTICES IN OTHER GOVERNMENTS IN ORDER TO REVISE THE PROGRAM TO KEEP IT CURRENT;
3. TO COLLECT AND INTERPRET DECISIONS OF LABOR BOARDS OR OTHER ADMINISTRATIVE AGENCIES IN ORDER TO ESTABLISH PRECEDENTS OR TRENDS FOR

USE IN HEARINGS BEFORE THE D.C. BOARD OF LABOR RELATIONS;

4. TO PROVIDE THE SAME PROFESSIONALISM AND SOPHISTICATION CAPABILITIES TO OUR RESEARCH AND SURVEY FUNCTIONS AS THE UNIONS WITH WHOM WE BARGAIN NOW POSSESS.

5. TO EXPAND THE PAY AND FRINGE BENEFIT SURVEYS TO SUCH AREAS AS SCHOOL PRACTICES, EXTRA DUTY PAY FOR TEACHERS, A SURVEY OF COMPARABLE KEY POSITIONS IN MUNICIPAL GOVERNMENT, HIGHER EDUCATION EMPLOYEES, ETC.

IV. <u>IN THE AREA OF THE POLICE AND FIREMEN'S RETIREMENT AND RELIEF BOARD THE HEARING OFFICER GS-12 WILL PROVIDE A SUBSTANTIAL INCREASE IN THE ADMINISTRATION AND CONTROL OF BOARD PROCEEDINGS.</u>

THE DIRECTOR OF PERSONNEL SERVES AS CHAIRMAN, OF THE POLICE AND FIREMEN'S RETIREMENT AND RELIEF BOARD. BECAUSE OF THE DEMANDS OF THIS FUNCTION -- PRESIDING AT WEEKLY HEARINGS OF THE BOARD AND PREPARING FINDINGS OF FACT AND CONCLUSIONS OF LAW RELATIVE TO APPEALS FROM DECISIONS OF THE BOARD -- IT MUST OF NECESSITY BE DELEGATED TO SUBORDINATES. THE NUMBER OF CASES HEARD BY THE BOARD IS EXPECTED TO CONTINUE TO AVERAGE THE CURRENT 400 PER YEAR; AND THE NUMBER OF APPEALS PER YEAR IS ESTIMATED TO RANGE BETWEEN 25 AND 40. THE SIGNIFICANCE OF PROPERLY PREPARED AND DOCUMENTED FINDINGS OF FACT AND CONCLUSIONS OF LAW IS REFLECTED IN THE DECISIONS RENDERED BY APPELLATE BODIES. THESE DECISIONS BECOME PRECEDENTS FOR ADMINISTRATION OF THE POLICE AND FIRE RETIREMENT STATUTE AND ULTIMATELY INFLUENCE COST OF MAINTAINING THE RETIREMENT

SYSTEM. IT IS ALSO NECESSARY TO STUDY THE PROCEDURES AND COMPOSITION OF THE POLICE AND FIREMEN'S RETIREMENT AND RELIEF BOARD TO DETERMINE THOSE AREAS OF REVISION WHICH MAY BE NECESSARY TO IMPROVE THIS IMPORTANT ASPECT OF ADMINISTRATIVE LAW.

V. THE NEED TO ESTABLISH DATA PROCESSING SYSTEM FOR SALARY, FRINGE BENEFITS AND LABOR RELATIONS APPLICATIONS

THE NEED TO ESTABLISH A DATA PROCESSING SYSTEM FOR WAGE ADMINISTRATION AND ITS RELATED AREAS IS AN EXTENSION OF THE NEED TO DEVELOP A MODERN AND MEANINGFUL RESEARCH PROGRAM WHICH WILL KEEP PACE WITH THE DEMANDS OF OUR TIMES.

SOME OF THE APPLICATIONS OF THE SYSTEM WILL BE COMPENSATION DETERMINATION AND ANALYSIS, CERTAIN ASPECTS OF LABOR NEGOTIATION AND RETIREMENT SYSTEM ANALYSIS.

IF ALL COMPENSATION INFORMATION COULD BE STORED IN A MEMORY SYSTEM AND WOULD BE AVAILABLE WHEN NEEDED THE JOB OF ADMINISTERING ALMOST NINE SEPARATE PAY SYSTEMS WOULD BE EASED CONSIDERABLY. OF EVEN GREATER HELP, THE SOFTWARE PROGRAM WOULD BE ABLE TO CALCULATE RATIOS, CURVES, ECONOMIC PROJECTIONS AND SURVEY DATA. IN ESSENCE, WHAT IS BEING REQUESTEI IS A SYSTEM WHICH AS THE VERSATILITY TO STORE GREAT QUANTITIES OF DATA AND PROVIDE QUICK AND RELIABLE ACCESS.

THE $15,000 REQUESTED WILL ALLOW US TO CONTRACT FOR THE SOFTWARE PROGRAM WHICH IS NOW SO NECESSARY TO KEEP PACE WITH THE CAPABILITY OF THE UNIONS WE DEAL WITH.

VI. CONCLUSION

THE EFFECT OF THE BROAD, RAPID GROWTH OF PUBLIC SECTOR UNIONIZATION HAS BEEN UNSETTLING. MANY PUBLIC EMPLOYERS AND

PUBLIC MANAGERS HAVE BEEN INADEQUATELY PREPARED TO UNDERSTAND OR DEAL WITH THE NEW RELATIONSHIPS WHICH ARE CREATED. MANY LOCAL GOVERNMENTS ARE NOW JUST BEGINNING TO DEVELOP GROUND RULES TO HELP BRING ORDER OUT OF THE VARIED APPROACHES TO REPRESENTATION OF EMPLOYEES; TO MANY HAVE DONE NOTHING.

MANY CITIES RECOGNIZE STAFF NEEDS IN LABOR RELATIONS AND PAY ADMINISTRATION AS EVIDENCED BY NEW YORK CITY WITH 44 TECHNICAL STAFF PERSONNEL FOR ITS 385,000 EMPLOYEES; DETROIT WITH 17 STAFF PERSONNEL FOR 26,000 EMPLOYEES; MILWAUKEE WITH 9 STAFF PERSONNEL FOR 10,000 EMPLOYEES; LOS ANGELES COUNTY WITH 12 STAFF PERSONNEL TO SERVICE ITS 70,000 EMPLOYEES.

WE BELIEVE THAT THE DISTRICT GOVERNMENT HAS BEEN ABLE TO DEAL EFFECTIVELY WITH DIFFICULT PROBLEMS IN PAY, RESEARCH, RETIREMENT AND COLLECTIVE BARGAINING, BUT WITH ONLY SIX STAFF PERSONNEL THE CHALLENGE BECOMES MORE DIFFICULT EACH YEAR. THE DESIRES EXPRESSED IN THIS STATEMENT ARE ONLY SO MANY WORDS IF THEY CANNOT BE TRANSLATED INTO AN EFFECTIVE BODY OF ACHIEVEMENT.

OUR BUDGETING NEEDS EXPRESSED TO YOU TODAY ARE THE VEHICLE TO RESPONSIBLY DEAL WITH THESE MATTERS. WE APPRECIATE THE OPPORTUNITY TO TESTIFY BEFORE YOU TODAY.

PAY SYSTEMS AND LABOR RELATIONS DIVISION

Mr. WEINBERG. Mr. Chairman, we are asking for a personnel specialist, GS–13, in the pay administration areas. One labor-management relations specialist, GS–13, and one GS–9 for labor relations. We are asking for two positions for a statistical and research program that we have, and a position of hearing officer, GS–12, for the Police and Fire Retirement and Relief Board, and one clerical position, GS–7.

Mr. Chairman, over the last 3 years the Pay Systems and Labor Relations Division has had to cope with a dramatic increase in workload. The division is presently operating with just six permanent positions. It is directly responsible for (1) preparation of proposed legislation and supporting material for police, fire, teacher, and school officer salary and retirement benefits increases; (2) development and administration of the District's labor relations program; (3) administration of pay systems for 24,000 District employees, including policemen and firemen, teachers and school officers, wage employees, medical interns and resident, and faculty and academic administrative personnel in higher education; and (4) conduct and publication of a number of major national and local area wage and fringe benefits surveys.

Approximately 15,000 District government employees are currently paying dues to recognized labor organizations while an estimated 18,000, 46 percent, of our employees are represented by unions as part of being in exclusive units.

An increase in the number of unionized services has complicated and aggravated the difficult question of wages, salaries, and fringe benefits. District government employees such as sanitation workers, policemen, firemen, and teachers are neither ignorant of nor indifferent to the wage scales of the others.

The unique aspect of labor relations and the state of bargaining in this city government is that the national and international headquarters of unions with which we deal and who take great interest in the affairs of their District government locals are located in Washington and they use the District both as a test vehicle and spotlight for bargaining demands made in other large cities. It is seldom that research and technical personnel of the national and international offices are not present in some way at negotiations whether they are on a local or citywide basis.

DEVELOPMENT OF WAGE POLICIES

The formulation of accurate wage policies for 24,000 of our 39,000 employees by our small division of six staff personnel requires constant and ready data whether it pertains to pay and/or retirement systems for higher education, medical interns and residents, school cafeteria employees, policemen and firemen, teachers and school officers, or blue-collar employees.

We believe that the District government has been able to deal effectively with difficult problems in pay, research, retirement, and collective bargaining, but with only six staff personnel the challenge becomes more difficult each year.

Thank you, Mr. Chairman.

COLLECTIVE BARGAINING WITH CITY EMPLOYEES

Senator INOUYE. Are you in charge of the collective bargaining for this city?

Mr. WEINBERG. Yes, sir, I am.

Senator INOUYE. Are you presently involved in negotiations?

Mr. WEINBERG. Well, we just concluded negotiations with sanitation workers. We have not started negotiations for teachers, and we have pretty much concluded negotiations with policemen and firemen. We also have several others, noneconomic negotiations going on in other parts of the District government.

Senator INOUYE. In representing the city, who is your superior as far as setting limitations in negotiating is concerned?

Mr. WEINBERG. Our discussion with the Mayor, Deputy Mayor, budget officer, other areas, other officers of the city.

Senator INOUYE. Is your assistant going to testify, too?

Mr. EATON. No, sir.

Senator INOUYE. Do you have anything else to say before we proceed with the questioning?

Mr. EATON. No, sir.

LIMIT ON DISTRICT GOVERNMENT EMPLOYEES

Senator INOUYE. Mr. Eaton, what is the ceiling posted on permanent positions in the Authorization Act?

Mr. EATON. The figure I have is 39,619 authorized positions.

Senator INOUYE. Does the city live within this limitation?

Mr. EATON. Yes, sir. It is at this time.

Senator INOUYE. Do you consider a school crossing guard and food service workers to be permanent?

Mr. EATON. Well, they are seasonal—probably 9 months of the year, during the school year.

Mr. WEINBERG. Now they are under appropriated funds. Prior to about 2 years ago——

Senator INOUYE. They may be seasonal, but they are repeated year after year. They have retirement programs, too, don't they?

Mr. EATON. We consider them as public——

Senator INOUYE. Such positions are permanent positions, aren't they?

Mr. EATON. Yes, sir.

Senator INOUYE. You do not recruit at a certain period, hiring a whole group of guards?

Mr. EATON. No, sir.

Senator INOUYE. Why don't you consider them permanent at least in reference to the congressional limitation?

Mr. EATON. Well, of course, they have to have other assignments, I guess, during the summertime, the school crossing guards seek summer work as do the school cafeteria workers. We consider them as permanent for those months that they work each year, the same as the teachers.

Senator INOUYE. Do you consider them permanent employees even though they work for just 9 months each year?

Mr. EATON. Yes.

74-704 O - 72 - pt. 1 - 14

Senator INOUYE. Is that reflected in the ceiling?

Mr. EATON. I am not certain whether it is or not.

Senator INOUYE. No, it is not reflected.

If it is permanent for 9 months, why is it not reflected in the ceiling?

Mr. EATON. Well, it should be in the ceiling if it is permanent, I would think. I will defer to budget. Maybe they have that.

STATUS OF SCHOOL CROSSING GUARDS

Senator INOUYE. Don't you consider school crossing guards and food service workers to be permanent?

Mr. COPPIE. They fall under the category, the broad category of part-time permanent, Mr. Chairman.

Senator INOUYE. Part-time permanent?

Mr. COPPIE. Yes, sir.

Senator INOUYE. What kind of pay do they receive during the 9 months? Full pay; isn't that it?

Mr. COPPIE. A stipend, cash stipend.

To relate back to what I think is your principal area of inquiry, and that is the limitation on personnel strength, for employees in full-time positions in the Revenue Act of 1971, that clearly had reference to specific provisions that are authorized in the appropriations bill by number. That number is authorized a little better than 40,000 in 1972; and the number of employees in positions is limited to 39,619. I believe that is the figure. That has specific reference to full-time authorized employees and positions. So that the category that you are referring to would be the part-time permanent, and I think it specifically is exempt by the legislative history?

Senator INOUYE. Do you think this should be included?

Mr. COPPIE. No, sir, I do not.

Senator INOUYE. Nine months is not sufficient to constitute a classification of "permanent"?

Mr. COPPIE. What I am drawing the distinction between, Mr. Chairman, is what is considered to be full-time authorized positions for purposes of the limitation imposed on the District by the Revenue Act. And a part-time permanent position was not intended to be included as part of that total limitation. It would be to our disadvantage to have it included.

ABOLISHED PUBLIC INFORMATION POSITIONS

Senator INOUYE. Thank you.

Mr. Eaton, last year's budget abolished 12 positions in the public information field. And I asked this question of a prior witness. Two of the 12 are now with the Mayor's public information office. What became of the other 10?

Mr. EATON. I have some information on that, Mr. Chairman. Do you want names, or should I submit it for the record?

There is only one that is still on duty in human resources. That person was given a RIF notice. He had been offered a GS–10 and he was a GS–11. The person turned the GS–10 down, and now they have extended the time for the reduction in force to, I think it is the 24th of March. All of the others have been either placed in their own departments or other departments.

Senator INOUYE. Where is the public information officer for the public library?

Mr. Eaton, I realize these are small items, but the Congress has set forth a directive, and we would like to know that it was carried out.

Mr. EATON. I have the details on the 12.

Public Library, Lawrence E. Molumby, reassigned from GS–13 public information officer, to GS–13 coordinator of community library services. It is a transfer over at the same grade in the libraries.

Senator INOUYE. He is in the same department, isn't he?

Mr. EATON. Same department, yes, sir.

Senator INOUYE. And this is a new position that was created?

Mr. EATON. This was an existing position, as I understand it.

Senator INOUYE. Coordinator——

Mr. EATON. Coordinator of community library services.

Senator INOUYE. And Commissioner for Housing Programs?

Mr. EATON. Ruth Wenzel, GS–11 public information officer, reassigned to GS–11 special assistant to Mr. Volkman, executive assistant. This position exists primarily to provide staff support to the Mayor's Committee on Housing for the Elderly. She is assigned to another position in that department.

Senator INOUYE. The officer of Human Rights.

Mr. EATON. Human Rights Commission, Benni Singleton, reassigned from GS–12 public information specialist with the Commission to GS–12 public information specialist with public affairs. She was reassigned to Sam Eastman's office.

Senator INOUYE. Department of Corrections.

Mr. EATON. Leroy B. Anderson, reassigned from GS–13 public information officer to GS–13 special assistant to the director.

Senator INOUYE. Same department?

Mr. EATON. Same department.

Senator INOUYE. Recreation Department?

Mr. EATON. Mary McKey, GS–11, public information officer, reassigned to GS–11, public information officer with public affairs.

Senator INOUYE. And now the Department of Human Resources, you have seven positions; is that it?

Mr. EATON. Yes, sir.

Senator INOUYE. GS–15 position?

Mr. EATON. We have two GS–15's.

Senator INOUYE. The $30,000 ones.

Mr. EATON. Clyde Reid, GS–15, public information officer, downgraded to community organizer, GS–14 in the Department of Human Resources.

Senator INOUYE. Same department?

Mr. EATON. Yes, sir. The other 15 is Robert H. Conn, public information specialist, downgraded to 14, reassigned as public health adviser, Human Resources.

Senator INOUYE. Is he qualified to become a public health officer?

Mr. EATON. Yes, sir. I understand he has a masters' in public health.

Senator INOUYE. This is in the same department?

Mr. EATON. Yes, sir.

Senator INOUYE. And the GS–12 position?

Mr. EATON. I have two 11's. Let me give you the two 11's. Denise Haikal, GS–11, public information specialist, reassigned to a GS–11 program analyst, in the Department of Human Resources.

Senator INOUYE. Not GS–12?

Mr. EATON. No, sir.

Senator INOUYE. The same department?

Mr. EATON. Same department, Human Resources.

Senator INOUYE. You have another GS–11?

Mr. EATON. Yes, sir. Anna Berliner, public information specialist, reassigned to GS–11, narcotics program specialist in the Department of Human Resources.

Senator INOUYE. Same department?

Mr. EATON. Same department.

And we have Jerry Dyson, GS–11. That is the one I explained previously. They offered him a GS–10 and he turned that down. They extended his RIF notice to March 24. He has the right to turn the position down when it is a lower grade. We are trying to place and we have placed nearly all of the employees that have been given RIF notices. We have been lucky, I guess.

Senator INOUYE. Now, the GS–7 and the 5. Russell and Ware.

Mr. EATON. Kathleen Russell, GS–7, administrative aide, reassigned to GS–7, secretary-stenographer, same type of job in Human Relations.

Senator INOUYE. And the GS–5?

Mr. EATON. Bonnie Ware, GS–5, administrative assistant. Miss Ware resigned and the position was abolished.

Senator INOUYE. I noticed, as I stated earlier, that with the exception of two who have been assigned to the Mayor's Office, and the two who have either resigned or refused the offers of new downgraded positions, all of the others remain within the department in which they were originally assigned?

My question is, No. 1, am I correct to assume that these new positions were either unfilled before the 12 positions were abolished, or the positions were created?

Mr. EATON. I think most of them were vacant and they transferred these persons over. I do not believe they were created. I think they were standing positions. In fact, we will have to put the question to the departments.

Senator INOUYE. Can you advise the committee as to how long these positions were vacant?

Mr. EATON. No, sir; I do not have that information.

Senator INOUYE. I would like to know, because the information we have is that they have been vacant for a long time and the department did not really need them, need people in those vacant positions.

Mr. EATON. I would be glad to furnish the information.

(The information follows:)

Disposition of Employees in Abolished Public Information Functions

Dept., P.I.O. Position & Name	Reassigned to	Vacant Since
D. C. Public Library GS-13, Public Information Specialist Lawrence E. Molumby	D. C. Public Library GS-13, Coordinator of Community Library Services	10-31-71
Assistant to the Commissioner for Housing Programs GS-11, Public Information Specialist Ruth Wenzel	Assistant to the Commissioner for Housing Programs GS-11, Special Assistant	New Position Grant Funds
Human Relations Commission GS-12, Public Information Specialist Benni Singleton	Public Affairs Office GS-12, Public Information Specialist	New Position 1972 Budget
Department of Corrections GS-13, Public Information Specialist Leroy B. Anderson	Department of Corrections GS-13, Special Assistant to the Director	8-22-71
Department of Recreation GS-11, Public Information Specialist Mary McKay	Public Affairs Office GS-11, Public Information Specialist	New Position 1972 Budget
Department of Human Resources GS-15, Public Information Officer Clyde Reid	Department of Human Resources GS-14, Community Organizer	6-30-71
Department of Human Resources GS-15, Public Health Educator Robert Conn	Department of Human Resources GS-14, Public Health Advisor	New Position Reprogramming

Dept., P.I.O. Position & Name	Reassigned to	Vacant Since
Department of Human Resources GS-7, Administrative Aide Kathleen Russell	Department of Human Resources GS-7, Secretary(Steno)	7-31-71
Department of Human Resources GS-11, Public Information Specialist Anna Berliner	Department of Human Resources GS-11, Narcotics Program Specialist	New Position Grant Funds
Department of Human Resources GS-12, Sociologist Denise Haikal	Department of Human Resources GS-12, Program Analyst	New Position
Department of Human Resources GS-5, Administrative Aide Blonnie Ware	Department of Human Resources Employee Resigned, Position Abolished	---
Department of Human Resources GS-11, Public Information Officer Jerry Dyson	Department of Human Resources Reduction-in-Force--3-24-72 Position Abolished	---

COMPLIANCE WITH CONGRESSIONAL DIRECTIVES

Senator INOUYE. It is not my desire to see people get fired, I assure you, but, at the same time, if Congress does take action in abolishing certain positions, one finds it inevitable when the city decides to get around the congressional directive even though within the law. We would hope that the treatment would be a bit more candid than what has happened to the 12 positions.

Mr. JORDAN. Mr. Eaton, the second week in February, the committee received a telephone call in which the caller stated that an individual in the public information function of the Department of Corrections, whose job had been abolished, had been transferred to a new position and received an increase in salary. If that is not the case, perhaps this is a good point to put the correct information in the record.

PUBLIC INFORMATION OFFICER, DEPARTMENT OF DIRECTIVES

Can you give us the salary of the individual who previously occupied the position of public information in the Department of Corrections? His past and present salary?

Mr. EATON. It was grade 13.

Senator INOUYE. Grade 13.

Mr. EATON. GS–13. I do not know the exact salary. But the beginning for a 13 is $18,737.

Mr. JORDAN. This was the position he was transferred into or out of? That was the abolished position?

Mr. EATON. Well——

Mr. JORDAN. That was the abolished position, unless I am mistaken.

Mr. EATON. In the Department of Corrections, he was transferred from Public Information Officer 13, to a Special Assistant 13. I don't know what step the person was in.

Mr. JORDAN. For the hearing record, would you supply information indicating the past and present salary?

Mr. EATON. I sure will.

(The information follows:)

MR. LEROY B. ANDERSON, DEPARTMENT OF CORRECTIONS

From GS–13/02, Public Information Special $19,362 per annum to GS–13/02, Executive Assistant to the Dir. $19,362 per annum.

RESPONSIBILITY OF PERSONNEL OFFICER

Senator INOUYE. As personnel officer of this city, are you satisfied that all of the people who have been transferred to these new positions are qualified to fill these positions?

Mr. EATON. Yes, sir.

Senator INOUYE. Mr. Eaton, do your personnel assigned to temporary positions or to positions funded from grants, which are similar to temporary positions in that they have an indefinite life, have any difference in the retirement benefits to which they are entitled as compared to from persons occupying permanent positions?

Mr. EATON. The permanent positions in grants are just the same as the permanent positions in the authorized positions. There is no difference.

Senator INOUYE. What about temporary positions?

Mr. EATON. Temporary positions do not get retirement. They have to become permanent.

Senator INOUYE. But positions funded from grants are entitled to the same retirement benefits?

Mr. EATON. Yes, if they are permanent positons on the grant money.

Senator INOUYE. So the payments to the retirement fund would be the same?

Mr. EATON. Yes, sir. They would take out the same money.

Senator INOUYE. Does the District make any payment toward the retirement of temporary positions?

Mr. EATON. No, sir.

Senator INOUYE. Grant positions?

Mr. EATON. For the permanent positions, they do; yes, sir.

Senator INOUYE. For regular District civil service positions?

Mr. EATON. Yes, sir. We are under the Federal Civil Service System.

Senator INOUYE. Does the Federal Government pick up the entire cost of retirement benefits for grant funded positions just as it does for all District classified positions?

Mr. EATON. The time would count the same as regular District employees.

Senator INOUYE. Why is not this cost reflected in the table of Federal assistance reported to the Appropriations Committee?

Mr. EATON. Sir, I don't handle the retirement in the personnel office. That is handled in the Finance and Revenue Department.

Senator INOUYE. But you said that the Federal Government picks up the entire cost of benefits for grant funded, permanent positions? I am just wondering why this was not reflected in the table on Federal assistance which is annually reported to the Appropriations Committee.

Mr. EATON. I would defer to budget on that. We do not handle that.

RETIREMENT FUNDS FOR GRANT-FUNDED POSITIONS

Mr. COPPIE. Mr. Chairman, normally, the grant does include the funds for retirement contribution. To the extent there is an additional amount that would ultimately have to be paid in retirement by the U.S. Government, that would be a different issue entirely. But normally, the grant does include the funding for the retirement.

Senator INOUYE. Are you certain of that?

Mr. COPPIE. I am relatively certain of that, Mr. Chairman. Now, there might be exceptions, depending upon the grant. But normally that is true.

Senator INOUYE. Mr. Eaton, in the 12 months since I have been on this committee, I have received many calls and received many letters, either suggesting or complaining that racism, either black or white, was being practiced in the employment of personnel in the city. I have no way of determining whether this is true or not. Please do not construe this inquiry as criticism in any way. I am just repeating to you the type of charges that I receive in my letters and calls, that there are either too many blacks or too many whites or not enough blacks or not enough whites.

Therefore, it would be most helpful for this committee, if you would, for the record, furnish the ethnic composition of the city and the ethnic composition of the employees of the city and, if possible, the salary ranges of those in this grouping.

Mr. EATON. Yes, sir.

Senator INOUYE. I think it would be well that we place these facts before the people and it would also be helpful if you could give similar data for prior years, say 2 or 3 years.

Mr. EATON. Yes, sir. We have that.

Senator INOUYE. To show a trend, if any. I do not think it is healthy to have this area discussed on the basis of hearsay or on the basis of rumor, because it does not help the situation. But if you do have any firm analysis of this, it would be very helpful.

You will notice I said by ethnic composition. By that, I do not mean just black and white. There is a large Spanish-speaking constituency in the city, and I would like to see that ethnic group represented, also.

Mr. EATON. All right.

Senator INOUYE. I think the three major groups are black, white and Latinos; isn't that right?

Mr. EATON. The U.S. Civil Service Commission has a formula for that, but I think it is white, nonwhite, and Spanish speaking.

MANDATORY COMPENSATION PROGRAMS

Senator INOUYE. It would be very helpful, sir, if you would furnish that information to the committee and make that part of the record.

Hopefully, we can at least dispel, if possible, some of the allegations and rumors. I thank you very much.

(The information follows:)

Citizens of the District of Columbia by Minority Group Status (1)

	Total	Negro	Spanish Surnamed	American Indian	Oriental	All Others
Number	756,510	537,712	15,671	956	3,233(2)	198,938(3)
Percent	100.0	71.1	2.1	.1	.4	26.3

(1) Source: 1970 Census, PC(1)-B10, D.C., General Population Characteristics

(2) This figure represents only those persons of Japanese or Chinese descent.

(3) "Whites" comprise 98.2% of this figure with the remaining 1.8% being Hawaiian, Korean, Aleut, Eskimo, Malayan, Polynesian, etc.

All Employees by Salary and Minority Group Status (1)

November 30, 1970

Annual salary	Total		Negro		Spanish-Surnamed		Oriental		American Indian (2		Other	
	No.	Per-cent	No.	Per-cent	No.	Per-cent	No.	Per-cent	No.	Per-cent	No.	Per-cent
Total	42,314	100.0	26,963	63.7	225	.5	219	.5	58	.1	14,849	35.1
Median	9,028	-	$8,295	-	$9,469	-	$11,102	-	$10,552	-	$10,081	-
$18,000 and over	1,269	100.0	404	31.8	17	1.3	31	2.4	2	.2	815	64.2
16,000 - 17,999	878	100.0	356	40.5	5	.6	9	1.0	-	-	508	57.9
14,000 - 15,999	1,982	100.0	1,037	52.3	10	.5	21	1.1	6	.3	908	45.8
12,000 - 13,999	4,238	100.0	2,091	49.3	20	.5	31	.7	11	.3	2,085	49.2
10,000 - 11,999	6,221	100.0	2,889	46.4	35	.6	39	.6	14	.2	3,244	52.1
8,000 - 9,999	13,511	100.0	7,865	58.2	96	.7	59	.4	16	.1	5,475	40.5
6,000 - 7,999	10,337	100.0	8,848	85.6	29	.3	19	.2	8	.1	1,433	13.8
4,000 - 5,999	3,794	100.0	3,437	90.6	12	.3	8	.2	1	(3)	336	8.9
2,000 - 3,999	14	100.0	13	92.9	-	-	-	-	-	-	1	7.1
Under - 2,000	70	100.0	23	32.9	1	1.4	2	2.9	-	-	44	62.8

(1) Source: Staffing Patterns in the Government of the District of Columbia, November 30, 1970, prepared by the Executive Office, Office of Human Rights.

(2) Adjusted in accordance with telephone conversation with the Office of Human Rights.

(3) Less than 1/10 of 1%.

All Employees by Salary and Minority Group Status (1)

June 30, 1969

Annual salary	Total		Negro		Spanish-Surnamed		Oriental		American Indian		Other	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent
Total	37,890	100.0	23,012	60.7	103	0.3	145	0.4	10	(2)	14,620	38.6
Median	$8,426	-	$7,874	-	$9,370	-	$9,853	-	(3)	-	$9,032	-
$20,000 and over	376	100.0	81	21.5	10	2.7	7	1.9	-	-	278	73.9
18,000 - 19,999	465	100.0	121	26.0	14	3.0	16	3.4	-	-	314	67.5
16,000 - 17,999	759	100.0	268	35.3	3	0.4	9	1.2	-	-	479	63.1
14,000 - 15,999	1,114	100.0	400	35.9	5	0.4	19	1.7	1	0.1	689	61.8
12,000 - 13,999	518	100.0	212	40.9	3	0.6	-	-	-	-	303	58.5
10,000 - 11,999	2,170	100.0	637	29.4	8	0.4	19	0.9	-	-	1,506	69.4
8,000 - 9,999	17,205	100.0	9,409	54.7	27	0.2	34	0.2	3	(2)	7,732	44.9
6,000 - 7,999	8,137	100.0	6,011	73.9	19	0.2	19	0.2	4	(2)	2,084	25.6
Under $ 6,000	7,146	100.0	5,873	82.2	14	0.2	22	0.3	2	2	1,235	17.3

(1) Source: Staffing Patterns in the Government of the District of Columbia, Fiscal Year 1969, prepared by the Executive Office, Office of Human Rights.

(2) Less than 1/10 of 1%.

(3) Not computed, base too small.

COMPENSATION FUNDS

Mr. EATON. Mr. Chairman, I have another statement. Would it be possible to present that; on the employee disability compensation, unemployment compensation, and workmen's compensation?

Senator INOUYE. All right. Would you like to make that part of the record?

Mr. EATON. Yes, sir, if I may.

Senator INOUYE. Without objection, so ordered.

Mr. EATON. Thank you.

(The statement follows:)

THE D. C. PERSONNEL OFFICE IS CHARGED WITH ADMINISTERING THE FUNDING REQUIREMENTS FOR THREE MANDATORY COMPENSATION PROGRAMS: EMPLOYEES' DISABILITY COMPENSATION; EMPLOYEES' UNEMPLOYMENT COMPENSATION; AND WORKMEN'S COMPENSATION, ADMINISTRATIVE EXPENSE.

EMPLOYEES' DISABILITY COMPENSATION PROGRAM

PROVIDES MEDICAL TREATMENT AND CARE FOR EMPLOYEES INJURED IN JOB PERFORMANCE AND COMPENSATION FOR EMPLOYEES WHO HAVE BEEN PERMANENTLY DISABLED. IN ADDITION, IT PROVIDES BURIAL EXPENSES AND COMPENSATION TO THE SURVIVING WIDOWS AND CHILDREN IN CASES OF DEATH ON THE JOB. FINAL DETERMINATION OF ELIGIBILITY AND AMOUNT OF COMPENSATION IS VESTED WITH THE OFFICE OF FEDERAL EMPLOYEES COMPENSATION, U. S. DEPARTMENT OF LABOR.

A SUPPLEMENTAL REQUEST IN THE AMOUNT OF $600,000 IS PENDING FOR FISCAL YEAR 1972. FOR FISCAL YEAR 1973, IT IS ESTIMATED THAT EXPENDITURES IN THIS PROGRAM WILL REACH $2,500,000. THIS REPRESENTS AN INCREASE OF $1,120,000 OVER THE FISCAL YEAR 1972 ALLOTMENT.

FACTORS WHICH LED TO THIS SIZEABLE INCREASE IN THE COST OF THIS PROGRAM ARE: (1) AN INCREASE IN THE NUMBER OF CLAIMANTS RECEIVING COMPENSATION; (FOR EXAMPLE) IN THE FIRST HALF OF F. Y. 1972, 170 NEW CLAIMS WERE FILED. DURING THE FULL F.Y. 1971 ONLY 188 NEW CLAIMS WERE FILED; (2) AN INCREASE IN THE AMOUNT

OF THE BENEFIT PAYMENTS (PAY INCREASES); AND (3) AN INCREASE IN THE COST OF MEDICAL CARE.

APPROPRIATED F.Y. 1972	1973 INCREASE	1973 REQUEST
$1,380,000	$1,120,000	$2,500,000

FISCAL YEAR 1972 EXPENDITURES TO 12/31/71, $845,064

EMPLOYEES' UNEMPLOYMENT COMPENSATION PROGRAM

PROVIDES UNEMPLOYMENT COMPENSATION BENEFITS FOR ELIGIBLE FORMER DISTRICT GOVERNMENT EMPLOYEES. FUNDS APPROPRIATED FOR THIS PURPOSE ARE EXPENDED THROUGH THE DISTRICT UNEMPLOYMENT COMPENSATION BOARD, WHICH IS SOLELY RESPONSIBLE FOR THE DETERMINATION OF ELIGIBILITY AND THE COMPUTATION OF BENEFIT PAYMENT AMOUNTS.

IN FISCAL YEAR 1973 WE EXPECT EXPENDITURES IN THIS PROGRAM OF APPROXIMATELY $2,800,000, A $1,755,000 INCREASE OVER THE 1972 ALLOTMENT. OUR ESTIMATE IS BASED ON THE CONTINUALLY INCREASING RATE OF EXPENDITURES EXPERIENCED IN THIS PROGRAM TOGETHER WITH NEW LEGISLATION (P.L. 92-211, EFFECTIVE JANUARY 1, 1972) WHICH LIBERALIZES THE DISTRICT'S UNEMPLOYMENT COMPENSATION ACT. THE NEW LEGISLATION INCREASED THE WEEKLY MAXIMUM BENEFIT PAYMENT FROM $73 TO $105, EFFECTIVE JANUARY 1972 AND PROVIDED FOR AN EXTENDED BENEFIT PAYMENT PERIOD (MAXIMUM OF FIVE WEEKS) DURING PERIODS OF HIGH UNEMPLOYMENT (4.5% FOR THREE CONSECUTIVE MONTHS) FOR INDIVIDUALS WHO HAVE EXHAUSTED THEIR REGULAR BENEFIT PERIOD OF 34 WEEKS. EVEN BEFORE THE NEW LEGISLATION WAS ENACTED, EXPENDITURES CONTINUED TO INCREASE. IN THE CURRENT FISCAL YEAR EXPENDITURES FOR THE FIRST SIX MONTHS TOTALED $1,262,931, WHICH EXCEEDS THE APPROPRIATION FOR THE ENTIRE YEAR BEING ONLY $1,045,000. CURRENT ESTIMATES FOR THE ENTIRE FISCAL YEAR 1972 PREDICT EXPENDITURES IN EXCESS

OF $2,400,000, MAKING A SUPPLEMENTAL REQUEST OF $1,400,000 IMPERATIVE.

SOME OF THE FACTORS WHICH HAVE LED TO THE DRAMATIC INCREASES IN THE COST OF THIS PROGRAM ARE: (1) A CONTINUING HIGH RATE OF UNEMPLOYMENT COMPENSATION CLAIMS AMONG DISTRICT GOVERNMENT EMPLOYEES IN COMPARISON WITH PREVIOUS YEARS; (2) HIGHER BENEFIT PAYMENT AMOUNTS; (3) MOST CLAIMS CONTINUING FOR LONGER DURATIONS.

APPROPRIATED F.Y. 1972	1973 INCREASE	1973 REQUEST
$1,045,000	$1,755,000	$2,800,000

WORKMEN'S COMPENSATION PROGRAM

THE WORKMEN'S COMPENSATION PROGRAM IS AN EXTENSION OF THE LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT TO THE DISTRICT OF COLUMBIA. IT PROVIDES COMPENSATION AND OTHER BENEFITS TO PRIVATE EMPLOYEES IN THE DISTRICT OF COLUMBIA, THIS DOES NOT APPLY TO EMPLOYEES OF THE DISTRICT OF COLUMBIA GOVERNMENT. ALTHOUGH ADMINISTRATION OF THIS PROGRAM IS VESTED IN THE BUREAU OF EMPLOYEES' COMPENSATION, U. S. DEPARTMENT OF LABOR, THE ADMINISTRATIVE EXPENSES ARE INCLUDED IN THE DISTRICT'S APPROPRIATION.

THE FISCAL YEAR 1973 ESTIMATE FOR THIS PROGRAM IS $529,700, AN INCREASE OF $43,200 OVER FISCAL YEAR 1972. (PAY INCREASES AND WITHIN-GRADE ADVANCEMENTS).

APPROPRIATED F.Y. 1972	1973 INCREASE	1973 REQUEST
$ 486,500	$ 43,200	$ 529,700

BENEFITS TO DISTRICT OF COLUMBIA EMPLOYEES UNDER FEDERAL RETIREMENT SYSTEMS

Mr. JORDAN. Just one question on what the Senator referred to. Mr. Coppie, there is a very tangible benefit to the District of Columbia in coming within the civil service retirement system of the Federal Government; is there not? There is no question about that?

Mr. COPPIE. Yes; that is correct.

Mr. JORDAN. And that is the shortfall between what the individual contributes and the ultimate amount that is determined on an actuarial basis, on the actual basis he receives from the system?

Mr. COPPIE. That is correct.

Mr. JORDAN. Over the past several years, in an effort to assign some value to this, the General Accounting Office has done a study for the committee. In 1970, it was estimated that participation in the Federal retirement system had an estimated value of $68,940,000. In 1971 it was $35,850,000. And in 1972 it was $39,480,000.

I do not know that the District has ever had an opportunity to comment on that figure, but if in fact it does not accept it, or finds itself in a position to believe it is an invalid estimate, would you please indicate your findings for the record. In the event you elect not to, we assume the estimate we have received to the tune this runs about $40 million a year is a value to the District of Columbia government, one the surrounding districts do not receive, is a valid estimate.

Mr. COPPIE. Sir, I think we would like to have GAO analyze it. We would like to have the opportunity you have given us.

(The information follows:)

VALUE TO DISTRICT OF COLUMBIA GOVERNMENT
OF PARTICIPATION IN THE FEDERAL RETIREMENT SYSTEM

The District Government would not dispute the fact that it benefits from participation in the Federal Retirement System to the extent that the Federal Government assumes the obligation for unfunded liability related to retirement payments to City employees.

While the District Government staff does not possess the actuarial capability to determine independently the actuarial accuracy of the figures quoted in the GAO report, it has no reason to doubt their validity. However, it is not valid to fix the annual value to the District Government at $40 million or any other amount. The actual value will change from year to year with changes in the employee salary scales and in retirement benefits.

In fact, there were substantial employee pay increases and retirement benefit increases during the 3-year period covered in the GAO report. These increases accounted for the sizable sums of unfunded liability projected for those years. Unless pay and benefit increases in future years are as large as they were in the 1970-72 period, the annual benefit will be less than $40 million per year.

If current retirement contributions were insufficient to meet future payments, the City government and its employees would derive equal benefits from the Federal system. The District Government pays 50 percent of the total contribution to the system, and the employee pays 50 percent. It is our understanding, however, that current contributions are sufficient to cover the liability incurred exclusive of pay and benefit increases.

This type of Federal aid is not unique to the District Government. State and local governments, as well as private employers whose employees are covered under the Social Security system, derive the same type of benefit from the Federal Government. Changes in Social Security benefits are not accompanied by increases in employer or employee contributions to provide fully for the new liability. To compare this contribution of the Federal Government to the District with the Federal effort on other areas, an analysis of the unfunded liability of the Social Security system would have to be carried out. District employees who are covered by the Federal Civil Service Retirement system are, of course, not eligible for Social Security coverage.

Submitted by
Office of Budget and Program
Analysis
District Government

CALCULATION OF BENEFITS

Mr. JORDAN. It is on page 18 in the committee report and the other information is in the hearing record.

Mr. COPPIE. The detailed analysis of the way in which they calculate?

Mr. JORDAN. It is in the footnote.

Senator INOUYE. Thank you very much.

We have a vote today. I would like to recess the hearing for 10 minutes. I will return immediately.

(Short recess.)

Office of Civil Defense

STATEMENT OF GEORGE R. RODERICK, DIRECTOR
ACCOMPANIED BY K. L. THURMAN, DEPUTY DIRECTOR

BUDGET REQUEST

Senator Inouye. Our next witness is Mr. George R. Rodericks, Director of the Office of Civil Defense, who will present testimony on his budget request of $154,800.

Mr. Rodericks. Mr. Chairman, I have provided the committee with a statement. I would request permission of the chairman to let me read my statement.

Senator Inouye. Please do so.

Mr. Rodericks. Thank you, sir.

Mr. Chairman and members of the committee, the budget request for this office for fiscal year 1973 contains no increases in the cost of operations except for pay increases in the amount of $9,200.

CHANGES IN OPERATIONS

The following major changes in our operations have been made pursuant to the fiscal year 1972 budget actions of the Congress and the economy measures requested by the Mayor:

Five operations shift supervisors and five communications equipment operator positions were eliminated. These positions were used to man the rotating shifts which sustained the around-the-clock communications operations of the Mayor's Command Center.

Two wage grade 5 motor vehicle operator positions were abolished.

By consolidation of functions and administrative services, we eliminated the positions of supply clerk, secretary-typist, and civil defense aide.

By a reassignment of office functions the position of emergency transportation planning officer was eliminated.

In addition, we have eliminated all redundant telecommunications systems which were required in support of the around-the-clock operation of the Mayor's command center.

Senator Inouye. May I inquire at this point, what do you mean by "redundant telecommunications"?

Mr. Rodericks. Those which are clearly in excess of what is needed for normal operations. Whatever the mission is assigned, whatever the normal requirements are, we examined everything we have, Mr. Chairman, that was over and above a requirement for day-to-day normal operations of civil defense and we eliminated it.

Senator Inouye. How long were these redundant telecommunications systems in existence?

Mr. Rodericks. These redundant systems which were eliminated were created following the civil disorders of 1968, when, at the direc-

tion of the Mayor, our office was requested to provide the Mayor with an emergency command center for peacetime use.

Senator INOUYE. You have had this?

Mr. RODERICKS. It was determined that they were unnecessary. It was felt by him that they were needed in what the city faced in 1968, 1969, and 1970. But certainly in the last year or so, with the diminution of the kind of emergencies they were set up to handle, there is no question they are unnecessary at this time, and last year.

So, whatever they were—and I can document it all—they have been eliminated and the costs incident thereto taken out of the budget.

The current emergency action programs required of this office by appropriate statutes, Department of Defense joint agreements and District of Columbia government directives can be achieved by the funding level requested in this fiscal year 1973 request.

MAJOR ACTIVITIES OF OFFICE

The major activities in which this office will engage during fiscal year 1973 are:

1. Shelter system improvement

This office will continue the development of the civil defense fallout shelter system for emergency use by the people in the city. This system now is made up of 1,510 buildings in the District which have been licensed, marked and provisioned for the protection of over 745,000 people.

I might add to my statement, this is for a two-week period of stay, should this ever be necessary.

The continuing need is to add emergency shelter facilities for approximately another 655,000 persons. Our total need is to find acceptable shelter for 1,400,000 persons, which represents the peak population requirement for this city.

Again, may I add, parenthetically, this figure is arrived at by the Defense Department and those of us who have been analyzing the peak population. This is to include not only the resident population, but those who come in to the city every day to work and the thousands of visitors who find themselves here in the city on any given day.

2. Community training

Civil defense citizen training programs are on-going in three areas:

Radiological defense and shelter management training for persons affiliated with buildings in the shelter complex.

Personal and family survival training available to students at the high school level.

Medical self-help training for all interested adults.

Since inception these programs have involved over 96,000 persons in the community.

Senator INOUYE. When were these programs started?

Mr. RODERICKS. In 1963, the beginning of these as the Department of Defense funded program, managed by the local Office of Civil Defense.

Senator INOUYE. So you have had it for approximately 10 years?

Mr. RODERICKS. Yes, sir.

EMERGENCY SUPPLIES AND EQUIPMENT

3. Emergency supplies and equipment

The Department of Defense has donated $1,400,000 worth of medical, food, sanitation, and radiological defense supplies and equipment to the District Office of Civil Defense for operational use and placement in official shelters throughout the city. These emergency supplies represent Government property—stored in hundreds of private as well as Government buildings. In order to insure that these supplies are maintained in good order, regular inspections and tests are made by civil defense personnel.

Some redistribution of these supplies is necessary every year as buildings are razed and new buildings are added to the shelter inventory. There are approximately 18,000 items of radiological defense monitoring and surveying equipment in place throughout the city at the present time. These electronic devices must be periodically checked for calibration and where applicable, the batteries replaced. This testing program requires continuous inspection and periodic exchange of instruments with the radiological calibration and maintenance facility in Richmond, Va.

4. Telecommunications

Special telecommunications systems are provided and maintained by both the Department of Defense and this Office to support emergency requirements relating to wartime as well as peacetime emergencies. These systems represent above normal day-to-day requirements and need to be in place, tested, and operational as part of a capability for sudden, emergency use by officials of the Federal and District government.

5. Emergency information systems

While it is a little known fact—this office is charged with the responsibility for operating the FCC—private industry emergency broadcasting system for the District of Columbia. This system utilizes the AM radio transmitters of the three major radio network outlets in Washington. We are equipped with the necessary station interconnecting electronic systems to broadcast emergency government instructions to the citizens of the District from our two emergency offices. Our office is also the network control station for the emergency broadcasting system link for Montgomery and Prince Georges Counties in Maryland and the jurisdictions constituting the northern Virginia sector of the Metropolitan Washington area.

PROGRAM CONTROL FOR METROPOLITAN AREA

If I may add, parenthetically, Mr. Chairman, the District of Columbia Office of Civil Defense was designated as the program control for the entire metropolitan area, by agreement with the legislative authorities in both States and the Governors, because we had the capability as the core of the metropolitan area, the capability to assist those other communities in times of emergency. And most of the action would take place within the city, in terms of movement.

This system is the only emergency information system which would be in operation in the Metropolitan Washington area to advise the

citizens of necessary lifesaving actions required during any national emergency.

Following the civil disorders of 1968, this office and the broadcasting industry of Washington developed a special peacetime emergency broadcast system for use by Mayor Washington during local peacetime emergencies. Our office transmits the Mayor's program input to a key radio station which in turn makes the program available to all stations in the Washington metropolitan area. This emergency information system has been used three times since 1968 during periods of local emergency.

6. Community information services:

This office has emergency information services in the nature of films, literature, and speakers. These services are available to private business organizations, community service groups, schools both private and public as well as Federal and District government agencies. All films, literature, and materials used in support of this service are provided by the Department of Defense for free distribution and use by all concerned.

These essential emergency readiness programs, Mr. Chairman, represent current major efforts in civil defense. The fiscal year 1973 budget request, if approved by the Congress, will insure the continuation of these activities at all effective levels of support.

Thank you.

MOBILE TV STATION

Senator INOUYE. Mr. Rodericks, I thank you very much for your statement. You were very helpful.

What is the status of your proposed mobile TV station?

Mr. RODERICKS. That has been completely transferred, last fall, to the Metropolitan Police Department.

I would like to explain why it was transferred. Early in 1971, calendar year 1971, when we had gone through the city, two or three very large-scale demonstrations in the city, it was very peaceful, but, nevertheless, very large and disruptive in terms of traffic and the regular operation of the community and government offices.

The mayor asked me if I knew of any system that could be used on a citywide basis by all agencies of the government, representing TV, street TV. I told him I knew of none, except those that law enforcement agencies were developing for strictly law enforcement. At that time, our city was not developing, even our law enforcement people, there was no street TV capability, either by police or Federal officials or anyone in the city.

Because I was serving on the National Academy of Sciences' Urban Telecommunications Committee at that time—I have been a member of that for several years, studying telecommunications for urban development—it was suggested by the mayor that I might check with some of my colleagues who represented some of the top people in the electronics industry. As a result of that, at no cost to the city, some of my colleagues offered me guidance and assistance and showed me how inexpensive the systems could be developed for street TV.

As a result of that, the mayor authorized me to go to the Criminal Justice Coordinating Board and seek out an LEAA grant for this system, to be a citywide system, used by any agency that had a need for it. It would represent a very simple system of a truck that could go out

in the street with a TV camera and send back to the mayor's command center, or any agency of the government, a picture of what was going on in the street.

Senator INOUYE. Were civil defense funds used to purchase this equipment?

USE OF LEAA GRANT FUNDS

Mr. RODERICKS. No, sir.

Let me say this, since we have proposed it. When we filed our LEAA grant, we were asked to put up $7,000 of civil defense money as the cash share. We did obligate in 1971, in fiscal 1971, $7,000 for that purpose, and we did put the proposal together and for some $40,000 odd, the city could acquire a simple television system.

The LEAA grant was approved and my office was really the developmental office and management office for it. However, the metropolitan police, like many other law enforcement agencies were also making every effort they could to develop a system. They had helicopters, and that is becoming a very useful way of taking pictures of wide areas.

Senator INOUYE. Mr. Rodericks, I will have to recess this hearing for another 10 minutes. The Senate is conducting a vote. I will be right back, sir.

[Short recess.]

DIVISION OF LOWER LEVEL POSITIONS

Senator INOUYE. The committee will come to order.

Mr. Rodericks, I looked over your statement, and I notice that the positions that have been deleted are largely operational positions, lower grade positions, and that the positions that have been retained are the higher grade positions, or administrative positions. It would appear to me that there are only administrators remaining. If this is so, what operations are you administering?

Mr. RODERICKS. The operations that I have outlined in my statement. I retained the people who have been doing those things right along. In other words, I am not picking up brand new on these various elements, as I said we will continue doing in 1973.

Senator INOUYE. No, you say in your statement, you have eliminated five communication equipment operator positions. These are operational positions, not administrative. Five operation shift supervisors—again operational. Then you abolish two grade 5—they cannot be administrative—motor vehicle operator positions. There are no administrative positions eliminated, so I suppose I can justifiably come to the conclusion that the only ones left are administrative.

Mr. RODERICKS. Not so.

Senator INOUYE. Do you have any operational people?

Mr. RODERICKS. Yes, sir, I do.

Senator INOUYE. How many?

Mr. RODERICKS. I have the shelter officer——

Senator INOUYE. Operational?

Mr. RODERICKS. Operational. I have a civil defense officer, who is operations chief.

Senator INOUYE. Isn't he administrative?

Mr. RODERICKS. No, sir. I have a resources man, who supplies general overall emergency supplies. He is administrative.

Senator INOUYE. That is two positions.

Mr. RODERICKS. But I have a GS–13 plans and operations man. He is entirely involved in emergency operations.

POSITION FOR ADMINISTRATOR

Senator INOUYE. Isn't that an administrator? GS–13 is a high grade.

Mr. RODERICKS. Well, I am in the Federal Civil Service Classified Act categories, and these positions are what is required of the Civil Service Act for the responsibilities.

Senator INOUYE. Let's continue with the analysis.

Mr. RODERICKS. All right. I have three civil defense officers and each one of those are operations—telecommunications operations, communications, and planning.

The shelter officer is strictly operational. I consider that most of my work that I do as Director involves basically in the operations side. Mr. Thurman, who is the Deputy Director, concerns himself with all of those things that are administrative and resources and emergency support activities, as we see them.

I have two shelter inspectors. I am not sure whether they would be administrative or operational, but they are street men, they are out in the street all of the time, involved with the shelter officer. They also double in brass as emergency operations people for running some of our systems, if necessary.

I think we are about an even split in the office, Mr. Chairman, between administrative type programs——

Senator INOUYE. What is the total?

Mr. RODERICKS. We are left now with 14.

Senator INOUYE. So with your analysis, you have seven operational and seven administrative?

Mr. RODERICKS. That is about a fair distribution, yes, sir.

RATIO OF ADMINISTRATORS TO SUPPORT STAFF

Senator INOUYE. Isn't that a top-heavy ratio?

Mr. RODERICKS. Well, again, sir, I am not sure what the definition of administrative is. Certainly, the people on the administrative side are not performing what I would consider to be normal administrative activities—budget, payroll, accounting. They are not doing that. They are in an administrative type, I suppose, if you consider the community information services, the training program. Most of these people have street programs or programs out in the community.

Senator INOUYE. Is it true that all of the GS–5 and GS–7 positions have been abolished?

Mr. RODERICKS. Yes, sir; and the reason they were all abolished, as I cited here, the GS–7 shift supervisors, I have had five of those and I had five communications equipment operators. And these people were only involved in manning the 24-hour a day rotating shift, 7 days a week, 24 hours a day. That whole activity has been eliminated.

Senator INOUYE. Where did these people go?

Mr. RODERICKS. All right, sir.

We had 16 positions—we had a reduction in force, proper notification to everybody on a reduction in force. Everybody in the office. When we finished, in terms of what we could handle with the budget we had

and the civil service laws, we transferred out of civil defense 11 people, 11 bodies.

Of the 13 people that were dropped, 11 were transferred to other agencies. Two of the persons we tried to locate in other agencies. One did not take several opportunities offered, for his own reasons. The other person was in the hospital sick, although we are continuing to try to help him now that he is out of the hospital.

But 11 of our people were transferred to other agencies, where they found vacancies, with our help. One person retired. So I can say 10 were transferred, one retired, one man was in the hospital, although he has a job offer from another agency, and as soon as his health recovers he will take it. And only one person I know of has not found a job, to my knowledge.

We had three other positions, like the two motor vehicle operators, and one operations shift supervisor were vacant in 1972. We simply abolished these positions. So we abolished 16 positions, 13 of them had people in them. We transferred 10, relocating one more, and one that I know of has no job.

And to explain why they are lower ranking positions, in the civil service regulations, under the bumping rights, since almost every person that I have left on my staff, who is GS–7 or above today, have been with me for almost 10 years or more. So on the bumping rights, even if I eliminated the top jobs, these people would have bumped all of these who did go off eventually. There would have been no retention under the Federal retention register.

We conscientiously examined every step of this, consulted with civil service and with personnel, and I feel pretty good that to my knowledge, only one person was without a job, and he refused at least two that were offered.

24-HOUR OPERATION OF COMMAND CENTER

Senator INOUYE. With this reduction, have you been able to maintain your command center on a 24-hour basis?

Mr. RODERICKS. No, sir; that has closed down. The command center, if I may, Mr. Chairman, is an activity that takes place within the office of civil defense whenever the mayor needs it. And what we did, was for several years, we kept it open, even though there was no emergency going on.

Senator INOUYE. Even if you did not need it, you had it operating for 24 hours?

Mr. RODERICKS. We kept it open to keep at least somebody there in case we had to activate it in a hurry. We no longer have the capability. That is closed. We are Monday through Friday, 8 hours a day, back to our normal civil defense operation routine.

Senator INOUYE. Have you experienced any noticeable lack of efficiency in the delivery of your services since the cutback was implemented?

Mr. RODERICKS. No, sir; and I would like to give credit to the staff. I just have been lucky to have been associated with a staff of men and women over the past years who never worked by the clock. Today it is the same thing. They realize we are not in a position to do many

of the things we did, for just and good reasons, and these people make their usual continued effort to meet the needs, whatever they are, and not watch the clock.

SHIFTS AT COMMAND CENTER

Senator INOUYE. So you do not have any shifts, they are all one shift?

Mr. RODERICKS. We have only the normal duty shift, Monday through Friday, yes, sir, one shift.

Senator INOUYE. I have here a pamphlet entitled "The Mayor's Command Center."

Mr. RODERICKS. Yes, sir.

Senator INOUYE. Who paid for this?

Mr. RODERICKS. The Department of Defense, sir. The District government had nothing to do with the payment of that, the development of it, or anything else. That was done by the National Office of Civil Defense.

Senator INOUYE. There is no cost involved in the layout of photographs?

Mr. RODERICKS. To the city, to the District? Not a penny, sir. We were not involved even in staffing it. They came and took pictures, they interviewed us, and they produced it and sent it all over the United States.

I believe it is marked with their stamp.

Senator INOUYE. Are you planning to update this?

Mr. RODERICKS. No, sir.

Senator INOUYE. I thank you very much, Mr. Rodericks. You have been very helpful, sir.

Department of Finance and Revenue

STATEMENT OF KENNETH BACK, DIRECTOR

ACCOMPANIED BY LEO J. EHRIG, JR., DEPUTY DIRECTOR, DEPARTMENT OF FINANCE AND REVENUE

BUDGET REQUEST

Senator Inouye. Our next witness is the Director of the Department of Finance and Revenue, Mr. Kenneth Back. His budgetary request is $9,702,500.

PREPARED STATEMENT

Mr. Back. Mr. Chairman, I have filed a written statement with the committee.

Senator Inouye. Without objection, the statement will be made a part of the record, sir.

(The statement follows:)

Mr. Chairman and Committee Members:

I am happy to have the opportunity to appear before you and justify our Fiscal Year 1973 budget requests.

Increases requested for the Department of Finance and Revenue for FY 1973 total $900,979. Approximately two-thirds of that amount or $603,000 is for non-discretionary salary increases. The remaining one-third or $298,000 is for essential workload increases which I will cover later.

Generally speaking, all of the programs of my Department fit into two broad categories: tax administration and central service operations for the District Government. The main output or final product of our tax programs is revenue to finance city programs. The main product of our central service operations is financial and administrative service for District agencies, including central treasury, accounting, payroll and retirement. Needless to say, these are extremely vital services without which the city government could not function.

Since our central financial operations are tied directly to District Government programs which--despite recent austerity measures--continue to expand every year, we have little if any control over workloads in these areas. In recent years, mandatory workloads have grown at an extremely rapid pace. For example, the number of employee payroll accounts--which includes temporary, seasonal, and grant fund positions as well as permanent appropriated positions--has grown from 34,000 in fiscal 1965 to an estimated 63,000 in 1972. This mandatory workload growth, compounded by increases in work complexity such as new categories of deductions and fringe benefit changes in payroll, has outstripped the present resources available.

For fiscal 1973, we are requesting two items which relate to payroll workloads. These are $76,860 for contract card punch, and $24,000 for three (3) GS-6 payroll clerks. Payroll clerk positions were requested in

both the fiscal 1971 and 1972 budgets but were not allowed by Congress. Since that time, workloads and work complexities have continued to increase. As a result, in spite of our best efforts, work has backlogged in these programs to the point where there is a danger of not being able to meet even the most critical deadlines. We will continue to make every effort to meet all payroll deadlines but we cannot go on indefinitely without additional support for these programs.

Rapidly expanding payroll, accounting and other computer processed workloads have created the need for additional monies for contract card punching. Funds are requested for contractual card punching and verifying of approximately 1,100,000 cards annually for input payroll and other financial program data. While most of our card punching work is performed "in-house," a considerable amount is done on contract. It is often cheaper and more efficient to contract out special bulk projects or workloads during peak periods in order to prevent work backlogs. In addition, contracting eliminates the cost of new card punch equipment which would be required if additional card punch operators were hired.

The second major category of programs in the Department of Finance and Revenue are those dealing with tax administration. As I mentioned earlier, the main output or product of these programs is revenue to finance city operations. Another equally important but less tangible end product is equity or the fair distribution of the tax burden. Our main goal, therefore, in carrying out these programs is to maximize revenue production while at the time increasing the equity of our tax system.

One tax administration area in which we are making a special effort involves the tax compliance, enforcement, and prosecution programs. In the fiscal 1971 budget, Congress approved a number of new positions in order to expand these programs in the District. The positions were only partially funded for fiscal 1971 but recruitment was begun early in order

that the jobs could be filled as soon as funding became available beginning in April 1971.

Thus far the results of the stepped-up programs are very encouraging. A review of the statistics on case closings and revenue collections for the period April 1971 through February 1972 as compared to the same period a year ago shows substantial gains in both the compliance and enforcement programs. In compliance, the number of cases of delinquent non-filers closed increased by approximately 9,000 or 36%. In enforcement, the number of cases of delinquent non-payers closed increased by 6,250 or 29%. Increased revenues from both programs combined amount to approximately $1,500,000.

In the prosecution area during this same period, 287 cases were submitted to the Corporation Counsel for prosecution, an increase of 95 cases or 66% over the same period last year. We might add that convictions are obtained in 98% of the cases brought to the Corporation Counsel for prosecution.

Another tax program area in which we are making a special emphasis is the real estate assessment program. Equitable distribution of the real estate tax burden requires that property be reassessed as often as necessary to keep assessed values current with market values. At present, we are able to reassess all properties on the average at least every three years. However, this three year cycle is too infrequent to keep assessed values current with rapidly changing market values. The immediate results are (1) loss of revenue and (2) a disproportionate sharing of the tax burden. Our goal is to narrow the time gap between reassessments of all District property to a point where such reassessments are made on as close to an annual basis as is reasonably practicable. Attainment of this goal will assure maximum equalization of the tax burden among property owners while increasing property tax revenues by an estimated $1.5 million

annually when fully operational.

Over the years, the District has made some progress in reducing its reassessment cycle principally by enlarging the real estate assessment staff. Adding more new assessors is one way of getting the job done, but in the long run the more efficient and cheaper way is through the expansion of data processing capabilities. In FY 1971 we laid the ground work for a long range, five-year program for automating assessments by requesting additional EDP personnel and related administrative costs necessary to begin the study and design of computer systems and to prepare for conversion requirements. Congress approved these requests and a systems design was initiated and completed in FY 1972. This year, as a necessary second phase of the program, we are asking for funds for the initial equipment rental outlays, temporary personnel, and related costs to start conversion and to implement the first operational phase of our five year plan.

To commence data collection and conversion will require $100,000 to cover costs of needed temporary personnel. This includes 108 man months GS-5 Assessor Technicians ($74,500) to gather in the field updated and expanded data on all District property and 84 man months GS-4 Key Punch Operators ($25,500) to initiate the building of the automated master assessment file. All positions are requested on a temporary basis and will be abolished upon completion of the master assessment file. It must be understood, however, that these temporary employees will be needed in each of the next three years if we are not to jeopardize our ongoing reassessment program. The total amount requested to continue progress on the long range plan and benefit from the time and money already invested in the program is $175,000.

We are convinced that we must take full advantage of modern data processing equipment if our tax programs and central financial service programs are to be fully productive. One of our problems at present is the

inability to fully utilize existing equipment because of insufficient staffing. Our data processing installation at present is staffed to operate on a 24 hour day, 6 day-a-week basis. If we are to keep up with present computer workloads and implement new data processing systems planned to begin in FY 1973, it becomes imperative that we have sufficient staffing to operate 24 hours a day, seven days a week.

During the past few years, it has been increasingly necessary to perform computer operations on Sundays. The Sunday work has been imperative to meet employee payroll schedules, print income tax refund checks, prepare real estate tax bills, and adhere to other critical deadlines. Because we are understaffed, computer operators who put in full work weeks are required to work almost every Sunday as well. This situation adversely affects employee morale and can lead to high turnover rates in these critical positions. The additional shift will eliminate the need for Sunday overtime. It will permit us to keep abreast of growing computer workloads and enable us to begin implementing new systems which are vital to achieve improvements in the District's tax programs. In addition to the automated real estate system mentioned earlier, we plan to begin installation of an integrated on-line system for all business taxes which, among other things, will greatly improve the enforcement of tax return filing requirements and the collection of unpaid taxes.

To enable us to operate our computer equipment 24 hours a day, seven days a week, we are requesting six (6) computer systems operators--1 GS-11, 3 GS-9, and 2 GS-7. The cost of these positions in FY 1973 on a four-month funding basis is $22,089 and approximately $66,000 annually thereafter.

Mr. Chairman, I have presented a brief review of our programs and what we are attempting to do to make them more productive and equitable. I'll be happy to answer any questions you or the other members may wish to ask.

SUMMARIZATION

Mr. BACK. I would like to summarize my statement and will attempt to answer any questions you might have.

As you will note from my prepared statement, two-thirds of our increases involve items over which we have no control, such as pay raises.

As you may recall, the functions performed in the department are essentially of two kinds. We assess and collect all of the District's taxes. Second, we administer on a centralized basis the payroll, internal audit, treasury, accounting, and retirement programs for the entire District government.

So our operations take on two different aspects, one being a financial service operation, where the workloads are beyond our control the other being tax administrative programs where the workloads are within our discretion.

One of the very sensitive areas we operate in is payroll. Payroll is sensitive because it has to be done, and has to be done timely. We certainly do not want to miss a payday and we are not going to if we can help it. Yet we are short of resources in the payroll area. For one reason or another, we have not been able to convince Congress that this is a sensitive area and that we are too tight on resources.

Senator INOUYE. Have you missed any payroll?

Mr. BACK. No, sir. We have come close. Our payroll clerks are handling almost three times as many accounts as payroll clerks in the Federal agencies—a fact we discovered in a survey we made last year. We are required to use a lot of overtime. Our turnover is high. Our people are not very happy with their work situation because there is more work than can be done during regular hours.

We are requesting three payroll clerks and permission to go outside on contract for keypunching of large volumes of payroll work. We recently installed a new payroll system. At the time we designed the new system, we adopted throughout the District government, what the General Accounting Office calls positive payroll reporting.

This has increased our keypunching workload. We think it is a much better system. It is one that the General Accounting Office recommends for all of the Federal agencies to follow. The difference would be whether or not each day, each payroll clerk writes in the number of hours each person works or whether they simply write in how much he did not work. The General Accounting Office recommends that payroll clerks record how much employees actually work. So rather than the exception type payroll reporting, we have positive payroll reporting. They put in the new payroll system last July, which greatly extended our computer capability in the area.

I think our payroll operation is good, except it is almost impossible to keep up with the changes.

There are numerous changes such as retroactive pay raises, regular pay raises, new fringe benefits, open seasons on health benefits. There is something changing in payroll almost every month.

74-704 O - 72 - pt. 1 - 16

MONITORING EMPLOYEE WORKING HOURS

Senator INOUYE. What office is responsible for monitoring the working hours of employees, to make certain that employees are punching in properly and punching out properly?

Mr. BACK. This is a supervisory responsibility, Mr. Chairman, of every district agency and every supervisor in every district agency.

Senator INOUYE. Are you satisfied that it is being done?

Mr. BACK. Well, I would not know whether it is being done correctly or not. As you know, these employees are all over the city.

Senator INOUYE. It is not my intention to embarrass any department, but I have gone to two offices and requested to see their "in and out" sheets. Large numbers of staff people have punched out at 4:45, when it was actually only 4:15, and the work day ended at 4:45.

Mr. BACK. Well, apparently someone is violating the rules and regulations when any supervisor permits this to happen. But as to the extent it is happening, I have no knowledge.

Senator INOUYE. Mr. Coppie, have you heard of these things? This is not hearsay for me, because I have checked on it personally.

Mr. COPPIE. Mr. Chairman, I am not aware of it, but I will underscore what Mr. Back said. If it is going on, it is a violation of administrative regulations in the District government. We would be glad to examine any allegation that has been made with regard to violations.

Mr. BACK. Mr. Chairman, in our tax programs, with the help of this committee, we have been placing a good deal of emphasis during the last couple of years on our compliance, discovery, and prosecution programs. Those programs are moving along nicely. You may recall in 1971, some positions were granted for this purpose. They were funded for 4 months——

PROSECUTION OF TAX EVASION AND VIOLATION

Senator INOUYE. What is your latest experience on prosecuting tax evaders and violators?

Mr. BACK. Mr. Chairman, in fiscal 1970, there was an opening inventory in the courts, cases which we had referred for prosecution by our corporation counsel, of 156 cases. That year we added 76 cases. In 1971, we added 287 cases to the inventory. In fiscal 1972 through February, we have submitted another 211 cases.

Now, these are being worked daily by the corporation counsel's office. My statistics show that through February 1972, the corporation counsel had an inventory of 287 cases pending in court. We, prepare and refer the cases, and they are prosecuted for us by the corporation counsel's office.

Senator INOUYE. What percentage have you received convictions on?

Mr. BACK. They tell me it is close to 98 percent, Mr. Chairman. This is a continuing program We have compared the period April 1971 through February 1972, which was the period the new resources were applied, with the same period the previous year. In our compliance operation, which concentrates on the people who have not filed tax returns, the number of cases closed increased by 9,000, or 36 percent. In our enforcement program which deals with persons who have filed but have not paid the tax our closings increased in this period by

6,250 or 29 percent. The additional revenue resulting from these two operations during that period was approximately $1.5 million.

Senator INOUYE. I notice that you make a check against Federal returns. Now, does this check cover all types and classes of taxpayers, or only those in the higher brackets?

REAL ESTATE ASSESSMENT PROGRAM

Mr. BACK. It covers all of them, Mr. Chairman. We run a tape match by social security number and our program calls for working on a random sampling basis the entire universe of accounts that do not match.

I would like to mention another program which is, in our opinion, awfully important that is the assesment program. We assess and collect the real estate tax of the District of Columbia. We have never had enough staff to reexamine and reassess all properties in any 1 year, Our present schedule is about 3 years. In an increasing market, this is a long time for an assessment to remain the same when the market is moving away and the assessed value has not been reviewed because of lack of personnel.

In this budget, we are requesting resources for the second phrase of what we presented 2 years ago as a 5-year program to automate our assessment process. We think automation is a much more feasible and cheaper approach than just adding additional assessors. Our goal is to review and reassess all properties every year.

You seek two things in an assessment program. One is equalization of like properties and the other is maintaining all property assessment as closely as possible to the prescribed level of market value in an increasing or decreasing market. You cannot achieve either unless your assessment cycle is reduced.

We are striving, to achieve these goals and have used the resources that this committee and Congress approved for us in fiscal 1971 for this purpose. There were no funds made available last year in 1972, but, we nevertheless made some progress. We have designed the new automated system. We know what hardware we are going to need. We have priced out the program which is going to take about 4 years to complete. We are going to have to gather all new data to go into the computer master file. We have estimated the temporary people we would need for the first year and this, in essence, is our second year request in our 4- to 5-year program.

Now, you might ask what does the program accomplish when you get finished. One, we think our equalization will be considerably improved. Our level of assessment will be close to what we want it to be. And our best estimate is there will be at least a million and a half-dollars of additional revenue each year accruing to the District upon completion of the program.

TAX BURDENS ON DISTRICT RESIDENTS

Senator INOUYE. Mr. Back, earlier today, I am certain you recall Chairman Hahn and I entered into a discussion on the tax burden of our residents as compared to residents in other States. With the re-

sources of your office, would it be possible for you to supply a table listing the States in order of tax burden as a percentage of per capita income?

Mr. BACK. Yes, sir; we have done that. We will be glad to supply that for the record.

Senator INOUYE. The tax burden?

Mr. BACK. Per $1,000 of personal income.

Senator INOUYE. As a percentage of the per capita income?

Mr. BACK. Well—let me see if I understand——

Senator INOUYE. You will have a chart showing the per capita income of the States and then the per capita tax burden.

Mr. BACK. Yes.

Senator INOUYE. I want to see a chart taking into consideration the relationship of the tax burden and the per capita income.

Mr. BACK. We can do it. We will submit that.

TAX BURDEN BASED ON PER CAPITA INCOME

Senator INOUYE. Because you can have a situation where the tax burden is, say, $500 per capita, but the per capita income is $5,000. There is some significant difference if the tax burden is, say, $450, and the per capita income is $2,500. I am certain you can see that.

Mr. BACK. Oh, yes.

Mr. Chairman, we don't push too much faith in a straight per capita tax comparison as the chairman referred to here this morning. In the first place that type of comparison takes all tax dollars, not just tax dollar on the individual. You take business tax dollars and all tax dollars and simply divide them by the number of people. We think the tax burden is much more properly computed by relating it to personal income, or as we attempt to do, take the individual and compute the tax each individual pays in each jurisdiction.

Mr. Chairman, while Mr. Hahn this morning indicated—and he is correct, that we rank fourth from the top on a per capita tax computation base—we rank 37th in taxes per $1,000 of personal income, based on the same statistical data. So it depends on how you go about it as to what answer you come up with.

Senator INOUYE. That is what I wanted to get.

Mr. BACK. We will be glad to supply any information you need on

(The information follows:)

Comparisons of State and Local Tax Burdens
Office of Budget and Program Analysis
District of Columbia Government

Attached are estimates of state and local per capita tax burdens as a percentage of per capita income, as requested by the Committee.

A number of factors should be considered in using these percentages to draw comparisons between the tax effort of District citizens and the tax effort of citizens of other states.

The per capita tax for other state and local governments includes taxes paid by businesses and corporations. Because of the District's role as the nation's capital, its tax base includes a smaller amount of business and industrial property, sales, and profits than do state tax bases.

The reduction in the tax base due to the presence of the Federal Government has been one of the major reasons for the Federal Payment to the City. However, the Federal Payment does not enter into the tax base used to compute per capita taxes, even though it represents funds that would normally be paid by the industrial and business sectors of a community. If the Federal Payment were included in computing the city's tax burden, the District would be ranked seventh, instead of thirty-seventh, in the attached table.

Another problem with using these percentages to compare the District with the states is the computation of per capita personal income. It is quite likely that the estimates used overstate the ability of District residents to pay taxes relative to citizens in other states. Personal income for the District is much harder to estimate than it is for the states because of the substantially greater portion of income earned by non-residents in the District than in the fifty states. No state requires an adjustment for non-resident income anywhere near the magnitude of the adjustment required for the District, where over 50 percent of the workers were non-residents in 1968.

There are other problems with the use of personal income data. For one thing personal income includes the income of non-profit corporations, trust funds, and health and welfare funds. Because of the presence of the Federal Government, these institutions probably are overrepresented in the District relative to other states. Another problem is the completely urban area of the District. Residents of other states, particularly those in non-urban areas, generally have a lower cost of living than residents of the District and may receive some non-cash income. In addition, being a central city, the District has a larger portion of its income in the form of public assistance payments than do other states. Personal income derived from public assistance is obviously not as productive s tax source as other forms of income.

Understatement of the relative per capita tax burden borne by District residents and overstatement of relative tax capacity as expressed by personal income make it appear that District residents are carrying a lighter tax responsibility relative to residents of other states than is actually the case.

STATE AND LOCAL PER CAPITA TAX BURDENS AS A PERCENT OF PER CAPITA INCOME 1969 - 1970

State	Per Capita State and Local Tax Burden 1969-1970	Per Capita Personal Income 1970	Per Capita Burden as Percent of Per Capita Income	Rank
Alabama	$259	$2,853	9.08%	47
Alaska	417	4,592	9.08	46
Arizona	425	3,591	11.84	9
Arkansas	252	2,791	9.03	49
California	559	4,426	12.63	5
Colorado	419	3,816	10.98	22
Connecticut	485	4,856	9.99	32
Delaware	450	4,324	10.41	29
DISTRICT OF COLUMBIA	517	5,387	9.60	37
Florida	347	3,642	9.53	38
Georgia	312	3,332	9.36	41
Hawaii	572	4,527	12.64	4
Idaho	347	3,240	10.71	26
Illinois	487	4,502	10.82	24
Indiana	357	3,781	9.44	39
Iowa	436	3,688	11.82	10
Kansas	395	3,823	10.33	30
Kentucky	299	3,073	9.73	34
Louisiana	331	3,049	10.86	23
Maine	380	3,257	11.67	12
Maryland	482	4,255	11.33	18
Massachusetts	497	4,360	11.40	17
Michigan	456	4,059	11.23	20
Minnesota	442	3,824	11.56	14
Mississippi	296	2,575	11.50	15
Missouri	343	3,704	9.26	44
Montana	398	3,379	11.78	11
Nebraska	397	3,751	10.58	27
Nevada	517	4,562	11.33	19
New Hampshire	333	3,590	9.28	43
New Jersey	447	4,598	9.72	35
New Mexico	359	3,131	11.47	16
New York	652	4,769	13.67	2
North Carolina	311	3,207	9.70	36
North Dakota	376	2,995	12.55	7
Ohio	343	3,972	8.64	51

State	Per Capita State and Local Tax Burden 1969-1970	Per Capita Personal Income 1970	Per Capita Burden as Percent of Per Capita Income	Rank
Oklahoma	$306	$3,312	9.24	45
Oregon	400	3,705	10.80	25
Pennsylvania	401	3,927	10.21	31
Rhode Island	408	3,902	10.46	28
South Carolina	274	2,936	9.33	42
South Dakota	398	3,165	12.58	6
Tennessee	279	3,085	9.04	48
Texas	316	3,531	8.95	50
Utah	375	3,213	11.67	13
Vermont	471	3,465	13.59	3
Virginia	340	3,607	9.43	40
Washington	443	3,993	11.09	21
West Virginia	301	3,021	9.96	33
Wisconsin	509	3,693	13.78	1
Wyoming	434	3,556	12.20	8
U. S.	427	3,921	10.89	

Department of Finance and Revenue
Fiscal Planning and Research
March 1972

Senator INOUYE. So from that, would I be correct to conclude that the people of this city are not as hard-pressed as people in several other states and cities?

Mr. BACK. Well, Mr. Chairman, our studies would indicate that compared to the 25 largest cities our tax burden on a comparative basis is low. In the metropolitan area, our tax burdens are not high, they tend to be in the middle between Virginia and Maryland jurisdictions. But in comparison to the 25 cities, we are just below the median, for all income levels except the higher levels. That does not mean we are not paying substantial taxes in the District of Columbia, but from a comparative point of view, we are not being overburdened.

Senator INOUYE. I have here a letter from one of your constituents, and he poses a question which I cannot respond to. Maybe you can. I will just quote him:

> Why does the District instruct me to make my check in payment of my water and sewer bill payable to the District of Columbia Treasurer and send it to the Water Department? This also applies to my District of Columbia income tax payments and other payments. Why shouldn't it be (a) sent to the District of Columbia Treasurer; or (b) if there is some valid reason, why they must be sent to the operating unit, made payable to that unit? I can think of no good reason why they shouldn't be sent to the District of Columbia Treasurer.

PROCEDURE TO PAYING WATER AND SEWER CHARGES

Mr. BACK. Mr. Chairman, most of them are. We recommend and require, if we have a choice, all checks be made in the name of the District of Columbia Treasurer. That does not mean we would not process one if it is made out other than that. Most checks are sent directly to the District of Columbia Treasurer.

The water and sewer operation has operated separately in a different building for many, many years. They do have a problem of application of penalty and interest, which they like to apply and handle before they then transmit the checks to the District of Columbia Treasurer.

We do not see any objection to that. Actually, we control their treasury operation by our own people in their building. But they like to have the checks come back to them for the penalty question. They will cut the water off if the bill is not paid. They think they would rather check for possible penalty before the money is deposited, rather than deposit the money and come back and redo the account.

This has been studied several times. I do not think there is a great deal of difference in administrative cost, whichever way it goes.

CLOSED CIRCUIT TV EVENTS

Senator INOUYE. At the present time, do you license or regulate wrestling and closed-circuit TV boxing?

Mr. BACK. Well, my department does not. It would be in the Economic Development Department Occupations and Professions Division. It is my understanding, although I do not want to try to be definitive because I do not really know, that we do not license closed-circuit boxing at this time.

Senator INOUYE. All other jurisdictions do.

Mr. BACK. I am not familiar with it, so I really should not be responding. I do not know, but I can check it out with that department.

Senator INOUYE. Mr. Coppie, it may not be a big amount, but you are always looking for money. Why is it that these activities are not taxed like other activities?

Mr. COPPIE. Mr. Chairman, I think that question probably more appropriately should be addressed to Mr. Dugas when he appears for the Department of Economic Development. Mr. Back has pointed out we cannot speak to it definitively, and I would like to refrain from answering the question at this time.

Senator INOUYE. As a matter of policy, do you wish to tax these activities?

Mr. COPPIE. Again, I think we would want to know what the current policy is before we think in terms of a new policy.

Mr. BACK. I would point out, Mr. Chairman, that the sales tax does apply to the price of the ticket, as it does to all other amusement and theater tickets.

PAYCHECKS LOST IN THE MAIL

Senator INOUYE. I have had several calls from employees of the city, and they have posed a problem. You may have the answer.

When a paycheck is lost in the mail, or stolen, the employee is without that paycheck for 6 weeks to 3 months. The reason given is that all District of Columbia employees are paid with U.S. Treasury drafts. When Federal drafts are lost, the Federal Treasury officials must investigate each and every case. It would appear from the complaints that this delay is not only burdensome, but to welfare recipients it could be catastrophic. Is it possible for you to set up a reserve fund to eliminate this situation or to reduce the delay, after the stop-payment order?

Mr. BACK. Mr. Chairman, I think it would be a good sized fund. You are correct in your description of the present procedure; our checks are U.S. Treasury checks, and if one is lost, it becomes their responsibility to replace it.

Senator INOUYE. How much is involved?

Mr. BACK. I could not answer that.

Senator INOUYE. You said it is a large amount.

Mr. BACK. I think it is, but I could not answer exactly how much. We do have some small emergency cash advance payments. For instance, if an employee——

Senator INOUYE. Can you give me a report on how much is involved?

Mr. BACK. Over some period of time, I assume?

Senator INOUYE. Say a fiscal year. As to how much was involved in the either lost or stolen.

Mr. BACK. Yes, sir; we can develop that. It is a hardship on the employee and it is a hardship on the welfare recipient, and we certainly hear of it. I have not quite figured out a way to solve it.

(The information follows:)

Report on Lost or Stolen Salary and Public Assistance Checks

The District Government as a disbursing agent of the Federal Government follows instructions in U. S. Treasurer's Memorandum No. 6 with regard to claims for lost or stolen checks. This memorandum prescribes the procedures for placing and removing stop payments against checks drawn on the Treasurer of the United States.

When the salary check of a District employee is involved the action of the U. S. Treasury Check Claims Division and U. S. Secret Service is as follows:

(1) If the stop payment notice is received by the U. S. Treasury before the missing check is received by them, a substitute check is issued in a short period of time, usually a week or ten days.

(2) If the stop payment notice is received after the missing check has been received by the U. S. Treasury an investigation is conducted by the U. S. Treasury and in such cases a longer period of time is required for determination as to whether or not a substitute check should be issued.

In the case of public assistance checks the U. S. Treasury gives such checks preferred handling. Substitute checks are issued within a week or ten days regardless of whether the U. S. Treasury receives the missing check before or after the stop payment notice, as the Department of Human Resources guarantees the U. S. Treasury against any loss if both the original and substitute checks are cashed by the public assistance claimant.

We have been advised that the issuance of substitute checks is governed by "Substitute Check Law" which permits the issuance of a substitute check by only the U. S. Treasurer.

We have always received full cooperation of the U. S. Treasury in handling claims on checks involving salaried employees, and in many cases where it is apparent there is extreme hardship the U. S. Treasury will issue a check promptly if the stop payment notice reaches their office before the missing check is received.

The Disbursing Office maintains an imprest fund of $5,000.00 authorized by Commissioner's Order LS 2798-B-1, dated June 5, 1953, for the express purpose of making emergency salary advances in the event of serious emergency or extreme hardship. Loss or theft of a salary check falls into this category. Under this Order the Disbursing Officer can advance money only to the extent of any accrued salary due the employee at the time a request is made for a salary advance. The department head or his authorized representative must certify as to the amount of accrued salary then due to the employee. In this way the District is always protected from loss as all substitute checks in settlement of any claim for a lost or stolen check are mailed direct to the claimant.

Listed below is a record of stop payment claims which have been filed for the period involved.

	Fiscal Year 1971		Fiscal Year 1972 to date	
	No. of Claims	Amount	No. of Claims	Amount
Salary	623	$168,287.13	580	$137,159.61
Public Assistance	1113	$161,426.93	1086	$164,986.03

The security of checks is a major problem of financial institutions and government agencies. To reduce the incidence of check theft as much as possible, the District Treasury has arranged to imprint the postage as a part of the District Treasury operation and deliver checks direct to the U.S. Postal Service.

While we cannot ascertain from our records the number of advances made to employees whose checks have been lost or stolen, we actually have not had too much difficulty in working out some arrangement for a salary advance, or in cases where it is evident extreme hardship is involved we have, as previously stated, through the cooperation of the U.S. Treasury, been able to have a substitute check issued in several days.

In view of the above, it would appear that it is not necessary at this time to establish a new special fund for making payments for lost or stolen salary checks. If a separate fund is to be established the procedure for handling any payments out of this fund would be the same as with the present fund; that is, the employing department would be required to furnish definite identification of the employee and certify that this employee is entitled to the check claimed to be stolen.

The principal problem would be how the fund would be reimbursed in case of any loss, as replacement checks are mailed direct to the claimant. We have no knowledge when such checks are issued.

Under the present system no amount is advanced in excess of the amount of accrued salary due; therefore, the advance is recovered when the salary check is issued which protects the District from any losses.

TECHNICAL QUESTIONS

Senator INOUYE. Mr. Back, if we may, we had several questions of a very technical nature. It might not be fair for the Chair to be asking these and expecting you to come up with definitive responses. If I may, I would like to submit them to you and hope that you can respond to them.

Mr. BACK. I certainly will.

Senator INOUYE. Thank you very much. You have been very helpful, sir.

(The questions follow:)

1. WHEN ARE THE BILLS FOR THE REAL ESTATE TAX ASSESSMENTS SENT OUT?

2. WHAT ARE THE EARLIEST PERMISSIBLE DATES THE TAX BILLS COULD BE SENT OUT?

3. WHEN ARE THE BILLS ACTUALLY SENT OUT?

4. WHEN ARE THE TAXES DUE ON PAYMENT BY THE TAXPAYERS?

Real estate tax bills are mailed to taxpayers annually during the last week in August for the first half payment, and the last week in February for the second half payment.

The law provides that real estate taxes may be paid in two equal installments; the first payment to be made during the month of September, and the second during the month of March. In order that the taxpayer may have the entire months of September and March in which to pay his real estate tax without penalty, this provision of the law (section 47-1209, D. C. Code, 1967) has been interpreted as requiring that the real estate tax bills be mailed at such time as to be in the hands of the taxpayer on or before September 1 and March 1, respectively. Other than the necessary time for printing, processing, and mailing the tax bills (which at a minimum requires 30 days time), there is no statutory requirement as to when the tax rate should be finalized and set. The law requires that the assessment of all properties be made, equalized and approved on or before July 1 each fiscal year.

From an administrative point of view, we seek to obtain the annual tax rate at the earliest possible time after July 1, but in no case later than July 31. The first bill which is mailed to the taxpayer during the last week in August and due and payable during the month of September carries both the total amount of tax due for the fiscal year and the amount of the first half which is due and payable at that time.

We estimate that approximately 15% of the taxpayers normally pay the total tax at the time they receive the first bill; those who do not, are billed for the second half which is due and payable during the month of March.

If both the assessment and tax rates were finalized as of July 1, tax bills could be mailed so as to be in the hands of the taxpayers by approximately August 1. While some taxpayers might pay early, there is no legal requirement that they do so prior to the end of September.

Tax Delinquents Unpaid as a Percent of Total Tax Collections
Fiscal 1969-1972

The attached table shows by tax types the amounts of unpaid delinquents as of a specific date which have been referred for enforcement action and the percentage relation of these amounts to total collections.

It should be noted that the enforcement of tax collections is somewhat analogous to the flow of products through a pipeline. At any given moment there are substantial amounts of taxes in the process of collection but most of these taxes are eventually collected. Tax accounts are transferred to inactive status only when it becomes impossible to enforce collection for a number of reasons including expiration of the statute of limitations, movement of the taxpayer from the District, bankruptcy, disappearance of owners, business assets tied up in probate, and so forth. The fact that these taxes are listed as inactive does not mean that some of them may not eventually be collected. It sometimes becomes feasible to enforce collection at a later date and, therefore, the accounts remain collectable indefinitely. The amount transferred to inactive status is extremely small when compared with total D. C. tax collections. In 1971, for example, the amount transferred was $565,732 or approximately 1/8 of 1% of total tax collections for that year.

An analysis of the attached table shows that while the number of cases to be worked at a given time has remained relatively constant since Fiscal 1970, the dollar amounts have increased substantially. The principal reasons for this trend include: (1) increases in tax rates during the last few years, (2) the tight money market, (larger amounts of tax payments are deferred because of the difficulty in borrowing cash for individual needs or to operate businesses) and (3) general inflation in the economy.

It will be noted that in the case of two taxes -- personal property and unincorporated franchise -- the amount of delinquency is a relatively greater percent of total collections. The personal property figure is higher in part because the date used for measurement (June 30) coincides with the referral of the bulk of delinquent accounts. When a different measurement date is used the percent of delinquency is lower as is seen in the case of Fiscal 1972. In addition, the higher percentage of delinquencies in both the personal property and the unincorporated franchise taxes reflect the large number of marginal-type small businesses who are liable for these taxes.

Tax Delinquents Unpaid as Percent of Total Tax Collections
Fiscal 1969-1972

Fiscal Year 1969

Type of Tax	Cases (As of June 30, 1969)	Amount	Total Annual Collections From Tax	Delinquents as % of Total Collections
Individual Income	4,854	$ 433,597	$ 67,110,320	0.65 %
Personal Property	1,791	201,104	13,772,743	1.46
Sales	1,786	409,790	58,196,897	0.70
Employer Withholding	1,109	137,235	54,036,726	0.25
Unincorporated Franchise	302	68,391	2,223,991	3.08
Corporation Income	333	130,564	15,469,155	0.84
Inheritance and Estate	121	19,652	5,764,692	0.34
Deed Recordation	7	916	1,497,599	0.06
Real Estate	881	203,875	107,147,431	0.19
Total	11,184	$1,605,124	$325,219,554	0.49

Fiscal Year 1970

Type of Tax	Cases (As of June 30, 1970)	Amount	Total Annual Collections From Tax	Delinquents as % of Total Collections
Individual Income	5,363	$ 708,716	$ 83,043,278	0.85 %
Personal Property	2,020	352,518	15,441,507	2.28
Sales	2,536	771,356	71,332,915	1.08
Employer Withholding	1,561	227,053	71,483,558	0.32
Unincorporated Franchise	363	78,820	2,495,931	3.16
Corporation Income	343	112,741	18,321,800	0.62
Inheritance and Estate	142	34,645	6,789,438	0.51
Deed Recordation	5	766	1,343,595	0.06
Real Estate	1,336	243,102	113,895,977	0.21
Total	13,669	$2,529,717	$384,147,999	0.66

Fiscal Year 1971

Type of Tax	Cases (As of June 30, 1971)	Amount	Total Annual Collections From Tax	Delinquents as % of Total Collections
Individual Income	6,796	$1,076,813	$110,754,756	0.97 %
Personal Property	3,025	670,986	15,925,575	4.21
Sales	2,689	1,144,892	77,708,186	1.47
Employer Withholding	2,323	364,594	82,084,968	0.44
Unincorporated Franchise	506	110,490	2,862,956	3.86
Corporation Income	497	144,541	17,224,793	0.84
Inheritance and Estate	139	139,586	6,243,527	2.24
Deed Recordation	1	378	1,490,016	0.03
Real Estate	1,593	335,448	119,623,504	0.28
Total	17,569	$3,987,728	$433,918,281	0.92

Fiscal Year 1972
(9 Months)

Type of Tax	Cases (As of March 30, 1972	Amount	Total Annual Collections From Tax (Est.)	Delinquents as % of Total Collections
Individual Income	6,521	$1,423,538	$121,000,000	1.18 %
Personal Property	1,659	346,919	16,600,000	2.09
Sales	2,997	1,376,151	80,500,000	1.71
Employer Withholding	2,369	499,088	90,900,000	0.55
Unincorporated Franchise	540	124,005	2,700,000	4.59
Corporation Income	429	235,073	16,600,000	1.42
Inheritance and Estate	202	64,334	6,000,000	1.07
Deed Recordation	2	2,903	1,500,000	0.19
Real Estate	1,731	630,276	127,000,000	0.50
Total	16,450	$4,702,287	$462,800,000	1.02

Does Denver Boot Bill account for any additional revenues?

Since tickets and warrants from both impounded and booted cars are processed together, it is difficult to ascertain the amount resulting from the Denver Boots now in use. Based on data furnished us by Captain Percy C. Guthridge, Special Detail Section, Metropolitan Police Department, the Denver Boots yielded the city at least $65,000 during January and February 1972. Yields are expected to increase as more boots are received—25 are presently on order.

Does the Youth Symphony make money?

According to Mr. William B. White, Procurement Officer, Board of Education, Department of Business Administration, the Youth Symphony does not make money. They do receive donations which are used to offset expenses, e.g., instrumental supplies.

Does the Chamberlain Vocational High School cater food services commercially?

Chamberlain does not offer catering services. There are a number of school operations such as a bake shop, printing shop, etc. that do work for the public for a charge. These receipts are first deposited into separate funds (Bake Shop Fund) where they are available to cover operating costs and supplies (flour). Receipts in one fund are occasionally used to cover losses of another. There is an accounting of all funds at the end of the year when any receipts are remitted to the school's General Operating Fund.

Does the Armstrong Vocational School for Printing perform commercial services?

Answer is same as above (re: Chamberlain Vocational High School).

What is done with receipts from basketball games, etc.?

These receipts are deposited in each school's Athletic Fund. The revenues are used to covered expenses such as paying officials (referees), obtaining trophies, cost of busing the teams, and purchasing of athletic supplies not provided by the Board of Education.

Office of Corporation Counsel

STATEMENT OF C. FRANCIS MURPHY, CORPORATION COUNSEL ACCOMPANIED BY GLORIA L. POWELL, ADMINISTRATIVE OFFICER

BUDGET REQUEST

Senator Inouye. Our final witness for today's hearing is Corporation Counsel, Mr. C. Francis Murphy, who is requesting $3,128,200 for his office operation.

Mr. Murphy. Mr. Chairman, I wish to thank you for the opportunity to bring to your attention the needs of the Office of the Corporation Counsel for fiscal year 1973.

PREPARED STATEMENT

I have a prepared statement, and if you so desire, I will submit it.

Senator Inouye. Without objection, the whole statement will be made a part of the record.

(The statement follows:)

Mr. Chairman and Gentlemen:

I wish to thank you for the opportunity to bring to your attention the needs of the Office of the Corporation Counsel for Fiscal Year 1973. As you know, the Office of the Corporation Counsel is charged with the responsibility of providing legal services to the Government of the District of Columbia.

To provide these legal services, the Office of the Corporation Counsel was authorized a total operating budget in FY '72 of $2,914.6 thousand and 187 employees - 103 attorneys and 84 support staff. Ten of these positions were received in FY '72 - eight attorneys and two investigators. In accordance with the request of this committee in its report No. 92,550, six of these eight attorney positions are being utilized to augment those divisions in the office assigned to and directly supporting the District of Columbia Courts. As of this date six of these new positions are filled or committed.

During the latter part of FY '71, and the first half of FY '72, a management study of the Law Enforcement Division was conducted. To implement the recommendations of that study five non-professional positions were re-programmed to that Division. The five new positions are: one GS-09 supervisory legal clerk; one GS-06 clerical assistant (stenography); and three GS-04 clerk-typist positions.

An increase of $336.1 thousand is requested for FY '73. This increase is only for mandatory items - annualization of prior year authorized positions, $82.7 thousand; within-grade advancements, $62.8 thousand; pay raise for classified employees, $146.7 thousand; re-allocations, $19.5 thousand; overtime pay for staff required to assist the court on holidays, $4.4 thousand; and $20.0 thousand to increase the statutory authorization to pay settlement of claims not to exceed $500 each for property damage and $1,000 for personal injury. An

74-704 O - 72 - pt. 1 - 17

additional $20.0 thousand, for a total of $40.0 thousand increase, to settle these claims is pending approval by the City Council as an amendment to this budget request. These additional funds are being requested because settlements in Fiscal Year 1972 have averaged about $6,900 per month and there is a steady increase in the number of cases being filed that could and should be settled within this statutory limitation. As of March 9, 1972, 187 property damage claims had been settled for a total cost of $38.6 thousand and 39 personal injury claims had been settled for a total cost of $17.5 thousand. FY '72 authorization for these payments is $60.0 thousand.

The request for Fiscal Year 1973 provides for no increase in staff. The total budgetary request for the Office of the Corporation Counsel for FY '73 is $3,128.2 thousand for a staff of 185 positions - 104 attorneys and 81 support staff. This will be increased to $3,148.2 thousand if the amendment is approved.

Since January, 1971, the Office of the Corporation Counsel has had a training and technical assistance program funded by a grant from the Law Enforcement Assistance Act. It is estimated that 6 months funding for this program in FY '73 will be approximately $36.1 thousand for 7 positions - 2 attorneys; 4 legal interns; and one secretary.

This concludes my statement, Mr. Chairman, I will be pleased to undertake to justify or explain any item further.

ADDITIONAL INCREASES

Mr. MURPHY. Mr. Chairman, our office is asking for an increase of $336,100 for fiscal 1973. This increase is related only to mandatory items: Annualization of prior year authorized positions, $82,700; within-grade advancements, $62,800; pay raise for classified employees, $146,700; reallocations, $19,500; overtime pay for staff required to assist the court on holidays, $4,400; and $20,000 to increase the statutory authorization to pay settlement of claims not to exceed $500 each for property damage and $1,000 for personal injury.

An additional $20,000, for a total of $40,000 increase, to settle these claims is pending approval by the City Council as an amendment to this budget request. These additional funds are being requested because settlements in fiscal year 1972 have averaged about $6,900 per month, and there is a steady increase in the number of cases being filed that could and should be settled within this statutory limitation. As of March 9, 1972, 187 property damage claims had been settled for a total cost of $38,600, and 39 personal injury claims had been settled for a total cost of $17,500. Fiscal year 1972 authorization for these payments is $60,000.

The request for fiscal year 1973 provides for no increase in staff. The total budgetary request for the Office of the Corporation Counsel for fiscal year 1973 is $3,128,200 for a staff of 185 positions: 104 attorneys and 81 support staff. This will be increased to $3,148,200 if the amendment is approved.

Senator INOUYE. Thank you very much, sir.

Before I proceed, I would like to congratulate you and your office in finally resolving that smelly problem we have had along Whitehurst Freeway for quite some time now.

Mr. MURPHY. Yes, sir.

Senator INOUYE. It makes travel along that highway and throughout that section of the city a bit more pleasant.

Mr. MURPHY. Thank you.

Senator INOUYE. I believe I speak for all of the grateful residents of Georgetown.

Mr. MURPHY. I am sure you do, sir.

PERSONNEL

Senator INOUYE. Mr. Murphy, in last year's bill, we provided what I considered a rather sizable increase in funds in personnel. How did you utilize this?

Mr. MURPHY. The committee in its report indicated that eight attorney positions that were authorized last year were to be used substantially for the portions of our office which were assigned to court-work and supporting the courts.

Three of these positions were assigned to our Law Enforcement Division, two to our Civil Proceedings Division, and one position to the Appellate Division. Therefore, all six of these positions were assigned to court-oriented divisions. We are using the two remaining positions to establish a new Environmental and Consumer Protection unit. This unit will also be court oriented, but it will be oriented toward bringing civil suits in areas of environmental protection and consumer protection activities.

Senator INOUYE. Has the productivity of your office been enhanced by this increase?

INCREASED CAPACITY OF OFFICE

Mr. MURPHY. I think, Mr. Chairman, our capacity has clearly been enhanced. I think that we have not yet felt the full impact of these increases, but we have over the past 6 to 9 months been increasing the number of cases brought in connection with air pollution matters, matters involving convalescent and personal care homes within the District of Columbia, industrial safety cases, and we are also now concentrating on welfare fraud cases.

Senator INOUYE. It has been suggested by some that your office has not been able to attract the very best men and women in the legal profession and that before anyone applies for a position in your office, he does so after having been turned down by the Federal Government, or by private industry, or by the Congress. Is this a valid observation?

Mr. MURPHY. I do not believe it is valid, Mr. Chairman. I have had attorneys apply, at least two over the past several months, who were with private firms and came with us at a reduction in salary. We have had attorneys transfer to us from Federal Government positions. We have pending now applications of several of the clerks to appellate judges in the District. Also, we have had attorneys applying to us, just out of law school. In my view, sir, they are high-caliber attorneys.

Senator INOUYE. What do you pay to an attorney who has recently been admitted to the bar, fresh out of law school?

BEGINNING SALARY FOR ATTORNEYS

Mr. MURPHY. We appoint an attorney who is fresh out of law school at the GS–9 level.

Senator INOUYE. Who has passed the bar?

Mr. MURPHY. Yes, those who have passed the bar enter at the GS–9 level. It pays $11,046 per annum.

Senator INOUYE. Is this comparable to what private industry would pay?

Mr. MURPHY. I would say probably generally no, Mr. Chairman. But again, it would depend. With some firms, we probably are comparable. With a lot of other firms, I understand, some of the larger firms, may offer new attorneys $15,000, or sometimes even somewhat better than that.

REPROGRAMING OF FUNDS FROM CORPORATION COUNSEL

Senator INOUYE. I have been advised that $20,000 of the funds which were earmarked for the expansion of your office were transferred to another office, either probation or parole. Is that correct?

Mr. MURPHY. There were $20,000 reprogramed. We received a request from the Budget Office referring to a critical need that the Board of Parole was experiencing in connection with its workload, and requesting that if we could, they indicated they thought we had the funds available, that we consent to reprogram $20,000 to the Board of Parole.

Senator INOUYE. Weren't you able to use those $20,000?

Mr. MURPHY. Sir, the money reprogramed essentially came from administrative positions which had been vacant in the prior 6 months of the fiscal year, and also from a couple of higher levels positions which had been vacant. Some of these positions have since been filled, but at that time, they had been vacant for a number of months.

Senator INOUYE. Why did you ask for the money, if you were not able to allocate it?

Mr. MURPHY. Well, we asked for——

Senator INOUYE. We were under the impression that this was a matter of urgency and therefore we went along with your position and that of the city, and the committee, I believe, did quite well in your behalf.

Mr. MURPHY. Yes, sir.

Senator INOUYE. Therefore, we were surprised to learn that the monies which we gave you, which, incidentally, meant a reduction in other areas, had been transferred to another agency.

What I am trying to say is, if these funds were so important for the expansion of your office, why weren't they used? Apparently they were not that important.

Mr. MURPHY. The funds that were reprogramed did not come from the positions that were authorized in the fiscal year 1972 Appropriations Act. The funds came from past vacancies, which had existed in the prior 6-month period.

Senator INOUYE. If you were able to do that with the vacant positions, weren't you able to do that within your office and use those funds to hire much needed attorneys?

Mr. MURPHY. The hiring of attorneys is affected by the number of attorneys which we are authorized to hire. We have been hiring attorneys. We do have a lag because we have lost personnel due to resignations and retirements. So that the monies, the $20,000, in no way relates to incapacitating the ability to fill the positions which have been authorized. Six of them have been filled and hopefully we will have the other two filled shortly.

PROPOSAL FOR NEW COURT COMPLEX

Senator INOUYE. You are daily involved in the operations of the system of justice in the city of Washington. There is a running controversy involving the Congress and many of the judges of the city, as to a new judicial complex, which involves the tearing down of the Employment Security Office and the possible expenditure in excess of $90 million. The committee is well aware of the need for a new facility, because, I have personally walked the route that witnesses, judges and those who are handcuffed would take. So I need not be convinced of the inconvenience and the security problems involved in the present layout of our court system.

But from the standpoint of an attorney who represents the city's interests and therefore involved very deeply in the court system, do you feel it is absolutely necessary that this court complex be located on Pennsylvania Avenue?

Mr. MURPHY. As to the location, Mr. Chairman, I could not say that it is absolutely necessary that it be located at any particular site.

Senator INOUYE. I gather that certain responsible people have taken the position that that location is the only place for the courthouse.

STUDY OF ALTERNATE SITES

Mr. MURPHY. Mr. Chairman, I have not studied whatever alternative sites have been proposed.

Senator INOUYE. There are no alternate sites. There is but one proposed site. Do you think it would be proper for this committee to act before we receive the report from the Westinghouse people, a report which, incidentally, was requested by the city, to study the feasibility and advisability of building a new court complex?

Do you think it would be well for us to act before we know what the report says?

Mr. MURPHY. I would hesitate to recommend action before the committee is aware of precisely what is recommended in terms of space, layout, et cetera.

Senator INOUYE. Were you consulted, or did you make any recommendations?

Mr. MURPHY. We made input, Mr. Chairman, insofar as the needs of our office are concerned. How much space would be required by us in the courthouse.

Senator INOUYE. I thank you very much. Once again, I thank you for getting rid of the rendering plants.

Mr. MURPHY. Thank you, Mr. Chairman.

SUBCOMMITTEE RECESS

Senator INOUYE. The subcommittee will stand in recess until 10 o'clock tomorrow morning, at which time we will begin hearings with the Office of Planning and Management, and proceed with the regular order of the agenda.

Thank you.

(Whereupon, at 5 p.m., the subcommittee was recessed, to reconvene at 10 a.m., Wednesday, March 15.)

DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 1973

WEDNESDAY, MARCH 15, 1972

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, D.C.

The subcommittee met at 10:05 a.m., in room 1224, New Senate Office Building, Hon. Daniel K. Inouye (chairman) presiding.

Present: Senator Inouye.

DISTRICT OF COLUMBIA

OFFICE OF PLANNING AND MANAGEMENT

STATEMENT OF JOHN INGRAM, DIRECTOR

ACCOMPANIED BY JOHAN RUUD, ADMINISTRATIVE OFFICER

BUDGET REQUEST

Senator INOUYE. The subcommittee will please come to order.

This morning we will resume our hearings with Mr. John Ingram, the Director of the Office of Planning and Management, who will offer testimony concerning the request of his office for $1,904,300.

Mr. Ingram, welcome, sir.

Mr. INGRAM. Good morning, Mr. Chairman. It is a pleasure to be with you here this morning.

I have with me at the table, Mr. Johan Ruud, who is the Administrative Officer of the Office of Planning and Management.

Senator INOUYE. Welcome, sir.

CREATION OF OFFICE

Mr. INGRAM. I have a prepared statement, Mr. Chairman. If I may, I would like to read it since we have some new things since we were before you last year.

Senator INOUYE. You may proceed in any way you wish.

Mr. INGRAM. The Office of Planning and Management was created on August 13, 1971, by Commissioner's order 71–307 by consolidating elements from three other offices:

(1) The Division of Organization and Management Planning, the Division of Systems Development and Computer Services, and the Director's Office of the former Office of Budget and Executive Management.

(2) The Office of Criminal Justice Plans and Analysis.

(3) Three functions and eight related grant-funded positions from the Office of Housing Programs: the State Planning Agency function under the HUD "701 Program"; the Transit Development Team; and the Comprehensive Planning Element of the Community Renewal Program.

On November 1, 1971, by Commissioner's order 70–392, the Office of Planning and Management was assigned the responsibility for the service area system formerly administered by the Office of Community Services.

The purpose of the Office of Planning and Management is to provide, through this particular combination of functions, a central comprehensive planning capability; a capability to assist the mayor with improving the organization, efficiency and effectiveness of the management of the District government; and, through the service area system a capability to improve the coordination, effectiveness, and responsiveness of Government services in the District's nine service areas and to involve citizens in municipal service delivery. To accomplish its mission, the Office is organized into four divisions: Planning; Organization and Management; Systems Development and Computer Services; and Community Services.

The Office has a staff of 88 permanent positions and 33 temporary positions. These latter positions are funded by Federal grants, primarily under the Emergency Employment Act of 1971 and the Omnibus Crime Control and Safe Streets Act of 1968.

DEFINITION OF TEMPORARY EMPLOYEES

Senator INOUYE. May I interrupt? By temporary, what do you mean? Are they part-time employees or are they there for just the definite 1-year period or 6 months?

Mr. INGRAM. They are full-time employees, Mr. Chairman. But it is indefinite, depending on the length of the grant.

Senator INOUYE. How long have they been with you now?

Mr. INGRAM. The employees under the Safe Streets Act I believe have been with the city something like 3 years, sir. Some of those under the Emergency Employment Act have been with us as recently as since the last month.

Senator INOUYE. Thank you, sir.

Mr. INGRAM. The activities of the Office are coordinated and serviced by the Office of the Director which includes the administrative unit, and also includes a three-position legislative unit which assists in the development, processing, and monitoring of the city's legislative programs. One position was abolished in the Director's office in fiscal 1972 as part of the phase II reductions.

Senator INOUYE. Excuse me. Is that the responsibility of your office, to draft legislative measures?

Mr. INGRAM. We do not do the actual legal drafting, Mr. Chairman. That is done in the Office of the Corporation Counsel. This function of this unit is more to assemble the policy considerations in relation to any particular piece of proposed legislation or regulation going to the City Council. It is a monitoring and collection point of staff service to the mayor and deputy mayor. The technical, legal drafting, as I say, is done in the Office of the Corporation Counsel.

FUNCTIONS OF PLANNING DIVISION

Mr. INGRAM. The Planning Division is a new unit which was created in August, 1971. This division has the responsibility to (1) design, develop and implement a comprehensive policy development and planning process through which overall master plans can be developed for the city with the assistance of both agencies and citizens; (2) establish standards and criteria for long-range planning; (3) identify and formulate citywide goals and objectives to form the foundation for citywide and departmental functional planning; (4) monitor, review and coordinate departmental functional planning; (5) provide a mechanism for establishing continuing working relationships between departments and agencies; and (6) conduct a continuing evaluation and review of the functional planning efforts of the various departments and agencies.

The Planning Division now consists of the Office of Criminal Justice Plans and Analysis, a Research and Statistics unit which was transferred from the Organization and Management Division, and eight positions transferred from the Office of Housing, for a total staff of 27 permanent positions and 15 temporary positions. These positions will form the nucleus of the central planning capability for the District of Columbia. It is proposed that the division will be organized into three major components: Comprehensive Physical Planning Unit, Research and Statistics Unit, Social and Economic Policy Unit.

COORDINATION OF PLANNING EFFORTS

The primary thrust of the division will be to coordinate current planning efforts and to undertake planning directly only where no other capability exists. The division will work closely with the planning units of the various departments and agencies. It will be concerned with the development and acceptance of overall goals and objectives for the city and the development of processes to insure that programs to achieve those goals and objectives are developed and reflected in the operating and capital budgets of the city. The division will focus on the longer range rather than the immediate. In terms of geographic areas, it will have both a citywide and a service area concern.

The comprehensive physical planning section will have as its general concern those matters which grow out of the city as a geographic entity. These will include structural development, environmental quality, and the relationships between man and the natural or man-made environment of the city and the metropolitan region.

The research and statistics section presently includes a statistics unit and demographic unit. The statistical unit undertakes studies and seeks to improve the use of quality of statistical practices and the data collection throughout the District government. It is also responsible for maintaining the real property data bank. The demographic unit is responsible for the District's relations with the Census Bureau and makes projections of the city's population. The new section will:

Develop basic demographic, economic, land-use, and other data;

Provide technical assistance in the use of data in central and departmental planning;

Coordinate the preparation of projections and analyses of long term trends;

Study information and data needs of departments and agencies, evaluate existing information sources and identify other sources;

Participate in development of an appropriate series of social and economic indicators; and

Assist in preparation of an annual "State of the city" report.

One position in this section was abolished in fiscal 1972 also as part of the phase II reductions.

The social and economic policy planning section will have as its general concern the role of the District as an urban and metropolitan center and will focus on the development, composition, location and growth of industry and commerce; manpower; education; health programs; poverty; social service programs; and criminal justice planning. It will be specifically concerned with formulating goals in these areas of concern and will develop standards and criteria to guide the development of long-range plans. It will stimulate, coordinate, monitor and review the plans prepared by the various agencies to insure that basic human needs for employment, income, decent housing, quality education and public safety have been met. This section will consist of two major components. One will be concerned with criminal justice systems and the other with the broad spectrum of social-economic planning. We propose to seek the principal resources to support this division from Federal grants available through the Department of Housing and Urban Development; the Department of Health, Education, and Welfare; the Department of Transportation; the Law Enforcement Assistance Administration; and the Department of Commerce. A total staffing pattern has been designed, and discussions have been held with some of these agencies regarding the availability of grant funds to support the proposed activties of the division.

REQUEST FOR ADDITIONAL PLANNING POSITIONS

Twelve positions, and $100,000 for 4 months funding, are requested in this budget to provide the administrative superstructure of this division, and to provide a limited capability to undertake some general planning. While grant funds can be obtained to perform categorical services, they are not available to support general supervisory positions. Approval of this request will provide the positions needed to weave the existing components into an integrated whole and will also indicate clearly to other agencies and to the broader community the District's commitment to creating a viable, comprehensive, coordinated central planning capability.

ORGANIZATION AND MANAGEMENT DIVISION

The Organization and Management Division comprises 15 permanent positions. This division provides staff services in the formulation, coordination, and implementation of programs for improving the management organization of the District; a systematic evaluation of the effectiveness and efficiency of programs and agencies; implementing management programs to increase the productivity of District agencies, reduce costs, and simplify administration; developing agency and central capability for increased management effectiveness and efficiency; and assessing and adapting science and technology to District government programs. The division is also responsible for the

administration of a system for coordinating review of administrative issuances and for participation in the development and conduct of programs to develop and train executive management personnel. No change in staffing is proposed for this division.

SYSTEMS DEVELOPMENT AND COMPUTER SERVICES DIVISION

The Systems Development and Computer Services Division comprises 33 permanent positions and, until next July, two temporary positions funded by a grant under the Intergovernmental Personnel Act. This division provides staff services and technical assistance in the devlopment, improvement, and coordination of effective and efficient management information systems; the development of proposed solutions to problems involving coordination and effectiveness of agency and governmentwide information systems; the provision of central data processing services to department on a shared-time basis; the development and conduct of activities to assure effective and efficient programing, acquisition, utilization, and management of automatic data processing equipment throughout the District government; and the development and recommendation of accounting policies and systems for use in meeting the requirements of top management, other District agencies, the Office of Management and Budget, the Department of Treasury, the General Accounting Office, and, of course, the Congress.

In fiscal year 1972, the division staff conducted a vigorous cost reduction program through new contract arrangements and consolidation of hardware systems within the SHARE Computer Center, simultaneously increasing computer capacity to meet the rapidly expanding requirements of the agencies, by acquiring the new generation hardware and related technology. In real terms we calculate the savings as exceeding $5,000,000 over the next 7 years versus the rate of spending over the base level planned in fiscal 1972 and the expansion capacity is rated at about 50 percent over previous levels.

COMPUTER SYSTEMS IN CITY

Senator INOUYE. How many different systems are presently in use within the city?

Mr. INGRAM. Mr. Chairman, I do not know the exact number. The SHARE center provides services to seven departments. We have one computer dedicated to the police department, also Corrections, Department of Highways and Traffic, Department of Motor Vehicles, and Department of Human Resources.

DEPARTMENT OF ENVIRONMENTAL SERVICES AND THE DEPARTMENT OF GENERAL SERVICES

Senator INOUYE. Is it not your responsibility to coordinate these systems? I notice that Mr. Dugas' has the Singer Friden system.

Mr. INGRAM. Yes.

Senator INOUYE. It is not compatible with your system, with the SHARE system that you are just speaking about?

Mr. INGRAM. The compatability, Mr. Chairman, would be through the information systems that the equipment serves. What we are do-

ing in the Department is experimenting with a minicomputer to see whether there are advantages of small minicomputers operations in the various departments.

Senator INOUYE. Do we have to experiment when all other cities have been experimenting up to now?

We must have libraries and reams of information as to the efficacy of computer systems.

What I can't understand is that in this city we have a number of agencies and in this present budget, incidentally, departments and agencies requesting compatible computer systems and services. And listening to you, I get the idea you have been coordinating all of this and bringing about savings and efficiency. Somehow, you did not go through this budget, did you?

Mr. INGRAM. We have a responsibility in relation to the various systems throughout the Government.

Senator INOUYE. How many different kinds do we have?

Mr. WALTON. Mr. Ingram, perhaps I can answer that question.

Senator INOUYE. Your name?

Mr. WALTON. Mr. Walton. I am the acting director of the Lyman Systems Development and Computer Services Division.

We have 12 computers. There are two minicomputers, very small systems. There are six small to medium computers in the District and there are four medium-sized computers.

COMPATIBILITY OF COMPUTER SYSTEMS

Senator INOUYE. Are they all compatible?

Mr. WALTON. Not all systems are compatible. Ten of the systems are compatible, so far as hardware is concerned. There are some so-called software incompatibilities and this is due to the different size of the computer.

Senator INOUYE. Then, where is this coordination that you speak of?

Mr. WALTON. In several of the systems. For example, the District of Columbia Public School System, they are decentralized, and over the years they were planned to be that way, rather than in one central computer system. They are dedicated principally in the area of school student administration.

Senator INOUYE. Do you think this is economical?

Mr. WALTON. Not always. There are savings that could be made——

Senator INOUYE. Isn't that the name of the game of these hearings, to save money?

Mr. INGRAM. Mr. Chairman, perhaps if I could talk to that point, sir.

Senator INOUYE. Yes, sir.

Mr. INGRAM. We have been focusing our efforts this year on the SHARE computer systems in terms of equipment in that location. We have an ongoing responsibility in relation to the computer systems elswhere in the Government. Part of our ongoing program would be to look at these other installations and to see what future economies can be found there. The savings which I refer to in my testimony, sir, relate to the change of equipment and the changing contractual relationship to the SHARE center.

SAVINGS FROM COORDINATION OF COMPUTER SERVICES

Senator INOUYE. Do you think that this lack of coordination is costing the city unnecessary moneys? To put it in another way, with proper coordination, do you think we can save money?

Mr. INGRAM. Mr. Chairman, our office has an on-going responsibility in relation to the efficiency, economy and effectiveness of the District government. We are constantly looking for ways to save money.

Senator INOUYE. Why can't you tell the school department, Mr. Dugas' department, and other places, about your effort to coordinate this computer system?

Mr. INGRAM. At the moment, sir, in the present state of development, we think the arrangement, for example, with the Department of Economic Development is the most economical. We still wish to evaluate the use of that particular mini-computer to see whether our present understanding is correct.

UTILIZATION OF CITY'S COMPUTER EQUIPMENT

Senator INOUYE. What is the present rate of computer utilization in the city?

Mr. INGRAM. On all 12 systems?

Senator INOUYE. Yes.

Mr. INGRAM. Do you have the percentage?

Mr. WALTON. I do not have that information without thumbing through a book here of several installations. I can furnish this for the record.

(The information follows:)

AVERAGE UTILIZATION OF COMPUTERS INSTALLED

IN THE DISTRICT OF COLUMBIA GOVERNMENT (a)

Agency	Equipment	% Utilization	Shifts/ Day	Days/ Week
SHARE Computer Center	(1) IBM 360/50	75%	3	6
	(2) IBM 360/50	77%	3	6
	(3) IBM 360/50	107%	3	7
Dept. Finance and Revenue	(1) IBM 360/30 (b)	73%	3	6
	(2) IBM 360/20	51%	3	5
Dept. Economic Development	Singer/Friden 10	85%	1	5
Dept. Human Resources	IBM 360/40	92%	3	7
D.C. Public Schools	(1) RCA 70/35 E	86%	3	5
	(2) RCA 70/46	60%	3	5
D.C. Unemployment Compensation Board	IBM 360/40	86%	2	5
D.C. Superior Court	IBM 360/40	85%	1-1/2	5

(a) Does not include units at Federal City College or Washington Technical Institute, which units are primarily used for instructional purposes.

(b) This machine is scheduled to be turned in and the applications on it to be transferred to the third machine in the SHARE Center at the end of April, 1972.

SHARE CENTER COMPUTER SYSTEM

Mr. WALTON. It is a 7-day week, 24-hour day basis, less 2 hours large systems and 101 percent on the other large system.

Mr. INGRAM. In the SHARE center, Mr. Walton tells me we are 84 percent on two systems, and 101 on the small system because we work more than one shift.

Senator INOUYE. Is that on a 24-hour basis?

Mr. WALTON. It is a 7-day week, 24-hour day basis, less 2 hours per day for maintenance purposes, which we must give the system back to the manufacturer for maintenance.

Senator INOUYE. Where do you get the 101?

Mr. WALTON. We have actually exceeded the use, based on the maximum amount set as a standard.

Senator INOUYE. What about the other systems?

Mr. WALTON. The other two systems in the SHARE center? They have been presently used for developing some very sophisticated real time systems routine batch processing. When you actually reach utilization of 70 percent, wherein you are doing routine batch processing, you have reached almost the maximum utilization.

We have gone beyond that level in those systems and these are very efficiently operated. Based on the standard—there is no common standard in the government for computer systems. However, we use the standard that we have discussed some time back with some people from General Accounting Office who had studied the District government computer program some years ago.

Now, in other systems, sir, I might add, that there are two computers, one at Washington Technical Institute, and one at Federal City College, which are really part of training laboratories. In other words, students must get their "hands-on" training. Their system, so far as we know, must exist in a separate basis. They are physically separated at widely different points. At one time it was considered they would try to share one computer, but this was not possible for the students to receive their training on the systems.

PURCHASES OF COMPUTER SYSTEMS

Senator INOUYE. Do the various agencies and departments confer with you before they make major purchases of these expensive computer systems?

Mr. INGRAM. Yes, sir, they do. We have a relationship that works with the Procurement Office.

Senator INOUYE. Why have you approved incompatible systems? I cannot quite understand that.

Mr. WALTON. They almost have to be incompatible so far as certain technical elements of the systems. Also, in selecting computer hardware, you must be competitive. There are many vendors of hardware.

For example, in the public schools case, some years ago, we did not have the central staff resources at that time to follow that program completely. But we had to use consultant assistance in that area, and the competitive selection was made. They did select RCA equipment as being the lesser in cost.

Senator INOUYE. What were the consultants' fees?

Mr. WALTON. I do not recall. I am not sure whether it came from a grant or not some years ago. I believe they spent something like $70,000 in studying the school system, their administration, and recommending a computer system first that would be used for student administration.

Now, we are not, of course—I think it is fair to say we are not able with our current staffing to stay very close to all of these systems.

EXPENDITURES FOR CONSULTANT SERVICES

Senator INOUYE. Mr. Ingram, could you tell this committee how much the city is presently spending and has spent in the last fiscal year for consultant services of all types? I presume you have this activity, also.

Mr. INGRAM. Not all consultant services.

Senator INOUYE. Don't you coordinate all of these studies?

Mr. INGRAM. Not all of them, sir. Some are done, for example, in the construction area, in terms of master planning for construction facilities.

Senator INOUYE. According to this, you have all of the data at your fingertips. What is the cost, do you know?

Mr. INGRAM. I will have to supply that for the record. I do not have it here this morning.

Senator INOUYE. Do you know, Mr. Coppie?

Mr. COPPIE. Are you referring to both operating and capital?

Senator INOUYE. The whole works.

Mr. COPPIE. I think we would have to supply it for the record. Readily available is the amount we are spending under the operating budget. The capital budget we would have to do a more detailed analysis.

Senator INOUYE. What was in the operating budget?

Mr. COPPIE. I believe in our most recent review, it was running several million dollars.

Senator INOUYE. What is several million dollars?

Mr. COPPIE. Somewhere between $2 and $4 million. The exact figure I could have available for you this afternoon.

Senator INOUYE. Please do so.

Please proceed, sir.

(The information follows:)

Analysis of Consultant Services
Office of Budget and Program Analysis
District Government

An analysis of consultant services of $1,000 or more involving D. C. Funds. The analysis covers the periods of FY 1971 and the first half of FY 1972. Contracts were subdivided for each period by the nature of the contract, studies and services.

SERVICES FY 71

Contractor	Date	Current Amount D.C.	Fed.	Other	Results
OFFICE OF PLANNING & MANAGEMENT					
International Business Machines	2/18/71	$2,492.00			- ADP Programming for Project Trace - Visual decoding of Master record for D. C. Dept. of Corrections
International Business Machines	2/18/71	2,492.00			- ADP Programming for Project Trace - retrieval of Master records by Police I.D. No.
PLATO SYSTEMS, INC.	6/4/71	2,475.00			- Key Punching and Key Verification
DATA SCIENCES Eng. INC.	6/18/91	2,500.00			- Design, program, test, debug and implement computer programs that will produce statistical summaries of persons arrested by type of offense while on conditional release.
Bicentiennial Commission of D. C. Inc.	6/30/71	12,500.00			- Provide report of work and planning assistance for Bicentennial.
Intergovernmental and Public Relations Counsel	6/30/70	10,000.00			- Advice and assistance to the Mayor in reorganizing the local Bicentennial planning process to achieve greater participation, support, and more adequate financial resources.
OFFICE OF YOUTH OPPORTUNITY SERVICES					
Optimum Computer System	3/24/71	119,105.00			- Collection of data and establishment of an accessible information base to aid in the development, evaluation and coordination of programs supported by Y.O.S.
ASSISTANT TO MAYOR FOR HOUSING PROGRAMS					
Alice Vetter	5/10/71	1,600	1,600		- Statistical and consultant advice for Project REHAB

Contractor	Date	Current Amount D.C.	Fed.	Other	Results
OFFICE OF HUMAN RIGHTS					
Systems Management Corp.	6/14/71	1,880.00			- Technical assistance in the evaluation modification and completion of a report titled "Analysis of Racial Descrimination in the Fire Department".
D.C. BOARD OF ELECTIONS					
Nat'l. Scientific Corp.	10/6/70	2,215.06			- Update Master Voter Registeration File and print new listings of registered voters in the District of Columbia, which is necessary prior to each election.
Nat'l. Scientific Corp.	11/2/70	2,272.73			- Update Master Voter Registration File, prepare lists of registered voters, prepare labels for mailing, prepare registration file data.
Nat'l. Scientific Corp.	12/1/70	2,443.97			- Update the Master Voter Registration File prepare lists of registered voters, produce supplemental lists of registered voters.
Nat'l. Scientific Corp.	12/28/70	2,436.62			- Propare lists of registered voters for election day Jan. 12, 1971, produce mailing labels for all voters and provide technical support on election day.
Nat'l. Scientific Corp.	11/18/71	2,014.76			- Update Voter registration file, prepare lists of registered voters, produce data from the registration file as provided by Information Circular 2-70.
Nat'l. Scientific Corp.	12/28/70	2,485.07			- Prepare automated vote tabulation system, program the L-2000 computer vote tabulation system. Tabulate election results, and prepare report of official results of January 12 election.
Nat'l. Scientific Corp.	2/22/71	2,468.03			- Update the Master Voter Registration File, prepare lists of registered voters for election, March 23, 1971, prepare registration file data under Circular 2-70, and incorporate minor program changes.
Nat'l. Scientific Corp.	3/23/71	1,424.56			- Prepare mailing labels, prepare report of the official election results, and revies information Circular 2-70.

Contractor	Date	Current Amount D.C.	Fed.	Other	Results
METRO POLICE					
Paul Q. Fuqua	4/15/71	1,000.00			- To provide on the street liaison between the Department and representatives of communications media. Also to tabulate statistical data and general information pertaining to demonstrations at hand and issue information and timely press releases.
International Business Machines	7/17/70	15,984.00	$24,000.00		- Systems Engineering assistance for automated Personnel System of Department.
D.C. COURTS					
William M. Nedrow	10/15/70	2,200.00			- Operating policy and broad procedure development for the Development of New Court Rules.
DEPARTMENT OF CORRECTIONS					
Mrs. Shellie Steinberg	8/10/70	2,500.00			- Interior decoration for Youth Crime Control Project Residence.
D.C. PUBLIC SCHOOLS					
Dr. Carroll L. Miller	4/12/71	1,615.00			- Evaluation of Teacher Preparation Programs at Federal City College and Washington Technical Institute.
Dr. Chalmer A. Gross	4/12/71	1,020.00			- Evalustion of Teacher Preparation Programs at Federal City College and Washington Technical Institute.
Dr. Clement E. Vontress	4/12/71	1,190.00			- Accreditation Project of Teacher Preparation Programs at Federal City College and Washington Technical Institute..
Dr. Roy L. Baptiste	4/5/71	2,250.00			- Educational consultant for the post secondary program in Health Occupations Education.
Metropolitan Applied Research Centers, Inc.	9/28/70	1,636.40			- Development of academic achievement program to improve reading and mathematics skills in public schools.

Contractor	Date	Current Amount D.C.	Fed.	Other	Results
D.C. PUBLIC SCHOOLS Cont.					
Washington Schools of Psychiatry	10/30/70	17,198.61	$4,850.89		- Consult on implementation of Phase I of evaluation data system, design forms and develop procedures, analyze data and assist with preparation of the report on the effectiveness of programs and approaches in the 16 elementary schools of the evaluation system.
Linda Utley	6/26/70	1,000.00			- Revise existing 4 year Spanish FLES Curriculum and telescoping of the program into 3 yr. programs.
Barbara Osborn	3/30/71	1,500.00			- Revision of Senior High School Home Economics curriculum
Helen P. Pollard	10/26/70	2,175.00			- (1) Identifying and classifying the basic reading skills to be taught in kindergarden and grades 1 through 9; (2) Scheduling according to grade level the basic reading skills; (3) Establishing the minimum floors of achievement for reading, grades 1 through 9.
FEDERAL CITY COLLEGE					
Paul N. Mathless	3/12/71	1,000.00			- Review and editing of the Middle States Accrediting Association's preliminary self-study report.
Helen A. Jones	9/25/70	1,100.00			- Write draft of a narrative and graphic presentation on planning a permanent campuses for Federal City College; Research data on planning of urban colleges; photograph site locations; Process all photos and slides; and provide other technical assistance.
Stuart Taylor	1/29/71	2,500.00			- Develop unique MBA program.
Donald Miller	8/31/70	2,000.00			- Conduct full analysis of information media to assertain the appropriate activities necessary for the College to gain national as well as local coverage, plan of action of public public elections consistant with above task.

Contractor	Date	Current Amount D.C.	Fed.	Other	Results
FEDERAL CITY COLLEGE Cont.					
Carolyn A. Davis	3/12/71	2,500.00			- Assist in development of Middle States Accrediting Association's Preliminary Self-Study Report; Assist in development of College Graduate Division Catalog; and consultation on public information and relations requirements of the Community Education Division.
GRC Management Corp.	12/4/70	6,495.00			- Appraisal and evaluation of wall-to-wall physical inventory of all personal property located throughout the twelve building locations of Federal City College.
Max Weiner	12/8/70	2,500.00			- Develop course outline and instructional materials for cources in public contract and contract negotiation; public purchasing and contract law, and government property management.
Information Planning Systems, Inc.	3/16/71	15,000.00			- Provide all computer programs required to complete Budget and Personnel sub-systems of automated College Management Information System.
Peat, Marwick, Mitchell & Co.	10/21/70	7,122.00			- Conduct an in-depth review of the existing administrative reorganization of the Academic Affairs Program of the Institution.
Carolyn A. Davis	8/31/70	2,400.00			- Statement of the College's position regarding 71 and 72 budget needs; edit the "Fall Focus", develop a pamphlet on the College's urban committement; advise on undergraduate catalogue; develop informational materials on all above.
Paul Mathless	6/14/71	2,500.00			- To organize writing, editing, and production of camera ready copies.
Milton O. Dickerson	6/23/71	1,425.00			- Develop counseling trends and relevant publications
WASHINGTON TECHNICAL INSTITUTE					
Price Williams & Associates	7/17/70	29,438.30			- Systems Analysis and Programming in Student Affairs, and Resources Management.

Contractor	Date	Current Amount D.C.	Fed.	Other	Results
WASHINGTON TECHNICAL INSTITUTE Cont.					
Alfred Ortiz	6/7/71	$ 2,450.00			- Planned and developed a seriew of curriculum guides of Special Programs with the Institute.
DEPARTMENT OF HUMAN RESOURCES					
Benjamin Berman	7/1/70	14,212.50	$9,400.00		- Position classification survey.
Paul R. Robbins, PHD.	7/1/70	2,700.00			- Make psychological assessment for patient at D.C. Village upon request of Chief Medical Officer the contractor will participate in the planning of treatment program.
John W. Gordon	1/18/71	1,075.40			- (1) Review existing policies and procedures to determind if written word is in conformity with operations; (2) Develop training guides and teaching methods; (3) Train supervisions in content and teaching methods; (4) Monitor sessions with supervisors acting as instructors; (5) Update material and retain supervisors.
Anthony George Miller Jr., D.D.S.	7/1/70	2,600.00			- Orthodontic consultation to Bureau Dental Health personnel.
Ernest M. Bouchard, D.D.S.	7/1/70	3,000.00			- Provide pedodentic consultation to Dental residents of the Dental Clinics of the Crippled Children's Unit.
Margaret M. Kendrick, M.D.	7/1/70	1,200.00			- Consultant services in physical medicine and Rehabilitation in Crippled Children's Program.
Edward I. Cushner, M.D.	7/20/70	5,000.00			- Consultant services for establishment of psychotherapy programs and advertisement.
Four Consultants - Pathology	FY 71	9,500.00			- Perform autopsies in Pathology Dept., D.C. General Hospital
Eight Medical Consultants	FY 71	6,817.00	13,268.00		- Render advise and assistances to peofessional staff of hospital.

TITLE	Date	Current Amount D.C.	Fed.	Other	Description
DEPARTMENT OF HUMAN RESOURCES - Con't.					
Charles I. Cassell	4/29/71	$ 2,450			- Architectural, General Research, and Management Services.
Avco Economic Systems Corp.	6/24/71	17,500			- Research and System Design of Emergency Medical Service Data Collection and Evaluation System.
HIGHWAYS AND TRAFFIC					
American Public Works Association Research Foundation	10/13/70	6,525			- Investigating the Evaluation and Control of the Corrosive Effects of Deicing Chemicals on Vehicles
ENVIRONMENTAL SERVICES					
Metcalf & Eddy	2/23/71	61,600	$ 75,400		- Engineering Services - Docking facilities and dredging at the water pollution control plant.
Metcalf & Eddy	6/3/71	44,563	54,466	$100,971	- Engineering Services - Preliminary designs and layouts for Advanced Waste Treatment Facilities.

Total, Services FY 1971 - D.C. - $481,147.01
Fed. - 182,984.59
Other- 100,971.00

STUDIES FY-71

Current Amount

Contractor	Date	D.C.	Fed.	Other	Results
OFFICE OF BUDGET AND PROGRAM ANALYSIS					
Consultec, Inc.	6/29/71	$ 10,000.00	$ 15,000.00		- Study to develop a mock-up of an Environmental Protection program budget; to develop planning, programming and budgeting cycle, including forms and procedures; to establish a plan for development of multi-year program and financial plans. Report has been submitted and is now being reviewed.
OFFICE OF PLANNING & MANAGEMENT					
Conference of Mayors	11/1/70	5,688.85			- Recommendation of creation of an Office of Intergovernmental Liaison within Office of Planning and Management, to centralize grants management and avoid wastes and duplications.
Roy Littlejohn Associates	3/19/70	9,449.00			- Study confirmed the Districts ability to sustain debt service of $1 million over 6 year period to finances capital outlay programs.
North American Rockwell	5/10/71	39,950.00			- Establishment of central taxi pool. Cancellation of a number of new vehicle orders, consolidation of vehicle use to effect savings.
Peat, Marwick Mitchell	6/14/71	43,870.50			- Incorporation of proposed changes to increase the efficiency of the Law Enforcement Division of the Corporation Counsel.
AWerback Associates	6/25/71	1,990.00			- Study proposes (1) weekly briefing session for Mayor and Deputy Mayor; (2) a quarterly State of the City Report, and (3) adoption of a special message form to expedite internal communications of some immediacy. System is being considered by the Mayor.
MDC Corporation	6/28/71	5,000.00			- A procedures manual was developed. The Dept. of General services project management terms.
Atlantic Research Corp.	6/29/71	2,000.65			- Recommends the establishment of a communications office to plan for city-wide telecommunications needs.

Contractor	Date	Current Amount D.C.	Fed.	Other	Results
DEPARTMENT OF FINANCE AND REVENUE					
Automated Systems & Programming, Inc.	1/22/71	$ 2,445.00			- Developed conceptual design and determined basic systems requirements for computerized assessment sybsystem for D. C. Government.
Automated Systems & Programming, Inc.	3/4/71	2,445.00			- As a result of a previous study for computerized assessment subsystem, this study provided the Basic Technical Design for the system - to be followed by implementation of the subsystem.
DEPARTMENT OF GENERAL SERVICES					
Mills Petticord and Mills	1/25/70	50,000.00			- Preliminary plans for new Receiving Home for Children were completed but since funds were not appropriated for construction, follow-up was not completed.
Mariani & Associates	12/21/70	31,000.00			- Established need for and plans for addition to infirmary, D.C. Village Funds for construction on the original site were not approved.
Westinghouse Electric Corp.	9/16/70	299,900.00			- Developed planning study for new D. C. Courthouse Complex.
SUA, A Division of Dillingham Corp.	8/21/70	270,000.00			- Planning study completed for a new D. C. Adult Detention Center. Work is in progress for its design.
Joe E. Moody	4/7/71	15,750.00			- Proposed creation of nonprofit corporation to enter lease-purchase agreement for the District and issue tax-exempt bonds, in connection with Public Law 91-650.
HOUSING PROGRAMS Alice Vetter	5/10/71	1,600.00			- Successful placing of tenants with sponsors for Project Rehabilitation. Finding purchasers and providing them with settlement counselling.
Paul Allen	12/16/70	1,000.00			- An analysis of program requirements for residents of public housing. Report has not been submitted.

Contractor	Date	Current Amount D.C.	Fed.	Other	Results
METROPOLITAN POLICE					
Executive Management Services, Inc.	9/3/70	$28,190.00			- Establish independent study showed that recruitment standards were not lowered during 1970. Additional recommendations for upgrading recruitment, training and operations were implemented where feasible.
Systech Company	2/12/71	19,000.00			- Study developed designs and specifications for communications. The work was based on the assumption of continued high level of expenditures for this type of equipment.
DEPARTMENT OF CORRECTIONS					
George G. Holland	4/5/71	1,000.00			- Handbook was developed for management improvement cost control, employee training, and more effective community relations.
Kelley B. Ballard	4/21/71	1,000.00			- Studied Planning and Research and Automatic Data Processing functions and practices in order to make recommendations to increase their effectiveness.
HIGHWAYS & TRAFFIC					
Commonwealth Management	4/28/71	32,100.00			- Study of PEPCO's present and past rates for street and traffic lighting services in the District in comparison with rates for such services in other cities. Recommends the City own its utility company and only purchase power thereby incurring savings of up to 40%.
ENVIRONMENTAL SERVICES					
J. D. Smith & Associates	7/13/70	24,000.00			- Feasibility of using sprayed concrete proven effective. Technique is being incorporated into new projects with savings in cost of up to 50%.
Total, Studies FY 1971 -		D.C. - $897,379.00 Fed. - 15,000.00 Other -			
Total, FY 1971 -		D.C. - $1,378,526.01 Fed. - 197,984.59 Other- 100,971.00			

SERVICES FY 72

Current Amount

Contractor	Date	D.C.	Fed.	Other	Results
OFFICE OF BUDGET AND PROGRAM ANALYSIS					
Management Analysis Center, Inc.	9/1/71	$1,600.00			- Training operating agency analysts in program analysis for major program issues.
HUMAN RIGHTS COMMISSION					
Plato Systems	10/4/71	1,172.34			- Key puncy and dey verification of $35,000 data forms for D.C. Gov't's Staffing Patterns Report.
Clemmont Vontress	8/26/71	1,500.00			- Designed and assisted in implementing an EEO program to train EEO counselors.
BOARD OF ELECTIONS					
National Scientific Corp.	9/24/71	7,411.89			- Statistical, demographic work in connection with the reapportionment of the D.C. School Election Wards.
D.C. SCHOOLS					
Dr. Roy L. Bapiste	10/ /71	2,250.00			- To serve as trainer in Dental Assisting Program.
WASHINGTON TECHNICAL INSTITUTE					
William V. Lawrence	11/23/71	2,490.00			- Systems design; Participated in designing the budget and financial systems for the Institute. Design has been completed and is now being programmed.
HIGHWAYS AND TRAFFIC					
Joel N. Myers, Snow Warning Service	12/1/71	2,540.00			- Furnish accurate weather forecast information during critical periods.
ENVIRONMENTAL SERVICES					
Metcalf and Eddy	10/1/71	70,000.00	$94,500.00	$185,000.00	- Engineering services. General excavation and site prepara- for major facilities expansion at Water Pollution Control Plant.
E. Shaw Cole and Virgil B. Ferguson	11/12/71	$24,605.60			- Engineering and related service for a Water Waste Survey of the District.

Total, Services FY 1972 - D.C. - $113,569.83
Fed. - 94,500.00
Other- 185,000.00

STUDIES FY-72

Contractor	Date	Current Amount D.C.	Fed.	Other	Results
HUMAN RIGHTS COMMISSION					
Dewey Hugher Enterprises	8/13/71	$2,500.00			- Study evaluated - the Public Relations Program of the Office of Human Rights. Study concluded there is a need for a Public Relations Office to promote community awareness of the Commission's programs. As a result of Senate Appropriations action on Dec. 2, 1971 these positions were eliminated.
D.C. COMMISSION ON JUDICIAL DISABILITIES AND TENURE					
Edmond D. Campbell, Esq.	9/ /71	5,100.00			- Complaints against Judge Harry Alexander, D.C. Superior Court were investigated. As a result the Judge was censured.
METROPOLITAN POLICE					
Educational Systems for the Future	7/23/71	63,500.00			- Completion of Basic Officer Training System Design is scheduled for July 1972 at which time it will be implemented.
The Mitre Corporation	8/13/71	49,000.00			- Study is underway to review the Department's requirements for closed circuit television and to develop a Master T.V. Plan.
DEPARTMENT OF CORRECTIONS					
Jocelyn C. Waggoner	7/19/71	2,500.00			- Conducted general research and developed a grant proposal for development of a visitors' service center at Women's Detention Center. The grant proposal has been submitted to the Office of Criminal Justice Plans and Analysis.
HIGHWAYS AND TRAFFIC					
Alexander Lurkis Associates	12/1/71	60,000.00			- Preliminary brief in the Review of PSC Case No's 541 and 568 relating to Pepco rate increase requests has been prepared for GSA attorneys for use before the Public Service Commission. The case is currently open, but the Department's position is against any increase in rates and is also seeking a downward adjustment of current rates.

Contractor	Date	Current Amount D.C.	Fed.	Other	Results
ENVIRONMENTAL SERVICES					
Linton, Mields and Coston	12/10/71	$17,850.00			- Study to establish guidelines for interjurisdictional cooperation to reduce or eliminate pollutant discharges or runoff to the upper Potomac River. The study is expected to be completed by the end of March 1972.
Total, Studies FY 1972 -		D.C. - $200,450.00			
		Fed. -			
		Other -			
GRAND TOTAL FY 1972 -		D.C. - $314,019.83			
		94,500.00			
		185,000.00			

FINANCIAL MANAGEMENT INFORMATION SYSTEM

Mr. INGRAM. Yes, sir.

Eight positions and $159,000 are requested to help accelerate the development and implementation of financial management information systems. Two of these positions are currently funded by a grant under the Intergovernmental Personnel Act which expires on July 31, 1972. They are involved with the design, development, and installation of an automated position management and personnel reporting system. Presently, Human Resources, Environmental Services, Corrections, and the Police Department have automated their personnel systems; all other District of Columbia agencies are processing data and preparing position or personnel reports manually. A team has been established to design, develop, and implement a position management and personnel reporting system that will be responsive to all levels of the District of Columbia government and will produce timely and accurate reports needed for continuing analysis on a day-to-day basis to accomplish position management control for budget purposes. This system is currently in the development state and is scheduled to be installed in the agencies serviced by the Central Personnel Office as a pilot project by August 1, 1972. Once the pilot project is operational, the system will be installed department by department until all District of Columbia departments and agencies are operating under the same system. The two requested positions will allow a continuation of the six-man team now working on this project.

The other six requested positions are to enable a timely completion of the systems design phase, or phase 2 of our three-phase financial management improvement program. Our program for this phase calls for completion of steps to standardize and synchronize budget and accounting classification codes and to determine information needs and design report formats and a reporting system by June 30, 1972. At that time we will proceed with: design and automation of the central ledger and various subsidiary ledgers; documentation and submission to the Comptroller General for approval of our payroll system and the system of revenues and receipts; implementation of a system of financial accounting, control, and reporting for inventories of materials and supplies; and assistance to agencies in developing and installing internal accounting systems, including systems for the measurement of costs, in conformance with and auxiliary to the overall system of accounting.

The Community Services Division——

PERSONNEL ACCOUNTING SYSTEM

Senator INOUYE. Before we proceed with that, Mr. Ingram, I gather from this section that your agency has primary responsibility for establishing personnel accounting systems. Am I correct in that?

Mr. INGRAM. Participating in the design of the system, yes, sir.

Senator INOUYE. Three months ago, this committee requested of the city a report on personnel profiles. I am certain you have heard of that?

Mr. INGRAM. Yes, sir.

Senator INOUYE. With the efficiency cited in your statement, why is it that we still have five agencies [Office of Human Rights, Department of Corrections, Public Schools, Federal City College, and Human Resources] which have not completed the personnel schedules that we have requested? Does it take that long to set up a personnel schedule for our use? Because of the lack of this information, this committee is unable to receive the testimony.

Mr. INGRAM. Mr. Chairman, I think there might be two answers to that. One is that it is a majority of agencies are yet on a manual system, which has the implication of a lot of time pulling together the information. The other answer could be for an agency which has an automated system now, such as Human Resources, it might not be programed to provide the kinds of information requested.

One of the objectives of the project is to design a system which is Districtwide in scope and which has the capability to respond to as many kinds of inquiries as we can anticipate.

We are trying to automate the system and to put in more information than currently exists.

Senator INOUYE. Please proceed.

I just want to add, according to your information, public schools is automated, isn't it? Didn't you testify that they have their own complex system of automation?

Mr. INGRAM. I think we testified they have a computer service, sir. But I do not believe their personnel management system is necessarily automated.

Senator INOUYE. None of these are automated? The Federal City College has a battery of computers, also.

Mr. INGRAM. At the present time, Mr. Chairman, my understanding is that the only agencies which have automated systems, designed and operational are Human Resources, Environmental Services, Corrections, and the Police Department.

Senator INOUYE. Have you assisted these agencies I have listed in setting up a personnel system?

Mr. INGRAM. The projects which we are in the process of designing now, sir, will ultimately be placed in service in those agencies. We propose to start off in the agencies serviced by the central personnel office, and that will cover some 1,500 employees. We will get the system well grounded there; debugged, everything working, and we will move through the rest of District of Columbia government, starting with general services, and then we will move to the rest.

Senator INOUYE. How long will it take?

Mr. INGRAM. Mr. Chairman, that is difficult to respond to at this point in time, because I do not know the types of problems we may run into as we get into the various agencies and the different personnel systems. I can perhaps provide you with a report for the record later on.

(The information follows:)

Schedule for Conversion to Position Management and Personnel Reporting System

Office of Planning and Management

The schedule for conversion to the Position Management and Personnel Reporting System for agencies under the Mayor's administrative direction is as follows:

Agency	Estimated Conversion Dates Start	Completion
1. Pilot Project	July - 72	Dec - 72
2. General Services	Nov - 72	Feb - 73
3. Fire Department	Feb - 73	May - 73
4. Highways & Traffic	May - 73	Aug - 73
5. Finance and Revenue	Aug - 73	Oct - 73
6. Economic Development	Sept - 73	Nov - 73
7. Recreation	Oct -73	Dec - 73
8. Environmental Services	Jan - 74	May - 74
9. Corrections	May -74	Aug -74
10. Police Department	Aug - 74	Dec - 74
11. Human Resources	Dec - 74	June - 75

The Pilot System includes all departments and agencies now being serviced by the Central Personnel Office. For conversion purposes, these have been divided into three groups and are scheduled as follows:

Group one -- convert in July 1972.

Office of the Mayor and Deputy Mayor

Executive Office

A. Budget and Program Analysis
B. Civil Defense
C. Human Rights
D. Personnel
E. Public Affairs
F. Secretariat
G. Planning and Management

Group two -- convert in August 1972.

Department of Motor Vehicles
Hackers Licenses Appeal Board

Group three -- convert in September 1972.

Corporation Counsel
Asst. to the Commissioner for Housing Programs

Operating Departments and Agencies:

A. Insurance
B. Motor Vehicle Parking
C. Recorder of Deeds
D. Surveyor
E. Youth Opportunity Services

Boards

A. Alcoholic Beverage Control
B. Appeals and Review
C. Condemnation of Insanitary Buildings
D. Condemnation Review
E. Contract Appeals
F. Criminal Justice Coordination
G. Labor Relations
H. Minimum Wage and Safety
I. Occupations and Professions
J. Parole
K. Relocation Advisory

During the three month period following the conversion (October, November, and December) the team will evaluate the performance of the Pilot System and make any necessary modifications needed to improve the overall operation of the Pilot System. The items that will be reviewed during this period will be clerical procedures, request forms, reports produced by the system, and computer processing runs. The evaluation of the Pilot System's performance is essential before starting to convert other agencies to the Central System.

Agencies not under the Mayor's administrative direction could be converted to this system, but have not yet been scheduled. If conversion is to be accomplished by June 1975, additional resources will be needed. Such resources could be either funds, positions, or personnel, or all three. Possible sources of such resources have not yet been pursued. The agencies involved are:

Agency

1. Apprenticeship Council
2. Armory Board
3. Bail Agency
4. Board of Elections
5. Board of Zoning Adjustment
6. D.C. Council
7. D.C. Teachers College
8. Federal City College
9. National Guard
10. Public Library
11. D.C. Public Schools
12. Public Service Commission
13. Washington Technical Institute

74-704 O - 72 - pt. 1 - 19

COMMUNITY SERVICES DIVISION

Senator INOUYE. Please proceed, sir.

Senator INGRAM. The community services division was transferred into the office in November 1971. Its function is to improve the coordination, effectiveness, and responsiveness of the delivery of government services at the neighborhood level. To help meet this objective, the service area system was established in April 1970 with the city divided into nine service areas. The various operating agencies were ordered to begin phasing their operations and planning into these service areas, and many have done so. In September 1970, a service area committee composed of representatives of the operating department was organized in each area. These committees work together to identify problems in their service areas and to find ways to solve them. They are concerned with the coordination and effectiveness of service delivery and responsiveness of services to citizens needs. A central committee, the community services advisory committee, comprised of representatives of the central staff of some 26 operating departments and staff offices, provides support to the service area committees. The community services division supports the system by helping make certain that agencies are planning and operating in unison, identifying the services provided to District residents by agencies by area, stimulating citizen involvement in the service area, assisting committees resolve issues where possible at the service area level by helping implement committee recommendations where resolution cannot be achieved at that level. The division comprises six permanent positions and 15 temporary positions. No additional appropriated positions are being requested for this division.

OVERALL PURPOSE OF OFFICE OF PLANNING AND MANAGEMENT

The purpose of the Office of Planning and Management, if I may summarize, is to provide essential, coordinated staff support for the Mayor and through him to the District Government and the community. The office exists to help the Mayor formulate policy, to plan, to effect management improvements, to work with the community and, in the area of substantive legislation, to work with the Congress and the City Council.

Senator INOUYE. Does your office presently do that?

Mr. INGRAM. We attempt to do that to the best of our ability and and resources, sir.

It is an office engaged in identifying problems and designing and offering solutions to those problems.

Senator INOUYE. If your office is the type that we should have assisting us and assisting the Mayor 's office, and as you say, identifying problems, why is it that we have the distasteful chore of identifying problems? Hardly a day goes by when I do not have the very demeaning and distasteful responsibility of bringing our problems for your responses. For example, were you aware of the Anti-Deficiency Act?

Mr. INGRAM. We were aware the question had been raised, Mr. Chairman.

Senator INOUYE. But were you aware of the law?

Mr. INGRAM. Yes, I was, Mr. Chairman.

Senator INOUYE. And the effect it has on the management and planning of the city?

Mr. INGRAM. Yes.

Senator INOUYE. Were you aware that there were possible violations of the law?

Mr. INGRAM. Mr. Chairman, as I heard the letter from Mr. Staats, read yesterday, I think there is room for some discussion as to just exactly how that is interpreted in terms of our local system. A response is being prepared, sir.

In relation to your first question, Mr. Chairman, about identifying problems, we do not mean to imply that we are the sole office that can identify problems although we have the capability to identify all problems. We would certainly hope——

PROBLEMS OF THE DISTRICT GOVERNMENT

Senator INOUYE. There are a few problems in this city which may not be massive problems in your view, but in the view of the citizens of this city they are at least irritating problems, such as garbage collection. What sort of input do you make into this problem?

For example, I receive letters, irate calls—and this is not my city, but I still receive them—complaining about no garbage collection in 2 weeks, none in 3 weeks, garbage strewn all over the streets. Are you involved in this type of problem?

Mr. INGRAM. Mr. Chairman, one of the reasons that led to the placing of the community services division in this office last November, was to try to give us the capability for just that kind of input.

Senator INOUYE. What has been your input so far?

Mr. INGRAM. We have committees working in each of the nine service areas, sir. They meet once a month in public meetings and attempt to identify problems which exist, or delve into those service areas and attempt to resolve them.

Those committees, sir, are drawn from representatives of the agencies operating each one of those areas. If those committees cannot get that problem resolved in that area, working at that level, we then try to bring it in to the central level, either to try to work at it through the staff in the division, or through the Central Services Advisory Committee, which I mentioned to you, which comprises those 26 agency representatives at the top level of their departments. We try to chip away at the kind of problems that come up through citizens.

Senator INOUYE. Let's take one little problem, such as garbage collection. What has been done about that?

Mr. INGRAM. Partially, Mr. Chairman, as a result of the work of this division before it was transferred to the Office of Planning and Management, and partially as a result of some work that was undertaken in the Organization and Management Planning Division of the Office, we proposed and participated in the creation of the Department of Environmental Services, which was an effort to pull together in a functional basis those agencies concerned with the environment, with solid waste collection and disposal, air and water pollution, health regulations, and so on. That is one step.

The division also participated in the development and administration of "Operation Clean-Sweep" which did result in the collection of

several thousand tons of additional trash and garbage from around the city.

Senator INOUYE. This is all fine, but do you receive calls and letters from irate citizens?

RELATIONSHIP TO COMPLAINT CENTER

Mr. INGRAM. We do receive some, sir. We have a relationship to the volunteer-operated complaint center. We provide a liaison office to that unit for the Mayor. That is a source of complaints for us to process and we assist them.

We also, as I mentioned, have the committees working in the various service areas.

One of the things which we would like to accomplish, Mr. Chairman, is to seek some grant funds. We have been talking to the Department of Health, Education, and Welfare about this, to support some full-time positions in the service areas. Right now, the committee representatives are committed to spend 20 percent of their time—they have their regular jobs with their agencies that they come from—but the departments have released them for 20 percent of their time. Some of those representatives contribute more than that, contribute their own time and attend weekend meetings and evening meetings. But we do not have the full-time availability. When that individual is available in the area of 20 percent of the time, it may not be the same time the citizen has his or her problems. If we had full-time representation out there, we would be able to provide better service in the community. That is one of the things we hope to accomplish this year.

Senator INOUYE. Please proceed.

MANAGEMENT IMPROVEMENT ACCOUNT

Mr. INGRAM. The office is presently incomplete. Its planning capability is in the embryo stage and its ability to help the Mayor by designing and installing effective management information systems, especially in the financial area, is limited. Approval of the 20 positions requested for fiscal 1973 will enable the office to discharge its systems design functions more effectively and, with the assistance of Federal grant funds, will provide a solid foundation for the development of a strong planning capability.

Before I close, I should like to refer briefly to the management improvement account requested in the Office of the Commissioner, and to which the Deputy Mayor responded yesterday. We are requesting that $100,000 be appropriated in fiscal 1973, as was done in fiscal 1970 and 1971. This money enables the Mayor to obtain expert assistance from private business and from the research and development community to improve the management of District operations and programs. During fiscal 1970 and 1971, 10 studies were funded; most of these have been completed and are being implemented.

Senator INOUYE. What were these studies?

Mr. INGRAM. I have a couple of examples in the testimony. I can read those and go on through the rest of the statement, if that would be acceptable.

For example, a study of the Department of Environmental Services inventory control operation resulted in a three-phase implementa-

tion plan, with the first phase consisting of a uniform manual system, now being implemented by the Department. The report estimated that when the plan is fully implemented, inventory requirements could be reduced by $1.5 million. Savings realized at the beginning of the implementation of this project already amount to $150,000.

STUDY OF MOTOR VEHICLE UTILIZATION

Another example is a study of the utilization of passenger-carrying motor vehicles. The contractor analyzed present use of vehicles and recommended more efficient alternatives including a centrally dispatched taxi pool service, a scheduled shuttle bus between downtown District government buildings, and a decentralized "Drive-Ur-Self" carpool service. Based on the contractor's findings, the Office of Budget and Program Analysis stopped purchase of $123,000 worth of vehicles in fiscal 1972 and eliminated from fiscal 1973 budget proposals $533,000 requested for vehicles. Also, a $91,000 vehicle purchase was stopped in fiscal 1971 as a result of the study. The fleet reduction will result in an additional annual cost reduction of $117,000 in repairs and replacements. Thus, building on the motor vehicle actions directed in fiscal year 1972 by the Senate District Appropriations Subcommittee, the study—and incidentally, sir, with your leadership—the study has enabled the District to eliminate additional vehicles and to develop a more efficient system for transportation of District employees.

A final example is the development of a project management procedures manual in the Department of General Services. This is in support of the Department's formation of teams to manage and expedite capital projects. The contractor estimated that sufficient elapsed time can be saved by the project management system to avoid more than $1.5 million in costs per year.

We think, Mr. Chairman, results like these show the great value of the management improvement account. It can be of equally high value in fiscal year 1973 to expedite implementation of the recommendations of the Nelsen Commission, as well as to achieve other high priority management improvements in the District.

Senator INOUYE. Thank you very much, Mr. Ingram.

IMPROVEMENTS IN ACCOUNTING SYSTEMS

Mr. Ingram, I am certain you are aware that the committee attaches high priority to the implementation of improvements in the accounting system?

Mr. INGRAM. Yes, sir.

Senator INOUYE. How many employees are assigned to this project on a full-time basis?

Mr. INGRAM. There are 15 employees in the systems development section. Six of these employees, including the two which we discussed a little earlier, are working on the position management and personnel reporting system. Six of those positions are working on the accounting system improvement. One of the remaining three is a vacancy, one is the director of the section, and one is a clerical position.

We are asking for fiscal 1973, for funds to replace those two positions when the grant runs out on July 31, to complete that project,

and for an additional six to assist us in financial accounting. In relation to the six, incidentally, Mr. Chairman, I believe we have something on its way to you requesting 9 months funding for those positions. They were originally requested for 3.

In addition, I might add, Mr. Chairman, the efforts which we currently have underway in terms of the design project or predesign, we also have the assistance of individuals assigned to us from other agencies, from the Office of Audit, from the Budget Office, and people working with us from procurement.

COORDINATION OF IMPROVEMENT PROJECT

Senator INOUYE. Who is coordinating all of this?

Mr. INGRAM. The day-to-day project direction is under Mr. Joseph Haley and Mr. Haley is reporting directly to me. The position of Assistant Director for the Division to which Mr. Haley is assigned is currently vacant. That was Mr. Chichecio, who died on January 28. We have not filled that position.

Senator INOUYE. Are you satisfied with the progress being made?

Mr. INGRAM. Mr. Chairman, I always like to make better progress than we are. I think we are moving expeditiously and well. We currently have underway two major projects. One is to lay the groundwork for the detailed systems design.

We have had made available to us the answers to a questionnaire which the Nelsen Commission gave to all of the agencies in the District government, as part of their study of the accounting system. We have reviewed that to determine what kind of problems and what kind of information agencies may need in accounting systems. We will also be interviewing managers, the top managers and intermediate managers in the various departments to pursue this question of what kind of information they need, what kind of control should be built into the system, and so on.

With that information, Mr. Chairman, we will then design the system, take it back out, make report forms, and so on. We plan to get that all settled so that by July 1 we can then go into the detailed system design on the central system.

In addition, we are looking at the systems of the other agencies. We are looking at the Commerce Department, which has a very good information system. We are looking at the Labor Department. We are looking at Fairfax County, and we are looking at Dayton, Ohio, which also has a very good system.

In addition, sir, we also have a project underway to standardize and to synchronize the budget, accounting, procurement and other codes, so that we will be in a better position, first of all, to have the various reports which are produced now to be correlated. Right now, there is not a complete correlation between our budget codes and accounting codes.

Some of the departments do match, so we can tell how we are doing in relation to budgets, and other departments do not. This is a problem of delving into several coding systems and refining those.

We have a group working on that and we anticipate to have a coordinated code built in and installed so fiscal 1973 accounting records will be on a coordinated basis and we will be able to respond more rapidly and more directly to management information questions and the questions you raise, and so on.

That takes us to June 30, 1972. Then we proceed into the detailed design of the system.

INPUT TO CAPITAL IMPROVEMENT PROGRAM

Senator INOUYE. What sort of input do you provide in the area of capital improvement?

Mr. INGRAM. There is a team at work on the capital improvement project, sir. We have somebody from the systems group working with that team. There are other people working out of Mr. Corletta's office, and out of the Procurement Office, to work on that problem of coding, and including the information in that system.

Senator INOUYE. Are you involved in the physical requirements, also? The size of rooms, type of equipment to be placed?

Mr. INGRAM. Are you speaking now, sir, of the design of the buildings?

Senator INOUYE. Capital improvements.

Because we are talking about efficient management and providing the best service for the people of the city of Washington. Are you involved in the benefit-cost analysis of all of these investments we are making?

Mr. INGRAM. Mr. Chairman, that would impact on our office in a couple of ways, neither of which are we doing very much in at this point in time. One is in the Planning Division in terms of a long-range plan for the location of physical facilities to support the services of the city government. We hope to be in a position to be involved in developing a long-range physical facilities plant. We do not have that capability now. We do not have the staff as yet.

CONVENTION CENTER–SPORTS ARENA

Senator INOUYE. Did you participate in the decision regarding the sports center?

Mr. INGRAM. The convention hall-sports arena? Much of the planning for that was done sometime ago, and we have not been closely involved in that, no.

Senator INOUYE. Isn't that part of your responsibility?

Mr. INGRAM. That is the kind of project we would like to get into and would like to have the capacity to do it. The capacity which we have in the office now could deal with physical planning questions such as this, but it is only a unit of nine positions. That unit is focusing now, sir, primarily on questions that relate to the transit stops. This is an immediate problem we have to deal with. There are some 40 rapid transit stops throughout the city, and we are undertaking planning in relation to those various stops.

Senator INOUYE. You don't consider the sports arena sufficiently important that you should provide some input?

Mr. INGRAM. We perhaps are providing——

Senator INOUYE. I watch television. I notice it is an item of controversy in this city.

DEVELOPMENT OF METRO STATIONS

Mr. INGRAM. We provide, perhaps in a general way, sir. The immediate problem which we have to deal with in the office is the Metro system and how that is impacting on the city and the positions that have been committed to that.

Senator INOUYE. As the chief planner of this city, concerned about environment, concerned about pollution, concerned about traffic congestion, concerned about housing, do you think that the sports arena is a good idea?

Mr. INGRAM. Mr. Chairman, the planning division of this office is a new function of the office, and we are in the position of trying to develop that. We have not undertaken any detailed studies in relation to that center, and I would not be in a position to offer any kind of an educated opinion on it, sir.

PERSONNEL IN OFFICE OF PLANNING AND MANAGEMENT

Senator INOUYE. We made a study of your personnel and compared it with some other very high level type agencies, such as the National Science Foundation. I am certain you will agree that the U.S. National Science Foundation is a high-priced organization, made up of scientists, and specialists. We find that the average grade in your shop is GS–11.4. The average grade in the National Science Foundation is GS–9.5.

So you are not lacking for talent, according to the General Service schedule.

Mr. INGRAM. That is true, sir.

Senator INOUYE. And you do not have enough yet?

Mr. INGRAM. I think we are saying that is correct, sir, the numbers and the way they are distributed is insufficient to do the things we attempt to do.

Senator INOUYE. You have nine people now looking into transit stops, you say?

Mr. INGRAM. Planning in relation to transit stops, sir.

Senator INOUYE. These transit stops were already determined several years ago, were they not?

Mr. INGRAM. The question the city is facing is what is the impact of the development of those stops. For example, at each of those stops, we are looking at an area, first of all, 800 foot radius and 1,500 foot radius around each one of those spots. Our planning in relation to that is an attempt to determine what kind of a potential development or redevelopment might be necessary and desirable in relation to those stops, what kind of commercial activity might be encouraged, what kind of residential development might be encouraged, whether anything should be encouraged, what kind of parking problems will result at those stops being located at those particular locations, and those kind of questions.

What we are saying here, we are using the transit stops as a beginning of the District Government trying to do some planning in relation to the total city—general planning.

DEVELOPMENT OF FRIENDSHIP HEIGHTS

Senator INOUYE. What did your office provide in the development of that area near Wisconsin and Massachusetts? I cannot think of the name.

Mr. INGRAM. Wisconsin and Western. Friendship Heights. Or McLean Gardens?

Senator INOUYE. It is a huge development that we have had hearing after hearing on.

Mr. INGRAM. We have had no input into that, Mr. Chairman.

Senator INOUYE. Isn't that planning?

Mr. INGRAM. That is the kind of thing that we would hope to be able to develop the capacity to handle, to develop a general plan for the city, so we would know in advance.

Senator INOUYE. Don't you have a section to look into this?

Mr. INGRAM. The section, Mr. Chairman, as I have mentioned is primarily tied to questions that relate to the transit stops. In relation to McLean Gardens, for example, we are not so much focusing our efforts there as further up on Wisconsin Avenue. We are looking at Friendship Heights, where a station is to go in at Western and Wisconsin, and what kind of development should be proposed there. There are some zoning questions in relation to that.

We are looking at Tenley Circle, and we are looking at Wisconsin Avenue between those two points, trying to assess what would be the impact of McLean Gardens on the development of those other two locations.

Mr. JORDAN. Yesterday, the chairman asked about the Westinghouse study. That was a $300,000 study of the court complex, Mr. Ingram. As I recall, you said it would be probably available about the 1st of April. Was that correct?

Mr. INGRAM. That is what I understood, sir. That study is being administered by the Department of General Services.

COORDINATION OF CONSULTANT STUDIES

Mr. JORDAN. But you do have some overview of studies of this nature?

Mr. INGRAM. Not at this time, in terms of those kind of studies that relate to planning of facilities or preplanning of facilities. We have a responsibility more in relation to management type consultant contracts. We are right now trying to tighten up our relationship to that.

Mr. JORDAN. I thought from what you said yesterday, that you did, and I checked again. I understand the study was received last week and is now available, but it has not been made available to the committee.

The chairman has asked repeatedly in hearings for it. I have made requests for him repeatedly, and I was incorrectly advised that it was not available. I find out it is now available. Will you help us to try to get a copy of that study?

The chairman made a commitment on the floor to have hearings on this complex as soon as the Westinghouse study was completed. That is my information. I do understand from Mr. Coppie this morning, it was returned last week with a $300,000 study and he has asked for it. We do need it and do need it as soon as possible.

Senator INOUYE. I am certain you are aware a major debate is now going on in some of our TV stations, involving documentaries and judges appearing, with all fingers pointing to the Congress. We would like to resolve this matter. We are aware of the problems that the Justice Division has in the city, but you have contracted, or the city has contracted for a very costly study, a $300,000 study on this precise problem.

We are now called upon to make a decision, even without the report before us. We would hope that if the report is in the hands of the city, that it be brought up here forthwith. I know you people have it. I do not know why you people are hiding it from us. Is there some information that should not be disclosed?

Mr. INGRAM. I cannot respond to that, sir.

RECEIPT OF WESTINGHOUSE STUDY

Mr. COPPIE. Mr. Chairman, I informed Mr. Jordan a moment ago, the report was not received until last week. And because of the procedures involved in transmittal, there has been some time involved in getting the transmittal letters prepared. But I can say you will have a copy of it this afternoon. There has been no attempt to withhold the information.

Senator INOUYE. We do not need any transmittal letter. All you have to do is hand it to us.

Mr. COPPIE. I want to make it clear there has been no effort to withhold it from the committee.

PERSONAL DRIVERS IN DISTRICT GOVERNMENT

Mr. JORDAN. Mr. Ingram, I was looking at last year's hearing record. I find tomorrow is the first anniversary of your first appearance before the committee. I was reflecting on that first appearance last March 16, and your response to the chairman's questions concerning personal drivers, after that hearing.

I came back to where you were sitting on about the fourth row on my right, and asked if you and your management office would assume responsibility for resolving the longstanding problem of chauffeurs and drivers. We discussed the matter several times by telephone. I came to the conclusion, perhaps erroneous, that the project was floundering.

The next I heard of the matter was in the press, on May 14, that someone had decided to contract with the North American Rockwell Co. to determine where and how city workers travel on the job. The cost of the contract was $40,000. Who made the decision to let that contract?

Mr. INGRAM. That was a contract under the Management Improvement Account, Mr. Jordan. We recommended to the Mayor's office, to the Deputy Mayor, that a contract be entered into.

Mr. JORDAN. Who made the recommendation?

Mr. INGRAM. Our office. I recommended that, and he concurred.

Mr. JORDAN. And it was funded from the Management Improvement Account?

Mr. INGRAM. Yes, sir.

Mr. JORDAN. That was the account that was dropped from last year's budget?

Mr. INGRAM. From fiscal 1972.

Mr. JORDAN. This year's budget?

Mr. INGRAM. Yes, sir.

Mr. JORDAN. That is the item you are asking the committee to restore?

Mr. INGRAM. Yes, sir.

Mr. JORDAN. You are reported in the Washington Post of May 14, 1971, as saying that you considered the cost of the study a bargain.

Tell us, Mr. Ingram, what did the taxpayers of the District of Columbia receive in this bargain report?

Mr. INGRAM. Mr. Jordan, I think we have there a plan, with a scheme of implementation, to provide an improved and more economical system of moving employees and goods around the District. The study looked at the passenger-carrying vehicles of the city. One of the first things the contractor did was to straighten out and give us a complete inventory of those vehicles. They then looked at, over an 8-week period, how those vehicles were being used.

They mapped out the city in various zones and looked at the utilization of those vehicles, who was using them and for what purpose, how long those vehicles were used during the course of the day, and so on. They categorized the use of the vehicles, whether they were specifically required for a special purpose, whether they were specifically outfitted and therefore limited as to where they could be used. That was one category.

Another category was whether they were outfitted specifically or not with equipment, but had mountings for equipment needed by people using those vehicles. Whether they were used by people assigned in the field, and therefore locked into full-time assignments, or whether they were used for general purpose transportation.

REQUIREMENT FOR A CONSULTANT

Senator INOUYE. Did you have to hire a consultant to get that information?

I find it rather difficult to understand this. I would think that if I were in charge of this city, I would send a call to all departments and have them submit to me, within 24 hours, an inventory of all vehicles. Don't the departments keep an inventory?

Mr. INGRAM. The inventory——

Senator INOUYE. If I called up the Mayor's office today, can he tell me how many cars he has in his office? Would you tell me how many cars you have in your office?

Mr. INGRAM. We have no cars in our office.

Senator INOUYE. Or in other offices?

Mr. INGRAM. With this inventory, yes.

Senator INOUYE. You mean we have to hire someone to take an inventory?

Mr. INGRAM. The inventory was a small part of the contract.

Senator INOUYE. Did you send out a questionnaire to these departments and find out what model it was, how it was furnished, what use it was being put to, how many hours a day, does it have a chauffeur, no

chauffeur? You could not have a questionnaire drafted with all of the talent you have in the office?

Mr. INGRAM. Mr. Chairman, we sought the advice of consultants for a couple of reasons. One was to give us some additional expertise in relation to this problem, and also to give us the capability to move into the problem more quickly. The staff was tied up on other projects at that time.

At one point in time, the consultant was able to put as many as 11 people on this project. They took records from the use of the vehicles over an 8-week period. There were some thousand vehicles surveyed, and an estimated 50,000 trips per week, which they collected information on. They designed computers to analyze that.

As a result of this, they have recommended paralleling, or maybe in anticipation of your recommendation, of expanding the taxi pool, and they recommended a bus service in town, plus the establishment of self-drive pools. We will also be able to reduce the number of vehicles the District has in its possession now.

Senator INOUYE. Thank you for the compliment, because we did not have any special study. It appears your recommendation turned out exactly like ours.

Cut down the number of vehicles, set up a motor pool, cut out chauffers. You paid $40,000 to find that out. Fortunately, I have two talented men here.

RECOMMENDATIONS OF THE COMMITTEE ON PASSENGER VEHICLES

Mr. JORDAN. Mr. Ingram, the committee did make certain recommendations and made certain alterations in your budget, and we mentioned in the report that if this $40,000 study was able to suggest a better means of doing this, more economic means, that we should review it. Does this study indicate that the moves made by the committee were uneconomical? Were not warranted?

Mr. INGRAM. No, sir; The study indicated that the moves made by the committee were very much warranted and suggested additional areas for additional savings.

Mr. JORDAN. When was the study received by your office, Mr. Ingram?

Mr. INGRAM. There was a first final draft received in October, Mr. Jordan, and we discussed with the contractor some additional information we thought desirable to have in the report. So that the final study itself, with that additional information, was not received until some time in December.

Mr. JORDAN. My recollection was that when you first let the study in the middle of May, that you were to receive a summary in July and to receive the final results of this study in early September. Is that approximately correct?

Mr. INGRAM. That is correct, Mr. Jordan.

Mr. JORDAN. The copy I have before me indicates final report, Octotober 19, 1971, volume 1 revised. Could I assume from that that the initial study was not to your satisfaction; you asked it to be rewritten, certain portions of it?

Mr. INGRAM. We asked for some additional information, Mr. Jordan, in terms of some specifics in relation to implementation, as to what the contractor would suggest based upon the information which he had

collected. He agreed to supply that. We thought it was desirable to take the additional time to get the information.

Mr. JORDAN. You did receive it on about October 19?

Mr. INGRAM. This is the first draft of the final report, yes.

Mr. JORDAN. And you did have some knowledge of the fact that the committee was then interested in the subject matter and was still writing and rewriting its report? Assuming from our conversations and hearings?

Mr. INGRAM. Yes, sir.

LATE ARRIVAL OF PASSENGER VEHICLE STUDY

Mr. JORDAN. And several articles in the press about it.

I have asked many times for the whereabouts of this study, and it has been always somewhat of a mystery to me and those that I asked. I did not call you back. I did not know where the study was, but the study arrived at the committee offices at 6:10 p.m., on March 13. That was the night before last. And the reason I asked the chairman to perhaps postpone your appearance until this morning was so I could have an opportunity to look through it. And I had the opportunity the night before last and last night.

Why didn't you send it to us? You have had it now for 4 or 5 months; you knew we were interested and concerned about it. Why didn't we get the study until 6:10 the night before last, Mr. Ingram?

Mr. INGRAM. Mr. Jordan I apologize for getting it to you so late. One of the reasons we were not in a position to send it to you earlier, was that it's our practice in relation to a study like this is to have departments which are directly affected take a look at it, and to give comments and recommendations to it before we actually go ahead and accept the study.

Mr. JORDAN. You were here with Mr. Fletcher, you were his assistant, were you not?

Mr. INGRAM. That is correct.

Mr. JORDAN. Then when I first came to this committee 4 years ago, the committee was not receiving consultant reports. I asked Mr. Fletcher for them and he promised me they would be sent expeditiously to the committee at the same time they were available to the city, unless there was a good reason for not doing so. Was there some reason why the committee should not have had this when you had it?

Mr. INGRAM. Mr. Jordan, the only reason I can suggest is we felt a review by departments would be more helpful to the committee than if we sent something to you without their reviews and they later had some problems in relation to it.

Mr. JORDAN. We need help, Mr. Ingram. We appreciate the fact the departments have studied it. And if they have any recommendations to the committee, any different from yours, we would be pleased to have them. The only thing we have to date is a memo from Mr. Coppie.

Mr. Chairman, if we could go to one area?

Senator INOUYE. Before you proceed on that, Mr. Ingram, you may have concluded this morning that we are picking on you. I hope you do not reach that conclusion.

Mr. INGRAM. Mr. Chairman, I certainly do not.

COMMITTEE EFFORT TO STUDY USE OF CONSULTANTS

Senator INOUYE. The committee has decided to make an extra effort to study the problem of consultants, consultant fees, and studies.

We picked on this one little item, $40,000 out of a budget of $900 million; $40,000 is almost minuscule and it disappears, but I think it is representative of the type of treatment we in the Congress have been receiving.

We are asked to appropriate and we concurred, and we appropriated $300,000 for a study to look into the feasibility and advisability of a new court complex. Then, before the study is completed, the city moves in and says, "We want the court complex." No one knows what the results of the studies are. If that is the case, why do we need a study?

This study here is carried on and seeks information that, frankly, many of us feel could have been done by your office or some other office, and we need not have spent $40,000. And when it is completed, it takes 4 months for transmittal, and it takes 1 week to write a letter of transmittal. There are many other studies that have been funded by the Congress, been funded by the Federal Government, and somehow these studies have been conveniently forgotten.

Which leads many of us to conclude whenever a problem arises, the solution is to seek a study, get a consultant, and while the consultant is making a study, the problem might disappear.

And through you, the committee has decided to send a message to the city, that from now on, when you do request money for studies or consultant fees, that justification will have to be really strong and we will make complete followup at that to see that the people of this city have received their money's worth.

We do not think that the people of this city got their money's worth out of this $40,000 report. We do not think that the people of this city will be getting their money's worth out of the $300,000 report, because from what I can gather, the city has already shunted that aside. Otherwise, why would it be pursuing this court appropriation without the results of the study at hand?

These are just two examples. If you want, we have a whole file of them. But time is running out.

COMMITTEE POLICY ON USE OF CONSULTANTS

But we want you to know, and we hope in your capacity as the man in charge of planning, the man who provides major input in hiring consultants, that we will send the word down, that from now on, this committee will be a little tough on consultants, consultant fees, task forces, special commissions, special study commissions. This city has been filled with studies and commisions. So we would hope that you would streamline this city, cut down some of the obstacles with fancy names such as task forces, special committees, and the supercommittees, and get on with the business.

This is a message that we hope will go through you to the city. It was not intended as a criticism of you or your office operation directly.

I think Mr. Jordan has a few more questions.

RECORDKEEPING

Mr. JORDAN. Very quickly, Mr. Ingram. Our next question does relate to that often discussed question of recordkeeping. Mr. Haley might also be in a position to respond. But if you would like to, that is quite all right.

Three years ago this committee inquired as to what was needed to bring about a workable and meaningful accounting system in the District of Columbia. It was told that three high-level systems accountants were needed. These were provided as requested. However, I understand that one of the positions has been vacant for more than a year. I might say it is my understanding that Mr. Chisholm and Mr. Nash were the two individuals holding two of the positions; is that correct?

Mr. HALEY. That is correct.

Mr. JORDAN. The other posittion was held by the gentleman who was formerly the head of the other——

Mr. INGRAM. Mr. Ralph Tash.

Mr. JORDAN. Mr. Tash departed the accounting systems section of your office how long ago?

Mr. INGRAM. That position became vacant, as I recollect, in February 1971.

Mr. JORDAN. February of 1971. A little over a year ago.

Mr. INGRAM. That is correct, Mr. Jordan.

Mr. JORDAN. At about the time he departed, am I correct that Mr. Haley made a recommendation, found a suitable individual, made a recommendation to you that he be hired, and because of the freeze, you elected not to ask a waiver and therefore did not hire the individual sought?

Mr. INGRAM. The actual series of events, Mr. Jordan, was the systems development unit recruited to replace Mr. Tash and found somebody whom they would have liked to appoint.

Mr. JORDAN. Did you have reasons for not selecting him?

Mr. INGRAM. At the time that they came to me and wanted to make the appointment, we looked at our financial projections and at that particular point in time it looked like we were going to be running out of money at the end of the year. Based upon that piece of information at that time, I said to Mr. Haley, and to Mr. Chicherio, we were not in a position to fill that position because our funding was clouded.

Mr. JORDAN. Your funding was what?

SHORTAGE OF PERSONNEL FUNDS

Mr. INGRAM. Clouded. The projection to the end of the year indicated at that point in time, we would be running out of money in personal services if we filled that position. So I said at that point we were in no position to fill the position.

We then, a certain amount of time passed, and the gentleman who the unit was interested in hiring became available again.

He had gone to the National Institute of Health, I believe, and decided he would like to come to work for the city. He came back again, and there were two problems at that time. One was the grade that he wanted, and the other one was we had at the time the phase I freeze, last August or September.

Faced with that freeze, I then elected to say we would go along with the freeze and could not fill the position at that time.

We have subsequently advertised the position and are in the process of recruiting from candidates for it.

Mr. JORDAN. Three positions provided by the Congress 2 years ago, fully funded, two of them filled, one of them vacant for a year, twice an individual was recommended to you, twice you elected not to ask for a waiver of a freeze, and for reasons because of a cloudy appropriation, decided not to fill this position. It has been vacant for over a year; $15,000 or roughly that amount has been available within your office, put there by the Congress for a specific purpose mentioned in the report.

Mr. Haley, did your office utilize the $15,000 that was saved by not hiring this individual?

Mr. HALEY. No, sir.

Mr. JORDAN. Was it utilized in your portion of Mr. Ingram's office?

Mr. HALEY. No, sir.

Mr. JORDAN. Mr. Ingram, where is that $15,000?

Mr. INGRAM. The money that was remaining to pay Mr. Tash from February of 1971 through June 1971, I presume, would have wound up in what was left in the personal services appropriation at the end of that year, sir.

Two errors we made. One was when we looked at the finances and saw we did not have the money. The second error was focusing on one individual which we thought was the person we wanted and therefore not looking further.

Mr. JORDAN. I asked the question only for one reason, because it is difficult for this committee to understand there is a commitment to improve the accounting when in fact the money was appropriated, was in your office, and the position, one of three positions identified by Congress has been available and unfilled, when there was a person there to fill it. Here you come before the committee this morning asking for 20 additional positions when you have not utilized the funds that were available in this year's budget.

NEW POSITIONS FOR ACCOUNTING SYSTEMS IMPROVEMENT

Mr. INGRAM. Mr. Jordan, of 20 positions, eight are for accounting, and the only thing I can say in terms of our commitment to improving our financial management information system is what we have attempted to accomplish in the last few months.

STAFF MEMBERS GS–15, GS–16, AND GS–17

Mr. JORDAN. One last question. Our records indicate that you had one GS–17, two GS–16's, 10 GS–15's in your office. Would you provide for the record the list of the names of those individuals and the gross annual salaries being paid to them?

Mr. INGRAM. Yes, sir.

Mr. JORDAN. Thank you, Mr. Chairman.

(The information follows:)

74-704 O - 72 - pt. 1 - 20

LISTING OF POSITIONS GS-15 AND ABOVE

Activity	Series and Grade	Position Title	Annual Salary	Incumbent
1. Office of the Director	GS-301-17/03	Director, OPM	$36,000	Ingram, John
	GS-301-15/01	Legislative Program Coordinator	25,583	Devall, James L.
2. Division of Planning	GS-301-15/01	Director, Criminal Justice Planning	25,583	Austern, David T.
	GS-101-15/01	Crime Information Officer	25,583	Vacant
	GS-1529-15/07	Mathematical Statistician	30,701	Mindlin, Albert
3. Division of Organization and Management	GS-343-16/05	Assistant Director	33,634	Parker, John K.
	GS-343-15/07	Management Analyst	30,701	Richardson, John F.
	GS-343-15/05	Management Analyst	28,995	Seidman, David R.
	GS-343-15/01	Management Analyst	25,583	Cantine, Robert R.
4. Division of Systems Development and Computer Services	GS-301-16/01	Assistant Director	29,678	Vacant
	GS-510-15/06	Supervisory Systems Accountant	29,848	Haley, Joseph D.
	GS-334-15/06	Supervisory Computer Systems Analyst	29,848	Walton, Daniel A.
5. Division of Community Services	GS-301-15/04	Assistant Director	28,142	Josephson, Diana H.

CONSOLIDATION OF PERSONNEL

Mr. CLARK. Along that line, I wonder if you would supply for the record a personnel statement and put it in at this point in the hearing record. Showing first, on August 13, 1971 when you consolidated, the numbers of personnel you took over from the three different operating divisions, and officers. You could break that down to District of Columbia personnel and any that might be federally funded.

Further, break that down into the four divisions which constitute your organization. Then in the next column, put projected end-of-the-year employment in those four divisions again breaking it down directly funded, District of Columbia personnel, and any you might have under Federal grants.

In the third column, put your fiscal year 1973 requests showing where these people would be and your total personnel set up as you are requesting in your budget.

This might put it in perspective. You can certainly change it around to make it fit your own reporting methods.

Mr. INGRAM. We would be very pleased to provide it.

Mr. CLARK. At the same time you put the numbers of personnel, also just give the total personnel costs.

Mr. INGRAM. Would you want that by the division——

Mr. CLARK. Yes; again by division, so there will be four separate sections.

Mr. INGRAM. We will be very pleased to provide it.

(The information follows:)

PERSONAL SERVICES SCHEDULE
Appropriated and Grants Funded Positions

		1972 Estimate Appropriated Funds		1972 Estimate Federal Grant Funds		1973 Estimate Appropriated Funds		1973 Estimate Federal Grant Funds		1973 Increases New Positions	
		Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
1.	OFFICE OF THE DIRECTOR										
GS-17/02	Director, OPM	1	36,000	...	...	1	36,000	...	...	...	...
GS-15/01	Assistant to the Director	1	25,583	...	...	1	26,436	...	...	...	...
GS-12/02	Legislative Analyst	1	16,395	...	...	1	16,924	...	...	...	...
GS-12/04	Administrative Officer	1	17,453	...	...	1	17,453	...	...	...	...
GS-09/02	Staff Assistant 1/	1	11,414	...	...	...	...	...	...	...	...
GS-09/01	Secretary (Steno)	1	11,046	...	...	1	11,414	...	...	...	...
GS-07/05	Secretary (Steno)	1	10,261	...	...	1	10,563	...	...	...	...
GS-06/01	Administrative Clerk	1	8,153	...	...	1	8,425	...	...	...	...
GS-04/01	Clerk-Typist	...	...	1	6,544	...	...	1	6,762	...	...
	Total Activity 1	8	136,305	1	6,544	7	127,215	1	6,762	...	...
	1/ Position abolished FY 1973										
2.	DIVISION OF PLANNING										
GS-17/01	Planning Director	...	...	...	...	1	34,335	...	...	1	34,335
GS-13/01	Project Coordinator	...	...	...	...	1	18,737	...	...	1	18,737
GS-07/01	Secretary (Steno)	...	...	...	...	1	9,053	...	...	1	9,053
A.	Social and Economic Policy Planning										
GS-15/01	Senior Planner	...	...	...	...	1	25,583	...	...	1	25,583
GS-05/01	Clerk-Typist	...	...	...	...	1	7,319	...	...	1	7,319

PERSONAL SERVICES SCHEDULE
Appropriated and Grants Funded Positions

		1972 Estimate Appropriated Funds		1972 Estimate Federal Grant Funds		1973 Estimate Appropriated Funds		1973 Estimate Federal Grant Funds		1973 Increases New Positions	
		Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
A-1. Criminal Justice Plans and Analysis 1/											
GS-15/01	Director, CJP*	1	2,558	1	23,025	1	2,644	1	23,792	...	...
GS-15/01	Crime Information Officer	1	25,583	...	...	1	26,436	...	...	...	...
GS-14/07	Law Enforcement Program Spec.*	1	2,635	1	23,717	1	2,635	1	23,717	...	...
GS-14/05	Computer Systems Analyst	1	24,888	...	...	1	25,620	...	...	...	...
GS-14/02	Social Science Analyst	1	22,692	...	...	1	23,424	...	...	...	...
GS-14/02	Management Analyst	1	22,692	...	...	1	23,424	...	...	...	...
GS-13/04	Law Enforcement Program Spec.*	1	2,061	1	18,551	1	2,061	1	18,551	...	...
GS-13/02	Program Analysis Officer*	1	1,936	1	17,426	1	1,999	1	17,988	...	...
GS-11/03	Operating Accountant*	1	1,420	1	12,777	1	1,464	1	13,177	...	...
GS-11/01	Statistician	1	13,309	...	...	1	13,753	...	...	...	...
GS-09/02	Program Specialist*	1	1,141	1	10,273	1	1,178	1	10,604	...	...
GS-08/08	Secretary (Steno)*	1	1,235	1	11,116	1	1,235	1	11,116	...	...
GS-07/01	Program Analyst	1	9,053	...	...	1	9,355	...	...	...	...
GS-07/01	Program Analyst*	1	905	1	8,148	1	936	1	8,419	...	...
GS-06/02	Administrative Aid (Typ)	1	8,425	...	...	1	8,697	...	...	...	...
GS-06/01	Accounting Technician	1	8,153	...	...	1	8,425	...	...	...	...
GS-04/01	Clerk-Typist*	1	654	1	5,890	1	676	1	6,086	...	...
	Sub-total CJP&A A-1	17	149,340	9	130,923	17	153,962	9	133,450	...	...

*Authorized positions with 10% funding as matching for Law Enforcement Assistance Administration District of Columbia Planning Grant (All positions 90% Grants Funded)

PERSONAL SERVICES SCHEDULE
Appropriated and Grants Funded Positions

		1972 Estimate Appropriated Funds		1972 Estimate Federal Grant Funds		1973 Estimate Appropriated Funds		1973 Estimate Federal Grant Funds		1973 Increases New Positions	
		Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
A-2. Criminal Justice Plans and Analysis											
GS-13/01	Computer Systems Analyst**	...	...	1	18,737	...	...	1	18,737	...	...
GS-11/01	Operations Research Analyst**	...	...	1	13,309	...	...	1	13,753	...	...
GS-07/01	Research Assistant**	...	...	...	...	...	...	...	...	...	...
GS-07/01	Program Analyst**	...	...	1	9,053	...	...	1	9,355	...	...
GS-04/10	Clerk-Typist**	...	...	1	8,506	...	...	1	8,506	...	...
GS-04/01	Clerk-Typist**	...	...	1	6,544	...	...	1	6,544	...	...
GS-01/01	Clerk**	...	...	1	4,564	...	...	1	4,564	...	...
	Sub-total CJP&A A-2	...	...	6	60,713	...	...	6	61,459	...	...
	Total Sub-Activity A	17	149,340	15	191,636	17	248,989	15	194,909	5	95,027
B. Research and Statistics											
GS-15/07	Mathematical Statistician	1	30,701	...	...	1	30,701	...	...	...	...
GS-14/04	Statistician	1	24,156	...	....	1	24,888	...	...	...	...
GS-14/04	Social Science Analyst	1	24,156	...	...	1	24,156	...	...	...	...

**Additional LEAA Grant Positions with 100% funding
1/ All positions under this heading transferred to the Office of Planning and Management by Commissioner's Order No. 71-307 of August 11, 1971

PERSONAL SERVICES SCHEDULE
Appropriated and Grants Funded Positions

		1972 Estimate Appropriated Funds		1972 Estimate Federal Grant Funds		1973 Estimate Appropriated Funds		1973 Estimate Federal Grant Funds		1973 Increases New Positions	
		Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
B. Research and Statistics (Cont'd.)											
GS-13/02	Mathematical Statistician	1	19,362	...	...	1	19,987	...	...	...	...
GS-13-04	Computer Systems Analyst	1	20,612	...	...	1	20,612	...	...	...	...
GS-12/03	Statistician 1/	1	16,924	...	...	...	...	...	...	...	...
GS-07/07	Statistical Assistant	1	10,865	...	...	1	11,167	...	...	...	...
GS-07/06	Statistical Assistant	1	10,563	...	...	1	10,563	...	...	...	...
GS-07/01	Computer Programmer	...	...	1	9,053	...	...	1	9,355	...	...
GS-06/07	Statistical Assistant	1	9,785	...	...	1	9,785	...	...	...	...
GS-06/06	Administrative Aid	1	9,513		...	1	9,513	...	...	...	...
GS-05/01	Statistical Clerk	...	...	1	7,319	...	...	1	7,563	...	...
	Total Sub-Activity B	10	176,637	2	16,372	9	161,372	2	16,918	...	...
	1/ Position abolished FY 1973										
C. Comprehensive Physical Planning 1/											
GS-15/03	Senior Planner	...	...	...	...	1	25,583	...	...	1	25,583
GS-14/02	Supervisory Urban Planner 2/	1	23,424	...	...	1	24,156	...	...	...	...
GS-12/05	Urban Planner	...	...	1	17,453	...	...	1	17,453	...	...
GS-12/02	Urban Planner	...	...	1	16,395	...	...	1	16,924	...	...
GS-12/0	Urban Designer	...	...	...	...	1	15,866	...	...	1	15,866
GS-11/01	Urban Planner	...	...	1	13,309	...	...	1	13,753	...	...
GS-11/01	Urban Planner	...	...	1	13,309	...	...	1	13,753	...	...
GS-11/01	Urban Planner	...	...	...	...	1	13,309	...	...	1	13,309
GS-11/01	Urban Planner	...	...	...	...	1	13,309	...	...	1	13,309
GS-11/01	Urban Planner	...	...	...	...	1	13,309	...	...	1	13,309

PERSONAL SERVICES SCHEDULE
Appropriated and Grants Funded Positions

		1972 Estimate Appropriated Funds		1972 Estimate Federal Grant Funds		1973 Estimate Appropriated Funds		1973 Estimate Federal Grant Funds		1973 Increases New Positions	
		Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
C. Comprehensive Physical Planning (Cont'd.)											
GS-09/01	Draftsman	...	...	...	...	1	11,046	...	...	1	11,046
GS-09/01	Draftsman	...	...	...	...	1	11,046	...	...	1	11,046
GS-07/09	Architect	...	...	1	11,469	...	...	1	11,771	...	...
GS-05/01	Secretary (Typing)	...	...	1	7,319	...	...	1	7,563	...	...
GS-04/01	Office Draftsman	...	...	1	6,544	...	...	1	6,762	...	...
	Total Sub-Activity C	1	23,424	7	85,798	8	127,624	7	87,979	7	103,468
	1/ All positions under this heading transferred to the Office of Planning and Management by Commissioner's Order										
	2/ Transfer of position from Office of Housing Programs by Commissioner's Order No. 71-307										
	Total Activity 2	28	349,401	24	293,806	39	537,985	24	299,806	12	198,495
3. DIVISION OF ORGANIZATION AND MANAGEMENT											
GS-16/05	Assistant Director	1	33,634	...	...	1	34,623	...	...	...	...
GS-15/07	Management Analyst	1	30,701	...	...	1	30,701	...	...	...	...
GS-15/01	Management Analyst	1	25,583	...	...	1	26,436	...	...	...	...
GS-15/06	Management Analyst	1	29,848	...	...	1	29,848	...	...	...	...
GS-14/02	Management Analyst	1	22,692	...	...	1	23,424	...	...	...	...
GS-14/02	Management Analyst	1	22,692	...	...	1	23,424	...	...	...	...
GS-14/02	Management Analyst	1	22,692	...	...	1	23,424	...	...	...	...
GS-13/03	Management Analyst	1	19,987	...	...	1	20,612	...	...	...	...
GS-12/02	Management Analyst	1	16,395	...	...	1	16,924	...	...	...	...
GS-12/02	Management Analyst	1	16,395	...	...	1	16,924	...	...	...	...
GS-11/03	Management Analyst	1	14,197	...	...	1	14,641	...	...	...	...

PERSONAL SERVICES SCHEDULE
Appropriated and Grants Funded Positions

		1972 Estimate Appropriated Funds		1972 Estimate Federal Grant Funds		1973 Estimate Appropriated Funds		1973 Estimate Federal Grant Funds		1973 Increases New Positions	
		Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
3.	DIVISION OF ORGANIZATION AND MANAGEMENT (Cont'd.)										
GS-11/02	Management Analyst	1	13,753	...	...	1	14,197	...	...	...	...
GS-07/04	Secretary (Steno)	1	9,959	...	...	1	10,261	...	...	...	...
GS-06/01	Administrative Clerk	1	8,153	...	...	1	8,425	...	...	...	...
GS-06/02	Administrative Clerk	1	8,425	...	...	1	8,697	...	...	...	...
	Total Activity 3	15	295,106	...	...	15	302,561	...	...	...	...
4.	DIVISION OF SYSTEMS DEVELOPMENT AND COMPUTER SERVICES										
GS-16/01	Assistant Director	1	29,678	...	...	1	29,678	...	...	...	...
GS-15/06	Supv. Systems Accountant	1	29,848	...	...	1	30,701	...	...	...	...
GS-15/06	Supv. Computer Systems Analyst	1	29,848	...	...	1	30,701	...	...	...	...
GS-14/05	Dep. Chief, Accounting Systems	1	24,888	...	...	1	25,620	...	...	...	...
GS-14/04	Supv. Comp. Systems Analyst	1	24,156	...	...	1	24,156	...	...	...	...
GS-14/04	Supv. Comp. Systems Analyst	1	24,156	...	...	1	24,156	...	...	...	...
GS-14/04	Supv. Comp. Systems Analyst	1	24,156	...	...	1	24,156	...	...	...	...
GS-13/04	Systems Accountant	1	20,612	...	...	1	20,612	...	...	...	...
GS-13/01	Systems Accountant	1	18,737	...	...	1	19,362	...	...	...	...
GS-13/04	Systems Accountant	1	20,612	...	...	1	21,237	...	...	...	...
GS-13/03	Systems Accountant	1	19,987	...	...	1	20,612	...	...	...	...
GS-13/01	Systems Accountant	...	...	...	...	1	18,737	...	...	1	18,737
GS-13/01	Systems Accountant	...	...	...	...	1	18,737	...	...	1	18,737
GS-13/01	Systems Accountant	...	...	...	...	1	18,737	...	...	1	18,737

PERSONAL SERVICES SCHEDULE
Appropriated and Grants Funded Positions

		1972 Estimate Appropriated Funds Number	Amount	1972 Estimate Federal Grant Funds Number	Amount	1973 Estimate Appropriated Funds Number	Amount	1973 Estimate Federal Grant Funds Number	Amount	1973 Increases New Positions Number	Amount
4. DIVISION OF SYSTEMS DEVELOPMENT AND COMPUTER SERVICES (Cont'd.)											
GS-13/05	Computer Systems Analyst	1	21,237	...	...	1	21,237	...	...	...	...
GS-13/04	Computer Systems Analyst	1	20,612	...	...	1	20,612	...	...	...	...
GS-13/04	Computer Systems Analyst	1	20,612	...	...	1	21,237	...	...	...	...
GS-13/03	Computer Specialist	1	19,987	...	...	1	20,612	...	...	...	...
GS-13/02	Computer Specialist	1	19,362	...	...	1	19,987	...	...	...	...
GS-13/02	Computer Specialist	1	19,362	...	...	1	19,987	...	...	...	...
GS-13/02	Computer Specialist	1	19,362	...	...	1	19,987	...	...	...	...
GS-13/01	Computer Specialist	...	...	...	...	1	18,737	...	...	1	18,737
GS-13/01	Computer Systems Analyst	1	18,737	...	...	1	19,362	...	...	...	...
GS-13/01	Systems Accountant	1	18,737	...	...	1	19,362	...	...	...	...
GS-12/01	Systems Accountant	...	...	...	...	1	15,866	...	...	1	15,866
GS-12/01	Computer Programmer	...	...	...	...	1	15,866	...	...	1	15,866
GS-12/01	Computer Programmer	...	...	...	...	1	15,866	...	...	1	15,866
GS-12/01	Computer Programmer 1/	...	...	1	15,866	...	...	1	1,322	...	...
GS-11/01	Computer Programmer 1/	...	...	1	13,309	...	...	1	1,109	...	...
GS-11/01	Computer Programmer	...	...	...	...	1	13,309	...	...	1	13,309
GS-09/01	Computer Programmer	1	11,046	...	...	1	11,414	...	...	...	...
GS-07/07	Secretary (Typing)	1	10,865	...	...	1	10,865	...	...	...	...
GS-06/04	Clerk (Typing)	1	8,969	...	...	1	8,969	...	...	...	...
GS-06/04	Administrative Aid	1	8,969	...	...	1	9,241	...	...	...	...
	Total Activity 4.	24	484,535	2	29,175	32	629,718	2	2,431	8	135,855

1/ Funding for one month only

PERSONAL SERVICES SCHEDULE
Appropriated and Grants Funded Positions

		1972 Estimate Appropriated Funds		1972 Estimate Federal Grant Funds		1973 Estimate Appropriated Funds		1973 Estimate Federal Grant Funds		1973 Increases New Positions	
		Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
5. DIVISION OF COMMUNITY SERVICES 1/											
GS-15/04	Assistant Director	1	28,142	...	...	1	28,995	...	...	...	...
GS-14/02	Community Services Area Officer	1	22,692	...	...	1	23,424	...	...	...	...
GS-14/04	Program Analysis Officer	1	24,156	...	...	1	24,156	...	...	...	...
GS-13/02	Community Services Area Rep.	1	19,362	...	...	1	19,987	...	...	...	...
GS-13/01	Program Analyst	1	18,737	...	...	1	19,362	...	...	...	...
GS-12/01	Community Services Area Rep.	...	...	1	15,866	...	...	1	16,395	...	...
GS-07/06	Secretary (Steno)	1	10,563	...	...	1	10,563	...	...	...	...
GS-05/08	Secretary (Typing)	...	...	1	9,027	...	...	1	9,027	...	...
GS-05/05	Clerk (Typing)	...	...	1	8,295	...	...	1	8,295	...	...
GS-05/01	Service Area Aid	...	...	1	7,319	...	...	1	7,563	...	...
GS-05/01	Service Area Aid	...	...	1	7,319	...	...	1	7,563	...	...
GS-05/01	Service Area Aid	...	...	1	7,319	...	...	1	7,563	...	...
GS-05/01	Service Area Aid	...	...	1	7,319	...	...	1	7,563	...	...
GS-05/01	Service Area Aid	...	...	1	7,319	...	...	1	7,563	...	...
GS-05/01	Service Area Aid	...	...	1	7,319	...	...	1	7,563	...	...
GS-05/01	Service Area Aid	...	...	1	7,319	...	...	1	7,563	...	...
GS-05/01	Service Area Aid	...	...	1	7,319	...	...	1	7,563	...	...
GS-05/01	Service Area Aid	...	...	1	7,319	...	...	1	7,563	...	...
GS-05/01	Clerk Translator	...	...	1	7,319	...	...	1	7,563	...	...
GS-04/01	Clerk Translator	...	...	1	6,544	...	...	1	6,762	...	...
	Total Activity 5	6	123,652	15	120,241	6	126,487	15	123,672	...	...
	GRAND TOTAL ALL ACTIVITIES	81	1,388,999	42	449,766	99	1,723,966	42	432,671	20	334,350

1/ All positions under this heading transferred to the Office of Planning and Management by Commissioner's Order No. 71-392 of November 1, 1971

PERSONAL SERVICES SCHEDULE
Appropriated and Grants Funded Positions

		1972 Estimate Appropriated Funds		1972 Estimate Federal Grant Funds		1973 Estimate Appropriated Funds		1973 Estimate Federal Grant Funds		1973 Increase New Positions	
		Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
SHARE COMPUTER CENTER*											
GS-14/04	Supv. Computer Specialist	1	24,156	...	...	1	24,156	...	...	...	...
GS-13/04	Supv. Computer Specialist	1	20,612	...	...	1	20,612	...	...	...	...
GS-13/04	Computer Systems Analyst	1	20,612	...	...	1	20,612	...	...	...	...
GS-13/03	Computer Specialist	1	19,987	...	...	1	20,612	...	...	...	...
GS-09/04	Supv. Computer Operator	1	12,150	...	...	1	12,150	...	...	...	...
GS-08/03	Computer Operator	1	10,681	...	...	1	11,015	...	...	...	...
GS-07/10	Computer Operator	1	11,771	...	...	1	11,771	...	...	...	...
GS-05/02	Secretary (Typing)	1	7,563	...	...	1	7,807	...	...	...	...
GS-05/04	Computer Technician	1	8,051	...	...	1	8,051	...	...	...	...
	Total Share	9	135,583	...	...	9	136,786	...	...	...	...

* All permanent authorized reimbursable positions

Senator INOUYE. Thank you very much.

Mr. INGRAM. Mr. Chairman, thank you very much.

Senator INOUYE. Because of a series of votes we will be having in the Senate, we will have to recess at 11:45. According to the schedule, the next witness is Colonel Starobin, and after that Mr. Dugas. And if I may, I would like to call upon Mrs. Newmyer, if she is here, and ready to testify. Is the Public Library present?

(No response.)

Senator INOUYE. If that is the case, we will stand at recess now, because I would hate to go on for 10 minutes and call a recess.

This session will stand in recess until 2 o'clock this afternoon.

(Whereupon at 11:30 a.m., the subcommittee was recessed, to reconvene at 2 p.m. the same day.)

(AFTERNOON SESSION, 2:10 O'CLOCK, WEDNESDAY, MARCH 15, 1972)

DISTRICT OF COLUMBIA

OFFICE OF PLANNING AND MANAGEMENT

STATEMENT OF JOHN INGRAM, DIRECTOR—Resumed

CONSULTANT PURPOSES

Senator INOUYE. We shall resume our hearings.

I have been advised that Mr. Coppie would like to make a statement at this time.

Mr. COPPIE. Mr. Chairman, this is in direct response to the question that you raised this morning concerning the use of consultant services in the District government and the amount that was in the budget for 1973 for this purpose.

With regard to the specific amount for 1973, I will have to provide that at a later time for the record. But what I am prepared to speak to at this time is the amount that we did spend in the 1971 fiscal year, which I think will be substantially the same for 1972 and 1973, in terms of totals.

In 1971 we had a total of 323 consultant projects in the District of Columbia government, including projects that were funded from Federal grants.

The total of the 323 projects was $2,192,900, in terms of cost. It was split between the District government appropriated funds—$1.283 million District appropriated funds, and $910,000 in Federal or other grants.

I think it is also significant that of the 318 projects, 252, or 80 percent, were in the Department of Human Resources, Public Schools, Office of Criminal Justice plans and analysis, and the Office of Community Services.

I think it is also significant that the Department of Human Resources has by far the largest number of projects. Some 90 percent of the 145 projects are for improvement of social and mental health services and social services to the elderly and underprivileged youth.

Mr. Chairman, that is a brief summary of some of the recent experience with regard to consultants in the District government. I think we can adequately justify the funds we are spending for this purpose.

Senator INOUYE. It would be most helpful for this committee if you would submit a report with descriptions on each project and the cost attributed to it.

And further, the outcome of the study.

Mr. COPPIE. We will do.

(The information appears on page 271.)

Senator INOUYE. I think it is very important because I have seen in one case a study made on a study, and a study made on a study of a study. I do not consider this to be implementation. You might, but I don't. So I would like to get some idea in your report to us, as to implementation of any, if any, or the resolution of the problem. It would be very helpful.

Thank you very much.

District of Columbia Public Library

STATEMENT OF MRS. JAMES M. NEWMYER, PRESIDENT, BOARD OF TRUSTEES

ACCOMPANIED BY:

JOE Y. LEE, ACTING DIRECTOR
FRANCIS X. DOHERTY, ACTING ASSOCIATE DIRECTOR
JOHN T. CHENEY, ASSISTANT DIRECTOR
VIRGINIA S. PHILLIPS, ASSISTANT TO THE DIRECTOR
FRANCES W. SHIBLEY, HEAD, BUDGET AND FISCAL DEPARTMENT
LAWRENCE E. MOLUMBY, COORDINATOR, COMMUNITY LIBRARY SERVICES
MRS. JESSIE REDFOX, DEPUTY HEAD, BUDGET AND FISCAL DEPARTMENT
JAMES GRAY, HEAD, BUILDINGS AND GROUNDS DEPARTMENT

BUDGET REQUEST

Senator Inouye. I wish to resume our hearings this afternoon and call upon at this time, the president of the Board of Trustees of the Public Library of the District of Columbia, Mrs. Virginia Newmyer, who will speak in behalf of the library and present a statement requesting a budget in the amount of $7,077,200.

PREPARED STATEMENT

Mrs. Newmyer, I am most pleased to welcome you to the committee.
Mrs. Newmyer. Thank you very much, Mr. Chairman.
Senator Inouye. Please proceed.
Mrs. Newmyer. Mr. Chairman and members of the committee:
(The statement follows:)

Mr. Chairman and Members of the Committee:

My name is Virginia W. Newmyer. I am the newly-elected President of the Board of Library Trustees. With me today is Mr. Joe Y. Lee, Acting Director of the D.C. Public, and special key staff members. On behalf of the Board of Trustees as well as the staff of the Public Library System in the District, I want to thank you for giving me this opportunity to discuss our Fiscal Year 1973 budget request.

Before getting into details of our budget, however, I thought it might be helpful for me to spend a minute or two reflecting on the overall policies of the D.C. Public Library -- where we are, and where we hope to go in the months ahead.

Although I have served as President of the Board for barely two months, I am keenly aware of the opportunities we have for improved and expanded service to the people of Washington. As an organization which has facilities in virtually every area of the city, the Library is in a position to become a vital agency of desirable social change, in addition to fulfilling its traditional responsibilities. I believe that we have an opportunity--indeed, an obligation--to become the primary information resource for people throughout the District, the focus of each neighborhood, the community center. We intend to reach out toward our potential clientele--every single person in the city--with new, imaginative and innovative programs which encourage people to make full use of the information and other resources we are in a position to provide.

At the same time, of course, the Library must continue to provide superior service to traditional users of the system--the local businessman, government employee, technician and specialist, civic leader, housewife, student, and others. The D.C. Public Library serves a clientele which is educationally and culturally as sophisticated in its interests as any in the United States. Obviously, as we move with creative pro-

grams towards greater involvement with inner city residents, we cannot afford to lower our standards of excellence with regard to services rendered our regular and habitual clientele.

Fundamentally, we recognize our mission as encompassing five principal objectives: informal education, information, reference and research, cultural enrichment, and recreation. These objectives are the basis for the Library's 1973 budget. Services are provided free of charge, of course, to all those residing in the District of Columbia and also to those living outside the District, but having business or employment, or attending school in the District.

Our operating budget request for the next Fiscal Year is $7,023,227, which is unchanged from Fiscal Year 1972 except for mandatory increases in our operating costs. These increases, totalling $825,017, cover the following items: (1) a Wage Board pay raise effective November 15, 1971 ($44,829); (2) a classified pay raise effective January 9, 1972 ($223,188); (3) projected regular within-grade increases ($80,000); (4) six-month funding for reallocations ($45,000), which continues the reclassification project for which partial funding was approved in the Second Supplemental for FY 1971; (5) annualization of staffing and maintenance for the Martin Luther King Memorial Library ($416,000); and (6) operation of air-conditioning systems which will be installed under the capital outlay budget for FY 1972 at six branch libraries ($16,000). With the exception of annualization of the operations of the new Martin Luther King Memorial Library, there are no increases in personnel, operations, or services in the coming year.

I would like to point out, Mr. Chairman, that the total budget and the mandatory increases I have listed above are $54,000 less than the figures previously submitted to the Committee. This is because we have now been informed that construction of the Shaw Branch Library, scheduled

74-704 O - 72 - pt. 1 - 21

for completion in April 1973, has been delayed and that the branch will not be ready for operation during FY 1973. Accordingly, we would like to take a voluntary reduction of the operating funds for the Shaw Branch from our current request, although they will be included in our budget for FY 1974.

Our Capital Outlay request is for $421,000 covering: (1) construction services for the Deanewood Branch Library ($81,000); (2) a site for the Parklands Branch ($200,000); and (3) purchase of the basic book collection and equipment which must be on hand before opening of the new Shaw Branch Library ($140,000).

In light of our determination to provide greatly expanded services to the District of Columbia in the period ahead, we will obviously be hard-pressed by a budget which includes no increases except for mandatory items. What will be required is an intensified effort to make more efficient and effective management of available resources. The Library Administration has already demonstrated a substantial improvement in efficiency and, particularly, in reordering priorities so that funds are used where they are most effective. For example, we have initiated cooperative drug education programs, programs at penal institutions and at senior citizen centers, services to community organizations such as the Spanish Educational Center, intensified cooperation with every single high school in the District, innovative reading clubs and other programs for children, and an information program in each library on sickle cell anemia.

All of us feel, nevertheless, that much more can and must be done to make certain every precious dollar in our budget brings the greatest benefit for citizens of this community. We pledge you our best effort in this regard.

Yet, I would be remiss, Mr. Chairman, if I did not point out to you that important aspects of the Library's budget have been frozen not just for a year or two but for nearly a decade. The last increase in the book fund, for example, was granted in Fiscal Year 1965 and was based, even then, on 1962 book prices. This means, of course, that because of constantly rising prices, we have been able to buy fewer and fewer books and other library materials at a time when our demands are increasing dramatically.

The book funds cover our procurement not only of printed material but also of films, records, tapes, casettes, video casettes, and other devices utilized in our multi-media programs. The audio-visual materials form the backbone of our current efforts to bring library services into the daily lives of less affluent, less educated parts of the city. The needs for such materials are growing rapidly, and will become even more important as our new outreach programs, aimed at making the libraries attractive to current non-users, move into full swing. Programs of this type, based largely on films, tapes, records, posters, framed prints, and other audio-visual materials, are consuming an increasing percentage of our book fund. And we are still not able to spend enough money on these materials to meet current needs.

My point, Mr. Chairman, is that while we have been making improvements in operating efficiencies and are determined to intensify our efforts in this regard, there is a genuine concern in the minds of the Board of Library Trustees that indefinite continuation of these flat ceilings will endanger our ability to provide vital services to the community. While we are quite willing to do our part to live within the austerity budget imposed on the entire District government, I wanted this Committee to understand the long-range implications of budgetary conditions under which we have been operating for the past decade.

I do not want to give the impression, however, that we are discouraged by these budgetary restraints or merely standing still. Far from it. We look forward to the coming year as a period of enormous opportunity for improved and redirected services.

Our enthusiasm is epitomized by the fact that our superb new Central Library, the Martin Luther King Memorial Library designed by Mies van der Rohe, will be dedicated this summer--an event of historic proportions not only for the D.C. Public Library but for all citizens of Washington. We are keenly aware of the deep understanding of this Committee and the vital contribution you have made toward making this great new library building possible, and I hope that you will be able to honor us with your presence at the dedication ceremonies.

Thank you.

Virginia W. Newmyer

Virginia W. Newmyer
President
Board of Library Trustees

STATEMENT OF JOE Y. LEE, ACTING DIRECTOR

Thank you very much.

Senator Inouye and Members of the Committee:

I. Mission and Objectives of the D.C. Public Library

An Act of Congress established the D.C. Public Library in 1896 as the free public library and a supplement to the public education system of the District of Columbia. It operates under a nine-member Board of Library Trustees appointed by the Mayor-Commissioner. In addition to providing informal education, its objectives include cultural enrichment and recreation, as well as information, reference, research and bibliographic services. Full library services are provided free of charge not only to those living in the District but also to all those living outside the District, but having business, employment, or attending school in the District. Other persons residing in counties of Maryland and Virginia adjacent to the District may borrow books from the Library upon payment of a fee fixed by the Board of Library Trustees. Other library services (such as the use of books and other library materials on the premises, information and reference services, etc.) are available free of charge to everyone. The D.C. Public Library is the largest public library available to the population of the Metropolitan Area.

The mission of the D.C. Public Library is built around two basic concepts, excellence and relevance. Excellence is pursued in all aspects of the Library (collection, staff, buildings, etc.). Relevance to the needs and interests of the community is the determining factor in planning and implementing the Library programs. The Library's public service agencies play the dual role as cultural and informational center and as community center for the particular group of users.

In addition to individuals at all age and educational levels, from the pre-kindergarten child to senior citizen, from functional illiterate to scholar, the users of the Library's services include the municipal departments and offices; education, health and welfare agencies; civic organizations and groups; business enterprises; labor and professional organizations; churches; social groups; clubs; etc. On all these levels, professional advisory, reference, bibliographic and research assistance is provided.

The Library is an agency of the Government of the District of Columbia and the Director serves as a member of the Mayor-Commissioner's Cabinet. Coordination of activities with other agencies of the District of Columbia Government in the fields of education, fine arts, social welfare, recreation, and rehabilitation is becoming increasingly important in the Library programs, so as to achieve the maximum effectiveness in the use of library resources in programs of mutual interest. Examples of this coordination are the Library's participation in the Service Area Committees and its administration of a library program financed by the D.C. Model Cities Commission.

All this indicates a broadening of the traditional concepts of public library service toward an increased emphasis on promotion of human welfare as another legitimate objective of the public

library, especially under contemporary big-city conditions. In a fluid situation of extreme complexity, the Library pursues simultaneously goals both new and traditional in order to satisfy the needs, interests, wishes, and expectations of users and groups of users (actual and potential) with vastly different educational and vocational backgrounds. The existence of strong socio-economic and cultural contrasts, so typical of the City of Washington, demands a careful definition of the Library's aims and objectives.

In addition, the D.C. Public Library is committed to the promotion of social progress and a better standard of life for the people of the District of Columbia. It is immediately and explicitly concerned with prosperity, welfare, and the ideal of a "good life," and it provides assistance to achieve these, through a wide variety of means and resources, in all fields of knowledge. Education is obviously the most basic prerequisite for the realization of such goals and for achieving the overall aim of desirable social change. Use of the Library's extensive collection of printed and audio-visual materials is an excellent means of self-development, especially for those who have not received the full benefits of a formal education and vocational training.

The Library's approach is characterized by a need to "reach out," to expand toward the new groups of potential users in need of library services. The emphasis is on attainment of higher levels of literacy and culture. The philosophy of the Library is oriented toward systematic elimination of economic, social, and cultural problems characteristic of contemporary urban society. Central to this approach is the pragmatic effort to contribute to the solutions of common problems for the common advantage and so to promote, under the new conditions, the Library's traditional role as the focus and rallying point of ideas and of community effort.

II. The D.C. Public Library System

At the present time the system consists of the Administrative Headquarters, the Department of Technical Processes, the Department of Building and Grounds, and the following public service agencies: the Central Library; 19 branches; and the Extension Department, which includes two Bookmobiles, the Schools Division, and Service to Institutions. The Library also administers the D.C. Public Library Model Cities Program (financed through the D.C. Model Cities Commission by the U.S. Department of Housing and Urban Development).

A. The Central Library

The present Central Library, located at 8th and K Streets, N.W., contains the principal collection of books, documents, periodicals, maps, records, educational films, filmstrips, slides, mounted pictures, framed prints, microforms, and pamphlets for reference and lending. It houses the more specialized books, one copy of which may suffice for the entire system, as well as the older books which are badly needed at times but too seldom called for to warrant shelf space in a branch. As of June 30, 1971, the Central Library book collection numbered 555,582 volumes.

The Central Library is arranged on a subject departmental plan, with the following divisions: Art; Biography; Business-Economics; Fiction; Films; Foreign Languages; General Reference; History-Geography-Government; Literature; Music; Philosophy-Psychology-Religion; Sociology-Education; Technology-Science; and Washingtoniana. In addition, there are a Children's Division and a Young Adult Division. Under this arrangement, all library materials relating to a given subject are brought together in the appropriate division. The subject divisions are staffed by librarians specializing in the various fields of knowledge. They give direct assistance to individuals interested in obtaining reference help, advice on reading, and related services, and also take care of the more specialized reference questions which the branches are not equipped to handle.

B. The Branch Libraries

In order to extend its services into the community, the Library operates a system of 19 branches. Each of these maintains a collection of reference and circulating books and other appropriate materials and provides professional staff to give reference, information, and advisory assistance to adults, young people, and children. Exhibits call attention to books and other materials of current or continuing interest. Branch staff members maintain contacts with community groups, visit schools and schedule class visits, film showings, and story hours at the branch. Assistance is given to civic organizations, educational, cultural, and other agencies by furnishing materials for their use and, in most cases, by providing space for meetings. While the book collection of a branch satisfies most of the requirements of the community it serves, it is necessarily limited in scope. Therefore, the resources and staff specialists at the Central Library have to be called upon when circumstances indicate the need.

Additional branches are planned as follows in the second phase of the Library's branch development program: Shaw, Deanewood, Parklands, Fort Lincoln, Columbia Heights, New Northeast, Chillum, New Southeast, Brightwood, and Anacostia-Bolling.

C. Extension Department

The Extension Department provides service to the public in areas where other public library facilities are not available. This is carried out by the following three divisions:

1. Bookmobiles

The Library operates two bookmobiles, each with a capacity of 4,000 volumes. The Bookmobiles visit 22 stops every week.

2. Schools Division

The Schools Division sends sets of books to the individual classrooms in the public, private and parochial elementary and junior high schools in the District of Columbia.

3. Service to Institutions

The Adult Institution Service provides library materials to many kinds of organizations working with adults in adult education programs, homes for the elderly, consumer education programs, and a wide variety of programs for young adults. Services are provided to rehabilitative and correctional institutions such as the D.C. Jail, the Lorton Correctional Complex, Halfway Houses, drug rehabilitation centers, etc. The Juvenile Institution Service sends sets of books to children in hospitals and summer camps, as well as to day care and preschool programs.

D. Model Cities Program

The D.C. Public Library Model Cities Program now operates two bookmobiles and three storefront libraries. It expects to open a fourth storefront library this year. Although the Program draws funds from the U.S. Department of Housing and Urban Development, the Library has absorbed part of the burden of technical processing, administrative supervision, and of staffing the Program with qualified personnel.

III. Conclusion

The Mayor-Commissioner has strongly appealed to the heads of D.C. Government agencies to do their best to cope with current financial limitations by redirecting resources and manpower so as to perform all their functions in the best manner possible. The D.C. Public Library has been making a strong response to his appeal. A great number and variety of management improvement and cost reduction projects have been planned and implemented. In spite of the austerity, the Library has so far continued to provide good service to the public. In fact, it would be unnatural for a major urban library system like this, with its rich resources of books and library materials, buildings and equipment, highly qualified staff, etc., not to grow, not to provide the library public with better services. Indeed, we want these services to be more relevant to needs, more responsive to complex and sophisticated intereste of citizens in every walk of life. This is the goal of the D.C. Public Library in the decade of the seventies.

Joe Y. Lee
Acting Director

POSITIONS AND VOLUMES OF BOOKS

Senator INOUYE. Thank you very much, Mrs. Newmyer and Mr. Lee. I hope to be in Washington when the new library is dedicated and I hope to be present at this very important event.

I thank you for your contribution this afternoon. If I may, I would like to ask a few questions.

According to our records, the Public Library system in the city has 597 permanent positions. And the best estimate we have as far as items are concerned, books in circulation, I believe it approximates 2.5 million. How many items do we have?

Mrs. NEWMYER. Including books, films, everything?

Senator INOUYE. Just books.

Mrs. NEWMYER. About 2,480,000 volumes.

Senator INOUYE. So my 2.5 million would be correct?

Mrs. NEWMYER. Yes, sir.

Senator INOUYE. If those figures are correct, then it would mean if we divide that large figure by the small figure, that for each employee, permanent employee, you have 4,350 items in circulation annually.

According to information we have, in neighboring Montgomery County a survey has indicated that for each employee, over 18,000 items are circulated annually, which would come out to be almost four times as many items per full-time employee in the city.

Can this disparity in workload be explained?

Mrs. NEWMYER. Are they including just books in their figure?

Senator INOUYE. Just books.

Mrs. NEWMYER. There is a decline in circulation in urban libraries, while circulation has been booming in suburban libraries.

Senator INOUYE. We have noted that. In 1968 I think you had a boom here of about close to 3 million items being circulated and today it is down about 300,000 or 400,000. It is a concern which is felt very deeply by this committee, and we would like to do whatever possible to increase the circulation.

But I was wondering if you had any explanation for this disparity; 1 to 18,000, and 1 to 4,300.

CIRCULATION OF PRINTED MATERIAL

Mrs. NEWMYER. Well, first of all, while we have noted the decline of the circulation of printed material with great distress, we are very pleased that our outreach programs are increasing, we have had many more programs, and increasing attendance at the library for film programs and similar events. More of our staff members are going into the community. There are tremendous jumps in the circulation of posters, cassettes, framed prints, filmstrips, and other kinds of audiovisual materials. For example, the circulation of films has increased by 241 percent since 1965. I have additional figures, if you would like me to make them a part of the record.

Senator INOUYE. Please do.

(The information follows:)

D.C. Public Library
Washington, D.C.

March 20, 1972

MULTI-MEDIA APPROACH IN THE D.C. PUBLIC LIBRARY

Greater diversification in materials and media used in public service was achieved by the D.C. Public Library in 1971. The multi-media approach was emphasized through the expansion of audio-visual materials. All branches and the Central Library were provided with color TV sets through use of funds obtained under the Library Services and Construction Act in 1971. This made it possible for Library patrons to view educational programs, (e.g., Sesame Street, campaign speeches of candidates for Board of Education), and thus converted the libraries into viewing centers for the community. Tape recorders and video-tape equipment, including a video camera were purchased to expand the Library programs. For example, the use of the film collection showed a marked increase both in terms of number of films borrowed and in terms of number of persons present at showings.

USE OF FILMS

	FY 1965	FY 1971	% of Increase
Prints, Films	1,211	1,846	52%
Prints, Titles	1,055	1,662	57%
Circulation, Films	6,765	23,005	241%
Screenings reported	11,045	30,207	173%
Attendance reported	465,957	1,152,878	147%
Expenditures	$17,208	$26,373	54%

Although the Library began buying record players and film projectors with LSCA funds as early as 1968, the main emphasis on audio-visual materials began in 1971 with the purchase of color TV sets for all agencies, stereo record players, cassette players for adult and juvenile rooms, and video tape equipment.

The expansion of the multi-media approach has brought the Library closer to the community and has made the Library more of the community center. In this time of changing use of the Urban Library, the multi-media approach has been the most effective means for our out-reach programs and has helped greatly to bridge the gap between the Library and the non-user.

URBAN-SUBURBAN DISPARITY

Senator INOUYE. It is possible that the comparison I had cited is not a fair one, because of the difference in the areas being served. One is an urban area and the other is suburban. But the difference was so great that I felt some explanation should be made.

At your convenience could you provide the committee with a report to explain this disparity?

Mrs. NEWMYER. Yes, sir; we would be delighted to do that.

Senator INOUYE. It would be very helpful.

(The information follows:)

COMPARISON OF CIRCULATION FIGURE PER STAFF MEMBER BETWEEN D.C. PUBLIC LIBRARY SYSTEM AND MONTGOMERY COUNTY LIBRARY SYSTEM

For the purpose of comparison of circulation per staff member between the D.C. Public Library and the Montgomery County Library systems, the D.C. Public Library has had to adjust its figures on both staff and circulation because the Montgomery County system (1) does not include maintenance staff in its personnel figure (maintenance is provided by the county); and (2) its circulation figures include all non-book materials except films (this information was supplied to us by the County).

The 597 D.C. Public Library positions mentioned relate to the 1972 appropriation, while the circulation figure is for 1971. In FY 1971, we had 547 authorized positions, of which 84 were in the Buildings and Grounds Department, leaving 463 authorized positions as the number to be used in making this comparison.

Our total book circulation in FY 1971 was 2,482,741. However, the circulation figure of 36,517 for our Model Cities program should be subtracted since Montgomery County has no comparable program. This leaves a net book circulation of 2,446,244. To this figure should be added the circulation of 28,920 mounted pictures, framed prints and posters, and 69,484 for circulation estimated to be lost at the Fort Davis, Washington Highlands and Woodridge Branches in 1971 because these branches were closed for about three months each for the installation of air-conditioning. The adjusted book circulation of the D.C. Public Library for 1971 is, therefore, 2,544,628. This makes a circulation of 5,496 per staff member (based on a total of 463).

Other factors affecting a comparison of the D.C. Public Library with Montgomery County include (1) nature of the service, particularly reference; (2) book funds; and (3) programs.

The Montgomery County Library system has no central library as such. All of their agencies are branches (a total of 15). In contrast to this, the D.C. Public Library does have a Central Library divided into sixteen subject divisions which are all more or less specialized libraries in each subject area. Consequently we have to buy extensive reference books and scholarly periodicals in each of these fields, as well as very specialized books in order to maintain in-depth collections to meet demand. These materials do not circulate as often as popular material although we do, of course, buy as much popular material as funds permit. Because of the D.C. Public Library's extensive reference and in-depth subject collections, many Montgomery County residents use our resources.

For FY 1971, the D.C. Public Library total book fund was $642,000 (this figure includes $164,000 from the Library Services and Construction Act). Of this amount, the D.C. Public Library spent $213,000 for the Central Library, leaving $429,000 available for the branches and Extension service. By contrast, since Montgomery County does not have a Central Library, its entire book fund of $635,000 was available for its branches ($206,000 more than the D.C. Public Library had for its branches). Our expenditure of book funds is around $20,000 per branches, while Montgomery County spends $39,000 - $40,000 per branch.

To look at the book fund figures another way, in FY 1971 the D.C. Public Library allotted $438,000 of its total book fund to adult materials. Of this amount 47% ($205,000) went to the Central Library alone. This left only $233,000 for adult materials for the 19 branches. Because of this situation with the adult book fund, we cannot buy enough materials to meet demands. In addition, the Montgomery County system has a rental collection of most popular titles, which also contributes to higher circulation. This collection fully pays for itself and is not financed from regular book funds.

If we compare fiction with nonfiction, in FY 1971 about 24% of the adult volumes added to Montgomery County Library collection were fiction. In the D.C. Public Library, about 10% to 12% of the adult volumes added are fiction. It is generally accepted fact in the library field that popular books, such as fiction, boost circulation figures.

As another comparison, in FY 1971 Montgomery County had 750 periodical titles and 2,587 subscriptions. The D.C. Public Library had 1,666 periodical titles, with 4,969 subscriptions. Consequently, the D.C. Public Library had less money available for the purchase of circulating books, especially including multiple copies of popular books.

The decline in circulation is a phenomenon shared by all major urban public library systems today. One major cause is the change in the urban library's public. The user who borrows many books at a time has moved to the suburbs, such as Montgomery County, where circulation is now booming. On the other hand, the present user of the urban library, although he does not borrow as many books, makes use of our facilities in other areas, such as films, the use of which has dramatically increased, and information and referral services.

Another, although secondary, cause for decrease in book circulation may be the increasing problem of parking in the city. In the same way, many users who depend on bus service find it more and more inadequate and frustrating, particularly at night. However, circulation statistics are, at best, inadequate in judging an urban library's performance. The real test is our outreach programs for non-users in order to meet the various community needs.

The tabulation below compares the circulation per staff member of public libraries in the seven cities in our population group as of 1969, the latest year for which figures are available:

City	Circulation	No. of Staff Excluding Maintenance	Circulation Per Staff Member
San Francisco	3,274,598	322	10,169
Milwaukee	3,978,384	419	9,495
Saint Louis	2,740,221	346	7,919
Cleveland	4,981,443	715	6,967
Baltimore	3,823,759	610	6,268
Dist. of Columbia	2,882,351	472	6,115
Boston	2,910,422	572	5,088

The D.C. Public Library circulation figure per staff member for FY 1971 is 5,496, as noted above. Figures for the other public libraries named above for FY 1971 are not yet available, but doubtless would reveal similar trends.

PARKING AND PUBLIC TRANSPORTATION

Mrs. Newmyer. There are one or two things I just might mention, however. I think that perhaps occasionally the lack of adequate parking and the difficulty of finding public transportation have an effect on library circulation. There are many items such as this that we can include in our report.

When the new central library, the Martin Luther King Memorial Library, opens we are hoping to expand the circulation. In the new popular library, for example, we will bring together a great number of materials that we hope will be a focus of recreational reading for people.

Senator Inouye. Recently I had the opportunity to tune in to one of our stations, just by chance, and I think it was a very important chance, and the commentator suggested, I think very correctly, that government—and by that I mean Federal, State, and local—although established to service the people, are not really servicing the people.

The tax office opens at about 9 o'clock in the morning and closes at 4:30 in the afternoon, when the bulk of the people are working elsewhere. And if you want to go to the tax office, you would have to take an hour off from your work, lose some pay. And if you have to testify at a hearing of this sort, one has to lose some money, voluntarily.

As a result, this committee will be holding evening sessions when the public is invited to testify, to make it easier for as many as possible to participate in these hearings.

I also note that the great museums we have in the city are open during the daylight hours, making it virtually impossible for schoolchildren, working men and women, to partake of all of the nice things we have here, the cultural beauties.

It seems to be set aside only for a select few in the community who do not have responsibilities or who have the wherewithal to take advantage of it.

Now, my question comes to this: What are the hours for your libraries?

HOURS LIBRARIES ARE IN OPERATION

Mrs. Newmyer. We are open from 9 o'clock in the morning until 9 o'clock in the evening, Monday through Thursday; from 9 to 5:30 on Friday and Saturday, and on Sunday we are open from 2 until 6 in the afternoon, at five branches strategically located in different areas of the city.

Along these lines, may I say, Mr. Chairman, that it has been one of my hopes to hold public hearings to determine what hours of public service would be most convenient for the public. I have discussed this with the Acting Director, Mr. Lee, and I am planning to bring it up at the next meeting of the Board of Trustees.

Senator Inouye. I bring up Montgomery County again. I have been told that in Montgomery County the libraries are open for about 70 hours during the week. How many hours are your libraries open?

Mrs. Newmyer. Sixty-four hours a week.

Senator Inouye. Do you have much use during the morning hours, say from 9 to noon?

Mrs. Newmyer. Yes, sir; we do have use in the mornings. I would say that a great deal of time in the branches is spent on programs for

children and class visits to the library. There are more school-oriented programs during the morning hours.

Senator INOUYE. The committee will be most interested to receive a report on the outcome of your suggestion that the hours be made more convenient for your clientele, because I find it difficult for many of the people who really participate in these services that are available to them. You are open from 9 to 5 on Fridays?

Mrs. NEWMYER. Until 5:30. We have found, Mr. Chairman, that the evening use of library services on Friday and Saturday evenings was waning. We found there were not many visitors to the libraries in those hours.

Senator INOUYE. I took it upon myself to visit some of our libraries in the city and also those in Montgomery County on different days, weekdays and weekends. I found that in Montgomery County—because I happen to live there, it is convenient for me—that for Saturday evenings and Friday evenings, they are doing a great business. Is there some explanation?

Is there some difference in the urban nature of people and the suburban nature of people?

Mrs. NEWMYER. I do not really think I can answer that question, but it certainly is something we are studying. And when we have the results of the hearing and the recommendations of the board, we will inform you.

APPOINTMENT OF LIBRARY DIRECTOR

Senator INOUYE. It would be very helpful.

The committee has noted with some concern that our system here, the public library system, has been operating under an acting librarian now for nearly 2 years. When do you think we will have a librarian?

Mrs. NEWMYER. This is a matter to which I have devoted a great deal of time and attention, Mr. Chairman. As I think you are probably aware, the position has been offered to Mr. Milton S. Byam, who is the chairman of the Library Science Department of St. John's University. The matter is now in the hands of the U.S. Civil Service Commission.

I would certainly hope to have an answer to that question within a very short time.

COMPLAINTS CONCERNING PETWORTH BRANCH LIBRARY

Senator INOUYE. I have just one final question and I will have to excuse myself. That is the vote.

We have received several complaints from clients of the libraries, especially, for some reason, from the Petworth branch on Georgia Avenue. Are you familiar with that branch?

Mrs. NEWMYER. Yes, sir; we certainly know the branch well.

Senator INOUYE. The complaints are all the same. They complain that groups of young people roam the libraries, threatening and harassing the clients. That when this occurs, the librarians look the other way, the janitors disappear, and police cannot be found.

Now, are these allegations of any merit?

Mrs. NEWMYER. This is the first time they have been brought to my attention, so I really do not know. Would you excuse me for just one moment while I confer with Mr. Lee?

We are aware of the problem, but we have no guard position for the Petworth branch. The safety of users of the library is something that is of great concern to us. It is a problem that has been discussed by the board and the Library Administration. Frankly, I have no solution to offer now, except that we will certainly try to be in closer touch with the police in that area and ask them to pay more attention to the building.

Senator INOUYE. We have received several letters, and I promised those who wrote that I would inquire to find out what was going on.

So I would appreciate a report on this matter so I can report back to your constituents as to what is being done.

Mrs. NEWMYER. We shall certainly supply you with a report.

(The information follows:)

Senator INOUYE. Thank you very much.

I will have to get to the Floor, so we will be in recess for the next 10 minutes.

(Short recess.)

INCIDENT AT THE PETWORTH BRANCH, D.C. PUBLIC LIBRARY
INVOLVING HARASSMENT OF A USER BY TEEN-AGERS

The incident at the Petworth Branch was reported to the Acting Associate Director sometime in November 1971 by a man who said he had been harassed by teen-agers at the Petworth Branch. He made this complaint shortly after the time he said the incident happened. The Acting Associate Director checked with the branch immediately but no one at the Branch--the librarian in charge, the desk assistant or the building engineer--knew anything about the incident. They did not see the alleged incident and it was not reported to anyone at the branch.

Although there seemed to be conflicting reports about this complaint, the Library has had reports on other disciplinary problems at the branch. However, without trained guards in uniforms, such situations are often hard to control. The Library, of course, can and does ask for police assistance but these situations develop quickly and it takes time for the police to arrive. Usually by the time they arrive, the situation has calmed down and is under control. Incidents of this type happen at various times in all our public agencies.

The Library tries, in every possible way, to prevent incidents which are annoying and unpleasant to our users. However, some are completely beyond our control. We regret that any one of our users has been harassed and we are making every effort to prevent any recurrence of such harassments.

Department of Economic Development

STATEMENT OF JULIAN R. DUGAS, DIRECTOR

ACCOMPANIED BY:

JESSIE JOHNSON, CHIEF, OFFICE OF ADMINISTRATION
SEWARD LEE, DEPUTY CHIEF, OFFICE OF ADMINISTRATION
SAMUEL FUSCO, ADMINISTRATOR, OFFICE OF LICENSES AND PERMITS
JULIAN P. GREEN, CHIEF, BUSINESS LICENSES AND PERMIT DIVISION
C. M. WARD, ADMINISTRATOR, OFFICE OF SPECIAL OPERATIONS
MISS ELEANOR TAYLOR, PERSONNEL OFFICER
WILLIAM DRIPPS, CHIEF, BUREAU OF BUILDING, HOUSING, AND ZONING
WARREN STEWART, DEPUTY CHIEF, BUREAU OF BUILDING, HOUSING, AND ZONING
RALPH SPENCER, BUILDING ADMINISTRATOR
CARROLL SWANSON, HOUSING ADMINISTRATOR
JAMES FEHEY, ZONING ADMINISTRATOR
JAMES HILL, EXECUTIVE SECRETARY, BOARD FOR THE CONDEMNATION OF INSANITARY BUILDINGS

BUDGET REQUEST

Senator Inouye. We will resume our hearings and hear from Mr. Julian Dugas, the Director of the Department of Economic Development.

The request is $7,684,300.

Welcome, sir.

Mr. Dugas. The request represents an increase over last year's request in an amount sufficient for 16 additional positions in the newly-formed Office of Consumer Affairs, and $300,000 for improved relocation services and for payment therefor in connection with Public Law 88–629.

In all other regards, Mr. Chairman, the budget is the same as last year, except for those categories that are usually designated as mandatory.

PREPARED STATEMENT

Senator Inouye. Thank you very much. Your full statement will be made a part of the record.

(The statement follows:)

Mr. Chairman and members of the committee, the Department of Economic Development is assigned the responsibility for planning, implementing and administering programs designed to promote economic activities in the District; protection of consumers; business and professional licensing and regulation; and enforcement of the District's housing, building, zoning and related codes and regulations. In addition we continue to provide support for the Board of Condemnation of Insanitary Buildings and to the Condemnation Review Board.

The total Fiscal Year 1973 operating budget requests for the Department of Economic Development is $7,684,300 and 537 positions. This represents an increase of $854,900 and sixteen positions above the Fiscal Year 1973 adjusted base, in addition, $31,500 is being requested in the Capital Budget for the design of restorations of the Georgetown Market.

These increases are attributable to required operating costs for within grade advancements, totalling $109,893; classified and wage board pay increases totalling $300,200 which is only 85% of the total requirements for these purposes; annualization in the amount of $27,394 for the 1972 approved program of Consumer Affairs; and $6,485 to cover the increased cost of postage from 6 to 8 cents per ounce.

An increase of 16 positions and $110,396 represents an anticipated workload for the prior year approved program of Consumer Affairs in order that a viable program be instituted.

Also, an additional $300,000 is being requested for improved services for relocation services and payments provided by RLA in connection with Public Law 88-629.

Detailed justifications for these increases, if needed, will be presented as the Committee considers the request for same by Budget Activity, as set forth in the Budget Submission.

I am aware of the critical financial situation of the Government of the District of Columbia, and it would please me, as well as you, if no increases were required by this Department. However, that is not the case. We have and will continue to absorb as many of these mandatory items as possible; but, with the President's - 5% reduction and the Mayor's additional cuts, totalling $315,800 which has reduced our 73' base, I have no other alternative than to request additional funding as the Department has absorbed all that it can without reducing service to the public.

OFFICE ADMINISTRATOR

Senator INOUYE. Mr. Dugas, regarding your new Office of Consumer Affairs, have you found anyone to administer this office?

Mr. DUGAS. I am in that process now, Mr. Chairman.

Senator INOUYE. I am asking this because my mail bag, every day, is filled with consumer complaints. I am hoping you will have an office in operation that we can refer these people to.

Mr. DUGAS. Mr. Chairman, I would hope you would not wait until I appoint that fellow before you send those complaints to me, because I am one of the very best ombudsmen in that area, that I know, since I am already handling a bag of complaints I get every day, too.

So I may as well take that burden off of you. If you send that bag down to me, I will handle it personally.

Senator INOUYE. I will do so. When do you think we might have one?

Mr. DUGAS. I think we might have him within the next month, Mr. Chairman.

Mr. Chairman, I have not felt the sense of urgency about this that some other people have, because we have been engaged in the business of consumer protection throughout the years in my department. I had some other considerations to engage in. Among which was the question of meeting the Presidential request for grade escalation, and the request for me to hire people at a Grade 15 level, which puts me in a position which makes it untenable for me to meet the President's request, to meet phase II requirements, to carry on functions that have been assigned to me by the Congress, by the City Council, and by my own departmental initiative. These factors have caused me to take a second look at whatever moves I make.

I am reminded more of it now, Mr. Chairman, because you have spoken to the question of financial and other types of responsibility and I am keenly aware that every move that I make is going to be scrutinized very carefully. I am going to be sure when I make it, I am not going to be doing anything inconsistent with you, who I conceive to be the Master in this relationship.

Senator INOUYE. Oh, please.

DISTRICT OF COLUMBIA AS SERVANT

Mr. DUGAS. Yes. And the District of Columbia as the servant. I want to be sure that I carry out the will of this body as long as I work for this body.

Mr. Chairman, that is one of the problems we have. I do not think there has been a clear delineation of the relationship between the Congress of the United States and the District of Columbia, as to just who the master is and who the servant is. A lot of people think we serve the President of the United States, but I do not have any misgivings about who the boss is. And you, I think from your own personal experience, and your staff, from your own personal experience, know that when you call everything in my office stops, and I take care of what it is the Senator wants, or any other Member of Congress wants, to take care of the will of the Congress.

If we can stop rhetorizing and talking about self-determination just long enough to realize what the real relationship is, we would get off to a better start. I know what my relationship is to you; I am the

servant. And when I get tired of being the servant of this Senate, I am going to quit this job, and I think the quicker everybody else in this Government realizes that, the better off they will be.

I sat here this morning bewildered by the suggestion that this body had been called upon to allocate sums of money that came to almost half a million dollars, and there was some question about whether or not you could have reports. I don't understand that. There isn't anything you want in my office that you cannot get.

And I don't know why there should be anything in any other servant's office that you can't get.

I just do not understand that. And I think, Senator, if you did anything, it would be well if you let them understand what the relationship is.

RELATIONSHIP BETWEEN SENATE AND DISTRICT GOVERNMENT

Senator INOUYE. I think the relationship should be clarified a bit. I would hope that I am not looked upon as the master.

Mr. DUGAS. I am talking technically now. That is an art term, sir, between us lawyers, the master servant relationship.

I know what the meaning is and I think you understand how I meant it.

OFFICE OF CONSUMER AFFAIRS

Senator INOUYE. I would say the masters are those on the street—the housewives, the wage earners, the schoolchildren. And all of us are their servants.

I brought up this matter of the Consumer Agency because I was under the impression, if I recall last year's testimony correctly, that this was a matter of some urgency and high priority. As a result, the conference report will show I fought for this.

Mr. DUGAS. You never heard me say that, sir. That was a figment of somebody else's imagination and I have absolutely no empirical data to support such a position. Now, let me give you an example of what I mean.

Senator INOUYE. Mr. Coppie, wasn't this a matter of priority?

Mr. COPPIE. The Office of Consumer Affairs?

Senator INOUYE. Yes.

Mr. COPPIE. It was a priority of the District Government, Mr. Chairman.

Senator INOUYE. Why then was Mr. Dugas not advised of this?

Mr. COPPIE. Mr. Dugas can speak for himself with regard to it. I think the final action of the District Government, as far as the 1972 budget was concerned, speaks for itself and it was an item of some priority in that budget, as indeed it was in 1970 and 1971.

Senator INOUYE. What is your consumer-type complaint? What is the average mail load per day?

NUMBER OF COMPLAINTS

Mr. DUGAS. I would say we get between 12 and 25 complaints daily that go the full range. Principally, in the area of television repairs, automobile repairs, and home improvement frauds, Mr. Chairman.

We get at least 12 to 25 complaints every day in the mail and innumerable telephone conversations where we request the people to either come in or put the matter in writing so we can have something to work on.

A fairly heavy caseload. And when we have called these to the attention of the regulatory body, the City Council, the necessity for regulating TV repairmen, automobile repairmen, and individuals, and not the establishment, we have no action taken on that.

So, you know, I listen to people rhetorisize about what they conceive to be the problems, but when the problem is presented to them to take action, I see no action.

And I say to you, Mr. Chairman, when I come before you from now on, I am going to be able to present the data to support the additional positions.

I have been called upon, and it has been inserted into my budget the need for 16 additional people for the Office of Consumer Affairs. I say, yes, I can use them. But when they talk about consumer affairs, they are talking about consumer protection. My idea of consumer affairs goes far beyond the business of protecting ignorant and guideless people, you know. There is no amount of legislation, Mr. Chairman, that can protect people who do not want to be protected. We could legislate until we got blue in the face, but if people do not want to be protected, I do not see how in the world we can ever legislate for that purpose.

But when I talk about educating people so they can read and write and understand the small print in a situation, and work on cooperative agreements with merchants so they won't engage in these kinds of practices, I get no sympathy for that. All they want me to do is make an example of some merchant. And I do not think that that is consumer affairs.

That is consumer protection. The office that has been thrust upon me has a much broader concept.

Senator INOUYE. Are you suggesting that there is not enough legislative authority for you to operate properly in this capacity?

REGULATORY AUTHORITY FOR CONSUMER PROTECTION

Mr. DUGAS. I am suggesting that in the area of consumer protection, there is not enough regulatory authority. I think the Congress has given the District of Columbia the broad authority necessary in the area of protection and that they have not engaged in it to the fullest extent. I said this to the City Council, I say it again, and I will say it over and over again, until regulations are enacted by them that will go to the question of regulating TV repairmen, automobile mechanics et cetera, where we have most of our complaints, until then we are not going to get anywhere in the area of consumer protection.

Now, the Office of Consumer Affairs that I envision has a different thrust entirely, which is educationally oriented, which is seminar-oriented, which is cooperation with the known business associations oriented. But there is no sympathy for that kind of thing. Everybody is talking about consumer protection, where they want you to go out and grab somebody by the neck and drag them into the courthouse and lock them up.

I don't think you can do that. I don't think you can protect consumers that way, especially when most of the people they want to protect are people who say regardless of what the circumstances are and no matter what they have to pay, they want those goods. And until some provision has been made for these people to get the goods, they are going to pay excessive rates, they are going to pay whatever the tariff will bear, because their children are going to have television sets like everybody else. And until a system is devised that we can substitute for that, we are just barking up and down the wrong tree.

I speak with great authority, Mr. Chairman, because I come out of a humble beginning and I know what people will do when they want something and when their children demand it. It makes no difference what kind of legislation you have on the books about interest rates. If you cannot buy it from the Hecht Co., if you cannot buy it from Woodward & Lothrop, you are going to buy it where you can get it, because the children are going to have it and nobody is addressing themselves to that.

ENFORCEMENT OF CONSUMER PROTECTION REGULATIONS

Senator INOUYE. Based upon the statements made by the city, we considered this paragraph in our committee report:

> The District of Columbia City Council has taken the initiative in formulating regulations that, if enforced, would give to the aggrieved buyer all of the recourse that he could reasonably expect.

Talking about the Office of Consumer Affairs—The planned agency——

> as constructed, is an alternative to the legal system which, so often in matters of the marketplace, is an impractical remedy.

And we went further to say:

> The committee is reluctant to commence the funding of a new agency at a time when funds are so limited. The committee does not envision this agency to be a hydra-headed bureaucracy that becomes immobile due to its own growth and ineffective because it serves those it was designed to regulate.
>
> The ultimate success of the type of agency that the committee envisions lies, ultimately, with the people of the District. Hopefully, the very existence of this agency at work will serve as an educational tool to the many who are innocent purchasers of defective goods, and victims of illegal credit.

I am certainly aware that in the last conference we were successful in creating two new offices. One was on equal rights for women, and the other was the Consumer Affairs. We were advised that this was a matter of highest priority.

I am sorry to hear that your office does not——

Mr. DUGAS. Mr. Chairman, I have to be very candid with you and I am going to be that way as long as I work for you. The only thing the City Council has done, in my opinion, is to promulgate some retail installment sales credit regulations that a re ineffective, in my opinion.

And as a result of them, since their enactment, there has not been one complaint from anyone, not one, and it has been over 6 months since their enactment.

I suggest to you, sir, if the kind of emergency suggested to the committee had existed, that certainly someone would have come forward at this point in time. Not one. Not a single complaint have we had.

Senator INOUYE. Do you suggest we take the funds out of the request?

Mr. DUGAS. I do not want to suggest that because this is the Mayor's budget. I simply want to be candid with you, to tell you that in an austere period of time, if I and my family were engaged in the kind of economies that you suggest we must engage in, that I would not find consumer affair an area where I would spend any money.

I am talking individually, now. I cannot speak for the Mayor. I wish I could sometimes.

COMPUTER SYSTEMS IN DEPARTMENT

Senator INOUYE. Mr. Dugas, this morning we discussed the matter of computers.

Mr. DUGAS. Yes, sir.

Senator INOUYE. It was pointed out that your department elected to purchase the Singer-Friden system, which is different from any other in the District government. Is it functioning satisfactorily?

Mr. DUGAS. It is not in complete operation as yet, sir, but that portion of it that we have installed is working well. We are now in the process of developing programs. It is not fully utilized, but we believe that for the very limited functions, unsophisticated functions, Mr. Chairman, that we have to carry on, the Singer-Friden is going to work out very well for us.

Senator INOUYE. Is it compatible with other computer systems in the city?

Mr. DUGAS. It is compatible.

Let me say this to you, sir. I do not want you to think my department went out alone and purchased this system. When we purchased this system there was a great deal of talk with Dan Walton and there was complete agreement by all, that insofar as the purchase of this system was concerned, it would be more economical, and it would be the fair and just thing to do at the time that we entered into this arrangement.

There has been no change in that, as of today. Walton and all of us concerned still think that the purchase of that system is for the promotion of the efficiency of the service of the District of Columbia.

Let me tell you why, Mr. Chairman.

Senator INOUYE. Who is Mr. Walton?

Mr. DUGAS. Dan Walton is the man who sat here this morning and described the whole SHARE system that goes on in the District. He is our chief computer expert.

You see, many of the more sophisticated systems that Walton is concerned about can carry on very sophisticated things. But I have the more mundane things to do such as issuing licenses, and the collection of bills, and that kind of thing, that they—the SHARE program—do not have. So they found, and we agreed that it would be much more economical for us to have our own little simple system.

Ours is not a very complex operation. Ours is an opportunity for us to take a great deal of formerly manually operated systems, work them into the machine, just send out bills and that kind of mundane thing that you have me carrying on. Somebody has to do it, and my department has that function.

ECONOMIC DEVELOPMENT IN THE CITY

Senator INOUYE. Your Department is the Department of Economic Development. I have had meetings, several meetings, with developers of urban business complexes. One in particular, the L'Enfant Plaza. In fact, my files are pretty thick with the complaints about the lack of cooperation, the frustrations involved. Do you get involved in this type of activity?

Most of the dealings with the L'Enfant Plaza were with the Redevelopment Land Agency. But this is economic development; isn't it?

Mr. DUGAS. Indeed it is, sir.

Senator INOUYE. Are you involved in this type of activity?

Mr. DUGAS. Oh, indeed, I am involved in it. But I have not borne the brunt of Colonel Quesada's criticism.

Senator INOUYE. What sort of input would you make, sir?

Mr. DUGAS. My input is the issuing of building permits for the actual structures that are being developed in that area. Colonel Quesada has not been quarreling about that. It has been a question of the allotment of moneys for certain functions and the requirements that RLA have imposed upon him in an urban renewal area that his complaints have been, not that he has had any difficulty in getting building plans approved, or in inspection of buildings that have been previously approved.

I am very familiar with this because Colonel Quesada talks to everybody. He not only talks to you, he talks to everybody in the District, and the world, if he can get their ear, Senator.

Senator INOUYE. Do you involve yourself with the RLA?

Mr. DUGAS. Yes, sir, I do.

Senator INOUYE. What has been the cooperation or response from the RLA?

EFFECTIVENESS OF RLA

Senator INOUYE. Are you convinced that the RLA is doing its best?

Mr. DUGAS. I am convinced that if RLA in its present form was given at least two or three additional functions, that we would need no more legislation in this whole area.

Senator INOUYE. What additional functions?

Mr. DUGAS. First of all, that it not be required to work in Urban Renewal areas alone, that it can work citywide; secondly, that it have the authority to rehabilitate and build, not only housing, but other ancillary buildings and features to complement housing; and the third thing I would have RLA empowered to do is to have the capacity to issue its own bonds.

Give RLA that capacity, and if they fail, then I say put them out of business. But until you give them that kind of capacity, Senator, I do not think you are in any position to criticize them. I certainly wouldn't. The leadership is excellent in RLA. It is better than it ever has been.

Senator INOUYE. And the people of the District are getting their money's worth?

Mr. DUGAS. That is my opinion, sir.

CONVENTION CENTER-SPORTS ARENA

Senator INOUYE. We will come to that at a later time.

Mr. Dugas, in your operation of this Department, did you get involved in the sports arena?

Mr. DUGAS. Intimately.

Senator INOUYE. What are your thoughts on that? It is a rather controversial project and we would like to have some official view.

Mr. DUGAS. That it is absolutely essential for the development of this city, for several reasons. Tourism is the second or third largest operation we have, as a revenue-bearing situation. Without an adequate civic center—I like to think of it rather as a civil center than a convention hall that is a more respectable name and a sports arena that will attract major sports here, we cannot compete with Baltimore, Philadelphia—or any other city in America for major conventions.

So on that point alone, Senator, if tourism is our second largest industry, then I must find ways to encourage things that will facilitate it. I think it is absolutely essential that we have it.

The other thing is this: Getting beyond what it will do to attract tourists, think of all the other things that will develop because of it. The opportunities for all kinds of development can come because of this thing, because it has to be serviced.

It will bring to this community an estimated 4,000 to 5,000 additional jobs in the service area.

And this, if there is anything that we need—and I hear people talking about the welfare rolls and they want to get people off welfare—if there is anything we need, it is some industry that will create the possibility for people who have not had the educational opportunities, to get off the welfare rolls and get into a work situation that can be profitable to them. This will offer that kind of opportunity.

JOB OPPORTUNITIES IN CONVENTION CENTER

Senator INOUYE. It has been suggested that the new job opportunities would be primarily in the area of selling hotdogs and collecting tickets.

Mr. DUGAS. Well, I think that is a rather narrow——

Senator INOUYE. And parking cars.

Mr. DUGAS. That is very narrow, Senator. There are many, many things other than selling tickets and selling hotdogs.

Let me say this to you, sir, that selling hotdogs is a very profitable business. I wish I was in the hotdog selling business, myself. The Jacobs Co. is fighting right now to get the contract at the stadium again. So that is a fairly fine operation.

Let me say this to you, Senator. Many of the people who sell hotdogs are people who cannot find anything else to do. But as long as they are selling hotdogs, at least I know they are trying. And I would rather see them selling hotdogs than standing on street corners.

If we provide even that opportunity—and I suggest that is not true, that that would be the only opportunity, I would be happy.

Senator INOUYE. In the planning of this civic center, as you say, have you provided for a relocation of present business operations?

Mr. DUGAS. Senator, I have made no provisions for anything in this regard.

Senator INOUYE. There are a lot of jobs involved in that area.

Mr. DUGAS. I understand that, sir. And I understand out of the hearings that Congressman Gray had at the New Hope Baptist Church about 3 weeks ago, there was a discussion of a new plan that would diminish the size of that particular facility, so it would accommodate what is known as the Chinese section of our city, and also to accommodate what is principally known as the "furniture row" of our city. So I do not see anything inconsistent with the development of the center and the ability to accommodate the interests that are already there. I think that can be done.

I think what we have to do is accept the concept of the center.

Senator INOUYE. You have been intimately involved and that is what you said——

Mr. DUGAS. That is right.

Senator INOUYE (continuing). And you indicated that this civic center would provide 4,000 jobs.

Mr. DUGAS. It has been estimated that it will provide—not the civic center itself, sir, the civic center plus those things that it would generate. That is the estimate.

JOBS LOST AS RESULT OF DEVELOPMENT

Senator INOUYE. In your experience, don't you think it is important as to what jobs will be lost as a result of this development? You say you have not made any study and you do not care about it.

Mr. DUGAS. I did not say that, Senator. I said that in discussions with Congressman Gray and in subsequent discussions—you know, at one time they were talking about 20- to 25-acre situation. Now they have cut it down to 15. So all of those places where you say, and people say, that these great jobs exist, would not be disturbed.

Senator INOUYE. I am not saying, I am just serving as a conduit for some of the people who feel they are not being adequately represented and having their views heard.

Mr. DUGAS. Well, let me say this to you, Senator. I do not know who they are, because everybody who has had anything to say about this has really been talking about it.

Now, if you want to talk about some people who have some special interests in perpetuating difficulties and thwarting progress, I will be happy to discuss that with you. I have some ideas about that, but I don't think you want to get into that.

Senator INOUYE. You mean like the minister there?

Mr. DUGAS. No; I am not talking about the minister. No, I am not talking about the minister.

UTILIZATION OF DISTRICT OF COLUMBIA STADIUM AND ARMORY

Senator INOUYE. Are you also involved in the economic potentials of the stadium and the armory?

Mr. DUGAS. I am engaged in that, sir.

Senator INOUYE. What sort of utilization do we find there?

Mr. DUGAS. We have one prime tenant, the Washington Redskins.

Senator INOUYE. How many months do we have that in use?

Mr. DUGAS. Between August and December of each year, sir.

Senator INOUYE. What about the other months?

Mr. DUGAS. During the other months, sir, as you know, we have no prime tenant. But I understand management is engaged in a rather extensive search for acts and other kinds of endeavors that will utilize the stadium.

I think the Senator is aware that until this year there was no opportunity for us to engage in this extensively, because we had another prime tenant—baseball. We no longer have that tenant.

Let me tell you some of the difficulties we are having right now on the very point you are making. In an attempt to try to further utilize the stadium, we have gone out and we have engaged in some conversations with people about enlarging it.

Senator INOUYE. Enlarging the stadium?

Mr. DUGAS. Enlarging the stadium. Putting additional seats in it, so it would be attractive to other major institutions to come in and play games there. You know, we cannot get any of the major service academies to come here to play because the stadium is not large enough. The Army-Navy game won't come here because they are accustomed to 100,000 seats.

Senator INOUYE. Do you think the cost-benefit ratio would be proper to enlarge it just for one game each year?

Mr. DUGAS. We are not talking about that——

Senator INOUYE. The Army-Navy game plays but once a year.

Mr. DUGAS. There are several service academies and other institutions that would use it.

Senator INOUYE. Let's say all service academies, which would be four games per year.

Mr. DUGAS. That is only part of it. You did not hear me out.

The Redskins could sell out 80,000 seats now, if we had them. And that is our prime tenant. They are the ones who are moving for the 7,500 additional seats.

TENANTS IN CONVENTION CENTER—SPORTS ARENA

Senator INOUYE. How many prime tenants do you propose to have in this sports arena, or the civic center?

Mr. DUGAS. I have not gotten to that kind of detail.

Senator INOUYE. Isn't that important?

Mr. DUGAS. That is important.

Senator INOUYE. What sort of activity do you envision there?

Mr. DUGAS. In the sports arena you would, of course, envision a hockey team, a professional hockey team, a professional basketball team——

Senator INOUYE. Have any hockey teams expressed interest in this?

Mr. DUGAS. I understand from Mr. Arata at the Washington Board of Trade, there has been a great deal of general interest expressed in every one of the major sports activities that would go on in a sports arena.

Now, Senator, I do not know whether you are aware, or not, but the Washington Board of Trade spent around $50,000 of their own money, not Government money, sir, for a feasibility study that went into all of these things you are now asking me about. If you do not have a copy of that, I am going to see if I cannot find a copy of that report for you, because I want you to have it.

It goes into a great deal of detail. You don't have it, Mr. Jordan?

Senator INOUYE. I would like to have it.

Mr. DUGAS. I will get you a copy of it.
Senator INOUYE. Somehow we have great difficulty receiving reports.
Mr. DUGAS. I do not understand that.
Mr. JORDAN. I don't either.
Senator INOUYE. I think it should change.
Mr. DUGAS. It will change. You are going to get one this afternoon on the Convention Center.

UTILIZATION OF THE ARMORY

Senator INOUYE. I appreciate it very much.
What is the utilization of the armory?
Mr. DUGAS. The armory itself?
Senator INOUYE. Yes.
Mr. DUGAS. First of all, it has a primary responsibility to the National Guard. And that is why it is there. And, of course, it is used for all kinds of social events—dances, various types of shows, flowers, dogs, boats.
The armory is in the black, Senator. Really, it is in the black. It is the stadium that is giving us trouble. The armory is self-sufficient.
Senator INOUYE. And in your research and analyses, and economic planning, you are convinced that this civic center will be a moneymaker?
Mr. DUGAS. When you talk about the civic center, itself being a moneymaker, I think you have to think about what it generates to the overall economy. I think when you look at it in that fashion, Senator, it will be a moneymaker.
Senator INOUYE. As Director of the Department of Economic Development, can you advise this committee as to how much economy you have developed in the last year?
Mr. DUGAS. Well, you asked me that last year and I told you that my Department's name was a misnomer. It is no different this year. Somebody called it the Department of Economic Development, because I think when they conceptualized it, they thought the Congress was going to see fit to give me the staff for an economic and business development unit, which it never has.
But without that capacity, sir, all of the staff you and I have been talking about has come out of the little I know about economics, which is very little.
Senator INOUYE. What do you do if you do not develop the economy of the city?
Mr. DUGAS. Well, I suppose you could say that the issuance of building permits is development of the economy of the city. A major part of it, since the building industry, I think, and the rental of office space, falls into the third category. So if I am in charge of making that available, I suppose in the broad sense that is economic development. But that is not what I conceived my function to be or what I would want it to be, Senator.

RESPONSIBILITIES OF DIRECTOR OF ECONOMIC DEVELOPMENT

Senator INOUYE. What do you concern yourself with presently?
Mr. DUGAS. What do I concern myself with presently?

Senator INOUYE. If you were to divide your day in hours, how many hours do you spend for economic development; how many hours for issuing building permits; and——

Mr. DUGAS. Well, you see, I am in an office of four people, Senator. Me, Lorenzo Jacobs, who is my deputy, and two secretaries. And when you ask me how I split up my day——

Senator INOUYE. I am not talking about you, personally, but you have 537 people serving with you.

Mr. DUGAS. Yes, sir.

Senator INOUYE. What proportion of the time is spent on economic development?

Mr. DUGAS. If you are talking about economic development in the sense of developing a new economic endeavor, separate and apart from most functions that the old Office of License and Inspections and the old Office of Occupations and Professions carried on, I would say none, because we have not been given the capacity to engage in the kind of development of economic activities that I conceived to be economic development in the classical sense.

Senator INOUYE. Are you suggesting the city perpetrate a fraud upon the Congress by calling this the Department of Economic Development?

Mr. DUGAS. No, I am not. I am suggesting that they perpetrate whatever they perpetrate upon you, upon the hope you would give us the money to carry out these functions. But you have never seen fit to do it.

Senator INOUYE. Are you requesting something to justify the use of this name?

Mr. DUGAS. No, sir; I am not, because it has been decided at quite another level that because of the austere period in which we live, we ought not to engage in any new starts. And I have religiously stayed by that. I do not think we can engage in any new starts until we get our house in order. And that includes consumer affairs.

Senator INOUYE. Just looking over the files, there was $29,400 for consumers affairs for fiscal year 1972, and for this next fiscal year, you are requesting $171,600. Isn't that right?

Mr. DUGAS. I think that is the figure, sir.

Senator INOUYE. Since you are asking for 16 positions if this is not a matter of high priority, would you like to justify the title of your Department?

Mr. DUGAS. Would I like to justify it?

Senator INOUYE. Yes. Economic Development.

JUSTIFYING NAME OF DEPARTMENT

Mr. DUGAS. Senator, I do not make any pretense of trying to justify the name of the Department at all. I did not select it. I simply carry out functions under it. What you call it matters not to me, sir. You can strike the name. You can call it Licenses and Inspections again, or whatever you want to call it. But I do not think there is any question about whether or not this particular Department's functions are being carried out properly.

Senator INOUYE. What Department in the city has the responsibility of enticing businesses to come into the city?

Mr. DUGAS. There is only one place where there is any money put into that kind of endeavor, and that is the approximately $250,000 that you and the other branch of the Government gives to the Washington Board of Trade. The Washington Convention Visitors Bureau. That is the one place where that kind of money is. There has not been 1 cent put in my Department for that purpose.

ESTABLISHMENT OF BUSINESS IN CITY

Senator INOUYE. There is no one in the city responsible to encourage the establishment of business in this city?

Mr. DUGAS. Well, I don't know what you mean by "responsible" Senator. And if I follow you and your staff correctly, the way I judge responsibility——

Senator INOUYE. I know we have a Visitors Bureau and a Convention Bureau. We have appropriated some for this.

Mr. DUGAS. Yes, sir.

Senator INOUYE. For the specific function to bring in visitors?

Mr. DUGAS. No, sir. They do that, among other things. They try to entice, and they have enticed within the past year, that particular bureau, through its efforts has enticed almost 100 associations and other types of activities to locate in the city.

Now, that is one of the functions that they are carrying on and that is outside of the governmental structure, except for the $250,000 that you give them as a matching fund.

Senator INOUYE. So your office has not concerned itself with this type of activity?

Mr. DUGAS. I do not agree with that. The office has concerned itself a great deal, but it has not had the resources that we conceive necessary to carry out that kind of function, Senator. I, myself, have been engaged in a great number of activities to encourage economic development.

As an example, let me just give you one. When there was a suggestion that Bloomingdales could no longer locate in the Bethesda area of the city, I, on my own motion, have tried to contact the president of Bloomingdales hoping that we could in some fashion attract Bloomingdales into the city. We have not been successful in doing that.

But beyond that there is a concern in my department for facilitating whatever problems may exist now at Wisconsin and Western Avenues in the development of the Tiffany-Neiman-Marcus complex so that they may be worked out. We have concerned ourselves with that. But that is beyond the length of the cable tow, Senator.

When 5 o'clock comes, you can always get me in my office, as you well know. I am not there just at 5 o'clock, I am not there just at 8 o'clock. I am there on an almost 20 to 30-hours-a-day basis, you know, and there are not that many hours in the day. I am engaging myself in many processes. I do have an interest. What I am talking about is the need for the kind of staff that would give me the information to bring up here to you to justify expenditures in the area of economic development. I do not have that capacity.

Senator INOUYE. Out of the 537 you have on your staff, you do not have men and women of sufficient talent to do that?

Mr. DUGAS. I do not.

74-704 O - 72 - pt. 1 - 23

Senator INOUYE. It doesn't speak too highly of your staff.

Mr. DUGAS. It speaks very highly of staff, sir. They are just not in that area of expertise. We are talking about different disciplines. I have not one single economist on my staff.

Senator INOUYE. And that——

Mr. DUGAS. Most of my people are engineers and other types of inspectors. When you talk about development of businesses, sir, and you are talking about a different discipline.

Senator INOUYE. Well, this has been a most enlightening afternoon, sir.

Thank you very much.

Mr. DUGAS. Thank you.

Department of General Services

STATEMENT OF SAM D. STAROBIN, DIRECTOR

ACCOMPANIED BY:
SONNY CAPUTO, DEPUTY DIRECTOR
HARRIET CARVER, BUDGET ANALYST

BUDGET REQUEST

Senator Inouye. Our final witness this afternoon is Col. Sam Starobin, the Director of the Department of General Services. His budgetary request amounts to $15,474,200.

Mr. Starobin. Good afternoon, Mr. Chairman. I would like to introduce members of my staff who accompanied me to the front table.

Mr. Sonny Caputo, my Deputy in Charge of Capital Programs, and Harriet Carver, my Budget Analyst.

PREPARED STATEMENT

I have an opening statement which I wish to submit for the record, if I may, sir.

Senator Inouye. Without objection it will be made a part of the record.

(The statement follows:)

The FY 73 budget request submitted by the Department of General Services presents a statement of the minimal resources required to meet the new demands that have been placed on the department. Forty-seven new positions are requested. Of these, 46 are required to provide custodial and protective services for new facilities. The remaining position, that of a personnel classifier, is needed to maintain the level of review of the personnel grade structure necessary to ensure equity to the employees of the department and consistency with classification standards. The present personnel section is understaffed to meet the demands of the highly dynamic personnel situation.

Other funds are requested to meet demands for space to support other D. C. agencies and to meet increases in costs generated by pay increases and increases in postal rates and fuel costs.

What this budget does not reflect are major programs being undertaken by the department to increase the efficiency of services rendered the D. C. Government. These programs are being accomplished within existing resources.

This department is directing a realignment of the District of Columbia's supply management resources to effect a greater centralization of our supply operations. We expect to realize significant savings in more efficient procurement and elimination of duplication of supply storage facilities and personnel. This program is being conducted utilizing existing resources by establishing a system of commodity managerships, similar to supply systems in the Federal Government, wherein an existing D. C. agency, having primary responsibility in a commodity area, will take on a District-wide supply function.

The first of these commodity managerships is currently being established in the Department of Human Resources in the area of pharmaceuticals and medical supplies and will be operational within the next 3 months. This first experience will guide us in establishing other commodity managerships over the next several years. The Bureau of Procurement of this department is being restructured to enable it to provide the central direction to this system of commodity managerships in addition to its traditional role of providing procurement services.

Other actions underway include a program to achieve better control of the accountable property through an automated equipment management system and an aggressive program of acquisition of Federal surplus property to reduce the need to purchase new equipment. These efforts will be operated in parallel with the commodity managership program.

In the area of construction, further measures are being taken to strengthen the system of project managership previously instituted. Actions are underway to better define procedures and provide further instructions to our personnel to enable them to better cope with the complex processes involved in bringing a construction project to realization. Major emphasis is being placed on control of construction costs.

A major difficulty in achieving efficiency in the administrative functioning of the D. C. Government results from the fragmentation of its administrative space. Offices are scattered through many buildings, some widely separated, creating problems of communication and responsiveness.

The District has had plans to centralize its administrative offices in the vicinity of Judiciary Square, the area designated for the seat of the Municipal government, but has been unable to obtain the capital funds needed for this purpose, though the principle for this consolidation has been accepted by Congress. We now propose to accomplish this purpose through the authority granted by Congress to enter into lease purchase agreements for the construction of municipal buildings. Plans are actively underway leading to the construction of two office buildings on sites now available adjacent to Judiciary Square. The device to accomplish this purpose involves the creation of a non-profit corporation, which would have the authority to raise money by the sale of non-taxable bonds. This non-profit corporation would then construct the buildings and lease them to the D. C. Government for twenty years, at the end of which the District would have possession of the buildings. If these plans are successful, construction on these buildings could start by the end of this calendar year with delivery of the buildings in two years. This means that the major portion of the District's administrative offices would be clustered in an efficient municipal complex by the end of calendar year 1974. This action could be accomplished using the rental funds currently in the D. C. budget.

Finally, this department is expanding its mail and messenger service to cover all District facilities. This action should provide considerable savings over the previous practice of separate agencies providing mail and messenger service to their outlying facilities.

SUPPLY MANAGEMENT

Mr. STAROBIN. I will merely make a few opening comments.

I would like just to talk very briefly about certain key activities we have under way that I feel are of concern and interest to you.

No. 1 has to do in the area of our supply management for the District. There has been considerable comment over many years that the present fragmented and decentralized system is not the most efficient or economic system we could have. We recognize this. We have been giving a good bit of thought of how to change this system within existing resources, recognizing it would have to be done that way.

Late last year I submitted a proposal to establish a commodity managership system. I received permission, to go ahead with establishing that system. I recruited the man to head my procurement office, now my supply management office, who I felt capable of bringing this about, and we are now in the midst of setting up the first of the commodity managership in the area of pharmaceutical and medical supplies.

The commodity managership concept basically takes the resources of the department that has a primary interest in a commodity area and then reorganizes these to serving the entire District in that commodity area, under the supervision and direction of my office.

As we establish a number of these to cover the entire gamut of our purchases, they will come under the centralized direction of my department, and thus in an incremental, phased way, achieve the goal of a centralized supply system.

The second thing has to do with space management. Again, a major source of inefficiency in the District government is the fragmentation of its administrative offices, through many buildings, over much of the city. We have attempted to centralize our offices through capital construction requests in the past but these have not been approved.

Our current plan is to achieve this goal by the construction of several office buildings, using the lease-purchase authority granted to us approximately a year ago by Congress, and using the funds presently appropriated in the District of Columbia budget. The device to accomplish this is a nonprofit corporation that could sell bonds, build the buildings, and lease them to the District government. We would then own those buildings at the end of 20 years.

We have two sites available to us in the Judiciary Square area, and if our plans mature and are viewed with favor by Congress, we will be in a position to break ground by the end of this year and within 2 years later have the larger part of the District administrative machinery housed in a municipal complex in the vicinity of Judiciary Square.

The third area I would just like to comment on is the court study that came up for discussion this morning. The court study is now complete and I have submitted a copy of the final report to Mr. Bill Jordan.

Senator INOUYE. A few minutes ago?

REPORT ON COURT COMPLEX DESIGN

Mr. STAROBIN. Yes; at approximately 2 o'clock.

The court study was accomplished under the guidance that the court needs would be projected to the year 2000 and space needs to accom-

modate that year 2000 could be described and that they use the site on Pennsylvania Avenue between John Marshall Place and Sixth Street, since this is the site; that is, No. 1, District of Columbia owned, and No. 2, approved by the National Planning Commission.

This court study was received just last week. It is under review by all interested agencies, and in discussing this with the judges and very specifically, Judge Greene and Judge Nebeker, a decision has been made at this time to break out phase I. Phase I would be to construct the building needed to house the court as presently authorized.

Then phase II would be to expand that facility, as needed, to accommodate any further expansion.

This decision also encompasses the necessity to leave the Employment Security Building on its site and consider that site sometime in the future for expansion if the need should come about.

We will be in a position to present this in detailed fashion in the second supplement that is presented to you, at which time I hope Judge Greene and perhaps Judge Nebeker could be present and speak in greater detail to the subject.

Senator INOUYE. What is the anticipated cost? We have not had time to review the report.

ESTIMATED COST OF COURT COMPLEX

Mr. STAROBIN. Certainly. The report indicates the cost of construction for the building to accommodate the court of the year 2000 would be approximately $88 million. On top of that would be the design cost and construction services costs. So we are talking in the neighborhood of the midnineties. And perhaps approaching $100 million for that entire work.

Senator INOUYE. What was the original estimate of this building?

Mr. STAROBIN. We originally—well, when we considered its construction some years ago, we started with $50 million and went to $60 million. We have costed out phase I at approximately $60 million, sir; $61 million.

Senator INOUYE. Does this $83,591,633 include the value of the site?

Mr. STAROBIN. It does not, sir. The site is Government-owned and there is no need to purchase it. I have no real idea what its value is.

Senator INOUYE. What is the cost per square foot?

Mr. STAROBIN. That is projected at $62 per square foot.

Senator INOUYE. How does it compare with other buildings here?

Mr. STAROBIN. The report compares that cost with the cost of other courthouses that have been built in the recent past, and it puts it at the mid to upper range of those court buildings. Of course, when you talk about constructions, we must always attach a date to it. The escalations have been so fantastic, a difference of 6 months to a year presents a very different cost picture.

In the recent past court buildings have been built between $50 and $60 per square foot. Since we are now talking of a construction period 2 years off, we are postulating $62 per square foot.

Senator INOUYE. The Rayburn Building has been criticized as wasted money. According to our study, the cost per square foot was $34.26.

Mr. STAROBIN. When was it built, sir?

Senator INOUYE. I am certain you know, you were here.

Mr. STAROBIN. I was. It was in the 1950's.

Senator INOUYE. Since that time the cost of construction has doubled?

ESCALATION OF CONSTRUCTION COSTS

Mr. STAROBIN. Sir, the picture goes something like this. The year 1971 construction escalation in this area was 15 percent. The year 1970, it was approximately 12 percent. In 1969, approximately 10 percent. These are not only cumulative, but compounding, and therefore those 3 years account for 35 to 40 percent.

In the year preceding that, the cost of escalation was less, but it was still 5 and 6 percent.

If we go back 10 years, we are more than double.

Senator INOUYE. Do the courts in the District come under the jurisdiction of the Federal court system?

Mr. STAROBIN. They do not, sir.

Senator INOUYE. Are the directives of the Chief Justice to buildings and facilities applicable to the courts here?

Mr. STAROBIN. Not directly, except—you speak to the study that was accomplished——

Senator INOUYE. Are you aware of the directive which was issued by the Chief Justice and approved by the Justice Department? As I have been advised, the Justice Department is very keenly interested in the judicial complex.

Mr. STAROBIN. Yes, I am aware of the study, and with the fact the Chief Justice took an interest in it and has put out guidelines toward economy in the construction of court buildings.

Senator INOUYE. Have you seen those pictures?

Mr. STAROBIN. I have, sir.

Senator INOUYE. Do you believe that this court complex is in compliance with this directive of the Department of Justice?

Mr. STAROBIN. It is not, sir.

Senator INOUYE. Why isn't it?

Mr. STAROBIN. I think you are directing the question, sir, to the wrong person.

Senator INOUYE. I am talking about the administration of justice. One very important agency, the Department of Justice, and the Supreme Court, to wit, the Chief Justice of the United States. The Chief Justice has taken pains to issue orders and directives throughout the United States on projects that were ready to move, and they have been told to change all of their plans, to lower the ceilings to, I believe it is 8½ feet, 9 feet, something like that.

DIRECTIVE TO REDUCE SIZE OF COURT ROOMS

Mr. STAROBIN. The primary impact is, one, to reduce the size of the court rooms, and two, to end the relationship of one judge/one courtroom. Those are the major impacts. These are highly emotional factors, as they found out I addressed it with the judges. I still bear the scars, Mr. Chairman. And the reason I say you are addressing it to the wrong person, I have brought up the subject with the judges, and they have informed me of their decision, of what they feel is necessary to run their courts.

I cannot address myself to the matter of their operations. And when the subject comes up, and you can address the court matters with either Judge Greene or Judge Nebeker, you will receive a better response than from me.

Senator INOUYE. I am going to read from the report:

> Great care has been taken to see that the new court facility not only enhances and facilitates the administration of justice, but that its appearance and atmosphere reflect the qualities of the judicial process—orderliness, reason, fairness, dignity, and respect. The proposed court house will be an outstanding facility that will meet the needs of the judiciary and related agencies and the citizenry of the District of Columbia.

How much weight was given to appearance, as contrasted to the administration of justice?

Mr. STAROBIN. In the study? The study addresses itself to space requirements. It does not really address itself to appearance.

Senator INOUYE. Well, apparently, the contractor, the city, has already indicated to the Westinghouse people, that what they had in mind was a grand building, and they had to work out the report within those——

Mr. STAROBIN. No, sir. Of course, the District government is a very big place and it could have gotten——

Senator INOUYE. You just told me you are full of scars after suggesting the recommendations be in line with the directive issued by the Justice Department.

Mr. STAROBIN. Well, to comment very directly on the statement that Westinghouse received guidance that they were to build a grand and perhaps monumental building, my comment to them was quite the contrary. There are enough monuments here. We want a handsome building but actually, when you get to appearance and so on, that is the matter of the design contract, and I have very deliberately tried to steer them away from architectural design and keep them into the area of functional analysis. It has been hard since they have an architect that wants to show his wares. But I have made a very deliberate effort to stay away from niceties of the facade.

COST OF FACADE OF COURT COMPLEX

Senator INOUYE. How much is the facade going to cost the people of the city?

Mr. STAROBIN. That is impossible to say at this time. We talk $62 a square foot. That, of course, includes facade. We do not have the design contract at this time, and therefore I have no way of breaking out or describing to you. I have no idea what the materials will be.

Senator INOUYE. The question which this committee will have to resolve is a very simple one, whether we are justified in establishing an exemption for the city of Washington—when knowing that San Diego; Orlando, Fla.; Atlanta, Ga.; Honolulu, Hawaii; New Orleans; Baltimore, Md.; Winston-Salem; Dayton, Ohio; Philadelphia; and San Juan—much needed high-priority court complexes—have been stopped.

Mr. STAROBIN. Are these local courts or Federal courts?

Senator INOUYE. These are Federal courts.

Mr. STAROBIN. Yes.

Senator INOUYE. These are according to the directive issued by the Chief Justice and approved by the Department of Justice.

Mr. STAROBIN. As I stated, legally the court system of the District of Columbia is in the same category as a State court system rather than a Federal court system. However, I personally feel the point you make is a very valid one. However, this court system of the District of Columbia is independent of the Mayor. They, in effect, employ me in a technical capacity to advise them.

They are in no way bound by recommendations and advice, and they come to you directly for decisions.

Senator INOUYE. Isn't it true the people who are really back of this project are housed in the Department of Justice?

INTEREST OF DEPARTMENT OF JUSTICE IN COURT COMPLEX

Mr. STAROBIN. Well, let's say the Department of Justice and certain people there have taken a great interest in it.

Senator INOUYE. That they want this building completed before 1976, for the bicentennial?

Mr. STAROBIN. I understand that the Federal Government has taken an interest in completion by 1976 in order to have Pennsylvania Avenue——

Senator INOUYE. Has Mr. Santarelli discussed this matter with you?

Mr. STAROBIN. He has not.

Senator INOUYE. I presume you have seen these pictures, have you not?

Mr. STAROBIN. My eyesight isn't that good, sir. May I approach the bench?

Oh, yes, I have copies of them. In fact, better copies than these. Improvements on these.

Senator INOUYE. How will the layout set forth in the photographs furnished by the GSA, USA, compare with the layout set forth in the Westinghouse report?

AVERAGE SIZE OF COURTROOMS

Mr. STAROBIN. The difference is not so much a matter of layout, sir, as size. If I recall correctly, the report you have before you states that the courtrooms, the average courtroom needed in the Federal court, is approximately 1,800 square feet, and needs one or two larger courtrooms of 2,400 square feet.

Our judges have stated they feel the standard courtroom should be 2,400 square feet, and then have a ceremonial courtroom for larger uses.

Senator INOUYE. Ceremonial courtroom?

Mr. STAROBIN. Yes. This is for the very large cases that attract very large audiences that will not be accommodated in that 2,400 square feet.

Senator INOUYE. How often do we have ceremonial cases?

Mr. STAROBIN. I have no idea, sir. Again, I state requirements that have been stated to me. But when we are talking about in the neighborhood of 40, well, better than 40 courtrooms, and a difference of 1,800 to 2,400 square feet, you add up square footages rather rapidly.

This, I see, as the major distinction between that courtroom and the courtroom the Westinghouse report postulates.

Senator INOUYE. I am sorry we are not prepared to delve very deeply into this, because we just got the report this afternoon.

DELAY IN RECEIPT OF WESTINGHOUSE REPORT

Mr. STAROBIN. I just received it last week.

Senator INOUYE. How do you account for the delay for your receipt? I would think you are an important participant in this matter.

Mr. STAROBIN. I am the contract administrator. Printing and delivery takes time. It is a pretty big printing job.

Senator INOUYE. It was printed in January, 1972.

Mr. STAROBIN. Well, you see a date there when it was delivered to the printer?

Senator INOUYE. The final report was made in January 1972.

Mr. STAROBIN. Well, it would be very hard for me to tell you what happened in the meanwhile. We received an advance copy, but the bulk copy for distribution was received in my office last week.

Senator INOUYE. We will be touching upon this at a later time. We would like to have at least 1 week to look it over. Because the Nelsen Commission report will be presented on March 22, and I gather that the Commission has done extensive work in the procurement area. This committee will prefer to review that aspect of your department at some later time, when you bring up the Capital Improvement program for the District. It will give us some time to study the finding of that Commission.

Furthermore, I should tell you in all candidness, that we have initiated independent studies and investigations of our own and we are now just compiling the information that we have for proper presentation.

So we will take some time for this, also. But as soon as we get the Nelsen Commission report, we will be ready to enter into some dialog with your office, sir.

In your prepared statement, you have indicated you will establish a system of commodity managerships; is that correct?

Mr. STAROBIN. That is right, sir.

COMMODITY MANAGERSHIP SYSTEM

Senator INOUYE. According to the National Institute of Governmental Purchasing Report, dated June 17, 1970, the system you envision is the least desirable of all alternative plans for the District. The institute recommends the most desirable to be a centralized procurement and supply operation.

Could you summarize these alternatives and reasons why you are forging ahead in spite of the recommendation?

Mr. STAROBIN. Mr. Chairman, when you get into this area, you get into an area of semantics that is so deep you get lost. People start turning terms around.

Just to give you a little bit of information from the Nelsen report, they take exception to the commodity managership report system, but then they talk about a materials manager. When I ask them what the difference is, it gets fuzzy. The reason I am forging ahead with the commodity managership system——

Senator INOUYE. Who requested this report?

Mr. STAROBIN. The Nelsen Commission report? The NIGP report? I did, sir. It was one of my first acts after taking over the department.

Senator INOUYE. So you had an independent study made, they reviewed the problem and made recommendations, and you just set them aside?

CENTRALIZED SUPPLY SYSTEM

Mr. STAROBIN. No, sir; I did not. If you would permit me a few minutes, I can explain why I say we are dealing in more of an area of semantics than anything else.

I, too, am aiming for a centralized system. I see the commodity managership system as a means of achieving that in a phased approach. I find the differences are not so much a matter of goals, as procedures or strategies to achieve that goal. There are some people who are advising—and you will find the Nelsen Commission doing this—immediately taking all supply resources in the District, wherever they are, and transferring them to my department, and that I take over the supply mission immediately.

My feeling is that this would be chaos. The commodity managership system takes the existing supply elements it reorients them to a District function, step by step, and then these District supply functions would be incorporated into a central system.

We would be achieving the goals of a centralized system but in a deliberate, phased approach that would permit us to build solidly.

To go further, even after we have a centralized system, every department has to maintain some supply capability. They need people who can project their requirements, write operational characteristics for equipment they need, to maintain the stocks they need for the daily operation, as opposed to the large inventories that are to be maintained by the commodity manager.

Right now all of these people are together.

By establishing commodity managers, we can delineate between departmental functions which must be maintained and other functions which can be incorporated into a central system.

So I say that we are playing with terms. The goal is the same, it is merely a matter of strategy and procedures.

I would like to emphasize again that I had in effect cleared my decks for action. I brought on a man who I feel is the most competent person in the District to bring about the desired end. I have already reoriented my own Bureau of Procurement, which we have renamed Bureau of Materiel Management, to start the administration of a central system. We are ready now to in effect start plugging in commodity managerships into a centralized system. The first one is underway and should be operational within 3 months. And using that as a test bed for procedures, we will be ready then to use that experience to bring the rest of the system into conformance.

Senator INOUYE. As I indicated, we will touch upon procurement at a later time. But can you give a brief description of what the present situation is?

Mr. STAROBIN. In procurement?

Senator INOUYE. Yes.

PRESENT DISTRICT PROCUREMENT SYSTEM

Mr. STAROBIN. Every department has full responsibility for the provision of the goods and services they need for their operations. They come through me for the actual procurement of it; that is, for putting the contract on the market. My people review their needs, write their specifications.

Senator INOUYE. Are you satisfied we are getting the best deal?

Mr. STAROBIN. No, we are not; that is why we are moving. The question is: How do you do it?

Mr. Chairman, I would just like to address this: We have a mechanism that is creaking, expensive, and so on, but somehow it is keeping operations going. We want to improve that mechanism, but in the improvement process we have to be very careful that the operations that they are supporting are continued and supported without halt. To try to achieve economy at the risk of restricting, hampering, or even stopping those operations, is the foolhardy type of economy. And I feel a precipitous approach to this could achieve just that end. That is why I am going for the commodity managership system, which is a methodical, deliberate approach to the same goal.

Senator INOUYE. In determining the location of this new court complex, were other locations considered?

Mr. STAROBIN. No, sir; for the reason that this site, historically, has been intended for court use. That is why it has been named "Judiciary Square." It has housed the court system of the District from my earliest days in the District government. That site on Pennsylvania Avenue, well, from almost the beginning was intended for the courthouse.

Senator INOUYE. Why did we build the Employment Security Building there?

CONSTRUCTION OF EMPLOYMENT SECURITY BUILDING

Mr. STAROBIN. The construction of the Employment Security Building predates the requirement, the realization of the requirement for an expanded court system. I am going back now to some 3 or 4 years. That is about the length of my experience in the District government. But almost from those earliest days, the Planning Commission has settled on that site for the new courthouse.

Senator INOUYE. When was this?

Mr. STAROBIN. This was late 1968, early 1969, that they had established that site.

Senator INOUYE. You mean when this new Employment Security Building was less than 3 years old, you decided to tear it down?

Mr. STAROBIN. Let's say the Planning Commission had settled on that as the site.

Senator INOUYE. How can you explain this to the people of the city of Washington, that while the building is still smelling of fresh paint, you are planning to tear it down?

Mr. STAROBIN. I am speaking to the Planning Commission staff proposal which, of course, projected itself to something much greater and grander, how to create a truly grand avenue in the Capital of the Nation. Those are very grand words, and I am not going to address them as my own, except that was the rationale, the thinking in addressing

the entire case of Pennsylvania Avenue, recognizing that there were very significant diseconomies involved, one of them being to tear down the building.

Another significant diseconomy is that very large setback called for by the Plan, which means buying very expensive real estate and putting it in sidewalks and shrubs. The price of grandness, and it can get quite expensive, as we find out when we build some of our structures around the city.

Senator INOUYE. How much is the price of grandness?

Mr. STAROBIN. If we talk about that setback off of Pennsylvania Avenue, they call for a 50-foot setback from the curb line, and presently we have about 20 feet. We can, therefore, talk about an additional 30 feet, at the price of—taking an average figure of $60 or $70 a square foot there, for per running foot the price of grandness for that item could be about $2,000 per running foot. That is one price of grandness.

SITE OF COURT COMPLEX ON PENNSYLVANIA AVE.

Senator INOUYE. In other words, the planning people are intent upon having the court complex on Pennsylvania Avenue?

Mr. STAROBIN. Yes, sir.

Senator INOUYE. And the matter of economies was immaterial?

Mr. STAROBIN. Well, you are putting words in my mouth, now, since I was not one of those planning people. But let's say that the question of economy came secondary to what we thought, what the planners considered to be the long-term need to create a city and avenue worthy

Senator INOUYE. Does this report—since we have not had time to look it over—provide for the relocation of the Employment Security Building?

Mr. STAROBIN. No, it does not, sir.

Senator INOUYE. What are we going to do with the employees who are presently housed there?

Mr. STAROBIN. Well, I have been in extensive discussions with the Department of Labor on that, and we have reached certain understandings. We have gone little further on it since the entire question of whether we build a courthouse or where we build it is very much in question——

Senator INOUYE. Isn't that an important aspect of the total planning?

Mr. STAROBIN. It is an important aspect. I have spent a considerable amount of time investigating it and I have approaches to the problem. I have not made them concrete since the decision on the courthouse itself is quite evidently far from concrete.

Senator INOUYE. I think if we are to reach a decision, we would like to know what the total cost is.

Mr. STAROBIN. We have developed costs.

COST OF HOUSING EMPLOYMENT SECURITY EMPLOYEES

Senator INOUYE. What will be the additional cost of housing the displaced employees of the Employment Security Building?

Mr. STAROBIN. Well, I have had something prepared which, unfortunately, I do not have with me. I will submit it for the record.

But to speak in very broad terms, we consider the moving expenses, first-year lease expenses, and the necessity to pay back to the Department of Labor for the value of the building.

It seems, I would say in very round terms, and I would like to submit a more detailed analysis for the record, I would say in very round terms the cost of new space and moving came to about $1.5 million. And the value of the building, to pay off the Department of Labor—we still had to do some dickering on it—will come to $4.5 to $5 million. We would be talking roughly in terms of $6 million.

Senator INOUYE. Six additional million dollars?

Mr. STAROBIN. Yes, sir.

Senator INOUYE. And you are certain that with another million, you can house those employees who are presently in the Employment Security Building?

Mr. STAROBIN. There are 400 employees there. Using a standard of approximately 150 square feet per person, we have a need for 60,000 square feet at a going rate of about $5.50 a square foot on the market.

Senator INOUYE. If you are going to lease something?

Mr. STAROBIN. We would have to lease it, in this case. At a per-square-foot cost of $6. We are talking in the neighborhood of $360,000 per year.

Senator INOUYE. Per year?

Mr. STAROBIN. Per year.

Senator INOUYE. So on first blush it does not seem much, because it is only $360,000 per year.

(Additional information follows:)

74-704 O - 72 - pt. 1 - 24

D. C. CONCEPT OF COST TO ACQUIRE EMPLOYMENT SECURITY BUILDING

As of Date:	1/71	7/72	1/73
A. Balance Due: (assuming no penalty)	$3,192,371	$3,022,338	$2,852,305
B. Moving Costs: 40¢ x 102,975 sq. ft. x 2(moves with administrative expenses)	98,856	98,856	98,856
C. Interrum Rental: 102,975 sq. ft. x (est. $6.00 less c. $1.00 (cost of building services) $5.00 x 2(yrs estimated rental with administrative expenses)	1,235,700	926,776	617,850
D. Demolition of Existing Building	225,000	225,000	225,000
SUBTOTAL:	4,751,927	4,272,970	3,794.011
Less Credit for Mortgage Payments * Not Made (@ $28.338.89 per month)	680,133	510,100	340,067
TOTAL REQUIRED:	$4,071,794	$3,762,870	$3,453,944

*Annual Interest Rate: 4.68750%

SPACE FOR EMPLOYEES IN COURT COMPLEX

Mr. STAROBIN. Mr. Chairman, as other people can tell you, I am very much a gadfly in the District to squeeze every square foot out of people, and to impress upon them that space costs $5.50 a square foot, year after year. I would much rather have them waste $5 on a fancy gadget once, than $5 a square foot for which we have to pay for years to come. I am very conscious of space and very concerned about saving it.

Senator INOUYE. On the basis of your figuring, 150 square feet per employee——

Mr. STAROBIN. Yes, sir.

Senator INOUYE. How does that compare with the Judiciary Building, the new court complex? How many square feet do we have for each employee?

Mr. STAROBIN. That would be quite different. We are talking about totally different kinds of spaces.

Senator INOUYE. Let's not include the courtroom itself.

Mr. STAROBIN. I do not have them before me, but the total building has about 800,000 square feet. I am talking now about phase I building, which I have not presented to you. Of that, a very significant part, I think about 150,000, is made up of courtroom space. Which would then bring that down to, say, 700,000.

There are about 2,000 employees who will be working in that building. We would be talking 300 to 350 square feet per person.

But, Mr. Chairman, in a courthouse we have many, very different types of space. You talk about libraries, you talk about jury rooms, you talk about large areas for people to congregate.

But there is no question about it, that the square footage per employee in a courthouse is totally different from that in an office building.

If for no other reason, which you will see after you analyze the study and the figures in greater detail, there is a very, very substantial figure given up to what is unusable space. I mean stairwells, lobbies, hallways and corridors. They apply a figure of 42 percent to the usable space for these purposes. That is totally unheard of in a normal office building.

The reason is that the densities of people you can expect in a courthouse far exceed what you expect in a normal office building.

Senator INOUYE. Is that the ratio in other court buildings?

Mr. STAROBIN. They have thoroughly studied other court buildings and have used that experience, sir.

Senator INOUYE. Is that what we find in the courts here, in Washington?

Mr. STAROBIN. Yes, sir. You take—I have not measured it—but if you walk into the Federal District Court, sir, you will find a large proportion of the space given up to corridors, lobbies, very wide stairwells. You deal in courthouses, not only with large crowds, but sometimes with very emotional crowds and very volatile situations.

It is getting to be more and more like that in our judicial system.

ALTERNATE SITE FOR COURT COMPLEX

Senator INOUYE. If this building were constructed north of C Street, bordered by Sixth and E—that would cover the building presently

housing the Recorder of Deeds, also—would the cost of the construction be $88 million?

Mr. STAROBIN. No, sir. As I stated, the $88 million is to cover the court's need as projected to year 2000. Of course, you give me a condition when you talk about site and——

Senator INOUYE. It is fronting on C, let us say, because there is land available there.

Mr. STAROBIN. There is land available. And if we wanted to build a compact courthouse.

Senator INOUYE. No, the same size.

Mr. STAROBIN. There is sufficient square footage on the site, the Government-owned site, north of C Street and running up to D Street, to accommodate a compact courthouse of these dimensions. In some cities you will find courthouses built like skyscrapers on very compact sites. What has been envisioned here was something quite different, an open design that would not appear so monolithic and overpowering in relation to the other buildings around it. Should we be restricted in site, there are other ways to go. We will have some battles to fight.

Senator INOUYE. We are talking about the administration of justice; aren't we?

Mr. STAROBIN. When you talk about the administration of justice, the exterior facade of the buildings and very often even its shape, is of secondary consideration. It is what lies inside of it that counts.

And, yes, to answer your question again, that site could accommodate a building of the size we are talking about. But we would give up a good many of the features.

Senator INOUYE. But this was not considered?

Mr. STAROBIN. As I say, we gave the consultant a given site, based on the fact the National Planning Commission had approved that site.

Senator INOUYE. Don't you think it might be cheaper if you just leveled down the Employment Security Building if it is offensive to the eye, and just had a beautiful park there?

Mr. STAROBIN. Well, the Employment Security Building is not particularly offensive to the eye.

Senator INOUYE. That is what we were told. That is why it does not meet the rigid requirements of the Fine Arts Commission.

Mr. STAROBIN. Mr. Chairman, permit me to put myself on the record clearly. If I am going to hang for it, I want to be hanged for things I did say and not things I didn't say.

Senator INOUYE. I didn't say you said it.

EMPLOYMENT SECURITY BUILDING

Mr. STAROBIN. I see. The statement about the Employment Security Building was this: To build a building of the magnitude, the volume, the type of purpose of the court house, and making it to conform to the Pennsylvania Avenue plan, which involves a setback from Pennsylvania Avenue curbline that is beyond that of the Employment Security Building, would create a mismatch of buildings that would create an unpleasant and unesthetic overall effect. I take no exception to the Employment Security Building as such, except I do not really think it belongs on Pennsylvania Avenue.

I have a strong feeling for this Nation and desire to make it beautiful and have deep regrets for what our Pennsylvania Avenue looks like now.

Senator INOUYE. I do not disagree with you. But since I was not here in this city, can you advise the committee as to how you reached a decision to build that Employment Security Building there?

Did it have to get approval from the Fine Arts Commission?

Mr. STAROBIN. I expect they did, sir.

Senator INOUYE. When did the setback come into effect?

Mr. STAROBIN. After the Pennsylvania Avenue Commission which was formed by President Kennedy, after his first trip down the avenue, after his inauguration.

Senator INOUYE. That is 1960, 1961——

Mr. STAROBIN. In 1961, when he took his trip down the avenue, and he saw what the principal avenue of the Capital of this Nation looked like, he caused to be formed a Commission on Pennsylvania Avenue, to look into what could be done to upgrade the avenue and make it worthy of this Nation's Capital.

Senator INOUYE. Then how did they approve the Employment Security Building?

Mr. STAROBIN. I am advised while we talk about 1964, that was the completion date. The cornerstone was laid several years before then, and the plans, undoubtedly, approved even before then, probably in 1961. The Pennsylvania Avenue Commission reports did not come out until several years after 1961. I do not know exactly, but I think, that the report came out about 1963.

Senator INOUYE. Did the Commission realize this was being built, without being in conformity with the beautification plans of the city?

Mr. STAROBIN. Here I must now, as a fiction writer, project myself into their thoughts.

Senator INOUYE. The Fine Arts Commission is not a creature that has just been in existence for 6 years. As I recall, it has been here for several decades.

PENNSYLVANIA AVENUE COMMISSION

Mr. STAROBIN. It has, sir. But until they were given the impetus of Pennsylvania Avenue Commission, they were not as observant of the type of buildings that went up there. The Pennsylvania Avenue Commission for the first time established such a plan.

Senator INOUYE. Does the Hoover Building have a 50-foot setback?

Mr. STAROBIN. I think so. I think it is in basic conformance, although I doubt it is in total conformance with the Pennsylvania Avenue plan.

Senator INOUYE. I doubt that the FBI Building, the new one, has a 50-foot setback. It may be you make exceptions as you get closer to the Capitol.

Mr. STAROBIN. I did not see the plans, but looking up at the pillars as they came up out of the ground, and if they describe the facade line, I think they are 50 feet back.

Senator INOUYE. I join you in the desire to have the most beautiful capital in the world but, at the same time, I think we have a responsibility of not only having the most beautiful, but one of the most reasonable priced. Or should we consider price as being irrelevant?

Mr. STAROBIN. I consider price very relevant, sir. The cheapest price is not always the least expensive price, however.

Senator INOUYE. We will have nothing. I would like to have another week or so to study this report.

Mr. STAROBIN. Certainly, sir. I hope when the matter comes up again that Judge Greene and Judge Nebeker do have an opportunity to be present.

Senator INOUYE. Certainly. I have been watching the TV reports with great interest. I have seen the Judge suggest that the Congress is remiss in its performance of duty. I presume the Judge has a copy of this report; does he?

Mr. STAROBIN. He does.

Senator INOUYE. When did he receive his?

Mr. STAROBIN. Late last week, sir.

Senator INOUYE. Well, I am glad at least we got it, even though we were the last ones to get it. We would hope from now on we would be placed on your mailing list with some higher priority.

Mr. STAROBIN. I will see to that, sir.

REPORT ON COURT COMPLEX

Senator INOUYE. As I indicated on the floor of the Senate when we were debating this matter, I cannot in good conscience really, honestly consider this request without this report before us. And now after we have begun our hearings, we get this report, and I find to my distress that, as always, we are the last ones to receive it. Next time, let's meet this committee at least midway. Not the first, because I do not expect to be the first, but not the last.

I want to thank you for your assistance today. As I indicated, we will be concerning ourselves with procurement when the capital improvements program comes up.

If I may, I would like to request that the court complex be considered when you can be present, also. I think your participation will be most helpful.

Mr. STAROBIN. I will be here for all capital items and certainly plan to be in attendance for that particular subject.

Senator INOUYE. Thank you very much.

Mr. Jordan has one question.

Mr. JORDAN. Colonel Starobin, would you be good enough to make available at the time you come back and the time we hear this item, any State or municipal courts you or the court system is aware, that meet or exceed the States' requirements called for in the Westinghouse report?

Perhaps, also, some relevant cost items could be included in that?

Mr. STAROBIN. We will start immediate research on that subject.

SUBCOMMITTEE RECESS

Senator INOUYE. We stand in recess until 10 o'clock tomorrow morning.

(Thereupon, at 4:50 p.m., Wednesday, March 15, the subcommittee was recessed, to reconvene at 10 a.m., Thursday, March 16.)

DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 1973

THURSDAY, MARCH 16, 1972

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, D.C.

The subcommittee met at 10:10 a.m., in room 1224, New Senate Office Building, Hon. Daniel K. Inouye (chairman) presiding.

Present: Senator Inouye.

DISTRICT OF COLUMBIA

GENERAL OPERATING EXPENSES, OTHER INDEPENDENT OFFICES OF AGENCIES, OFFICE OF ASSISTANT TO THE COMMISSIONER FOR YOUTH SERVICES

STATEMENT OF DR. JAMES L. JONES, DIRECTOR

ACCOMPANIED BY:
JAMES FEATHERSTONE, DEPUTY DIRECTOR
PATRICIA M. SMITH, BUDGET OFFICER

BUDGET REQUEST

Senator INOUYE. The subcommittee will please come to order.

This morning we will continue our hearings with Other Independent Offices and Agencies. The budget request for fiscal 1973 for these Agencies is $7.1 million, an increase of $494,400, over the adjusted base for fiscal year 1972, and $850,800 more than the fiscal year 1971 obligations.

For our first witness, we will hear from Dr. James L. Jones, Director of the Office of Youth Opportunity Services. His budgetary request is $1,988,700.

Welcome, sir.

Dr. JONES. Good morning. I would like to take this opportunity to present to the committee the justification and explanation for my request in the 1973 budget, which is $1,988,700.

I would like to deviate from the normal presentation pattern and present slides with the thought in mind that with these visual aids we can reduce the explanation of what do I do and where does the money go.

PREPARED STATEMENT

So I would like to submit for the record my prepared statement with slide pictures and other visual aids, I would like to present some of the programs of the unit which will also provide an overview of the program and maybe use that as a background for questions or any other information the committee might want.

Senator INOUYE. Please proceed, sir.

(The statement follows:)

Mr. Chairman, I am Dr. James L. Jones, Special Assistant to the Mayor—Commissioner for Youth Opportunity Services. I would like to take this opportunity to express my sincere appreciation for the privilege of appearing before you today.

In my testimony before you today, I shall outline for you and your distinguished Committee Members how the Office of Youth Opportunity Services provides a vital and needed mission in the total scheme of municipal delivery of goods and services to the citizens of the District of Columbia.

To carry out these responsibilities, this Office is requesting $1,988.7 million dollars for FY 1973. This request is 31.7 thousand dollars more than FY 1972's request, however, it represents only the mandatory revenue necessary to cover the most recent Federal pay raise. This does not allow for any increase in levels of programs.

The Office of Youth Opportunity Services serves as the overall coordinating unit for all youth programs of the District of Columbia. One of its major purposes is to insure that each and every program related to youth is functioning in a harmonious fashion to produce the most desired effect on the children and youth of the District of Columbia. Through this Office, the public, private, and volunteer agencies who have programs serving youth, come together to coordinate their efforts. These coordinated efforts are affected at every level, that is from the Mayor's Cabinet level, down to the operational and service level. THIS OFFICE SERVES AS THE CHILD ADVOCATE OFFICE. Also, this Office performs those functions that in many other localities are performed by youth service bureaus or Youth Commissions.

To enhance and expand the coordination and information gathering and dissimenation relevant to youth programs in

the District of Columbia, the Office of Youth Opportunity Services has established a Youth Strategy Room that has collected and recorded pertinent information in regard to over three hundred (300) programs that render some kind of service to the young citizen of the city of Washington, D. C. In addition, the Juvenile Delinquency Division of the Office of Youth Opportunity Services has the responsibility of serving as the State Agency for the implementation of the Juvenile Delinquency Prevention and Control Act of 1968 as amended in 1971.

This Office has developed a comprehensive plan to effectively impact upon the juvenile, anti-social behavior problem that ever major urban center must face today. The plan itself at present is under going an extensive review process to determine its applicability and feasibility for the District of Columbia.

It is anticipated that this programmatic approach to juvenile delinquency (Youth Assistance Service System) will influence and reverse the juvenile Crime picture in this city.

To further reinforce those aspects of services that tend to prevent anti-social juvenile behavior Youth Opportunity Services also has an additional function of support of the activities of all community based youth programs through the Neighborhood Planning Councils. Specific community based youth programs are designed and developed in conjunction with community residents in the areas of Economic Development, Youth Employment, Youth Enterprises, and Skills Training types of programs. This elements' programmatic effort is based upon the cooperative coordination between government and citizens in an effort to up-grade the exposure and experimental base of those citizens receiving goods and services affecting youth development and citizenship.

The Office of Youth Opportunity Services, also through its Youth Programs Unit, has effectuated on a continuing year-round basis, an effective on-going program of participatory democracy that embraces the involvement of youth at a very early age. The motivating philosophy that carries and sustains such an effort is that if young citizens can acquire, or be exposed to the basic rudimentary skills of practicing citizens, it will enhance their competencies and sense of responsibility for positive citizenship as they increase in growth, knowledge, and wisdom.

Other areas of responsibility and significance that are coordinated and supported by the Office of Youth Opportunity Services' Youth Programs Unit are: a massive summer feeding program, coordinated with the U. S. Department of Agriculture, D. C. Public Schools, D. C. Recreation Department, the Neighborhood Planning Councils, and the U. S. Park Service; a series of city-wide programs designed to enrich the experimental base of inner-city youth and to afford some youthful residents avenues for continued educational pursuits; and the development of programs that facilitate the smooth and easy transition from young citizen to adult responsible citizenship.

To support these programmatic efforts, the Office of Youth Opportunity Service is requesting 1,766.0 million dollars to carry out its efforts in the area of community based and coordinated programs. Also, this Office is requesting 222.7 thousand dollars to operate its Juvenile Delinquency Office making a total appropriated request of 1,988.7 million dollars.

This total sum represents no increase, however, this dollar figure represents a greater effort to absorb the rising cost of producing the same level of service and still try to improve those services of which the youthful citizen is the recipient

and beneficiary. Despite the monetary constraints, there has been a noticeable improvement in the juvenile crime problem and the involvement of young citizens in constructive programs across the city.

It is anticipated that the Office of Youth Opportunity Services will receive approximately $2,037.8 million dollars in various grants. This approximation would mean that the Office could anticipate a possible resource base of 4,026.5 million dollars.

The total resources available represent a net increase of only 249.9 thousand dollars. This coupled with the mandatory increases resulting from the most recent federal wage increases presents a very serious strain and taxation of resources to produce the same level of services which is the goal of the Office of Youth Opportunity Services. Also the lost is part of a continuing decline of grant dollars to the city for youth services.

Along with the established priorities of the Office of Youth Opportunity Services, it is increasingly called upon to plug in the gaps and voids created by the reduction and/or ending of various grant programs. It is with this view in mind that the D. C. Government is attempting to provide in its base appropriation sufficient funds to insure that the special needs of our youth are met on an assured and continued basis.

In Summary, it is significant to note that the community-based programs designed to meet the needs, aspirations, wishes and desires of the youth of the District of Columbia have matured and become much more sophisticated since the maiden year of 1968.

In 1968, enrichment type programs were basically recreational and educational in focus and thrust. Programmatic efforts were directed toward increased experimental exposure for a larger segment of the youth population of the District of Columbia. In the summer of 1968 approximately 45,000 to 48,000 children and youth were involved with government sponsored enrichment type programs to varying degrees.

In 1969 the District of Columbia's enrichment program efforts centered around on-going projects for continuous enrichment to the extent that more skill development and training were incorporated into the total program design and format.

Finally, it is the sincere belief of the Office of Youth Opportunity Services that despite the tremendous obstacles that must be conquered, quality municipal services can be generated and maintained by utilizing the collective resources and expertise of the community in a joint partnership with the District Government.

SLIDE PRESENTATION

Dr. JONES. The first slide is the picture of a young man, which is really what we are about in terms of our business, seeing that these services are provided to young people.

This is a slide of the headquarters of one of the courtesy patrols, of which there are about 21 located throughout the city, and about 475 young people. Their major function is to assist in reducing juvenile delinquency, they also patrol bus stops and serve in various other kinds of capacities designed to reduce crime. I will rapidly run through some of these slides depicting their activity.

Here they are on patrol. I would like to note at this point, the stride of the young men in this picture, it is indicative of the pride in which they participate in this particular program. Many people thought that young inner city blacks did not care about the crime rate in their community nor the protection of their parents and relatives in the community. But this program has proven a far greater success than we envisioned initially. The psychological impact of this program in the minds of the inner city young blacks which focuses on taking care of the safety in their own community and not depending upon external forces.

Here they are at a bus stop.

Young ladies also participate in this program and we found this element to have a great positive influence on the total program and, particularly, the behavior of the young males in the program.

This particular slide is after dark. But what has happened recently, is a program where the patrols look for abandoned cars throughout the community and report their cars to the police in order to reduce auto theft and car stripping. It is a major strong point of the program.

SEARCHES FOR MISSING CHILDREN

As you know, we have had a rash of young people missing, and the police will only respond in some cases after the child has been missing 24 hours, especially if it is teenagers. And what happens on many occasions when a mother reports that she cannot find her child? She will contact the Courtesy Patrol Headquarters and they will fan out and conduct a search for the child. In fact, in the recent case of a kidnapping, one of the adults on the Courtesy Patrol was instrumental is assisting the return of the child. So this is another kind of community service the courtesy provides.

Here in this slide they are coming out of the Mayfair headquarters. A lot of these patrols are located in public housing units and areas of high crime incidences. The theory was to reduce those street crimes by observation, sentinels, and alarms, using teenagers who live in the community.

They receive training in communication in first aid, remediation in reading math, and mostly leadership training.

This slide is a group photo.

These uniforms that they wear are produced by an OEO–funded program operating out of my office under the Economic Development Enterprise for Young People. What we have done is enable this program to produce the uniforms for the Courtesy Patrol, making it almost totally a community project. This particular program that is

the youth factory has been funded by this office. And it has just received its Dun & Bradstreet rating, and it looks like what OEO wanted in terms of youth enterprises. It is presently operating in the black.

This is another Courtesy Patrol, multifunded by Model Cities from my office, and HEW, located to Northeast, on Florida Avenue. They have a teenage nightclub.

During the holidays and special events, they have a lot of kids in there for parties and so forth. This slide shows their redecorating the club. The oldest person is about 25 years old. The significant element in this program, is its unique approach to dealing with youth problems. I talked the last time I was before you about the theoretical model of community programs and how they are differentiated from municipally run programs and federally run programs.

For example, during one holiday when I visited the teenage nightclub, there were about 200 kids there and there were some young people high on something. I could not tell whether it was codeine or pot or what have you. I said, "What do you do about this; don't you put these kids out?" He said, "No, you know that. We are trying to get a hold of them and see what the problem is and work with them."

This is the difference. We do not put them out when we encounter a problem. We attack that problem. There is always some element of risk involved when you are dealing with something which has a negative society stigma. So I watch this closely. I am very interested in how they manipulate, and they are doing a very good job.

As you can see, he runs the place.

BOOKSTORE OPERATED BY YOUNG PEOPLE

The same program has a bookstore on H Street. Which is not doing too well economically, but the young people operating it are learning some business, and I think that is what the main purpose of the program is about.

I had one negative letter about some nasty books being sold. I checked it out. It was only Playboy.

In that same building in the basement, they have a library for young people, of elementary school age, and they go around collecting books from the community. This has proven to be a rather successful program.

This is a slide involving the Roving Leaders. A lot of people ask, "How did that get in your department?" This shows the coordination between all of the agencies in the District government. As we proceed through these slides, I will take time to note examples of agency coordination and cooperation. The Roving Leaders work in conjunction with the Courtesy Patrol. They have low visibility, individual counseling type program profile whereas the Courtesy Patrols have high visibility and group guidance type program profile. They work along in the areas where Courtesy Patrols are located and Roving Leaders are located.

Here is a slide of a little group session being conducted by the Roving Leaders.

We have removed the lines of who does what at the operational level, because I don't think the young people receiving the service know or

care whether it is Recreation, Office of Youth Opportunity Services, or Department of Human Resources, or Public Housing which is providing their assistance.

Here the Roving Leaders are working along with the businessmen on 14th Street.

ADULT COURTESY PATROL

This slide shows an Adult Courtesy Patrol that was developed as a result of trouble developing on 14th Street a lot of times. In times of travel, requests would always come in, seeking information as to what citizens do we have on 14th Street who we can go to, to see what is going on. This social club is functioning in that capacity. We received a grant from LEAA to have them patrol regularly on 14th Street, and where "hot" incidents occur, try to diffuse it before it blows up into something bigger and, as a result, negate the necessity for police action. This has proven to be a very successful program.

When we arrived during troubled times, it is a mighty good feeling when you are a public official arriving on the scene and somebody greets you and says, "We are on your side and are here to help and calm things down."

A lot of these men were out of work. D.C. Teachers College has this contract, and we are hoping that from this continuing program, so to speak, they will move on out and get on the employment rolls into better jobs.

Now, during the summer, we employ a lot of young people to do a lot of things. One of the things we are interested in is skill development. I want to distinguish this program from recreation because that is always the big problem, how do you distinguish this program from recreation. Recreation does not provide this kind of skill activity. What we do with the grants and appropriated monies is build in skill development type programs. This slide shows youngsters replacing windows. They replaced about 2,000 windows in various public housing and other settings, and they have received a lot of training and enjoyed it, and in addition also learned something. So this went well.

They also did some minor plumbing and some tile laying and some general helper-type activity.

This slide shows a youngster making a cabinet.

They made many items. Many of these programs are housed in public housing basements, some in schools, some storefronts, and any place you can get basically a free space.

SUNFLOWER YOUTH MARKET

There is a sewing program in these slides and this next slide shows as usual always cooking a good chicken. This next slide is very interesting and unique, it is the Sunflower Youth Market. The people in the community said, "we want to start a market in an elderly building." And so the Garfield Terrace is a public housing building. The rationale behind such a market was to provide a market within the building which would prevent the elderly from going to 14th Street or Seventh Street—which is a long distance to get a box of snuff—you may not know what that snuff is, Senator. The community converted a laundry room, in the building into a store and now these people have what we call the "Junior Watergate Safeway."

It is doing extremely well.

Here is a lady shopping at the store. I cut the ribbon on this one, and it was a very nice occasion. We would like to repeat this type program in some of the other elderly public buildings. This type of program brings the young people closer to the elderly and it has a tendency to let the older people know that all of the young people are really not out there to do them harm.

Photography is growing and is a good profession to pursue, particularly with the development of the Howard University School of Communication. We are doing a lot of that type of program. A lot of people frown upon that because the equipment is rather expensive, but you have to go first-class sometimes.

A ceramic factory on New Jersey Avenue is doing well. They produce a lot of items. But we are having difficulty in finding an outlet which would increase the sales, so we are looking for a place in Georgetown or some other place to try to sell some of these items, so they can become self-sustaining. The following slides show clothes being made, dancing and cooking.

Now, here in this school is a go-cart concession that is run by that Mediator Club out there. They let the little kids ride free, but teenagers pay a small fee to keep the carts going. This is an activity which is recreational in nature, but operated by the community which means if they want to operate it on Sunday from 2 to 7, they do not have to pay triple time, on night time differential. This is another distinguishing characteristic from a recreational program run by the municipality. It gives the community the flexibility necessary to meet their particular needs and also provide a great deal of leadership and development.

This is a slide of a backyard program, on about a $2,000 budget, with a lady that has so much charisma in relationship to young people that about 300 youngsters a day go through that program. It is just in a plain backyard, right off 14th Street. This is another community program. She doesn't have a great deal of training but she does have a great deal of tender loving care.

This is a slide of a basketball tournament which is recreational in nature, but Walter Pierce, who is a Neighborhood Planning Council chairman, coordinated it with the recreation department and did a joint effort in bringing about what they call, or what we call, the "Ghetto Tournament."

Here again, you find young people volunteering, not on a payroll, to set up activities. Some people will come along and say that is duplicating and "why doesn't the Recreation Department do it," and what individuals such as Walter is saying is, to extend our recreation activities. Here again, the community is moving in close concert, not in conflict with the Government.

EDUCATIONAL TRAINING CENTER

This is an educational training center where bilingual languages are taught, both Spanish and English. I do not particularly like storefronts anymore and I am trying to get rid of them because that was an era of poverty and I think we ought to move out of that kind of posture.

This is a slide of the school lunch program in which we feed about 66,000 young kids each summer. Here again, we can see some coordination that the papers always talk about the lack of coordinates, in this program.

We have the Agriculture Department, District of Columbia schools, we have the Recreation Department, we have private churches, some eight different agencies participate in this feeding program. And the coordination is so well that the young people end up eating lunches but nobody knows how the coordination is affected except some of the sandwiches didn't taste good on Wednesday, the children complained.

If I sound a little caustic, it is because I am a little tired of the heavy criticism that we received and no one talks about what we are doing well, particularly in my area. We have the Nelson Commission and we have another bill before you, but all of these things talk about what we are not doing. I am here today to tell you what we are doing and I am going to refute all of those accusations with documentation and anything else I can.

I'm a little tense.

VOTING FOR NEIGHBORHOOD PLANNING COUNCIL

Here we have the Neighborhood Planning Council voting. A lot of people talk about community participation. We had over 10,000 young people and adults register in this voting process, and about 4,000 to 5,000 cast ballots.

Here is a training session we are conducting with my staff to go out and assist the community in this election process.

That's me. And Red Featherstone.

Now, here is a sight that needs a little explanation. Many, many authorities who write on the subject of inner city youth but never enter into the city say this young inner city black males are not interested in voting. This picture is of a football team coming in after practice to vote for the youth chairman, youth vice chairman and adults in a Neighborhood Planning concept. This is the kind of thing to let you know that you are on the right track when young people will come in. In this particular area, 1,000 people cast ballots. Of the 1,000, about 700 were young people between the ages of 13 and 21. So we are, in fact, psychologically conditioning our youth people to vote and participate in a Home Rule type situation.

The reason I feel that there is so much apathy at the polls, is that our young people cannot practice this until they get to voting age. So this particular program provides that vehicle that will allow them to show their will, demonstrate they are interested in the democratic process, and move this city by orderly process.

Here again we have the same group. Some are just listening. And they are not raising hell. They are truly interested in it. These pictures were not staged shots.

This is a lady and this is a nice lady. She is interested in the program and in voting. Some people say, "only a few cliques" operate the program. This is untrue.

Here again we see coordination with the private sector, the Boys Club are always on hand, where we have hot issues and people really wanted to get involved. Sometimes they get a little unruly and they want to "storm" the ballot box. The Police Boys Club has taken up a

position to ensure it is a clean, honest election. We also have Dr. Martin from the Board of Elections supervising the elections with his particular group out of Howard University.

This slide is over in Georgetown. The city is coming together and will stay together, because this is probably one of the few organizations that spreads across the City in terms of providing a central theme which the entire city can select to and bringing all of the people together. I am sure that is the Mayor's theme, and that is what we work on.

COORDINATION OF YOUTH PROGRAMS

Now, people talk about no coordination. And ask "What are you doing about it, and where is the information." Here, again, we have been blasted in the paper. We had set up a youth strategy room that I told you about last year. It is about 95 percent functioning. We have utilized it and we brought together all of that information through a great deal of planning, of which we have done, and this has served the city well.

Our critics, dare not come because they will be faced with the truth and not knowing will allow them to stand back and criticize. Here is a list of all programs. Well, this is the Federal programs and we have the same list for the private programs. Here is a slide that is showing by area where programs are located.

And that is the old Ed in there who runs the shop and handles all of those calls about who is doing what.

This slide shows a little confrontation. A lot of people think that we stay in our offices and don't get out, but many times we go for firsthand observations.

In fact, I went out this day and I wished I hadn't, because some people were unhappy and they were complaining personally to me. I enjoyed the privilege of having them blast me on the scene, rather than go to some other source. We rectify any of those complaints we possibly can.

Along with that, sir, we have developed a comprehensive plan which is under review, which is part of the mandate from the 1968 Juvenile Delinquency Prevention and Control Act. Those programs are listed there. We have compiled a reference of all programs in the city involving youth services, which will allow all of the agencies to use this, and a summary of the plan.

In addition to that, we have evaluation reports on the Mayor's programs, which we make available to you, that we do internally.

We are asking for $1,988,700 to fund the operation of the Office of Youth Opportunity Services, of which you have just seen some of the programs that we are sponsoring with this particular money.

That is the end of my presentation.

FRAGMENTATION OF DISTRICT YOUTH PROGRAMS

Senator INOUYE. Thank you.

Before I proceed with my questions, I have been requested by Senator Mathias, of Maryland, to ask a few questions he has submitted. He regrets he cannot be here this morning. So, in his behalf, I have a few questions to ask of you, sir.

The Senator stated last Thursday that juvenile services offered by the city government are "fragmented and lack the coordination to attack juvenile delinquency problems in the Nation's Capital." Do you wish to comment on that?

Dr. JONES That statement is not valid. And the reason it is not valid is because we have been coordinating the programs, and the coordination has resulted in a plan, which I would submit to the Senator. The impact is shown. We cannot break it out, but we do feel, in the overall reduction in crime, there has been a reduction in juvenile delinquency, and we cannot attribute that to lack of coordination.

I have a chart here. I won't go over it but we can submit it for the record, where certain delinquent crimes have dropped in terms of misdemeanor, 6.8 percent; assault, 4 percent; burglary, 16 percent. These statistics came from the police department as a breakout. So I would submit to you that those statements—that particular statement is not true.

Now, you have to define "fragmented." I think that is a misleading term. Some people think because everything is not put under one gigantic supercircus it is fragmented. But one of the approaches we are taking is, there are departments with expertise in particular areas and that expertise relating to young people ought to stay there and the coordination function to maximize that and not develop another general conglomerate.

We are in the process of realining some of the recourse which we feel are germane to juvenile delinquency prevention, such as realinement of the Roving Leaders, ACT and PACT and some of those recommendations have been made to the Mayor and he has not reacted to them in terms of what is his pleasure.

But I can assure you and the Senator that a lot of things people are saying are not true. And I don't really know, that may have been true in 1968, but it is not true now.

YOUTH COMMISSION FOR THE DISTRICT OF COLUMBIA

Senator INOUYE. What are your thoughts on Senator Mathias' proposal to establish a youth commission in the city?

Dr. JONES. I think that under the reorganization, we are doing everything a youth commission could do. In fact, when you read the bill and you look at our material, you will see a great deal of similarity. As I pointed out, they wanted a central data collection center. I told you we would have one last year and we have one.

They talk about all kinds of advisory boards. We have those. They talk about computerizing a management information center. We have that. All of the things in that bill are presently and have been worked on for a year since I talked to you.

As for an independent commission, I have some trepidations about anything independent in a city that is supposed to work together. I think ultimately the Mayor will receive the brunt of a failure, as he does a success. So when we set up anything independent and remove it from his control, when the balloon goes up, he still gets that slack. So we ought to keep it with him because he takes the brunt of the failures.

Our young people ought to be under the control of the man that ultimately has the responsibility, because I do not know what a separate agency can do that we can't do under our existing structure.

Senator INOUYE. At the present time, if there is a failure in one of the programs for our young people, to whom do we go—the Human Resources Division, the Recreation Department or your Office?

Dr. JONES. You go to the specific failure. If there is a general failure, which I do not think there is, then you would come to my office, because I have that responsibility. But if there is a swimming pool not operating in Northeast, I don't think I ought to be concerned with that. But I do think I could hook up with Joe Cole and say, "let's get that done."

Senator INOUYE. Aren't you coordinating that program?

Dr. JONES. I am, but I am not operating it. So if the complaint comes in, "We need a swimming pool," we would convene the necessary agencies and discuss that and go about making a remedy. So the coordination is significantly different from operation and I think it ought to be like that.

REORGANIZATION OF YOUTH AND JUVENILE DELINQUENCY PROGRAMS

Senator INOUYE. Do you have any plans to reorganize any of the youth and juvenile delinquency programs so that there is greater coordination and greater impact between them and the rehabilitation efforts in the schools?

Dr. JONES. Yes that is what this whole Youth Assistance Center is about. I am prepared to go over that with you, which will really show you how we, in fact, intend to do it.

Senator INOUYE. How many participants do you have in this program?

Dr. JONES. In what respect? This model here? We have all of the agencies proposed to participate in here and all of the young people who need services.

Senator INOUYE. How many young people are involved in the courtesy patrol program?

Dr. JONES. We have 475 young people involved and we have a total of 21——

Senator INOUYE. 400?

Dr. JONES. 475. And these are mainly NYCs out of the Labor Department, of which we must provide 45 percent matching funds and the supervision and equipment and supplies.

SALARY OF NEIGHBORHOOD YOUTH CORPS

Senator INOUYE. How much are they paid?

Dr. JONES. They receive $1.60 an hour and they are working 5 hours a day. But it was cut back to 2 so they work 2 and volunteer about 3. So they take home about—what do they take home every 2 weeks?

Mr. FEATHERSTONE. About $50.

Dr. JONES. About $50 every 2 weeks.

Senator INOUYE. How many adults are involved and what do they receive?

Dr. JONES. We have between three and four staff members and a senior youth aide. They receive—junior youth aide, $1.60, which is

synonymous with NYC's; the senior youth aide receives $2.08; and an adult assistant, $2.98; and director I, $3.71. We generally have a director I, which we have a job description for to direct it as the leader.

The salaries are not very high. We emphasize this is not a money-making program, it is a service program.

Coordination With Charitable Organizations

Senator Inouye. In your operation, do you take into consideration the activities of charitable organizations, such as the Little League, various religious organizations, et cetera?

Dr. Jones. Yes. All of the existing resources in the community—and if I could just move to the chart, I think I could just illustrate that a minute.

This particular system has all of the existing agencies that are designed to socialize young people, and if they do well, they go out. But we know there are some deficiencies in these existing organizations. Responding to these deficiencies are a multiplicity of specialty programs.

What happens is that we have all of these programs throughout the city. Somehow we have to bring them together to impact on the total child and, at the same time, don't lose him. So here we have schools, higher education, recreation.

Responding to some of those special deficiencies here, we have a multiplicity of programs, like truancy programs, drop-out programs, narcotics, ACT and PACT, and all of that. But somehow when a referral is made, they make it on a 1-to-1 basis. If a person has dyslexia and cannot see, and the schools think he has a reading problem, they send him there. But at the same time, he might have a narcotics problem, bad feet, ulcers, and cannot hear. So how do we deal with that when we know it is impending on his ability to read.

Youth Assistance Center Proposal

So in the plan we are proposing a 24-hour Youth Assistance Center be established in certain parts of the city, that all of these agencies make referrals to. And we give the child a complete diagnosis, write in the social service prescription and put in it these programs to take care of all of those deficiencies at the same time, with a strong follow-up to make sure that he is, in fact, getting that needed service so he can get back in here and get out.

Senator Inouye. You mean medical diagnosis?

Dr. Jones. Legal service, medical service, psychiatric service, counseling, so when a kid comes in, he doesn't know what is wrong with him, nor does mama, so we have to give him a good look-see.

Senator Inouye. This is 24 hours a day?

Dr. Jones. 24 hours. The main feature about this is to prevent delinquency, to keep him out of the juvenile justice system, which is all of this: service of court, corporation counsel, superior court and institution.

What happens is, when the police come in contact with a young person, with these centers set up, he does not have to take him to a

precinct nor let him go. He can simply call and we can pick him up on the spot and he won't even be papered. As a result, it will keep him out of that system.

We also hope the courts will utilize this. They say they have a backlog and difficulty. As a result, we will reduce the number of kids going into the system, we will give them some service and follow them up.

The measure is, if we have in a particular area, x-number of people who are juvenile delinquent, x-number are "Pen's" in a particular area, and x-number who are not, then with this system we can begin to see how many were delinquent we have taken care of and are back on the track, how many "Pen's" didn't get deeper, and how many nondelinquents didn't go over the line, and begin for once to measure what we are doing.

Now, what we are doing in this particular area, which is far Northeast, we have already made the survey. We had a meeting of all of the directors of these youth services and said: "Do you want a center, do you think you can use it, and it will only work if all of us work and coordinate together." So right now, we have a tentative grant to set up one of these centers and the people have indicated that they want it. So now we will be testing in an area to see if all of this service, regardless as to who they are—be they private, Federal, public—can come together and impact on the child. We did the statistical analysis as a basis for the location of the Center which indicated the most number of kids, and some severe problems in that community with youths and that was one of the criterion for looking at this area.

This is what we intend to prove this coming year about delinquency and what we are doing about it.

This is why I say that those statements, I feel, at this point in time, are inaccurate.

To keep up with all of this is a management information system, which will give us for the first time some accountability on what they do, and how well they serve. We won't go over that.

Plan for Combating Juvenile Delinquency

Senator Inouye. Continuing with Senator Mathias' questions, City Council Chairman Gilbert Hahn said last year that the District of Columbia had, "no plan for combating juvenile delinquency, not even a bad plan."

What are your thoughts about that, sir?

Dr. Jones. Here, again, that is inaccurate, because here it is. And I submit it for the record. And he has a copy.

Senator Inouye. Would you supply this committee with the sources and amounts of Federal grants you have received in the past fiscal year. Also, indicate what you anticipate receiving in this fiscal year. We have some difficulty coming to any conclusion because of the confused nature of the funds. Can you tell us how much you receive?

Dr. Jones. For 1971, we received $1.956 million in grants; for 1972, we anticipate $2.003 million in money grants coming from a variety of sources.

I think there is no confusion in this approach because one of the theories of the Federal Government is that we ought to go to all agencies having moneys that are supposed to be used in conjunction with combating delinquencies. So we are forced to go to HUD for one part, to go to HEW for another part, to LEAA for another part. And one of the things that enables you to survive if you are going to utilize this money, is to know where it is and go get it. We feel derelict for not even getting more.

This is an appendix. We have OEO, HEW, LEAA grants, summer transportation grants, and some food-in-kind from Agriculture for the summer program.

Senator INOUYE. Do you also receive money from UPO?

Dr. JONES. Yes. That is our major grant, of $1.4 for 1972.

Senator INOUYE. Is that included in your $2.003?

Dr. JONES. Yes, that is.

Senator INOUYE. Does this figure also include funds that have been granted to the Recreation Department and the Department of Human Resources?

Dr. JONES. No; it does not.

Senator INOUYE. Why not? These funds are applied to youth activities. This is what I am talking about by confusion. We know that Human Resources has received grants for activities relating to youth activities, the same with the Recreation Department. And from your testimony, I gather that you have the coordination authority for all of these agencies.

Dr. JONES. Yes. Grants, proposals involving youth programs, I do review.

Senator INOUYE. How much are they?

Dr. JONES. I do not have that figure before me.

Senator INOUYE. Would you furnish this committee with those figures?

Dr. JONES. We certainly will.

(The information follows:)

REPORT OF 1973 FEDERAL GRANTS RELATING TO YOUTH - RECEIVED BY D.C. AGENCIES

AGENCY	PROGRAM	SOURCE OF FUNDS	AMOUNT
Public Defender Service	Trial Representation	Office of Economic Opp.	25.0
Commissioner Status of Women	Project Women	Law Enforcement Asst. Admin.	36.6
Public Library	Neighborhood Youth Corps	Labor Department	101.0
Enviromental Protection	Neighborhood Youth Corps	Labor Department	20.0
RECREATION	Neighborhood Youth Corps	Labor Department	750.0
	Roving Leaders	LEAA	110.0
FEDERAL CITY COLLEGE	Staff Development Laboratory	HEW	270.0
	Early Childhood Learning Center	HEW	40.0
	Headstart	HEW	44.0
HUMAN RESOURCES	Maternal and Child Health A	HEW	153.3
	Maternal and Child Health B	HEW	70.0
	Crippled Children "A"	HEW	156.6
	Crippled Children "B"	HEW	70.0
	Comprehensive Health Services	HEW	358.7
	Immunization Program	HEW	112.0
	Maternal and Child Health-Mental Retardation	HEW	100.1
	Maternity and Infant Care	HEW	1,416.0
	Children and Youth Project	HEW	978.1
	Lead Poisoning Prevention Project (Model Cities)	HUD	431.4
	Children's Bureau	HEW	179.0
	Elementary and Secondary Ed. Act	HEW	521.0
	Addiction Services for Youth	LEAA	68.7
OFFICE OF YOUTH OPPORTUNITY SERVICES	Juvenile Delinquency Prevention & Control Planning	HEW	64.0
	Youth Courtesy Patrol	HEW	97.0
	MDTA/Recreation Special Program	Labor Dept.	228.0
	Courtesy Patrol Equipment	LEAA	18.7
	Summer Transportation	Nat'l League of cities/ Conference of Mayors	23.0
	City-Wide Youth Program	OEO/UPO	1,436.4
	Pilot Youth Service Center	LEAA	80.7
	Neighborhood Youth Corps	Labor Dept.	269.1

REPORT OF 1973 FEDERAL GRANTS (cont'd)

AGENCY	PROGRAM	SOURCE OF FUNDS	AMOUNT
Washington Institute of Technology	Neighborhood Youth Corps	Labor	215.0
D. C. Public Schools	Impact Aid	HEW-Labor-HUD-Dept. of Justice Agriculture-Dept. of Transportation	35,447.7
TOTAL			43,891.1

Any additional Information Concerning the Above Grants can be found in the "Grants Supplement for the 1973 Budget for the District Columbia"

AVERAGE TURNOUT FOR ELECTIONS

Senator INOUYE. You have indicated in your film presentation that all of the councils are comprised of elected officials. What is the average voter turnout for one of your neighborhood planning council elections?

Dr. JONES. We had a total of about 4,500-some turn out for this election. It depended on the area. In far nothreast, we had a thousand turn out; in upper northwest, we had anywhere from 100 to 200 turn out. So it varied, depending on the neighborhood. I think there is an explanation for that. The explanation is that more people are interested where the money goes and when you have a large pot of money designated for poverty areas, as a result, you have more inner action.

Senator INOUYE. Do you consider this a good turnout when you consider you have a staff of over 500?

Dr. JONES. I considered it a good turnout in view of the turnouts of all elections in this kind of process. And I say that because we spent very little money on any kind of election campaigning. It was all done by word of mouth. I think we did a commendable job and I think it is the germination of the idea, and I think it will grow.

Senator INOUYE. One would get the impression by watching your film that you had a massive turnout. But it is less than 10 voters for each paid staff member. I am wondering if this is a good ratio.

Dr. JONES. You mean staff members and the community? What staff members are you referring to?

Senator INOUYE. You have persons on the courtesy patrol and other programs that are all on the payroll. I would suppose that these people become involved in character building, citizen building and voter participation, don't they?

Dr. JONES. I think that they did a good job. I think that the voter thing is a very, very heavy psychological deficit that we have to overcome, and that the results are long range, and when you don't have the delayed gratification capabilities, all of these play a factor. A lot of people come to the poll and I think if you view the history of all of the voting in the District, it is deplorable in terms of turnout and the number of people eligible. I think the pattern is consistent with the overall pattern, but I think we are starting at the point we can vitiate a low voter turnout in the future because then it will become habit-forming if you start at 13.

NUMBER OF STUDENTS ELIGIBLE TO VOTE

Senator INOUYE. How many students do we have in the high schools?

Dr. JONES. I think we have 52,000 in the secondary schools, and of the secondary schools we have 13 high schools. And in that, I would say—I do not have the figure offhand—but I would say about one-third in high schools. We have 243,000 school-age children.

Senator INOUYE. Looking at your chart, I gather that you are a rather busy man with all of these activities?

Dr. JONES. Well, it requires an 18-hour day plus.

Senator INOUYE. How do you find time to study law?

Dr. JONES. Well, I find that time between 11 at night and 3 in the morning.

Senator INOUYE. You are a full-time law student, aren't you?
Dr. JONES. Yes. I have a modified schedule.
Senator INOUYE. At Howard University?
Dr. JONES. Yes.
Senator INOUYE. And you put in 18 hours plus 3 hours each night?
Dr. JONES. I get to work at—2 or 3 days I get to work in the morning at about 6:30, then I go to class and I am back at 12, and I stay until about 11 or 12, about 10 or 11 every night. I get home, start studying.
I would like to say that I anticipated this question and I would like to say something about that. Because a lot of people will draw an inference that there is something wrong with that. And Public Law 89-478 specifically——
Senator INOUYE. We are not making any inference.

ATTENDANCE AT LAW SCHOOL OF DIRECTOR

Dr. JONES. I would like to put this in for the record, because a lot of people want to know how I can go to law school and do this. It is no magic, because the Public Law set it up that way, the employees could go to school so long as their supervisors OK it and their work is not affected, and they put in 80 hours.
I would like this to go on record to all people in my position, and particularly black people. There are self-improvement opportunities available, but we are afraid to take advantage of them because it will look bad. Well, I am proud that the Mayor allowed me to go to school and had confidence that I could perform the service, because, ultimately, this will return to the city real service relating to the juvenile problem.
So I do not expect to be stale and staid. I know lots of white supervisors and directors get their Ph. D. in California, they take a Sabbatical. I am paying my way, I am going on my own time, and I am proud of it and the world ought to know.
Senator INOUYE. It is commendable. I think more people should be encouraged to do this. I find it very impressive that you can put in 18 hours a day and still put in a full load for law school.
Dr. JONES. I was in the service for a long time and they work you like that. They don't let you sleep in an attack, they don't let you sleep when you have a mission. You get the job done and you relax when you can, and I think that is what the city is about.

WORKING HOURS OF DEPUTY DIRECTOR

Senator INOUYE. What sort of hours does your Deputy Director put in?
Dr. JONES. Well, since he is getting married soon, he doesn't put in as many hours as he usually puts in. But we stay there until we get the job done. We really do not work on an hourly basis. We work on an accomplishment basis. When we get one project launched, we rest and then go on to another one. I just do not supervise like that. Hours do not dictate production.
And what "Red's" plans are, he can answer that.
Mr. FEATHERSTONE. Senator, I would like to say I usually arrive in the office anywhere from between 7:15 and 7:30 in the morning

and I usually leave the office—well, the last 2 months I have been leaving about 6:30 or 7 at night. Prior to that, I was leaving at 8:30 and 9 at night.

I do come in on Saturday. I also come in on Sunday. I do feel that since I was born and raised here in Washington, D.C., I do owe this city something. This is my city and my commitment is to the city.

Senator INOUYE. You had better get some rest, because all work is not good.

Dr. JONES. We will rest when they leave us alone. You can't rest in the middle of the battle, Senator.

LETTERS CONCERNING YOUTH PROGRAMS IN CITY

Senator INOUYE. I am certain you are aware that we receive letters from people in the District of Columbia and we have received some relating to your activities. In order to respond to them, I will give you an opportunity now. One criticism is that you have purchased sewing machines but there is never any thread for the people to work on.

I realize these are small things.

Dr. JONES. I appreciate that. I will just take that criticism. I mean, because they have the budget and they—each program has its own capabilities of purchasing. All they have to do is go out and buy the thread from their budget. We do the purchasing on the GSA schedule to save money, and on small items, they are allowed to go out with a purchase order and pick up that thread.

Senator INOUYE. I am doing this because some of these people feel that my office is the only place they can come to, to complain.

You have ping-pong tables, but there are never any balls available.

Dr. JONES. I will deliver those balls to those people.

But here again, you see—tell those people for me, they ought to have a little community pride. The government doesn't have to buy everything. Maybe they ought to buy their own ping-pong ball and spool of thread. I think it is proper and fitting they put something in the community some time. That is not asking too much. I take a lot of money out of my own pocket.

Senator INOUYE. Since you have started these programs and have paid volunteers, they figure everything is paid for. They figure, why should we take our nickel to buy ping-pong balls.

Dr. JONES. Well, because they need one. If they are interested in the game and the kids want to play. If we were asking for reimbursement, I would be more amenable to the criticism.

I don't want to sound hostile this morning. I really don't, Senator. I really don't, but I am angry, I am.

Senator INOUYE. Are you angry at this committee?

Dr. JONES. Not particularly.

Not particularly. A lot of things have gone under the water and I am a little emotional, a little bit.

LACK OF TRANSPORTATION FOR SUMMER CAMP

Senator INOUYE. Another letter says you have had an opportunity to make available summer camp opportunities for boys, but you failed to provide transportation.

Dr. JONES. That is not true. Mr. Featherstone is the camping expert.

Mr. FEATHERSTONE. Senator, I would like to respond to that in this manner, that we have taken the little bit of resources that we have in this office and coordinated the functions of camping, resident camping, with the recreation department in Scotland, Md., which is a piece of municipal property. We do provide transportation for any city youngster once a week, every week, during the summer months, to Scotland, Md., for a total number of 175 youngsters each week.

Now, this comes to a total of somewhere around 1,500 youngsters that get resident camping experience in Scotland, Md., and transportation is provided for those youngsters.

There comes a time when with the resources that you have, you are not able to meet the demand. I do feel that in that regard this might be an outstripping of the actual resources available for that program.

Senator INOUYE. I quite agree with you, that the criticisms I just cited may be extremely minor, and almost ridiculous, in view of some. But I pointed this out to indicate to you that all of your critics are not government officials. Whether the criticism is justified or not, you have a lot of critics. And as a highly paid GS–16 official, you should be big enough to take some criticism. It is human to be up tight, but I have a responsibility just as much as you have to see that the people of the United States and the people of this city get their money's worth.

Now, there are some who feel they are not getting their money's worth.

Dr. JONES. I guess there will always be.

POSSIBLE WASTE OF MONEY IN YOUTH PROGRAMS

Senator INOUYE. It is that simple. As I indicated to you when you first came here, I am on your side. I am all for children. But there are some who will say a lot of the money is just going down the drain.

Dr. JONES. Yes. I guess I say that about the moon shot. I mean, I accept those criticisms.

Senator INOUYE. The moon shot may be true, but just now we are talking about youth activities.

Dr. JONES. Sir, I could program some letters to come in for you to refute that. I could—well, I think that is the nature of the government person, is to be criticized in performance. The thing I enjoy about my job is they can get to me quicker than they can get to you, and those people that write you, it is a personal thing. I mean, you know, because they come in and raise cane with me about a lot of things. I am pleased with the fact that these few complaints are all you have got.

Senator INOUYE. These letters did not come from adults. They came from young children.

Dr. JONES. Probably programed. We have a lot of that in the city. I have not had young groups of people march up on me for anything.

Senator INOUYE. Are you suggesting an adult——

Dr. JONES. I am certainly suggesting that because it has happened in the past. People program kids to do things. I am not saying those specific letters are but there is a possibility.

Senator INOUYE. Are you suggesting, also, that these letters coming in praising your activities are also programed?

Dr. JONES. That is exactly the point. And I do not think you have any praising because I do not indulge in that. I do not have time for that. The proof of the pudding will be on the street.

I will get that ping-pong ball, I tell you that, though.

Senator INOUYE. I thank you.

Dr. JONES. Thank you very much for this amount of time.

Office of Assistant to the Commissioner for Housing Programs

STATEMENT OF JAMES G. BANKS, ASSISTANT TO THE COMMISSIONER

ACCOMPANIED BY:

NATHAN VOLKMAN, EXECUTIVE ASSISTANT
PHILIP FROEDER, COORDINATOR OF COMMUNITY RENEWAL PROGRAMS
LEONARD HAYES, DIRECTOR, PROJECT REHAB
JOHN CROCKER, COORDINATOR OF URBAN RENEWAL PROGRAMS

BUDGET OUTLINE

Senator Inouye. Our next witness is Mr. James Banks, Assistant to the Commissioner for Housing Programs. Welcome to the committee, Mr. Banks.

Mr. Banks. Thank you, Mr. Chairman.

I appreciate the opportunity to appear before you this morning to offer a report on what we have done with the 1972 budget and what we expect to do with the budget we are requesting this year.

During the past year my office has proceeded on two fundamental assumptions: first, that the development of stable communities more nearly meets the city's aspirations than does the mere provision of decent, safe, and sanitary dwellings, and, second, that successful community development requires careful coordination of all efforts, public and private, to achieve that goal.

We have sought to develop close working relationships with all appropriate city departments and agencies and to establish the coordination structures needed. We have also worked closely with private groups, both profit and nonprofit, seeking to obtain agreement on the importance of stable communities as a handmaiden to the provision of decent housing to meet the needs of our residents.

There has been and probably still is some disagreement concerning our emphasis on community development objectives. Some have interpreted this to mean that the city will be less aggressive in the pursuant of a decent dwelling unit for all District of Columbia residents. I hope that our report to you today will conclusively convince you and other interested parties that our community development objectives will maximize rather than minimize the actual production of good housing for our citizens.

In order to produce good housing, whether new or remodeled, it is necessary to induce participation by one or more essential organizations. This most often includes the Federal Government and a local sponsor and frequently local financial institutions. Increasingly these organizations are becoming sensitive to the fact that a decent dwelling must be located in a decent community if it is to fully serve the needs of the residents. Past experience with extensive vacancies, foreclosures,

and extreme dissatisfaction of residents living in recently built dwellings has led most participants to the conclusion that families require a responsive community as well as a decent dwelling unit.

I am pleased to report to you that our efforts to coordinate the myriad of efforts to provide good housing in the city are paying off. I believe the most impressive is the Anacostia task force established by Mayor Washington last August.

COORDINATION TO BE ACCOMPLISHED

I certainly do not mean to imply, however, that we have reached the millenium. Much coordination remains to be accomplished. Too often the tools available are not designed to meet our specific housing needs. Foremost among these is the public housing program. In addition to the fact we do not have enough authority to lease housing for public housing families, we have been advised recently by the U.S. Department of Housing and Urban Development that in the future our individual project budgets must show that 85 percent of the routine management and maintenance costs can be met from rental receipts. If this policy prevails, it will mean that the public housing program will no longer be able to accept the lowest income and most needy residents of our city. In order to meet this requirement, the National Capital Housing Authority would be required to select families on the basis of their rent-paying ability rather than their need. This has broad negative implications for our plans to rehouse the large number of families scheduled to be displaced by urban renewal and other publicly-sponsored programs.

Yet I do believe that we will close out this fiscal year with much more encouraging prospects for living up to our obligations to provide good housing for the residents of Washington than we had when we entered the year.

PREPARED STATEMENT

That is my opening statement, Mr. Chairman.

Senator INOUYE. Thank you very much, Mr. Banks. Your entire statement will be placed in the record.

(The statement follows:)

INTRODUCTORY REMARKS

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Yet I do believe that we will close out this Fiscal Year with much more encouraging prospects for living up to our obligations to provide good housing for the residents of Washington than we were when we entered the year.

As a result of an initiative by my office, a procedure was worked out with the D. C. Insuring Office of FHA, the Veterans Administration and the Department of Economic Development for the pre-sale inspection of most federally assisted housing in the District. It became effective in June 1971. The procedure was dictated by the many consumer complaints regarding the substandard condition of used housing being sold to low and moderate income purchasers.

A recent report submitted by the Department of Economic Development indicates that between June 1971 and January, 1972, 845 structures were surveyed (570, FHA and 275, VA). 670 structures were found to have violations of the codes. 527 structures were brought into compliance.

We will continue to watch closely the future operation of this procedure.

Project Rehab

The District of Columbia qualified as a "Project Rehab" City February 4, 1971. Since that time there have been 47 projects approved by the Project Rehab Office and sent to the local insuring office of FHA for processing for economic feasibility and final commitment for rehabilitation construction. These projects now in FHA total 4,089 dwelling units.

At the present time, there are three projects under construction, 1107 11th Street, N.W., sponsored by S&H Associates, rehabilitation construction is complete, the building will be occupied by March 17, 1972; the second 5336 Colorado Avenue, N.W., sponsored by the 19th Street Baptist Church Housing, Inc., Rev. Jerry A. Moore; and the third, Brentwood Village, 13th and Rhode Island Avenue, N.E., sponsored by Brentwood Associates, Inc. These three projects total 587 dwelling units for occupancy upon completion.

In addition it is contemplated that two additional projects should be under construction within 30 to 60 days, namely, 1101 Bellevue Terrace, S.E.,

sponsored by Housing Systems Development and Construction Company, and Mayfair Mansions, Kenilworth Avenue and Jay Street, N.E., sponsored by Reynolds, Bryant and Hankins, these two projects total 589 dwelling units.

The District looks forward to the use of "Project Rehab" as a tool to help in the revitalization of communities in the city. It is planned that the emphasis which can be developed for homeownership, for dispersal of rent supplement tenants into economically mixed housing units and for the creation of safe and sanitary housing thrcugh rehabilitation are factors which Project Rehab will develop in the solution of the City's housing problems.

The Project Rehab Office believes that the goal of 2,500 dwelling units rehabilitated and occupied by February 4, 1973, will be reached.

Workable Program

During the past year the Office of Housing Programs prepared the city's Workable Program for submission to the City Council and ultimately to HUD. The task was more exacting than in previous years because of HUD's requirement for detailed reports by planning, social and educational agencies regarding their past and future activities.

Following City Council hearings and input by many citizen organizations, a final draft was submitted to Council on 9-14-71 The revised draft received Council approval on 9-21-71 and was then sent on to HUD.

Because of certain information which HUD maintained was still lacking, the city's Workable Program recertification was extended only to June 30, 1972. An additional submission will be made to HUD in the near future, which, it is hoped, will result in recertification until June 30, 1973.

OPERATIONS OF THE PLANNING DIVISION

During the past year, the Housing and Community Development Analysis component of my staff has completed the following important and major studies:

1. METRO IMPACT. This report, issued in June of 1971, re-evaluated the present alignment

of the metro lines planned to serve the Far Northeast part of Washington. The findings led to recommendations for changes in station location and alignment in order to better serve the population in that part of the City. WMATA has adopted the recommended changes. I might add that just last Thursday, on March 2nd, the NCPC adopted the changes on the official transportation plan.

2. COMMERCIAL DEVELOPMENT. This report, issued in June 1971, undertook a basic analysis of commercial needs in the Far Northeast Community. The opportunities available for expansion of commercial facilities were defined and strategies for their accomplishment were recommended. The previously mentioned change in the Metro Station location has close bearing on bringing about commercial revitalization.

3. PEOPLE. This report, issued in November 1971, studies and documents the important changes in population growth and characteristics. It is an integral part of the series of Far Northeast Studies that my staff has been working on.

4. LAND USE & ZONING. and

5. HOUSING

These two reports are now going to press; they contain a basic analysis of the neighborhood fabric, as well as a study of housing conditions and needs in the Far Northeast Community. Included also in the Land Use & Zoning report are the recommended zoning map changes for all the areas east of the Anacostia River. These proposed changes have previously been submitted to the Staff of the Zoning Commission for their comment. I look forward to providing the Council with copies of these two final reports, which--along with the previously issued three reports--form a comprehensive and exhaustive study of our city's Far Northeast Community.

Needless to say, with the completion of this major analysis of the Far Northeast Community, the work of my staff does not end. These studies can only be effective if they form the basis for actual change for betterment in the areas of housing and neighborhood stability.

I would like now to turn to the Implementation Component of my Planning Division's work, which will serve to itemize a series of positive accomplishments stemming from our planning and analysis endeavors.

B. Implementation and Action Planning Component.

Washington Highlands

As a continuation of our efforts aimed at the revitalization of the Far Southeast Community, our staff has been in close cooperation with the local FHA Area Office, as well as the Central Offices at HUD. During the past few months it has been most gratifying to learn that HUD has finally concurred with our recommendations concerning the numerous foreclosed or Secretary held apartment buildings in that part of the city. One decision, to which I refer, concerns the disposition of the Highpoint-Barnaby development along Wheeler Road. The site is to be demolished, and made available for the development for new homeownership row housing. My staff is presently actively involved in the preparation of the development controls for this proposal, as well as work on the reconstruction of adjacent commercial facilities. The Federal City Council is participating with us in the commercial revitalization aspect of the Highpoint-Barnaby redevelopment. Other recommendations for action in the Washington Highlands area or Far Southeast are contained in the report issued by my staff during September 1971, entitled WASHINGTON HIGHLANDS.

Congress Heights

Efforts at revitalizing the Congress Heights Area of The Far Southeast are also underway. Here, again, my staff has issued a report with specific recommendations and targets for action. A report entitled CONGRESS HEIGHTS was also issued during the latter part of 1971. A major effort here concerns the revitalization of the foreclosed Congress Parks A partments. It is our view that this large complex should serve not merely a housing need, but a community center need as well. Accordingly, we have been successful in arranging for reuse of a number of the buildings for (a) a branch of the D.C. Library, (b) and a Police Precinct. Proposals are currently being preapred by the Foundation for Cooperative Housing to buy the entire development from HUD. Previously, some of the buildings had also been cleared to make way for an enlarged elementary school site, which is now in construction. We are currently striving to establish a campus for D.C. Teachers College in the area as well. Other proposals concern rezoning of land in order to provide protection for the single family homes in the area, as well as plans for the construction of new homeownership housing on vacant land.

In short, it is the total neighborhood planning context which we must address ourselves to in order to bring about improved and expanded housing opportunities. Our work in the Washington Highlands and Congress Heights neighborhoods are good examples of this approach.

Old Anacostia

My staff is currently at work in the Old Anacostia part of the Far Southeast. A report will be shortly issued which will detail specific actions for accomplishments.

Review of R-5-A Plans for BZA.

One of my functions also involves the review of developer's plans for apartment building in the extensive R-5-A Garden Apartment Districts covering both the Far Northeast and Far Southeast. During the past year my staff has given careful attention to approximately a dozen such proposals, and I have rendered recommendations to the Board of Zoning Adjustment as required by the zoning text changes that were adopted in 1970. The council will recall that these significant text changes were an outgrowth of the original report issued by my staff, titled WASHINGTON's FAR SOUTHEAST '70. Most of these plans for apartment construction

involved federally assisted housing under section 236 of the Housing Act. We are in close contact with the FHA Area office on all such proposals for the city, whether they be in R-5-A zone districts or in other zone districts. Through this Review Process, my office has been successful in greatly improving the quality and kind of developments taking shape in the city. In some instances, proposals for the wrong kind of development have been denied. Through this inter-agency review process, I feel we have greatly improved the quality of both housing and the neighborhood setting for such housing.

C. ON-GOING AND PROJECTED WORK

This listing includes:

1. Parkside redevelopment for ownership housing and commercial development. Recent legal opinion from Central HUD office. Work on Development Controls proceeding.

2. Neighborhood revitalization and improved housing conditions. The Old Anacostia Neighborhood. Washington Highlands, Congress Heights, as well as other neighborhoods into which my staff will move.

3. Expanding the Homeownership Opportunities in the City, which in past years has drastically declined.

4. Continuing Review of Federally Assisted Housing Developments, and R-5-A Apartment Plans. Referral of plans from Area Office. Expected closer working relations with the recently re-organized Area Office to bring about expanded housing choice in Washington, etc.

Anacostia Task Force

In August 1971 the Mayor established a Task Force on Anacostia to coordinate and monitor the city's efforts to fulfill the recommendations of Washington's Far Southeast '70. At the organizational meeting on October 1, 1971, representatives of fourteen departments and agencies agreed that the Task Force will evaluate the progress made toward meeting these recommendations and will alleviate problems in the implementation of action programs. When appropriate, the Task Force will meet with the Mayor to determine how to deal with major impediments to critical programs.

In response to the Mayor's request for an evaluation of progress, each department submitted reports on the status of on-going and planned

action programs in the Far Southeast. The objectives, accomplishments, budgets, and problems involved in all of these action programs were reviewed in a meeting on November 5, 1971.

The meetings of November 5 and February, 25, 1972 generated recommendations for strategies to alleviate several problems involved in carrying out programs, including inter-departmental coordination. Specific measures to deal with these problems will be devised in small work sessions involving the departments concerned.

Members of the Task Force toured the Far Southeast on January 26, 1972 to see examples of both accomplishments and problems in the ares. A report to the Mayor on the Anacostia Task Force will summarize the activities of the Task Force and highlight major achievements and problems. Participants in the February 25 work session suggested that accomplishments in the area should be publicized to make progress more visible.

HOUSING FOR THE ELDERLY

Housing for the elderly is built, acquired, leased and managed by the National Capital Housing Authority. It is the principal

supplier of such housing in the District of Columbia. There has been no recent new construction under Section 236, although there are at least 120 units in the Project Rehab "pipeline."

As previously reported to the Council, a citizen Committee on Housing for the Elderly was established in January 1971 following a meeting with Mayor Washington. The Committee has met at least once a month since then. There have been many meetings and visitations by its Site Selection, Programming and special Committees.

The Office of Housing Programs, at the request of the Mayor, has been providing secretarial and other staff services to this Committee. By special request of the Committee a member of our staff serves as its Chairman.

Since its establishment in January 1971 the Committee has advised the District government, NCHA and prospective developers on a variety of issues, among them:

(1) The need for a special bus, health clinic and other services for residents of Ft. Lincoln Dwellings;

(2) Potential sites for turnkey construction or for buildings being considered for acquisition or rehabilitation;

(3) Safety features to be incorporated in housing for the elderly;

(4) The Workable Program;

74-704 O - 72 - pt. 1 - 27

(5) The State Conference held at Catholic University in preparation for the White House Conference on the Aging; and,

(6) Services provided at various elderly housing projects.

The Committee has an ambitious program for the next year. To work more effectively it has decided to expand not only its activities but its representation.

The Council will be pleased to learn that the Committee on Housing for the Elderly was commended by President Nixon for its work in a letter dated February 7, 1972.

Historic Preservation

All matters relating to the preservation of landmarks which are of concern to the District government are processed through the Office of Housing Programs. It is the link with the Deputy Mayor in his capacity as State Liaison Officer. It is the link with the National Capital Planning Commission, which has been designated by the Mayor as the city's agent to undertake essential studies and to plan for the preservation of landmarks. Although the Joint Committee on Landmarks, a citizen advisory body, is serviced by NCPC staff, its proceedings and activities are monitored by the Housing Office.

A first allotment Interior Department grant helped fund the salary of one employee working on preservation studies. A second

year grant of $46,000 will finance the salaries of an Attorney-Advisor, already hired, and two Architectural Historians, who are now being recruited. All are or will be on detached service with the Planning Commission to develop the city's historic preservation programs.

During Fiscal Year 1971 the District received Interior Department grant funds of close to $26,000 for the partial restoration of Old City Hall, an historic landmark. Additional funds amounting to $74,000 will be sought in FY 1972 to permit completion of work.

Funds requested for the restoration of Eastern Market in FY 1972 were disallowed by the Congress.

Funds for the renovation of the Central Public Library, a national historic landmark, are included in the Fiscal Year 1973 budget. The rehabilitated building is to serve as a Federal City College facility.

The Historic Preservation staff, NCPC's Urban Renewal Division and the D.C. Redevelopment Land Agency are now in the initial planning stages of a joint restoration/rehabilitation project to preserve the Logan Circle Area.

COORDINATION FOR URBAN RENEWAL ACTIVITIES WITH THE DISTRICT

When I was appointed as the Mayor's Assistant for Housing Programs in 1969, my assigned responsibilities were for the coordination of RLA's urban renewal activities with the District Government.

At the present time, two members of my staff monitor urban renewal projects and plans and contact with members of the Redevelopment Land Agency for the purposes of transmitting information to me of ongoing developments and thereby alerting my office to activities which require response.

As a further means for fostering communication with RLA, I meet regularly on a weekly basis with Mel Mister, executive director of RLA and members of his top staff to review issues of mutual concern. In this way we seek common solutions to difficult problems.

Recently, in an attempt to pull together the city and federal organizations involved in urban renewal planning and programming, we reactivated the Urban Renewal Operations Committee which had its beginning in 1955 but has been inactive in recent years. This Committee will meet monthly in my office. The agencies involved in UROC include, the Departments of Economic Development, Highways and Traffic, and Human Resources; Office of the Surveyor, the Fire Department, Office of Budget and Program Analysis, the Department of General Services, the National Capital Planning Commission, the National Capital Housing Authority, the Zoning Commission, the Department of Recreation, the Office of Planning and Management and the Police Department. Others will be added as needed.

Board of Condemnation

A representative of the Office of Housing Programs is a member of the Board of Condemnation which inspects both residential and non-residential buildings which are hazardous to the public health, safety or welfare. During 1971, 430 buildings were surveyed; 123 were razed; and 98 were repaired.

Fort Lincoln New Town-In-Town

This 335 acre tract of vacant surplus land has been in the planning stage since 1967. A comprehensive plan was prepared in 1969 by a team headed by Edward Logue. Most recently, a development program to carry out that plan has been developed by a joint venture group of Building Systems International and the Westinghouse Corporation.

A 120 unit, five story building for the elderly has been constructed on the site and occupied in early 1971. The development plan for Fort Lincoln is currently being reviewed by District agencies and the Mayor's Advisory Committee on Fort Lincoln prior to being submitted to HUD.

A member of my office provides staff support to the Fort Lincoln Citizens' Advisory Committee, and I am a member of the Fort Lincoln Policy Committee.

ADMINISTRATIVE ACTIONS AFFECTING OFFICE OF HOUSING PROGRAMS

Since I last appeared before this Council during the hearings for the 1972 fiscal year budget, a number of actions have affected the scope of my work for the city and the structure of the Office of Housing Programs. In May, 1971 I was appointed the Executive Director of the National Housing Authority. In November, 1971, through Commissioner's Order 71-392, I became Model Cities Administrator. In August, 1971 a total of eight

members of my staff, seven of whom were professionals, were transferred to the newly formed Office of Planning and Management (Commissioner's Order 71-307). Some members who were transferred had been concerned with the comprehensive aspects of city planning; others were members of the Transit Development Team which has been instrumental in developing policy positions for the city in the planning of metro.

Although I have been afforded greater opportunity to integrate the public housing programs and the overall housing planning for the city as well as specific community developments through these additional assignments, I rely heavily on the staffs of the three organizations for assistance. In the Office of Housing Programs, aside from myself and my Executive Assistant, I have ten professionals. There are four primary areas of responsibility: Project Rehab, Planning, Urban Renewal Coordination and Special Assignments. Only two of these professionals are supported by appropriated funds. Federal grants meet the cost for a majority of my Housing Programs' staff.

MODEL CITIES

The District of Columbia Model Cities Program represents a significant financial investment in the future of this city. Now entering its second action year, the Program is offering many residents of the Model Neighborhood the first chance they have had at self-sufficiency, self-determination, and self-improvement.

During the first action year, Model Neighborhood residents benefited from this massive undertaking in a variety of ways. For example, through the program's day care activities, some 1200 Model Neighborhood children were served and over 200 parents were able to obtain full-time employment or job training. Through a number of educational projects,

54 Model Neighborhood teachers were enrolled in masters or doctoral-level academic programs, while another 140 students were enrolled in post-secondary programs in business and urban planning. Another 60 students were working toward their AA degrees. Another project collected and distributed over 600 pieces of furniture among needy Model Neighborhood families. Overall, the Model Cities Program, through its individual projects, was able to place approximately 900 Model Neighborhood residents in jobs, and another 200 residents in job training opportunities. This represents but some of the Program's achievements.

For the first action year, HUD initially authorized $9.625 million and approved the spending of $3 million for nine Model Cities projects (out of a total of 29 submitted as part of the first year action plan). On February 11 of this year, HUD approved the spending of over $7 million from its grant for 23 second action year projects (out of a total of 28 submitted as part of the second action year plan). Reflecting the Program's attempt to alleviate those programmatic difficulties encountered during its first year of operation, and to greatly increase its overall impact, this money will be allocated by project cluster, funding those activities meeting the economic and physical development, educational, training, health, day care and other social needs of the Model Neighborhood. The Program is using this initial grant to generate additional sources of federal funds, and for its second action year, some $6 million in matching funds will be used to greatly expand HUD's supplemental grant of $9.625 million and further increase programmatic impact.

The D.C. Model Cities Program is continually engaged in activities designed to improve its operational efficiency and effectiveness, and to insure programmatic success. Model Cities planners and programming specialists are currently working on the Program's Mid-Plan Statement

for submission to HUD in June of this year. This statement is serving as the base for the third action year plan, upon which initial work has begun, and which will be submitted to HUD in November. The Program is also currently developing its Resident Employment and Training Plan, to insure that all Model Neighborhood residents are given an additional opportunity to obtain employment and job training. The Program has created an Operations Unit, to monitor individual projects in their day to day operations, to insure that project objectives are being achieved, and to measure compliance with the Resident Employment and Training Plan.

One of the more crucial tasks, currently nearing completion, has been the reorganization of the Program's administrative structure. To strengthen the Program's operational ability, to avoid a recurrence of those problems which hampered program effectiveness during the first action year, and to more fully respond to the intent of the Mayor's Executive Order creating the Model Cities Commission, the original two staff structures has been merged into a single, reorganized CDA staff, charged with supporting the policy-making Model Cities Commission. Hopefully, this will enable the Program to better meet its goals and objectives during the coming years.

And to achieve maximum programmatic impact in the Model Neighborhood, the Model Cities Program is currently exploring further sources of public and private sector funding support, so that additional program dollars can be generated.

STATISTICAL REFERENCE:

(all statistical references have been taken from the Oct - Nov Quarterly report)

TOTAL MN RESIDENTS PLACED IN JOBS*OR JOB TRAINING OUTSIDE OF MN PROJECTS:

Project	Jobs	OJT	
National Cap. Day Care	139		
Dropout Prevention		85	
N.E. Neighborhood House	183		
J.D. Prevention	75	75	(150 in both categories
Rec. & Citizenship.	217		
Infant Day Care	30	27	
Cath. Char. Day Care	9	11	
DACAS	5		
Youth Meditators	43		
Howard P&CC	11		
Multi-Ser Youth Center	26		
Midtown Mon.	5	1	
Roving Teachers	20		
Adult Ed. Dem. Center	41		
Dunbar Internship	96		
TOTALS	900	200	

* outside of MC projects; this does not include the number of Model Neighborhood residents hired by projects

DAY CARE: Parents in jobs or job training as of December 31, 1971:

188 for jobs, 39 in job training

Project name	Jobs	OJT
NCACDCA	139	
Cath. Char IDC	12	27
Cath. Char DC	9	11
DACAS	5	
Howard P&C	18	
Midtown Mont.	5	1
TOTAL:	188	39

FAMILY REHAB & STORAGE:

633 pieces of furniture were received and distributed to needy families in the MN;

EDUCATIONAL PROJECTS:

M.C. Scholarship: 54 teachers in MA or Phd Programs;

140 MN students enrolled in post-secondary academic programs in business management or urban planning;*

New Careers: 57 MN students enrolled in AA degree programs;

*Educ in Planning: 47
MC Scholarship: 94
141 (rounded)

DAY CARE:

Number of children served as of December 31, 1971:

1200 (as per Evaluation Unit information)

Accomplishments During the First Eight Months of Fiscal 1972

James G. Banks
Executive Director

At the start of the fiscal year, the condition of the Housing Authority was symptomatic of the major problems and critical decisions facing many of the housing authorities in the country. Actually, NCHA was considered by many to head the list of housing authorities with the most serious problems. I am pleased to report today that NCHA is no longer in that envious position. While we have made massive strides to correct many deficiencies and improve the overall fiscal and management activities, we have a long way to go before we will be in a position to provide the most satisfactory performance and create healthy and viable environments. Certainly, any housing authority that is plagued with multiple problems will find it difficult to substantially increase the inventory of housing for low-income families. However, in my opinion, NCHA's recent accomplishments in the planning, developing and acquisition of housing for low-income families should be considered a success by any yardstick of measurement.

During the first month of fiscal 1972, Fort Dupont Extension, a development containing 87 medium and large family units, was completed and occupied. This property is located in the Southeast quadrant of the city a few blocks off Minnesota Avenue.

Edgewood Terrace, which contains 334 dwelling units (292 elderly, 42 family), continued under construction during the fiscal year and work is expected to be completed by the end of June.

The Knox Hill Development consisting of 254 dwelling units (188 townhouses for families and 66 apartments for the elderly) advanced to the design stage. Construction is scheduled to get under-

way during the summer with completion expected by the end of fiscal 1973.

In the Shaw Urban Renewal Area, 54 large family townhouses were designed for homeownership on four separate sites. Construction is expected to begin on these units about March 20, 1972.

In Northwest Urban Renewal Area No. 1, the Housing Authority obtained approval to construct 51 large family townhouses for homeownership. Construction was to have begun fairly soon; but the developers, Stirling Homex, gave notice about two weeks ago that the company could not meet the D. C. Building Code requirements without making extensive changes to the modular system. Renewed efforts are being made to find another developer to construct the units. Actually, we are reviewing the plans and specifications that will be used in the Shaw Area in order to determine if they can be adopted to the Northwest One Site.

In December 1971, The James Apartments, a hi-rise dwelling containing 150 units and located at 1425 N Street, NW, was acquired by the Housing Authority for elderly individuals and families. Low-income persons are moving into the apartments when the units are vacated by the moderate income persons and redecoration of the units has been completed.

The Housing Authority recently received approval from HUD to lease 400 units (300 for families, 100 elderly) on scattered sites throughout the city. This leasing activity will be confined primarily to the city-wide rehabilitation program.

Approval was received from HUD to sell the former Parkside Site for fair market value to the highest bidder after appropriate advertising. The site which contains approximately 25 acres will be rebuilt with moderate income housing, commercial facilities and housing that may be leased to the Housing Authority for low-income families.

Only a few days ago, the Housing Authority submitted a proposal to HUD for authorization to acquire 160 rehabilitated units on scattered sites for low-income families. Early approval is anticipated from HUD on this request.

St. Mary's Site, on 24th Street, NW, between G and H, containing 24 units, one and two bedrooms, is scheduled for demolition in about two weeks. Plans are being developed for the construction of a 120 unit hi-rise for the elderly on the one-half acre site.

The Housing Authority's staff is studying plans to rehabilitate and/or rebuild several existing properties including V-Street Houses, 18 two-bedroom units, Williston Houses, 31 one and two bedroom units, Deanwood Gardens, 56 five-bedroom units, Stoddert Dwellings, 46 row-houses, and Hopkins Place, a proposed 120 unit hi-rise building for the elderly. All of the existing buildings are more than 30 years old and will require massive rehabilitation including new heating plants.

Now I would like to report on accomplishments in areas outside of the normal field of housing production.

Budget and Finance

A much more favorable working relationship has developed between the Housing Authority and the Department of Housing and Urban Development (HUD). NCHA's Operating Budgets for fiscal year 1972 were approved within a reasonable length of time, with a minimal amount of reductions and modifications.

The Authority has been able to maintain a sufficient cash balance and keep current with payments to vendors and contractors. This has been accomplished by the payment of monies from HUD to assist in our overall operations. To date, the Authority has received the following payments:

1. On November 11, 1971 - payment of an Operating Deficit Subsidy in the amount of $519,237.
2. On December 20, 1971 - contribution for Special Subsidy Families for fiscal year 1971 in the amount of $838,920. (Normally paid after May 1 of following year).
3. Rental Assistance (Brooke Subsidy) in two equal installment payments, totaling $3,749,370.
4. Partial payments of Fixed Annual Contributions for Leased Housing totaling $181,633.

Administration

At the start of the fiscal year, special recruitment efforts were made to hire additional maintenance personnel. Total employment rose from 630 persons as of July 1, 1971, to 734 persons as of the close of business February 29, 1972. Of the 734 persons employed, 521 were Wage Board employees who provide maintenance services in the public housing units throughout the city. Recruitment efforts are continuing through various sources to fill 33 vacant maintenance positions.

The Administration staff participated in the review and formulation of various proposals for an effective operations analysis and evaluation of staff performance. In addition, staff responded to request from the Nelsen Commission in the review and analysis of NCHA's operation.

Special efforts were made by staff in the procurement of supplies and equipment that were sorely needed. Some of the items included in the purchases were 1,414 ranges, 1,833 refrigerators and 17 motor vehicles for use in transporting men and equipment throughout NCHA's properties.

In order to upgrade our capability to provide better services to families residing in public housing, several training programs were initiated and/or reinstated. These programs encompass training activities in the following areas:

New Employee Orientation

Human Relations Seminar

Supervisory Training

Automatic Data Processing of Resident Accounts

Planning and Work Productivity

In addition to the in-house training, some staff members participated in the NAHRO Low and Moderate Income Housing Management Specialist Program.

Management and Maintenance

At the start of fiscal 1972, both Central Office and the properties Management staff were fully involved in the implementation of the reorganization of the Management Division. This reorganization called for more involvement in the decision making activities by the Housing Managers and Supervisors. In my opinion, some improvement in efficiency and productivity has been quite discernible from the reorganization. While the Management staff has been participating in many new programs and activities, perhaps the "Housewarming Program" has been the most successful. Certainly, it has gained the most publicity. As you probably know, this program involves volunteers from the properties, community organizations, and local colleges and universities, who assist the Housing Authority to prepare units for occupancy and move new residents in on the same day. This program gained sufficient notice to attract the attention of Mrs. Nixon and Mrs. Romney who visited one of NCHA's properties to personally observe what was taking place. The "Housewarming Program" helped to reduce the number

of vacant units from 1,021 as of July 1, 1971, to slightly less than 700 as of the end of February 1972. During this eight month period, slightly more than 900 units were rehabilitated by volunteers, contractors, and NCHA staff.

In addition to handling regular management activities, the staff developed and implemented a daily manpower analysis procedure. This procedure has made it possible for management to determine the amount of time and cost to the Housing Authority for the performance of all routine activities.

In assuming new directions under the reorganization, the staff developed a Resident Relations Program. This program calls for the welcoming of all new residents by NCHA staff as well as by persons already residing at a property. The program also provides for regular tours and inspections of the property by NCHA staff and residents.

During the first eight months of fiscal year 1972, the Maintenance Engineering Office awarded approximately 40 contracts for construction and engineering services totaling over $3.5 million dollars. The major construction contracts covered the following:

(a) Rehabilitation of vacant units.

(b) Boiler replacement.

(c) Security locks and door viewers at various properties.

(d) Replacement of interior and exterior heating, hot water and cold water distribution lines.

(e) Central air conditioning of 343 units at Claridge Towers.

(f) Brick veneering for 303 units at Frederick Douglass.

(g) Replacement of all exterior doors including installation of security locks and door viewers at Barry Farm.

(h) Replacement of 45 incinerators with trash compactors.

NCHA trash collection was expanded to provide individual apartment bag trash pick-up at all NCHA properties containing three story buildings and mostly all of the hi-rise buildings made necessary by the D. C. Regulations banning burning in single flue incinerators. Also during this time, NCHA has also expanded its Emergency Maintenance Crew to provide better emergency maintenance service to all of the residents of NCHA properties.

General Counsel's Office

Although the General Counsel's Office performed many functions during the first eight months of the current fiscal year, I will enumerate only those activities of more than unusual importance.

1. Development of NCHA Grievance Procedure in conjunction with the NCHA Advisory Board.
2. Development of a new dwelling lease which expands the rights of NCHA tenants in conjunction with the NCHA Advisory Board.
3. Conducted settlement of Project DC-1-70, The James Apartments.
4. Revised Tort Claims procedure and processed 75 incidents at savings to the Authority.
5. Developed procedures in conjunction with Neighborhood Legal Services Project to coordinate efforts to reach agreements to eliminate outstanding rental balances owed by tenants under judgement for possession from the Superior Court. This diminished the need for use of the eviction process.

Executive Office

While the Executive Office gave general direction to all divisions and activities, during the first eight months of the fiscal year, several special projects were initiated in the Executive Office as reported below:

Data Processing

74-704 O - 72 - pt. 1 - 28

In August of 1971, the Authority undertook an automated data processing system involving tenant accounting and tenant information and, at the same time, changed from a decentralized to a centralized rent collection system utilizing the services of the American Security and Trust Company. Since the system was purchased from Management Data Systems, Inc., Madison, Wisconsin, all work was performed by them, in Madison, including key punching. Material was transmitted and received by way of air freight or air mail which proved to be somewhat less than satisfactory.

In November, 1971, following considerable research in cooperation with MDS, we installed, on a trial basis, a data transcriber capable of transmitting and receiving data via data phone as well as operating a printer. With the installation of this equipment, we began utilizing the facilities of Boeing Computer Services, Inc., Philadelphia, Penn., for computer processing, transmitting data by phone and receiving the finished reports by Trailway Bus. In February, 1972, also on a trial basis, a 600 line per minute printer was installed making it possible to key punch data, transmit to and receive from the computer data for printing the final reports in our own central office.

At the present time, for tenant accounting and tenant information only, we are processing 20,000 transactions per month. In the very near future with applicant information, general ledger and labor distribution being added, the number of transactions to be processed will increase to approximately 50,000 per month.

Shop Space and Storage Facilities:

At the suggestion of HUD and other survey groups, we have located an industrial building containing 40,000 square feet floor area on three floors with a substantial parking area which is suitable for specialized work shops and central storage. Negotiations are being

conducted with the owners for a leasing or lease purchase arrangement and a proposal is being prepared for submittal to HUD for review and approval.

Lead Paint Contamination:

In August, 1971, we approached the Maintenance and Engineering Section of HUD for recommendations on equipment to be used for the detection of lead contamination in our properties, especially those under the leasing and acquisition programs. This created considerable interest on the part of HUD who is now developing a research program, utilizing the Authority's facilities for demonstration, for the purpose of establishing guidelines for lead decontamination for issuance to all local housing authorities.

Income Limits and Rents:

Revised income limits for admission to and continued occupancy in public low-rent housing along with a redefinition of income has been developed and will be put into effect in the very near future. Increased allowances from gross rent for tenant supplied utilities have been established to be put into effect on April 1, 1972.

Request for Proposal (RFP)

In October 1971, NCHA responded to HUD's request to all local housing authorities to submit an RFP to design, implement, monitor and document a Comprehensive Public Housing Management System that provides increased tenant services on a cost-effective basis. NCHA's RFP provides for several new approaches to management. However, all approaches call for participation by residents.

Project SECURE

In February 1972, the Housing Authority staff developed a proposal, referred to as "Project SECURE", which responds to the security needs of the approximately 60,000 public housing residents in the District of Columbia. The proposal calls for a mobile radio-linked security force consisting largely of residents who will patrol public housing communities up to 24-hours a day in an effort to deter prospective criminals and facilitate detection through faster and more complete reporting of crime to the Police Department. Funding for the proposal, estimated to be slightly more than one million dollars, will be sought from LEAA.

Lastly, let me again state that I thank you for the opportunity to appear at this hearing and report on NCHA's accomplishments.

Office of Housing Programs

COMMITTEE ASSINGMENTS

NATIONAL CAPITAL PLANNING COMMISSION
Banks--2nd alternate for the Mayor

NATIONAL CAPITAL PLANNING COMMISSIONS'S TRANSPORTATION COMMITTEE
Banks

NCPC--URBAN RENEWAL AND HOUSING COMMITTEE
Banks

NCPC--COORDINATING COMMITTEE
Banks
Froeder--alternate--attends meetings

CABINET OF THE MAYOR
Banks

CABINET OF THE DEPUTY MAYOR
Banks

COMMITTEE ON COMMUNITY DEVELOPMENT & HOUSING
Banks
Volkman--alternate

ZONING ADVISORY COUNCIL
Banks

BOARD OF CONDEMNATION
Banks
Crocker--alternate--attends meetings

PUBLIC SPACE COMMITTEE
Banks
Crocker--alternate--attends meetings
Volkman--2nd alternate

D.C. MANPOWER ADVISORY COMMITTEE
Banks
Volkman--alternate

RELOCATION ADVISORY COUNCIL
Banks--chmn.
Crocker--alternate--attends meetings

RELOCATION//CROCKER SUBCOMMITTEE
Crocker

CHESAPEAKE & OHIO CANAL NATIONAL PARK COMMITTEE
Banks

COG LAND USE COMMITTEE
Banks

COG HOUSING TECHNICAL COMMITTEE
Volkman
Morris-alternate
Wenzel--2nd alternate

FORT LINCOLN POLICY COMMITTEE
Banks

FORT LINCOLN CITIZENS ADVISORY COMMITTEE
Crocker

ANACOSTIA TASK FORCE
Banks-chmn
Numma--staff

COMMITTEE ON HOUSING FOR THE ELDERLY
Volkman--chmn
Wenzel--staff

PROGRAMMING SUBCOMMITTEE
Volkman--ex-officio

SITE SELECTION SUBCOMMITTEE
Volkman--ex-officio
Wenzel--staff

OTHER SPECIAL COMMITTEES
Volkman--ex-officio

JOINT COMMITTEE ON LANDMARKS
Volkman--staff
Wenzel--staff

MAYOR'S ADVISORY COMMITTEE ON AGING
Volkman--ex-officio

CAPITAL IMPROVEMENT PROGRAM-TECHNICAL ADVISORY COMMITTEE (CIP-TAC)
Wenzel

DOMESTIC COUNCIL MEETINGS
Morris

COMMUNITY SERVICE ADVISORY COMMITTEE (CSAC)
Morris

SAC 3
Morris

SAC 4
Morris

CSAC SUBCOMMITTEE ON PLANNING 1
Cheek

WOMEN'S ACTION COMMITTEE
Wenzel

EQUAL EMPLOYMENT OPPORTUNITY
Haughton
Southall

URBAN RENEWAL OPERATIONS COMMITTEE
Banks--chmn
Volkman--staff
Crocker--staff
Morris--staff

PUBLIC HOUSING UNITS

Senator INOUYE. For the record, we would like to have a set of statistics. How many public housing units are there in the city?

Mr. BANKS. Approximately 11,000.

Senator INOUYE. Would you at some later date give us the precise figure?

Mr. BANKS. Yes.

(The information follows:)

There are 11,480 public housing units in the District of Columbia, as of March 1972.

UNOCCUPIED PUBLIC HOUSING UNITS

Senator INOUYE. How many are currently unoccupied?

Mr. BANKS. Approximately 700.

Senator INOUYE. What is your estimate of the number of abandoned private units in the city?

Mr. BANKS. It is around 4,000. I would have estimated the number last year to be in excess of 5,000. I think that the number of abandoned units—and abandoned, of course, is a term that might require definition—has been reduced since last year. I am particularly sensitive to the fact that in the far Southeast, where the problem was most widespread 2 years ago, considerable improvement has been made.

Senator INOUYE. What programs has your office proposed to mitigate this troubling irony—the need for more housing units, while all of these units you mentioned stand abandoned or unoccupied?

PROJECT REHAB

Mr. BANKS. Well, several, sir. In the first instance, last year we were given the authority to proceed with something called "Project Rehab." This is a program which is funded by the Department of Housing and Urban Development. We were given the authority last February to proceed to remodel 2,500 units in the next 2 years.

We have now under construction about 600 units. We expect by the end of April 1972 we will have 1,100 under construction. We feel that by the end of the year we will have 2,500 units for remodeling.

We have received requests or proposals for remodeling of over 4,000 dwelling units. Most of the applications have been submitted to the local office of the Department of Housing and Urban Development.

This program is more directed toward the problem that you speak of than any of the others we are undertaking. At the National Capital Housing Authority, we have remodeled, since last July, 900 dwelling units, in spite of the fact we have 700 vacant today. If you wish, I will go into an explanation of that. It is a problem of some magnitude. Since November of 1971, the biweekly reports I get indicate a constant decrease. So the problem is being resolved.

Senator INOUYE. Under this rehab program, how many units do you hope to rehabilitate?

Mr. BANKS. We will rehabilitate within 2 years at least 2,500 units. We think that we can between now and 1976—we have addressed ourselves to a bicentennial accomplishment—we can rehabilitate at least a thousand a year.

Senator INOUYE. So you will have 2,500 within a year?

Mr. BANKS. Two years.

Senator INOUYE. Plus 700 vacant at the present time?

Mr. BANKS. Well, now, we are talking about two different things. Project Rehab does not——

Senator INOUYE. 700 in the public housing units.

Mr. BANKS. 700, yes.

Senator INOUYE. How many people are now on the waiting list for public housing?

Mr. BANKS. About 5,000.

Senator INOUYE. Why is it that these 700 remain vacant?

Mr. BANKS. Principally because it requires funds which we do not have to remodel them. When I took over the——

Senator INOUYE. Are these public housing units ready for occupancy?

Mr. BANKS. No, sir. If they were, they would be occupied. They require extensive remodeling to be occupied.

We rent units in the public housing program only when we have a certificate from Mr. Dugas' office that they meet the housing code requirements of the city. So, therefore, we have to do considerable remodeling before the units can be reoccupied.

Senator INOUYE. Is this due to wear and tear, or is it due to vandalism?

Mr. BANKS. A combination of the two, sir. I would like to explain some of the problems. If you would let me take the time.

Senator INOUYE. Please do, sir.

PROVISION OF HOUSING FOR LARGE FAMILIES

Mr. BANKS. The city's public housing program has concentrated in recent years on the provision of housing for large families. We have also concentrated on providing housing for the elderly, which I think is the most successful program we have now in operation.

But the large family program runs into difficulty because we have an unusually large number of children. We have one development, for example, which was completed in 1967, which accommodates about 200 families, and they have among them more than 1,200 children.

Unfortunately, in the design of such developments, the recreation accommodations to meet the needs of that size child population were not included.

In addition, maintenance costs have not been properly budgeted. In a family with 10 persons or 12, a refrigerator is likely to last only one third of the time that it would last a four-person family because the doors open more frequently and general use is more intensive. The same applies to many other parts of the House.

In budgeting for the maintenance and care of these units, consideration of these matters have never really been included. We are always running behind in terms of the maintenance of properties which are intended to accommodate large families. Somewhere along the line we decided that what the families really need is shelter, and that once the shelter is provided, most of our worries are past.

But in the management of these properties, we find a large number of children requires a much larger budget for good maintenance than has been provided.

Senator INOUYE. Do you feel that the housing program regulations discriminate against the very poor?

Mr. BANKS. Do you mean the public housing program regulations?

Senator INOUYE. Yes.

Mr. BANKS. I don't at present, but if the regulations which are now being promulgated by the Department of Housing and Urban Development for new developments are sustained, they will.

Senator INOUYE. How many District residents are below the minimum income level required of public housing occupants?

Mr. BANKS. There is no minimum income level at present, sir. There are a few of our families who don't pay rent, but very few.

URBAN HOMESTEAD CONCEPT

Senator INOUYE. Recently, as you are aware, the concept of urban homesteading has received some attention here. I would like to get your analysis of this concept.

Mr. BANKS. As I understand the concept—and my understanding is derived almost exclusively from some of the newspaper and magazine articles I read about it—it involves the provision by families with a good deal of the physical work that is required to bring the property into being and a rather complicated system for arranging for families to own them.

I do feel that many of our families could own their own houses. I do not believe, however, that it is a simple matter of providing home ownership opportunities for all poor families. Unfortunately, a large number of our poor families have no male heads. I think that implicit in the homestead concept is the necessity for the family to undertake a good deal of physical work. It is our experience in public housing with a heavy percentage of families without male heads, especially if the mothers are working, that it is almost impossible for them to work and do all of the physical repairs that would be required.

I think the concept is certainly worth exploration and worth the application wherever it is feasible, but I would not consider it a complete answer to the problems that we face.

ABANDONED HOUSING UNITS

Senator INOUYE. What can the city do about these abandoned housing units?

Mr. BANKS. Well, in addition to the remodeling them under the projects we have, I believe it would be helpful to delineate neighborhoods where we could talk with the owners and try to get them involved in the procedure for remodeling their houses and participating in a community improvement program.

I think a lot of this has to be voluntary. It is not going to be possible for Government to do everything. I think the Government's role in this is to be a catalyst, to provide the impetus for development and improvement.

We, for example, in the area we identify as Old Anacostia, and inspecting every house which is vacant and every lot which is vacant, and making an assessment of the public facilities and private facilities

that are available to serve those communities. We are talking to the owners of some of the properties.

In that particular neighborhood, we talked with the priest of a Catholic church which owns properties and also some vacant lands, trying to induce the church to participate with us and with their neighbors in a program for the improvement of the neighborhood, which would include remodeling existing buildings and building houses for moderate-income families on the vacant lots.

In addition to that, we have been working with the financial institutions of this city. There is, as you probably know, a service corporation which has been formed by the Savings and Loan Organization for the District of Columbia, which will be funded at somewhere around $\$3/4$ million. Those funds will be used exclusively for the projects in the inner city.

We also have worked with the Federal Home Loan Bank Board in their efforts to bring about more interest on the part of local savings and loan associations. We think private money, as well as the Government, HUD money, has to come into play.

If this will work in the old Anacostia area—and we think it will—we think it will serve as a model to be applied in other areas.

Also, under the model cities program, we are at this moment planning the remodeling of an area called Trinidad, which was once subjected to a federally assisted code enforcement program, which left about 130 parcels, which needed more extensive work. We feel that with the formation of the Model Cities Housing Development Corporation, and the approval of this plan, we can really improve this community.

I think there has to be a community thrust in order to be effective. The people who invest their funds and their energies have to feel that they are working with both city and neighbors to make their investments worth while.

LOCATION OF PUBLIC HOUSING UNITS

Senator INOUYE. Most people in a community would agree as to the necessity of a jail. But I think, similarly, most people would not want this jail to be in their neighborhood. They want it elsewhere. In a similar way, I believe most people agree on the necessity of public housing. But they do not want it in their backyard.

As a result, in this city, as in all other cities, public housing is found in the least desirable areas of the city, areas of least resistance, where people do not complain. And then you have a complex, multiplicity of all urban problems—congestion, crime, education. Name them, you have got them.

It has been suggested that if we are to have a better society, we should consider intergration by changing housing patterns. Have you considered building housing units in the more affluent areas?

Mr. BANKS. Yes, sir, we have. One of the problems with building in an affluent area, of course, is the cost of acquiring the land on which to build. I guess the most immediate plan that we have for building in an affluent area is the proposal to build a high rise development for the elderly poor on 24th Street, near Virginia Avenue, and the Watergate Apartments. The plan is now in the process of design. We hope that in the very near future we will be able to proceed with it.

I would look at this problem from another point of view, Mr. Chairman. I would conclude, for example, that the change which has occurred in this city, and probably in most of the other large cities in the country, is as much due to lack of choice provided by the city to certain types of families, as it is due to the social and economic conditions that prevail.

For example, we have examined the record of this city in issuing permits for the construction of single-family houses over the last 10 years. We find that very few houses are built in the city for middle- to moderate-income families. Altogether, there were only 103 permits that were issued for houses to be constructed in 1971.

Most recently, we know that many of the young black families who normally seek to purchase houses, have not been able to find them in the city and have moved to the suburbs. We will be offering a program to the city in early April, which addresses itself to this problem, which will mean in this instance, bringing housing to poor communities, which is available for moderate- and middle-income families. This will be done on the premise that their presence will help in the structuring of the community.

We have talked to a number of people about it. We have talked to developers about it. We have talked to financial people about it. We have talked to families about it. We think it will work. We have located the land.

USE OF PHILADELPHIA COMPUTER SERVICE

Senator INOUYE. I think it makes good sense.

Mr. Banks, why was it necessary for the National Capital Housing Authority to go to Philadelphia to procure computer processing services for your tenant-accounting and tenant-information system?

According to your report, as NCHA executive director, you transmit data by telephone to Boeing Computer Services, Inc., in Philadelphia, and receive finished reports by Trailways bus.

The question is, did you check with the city government to see if your needs for computer services could be met locally? Yesterday we were advised that we have a lot of computers not being fully utilized in the city.

Mr. BANKS. Mr. Chairman, I was not the Executive Director of the Housing Authority when the contract for the computer services was signed. I do know, however, that before that contract was signed, considerable discussion with local officials was held about the availability of computer services. As I understand it, it was decided on the basis of the information given, that this organization—which is really in Madison, Wis.—although the work is now done in Philadelphia, that the work could be done cheaper and more efficiently because this firm had experience with many other housing authorities around the country. The work that is required is standardized by the manuals of the Department of Housing and Urban Development.

We could get it done cheaper and more efficiently and more quickly from that firm. That is my understanding.

Senator INOUYE. Thank you very much, Mr. Banks. I would like to congratulate you for a job well done, recognizing and considering the circumstances under which you have to operate. You have done very well, sir.

Mr. BANKS. Thank you.

Alcoholic Beverage Control Board

STATEMENT OF MRS. JOY SIMONSON

BUDGET REQUEST

Senator Inouye. Our next witness is Mrs. Joy Simonson of the Alcoholic Beverage Control Board, testifying in behalf of the request of the Board. The amount is $372,500.

Welcome, Mrs. Simonson.

Mrs. Simonson. Thank you, Mr. Chairman.

I have submitted for the record a brief opening statement, but I do not believe I need take your time to read it, inasmuch as we are only requesting within-grade advancement and classified pay-increase money.

PREPARED STATEMENT

Senator Inouye. Without objection, your full statement will be made a part of the record.

(The statement follows:)

The Alcoholic Beverage Control Board is requesting an increase of only $25,445 for 1973. This sum is to cover anticipated within-grade advancements totaling $5,845 and $19,600 to meet the classified pay increase. No increased amounts are requested for items other than personnel despite the rising costs of essential supplies and services.

Following the directive of the committee in its fiscal year 1972 appropriation report, the number of inspectors authorized for the Board was reduced from 14 to 12. Although this reduction will inevitably result in fewer inspections of licensed premises, I believe that we can maintain adequate surveillance with the present staff. Increased attention is being devoted by the Enforcement Division to background investigations of applicants for liquor licenses and for managers permits. The Board is fully conscious of its important responsibility to ensure that persons involved in criminal or illegal activities do not acquire control either directly or indirectly of establishments licensed to sell alcoholic beverages.

The recommendation of this committee that the District Government study the employment basis of the Board members is currently being followed by the Management Office. Board members and staff of the Alcoholic Beverage Control Board have been cooperating fully in this study.

DISTRICT GOVERNMENT STUDY

Mrs. Simonson. Thank you. I will be available for any questions you have. I do not think I have any particular problems to bring to you at this time.

Senator Inouye. Well, I have just one question, Mrs. Simonson.

Last year, the Senate Committee Report recommended the District government study and report to this committee at its fiscal year 1973 hearings, as to why Board members should not be paid on a "when actually employed" basis. What is your report?

Mrs. Simonson. The Office of Planning and Management is making a study at your direction. They have been working with the Board

members and the Board staff. I believe they are doing quite a thorough job in reviewing the kinds of work the Board members do and the amount of time it takes, the volume per week, per year, and they should be coming up with their recommendations shortly. We are cooperating fully with them.

Senator INOUYE. When do you think you can count on receiving the finished report?

Mrs. SIMONSON. I have spoken with the staff man who is working on it, and he indicated that he will have for his chief, at least his preliminary report, by next week. How complete or final that will be, I am just not informed.

Senator INOUYE. We would appreciate receiving a copy of that report before we complete these hearings, because we will need that report in our hands before we mark up the bill.

Mrs. SIMONSON. I will give that message to them. I am sure they will comply.

(Clerk's note: The report was not completed prior to the printing of the hearing record.)

HOURS WORKED BY BOARD MEMBERS

Senator INOUYE. Would you advise this committee as to how many hours a week your Board spends in formal meetings?

Mrs. SIMONSON. Well, formal meetings could be considered of two sorts, Mr. Chairman. We hold hearings of two basic types. One is an application for licenses, either original licenses or transfer, transfer of location, transfer of ownership, or annual reissuances, since all licenses are annual.

Every one of those cases is subject to a protest hearing. Any member of the community who has any basis for objecting may come in. Those hearings can run anywhere from a half hour to occasionally an entire day.

In addition to that type of hearings, we have hearings on alleged violations of the ABC Act or regulations. Those hearings, again, can vary tremendously in length.

Our workload on hearings in the last fiscal year was 29 of the protest type hearings and 158 of the citation type hearings. It would be very difficult for me to pull out of the air for you an average time for those hearings, but that at least is the volume in number of cases.

Senator INOUYE. Do any of the Board members receive compensation for professional or personal services over and above compensation for service as a Board member?

Mrs. SIMONSON. It is my understanding that it has been the practice that Board members may have other occupations if they do not involve the alcoholic beverage industry and if they are conducted on their own time and not during the 40 hours a week for which they are compensated.

Senator INOUYE. Thank you very much.

Board of Parole

STATEMENT OF CARL W. COLEMAN, CHAIRMAN

ACCOMPANIED BY:
JOSEPH N. SHORE, MEMBER
ROBERT S. HOPKINS, ADMINISTRATIVE OFFICER

BUDGET REQUEST

Senator Inouye. Our next witness is Mr. Carl W. Coleman, Chairman of the Board of Parole. They are requesting $356,200.

Welcome, sir.

Mr. Coleman. Thank you very much, Mr. Chairman. I do have an opening statement which I would like to read for the record.

Senator Inouye. Please proceed, sir.

Mr. Coleman. Our Board again comes before you requesting that it be funded so as to perform its duties and meet its responsibility. We are asking for five additional positions.

We are a very small agency, but we see ourselves as being an integral part of the overall criminal justice system, and in spite of our small size, as a major component of the correctional process of this system.

The common objective of the correctional process, probation, correctional institutions, community-based centers, as well as parole and subsequent supervision, is to encourage and make it possible for a majority of criminal offenders to change and to become law-abiding, self-supporting and productive members of the community.

Our Board carries out its function at a point within this process, whereby an offender passes through the hands of several agencies from the time of his arrest through his conviction and sentencing, up to the point of his eventual completion of his sentence.

Basically, we make parole decisions. Our immediate objective is to accomplish this task seeking to provide fair and just treatment of the offender, to protect the community and the public, and to arrive at such decisions in conformity with the statutes as well as court decisions and interpretations.

Once there is a positive parole decision, there is then created a parole status, in that by paroling an individual, the Board has authorized that person to continue in service of part of his sentence, while in the community, under supervision and subject to conditions. It thus is incumbent on the Board to establish such conditions and supervision so as to assist the individual in the parole status to maximize a successful adjustment while minimizing new criminal activity, thereby achieving his reintegration back into the community by the effective and efficient use of supervision techniques.

VIOLATOR-REVOCATION PROCEEDINGS

In those situations where the parolee or releasee is unable to adjust to the parole status, the Board is then responsible for implementing violator-revocation proceedings, its aim again being the protection of the community and public, providing fair and just treatment of the alleged violator, and arriving at its decisions in conformity with statutes, court decisions, and established formalized Board procedures.

To carry out these tasks and effect maximum cooperation for the advancement of the common objective, the Board maintains close coordination and communication with related agencies in the criminal justice system. It continually seeks to assess the effectiveness of its decisionmaking criteria, its procedures, and its techniques. This is accomplished by ongoing program evaluation and study. Likewise, by programs designed for staff development, the Board seeks to enhance its members' and staff's performance by improved knowledge and skills.

We would like to advise the committee that since the Board's reorganization in 1967, we have had authorization for 20 positions, including its three members. Such has not changed, though it was recognized at the time of the 1967 reorganization that experience might well indicate that increased staff would be a necessity. Time has so demonstrated, but to date repeated Board requests for increased personnel authorization have failed to receive approval.

INCREASE IN BOARD'S WORKLOAD

Our experience since fiscal year 1969 clearly indicates that the Board's workload and tasks continue to increase. As this workload increase continues, with the lack of additional personnel to handle it, there is of necessity a corresponding erosion as to the adequacy of existing capacity. Even with an all-out effort merely to continue to maintain the quantitative level of function due to increased workload, the threat to the important qualitative areas of function increases, and the risk that such can be given only perfunctory or limited attention increases. The Board is unwilling to sacrifice its continued inputs in the quality area. Also, as workload increases, decisionmaking delays increase, as do clerical backlogs. These are financially costly and costly to program objectives as well.

May we note here merely one or two indicators of increased workload for the Board, increases which involve not only case decisionmaking, but corresponding professional staff input, as well as supportive clerical staff output.

In fiscal year 1970 the Board conducted approximately 1,265 parole hearings, initial and reviews, in adult and youth cases. In fiscal year 1971 this increased to some 1,779 hearings, while for only the first half of fiscal year 1972 some 1,591 hearings have already been conducted. Each such hearing requires preparation from professional staff with necessary complementary clerical functions. Each is recorded and for each there is required a transcribed summary from the Board, noting disposition taken and directives for further action.

Again, in fiscal year 1970, the board conducted approximately 271 revocation hearings, in adult and youth cases. In fiscal year 1971 this number increased to some 317 such hearings, while for only the first half of fiscal year 1972, some 219 revocation hearings have already been

conducted. Once again, each such hearing requires professional and clerical staff time and involvement. Recording of each hearing becomes a necessity. In fact, at such revocation hearings the alleged violator is entitled to have attorney representation. During fiscal year 1971 there were 50 such hearings at which attorneys appeared with their clients. For the first half of fiscal year 1972, the Board has already conducted 39 such hearings at which an attorney was present representing an alleged violator.

We could go on and on noting other areas of workload that have increased. The above-reported increased workload doesn't reflect these numerous other areas of board involvement, such as special hearings, board reviews for issuance of violator warrants, follow-up preliminary, revocation interviews, and reviews of YCA 5010E studies, to name but some. Corresponding increased workload in these areas can also be shown, involving Board and expanded staff inputs.

ESTIMATED WORKLOAD FOR FISCAL YEAR 1973

Conservative estimates, based on projections attributable to the enlarged more efficient programs of the Metropolitan Police Department, to the increased capacity of the judiciary as a result of the District of Columbia Court Reform and Criminal Procedure Act of 1970 indicate that in the parole hearing area alone, there will be a workload of approximately 2,335 parole hearings, and we stress, only parole hearings in fiscal year 1973.

REQUEST FOR ADDITIONAL POSITIONS

The board submits that with this continuous increase in its workload, in order to perform its required function, that its requested increase for personnel authorization is absolutely necessary as a minimum, if it is to maintain its current level of operation and to prepare to meet its conservatively estimated increased workload.

Finally, the board would like to state that our last two funding increases have only been in personnel compensation and the personnel benefits categories. We have tried to maintain and shall maintain a status quo on funding for equipment and supplies. It is felt that by proper supervision and utilization of supplies, materials, and self-imposed travel limitations and avoiding excess expenditures for equipment and communications that we will be able to adequately support increased personnel with the same amount of our currently authorized funding.

We will welcome any questions that you may have, sir.

Senator INOUYE. Mr. Coleman, I thank you very much for your presentation.

I have just one question.

Do any Board of Parole members hold outside employment?

Mr. COLEMAN. One of the three members teaches 1 night a week at American University and is compensated for this work. He receives $1,600 per semester for one evening class and one Saturday class.

Senator INOUYE. Thank you very much.

74-704 O - 72 - pt. 1 - 29

DEPARTMENT OF INSURANCE

STATEMENT OF EDWARD P. LOMBARD, SUPERINTENDENT
ACCOMPANIED BY JACK KLABEN, DEPUTY SUPERINTENDENT

PREPARED STATEMENT

Senator INOUYE. Our next witness is Mr. Edward P. Lombard, Superintendent of the Department of Insurance.
Welcome, sir.
Mr. LOMBARD. Good morning, Mr. Chairman. With your permission, I will not read my statement, except for two short sentences from it.
Senator INOUYE. Without objection, your full statement will be made a part of the record, sir.
(The statement follows:)

Mr. Chairman and Members of the Committee:

During the calendar year 1971 the Department of Insurance was able to handle a material increase in workload with 24 authorized positions, the same number of employees we had 10 years ago.

Much of the work that is done is prescribed by law such as the periodic examination of domestic insurance companies, the review of many thousands of filings in the life, casualty, and accident and health sections, and the work of our licensing division.

The operation of the District of Columbia Placement Facility, which is supervised by the Department, continues to provide every citizen basic property insurance. Pools for distressed risks are the current solution to a lack of affirmative market and the city would have been adversely effected in a material way if the facility had not been provided for by the Congress. During the summer months of 1971 an examination was made of this Facility by examiners from the Department of Insurance. A copy of this report is available as a public record. Changes for the better continue to be made in this

operation from time to time.

A number of legislative matters are in process and the members of our Department work with the executive branch of the District Government in this vital area. We have received assistance from the Corporation Counsel with respect to Court actions, administrative hearings, and a number of rulings or interpretations of the laws or regulations.

In addition to a gradual increase in the volume and complexity of material filed with us each year, we absorbed a marked increase in workload in our casualty complaint section. This was directly traceable to administration of a group of insurance regulations enacted by the District of Columbia City Council in March of 1971. As of October 20, 1971 we were enjoined by the Court from taking any action to enforce or otherwise give effect to these regulations.

We are current with our regular work, and look forward to legislative changes that will enable us to better protect the public. The public continues to be provided with expert assistance in the area of inquiries or complaints. Our Department is set up to render such services as a major part of our day to day operations. We are involved with the work of the National Association of Insurance Commissioners as called for by our law. There are many ways in which

the work of this Department could be expanded. Insurance regulation is at the state level. Various states have provided for large staff increases for their insurance departments including legal staffs, public information and public relations sections, training divisions of various kinds, and provision for library and research staffs. We are conscious of the fact that this city is considered a state and must provide for an insurance department staffed with actuaries and other professional people, as the 50 states do.

Despite our small size geographically we have more insurance in force than 10 or 12 states, and our domestic industry places us in the top one-half of the states by this test. Our revenues are well in excess of 6 million dollars.

There is one saving as against a cost that many of the states have, and that is the lack of need for an insolvency, rehabilitation, or receivership section. While a number of domestic companies have gone out of business no policyholder was adversely affected by such failures. This record has eliminated the need to spend monies for such purposes in the District of Columbia.

Edward P. Lombard
Superintendent of Insurance

NONREQUEST FOR ADDITIONAL POSITIONS

Mr. LOMBARD. Thank you, sir.

We are not asking for additional positions. In my statement I say that during the calendar year 1971, the Department of Insurance was able to handle a material increase in workload with 24 authorized positions, the same number of employees we had 10 years ago.

The second point, we are conscious of the fact that this city is considered a State and must provide for an insurance department, staffed with actuaries and other professional people as the 50 States do.

So that budgetwise, we have attempted to maintain the department without expanding it.

"NO-FAULT" AUTO INSURANCE

Senator INOUYE. I thank you very much, sir. Is the issue of the so-called no fault automobile insurance under consideration by your office?

Mr. LOMBARD. Yes, Mr. Chairman. The Congress, Senator Stephenson, has held hearings on legislation, and a companion bill is pending before the House. There has been a continuous cooperation between the Insurance Department, the legislative branch of the District Building, and the staff of the two branches of the Congress, the Senate and House District Committees working on the subject.

RESIDENTIAL FIRE INSURANCE RATES

Senator INOUYE. What has happened to the residential fire insurance rates in the last 5 years?

Mr. LOMBARD. There has been no change since May of 1970, at which time there were material increases in—did you say fire rate, sir?

Senator INOUYE. Yes.

Mr. LOMBARD. In the fire insurance rates.

Senator INOUYE. By material, what do you mean, sir?

Mr. LOMBARD. The 1968 losses in the city were so tremendous that the market deteriorated. The only viable market was the consent to rate market, in which case each individual must do the best he can with speculative companies, paying six, eight, 10 times the going rate. To break that up, I granted rate increases, percentagewise. They appear material. I believe they ran in the area of 45 percent for some of the key categories. This was to help to restore the market. In particular, the local fair plan, as it is called, the pool that handles risks, that companies will not write on an individual basis, was able to keep its head above water. It did run, even with the new rates, at a heavy loss during the first 2¾ years of operation. The tide has turned and I hope it will continue.

They have had their first quarter in the black, the third quarter of 1971, so that the rate increases, based on experience, were extremely necessary. They have not been excessive.

You may be interested to know that I am in court over that rate increase, and another one. I have been taken to court over those rate

increases. But I do believe that experience has shown that they were the necessary increases in the face of the market failures.

Senator INOUYE. How do the rates compare with those, say, in Los Angeles or in the city of Detroit?

Mr. LOMBARD. There was a study made by the Hughes Commission, which may be familiar to you, Governor Hughes of New Jersey—which was a prelude to the formation of the fair plan. We had a chance to see how we compared with these other cities that were subject to civil disturbance. Our rates were unbelievably lower than others.

The District of Columbia for many years was a city of high economic level, totally brick construction, had good fire protection, and our rates were very, very low. As a matter of fact, the brick dwelling rate was 8 cents per hundred for about 15 or 20 years, which was substantially lower than that of Montgomery County and Prince Georges County.

Because of the loss rate that we did incur and the restricted area of the territory, that same rate is now 22 cents. This is reduced, by rule of thumb, to $22 for $10,000 of coverage per year.

Percentagewise, the increase was large, but the thing that justifies higher insurance premiums or rates are the fire insurance losses. And we have substantial statistics that would indicate that the rate increase given was fully justified, sir.

Senator INOUYE. Thank you very much.

Minimum Wage and Industrial Safety Board

STATEMENT OF MRS. SARAH H. NEWMAN, CHAIRMAN OF THE BOARD

ACCOMPANIED BY:
RICHARD R. SEIDEMAN, EXECUTIVE SECRETARY AND DIRECTOR, MINIMUM WAGE DIVISION
CHARLES T. GREENE, DIRECTOR, INDUSTRIAL SAFETY DIVISION

BUDGET REQUEST

Senator Inouye. Our next witness, Mrs. Sarah H. Newman, Chairman of the Minimum Wage and Industrial Safety Board.

Welcome, ma'am.

Mrs. Newman. With me is Mr. Richard R. Seideman, Executive Secretary and Director of the minimum wage division, and Mr. Charles T. Greene, the director of the industrial safety division.

REQUEST FOR FISCAL YEAR 1973 FUNDING

The Minimum Wage and Industrial Safety Board is requesting $578,372 in funds for fiscal year 1973. This represents an increase of $32,438 in funds needed for within grades and pay increase plus an additional $32,500 in funds for new positions.

The Board is charged with the responsibility to administer and enforce the wage-hour and safety laws of the District of Columbia. In order to implement this mandate the board is requesting additional funds for six positions. Two of the positions would strengthen the wage-hour program and four are urgently needed by the Industrial Safety Board.

You are probably aware, Mr. Chairman, that we have a tripartite Board which is paid only for the time it actually spends on Board work.

With regard to the wage-hour program the board, beginning in 1969, pursuant to the 1966 amendments of the District of Columbia minimum wage law, began a program to review, on an industry and occupational basis, the minimum wage rates provided in wage orders covering over 320,000 employees in private employment.

Because the wage revision procedure is extremely time consuming, the board has been able since 1969 to review and revise the minimum wage rates of 226,000 (or 70 percent) of the employees subject to the District of Columbia Minimum Wage Act.

However, since the 1966 effective date of the District of Columbia Minimum Wage Act, the cost of living has increased 24 percent, which means there are thousands of employees whose wage rates remain at $1.60 an hour, while the cost of food, transportation, clothing, and shelter has drastically increased.

NUMBER OF EMPLOYEES COVERED BY MINIMUM WAGE STANDARD

Senator INOUYE. About how many would that be?

Mrs. NEWMAN. We have done it for 226,000. We have about 320,000. So it is roughly 54,000 employees.

In order to increase the number of wage order revisions, the Board is requesting funds to hire a statistician, GS–12.

We have asked for a statistician before. We have no actual statistician on our staff. I think we are one of the few jurisdictions with a minimum wage law to administer that does not have a statistician.

At the present time the Board has only one person capable of performing the necessary wage surveys needed to revise the minimum wage orders. With the addition of a statistician, the Board could double the number of wage order revisions and also make followup impact studies.

This, I think, would be extremely valuable, so we would have some basis for making future decisions, since we could through such studies find out what actually happens to employees in the District when a wage order is revised.

The Board is also requesting funds to permit the hiring of a secretary, GS–7. At the persent time there are 20 professional employees in the Minimum Wage Division and one clerical worker. The result is a continual clerical backlog which is reduced by having the professional staff engage in clerical work at the expense of the wage-hour enforcement program.

NEW POSITIONS FOR INDUSTRIAL SAFETY DIVISION

The Industrial Safety Division has been allotted four positions in the 1973 budget. Two positions will make permanent two temporary inspectors, GS–9, that are presently working on the staff under Federal funding.

An economist, GS–13, and a statistical clerk, GS–6, are needed to partially staff a statistically injury and illness reporting system which is to become an ongoing function by July 1, 1972.

This program is required as part of the State plan being developed under the Williams-Steiger Occupational Safety and Health Act of 1970.

The Board needs additional personnel in order to meet the city's commitment to participate in the occupational safety and health administration program.

The State plan that is being developed must meet the stringent standards of the Federal legislation.

We must have sufficient personnel and an adequate budget to meet the December 29, 1972, deadline for 50–50 funding and to meet the assumption of field jurisdiction for enforcement of the occupational safety and health administration program.

We must also meet our responsibility for policing, educating, and advising the expanding work locations within the District of Columbia which employ over 325,000 persons.

The Industrial Safety Division must meet the deadlines for a State occupational safety and health plan if we are to effectively use District of Columbia budget funds assisted by Federal funds to reduce on-the-job injuries and illnesses which in 1971 cost the city approximately $31 million.

The present staff of the Industrial Safety Division attempts, on a very modest budget, to make scheduled inspections in approximately 20,000 work places within the District of Columbia.

INSPECTIONS BY INDUSTRIAL SAFETY DIVISION

In the fixed establishments—retail trades, wholesale trades, services, and so forth—an inspector averages 409 inspections and reinspections every year.

In order to make an inspection in these many establishments once every 3 years, we would need 11 inspectors, just for fixed establishments, as compared to our present three inspectors assigned in this area. Of course, a more effective program could reduce the need for reinspections.

In addition to inspections, the division is responsible for accident investigations, complaint investigations, safety program assistance and review, lectures, labor and management meetings, a District of Columbia school eye protection program, the promulgation and the updating of safety regulations, and a program of enforcement.

These responsibilities are not getting the attention required for effectiveness because of budget restraints and the ever-expanding number of construction job sites.

It is in this background that the development of an occupational safety and health plan is proceeding. It is our wish to take this opportunity to plan and administer a program worthy of the Nation's Capital and its citizens.

Senator INOUYE. Thank you very much, Mrs. Newman.

How does the city compare with other jurisdictions with respect to the annual rate injuries?

Mrs. NEWMAN. I think, Mr. Greene can give you an answer to that.

WORK-RELATED INJURIES IN THE CITY

Mr. GREENE. There are no figures that I know of, available to make a comparison with cities, because our program is similar and comparable with a State program. Our State program comparison is not valid because we do not use the same criteria for reporting accidents as in all of the States across the country. This is why under the Williams-Steiger Occupation and Safety Health Act, they are designing a program for reporting accidents that would put all States on the same basis and use the same criteria for reporting accidents. In this way you would have some measurement between the various States as to how you compare with one of similar size and similar work locations of industries or types of industries.

Senator INOUYE. From your experience, what would you say would be the comparison, without being exact?

Mr. GREENE. I think in some areas, compared with some States whose programs I know of, our program here and our basic law is more effective than in some States. I would say, however, that our constructions problems exceed some construction problems in some States, because the construction industry here in the District of Columbia is quite an industry and it is all concentrated in one small area.

There are some States that have very good programs, that are well budgeted, like the State of California, State of New York, Alaska,

Hawaii—who spend quite a bit of money per capita on industrial safety.

We are somewhere like, on the amount of money we spend—by last year's figures—we were something 18th from the top in the country.

ACCIDENTS RELATED TO METRO CONSTRUCTION

Senator INOUYE. We have noted sadly that in the past several weeks we have had two accidents in the Metro construction. Have you found any evidence of negligence in connection with these deaths?

Mr. GREENE. The one death—I would like to correct this when we say two accidents. We had more, many more accidents than the two.

Senator INOUYE. I am talking about the two fatal ones.

Mr. GREENE. Two fatal, yes. In the case of the first fatality, we did find a case of violation of our regulations, and we have filed with the Corporation Counsel action in that direction.

The Federal Government also found a violation with their regulations under this new program. And in the instance of the case yesterday, our investigation was not complete as of this morning, but there is indication to me—and this is my personal opinion and what I have seen of the accident report—that it looks as if another violation was involved, of our regulations.

Senator INOUYE. What about nonfatal Metro accidents?

Mr. GREENE. We have quite a number of nonfatal accidents.

Senator INOUYE. How many have we had in the last year?

Mr. GREENE. I could not give you by the year, but I estimated at one time they were well over 6-7-8 hundred accidents since the beginning of the project, and I think there are more than that. We receive accidents every day from Metro projects. Not to beat the Metro particularly, but it is more hazardous than other construction projects. But we receive many accidents from construction projects.

To give you some idea, in the 1971 fiscal year, there were 70,820 accidents on construction projects here in the city. With the increasing amount of projects that the Metro will have under its jurisdiction, we are going to have serious problems with accidents in this particular hazardous work.

Senator INOUYE. What action have you taken with regard to these accidents?

Mr. GREENE. In the Metro?

Senator INOUYE. Yes.

INSPECTION OF METRO CONSTRUCTION SITES

Mr. GREENE. Our action has been to inspect, when we can, and try to get compliance with our regulations. We also encourage——

We also encourage the different contractors to meet with us about anything they do not understand about our regulations and try to have preconstruction conferences with us, which some of them do. We try to keep up with their safety personnel that they have assigned by contract out on each job, to see if they are doing their job as required by our code.

Our particular problem in this area is we do not have the personnel to give to this work as it progresses across our city when we compare it with all of the other responsibilities we have on construction jobs, as well as other fixed establishments.

This is our one big problem. This is getting away from us and this is one of the reasons why we need additional help, other than what we have presently.

Senator INOUYE. Thank you very much.

Recorder of Deeds

STATEMENT OF PETER S. RIDLEY, RECORDER

ACCOMPANIED BY:
COLUMBUS W. KELLEY, DEPUTY RECORDER
MARY L. COLEMAN, BUDGET AND ACCOUNTING ANALYST

PREPARED STATEMENT

Senator Inouye. Our next witness is Mr. Peter S. Ridley, the Recorder of Deeds. The request is $705,800.

Mr. Ridley. Good afternoon, Mr. Chairman.

Senator Inouye. Welcome back.

Mr. Ridley. I have with me Mr. Columbus W. Kelley, the Deputy Recorder of Deeds.

We have already submitted a brief statement to you, and I will not read it.

Senator Inouye. Without objection, it will be made a part of the record.

(The statement follows:)

The primary functions of the Office of the Recorder of Deeds, operating as Activity 6, include the filing and recording of papers relating to real property, personal property and foreign and domestic corporations authorized to carry on business in the District of Columbia. These basic functions include the examination, filing and recording of such as certificates of incorporation, deeds, deeds of trust, security interests, automobile and other motor vehicle liens, Federal and District Tax Liens, Judgments, Foreclosure Notices and Mechanics' Liens. The agency develops and keeps a daily alphabetical index and a lot and square index of all land transactions in the District of Columbia as well as a file of veterans' discharge papers.

The duties of the agency are divided into four programs for the fiscal year 1973, and are as follows:

A. Administrative and Services
B. Filing and Recording Real Property Transactions
C. Filing and Recording Corporations
D. Filing Auto Liens and Chattels

The Office of Recorder of Deeds is requesting an increase of $53,100, which would be used as follows:

(1) $12,800 - Within Grade Advances
(2) 31,300 - Classified Pay Increases
(3) 9,000 - Work-load Funding (4 months) 2 GS-9 Investigators

The estimated operating costs of the Agency for fiscal year are $705,800 as compared with $652,700 for fiscal year 1972.

It is estimated that more than $2,275,000 in revenues will be realized for fiscal year 1973 with the filing and recording of 140,000 real estate, chattel and corporation instruments.

GENERAL FUNCTION OF OFFICE

Mr. RIDLEY. Thank you very much.

The general functions of the Office of the Recorder of Deeds are involved with all of the land transactions and corporation transactions of the District of Columbia, and deal with all papers filed in these regards, including many other phases which are enumerated in the statement.

We are asking this year for an overall budget of $705,800; within that budget we ask for just two new employees. We are requesting an increase of $53,100. $12,800 of the $53,100 would be within grade increases; $31,300, classified pay increases; and we are asking for $9,000 for each of two GS–9 investigator employees, on a 4-month basis.

These two employees, Mr. Chairman, are to be investigators in the corporation division in the Recorder of Deeds. As I presented to the committee on a previous occasion, we have found out in each instance there is a great need for us to investigate the complaints we sometimes get of the operation of corporations or organizations in the District of Columbia, where a great deal of misrepresentation could result and confusion.

We have only one investigator to take care of this entire function. Of course, that is not enough. We now know that the investigators, if you get them, could bring in between $5,000 and $6,000 new revenue to the District. We would get a great deal more help in handling this problem.

Senator INOUYE. Are you utilizing the most up-to-date equipment for the operations of your department?

Mr. RIDLEY. Mr. Chairman, we are utilizing at this time microfilm in regard to all of the land records. This we instituted when we started with the deed recordation tax.

We are also utilizing Diebold machines, what we call the big retrieval machines, whereby we are able to have much more readily available information about corporations and our personal property records.

USE OF DATA PROCESSING PROCEDURES

Senator INOUYE. Have you considered using automated data processing procedures?

Mr. RIDLEY. We have had two occasions, persons have come to discuss that with us. We have not gotten to that yet. However, I would say to you, we have had reports that certain phases of our work are not easily reducible to these processes.

For example, we have large 20-pound ledgers, and a person who has a piece of property in the District wants to read it in its entirety, he does not want any numbers indicating this or that is true. He wants to see his entire record because each word has a legal meaning and has meaning in connection with his whole record.

We also had a study made some years ago, where there was a suggestion there is a possibility of getting into data processing at some future date.

Senator INOUYE. Thank you very much, Mr. Ridley.

Public Service Commission

STATEMENT OF JEREMIAH C. WATERMAN, CHAIRMAN

ACCOMPANIED BY:
H. MASON NEELY, COMMISSIONER
DONALD E. CROTSLEY, EXECUTIVE SECRETARY
PAUL D. KAGEN, CHIEF ACCOUNTANT

INTRODUCTION OF ASSOCIATES

Senator Inouye. The next witness is Mr. Jeremiah C. Waterman, Chairman of the Public Service Commission.

Please proceed.

Mr. Waterman. Mr. Chairman, I have with me Commissioner H. Mason Neely, and our executive secretary, Mr. Donald E. Crotsley.

Senator Inouye. Welcome.

Mr. Waterman. We have submitted a detailed statement, and, therefore, I will not read the entire statement. I do, however, want to read one part that applies to a request for restoration of a small amount of travel allowance that we lost last year.

(The statement follows:)

74-704 O - 72 - pt. 1 - 30

The Public Service Commission regulates the rates and services of public utilities and taxicabs in the District of Columbia in accordance with the provisions of D.C. Code, Title 43-100, et seq. The Commission also licenses and regulates stockbrokers in accordance with D.C. Code, Title 2-2401, et seq.

The primary functions or activities of the Commission are:

1. To establish rates for services rendered by public utilities under its jurisdiction that are just, reasonable, and non-discriminatory.
2. To formulate standards for adequate utility service.
3. To prescribe and enforce rules and regulations regarding utility service for the safety of the public.
4. To regulate the business of selling securities and licensing of securities dealers.

During the past year we have been involved in major rate proceedings concerning both the telephone and electric companies and will soon commence hearings regarding the gas company. These hearings are a result of general inflationary pressures in the economy and their particular effect on the utility industry. Apart from formal proceedings, we concern ourselves on a day-to-day basis with problems of serious concern to the residents of the District as well as local and Federal Government, such as the reliability of electric and gas service and the adequacy of telephone service.

In order to carry out these responsibilities, we have a Staff of 28 consisting of accountants, engineers and administrative and clerical personnel. We have a separate securities division with personnel qualified to carry out responsibilities in that area which include the licensing of security dealers and agents. Legal services are provided to us by the office of the Corporation Counsel.

We are not seeking any additional personnel positions in fiscal year 1973. The major portion of the increases we are seeking is for

personnel costs covering mandatory pay increases and similar items.

We are, however, seeking the restoration of the amount allowed for travel expenditures for fiscal year 1971, i.e. $1,800. Our travel allowance for fiscal year 1972 was reduced from $1,800 to $700. Since our bus token purchases for intra-District staff travel usually amounts to about $500, this leaves us only $200 for out-of-city travel by Commissioners and staff department heads. We are asking that the $1,800, our allottment for the past several years, be restored in order that the Commission may meet important obligations to attend regulatory association meetings in which it should actively participate in order to adequately protect the public interest in its regulatory decisions.

The Commissioners are members of the National Association of Regulatory Utility Commissioners (NARUC). This organization is composed of Commission members from each of the fifty states and the District of Columbia, as well as several federal agencies such as the Federal Power Commission and the Federal Communications Commission. NARUC was established for the purposes of advancing utility commission regulation through study and discussion; promoting uniformity of regulation among the states including the District of Columbia; fostering coordinated action by the commissions in the public interest; and, promoting cooperation among state and federal agencies.

Not only is it in the public interest that the Commissioners must attend these conferences which are set up by NARUC, but staff department heads as members of technical committees such as engineering and law must also attend in order for this Commission to be kept fully informed of developments in public utility regulation in other states.

This request of $1,800 for travel and transportation (which includes tokens) is the very minimum amount this Commission estimates for essential travel purposes in fiscal year 1973.

I shall be happy to endeavor to answer any questions the Committee may have.

RESTORATION OF TRAVEL FUNDS

Mr. WATERMAN. We are seeking the restoration of the amount allowed for travel expenditures for fiscal year 1971; that is, $1,800. Our travel allowance for fiscal year 1972 was reduced from $1,800 to $700.

Since our bus token purchases for intra-District staff travel usually amounts to about $500, this leaves us only $200 for out of city travel by Commissioners and staff department heads.

We are asking that the $1,800, our allotment for the past several years, be restored in order that the Commission may meet important obligations to attend regulatory association meetings in which it should actively participate in order to adequately protect the public interest in its regulatory decisions.

The Commissioners are members of the National Association of Regulatory Utility Commissioners (NARUC). This organization is composed of Commission members from each of the 50 States and the District of Columbia, as well as several Federal agencies such as the Federal Power Commission and the Federal Communications Commission. NARUC was established for the purposes of advancing utility commission regulation through study and discussion; promoting uniformity of regulation among the States, including the District of Columbia; fostering coordinated action by the Commissions in the public interest; and promoting cooperation among State and Federal agencies.

We believe it is definitely in the public interest that the Commissioners and certain staff department heads be able to attend these meetings, to keep abreast of affairs in the utility regulation industry.

I do want to make one correction in our written statement. On page 2, the first full paragraph, line 2, there is a typographical error. The 28 should be changed to 27, Senator.

Thank you very much. I will be glad to answer any questions you may have.

RECENT HEARINGS ON TAXI FARES

Senator INOUYE. Thank you very much.

I regret you were not able to attend the recent hearings.

Mr. WATERMAN. I arrived back the next day. You mean on the taxi meter bill?

Senator INOUYE. Yes.

Mr. WATERMAN. I was extremely sorry. I was on a short vacation and apparently did not get word, and I returned the next day. However, we are proceeding to prepare the necessary response.

Senator INOUYE. I am certain you have been advised that every witness, without exception, had some harsh words to say about the operation of your Commission in relation to the taxi business.

Mr. WATERMAN. I understand that. Unfortunately, Senator, the people who made the unfavorable comments, in our view, did not really represent the taxicab industry.

I have before me a letter from Mr. William J. Wright, of the Taxicab Industry Group, which represents, they claim 80 percent of the taxi drivers in the city.

I will submit a copy of this for the record.

TAXICAB INDUSTRY POSITION

Mr. WATERMAN. But he states:

To set the record straight as to the Taxicab Industry Group's position regarding a study being conducted by the PSC * * * of using meters in the taxi cabs in the District of Columbia.

We wish to set the record straight. We don't want to be associated with the unfavorable comments directed at the PSC, as this does not reflect the Taxicab Industry Group's position. Our objections are against this study being conducted to the use of meters.

And so forth.

I will submit a copy of this letter, which was unsolicited, I might say. Completely unsolicited.

(The letter follows:)

THE TAXICAB INDUSTRY GROUP

Re congressional hearing.

Hon. JEREMIAH C. WATERMAN,
Chairman, Public Service Commission,
Washington, D.C.

DEAR MR. WATERMAN: We wish to correct any false impressions that were made on Tuesday, March 7, 1972, at the Congressional Committee hearing before Senator Inouye. We wish to set the record straight as to the Taxicab Industry Group's position regarding a study being conducted by the PSC as to the feasibility of using meters in the taxi cabs of the District of Columbia.

We don't want to be associated with the unfavorable comments directed to the PSC as this does not reflect the Taxicab Industry Group's position. Our objections are against a study being conducted as to the use of meters as we are of the opinion that such a study would be a waste of time and taxpayers' money. We believe we have overwhelmingly shown that the majority of drivers and the public are opposed to meters.

The Taxicab Industry Group's opinion is that an adjustment should be made in the present zones. However, we do go on record as being in favor of the zone system.

We wanted you to have this letter as you prepare your reply to Senator Inouye's request for certain information which grew out of last Tuesday's hearing.

Respectfully submitted,

WILLIAM J. WRIGHT.

Senator INOUYE. The people represented in that group are basically automobile owners and those responsible for the association which sells insurance, tires, gasoline, and other equipment to the drivers.

Now, which is now more important in your consideration, the people who sell insurance, tires, gas, to the drivers, or the drivers themselves?

Mr. WATERMAN. They claim to represent the drivers, as well as the owners, in that group. I cannot vouch for that. That is their contention, Senator. We have always had a few drivers who have continually requested action be taken, but they fail to furnish any supporting data.

Now, last August we investigated the matter of whether we should hold hearings on taxi rates in the city, in response to a request from Mr. Rudder. They submitted a petition, with no facts or figures to support their contentions.

Our accounting department investigated. We have great difficulty with many of the taxi drivers. In fact, large numbers of them do not keep the necessary records of their earnings, which they are required to do under our taxicab regulations. They do not keep proper manifests to show what their earnings are.

However, by digging out what records we could get, the Commission staff came up with a recommendation that there was not sufficient evidence at that time to justify further hearings on the taxi rates.

We issued an order to that effect, which I will be glad to submit in connection with your response to the contentions made.

DIFFERENCES IN TREATMENT OF GROUPS BEFORE COMMISSION

Senator INOUYE. In looking over your report, one can reach the conclusion that only the major powerful special utilities get their day in court, in your organization.

Mr. WATERMAN. I do not think that is so, Senator. These people have their day in court, and they just did not submit any data that would support their contentions.

Senator INOUYE. Well, I would hope that you would take into account that these men who drive cabs are to a great extent men who find it difficult to find occupations elsewhere, as many of the witnesses last week testified.

Mr. WATERMAN. I believe that is true.

Senator INOUYE. These drivers are not always the most articulate men and women. Many of them have never had the opportunity to complete high school.

They cannot afford high-priced lawyers and lobbyists to represent them, and thus I would hope that the Commission would go out of its way to make it possible for as many as possible to be heard. This is how we have problems.

Mr. WATERMAN. Senator, we only yesterday held a meeting of the staff, with Mr. Wright and Mr. Matthews and other representatives of this group, and I assure you that we will take every possible step to give these drivers the opportunity to present their case. However, we have certain legal requirements we have to ascertain, whether or not their contentions are justified under the law.

Senator INOUYE. One complaint was that they just cannot be heard. No one listens to them.

Mr. WATERMAN. Well, that is not true. They have come in and I have interviewed them myself on occasion. And their problem is, as you say, they are inarticulate. And we have endeavored to show them that they should keep proper manifests, which for whatever reason they do not, a great majority of them do not keep accurate records, so we can determine their earnings.

Now, if they will cooperate, we will endeavor to explain to them, we will meet with them and explain to them again the problems, and reinforce our request that they follow the taxicab regulations by keeping these records. I feel sure if they will cooperate with us, we will be able to develop the basis for a rate investigation.

I assure the committee that we will not ignore these people and that we have not in the past ignored them, or been anti-taxicab industry. But we do have the duty to protect the public interest, and we must have this coopertion in furnishing the necessary data, to enable us to make any decision on these matters.

Now, of course, in addition, we have pending right at the moment three major utility rate cases which fully occupy the Commissioners and the staff. We are endeavoring to process those as quickly as possible.

In addition, I serve as Chairman of the Washington Metropolitan Area Transit Commission. We have a transit rate case pending, which takes an inordinate amount of time.

COMPLAINTS ABOUT PUBLIC SERVICE COMMISSION

Senator INOUYE. I have here before me a copy of a document involving your Commission. I believe the complainant is Mr. Bartsch. And looking over this document here, I was impressed by certain admissions made by the Commission.

For example, allowing the plaintiffs only 24 hours maximum to review your material, which had 1,200 pages.

On the other hand, you admitted that you provided transcripts of your proceedings on a daily copy basis without charge to other people.

Mr. WATERMAN. What does this refer to? Does it refer to a pending case before the Public Service Commission, or the Transit Commission?

Senator INOUYE. It is a case in the District Court.

Mr. WATERMAN. Senator, this occurred prior to the time that I became a member of the Commission, in 1968. I came on the Commission in 1971.

As I understand it from my staff here, at that time there was a general rate case pending, and I am informed that Mr. Bartsch came in at the very last minute in the case and wanted special handling. I do not have the facts, because of the fact it happened 3 years ago.

I will be glad to submit a brief report to you on it, in writing, for the record.

Senator INOUYE. I am just sharing some of the complaints we are receiving. We have other questions we would like to submit to you, and I hope you will respond to them.

Mr. WATERMAN. I will be happy to.

I did want to say, when Commissioner Neely indicated that we probably could not conduct a study for the $10,000 suggested in the bill, that was on the basis that this would require a complete rate case, as well as the question it raised in the bill. We can and will conduct the study as to the feasibility of taximeters if the Congress so desires, in accordance with the bill. We will undertake to do it within the time specified. The 1 year, it was only if we had a general rate case included in this on taxicab rates and so forth, that it would complicate the case to the extent that it probably would require a little longer time, and perhaps a greater expenditure.

Senator INOUYE. The man on your right is shaking his head.

Mr. WATERMAN. This is the chief accountant. We will conduct the study. He will find it difficult, I am sure, but our staff can do it. I am undertaking as Chairman of the Commission to make a commitment we will do what the Congress desires in this case.

STUDY OF TAXI FARES

Senator INOUYE. I somehow gather there is some reluctance, either because of the lack of funds, or the subject matter involved. Would you prefer to have this study made by some other agency?

Mr. WATERMAN. We would be glad to make the study. I think it is the duty of the Commission to make it. The Congress so requires, and I will undertake to see it is done in accordance with your directions.

Senator INOUYE. If you are very busy, we can call upon some other agency.

Mr. WATERMAN. The business at the present time will take the next few months. Beginning in the fall, we will have completed the rate cases, and I think we will have no problem whatever.

Mr. JORDAN. Last year there was some discussion about travel accounts.

Mr. WATERMAN. Yes.

Mr. JORDAN. In the 1972 budget, the committee and the Congress approved a travel budget for your activity of $700.

Mr. WATERMAN. That is right. Reduced from $1,800.

Mr. JORDAN. Have you exceeded the $700 appropriated by the Congress?

Mr. WATERMAN. As I understand it, the appropriation of $700, the reduction from $1,800 to $700, was effective when the appropriations bill was enacted on December 18, 1971. Up until that point we were operating under what I understood was a continuing resolution. We had expended up to that time, $1,904.15. Prior to September 1, 1971, this had been obligated, which was approximately $104 over the $1,800 allowed.

No travel expendiutres have been incurred since that date, except for $240 worth of tokens for bus travel of staff people that is essential to perform their duties in the city. So, in fact, there has been no travel whatever since that time.

Mr. JORDAN. You requested $1,800. You received $700. You spent $1,907?

Mr. WATERMAN. We spent $1,904, as against the continuing amount, which was $1,800 for fiscal 1971. We are operating under that.

Mr. JORDAN. You are going to request reprograming for additional travel funds?

Mr. WATERMAN. This year? This fiscal year?

Mr. JORDAN. This fiscal year.

Mr. WATERMAN. We are only going to ask reprograming for the $1,994.15 that we exceeded on our prior budget.

Mr. JORDAN. And spend no travel funds for the remainder of the year?

Mr. WATERMAN. We have spent no travel funds whatsoever since the 1st of September, and will not spend any during the balance of the fiscal year.

Mr. JORDAN. Would you please provide a breakdown of these expenses for the record.

Mr. WATERMAN. Yes, sir.

Mr. JORDAN. Thank you.

Senator INOUYE. Thank you very much.

(The breakdown and questions and answers follow:)

Analysis of Travel Expenditures
Fiscal Year 1972
Public Service Commission
(Prepared by D.C. Office of Budget and Program Analysis)

Date	Amount	Description	Amount of Appropriation
7/5/71 - 7/16/71	$ 626.10	Paul D. Kagen - to attend meetings of National Association of Regulatory Utility Commissioners in Coeur d' Alene, Washington, and Boise, Idaho	
7/11/71 - 7/23/71	321.70	Jeremiah C. Waterman - to Boulder, Colorado	
8/13/71	130.00	Registration fees (2) to attend NARUC Annual Convention	
9/12/71 - 9/17/71	181.11	Donald E. Crotsley - to Atlantic City for NARUC Convention	
9/13/71 - 9/17/71	191.20	Mr. Waterman - to Atlantic City for NARUC Convention	
9/10/71	240.00	Bus tokens for Commission employees	
Total (12/19/71)	$ 1,690.11	Total when FY 1972 budget was approved by the Congress	$ 1,800.*
1/28/72	240.00	Bus tokens for Commission employees	
Total to date	$ 1,930.11		$ 700.**

* - Appropriation under continuing resolution.
** - Appropriation for Fiscal Year 1972 (in effect December 19, 1971); funds will have to be reprogrammed to cover expenditures incurred under the continuing resolution.

1. HOW MANY CASES INVOLVING THE PSC ARE CURRENTLY PENDING IN THE COURTS?

There are two cases involving The Chesapeake and Potomac Telephone Company rate cases of 1964 and 1968 where the petitioner, (Telephone Users Association, Inc.) is seeking a writ of certiorari in the Supreme Court of the United States.

There is one case involving the Potomac Electric Power Company rate case of 1969 now awaiting decision in the United States Court of Appeals for the District of Columbia Circuit.

There are two cases involving the taxicab rate case of 1969 now pending in the United States District Court for the District of Columbia (Bartsch vs. Public Service Commission of the District of Columbia.)

The case of Washington Urban League vs. Public Service Commission of the District of Columbia, which involves a pre-hearing order in the present Pepco rate case (1971) has been dismissed by the District of Columbia Court of Appeals.

2. FOR WHAT PURPOSE WERE THESE FUNDS USED?

On August 22, 1969, the Commission issued Order No. 5395 *(copy attached) which closed its major formal investigation of the taxicab industry (Formal Case No. 536) and raised taxicab fares by an additional 10% over and above the 10% increase authorized in Order No. 5204, dated February 3, 1969 (copy attached). The Commission Staff, recognizing the deficiencies which exist in the accounting procedures of the taxicab industry, immediately instituted a study to determine a method by which more accurate and detailed financial and accounting data could be obtained so that the Commission would have data upon which to better regulate the taxicab industry.

Following these informal studies and after analysis in the area of charges for radio-called taxicabs, the Staff proposed to revise and expand the manifest recording system then required by the taxicab regulations. After review of that proposal, the Commission issued Order No. 5422 (copy attached) dated February 12, 1970, directing that an investigation be made of the accounting and operating practices

*The copy referred to is in the committee files.

pertaining to rates and charges for the operation of taxicabs in the District of Columbia during the 12 month period ending March 31, 1971. Pursuant to Order No. 5422, Miscellaneous Trust Fund Deposit Order No. 390 was issued assessing each owner of each taxicab $1.00 by authority of Section 43-412 of the D.C. Code, 1967 edition. The time frame chosen in Order No. 5422 and the assessment based thereon, coincided with the renewal of licenses cycle currently used.

The Staff thereupon conducted its informal review of the manifest situation and on October 22, 1970, invited the presidents of fifteen cab companies, fleets, or associations representing approximately one-third of the licensed taxicabs in the District of Columbia, to attend a meeting to discuss manifest format, manifest procedure, reporting requirements, and other related matters. Only one person chose to attend the meeting to discuss these most vital issues. Following this disappointing response on the part of a major segment of the taxicab industry, the Staff determined that without the cooperation of the industry, revisions to the manifests could not be accomplished within the time frame established by Order No. 5422. It therefore accorded relatively low priority to conducting its investigation.

Subsequently, on May 6, 1971, the Commission received a petition by the United Brotherhood of D.C. Taxi Drivers requesting a hearing into the matter of fare increases, zone boundary changes, and other relief found appropriate by the Commission. The Staff conducted a preliminary investigation into the petition in order to advise the Commission whether a need existed for a full-scale formal hearing. The Staff found that the increase in net earnings of taxicab drivers had exceeded the cost of living increases occurring since the conclusion of Formal Case No. 536 in August, 1969, in that net revenue per hour had increased by almost 22% in that two year span over and above that projected in Formal Case No. 536. Based upon its recommendations, the Commission issued Order No. 5470* (copy attached) on August 6, 1971 which dismissed the petition on the grounds that there was no economic basis at that time which required review of the rates and zone structure.

Since that date, informal discussions have continued between representatives of the taxicab industry and the Commission Staff in hopes of clarifying the issues which should be presented to the Commission and the types of data required to support such a petition. The most recent meeting of the Commission Staff with the taxicab industry took place on March 15, 1972, at which representatives of over 80% of the industry were present to discuss the current taxicab situation, including the problems of rates, regulations, zones, etc., prior to a proposed filing by this group for a hearing before the Commission.

The funds collected under Order No. 5422 (Allottment 756) continue to be held in trust by the United States Treasury for use in an investigation of the accounting and operating practices pertaining to rates and charges for the operation of taxicabs in the District of Columbia. This Commission can authorize a change in the dates of the study to enable appropriate use of these funds. As of current date, the balance in Allottment 756 is $9,642.00. During 1971, $365.00 was added to the allottment by virtue of the

*The copy referred to is in committee files.

assessment order which covered the period from April 1, 1970 through March 31, 1971. There have been no expenditures from this allottment since June 30, 1970.

In addition to the fund created by Order No. 5422, there exists, pursuant to Order No. 5203 (copy attached) dated January 24, 1969, a fund designated Allottment 763 consisting of $1.50 assessed against each taxicab owner in 1969 for the purpose of defraying the costs of Formal Case No. 536. As of January 1, 1971, the balance in that fund was $4,088.37. During the year 1971, expenditures were made from this fund in the amount of $243.08 for the purpose of duplicating zone maps and taxicab regulations and postage involving reports to the taxicab industry. The current balance is $3,845.29.

In summary, the Commission holds in the two trust funds $9,642.00 plus $3,845.29, or a total of $13,487.29 to be used pursuant to order of the Commission.

3. ARE SUCH FUNDS LEVIED ANNUALLY?

Funds for the investigation of taxicab fares and the zone structure are not levied annually. They are levied under Section 43-412 of the D.C. Code, 1967 edition, which states in pertinent part:

> "The expenses of any investigation ... or proceeding of any nature by the Public Service Commission of or concerning any public utility operating in the District of Columbia, and all expenses of any litigation ... shall be borne by the public utility investigated ... as a special franchise tax .... When any such investigation ... is begun the said Public Service Commission may call upon the utility in question for the deposit of such reasonable sum or sums as in the opinion of said commission, it may deem necessary from time to time until the said proceeding ... is completed, the money so paid to be deposited in the treasury of the United States to the credit of the appropriation account known as 'miscellaneous trust fund deposit, District of Columbia' and to be disbursed in the manner provided for by law for other expenditures of the government of the District of Columbia, for such purposes as may be approved by the Public Service Commission." ...

4. IS THE TOTAL AMOUNT OF SUCH FUNDS OBLIGATED EACH YEAR?

The provision mentioned in Question No. 3 has been in the Public Service Commission law since its establishment in 1913. These funds are levied only when investigations are planned, are about to be undertaken, or are being undertaken by the Public Service Commission.

5. ARE THE OTHER REGULATED UTILITIES LEVIED AGAINST IN A SIMILAR MANNER?

Yes, in accordance with Section 43-412 of the D.C. Code, 1967 edition, trust funds are established to finance investigations of accounting, depreciation, rates, regulations and other practices of the Washington Gas Light Company, Potomac Electric Power Company, The Chesapeake and Potomac Telephone Company, The Western Union Telegraph Company and all other utilities subject to the jurisdiction of the Commission.

6. WHAT IS THE TOTAL AMOUNT FOR ONE YEAR FOR SUCH FEES, LEVIES, CHARGES, ETC.?

The table below shows the 1971 assessments and the 1971 expenditures from current and prior year assessments.

	Assessments	Expenditures
Washington Gas Light Co.	$ 46,746.71	$ 17,583.74
Potomac Electric Power Co.	$106,344.41	$ 52,523.07
The Chesapeake and Potomac Telephone Co.	$ 83,187.28	$ 22,067.42
The Western Union Telegraph Co.	$ 350.00	$ 234.31
Taxicab Industry	$ 365.00	$ 243.08
Capitol Cab Cooperative Assoc., Inc. Self-Insurance Sinking Fund	$ 5,500.00	$ 133.94
Insurance Cos. (pursuant to Sec. 44-301 et seq., D.C. Code, 1967 edition)	$ 2,000.00	$ 1,965.60
Total	$244,493.40	$ 94,751.16

It is to be noted that the above figures concern levies which are either one time assessments, or those of a continuing nature which commenced prior to 1971 and were concluded in 1971, or others which are currently active.

7. WHAT IS THE TOTAL AMOUNT FOR ONE YEAR THAT THE PSC OBLIGATES FOR CONTRACTUAL SERVICES OF A CONSULTING NATURE?

The PSC has not obligated any of its funds for consulting services, but assesses the utilities concerned for such costs. During each investigation consultants in areas in which the Staff lacks expertise are retained. These fees are then assessed to the utility being investigated. The total costs for all consultants retained by the Commission in 1971, who were or who will be paid through the assessment procedure are included in the answer to Question No. 6 above.

8. WHAT IS THE AVERAGE AMOUNT OF TIME A FORMAL CASE REMAINS PENDING BEFORE THE PUBLIC SERVICE COMMISSION?

A broad estimate for a major formal rate case would be approximately 9 to 12 months depending upon the workload of the Commission and the complexity of the issues of the case being heard.

In minor formal cases, primarily those involving securities issued by the public utilities, proceedings last from 10 to 30 days.

9. HOW MANY CASES ARE CURRENTLY PENDING BEFORE THE PUBLIC SERVICE COMMISSION?

The following formal cases are now pending before the Commission:

No. 558 - Capitol Cab Cooperative Assoc., Inc., Self-Insurance Sinking Fund Deposit Requirement.
No. 567 - Washington Gas Light Company - General Rate Case.
No. 568 - Potomac Electric Power Company - General Rate Case.
No. 569 - The Western Union Telegraph Company - Telex Rate Case.
No. 570 - The Chesapeake and Potomac Telephone Company - General Rate Case.

Formal Case No. 569 has been completed and pursuant to the Administrative Procedure Act of the District of Columbia, a proposed order has been issued. A final order in this case will become effective April 7, 1972, in the absence of formal protest.

10. WHAT ARE THE SALARIES OF THE COMMISSIONERS?

The Commissioners are paid an annual salary of $36,000.

11. HOW MANY HOURS PER MONTH ON THE AVERAGE DOES EACH OF THE COMMISSIONERS SPEND IN HEARINGS AND IN REVIEWING THE JUSTIFICATIONS OF THE UTILITIES' REQUESTS?

Commissioner H. Mason Neely has been a member of the Commission since January, 1972. During that time he has spent an average of 90 hours per month in hearings and in reviewing the justification of utilities' requests.

Chairman Jeremiah C. Waterman has been a member of the Commission since January, 1971. He also serves as Chairman of the Washington Metropolitan Area Transit Commission, without compensation. He spends an average of 120 hours per month in hearings on both commissions, inasmuch as the WMATC has also had hearings on various matters in the recent past, including a major rate case currently being heard, as well as reviewing other utilities' requests.

The above hours include time spent with regard to all utilities including the taxicab industry. It is to be noted that such hours do not include day-to-day administrative matters, nor testifying on bills before Congress or budget hearing sessions.

12. YOUR STATEMENT STATES THAT YOU HAVE 28 POSITIONS YET YOUR JUSTIFICATIONS STATE 27 POSITIONS. WHICH FIGURE IS CORRECT?

27 positions is correct. One position was eliminated last year, that of Assistant Chief Engineer. The statement was corrected by Chairman Waterman orally at the Appropriations hearing.

Zoning Commission Office

STATEMENT OF ARTHUR B. HATTON, EXECUTIVE DIRECTOR ACCOMPANIED BY KENNETH T. HAMMOND, DEPUTY DIRECTOR

PREPARED STATEMENT

Senator Inouye. Our next witness is Arthur B. Hatton, Executive Director of the Zoning Commission Office.

Mr. Hatton. I have with me Kenneth Hammond, my deputy.

Rather than to read the entire prepared statement I would like to do some summarizing to some extent and expanding in other places.

Senator Inouye. Without objection, the full statement will be made a part of the record, sir.

(The statement follows:)

Gentlemen:

The Zoning Commission Office has several basic functions listed in order of priority as follows:

1. To provide the daily administration and technical support for the Zoning Commission;

2. To provide similar administrative and technical support for the Board of Zoning Adjustment;

3. To provide the technical guidance needed by the Zoning Commission in order to keep the Zoning Regulations current with changing technical, social and economic conditions in the City;

4. To keep the public and other agencies informed about all zoning activities in the City.

In our original budget increases are confined to mandatory personnel items. However, we renewed our Fiscal Year 1972 request to redirect $13,000 earmarked for the Zoning Revision project to create a new staff support position in the form of a GS-12 Urban Planner. As I stated last year, the need for improved technical support for the Zoning Commission in its ongoing activities is so critical that if need be I would do this at the expense of the very important revision program. Unless you have questions about this part of our budget submission I would like to use my time here to discuss our portion of the 1973 Budget Amendment.

Since our original budget was submitted the D.C. Court of Appeals has ordered the Zoning Commission to develop procedures consistent with the strict requirements of the Administrative Procedure Act. Even more recent cases filed, but not as yet adjudicated, have led the Corporation Counsel to advise me that the Board of Zoning Adjustment should not hear any more cases until they too have developed procedures in accordance with the Act. As a result, we are in the midst of the most significant changes in the D.C. Zoning process since the Zoning Act was amended in 1938 to establish the Board of Zoning Adjustment among other things.

Past activities of the Commission and Board have had two basic constraints upon them. Members of both bodies are important persons who can only devote a limited amount of time to hearings and meetings related to zoning. At the same time staff support has been inadequate due to lack of funding. These two problems have probably been amplified in part by a lack of understanding of the importance of zoning, however, the courts have made it clear that they will no longer tolerate an offhand approach to zoning and zoning procedures.

We have prepared for the Zoning Commission the procedures required by the courts and I would like to give you a copy of that document at this time. We are now writing a similar set of procedures for the Board. In the development of both sets of procedures it has become obvious that our budget would need to be amended to provide more adequate technical, administrative and clerical support for the Commission and Board. This document I have just submitted should be ample justification for the budget amendment.

We have evaluated these procedures in terms of existing and new minimum staff requirements and find our resources to be inadequate. To help you understand this I would like to separate, in terms of Commission and Board, the items included in the table on page 1 of the 1973 Budget Amendments.

Zoning Commission

The procedural requirements, particularly related to cross-examination, will lengthen each hearing by 50 percent or more. Requirements for applicant prehearing submissions and for witnesses to sign up in advance will affect staff time. The need to circulate proposed findings of facts and decisions by registered mail to all parties before they can be adopted will require staff time and more money for postage.

Table 1
Zoning Commission Requirements

	(Personnel)	(11)	(12)
	GS-12 Planner	15,866	1,317
	GS-9 Administrative Assistant	11,046	917
	GS-6 Secretary-Steno	8,153	677
	GS-5 Clerk-DMT	7,319	607
11.	Personal Compensation Total	$42,384	
12.	Personnel Benefits Total		$ 3,518
21.	Travel & Transportation		450
23.	Rent-Communications-Utilities		400
24.	Printing & Reproduction		400
25.	Other Services		200
26.	Supplies & Materials		400
31.	Equipment		1,800*
			$ 3,650
01, 02 and 03 Total		$49,552	

*One-time Equipment Cost

A major change will be needed in the form of a planner to analyze each application and prepare an in-depth report. The report would be presented to the Zoning Advisory Council and embodied in their report to the Commission on the merits of granting a hearing or denial without a hearing. If granted a hearing, the applicant is given an opportunity to strengthen his case by adding to the documentation in the case file. Following which the planner mentioned above would review the documentation, prepare a new and more extensive report which would be embodied in the Zoning Advisory Council Final Report and entered into the record five (5) days before the hearing. This report will be the principal technical document entered in most cases and the staff work must be in sufficient depth to support the Zoning Advisory Council representative in cross-examination at the hearing.

When a case is dismissed without a hearing an order needs to be drafted by the Administrative Officer to the Commission setting forth the Commission's reasons for so doing. Cases that go through the hearing process will need draft Commission Orders containing findings of fact, conclusions of law, and action, to be compiled by the Administrative Officer. Therefore, it will be necessary to relieve the Administrative Officer of many of his

74-704 O - 72 - pt. 1 - 31

more routine activities which will be greatly increased by the requirements of the new procedures. An Administrative Assistant is needed to perform these activities of scheduling hearings, hearing rooms, and stenographic services, explaining procedures and rights to applicants, and citizens, supervising the records, signing up witnesses in advance and compiling witness lists, getting out notices and prehearing and post hearing correspondence and proposed actions to highlight only a few.

More technical and legal documents will be needed and more routine notices and correspondence will be involved justifying two additional clerical persons.

Increases in other objects are justified by increases in paper work and communications involved. The planner will need to make field inspections of each site and neighborhood involved in zoning cases. More documents will have to be reproduced for broader distribution. An initial expenditure for furniture and typewriters will be needed for the new staff.

I should point out here that the planner listed in the above Table 1 negates the redirection of funds for a planner as shown in our original budget submission.

Board of Zoning Adjustment

If anything the effects of the new procedures on the Board are going to be more profound than on the Commission. For example, in the past the Board has held one monthly hearing lasting nine (9) hours at which they have handled 40 cases on the average. This means they have been hearing a case every 13.5 minutes. The requirement to swear in witnesses, permit cross-examination and be more liberal in hearing witnesses out will extend the hearing of each case to more than 40 minutes. Therefore, we can expect at least a 200 percent increase in hearing time each month and a commensurate increase in the cost of transcriptions covered under Other Services Contractual.

In the past, the Board's Orders have included a finding of fact and opinion. The new procedures will require the findings of fact to go into greater depth, a conclusion of law will be added and the opinion will remain about the same. Without extensive overtime, most of which has not been compensated, the incumbent Legal Assistant to the Board has not been able to keep up with the preparation of Board Orders. It is, therefore, necessary to employ an additional Legal Assistant to relieve past pressures and absorb the additional work anticipated.

The incumbent Legal Assistant has a Secretary and the new person will need a Secretary. In the past, there has been a three-month typing backlog related to Board Orders and with the increased notice and distribution of orders required by new procedures the routine typing load, will justify two additional clerk-typists.

Table 2
Board of Zoning Adjustment Requirements

	(Personnel)	(11)	(12)
	GS-12 Legal Assistant	15,866	1,317
	GS-6 Secretary-Steno	8,153	677
	GS-5 Clerk-DMT	7,319	607
	GS-4 Clerk-Typist	6,544	543
11.	Personal Compensation Total	$37,882	
12.	Personnel Benefits Total		$ 3,144
21.	Travel & Transportation		450
23.	Rent-Communications-Utilities		400
24.	Printing & Reproduction		300
25.	Other Services Contractual		12,800
26.	Supplies & Materials		400
31.	Equipment		2,300*
			$16,650
01, 02 and 03 Total		$57,676	

*One-time Equipment Costs

Although additional planner analysis of some of the Board's more significant cases will be needed, I hope this function can be performed by the planner in Table 1.

The increases in the other objects shown in Table 2 are in line with the increases in staff and workload expected. An initial equipment allowance for furniture and typewriters is proposed and a substantial increase for other services contractual will be needed.

Tables 1 and 2 in this statement have been summarized on page 4 of the 1973 Budget Amendment. This can be further summarized as $86,928 for personal compensation and benefits and $20,300 for other objects. Approximately $3,300 of the $4,100 required for equipment is non-recurring.

REDIRECTION OF FUNDS

Mr. HATTON. As a result of the tight money situation last year, I suggested we should redirect some funds to create an additional technical support position for the Zoning Commission, at the expense of the zoning revision project. Our original budget submission this year repeated that request. This would be a redirection of $13,000 to initially fund a grade 12 urban planner, who would undertake support studies for specific zoning applications before the Commission.

Since that budget was submitted, we have been hit by some very adverse court actions and have as a result submitted a budget amendment.

I would like to amplify the amendment and show how we would like to proceed.

In effect, at the present time, we have a court-enforced moratorium on zoning activity in the city. I would expect that at the rate we are going, that the Zoning Commission will be able to schedule its first public hearing under the new procedures in probably about 60 days.

Getting the board of zoning adjustment back on the track is going to take considerably longer, because under the Zoning Act, it is necessary for us not only to develop procedures for the board, but we must schedule a public hearing before the Zoning Commission, before they can be adopted. We do not have that limitation on the zoning commission, so we can move a little faster.

This is a problem that will work itself out. The long-range problem is how are we going to operate an office with these new procedures.

I would like at this point to give you a copy of the court decision that has started all of this fun. This is a copy of the Law Reporter for the District of Columbia, which briefs the decision on the zoning commission case related to real estate at the intersection of 14th and Pennsylvania Avenue Southeast.

(The information follows:)

D.C. Court of Appeals

DISTRICT OF COLUMBIA Zoning Commission

D.C. Administrative Procedure Act applies to Zoning Commission and requires statutory hearing on contested application for preliminary approval of 10-story office building.

Capitol Hill Restoration Society v. Zoning Commission of D.C., D.C. App. No. 5929, February 7, 1972. Vacated and remanded per Fickling, J. (Hood, C.J., and Kelly, J., concur). Leonard N. Bebchick with Alan S. Davis for petitioners. Ted D. Kuemmerling with C. Francis Murphy and Richard W. Barton for respondent. Norman M. Glasgow with Whayne S. Quin for Graham Associates, Inc., intervenor. Franz M. Oppenheimer and Robert E. Lieblich filed an amicus curiae brief for Committee of 100 on the Federal City, intervenor.

FICKLING, J.: This is a petition for review of an order of the Zoning Commission of the District of Columbia (hereinafter Commission) granting "preliminary approval" of a zoning application for the erection of a ten-story office building in the Capitol Hill section of the District of Columbia. The principal question raised by petitioners is whether the District of Columbia Administrative Procedure Act (APA) applies to this type of proceeding before the Commission. We hold that the APA does apply.

On August 18, 1970, Graham Associates, Inc. filed an application with the Commission for preliminary approval for a Planned Unit Development pursuant to Article 75 of the Zoning Regulations. A public hearing on the application was held, as required by §7501.37 of the Zoning Regulations, on March 3, 1971. It is undisputed that this hearing did not comply with the standards set forth in D.C. Code 1967, §1-1509 (Supp. IV, 1971). Subsequent to this hearing counsel for petitioners addressed a letter to the Commission requesting that each Commissioner place in the record an affidavit stating whether he, at any time, had been the recipient of any ex parte communications relating to the merits of the application. The Commission took no action on this serious question. In July 1971 petitioners requested a reconsideration of the order granting the application, based on allegations of misrepresentations by the applicants. The Commission denied the petition. This petition for review followed.

The government argues that the APA does not apply to this type of zoning proceeding, and that this court is without jurisdiction to review the Commission's order because the proceeding was "legislative" in nature and was not a "contested case" as defined by the APA. We do not agree.

We have carefully reviewed the legislative history of the APA and find the conclusion that the Act was intended to apply to the Commission inescapable. The legislative reports of Congress and the testimony of one of the drafters repeatedly name the Commission as one of the agencies most in need of uniform minimum standards of administrative due process. In addition, the District of Columbia Administrative Practice Manual prepared by the Administrative Law section of the District of Columbia Bar Association, the principal drafters of the APA, states:

> Under the [APA] . . . once a public hearing has been granted the Zoning Commission will be required to meet certain due process requirements, such as notice. . . . [Id. at 117.]

This evidences the clear opinion of the drafters that the APA was intended to apply to the Commission. This conclusion is confirmed by D.C. Code 1967, §11-722 (Supp. IV, 1971), which provides in relevant part:

> The District of Columbia Court of Appeals has jurisdiction . . . to review orders and decisions of . . . the Zoning Commission of the District of Columbia . . . in accordance with the [APA] . . . .

In view of the fact that the APA limits judicial review to "an order or decision of . . . an agency in a contested case," Section 11-722 would be meaningless if, as the government contends, proceedings before the Commission are never contested cases.

Reason and logic dictate that we reject the government's contention.

> It has been called a golden rule of statutory interpretation that unreasonableness of the result produced by one among alternative possible interpretations of a statute is reason for rejecting that interpretation in favor of another which would produce a reasonable result. [2 J. Sutherland, Statutes and Statutory Construction §4508.1 (3d ed. Supp. 1971).]

Therefore, we hold that the APA does apply to Commission proceedings.

The APA makes a basic distinction between functions performed by agencies, i.e., adjudication (a "contested case") and rule making. This distinction is crucial to the delineation of private rights.

> [I]t is only with respect to the administrative proceedings which are included within the definition [of "contested case"] that the parties can insist, as a matter of statutory right, on observance of the procedural safeguards specified . . . . These procedural safeguards . . . are vital not only in protecting the private rights of respondents, but also in preserving the public interest that administrative determinations shall reflect fully informed decisions made on an adequate record. [1 F. Cooper, State Administrative Law 124 (1965).]

In the instant case, the Commission argues that zoning is a legislative function. "consequently, the hearing required in zoning cases is legislative or quasi-legislative in nature" and is therefore not a contested case.

Thus, we must determine whether the particular proceeding in the instant case was a "contested case" within the meaning of the APA. A "contested case" is defined in D.C. Code 1967, §1-1502(8) (Supp. IV, 1971), as:

> [A] proceeding before the Commissioner, the Council, or any agency in which the legal rights, duties, or privileges of specific parties are required by any law (other than this Chapter), or by constitutional right, to be determined after a hearing before the Commissioner or the Council or before an agency. . . .

The following statement appears in the House Report:

> The definition of "contested case" has been drafted so as to exclude administrative functions traditionally nonsusceptible to application of the process of adjudication, such as inspections, tests, elections, etc., and where generally no hearing is expressly or implicitly required by any other law. [H. R. Rep. No. 202, supra note 3, at 5. See also S. Rep. No. 1581, supra note 3, at 11.]

The Reports of both Houses of Congress also state that the APA was based on the Revised Model State Administrative Procedure Act of 1961 (hereinafter Model Act), and that the Model Act was revised by Congress "so as to realistically embrace the functions of the District, which operates sometimes as a State, sometimes as a city, sometimes as both." * * * These Congressional revisions did not substantially change the definition of "contested case" from the definition found in the Model Act. Therefore, we turn to a consideration of the intentions of the drafters of the Model Act.

A review of the history of the Model Act reveals that the drafters intended principles similar to those embodied in the Federal Administrative Procedure Act (Federal APA) to govern the Model Act. Of particular interest here is the fact that the drafters of the Model Act intended "contested case" to be synonymous with "adjudication" in the Federal APA, except for one important distinction:

> The term "contested case" is used in the Model Act, instead of the word "adjudication" as found in the Federal Act, to avoid the possible confusion in terminology that might result from the fact that ratemaking under the Federal Act is classified as "rule making" with special procedures applicable to it, whereas under the Model Act it is desired to apply the contested case procedures to ratemaking. [National Conference of Commissioners on Uniform State Laws, Handbook 207 (1961).]

We have no doubt that the Commission is a quasi-legislative body and that the actual acts of zoning or rezoning are quasi-legislative. Shenk v.

Zoning Commission, 142 U.S. App. D.C. 267, 440 F.2d 295 (1971); Diedrich v. Zoning Commission, 129 U.S. App. D.C. 265, 393 F.2d 666 (1968); American University v. Prentiss, 113 F. Supp. 389, 393 (D.D.C. 1953), aff'd, 94 U.S. App. D.C. 204, 214 F.2d 282 (1954). However, our inquiry does not stop at that point. We must ask whether the hearing, which under the statute must precede any amendment to existing zoning regulations, was primarily adjudicatory or legislative.

> It is elementary that the action of an administrative tribunal is adjudicatory in character if it is particular and immediate, rather than, as in the case of legislative or rule making action, general and future in effect. . . . [Philadelphia Co. v. SEC, 84 U.S. App. D.C. 73, 81, 175 F.2d 808, 816 (1948), vacated as moot, 337 U.S. 901 (1949).]

In Jones v. District of Columbia, 116 U.S. App. D.C. 301, 303-04, 323 F.2d 306, 308-09 (1963), rule making was defined as follows:

> A legislative hearing relates to "the making of a rule for the future" [citing Prentis v. Atlantic Coast Line Co., 211 U.S. 210, 226 (1908)]. As distinguished from a judicial inquiry, it is a non-adversary proceeding which seeks to devise broad policy applicable to the public generally, or a substantial segment thereof, rather than to individual parties. . . . Rather the quasi-legislative inquiry tends to consult broad relevant data available from surveys, studies and published experience. . . .

Applying these standards to the instant case we find that the proceeding before the Commission was primarily concerned with the immediate "legal rights, duties, or privileges of specifc parties," rather than with general policy of future applicability. A review of Article 75 of the Zoning Regulations reveals that before the Commission can approve a preliminary application for a Planned Unit Development (hereinafter PUD), it must resolve disputed fact questions of specific applicability, e.g.: Does the PUD "conflict with the development plans and policies of the District of Columbia"? Does the PUD "enhance the neighborhood"? Does the PUD "provide future occupants of planned unit developments with a living and/or working environment and amenities superior to those which can be achieved by applying the general provisions of the Zoning Regulations"? Zoning Regulations, Article 75, §7501.1. Therefore, we hold that a proceeding involving an application for approval of a PUD is a contested case within the meaning of the APA, and that the procedures provided in D.C. Code 1967, §1-1509 (Supp. IV, 1971), must be complied with. Other jurisdictions have reached the same result in similar cases. Hyson v. Montgomery County Council, 242 Md. 55, 217 A.2d 578 (1966) (rezoning by County Council); Allen v. Donovan, 239 A.2d 227 (Del. 1968) (rezoning by Levy Court); Lorland Civil Association v. DiMatteo, 10 Mich. App. 129, 135-36, 157 N.W.2d 1, 5 (1968) (variance granted by Board of Zoning Appeals). See also Allen v. Zoning Commission, ——U.S. App. D.C. ——, 449 F.2d 1100 n. 3 (1971) (dicta).

The Commission also argues that we should adopt the distinction advocated by Professor Davis between "trial" and "argument" type hearings. Specifically, we are asked to construe the phrase "after a hearing" in the definition of "contested case" to mean after a "trial type" hearing. We need not reach that question in this case. Even under Professor Davis' rationale, the case at bar clearly involves disputed questions of "adjudicative" rather than "legislative" facts. The facts in dispute here bear on particular parties and a particular situation rather than on general policy. Some adjudicatory facts present here are: Would the PUD circumvent the standards of the Zoning Regulations? Was the PUD economically viable? Would the necessary rezoning constitute illegal "spot zoning"? Would the PUD have an impermissible disruptive effect on the surrounding residential area?

Since in our view the instant case does involve disputed adjudicative facts, we need not decide whether other zoning proceedings, involving the resolution of only legislative facts after a hearing, come within the term "contested case."

Finally, the Commission, relying on the doctrine of exhaustion of administrative remedies, argues that this court

is without jurisdiction to review the order granting "preliminary approval" to the PUD because that order is not the final step in the administrative process. We disagree.

In McKart v. United States, 395 U.S. 185 (1969), the United States Supreme Court pointed out that the doctrine of exhaustion of administrative remedies is "subject to numerous exceptions." 395 U.S. at 193. One of these exceptions, in cases involving interlocutory appeals from agency action, was recently stated as follows:

> [T]he courts appear to have formulated the general rule that a party may bypass established avenues for review within the agency only . . . where the agency has very clearly violated an important constitutional or statutory right. Amos Treat & Co. v. SEC, 113 U.S. App. D.C. 100, 306 F.2d 260 (1962). See also Oesterreich v. Selective Service Bd., 393 U.S. 233 (1960); Leedom v. Kyne, 358 U.S. 184 (1958). [Sterling Drug, Inc. v. FTC, ___ U.S. App. D.C. ___, 450 F.2d 698, 710 (1971).]

In the case at bar the Commission has "very clearly violated" the petitioners' rights under the APA. The defects in the original hearing could not be cured by later proceedings or administrative appeals. Therefore, we think we are justified in taking jurisdiction despite the failure to exhaust administrative remedies.

We direct the Commission to amend its published procedures to conform to the standards set forth in the APA.

The order of the Commission is vacated and this case is remanded to the Commission for further proceedings not inconsistent with this opinion.

Mr. HATTON. As I indicated, even more recently, cases have been filed, but not as yet adjudicated, which have led the Corporation Counsel to advise me that the Board of Zoning Adjustment should not hear any more cases until they, too, have developed procedures in accordance with the Administrative Procedure Act. As a result, we are in the midst of preparing that set of Board procedures. We met on it yesterday and will meet again in a week, so that the Board can present its approach to the problem, to the Zoning Commission.

As I stated, we have prepared for the Zoning Commission the procedures required by the courts and I would like to give you a copy of that document at this time. I think these procedures, in themselves, are rather self-explanatory, as to increased work of staff, including technical, administrative and clerical work, that is going to be involved with each item of business coming before the Zoning Commission in the future.

We have evaluated these procedures in terms of existing and new minimum staff requirements and find our resources to be inadequate.

(The information follows:)

RULES OF PRACTICE AND PROCEDURE BEFORE THE ZONING COMMISSION OF THE DISTRICT OF COLUMBIA

PART I - INTRODUCTION AND GENERAL RULES

1.1 Definitions

1.11 "Commission" means the Zoning Commission of the District of Columbia.

1.12 "Commissioner" means a member of the Zoning Commission of the District of Columbia.

1.13 "Hearing Officer" means an individual, including a Commissioner, designated by the Commission to conduct a public hearing and to perform other tasks associated therewith.

1.14 "Presiding officer" means the Chairman of the Zoning Commission, the Chairman pro tem of the Zoning Commission or a hearing officer.

1.15 "Person" means an individual, partnership, association, corporation, public agency, or governmental unit or department.

1.16 "Party" means (1) an applicant, (2) persons in support of or in opposition to an application who are admitted as parties by the Commission pursuant to 2.44, and (3) the Commission.

1.2 Applicability

1.21 These rules of practice and procedure are intended to supplement procedures set out in the Zoning Enabling Act, Section 5-413, et seq., D.C. Code, 1967 ed., the Zoning Regulations of the District of Columbia, and the District of Columbia Administrative Procedure Act. These rules shall be effective on _____ and shall be applicable in their entirety to all applications or petitions thereafter filed with the Commission, or then pending but not heard.

1.22 For those applications or petitions which are pending before the Zoning Commission at the adoption of these rules of procedure, there shall be required only such additional information and procedures as are necessary for compliance with these rules. Neither further referrals to public agencies nor submission of written information shall be required where they have already been made for the pending applications or petitions prior to the adoption of these rules. The applicability of these rules to applications or petitions already the subject of a public hearing but upon which final action has not been taken or upon which final action has been taken but the case has been remanded to the Commission for further proceedings, shall be determined by the Commission in each specific case.

1.23 No pending application or petition shall be dismissed on the grounds that the applicant or petitioner failed

to comply with these rules unless, after due notice of deficiency and expiration of a fixed, reasonable time, the deficiency has not been corrected.

1.3 Resolution of Conflict

In any conflict between these rules and the Zoning Regulations, the Zoning Regulations shall govern. In any conflict within these rules between general and special rules, the special rules shall govern.

1.4 Appearance and Representation

1.41 In any proceeding before the Commission (1) an individual may appear in his own behalf; (2) a partner of a partnership may represent the partnership; (3) an officer of a corporation or association may represent the corporation or association if properly authorized so to do by the articles of incorporation, by-laws, or board of directors of such corporation or association; and (4) an officer or employee of a public agency or governmental unit or department may represent the public agency or governmental unit or department. Any person appearing before the Commission other than on his own behalf, may be required by the Commission to establish his authority to act in such capacity.

1.42 A person appearing or having the right to appear before the Commission at a hearing shall have the right to be represented by an attorney admitted to practice before the highest court of the District of Columbia or any State and not barred from practice in the courts of the District of Columbia. An attorney appearing as counsel for a person shall certify to his qualifications to appear before the Commission: [and unless he shall so certify, he shall not be permitted to appear as counsel for such person except with the specific permission of the presiding officer.]

1.5 Time

1.51 In computing any period of time specified in 2.4 and 3.4 of these rules, calendar days shall be counted.

1.52 In computing any period of time specified in 2.532 and 2.6 of these rules, the day of the act, event, or default after which the designated period of time begins to run is not included. The last day of the period so computed is included unless it is a Saturday, Sunday, or legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday, nor holiday. When the period of time is five (5) days or less, intermediate Saturdays, Sundays, and holidays are excluded. Whenever a party has the right or is required to do some act or take some proceeding within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, two (2) days shall be added to the prescribed period.

1.53 Except as otherwise provided by law, whenever an act is required or allowed to be done at or within a

specified time, the time fixed or the period of time prescribed may for good cause be extended or shortened by the Commission or the hearing officer.

1.6 Service of Papers, Methods, Proof

1.61 Any paper required to be served upon a party shall be served upon him or upon the representative designated by him or by law to receive service of papers. When a party has appeared by attorney, service may be made upon the attorney of record.

1.62 Service may be made by personal delivery, by mail, by telegraph, or as otherwise authorized by law. Where there are numerous parties to a proceeding, the Commission may make special provisions regarding the service of papers.

1.63 Service upon a party is complete:

1.631 By personal delivery, on handing the paper to the person, or leaving it at his office with his clerk or other person in charge or, if there is no one in charge, leaving it in a conspicuous place therein or, if the office is closed or the person to be served has no office, leaving it at his usual place of residence with some person of suitable age and discretion then residing therein;

1.632 By telegraph, when deposited with a telegraph company, properly addressed and with charges prepaid;

1.633 By mail, on deposit in the United States mail, properly stamped and addressed; or

1.634 By conformity with an order of the Zoning Commission made in any proceeding.

1.64 Proof of service, stating the name and address of the person on whom served and the manner and date of service, shall be shown for each document filed, and may be made by:

1.641 Written acknowledgment of the party served or his counsel;

1.642 The certificate of counsel if he has made the service; or

1.643 The affidavit of the person making the service.

1.7 Minutes

1.71 The minutes of a Zoning Commission meeting will be a matter of public record. These minutes will be summary in nature and will include the vote of each member on each application or petition.

1.72 The minutes of a meeting will not be available to the public until they have been approved at a subsequent

Commission meeting. The Executive Director of the Commission is, however, authorized to release the action and vote immediately following the meeting at which a vote is taken.

1.8 Decorum and Good Order

No person or group of persons shall willfully and knowingly utter loud, threatening, or abusive language, or engage in any disorderly or disruptive conduct within any building or part of any building owned or under the control of the District of Columbia with the intent to impede, disrupt, or disturb the orderly conduct of any meeting, hearing, or other proceeding of the Zoning Commission or the orderly conduct of official business of any officer, employee, or agency of the Commission; or enter or remain in, during the course of any meeting, hearing, or other proceeding of the District of Columbia Zoning Commission, any area set aside for use by persons other than the general public.

PART II - PROCEDURE FOR AMENDMENT TO ZONING MAPS AND FOR PLANNED UNIT DEVELOPMENTS

2.1 Scope of Rules

These rules of procedure shall apply to applications for a change in the zoning maps of the District of Columbia pursuant to Article 91 of the Zoning Regulations and to applications for planned unit developments pursuant to Article 75 of the Zoning Regulations.

2.2 Applications

2.21 Any proceeding before the Commission shall be instituted by the filing of an application with the Commission of such form and number as the Commission may prescribe. An authorized agent may file an application on behalf of an owner of property, but the application shall clearly demonstrate the authority of the agent to act for the owner. The Commission may initiate any proceeding by filing a notice of intention to proceed.

2.22 The Commission shall forward each application to the Zoning Advisory Council for a recommendation on whether the application should be processed further. After considering the Council's recommendation, the Commission may dismiss the application or set it down for a public hearing and other processing.

2.23 A majority of the full Commission is required to dismiss an application without a hearing or set the application down for a public hearing and other processing.

2.24 An applicant granted a public hearing and other processing shall be so notified, and informed of any other requirements of the Commission.

2.25 An application may be withdrawn at any time prior to the advertisement of a hearing. Withdrawal does not authorize the removal of any document from the files of the Commission. No application shall be filed with

the Commission within one year of the withdrawal, without special leave of the Commission.

2.26 Requests for reconsideration of an application dismissed without a hearing will not be entertained. An entirely new application must be filed. No application will be accepted for filing within one year after dismissal, without special leave of the Commission.

2.3 Hearing Officer

The Commission may provide that a hearing be conducted by a designated hearing officer. The designation shall be by written order of the Commission. After designation, the hearing officer may take any action authorized or necessary under these rules not specifically reserved to the Commission. All other hearings under this part will be conducted by the Commission.

2.4 Prehearing Procedures

2.41 At least ten (10) days prior to the advertisement of a hearing, the applicant shall file with the Commission the following information:

2.411 Eight (8) copies of a written statement setting forth the grounds upon which the requested action of the Commission is based.

2.412 Eight (8) copies of all written reports intended to be introduced at the hearing.

2.413 Eight (8) copies of a written summary of verbal evidence of any expert which will be proffered at the hearing.

2.414 A list of all witnesses who will testify on his behalf.

2.415 A list of maps, plans, or other documents readily available to the general public which will be offered into evidence.

2.416 Estimated time required for the presentation of the applicant's case.

2.417 A list of names and addresses of all owners of property within two hundred (200) feet of the property included in the application.

2.418 No application shall be modified after advertisement and prior to public hearing.

2.42 No hearing will be advertised sooner than ten (10) days after the applicant has met the requirements set forth in 2.41.

2.43 Notice of the hearing shall be given as follows:

2.431 Notice of a hearing shall be published at least once in a daily newspaper of general circulation in the District of Columbia, and at least once in the "District of Columbia Register." These publications shall appear at least forty (40) days in advance of such hearing. Each notice shall state the time and place of the public hearing, shall include a general summary of the application under consideration, the name of the applicant, the action of the Commission prayed for, an accurate description of the land included in the application, and the existence of requirements for intervention as a party.

2.432 At least forty (40) days prior to a hearing, the Commission shall mail a copy of the notice to owners of all property within two hundred (200) feet of the property included in the application.

2.44 To participate as a party in a proceeding before the Commission, any affected person shall file with the Commission not less than five (5) days prior to the date set for the hearing the following information:

2.441 His name and address.

2.442 Whether he will appear as a proponent or opponent of the application.

2.443 If he will appear through legal counsel, and if so, the name and address of legal counsel.

2.444 A written statement setting forth the manner in which he may be affected or aggrieved by action upon the application and the grounds upon which he supports or opposes the application.

2.445 A list of witnesses who will testify on his behalf. This requirement will not be waived except for good cause shown.

2.45 No matter of the kind described in 2.41 shall be received in evidence unless filed or referred to in accordance with these rules. However, matter submitted in compliance with 2.41 shall be construed as an intent only to introduce such evidence but the applicant shall not be bound to introduce the same at the hearing.

2.46 Upon a showing of surprise by the applicant, a hearing may be adjourned to allow the applicant sufficient time to offer rebuttal evidence. Such evidence shall be filed with the Commission in conformity with 2.41 at least ten (10) days before the hearing is resumed.

2.47 Referral for Report

2.471 An application approved for a public hearing and other processing shall be referred to the Zoning

Advisory Council for a report and recommendation, which shall be filed with the Commission at least five (5) days prior to the date set for the hearing.

2.472 The report and recommendation of any public agency or governmental unit or department shall be filed with the Commission at least five (5) days prior to the date set for the hearing.

2.473 Reports and recommendations shall not become a part of the exclusive record unless a member of the Zoning Advisory Council or an officer or employee of a public agency or governmental unit or department appears at the hearing to present the report and recommendation and to be cross-examined by the parties.

2.5 Hearing Procedure

2.51 Time and Place

The hearing for the purpose of taking evidence upon an application shall be held at such times and places as the Commission or the presiding officer shall designate. The hearing may be adjourned from time to time. If the time and place of resumption be publicly announced when the adjournment is ordered, no further notice of the hearing need be given.

2.52 Duties of Presiding Officer

The presiding officer shall have authority to:

2.521 Give notice concerning hearings and to hold hearings.

2.522 Regulate the course of the hearing.

2.523 Rule upon offers of proof and receive relevant evidence.

2.524 Assign exhibit numbers for all written documentary and other tangible matter offered in evidence.

2.525 Hold conferences for simplification of the issues by consent of the parties.

2.526 Dispose of procedural requests or similar matters including motions to amend and to order hearings reopened, or upon motions to consolidate applications for hearing.

2.527 Call, examine and cross-examine witnesses and to introduce into the record documentary or other evidence.

2.528 Request the parties at any time during the hearing to state their respective positions concerning any

issue in the proceeding and theory in support thereof.

2.529 Take any other action authorized by these rules or necessary under these rules.

2.53 Official Transcript

2.531 The hearing will be reported under the supervision of the presiding officer, stenographically or by other means, by an official reporter who may be designated from time to time by the Commission or may be a regular employee of the Commission. The transcript prepared by the reporter shall be the sole official transcript of the hearing. The transcript will be open for inspection at the Office of the Zoning Commission. Copies of the transcript will be available to parties and to the public from the official reporter on payment of the charges fixed therefor.

2.532 Changes in the official transcript may be made only when they involve errors affecting substance. A motion to correct a transcript shall be filed with the Commission within ten (10) days after the transcript has been filed with the Commission. Copies of the motion shall be served simultaneously on all opposing parties or their legal representatives. Objections to the motion shall be filed with the Commission within five (5) days. The transcript may be changed by the presiding officer to reflect such corrections.

2.54 Order of Procedure

The Order of procedure for presenting evidence at the hearing shall be as follows:

2.541 Introductory statement by Commission Staff.

2.542 Testimony by Zoning Advisory Council, public agency or governmental unit or department representatives.

2.543 Applicant's case.

2.544 Parties in support of application.

2.545 Parties in opposition to the application.

2.546 Rebuttal by applicant.

2.547 Rebuttal by parties in support of the application.

2.548 Sur-rebuttal by parties in opposition to the application.

2.549 Participation of persons not parties to the proceeding. They shall be subject to cross-examination by the parties to the hearing.

74-704 O - 72 - pt. 1 - 32

2.55 Evidence

2.551 The applicant, the Commission and every party may appear at a hearing to offer evidence and cross-examine.

2.552 Evidences shall be taken in conformity with Section 1-1509(b), D.C. Code, 1967 ed., Supp. IV.*

2.553 Exhibits may be offered in evidence at the hearing. Such exhibits may be in the form of photographs, models, graphs, etc. However, any exhibit which exceeds a size suitable for inclusion in the record must be reduced to a size not to exceed legal size of 8-1/2 by 14 inches. No material shall be submitted for the record which exceeds legal size. If models are used, photographs of the models not exceeding legal size, must be supplied at the public hearing.

2.554 The Zoning Enabling Act, the Zoning Regulations, including appendices and the official zoning maps, and these Rules of Practice and Procedure shall be a part of the record of every proceeding before the Commission, and it shall not be necessary for any party to move formally their introduction into evidence.

2.56 Proposed Findings

Parties to the proceeding shall submit proposed findings of fact and conclusions of law for the consideration of the Commission or the hearing officer within such time as the presiding officer may direct.

2.57 Closing the Record

The record will be closed following the public hearing, except that the record may be kept open for a stated period for the receipt of specific exhibits or information as may be directed by the hearing officer or Commission or by agreement of the parties.

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*In contested cases, except as may otherwise be provided by law, other than this chapter, the proponent of a rule or order shall have the burden of proof. Any oral and any documentary evidence may be received, but the Commissioner and Council and every agency shall exclude irrelevant, immaterial, and unduly repetitious evidence. Every party shall have the right to present in person or by counsel his case or defense by oral and documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. Where any decision of the Commission or Council or any agency in a contested case rests on official notice of a material fact not appearing in the evidence in the record, any party to such case shall on timely request be afforded an opportunity to show the contrary.

2.6 Post-Hearing Procedures

2.61 Final Decision, Effective Date

2.611 A decision or order on an application shall be in writing and shall be accompanied by findings of fact and conclusions of law, which shall be filed in the record. Formal notice shall be given to any party who appeared and participated in the hearing in person or by counsel, by serving him, in conformity with Part I, with a copy of the decision or order of the Commission and the accompanying findings of fact and conclusions of law, by registered or certified mail, return receipt requested. For the purpose of Part II of these rules, a decision or order of the Commission is final upon filing and service. The decision or order of the Commission shall also be filed in the "D.C. Register" for the information of the general public but this shall not be considered a requirement of formal notice to the parties.

2.612 An amendment to the zoning map shall become effective upon publication of the amendment in a daily newspaper of general circulation in the District of Columbia, unless a later effective date is provided for by the Commission. Provided, however, that an amendment to the zoning map approved in connection with an application for a planned unit development shall become effective only upon completion of the Article 75 process, and upon filing with the District of Columbia a covenant insuring compliance with submitted plans; except as provided in paragraph 7501.394 of the Zoning Regulations.

2.62 Proposed Decision, Exceptions

2.621 In any proceeding before a hearing officer, as soon as practical after the closing of the record, the hearing officer shall forward to the Commission a summary of the evidence presented, his recommended findings of fact, conclusions of law, decision or order, and the case record.

2.622 The Commission shall file in the record and serve upon any party who appeared and participated in the hearing in person or by counsel, its proposed findings of fact, conclusions of law, and decision or order. Any party may within ten (10) days file exceptions thereto and written argument. He shall designate with as much particularity as possible those portions of the record upon which he bases his exceptions. The Commission may in its discretion set exceptions down for oral argument.

2.623 In any proceeding before the full Commission wherein a majority of the Commissioners did not personally hear the evidence, the Commission shall file and serve proposed findings of fact, con-

clusions of law, and a decision or order. Thereafter, the procedure shall be the same as specified in 2.622.

2.63 Further Hearing

The Commission may on its own motion, or on the motion of any party who appeared and participated in the hearing in person or by counsel, reopen the record and require further hearing on designated issues before the Commission or a hearing officer. Notice of a further hearing along with a designation of issues shall be forwarded to any party who participated in the earlier proceedings or his legal representative at least ten (10) days prior to the date set for further hearing.

2.64 Reconsideration

2.641 A motion for reconsideration, rehearing or reargument of a final decision may be filed by a party within ten (10) days. It shall be served upon all other parties.

2.642 A motion for reconsideration, rehearing or reargument shall state specifically the respects in which the final decision is claimed to be erroneous, the grounds of the motion, and the relief sought. Within seven (7) days after a motion has been filed and served any other party may file an answer in opposition to or in support of the motion.

2.643 Neither the filing nor the granting of the motion shall stay a decision unless the Commission orders otherwise.

2.644 A motion for reconsideration, rehearing or reargument shall not be a prerequisite to judicial review.

2.7 Exclusive Record

No decision or order of the Commission on an application set down for public hearing and other processing shall be made except upon the exclusive record of the proceedings before the Commission, or such lesser portions thereof as may be agreed upon by all the parties.

PART III - PROCEDURE FOR TEXT AMENDMENTS OF THE ZONING REGULATIONS WITHIN RULEMAKING POWER OF THE ZONING COMMISSION

3.1 Scope of Rules

These rules of procedure shall apply to petitions for amendments to the text of the Zoning Regulations of the District of Columbia pursuant to Article 91 of the Zoning Regulations.

3.2 Petitions

3.21 Any proceeding before the Commission under Part III shall be instituted by the filing of a petition with the Commission of such form and number as the Commission may prescribe. Any interested person may file a petition with the Commission for an amendment to the text of the Zoning Regulations. The Commission itself may initiate proceedings for a text amendment by filing a notice of intent to amend the text of the Zoning Regulations.

3.22 The Commission shall forward each petition to the Zoning Advisory Council for a recommendation on whether the petition should be processed further. After considering the Council's recommendation, the Commission may deny the petition or set it down for a public hearing and other processing. All proceedings initiated by the Commission shall be set down for public hearing and further processing and need not be forwarded preliminarily to the Zoning Advisory Council.

3.23 A majority of the full Commission is required to deny a petition without a hearing or set the petition down for a public hearing and other processing.

3.24 A petitioner granted a public hearing and other processing shall be so notified, and informed of any other requirements of the Commission.

3.25 A petition may be withdrawn at any time prior to issuance of a notice of a hearing. Withdrawal does not authorize the removal of any document from the files of the Commission. No petition shall be filed with the Commission within one (1) year of the withdrawal, without special leave of the Commission.

3.26 Requests for reconsideration of a petition denied without a hearing will not be entertained. An entirely new petition must be filed. No petition will be accepted for filing within one year after dismissal, without special leave of the Commission.

3.3 Hearing Officer

The Commission may provide that a hearing be conducted by a designated hearing officer. The designation shall be by written order of the Commission. After designation, the hearing officer may take any action authorized or necessary under these rules not specifically reserved to the Commission. All other hearings under this part will be conducted by the Commission.

3.4 Prehearing Procedures

3.41 Notice of a hearing shall be given as follows:

3.411 Notice of a hearing shall be published at least once in a daily newspaper of general circulation in the District of Columbia, and at least once in the "District of Columbia Register." These publications shall appear at least thirty (30)

days in advance of such hearing. Each notice shall state the time and place of the public hearing, shall include a general summary of the petition under consideration, the name of the petitioner, and the action of the Commission prayed for.

3.412 The Commission shall give such additional notice of the hearing as it shall deem feasible and practicable.

3.42 Referral for Report

3.421 A petition approved for a public hearing and other processing shall be referred to the Zoning Advisory Council for a report and recommendation on the petition, which report and recommendation shall be filed with the Commission at least five (5) days prior to the date set for the hearing.

3.422 The review and report of any public agency or governmental unit or department shall be filed with the Commission at least five (5) days prior to the date set for the hearing.

3.423 The reports specified in 3.421 and 3.422 shall become a part of the record. The presiding officer may, in his discretion, request a member of the Zoning Advisory Council or an officer or employee of a public agency or governmental unit or department to appear at the hearing to present and elaborate upon these reports. They will be liable to cross-examination only by the hearing officer or Commissioners.

3.5 Hearing Procedure

3.51 Time and Place

A hearing on a petition shall be held at such times and places as the Commission or the presiding officer shall designate. The hearing shall be open to the public. The hearing may be adjourned from time to time. If the time and place of resumption be publicly announced when the adjournment is ordered, no further notice of the hearing need be given.

3.52 Duties of the Presiding Officer

The presiding officer shall have authority to:

3.521 Give notice concerning hearings and to hold hearings.

3.522 Regulate the course of the hearing.

3.523 Hear witnesses and receive exhibits and statements.

3.524 Assign exhibit numbers to all exhibits and statements.

3.525 Dispose of procedural requests or similar matters including motions to amend and to order

hearings reopened, or upon motions to consolidate petitions for hearing.

3.526 Call, examine and cross-examine witnesses and to introduce into the record exhibits and statements.

3.527 Request any person at any time during the hearing to state his respective position concerning any issues in the proceeding and theory in support thereof.

3.528 Take any other action authorized by these rules or necessary under these rules.

3.53 Official Transcript

The hearing will be reported under the supervision of the presiding officer, stenographically or by other means, by an official reporter who may be designated from time to time by the Commission or may be a regular employee of the Commission. The transcript prepared by the reporter shall be the sole official transcript of the hearing. The transcript will be open for inspection at the Office of the Zoning Commission. Copies of the transcript will be available to the public from the official reporter on payment of the charges fixed therefor.

3.54 Order of Procedure

The order of procedure at the hearing shall be as follows:

3.541 Introductory statement by Commission staff.

3.542 Reports or statements by Zoning Advisory Council, public agency or governmental unit or department representatives.

3.543 Persons in support of the petition.

3.544 Persons in opposition to the petition.

3.55 Closing the Record

The record will be kept open for a period of ten (10) days following the public hearing for submission by any person of exhibits or statements.

3.6 Final Action, Effective Date

3.61 Action upon a petition shall be in writing and filed in the record. For the purpose of Part III of these rules, action of the Commission is final upon filing.

3.62 An amendment to the text of the Zoning Regulations shall become effective upon publication of the amendment in a daily newspaper of general circulation in the District of Columbia and the "District of Columbia Register," unless a later effective date is provided for by the Commission.

NEW REQUIREMENTS TO BE MET BY ZONING COMMISSION

Mr. HATTON. To help you understand this I would like to separate, in term of Commission and Board, the items included in the table on page 1 of the 1973 Budget amendments.

This table is a summary of what is in my written statement in two separate tables.

The procedural requirements, particularly related to cross-examination, will lengthen each hearing by 50 percent or more. Requirements for applicant prehearing submissions and for witnesses to sign up in advance will affect staff time. The need to circulate proposed findings of facts and decisions by registered mail to all parties before they can be adopted will require staff time and more money for postage.

In the past we have absorbed the postal rate increases. Now we are talking about jumping from 8-cent regular mail to $1.03 registered mail. This is going to be impossible within our present budget, obviously.

A major change will be needed in the form of a planner to analyze each application and prepare an indepth report. The report would be presented to the Zoning Advisory Council and embodied in their report to the Commission on the merits of granting a hearing or denial without a hearing. If granted a hearing, the applicant is given an opportunity to strengthen his case by adding to the documentation in the case file.

This would require additional research by the staff planner, to prepare a final and more indepth report for the Zoning Advisory Council.

I would like to emphasize that this report will probably be the No. 1 technical document in the case file upon which the Commission can find facts to act on. The developer will present expert witnesses, putting forth his point of view. The citizens will attempt to counter that. But our experience has been that in most cases the citizens do not have the capability and the resources to do that adequately. So we need an impartial, indepth research document to go into the record on which the Zoning Commission can act.

When a case is dismissed without a hearing an order needs to be drafted by the administrative officer to the Commission setting forth the Commission's reasons for so doing.

At the present time they just say "dismissed" and they do not give any reason. I have had correspondence from Congressmen asking why the Commission did something, and I cannot tell them. All I know is what the vote was. The reasons are not set down.

On the other hand, when a case goes through the whole hearing process, we are going to have to put together a finding of fact, conclusion of law, and action for the Zoning Commission.

ADDITIONAL WORKLOAD FOR COMMISSION STAFF

Now, the Commission isn't going to do that. That is going to take staff time to get that kind of legal document together, place it before the Commission, so they can vote it up or down, and in some cases modify it as their action.

This is going to take the full time of my present administrator for the Zoning Commission to do that kind of work. So I am suggesting we relieve him of some of his more routine chores. We need another administrative person who can set up the meetings, the hearings, make

sure the proper notices get out, the correspondence, the registered mail to the appropriate people, and so on.

Of course, adding these additional documents and procedures is going to expand our clerical needs. As far as the Zoning Commission is concerned, we have been just about breaking even on the basis of clerical help in the past.

The case in the 03 area is, I think self-explanatory as supporting these additional staff activities and personnel.

NEEDS OF BOARD OF ZONING ADJUSTMENT

As far as the Board of Zoning Adjustment is concerned, I think the situation is actually far more critical than with the Zoning Commission.

In the past the Board of Zoning Adjustment has had one hearing per month that has lasted an average of 9 hours. During that period they normally take up about 40 cases and quick arithmetic indicates this amounts to 13½ minutes per case for the Board of Zoning Adjustment.

We would like to give you, to emphasize that, a copy of Board's Public Notice of Cases for March 15, which was aborted on the recommendation of the Corporation Counsel. That is a typical agenda for the Board, for 1 day's hearing.

(The information follows:)

PUBLIC HEARING NOTICE

BOARD OF ZONING ADJUSTMENT

Time and Place: 9:30 a.m., Wednesday, March 15, 1972, Room 500 District Building.

To Consider the Following:

SERVICE AREA NO. 1

11079. Appeal of Minnie L. Sonne for permission to change a nonconforming use from a beauty shop to a delicatessen at 418 Randolph St., NW., lot 91, Sq. 3236. (7104.2)

11098. Appeal of Stanley Hayman for variance from the floor area ratio requirements and parking of C-2-A District to permit addition to existing building at 4406 Georgia Ave., NW., lots 813 & 814, Sq. 2917. (8207.11)

11103. Appeal of Oswald J. & Tommie Barham for variance from the use provisions of R-1-B District to continue use as a flat at 6600 Piney Branch Rd., NW., lot 1, Sq. S-2971. (8207.11)

SERVICE AREA NO. 2

11088. Appeal of Jesse Small for variance from Sect. 3304 (rear yard) and Sect. 7502.2 (over 30% of rear yard occupied) to permit a covered walkway between garage and dwelling at 2010 Upshur St., NE., lot 27, Sq. 4232. (8207.11)

11095. Appeal of Sylvester Terry for variance from side yard and rear yard requirements of R-2 District to permit one story rear addition to dwelling at 1025 Decatur St., NE., lot 87, Sq. 3896. (8207.11)

11096. Appeal of Frederick B. Brown for variance from the rear yard and Sect. 7502.2 (Over 30% rear yard occupied) to permit private garage at 5213 - 12th St., NE., lot 7, Sq. 3753. (8207.11)

11104. Appeal of WMATA for variance from Sect. 8103.3 to permit erection of Metro Rhode Island Avenue Station at 801 Rhode Island Ave., NE., lots 810,811,817, part of lot 815, Sq. 3841; lots 827,840,77,842,844,829, part of lot 830, Sq. 3846; part of lot 810, Sq. 3845; part of lot 800, Sq. 3613; parts of parcels 130/1, near Sq. 3866; 131/134, Sq. 3846; 131/31, near Sq. 3845; 131/33, Sq. 842; 131/30, Sq. 3842; 131/7, near Sq. 3626; 132/5, near Sq. 3842 and 132/23, near Sq. 3842. (8207.11)

11105. Appeal of WMATA for variance from Sect. 8103.3 to permit erection of Washington Terminal Company repair shop at 1800 - 9th St., NE., lot 803, Sq. 3611, parcel 130/17, near Sq. 3857. (8207.11)

11106. Appeal of WMATA for variance from Sect. 8103.3 to permit erection of WMATA Major Repair Shop and Yard at 601 T St., NE., part of lot 800, Sq. 3580; part of lot 800, Sq. 3851; part of lot 800, Sq. 3599; part of lot 800, Sq. 3600; lot 800, Sq. 3601; part of lot 800, Sq. 3602; part of lot 800, Sq. 3603; lot 800, Sq. 3605; part of lot 800, Sq. 3607; part of lot 800, Sq. 3603; part of lot 803, Sq. 3611; part of lot 801, Sq. 3612; part of lot 800, Sq. 3613; part of lot 800, Sq. 3614; part of parcel 130/1, Sq. 3618. (8207.11)

SERVICE AREA NO. 3

11060. Appeal of Horning Brothers for permission to erect apartment development in accordance with Sect. 3105.42 at Anacostia Rd. and Minnesota Ave., SE., lots 810,809, parcels 203/9, 203/10, 203/4, Sq/ 5434. (3105.42)

11084. Appeal of Beulah Baptist Church for permission to establish a community center for senior citizens at 3901 Dix St., NE., lots 23 & 24, Sq. 5265. (3104.46)

11090. Appeal of Charles Squirewell, et ux, for variance from the rear yard and lot area requirements of R-2 and C-M-1 Districts and variance from Sect. 1302 for subdivision lot lot 872 to permit erection of 2 single family semi-detached houses and parking less than 10 ft. from dwelling at 1047 - 44th St., NE., lot 872, Sq. 5125. (8207.11)

SERVICE AREA NO. 4

11057. Appeal of Milton Weinberg for permission to erect townhouses in accordance with Sect. 3105.42 at Morris Rd. and Bunter Pl., SE., lots 4-5, Sq. 5812. (3105.42)

11086. Appeal of Park Skyland, Inc. for permission to erect rowhouses in accordance with Sect. 3105.42 at 24th St. between Wagner St. & Skyland Pl., SE., lots 820 & parcel 220/29, Sq. 5740. (3105.42)

11092. Appeal of American Oil Co. for permission to establish gasoline service station and minor repair shop at 2801 Alabama Ave,, SE., lot 2, Sq. 5642. (5102.41)

SERVICE AREA NO. 5

11074. Appeal of Alex G. Marcotte for variance from the rear yard requirements of R-4 District to permit second floor addition to single family dwelling at No. 7 9th St., SE., lot 817, Sq. 920. (8207.11)

11075. Appeal of Carol Henriquez for variance from the rear yard, lot occupancy of the R-5-B District, waiver of 5 off-street parking spaces, variance from the floor area ratio to permit rear addition to apartment and conversion of garage into living quarters at 635 G St., SE., lot 54, Sq. 878. (8207.11)

11097. Appeal of Brian R. Furness et ux for variance from the rear yard requirements of R-4 District to permit addition to existing garage at 441 - 2nd St., SE., lot 70, Sq. 735. (8207.11)

11100. Appeal of Potomac Development Corp. for variance from the use provisions of the R-4 District to permit office in basement of single family dwelling at 622 C St., SE., lot 50, Sq. 872. (8207.11)

SERVICE AREA NO. 6

11076. Appeal of James Buckley, et ux, for permission to change a nonconforming use from a 2-unit tenement house to a flat at 1919 - 9th St., NW., lot 808, Sq. 393. (7104.2)

11079. Appeal of Evergreen Baptist Church for variance from the lot occupancy requirements of the R-4 District to permit 3-story rear addition to church at 649 C St., NE., lot 12, Sq. 865. (8207.11)

11091. Appeal of Harry Shapiro for permission to change a nonconforming use from office of community service center to office of housing program (Model Cities) at 1100 W St., NW., lot 805, Sq. 303. (7104.2)

11093. Appeal of Gallaudet College for permission to erect buildings for Gallaudet College (education complex) at 800 Florida Ave., NE., Parcel 141/69, near Sq. W-4050. (3101.46)

11102. Appeal of Key Automotive Parts Warehouse, Inc. for variance from the use provisions of the C-2-A District to permit wholesale and retail automotive sales with office space exceeding 2,500 sq. ft. at 309-11 H St., NE., lot 811, Sq. 777. (8207.11)

SERVICE AREA NO. 7

11077. Appeal of Matthew N. Mezzanotte for permission to establish private school and academic institution of higher learning at 1709 N. Hampshire Ave., NW., lot 55, Sq. 154. (3101.46)

11080. Appeal of Lutheran Council in the U.S.A. on behalf of Antioch College for permission to approve campus plan for Antioch College at 2633 - 16th St., NW., lot 32, Sq. 2574; 1626 Cresent Pl., NW., lot 808, Sq. 2568; 1716 N. Hamp. Ave., NW., lot 59, Sq. 153; 1709 & 1701 N. Hamp. Ave., NW., lots 25 & 21, Sq. 154; 2126 R St., NW., lot 13, Sq. 2513; and 1145 - 19th St., NW., Sq. 140. (3101.46)

11087. Appeal of Chester Arthur Corp. for permission to erect office building with roof structures in accordance with Sect. 3308 at 425 Eye St., NW., lot 57, Sq. 516. (3308)

SERVICE AREA NO. 8

11046. Appeal of International Inst. of Interior Design for permission to reinstate BZA Order 8864 to establish a professional school of interior design and for variance from provisions of Sect. 7202.1 for waiver of parking requirements for said school at 2225 R St., NW., lot 69, Sq. 2516. (3101.42 & 7207.11)

11085. Appeal of Micheline C. Liverman, et al for variance from Sect. 1302 of Zoning Regulations to permit subdivision of alley lot 827, Sq. 1245, rear of 3325 O St., NW. (8207.11)

11094. Appeal of 4300 Joint Venture for further processing under Article 75 to amend overall site plan (Ex. 15 - Appeal No. 10544) to relocate approved bldgs. at 4200 Mass. Ave., NW., lot 812, Sq. 1601. (7501)

11099. Appeal of John H. LaGorce II, et ux for variance from the rear yard and size of garage to permit one story rear addition to dwelling at 3303 Volta Pl., NW., lots 800 & 801, Sq. 1273. (8207.11)

11101. Appeal of David Tadde for variance from the use provisions of R-3 District to permit 7-unit apartment bldg. at 3101 P St., NW., lot 42, Sq. 1270. (8207.11)

SERVICE AREA NO. 9

11072. Appeal of Marshall B. Coyne for permission to erect office bldg. and garage with roof structures in accordance with Sect. 3308 at 1101 - 15th St., NW., lots 80,806 & 837, Sq. 214. (3308)

11073. Appeal of Abramson et al for permission to erect office bldg. with roof structures in accordance with Sect. 3308 at 1909 K St., NW., lots 55,821,822 & 837, Sq. 85. (3308)

11082. Appeal of Edward Marnone for permission to reduce off-street parking by 25% and for roof structures in accordance with Sect. 3308 or in the alternative permission for attendant parking at 1st, V and Water Sts., SW., lots 4-6, 804, Sq. S-667. (3308 & 7203.1)

11083. Appeal of Malonsy Concrete Co. for permission to reduce parking requirements by 25% and for roof structures in accordance with Sect. 3308 or in the alternative permission for attendant parking at Water St. between U & T Sts., SW., lots 1-13 inclusive, Sq. 666. (3308 & 7203.1)

11089. Appeal of William Calomiris et al for variance from the SP District to permit real estate office in bldg. at 1112 - 16th St., NW., lot 105, Sq. 183. (8207.11)

SAMUEL SCRIVENER, JR. WILLIAM S. HARPS, HOWARD H. MACKEY, WILLIAM F. McINTOSH, ARTHUR B. HATTON, D.C. Board of Zoning Adjustment.

TIME NEEDED TO HEAR ZONING CASES

Mr. HATTON. On the basis of the new procedures that we are developing, a conservative estimate is that the average case is going to jump from that 13½ minutes up to 40 or more minutes, which is going to bring about a 200-percent increase in the total hearing time the Board is going to have to devote. This means that the cost of paying the court stenographer is going to increase by 200 percent or better.

We are also going to have to greatly expand on the documentation of the Board's activities. In the past the Board has been producing a findings of fact and opinion. The new procedures are going to require much more extensive findings of fact, particularly in terms of the opposition case, a conclusion of law and decision.

Our present legal assistant to the Board, who does this yeoman work, has only been able to keep up by putting in a tremendous amount of overtime and most of this he has not been compensated for.

I might say that the present man is doing a commendable job. His predecessors had a constant backlog. He is right up to date, but only by putting in overtime.

The only solution I can see when we get into these new procedures, in order to keep up and avoid that extensive overtime, is to have two legal assistants doing the yeoman work for the Board. This will increase the paperwork, the need for secretarial help, and this is spelled out in the tabulations.

I would like to emphasize again that right now, even though the legal assistant is currently up to date on his drafting of Board actions, we have a 3-month typing backlog.

I hope that in this submission that we are not only taking care of the future demands, but picking up that deficit in terms of increased clerical capability.

REQUEST FOR ADDITIONAL FUNDING

In summary, I would just like to give you an idea of what this amounts to: An additional $86,928 for personal compensation and benefits and $20,300 for other objects. Approximately $3,300 of the $4,100 for equipment would be nonrecurring. This would be the initial furnishing and equipment outlay to accommodate the new staff in the first year of operations.

Also, I should clarify the fact that the figures we have presented to you are 12-month figures. This is because the crunch is on now, in fiscal 1972. We are going to have to be able to operate this way almost immediately. How we are going to struggle through the first of the fiscal year is a real problem.

I would also like to state that we have built into the amendment a planner that we would not redirect as in our original submission. What I am saying is that the planner in the original submission, resulting from redirection of funds, is not in addition to, but the same person that we are talking about in our amended budget—we do not need both. I would like to keep that $13,000 in there for the revision project, and to support that, I must say that our grant funds have not been what we expected in the past. And in the next 12 months, I do not expect any.

NUMBER OF HEARINGS HELD BY COMMISSION

Senator INOUYE. Thank you very much, sir. Like you, I am a bit dismayed to learn that you have a backlog of about 3 months of typing, and the zoning adjustment load.

I have before me a statistical chart, which indicates that in 1968 your Zoning Commission conducted 13 hearings during the calendar year. And in 1969 the Commission conducted seven hearings. In 1970, nine hearings. And last year, five hearings.

In 1968 you considered 51 cases; in 1969, 20 cases; in 1970, 13 cases; and in 1971, 11 cases.

It would appear it is going down instead of going up.

Mr. HATTON. Yes. There is an explanation for that.

Senator INOUYE. I would like to hear that.

Mr. HATTON. The caseload, if you will follow this column, has not deviated as much as the hearings. The problem is that the members of the Zoning Commission—the Mayor, Chairman of the City Council, and Vice Chairman of the City Council—have a great deal of trouble setting aside time to sit in a public hearing. Keep in mind the fact the court in another case, other than the one I gave you, made it very clear they had no alternative but to be there.

Their only choice has been to severely limit the number of cases that they can handle. A lot of meritorious zoning requests have had to be either turned down or put on the shelf to try and alleviate this problem. The Commission has sent to the House and the Senate a proposal to authorize them, by amending the Zoning Act, to employ a hearing examiner, so that they could devote their limited time resource to actually making decisions, rather than sitting in hearings.

Also, the nature of cases has changed. We have far, far more citizen participation in zoning than when I came in, as recently as 1965. There is a growing citizen awareness. These court actions are the result of that growing citizen awareness. The hearing on McLean Gardens, for example, took 2 days. In my experience, we never before had a 2-day hearing on a zoning matter.

The decision took four meetings of the Zoning Commission because we had a complex problem. They were not ready to rubberstamp it as the developer had put it together. They wanted to make some very distinct amendments to the plans for that project, and this took some time to hammer out.

This is just a case, although it is exceptional, of the growing magnitude of cases.

If you will follow the statistics, you notice the number of planned unit projects, as distinct from simple map amendments, has grown quite substantially. These are very complex types of cases.

HEARINGS ON M'LEAN GARDENS PROJECTS

Senator INOUYE. Are the Commissioners complaining that they have had to hold two hearings on the McLean Garden project?

Mr. HATTON. They are not complaining, but if they had not had 2 days of McLean Gardens, they could have heard a couple of other cases. I think that is the substance of the problem. They have limits to the amount of time they can devote to the zoning process. They want to be able to use that time more efficiently.

Senator INOUYE. Why don't we change the membership of the Commission?

Mr. HATTON. My staff, as part of the Zoning Revision Project, has developed several alternatives. One of them would reorganize the membership of the Zoning Commission. In fact, in this proposal, we would abolish the Commission as we now see it. We would abolish the Board of Zoning Adjustment and create a full time three-man development board. That board would function within regulations established by the City Council, and their operation would be more analogous to the Liquor Board.

As you are aware, the Liquor Board operation is quite efficient. There is minimum complaint with how they have been operating. By being full time or close to full time people, they can really get into the subject matter and do a job.

Senator INOUYE. Apparently, from what you have said, the people of this city are not being provided their full day in court?

Mr. HATTON. They have not been.

Senator INOUYE. I hope we can assist you in changing the situation. I think it is shameful, sir.

Mr. HATTON. I appreciate that.

(The following information will be inserted at this point:)

Government of the District of Columbia
ZONING COMMISSION

March 22, 1972

Dear Senator Inouye:

In response to your questions regarding hearings and pending cases I would like to submit the following information:

Zoning Commission

There is one hearing scheduled for March 29, 1972. At that hearing three amendments to the Zoning Regulations will be considered. No other hearings will be scheduled until the new Rules of Practice and Procedure are in effect.

Cases pending before the Zoning Commission are as follows:

1.	Text amendments	8
2.	Map cases that must be reheard	13
3.	Map cases to be screened	26
4.	Total cases pending	47
5.	Of the pending cases 14 are Planned Unit Development Projects, requiring two hearings.	

Board of Zoning Adjustment

The March hearing of the Board was canceled and no further hearing will be scheduled until Rules of Practice and Procedure have been adopted. This will require a hearing by the Zoning Commission in addition to the preceding Zoning Commission cases pending.

Cases pending before the Board are as follows:

1.	Cases to be heard including the March group	93
2.	Cases for which Board action is pending	20
3.	Cases decided and for which orders need to be written	8
4.	Cases for which orders need to be typed	72
5.	Depending on the advice of the Corporation Counsel many or all of the cases included in 2, 3, and 4 above may require a rehearing.	

Sincerely yours,

Arthur B. Hatton

Arthur B. Hatton
Executive Director

Senator INOUYE. Thank you very much.
Mr. HATTON. Thank you.

SUBCOMMITTEE RECESS

Senator INOUYE. I just noticed it is time for lunch. So we will be in recess until 2:00 p.m., at which time we will begin with the Board of Appeals and Review, continue on, and hopefully complete General Operating Expenses.

(Thereupon, at 12:45 p.m., the subcommittee was recessed, to reconvene at 2:00 p.m. the same day.)

74-704 O - 72 - pt. 1 - 33

(AFTERNOON SESSION, 2:15 o'CLOCK, THURSDAY, MARCH 17, 1972)

DISTRICT OF COLUMBIA

BOARD OF APPEALS AND REVIEW

STATEMENT OF IRVING BRYAN, CHAIRMAN

ACCOMPANIED BY MRS. JANE A. GATLING, EXECUTIVE SECRETARY

PREPARED STATEMENT

Senator INOUYE. We will resume our hearings this afternoon and we will hear from the Chairman of the Board of Appeals and Review, Mr. Irving Bryan.

Mr. BRYAN. Mr. Chairman, I have with me Mrs. Jane A. Gatling, the Executive Secretary of the Board, with the committee's consent.

Mr. Chairman, the Board's statement has been written and submitted to the committee and I offer that for the record.

Senator INOUYE. Without objection, it will be made a part of the record, sir.

(The statement follows:)

The 1973 budget estimate of the Board of Appeals and Review requests an increase totaling 12.4 thousand dollars, 2.6 thousand of which is for within-grade advancements and pay increase for classified employees, 4 thousand is to increase the rate of compensation for public members of the Board, and 5.8 thousand is for "other objects," as explained later in this statement.

Purpose and Objective: The Board provides final administrative decisions in cases appealed to it by aggrieved citizens.

Jurisdiction: Actions which are appealable to the Board include:

(a) Decisions of the Department of Economic Development: (1) denying or revoking business licenses; (2) denying or revoking certificates of occupancy for use of property for reasons other than non-compliance with Zoning Regulations; (3) denying requests for variances under the Building Code and under the Housing Regulations; and (4) ordering correction of violations of the Housing and other regulations.

(b) Suspensions of operators' permits and vehicle registrations under the Motor Vehicle Safety Responsibility Act. (March, 1968)

(c) Decisions of the Police and Firemen's Retirement and Relief Board. (August, 1968)

(d) Decisions of the Director of Public Health under the Air Quality Control Regulations. (February, 1969)

(e) Decisions of the Chief of Police under the Regulations governing Registration of all Firearms and Licensing of Rifles and Shotguns. (March, 1970)

(f) Decisions of Department of Economic Development under the Regulations governing Licensing of Proprietary Schools. (October, 1971)

(g) Denials by Chief of Police of permits to carry pistols.

(March, 1972)

Composition and Functions: The Board consists of 25 members, appointed by the Commissioner for three-year terms of office, 17 of whom are "public" members compensated on a when-actually-employed basis, and 8 District employee members. The Commissioner designates a public member as Chairman. I submit a list of members for the record.

The Board acts through three-member Hearing Committees, 2 public members and a District employee member. The presiding officer of each Hearing Committee must be a public member who is an attorney. Each appeal is decided after sworn testimony is presented by the Government and the Appellant. Each decision, sustaining, reversing or modifying the action from which the appeal is taken, must be in writing, with Findings of Fact and Conclusions of Law. The United States Court of Appeals for the District of Columbia circuit has characterized this Board as a quasi-judicial agency.

Staff: Four full-time positions were established in 1960 when the Board was reconstituted into its present form. The staff consists of: 1 GS-9 Executive Secretary, 1 GS-6 Administrative Aide, 1 GS-5 Clerk-Typist, and 1 GS-4 Clerk-Typist.

Workload: In fiscal years 1965 through 1968, the number of appeals filed averaged 134 a year. For 1969 through 1971, the average was 541. The backlog at the end of 1965 was 67; at the end of 1971 it was 164; and on January 31, 1972, it was 204. In 1965, the Board issued written decisions in 169 cases, and 540 in 1971, a 219% increase.

Problems: For 10 years there has been no increase in the Board's appropriation to cover the cost of supplies, printing, postage, and repairs to office equipment. With an increased workload, the Board's need for these items, and for stenographic reporting services, have increased. At the same time, vendors' rates and charges have increased.

(For example, in 1965, the charge for reporting services was $1.20 per page; it is now $2.30.) I believe it is readily understood that processing of 540 cases to decision (acknowledging receipt of appeals, notifying parties of hearing dates, mailing of decisions) requires more funds to be expended for supplies and postage alone than 169 cases. At the same time, more funds are needed to reproduce documents required by the Board to hear cases and to print its decisions, and stenographic reporting services are needed more often. The use of contract reporting services is kept to a minimum. Whenever feasible, recording equipment is used in lieu thereof. However, maintaining such equipment, as well as maintaining ten-year old typewriters, results in increased cost of repairs to office equipment. For fiscal 1973, the Board estimates that it will need four hundred dollars for postage; thirteen hundred for printing; sixty-four hundred for contractual services (six thousand for reporting services and four hundred for repairs to equipment); five hundred for supplies; and one hundred for local transportation of persons.

For over 10 years there has been no increase in the Board's appropriation to cover compensation for its public members who are paid on a when-actually-employed basis. An adjustment in their rate of pay was made in January, 1967 but with no increase in the appropriation. At that time, the hourly compensation rate was increased from $8.75 to $11.00. In 1967, $11.00 per hour was the equivalent of the top step of Grade GS-15. The top step of that grade is now $16.00 an hour.

Relief Sought: An increase in the allotment for supplies and printing, communication services (postage), repairs to office equipment, and stenographic reporting services in the total amount of 5.8 thousand; an increase in rate of compensation for Board Members in amount of 4.0 thousand; and an increase in compensation and benefits for classified employees to cover within-grade advancements and the 1972 pay raise in amount of 2.6 thousand; a total increase of 12.4 thousand.

MEMBERS OF

BOARD OF APPEALS AND REVIEW

PUBLIC MEMBERS

	RESIDENCE	OFFICE	TERM EXPIRES
Irving Bryan, Chairman Room 14, District Building (4501 Connecticut Avenue, N. W. 20008)	WO 6-4794	629-3170	4/30/72
Frank J. Calcara 1010 H Street, N. W. 20001	OL 2-1987	RE 7-2160	8/29/73
Victor R. Daly 1612 Manchester Lane, N. W. 20011	TU 2-7277	TU 2-7277	8/29/73
Charles H. Epps, Jr., M. D. 3901 Georgia Avenue, N. W. 20011	829-5459	829-1850	10/1/71
Theodore R. Hagans, Jr. 1645 Myrtle Street, N. W. 20012	291-1602	568-6301	4/30/74
Professor Raymond M. Jones 7473 - 7th Street, N. W. 20012	291-6814	723-8046	8/29/73
Elmer L. Klavans 919 - 18th Street, N. W. 20006	332-5591	296-4888	10/31/72
John W. Latimer, Jr., M. D. 1728 Massachusetts Avenue, N. W. 20036	OL 2-7144	785-2291	4/30/72
R. Lomax Wells, M. D. 2100 Washington Avenue Silver Spring, Maryland 20910	587-7447	587-7447	10/1/71

ATTORNEY MEMBERS

		RESIDENCE	OFFICE	TERM EXPIRES
N. Meyer Baker, Esq. Suite 800 730 - 15th Street, N. W.	20005	244-8386	638-2241	8/29/73
Samuel B. Block, Esq. Investment Building 1511 K Street, N. W.	20005	RA 6-8451	DI 7-6296	8/29/73
Clinton W. Chapman, Esq. Suite 608 733 - 15th Street, N. W.	20005	TA 9-9365	628-8585	10/31/72
William C. Gardner, Esq. 615 F Street, N. W.	20004	882-4323	628-7058	10/31/72
De Long Harris, Esq. 1816 - 11th Street, N. W.	20001	LA 6-5720	CO 5-7000	8/29/73
Robert T. Smith, Esq. Suite 104 1915 Eye Street, N. W.	20006	EM 3-8828	333-7115	4/30/74
James A. Willey, Esq. Global Building 1025 Vermont Avenue, N. W.	20005	EM 2-2776	NA 8-2477	10/19/71
George H. Windsor, Esq. 613 F Street, N. W.	20004	TU 2-0655	NA 8-2702	10/1/71

D. C. GOVERNMENT MEMBERS

	OFFICE	TERM EXPIRES
John C. Ahearn, D. C. Treasurer Room 1132, Municipal Center	X 4445	8/29/73
Allen M. Avery, Associate Director for Community Services Department of Corrections Potomac Building 614 H Street, N. W.	638-2205 638-2206	8/29/73

D. C. GOVERNMENT MEMBERS

James H. Bohannan, Special Assistant to Director, Department of Human Resources, Room 422, District Building	737-1842	8/29/73
Kenneth T. Hammond, Deputy Director, Office of Zoning Commission, Room 11, District Building	X 4421	4/30/74
Jack Kleh, M. D. Medical Consultant to Director, Department of Public Welfare, D. C. Village, Foot of Martin Luther King Avenue, S. W. 20032 (915 - 19th Street, N. W., Room 308)	X 8203 (541-4505)	10/1/71
James I. Porter, Assistant Director for Design and Engineering Department of General Services South Potomac Building 613 G Street, N. W., Room 902	X 3064 X 3065	4/30/72
Eugene E. Sobolewski, Assistant Deputy Director, Bureau of Construction and Maintenance Department of Highways and Traffic 28th and M Streets, N. W.	X 5351	4/30/72
William J. Washington, Jr., M. D. Director, Hospitals and Medical Care Administration, Department of Human Resources, 1875 Connecticut Avenue, N. W. (Room 818) 20009	X 3603	10/1/71

Mr. BRYAN. I haven't any particular discussion, except to say that the Board's budget estimate does not call for any additional employees. A total of $12,400 increase is being requested, which is fully explained in the statement.

I would be glad to answer any questions which the committee has.

Senator INOUYE. Can you give us at a later time, statistical information as to the number of decisions you have rendered, as listed in your statement?

Mr. BRYAN. Covering what period, Senator?

Senator INOUYE. The past 12 months.

Mr. BRYAN. Ending——

Senator INOUYE. The type of cases you have handled, the decisions you have made. I just want an overview of the activities you have carried on for fiscal year 1971 and estimate for this present fiscal year. I do not expect you to give it to us right now.

Mr. BRYAN. All right. We will furnish it for the record.

Senator INOUYE. I appreciate it. Thank you very much.

Mr. BRYAN. Thank you, sir.

(The information follows:)

Agency: Board of Appeals and Review

DECISIONS RENDERED

Types of Cases	FY 1971 Actual	FY 1972 Estimated[1]
Building Code	8	5
Business Licenses[2]	133	114
Firearms	15	16
Housing Regulations	367	265
Motor Vehicle Safety Responsibility Act	5	23
Plumbing Code	1	1
Police and Firemen's Retirement and Relief Board	11	32
Total	540	456

1/ Estimate as revised March 21, 1972

2/ Business License Cases

Apartment House	78	54
Auctioneer	1	0
Billiard Parlor	1	0
Convalescent Home	2	1
Delicatessen	0	8
Detective Agency	5	5
Fireworks, Retail	0	1
Food Products	2	1
Grocery	1	8
Home Improvement Contractor	1	0
Home Improvement Salesman	1	0
Hotel	1	2
Mechanical Amusement Machine	0	4
Parking Establishment	0	5
Parking Lot Attendant	1	0
Personal Care Home	10	3
Pet Permit	0	1
Pet Shop	1	0
Restaurant	1	10
Rooming House	5	3
Secondhand Dealer	2	0
Vendor	20	8
Total	133	114

BOARD OF ELECTIONS

STATEMENT OF CHARLES B. FISHER, CHAIRMAN

ACCOMPANIED BY:
NORVAL PERKINS, Executive Secretary
DR. ROBERT MARTIN, Member
ADAM FOSTER, Member

INTRODUCTION OF ASSOCIATES AND PREPARED STATEMENT

Senator INOUYE. Our next witness is the Chairman of the Board of Elections, Mr. Charles B. Fisher, speaking in behalf of the board.

Mr. FISHER. Good afternoon, Senator. Thank you for the opportunity to testify before you today.

I have with me,on my left, my colleague, Dr. Robert Martin; on my right, my colleague, Mr. Adam Foster; and on my far left, Mr. Norval Perkins, the Executive Director to the Board of Elections.

(The statement follows:)

The Board of Elections is responsible for the registration of voters, the maintenance of permanent voter registration records, and the preparation for and conduct of elections in the District of Columbia. The D. C. Election Act, as amended, is the source of authority for all public elections held in the District of Columbia.

From 1874 to 1956, no elections were held in the District. Beginning in 1956 and running through 1968, elections were held only every four years. In May of 1956, 1960, 1964 and 1968, elections were held for officials of the local Democratic and Republican parties. In November 1964, for the first time in history as provided by the twenty-third amendment to the U. S. Constitution, the citizens of the District voted in an election for President and Vice-President of the United States. In November 1968, the second Presidential election was held, together with the first election for local public officials since 1874 in which the citizens voted for an eleven member Board of Education.

In January 1971 the first primary was held for the election of a Delegate to the House of Representatives, followed in March by the General Election. Under the most recent amendment to the Election Act, passed December, 1971, a Presidential Preference Primary has been added to the District's Elections. It is to be held May 2 at the same time as the Party Officials Election and the Primary for the Delegate to the House of Representatives.

As a result of the 1968 amendments to the Election Act which provided for an elected Board of Education and the Act of 1970 which provided for the election of a Delegate to the House of Representatives, at least one election is now held in the District each year.

The task of maintaining permanent voter registration records has been continuous since 1968; for instance, since January 1971 there have been over eight thousand address changes. This task has increased now that the period of purge has begun, deleting those registrants who have not voted since registering in early 1968. The purge has had to be a hand operation in its first phase but once it has been completed, it will be automated. The Board of Elections is gradually increasing its Automated Data Processing capabilities so that service to voters and candidates will be even more prompt, efficient and accurate.

In FY 1973, the Board is required to conduct the Presidential Election and the Delegate to the House of Representatives General Election. Based on the voter turnout in the two previous Presidential Elections held in the District, we may expect about 85% of the electorate to vote in November. The 1970 Amendment, known as the Delegate Act, provides for a run-off election for which supplemental funds will be requested if needed.

The recent Congressional Statutes which authorize yearly elections in the District and the need to make the registration and election processes readily available and understandable to all District citizens, require a permanent office staff of twenty-two well trained employees. Of course the need for temporary workers (for precinct polling places and counting center work on election days, and neighborhood registrars during voter registration drives) will still be necessary. The volume of voter registration and type of election activities will continue to vary from one year to another.

The increases in the FY 73 Budget result from in-grade staff raises, the Federal pay raise of 1972 and Public Law 92-220.

Wide disparities in precinct size have been of concern to the Board for several years. The precincts now vary from 400 to 4000 registered voters. For efficient service to the voters, the Board believes that the size of a D. C. precinct should be no more than 1,000 registered voters. There are now 137 precincts in the District and in time for the Presidential Election in November 1972 the Board is planning to reduce the size of the eleven largest precincts which will create twenty-six additional precincts making a total of 163. The increase in supplies which will be needed is reflected in this request.

Cardboard voting booths now being used are causing public complaints about their insubstantial appearance and, even more important, about possible violations of citizens' right to secrecy of the ballot. The Board therefore proposes to purchase and test in selected precincts a limited number of aluminum voting booths with curtains providing privacy during the Presidential Election in November 1972. The increase of $31,000 in equipment will provide for these voting booths. These voting booths can be folded to facilitate storage between elections.

NUMBER OF VOTING STATIONS

Mr. FISHER. That is the end of my statement, Mr. Chairman I am sure you have some questions.

Senator INOUYE. Thank you very much, sir.

In the recent School Board election, how many stations did you maintain?

Mr. FISHER. How many voting stations? 137.

COST OF TELEPHONES AT VOTING STATIONS

Senator INOUYE. Is it true that at each of these stations you maintained a private telephone?

Mr. FISHER. Yes, we did at the last one.

Senator INOUYE. What was the cost of this?

Mr. PERKINS. It was about $14.50.

Mr. FISHER. About $14.50 per telephone.

Senator INOUYE. To install and take it out?

Mr. PERKINS. To install and take it out.

Senator INOUYE. We were advised that the total cost to put this in exceeded $12,000.

Mr. PERKINS. I don't think that is true.

Senator INOUYE. Is it anywhere close to that?

Mr. PERKINS. Not that I can imagine. We had two elections, remember that year. So it could have been that the cost of the two of them——

Senator INOUYE. Most of these voting stations are located in public buildings, are they not?

Mr. PERKINS. They are in fact in schools and some in churches, and all. But the phone that needs to be available is not available to the precinct captain in case of trouble. He will be able to get in immediate touch with headquarters. That is why we have them installed.

Senator INOUYE. You cannot go from one classroom to the——

Mr. PERKINS. Not very well. It is really not too easy. As a matter of fact, if you have any idea of the school operation, those telephones are in operation all day long and for us to make use of them, when we need them is not at all certain.

REQUEST FOR FUNDING FOR VOTING BOOTHS

Senator INOUYE. There is an item for $31,000 for voting booths. How many booths can you buy with $31,000?

Mr. PERKINS. It is 163 sets.

Mr. FISHER. 163 sets of four each.

Senator INOUYE. So this is going beyond just a test. I would think that would cover about half of the voting area. Wouldn't it?

Mr. PERKINS. We have, let us say, tried them in a couple of areas and they worked out rather well.

Senator INOUYE. So it is not a limited number.

Mr. FISHER. We have been through a preliminary test.

Senator INOUYE. So this is not a testing stage?

Mr. FISHER. No. This is a little beyond the test stage.

Mr. PERKINS. I might say, however, four booths would be rather a small number when we are expecting about an 85-percent turnout.

Senator INOUYE. What was the turnout for the School Board election?

Mr. PERKINS. The School Board election was rather low, somewhere around 13 to 15 percent.

Senator INOUYE. What was the Delegate turnout?

Mr. PERKINS. Close to 45 percent. Around that.

Senator INOUYE. And with this experience——

Dr. MARTIN. 49 percent.

Senator INOUYE (continuing). You expect 85 percent?

Mr. PERKINS. The two previous presidential elections have been just about 85 percent, so we can expect that amount this time, I am sure.

Senator INOUYE. Are you required to pay a rental fee for the use and occupancy of these Board of Registration areas and voting stations?

Mr. PERKINS. Not at the schools, but where we have to use churches or some other facility, yes; we do. But we do have to pay for maintenance, however. We have to pay for the services of the custodian.

Senator INOUYE. What do you pay?

Mr. PERKINS. We pay them at the rates that are set by the—it is the Department of Recreation that controls that. It is whatever scale that particular custodian happens to be getting at that school.

Senator INOUYE. What do you pay at the churches?

Mr. PERKINS. At churches it runs around maybe $15 to $40, and quite a few do not charge us anything. They do it as a public service.

EXPENDITURES FOR OVERTIME AND TEMPORARY EMPLOYEES

Senator INOUYE. I am certain you are aware of the congressional directive on part-time and overtime. I notice that you have exceeded this quite a bit and I suppose you can explain this. But would you like, for the record, to explain why?

Mr. PERKINS. Well, whenever we have to do that, it is usually because of something that is a congressional mandate. Whenever we have to meet deadlines, we may have to notify all of the people in the District—all of the registered voters—of their proper voting precincts. When this requires a mailing, we have to get that out in the proper time.

Whenever that happens we may have to take on a few extra people or also have our staff work overtime, so that all of this will be in place when it does happen.

Senator INOUYE. How many officials do you have at each voting station?

Mr. PERKINS. It varies with the number. If we get this 1,000 ideal number, I would say that that should be about six people.

Senator INOUYE. And how much are they paid?

Mr. PERKINS. $2 an hour. That means about $25 for the precinct workers and $30 for the precinct captain.

Senator INOUYE. How are they selected?

Mr. PERKINS. Well, they come from rolls which our staffing experts have built up over the years, PTA and community groups who have been active. They name people who would be useful. They usually, of course, are ladies, retirees, and housewives, for the most part, who can give a whole day.

PRECINCT WORKERS RECRUITED FROM NEIGHBORHOOD

Dr. MARTIN. May I say on that, Mr. Chairman, we have tried to find people to work at the precincts who live in that area, who know many of the people there. And for this purpose, we have relied to a considerable extent upon the PTA's in those areas.

Then when another person is too ill, or a person is not able to work, or gets too old to work, then the captain oftentimes brings somebody else in who is associated with local PTA in that school.

Senator INOUYE. So it is a small patronage amount?

Mr. FISHER. We try and stay away from the partisan aspect in our hiring policies.

Senator INOUYE. And you think the amount you are asking for now would be sufficient to look forward to the 85-percent turnout in the presidential election?

Mr. PERKINS. I may say yes, because when you open up a precinct, you have to staff it for the total amount of registered voters in there. There is no way to avoid that. So it would be about the same for a small turnout as it will be for a large.

Senator INOUYE. I thank you very much, and I join you in hoping that the turnout will be a good one.

Mr. FISHER. Thank you very much.

Mr. PERKINS. Thank you.

74-704 O - 72 - pt. 1 - 34

Office of the Surveyor

STATEMENT OF F. B. WERLE, SURVEYOR

ACCOMPANIED BY T. EDWARD KOCH, JR., ASSISTANT SURVEYOR

Senator Inouye. Our next witness is Mr. F. B. Werle, the Surveyor for the District of Columbia.

Mr. Werle. Mr. Chairman, you have my statement before you. If you want me to read it, I will. I am only asking for mandatory pay raises, classified pay raises, and within-grade raises at $24,700.

Senator Inouye. Without objection, your statement will be made a part of the record.

(The statement follows:)

This Department serves public and private agencies in land transactions by maintaining the legal record for all plats and subdivisions of private property in the District of Columbia and all District-owned property. The primary objective is (1) to maintain adequate legal records and (2) to perform the following services: prepare and record the necessary plats for subdivisions, street and alley closings, changes in the Highway Plan, and all transfers of jurisdiction between Government agencies. In addition, lot line surveys are made and walls located prior to all new construction.

To administer this program, this office is requesting $389,700 for fiscal year 1973. Of this amount, $24,700 is requested to cover the mandatory increases of classified pay raises and within-grade advancements. No new positions are requested.

In fiscal year 1971 we made 931 surveys, drafted 10,912 plats and recorded 197 subdivisions. For this fiscal year and in fiscal year 1973, it is anticipated that we will make 1,000 surveys, draft 8,000 plats and record 530 subdivisions.

Senator Inouye. And I have no questions, sir. Thank you very much.

COMMISSION ON THE STATUS OF WOMEN

STATEMENT OF DR. DOROTHY B. FEREBEE, PRESIDENT

ACCOMPANIED BY MRS. HELEN LEWIS, EXECUTIVE SECRETARY

BUDGET REQUEST

Senator INOUYE. Our next witness is Dorothy B. Ferebee, president of the Commission on the Status of Women.

Ladies, welcome. We got you the money we promised you.

Dr. FEREBEE. Mr. Chairman, I am Dorothy B. Ferebee, chairman of the District of Columbia Commission on the Status of Women and a practicing physician in the District of Columbia. I appreciate this opportunity to appear in support of the Commission's budget request for fiscal year 1973, a very small sum, in the amount of $30,300.

First, I would like to express the gratitude of the Commission to you and to your committee, Mr. Chairman, for your efforts on our behalf last year which resulted in the first congressional appropriation for the Commission.

With that appropriation it has been possible for the first time to hire a staff to coordinate our many activities, and to provide support for our volunteer committee work.

Our first appropriation was approved in December of 1971, and we have been moving as quickly as possible through the steps necessary to integrate the Commission as a funded agency within the District government.

APPOINTMENT OF EXECUTIVE DIRECTOR FOR COMMISSION

By the first week in February of this year we had hired an executive director, Mrs. Helen Lewis, and within a few days we expect to have hired a secretary, too. These two positions were authorized in our fiscal year 1972 budget to provide the minimum staffing necessary for the Commission to carry out its mission.

Examples of the Commission's activities: Even though our office has been staffed for only a short time, there is already evidence of forward motion in the Commission's work. For example:

Our higher education committee has been consulting with the presidents of local colleges and universities on the issue of equal opportunity and upward mobility for women in faculty and policymaking administrative positions, and we are now preparing to extend these consultations to include key women on these campuses to plan implementation of improved affirmative action plans as required by law.

Last November, the Commission conducted a series of hearings into the special problems of female offenders. As an outgrowth of these hearings, we were successful in obtaining grant funds from the Manpower Administration in the Department of Labor to initiate a study

of projects nationwide designed to improve the rehabilitation of female offenders.

We are confident that this study will provide insights from innovative programs being conducted elsewhere that will be applicable to the special problems of female offenders in the District of Columbia.

We believe, too, that the results of this project may have applicability throughout the country and we expect to disseminate these data and recommendations widely through the Interstate Association of Commissions on the Status of Women and other organizations working on women's issues.

Additionally, we are conferring with corrections officials in the District of Columbia about facilities and programs relating to female offenders and are making recommendations for steps, both immediate and long-range, to correct the deficiencies in the present system.

A summary of our recommendations on the rehabilitation of female offenders is in the final stages of preparation.

Our education committee formulated a proposal to establish a vocational guidance project for girls, called Project Women, modeled after a similar project for boys called Project Men. The Office of Criminal Justice Plans and Analysis has approved Project Women and we are awaiting formal approval from the Law Enforcement Assistance Administration. Meanwhile, our staff has supported the board-based Supervisory Committee for Project Women, as it makes preparations necessary to get started at the earliest possible date after formal approval of the funds.

ACTIVITIES OF EMPLOYMENT COMMITTEE

Our employment committee has also been active. Through their efforts, we sponsored, jointly with the Community Advisers on Equal Opportunity, a meeting devoted to the special problems of women in the labor force in both the public and private sectors of our community.

The employment committee is now assessing statistical information available from a variety of sources in the metropolitan area in order to develop a report on the status of women in the labor market.

Additionally, our legal committee is investigating implementation of the married woman's property law; one health task force is reviewing the dental needs of children in the District of Columbia, another has reviewed the City Council's proposed regulations on abortions and has made recommendations for improvements therein.

USE OF FISCAL 1972 APPROPRIATION

Because more than half the fiscal year had elapsed before we received our first appropriation of $25,000, the maximum funds estimated for expenditure in fiscal year 1972 for personnel compensation is $10,703. A request to reprogram $5,706 of the remaining $14,297 has been approved to enable us to begin now to equip our office and to cover the Commission's expenses.

FISCAL YEAR 1973 REQUEST

The Commission's request for fiscal year 1973 is $30,300, an increase of $5,300 over the fiscal year 1972 appropriation. Of this increase, $1,200 is for within-grade advancements, and $1,300 for classified pay

increases. The remainder of the fiscal year 1973 increase is $2,800 and is to cover nonpersonnel expenditures such as printing, supplies and material, equipment, and other services.

Mr. Chairman, once again may I say thank you for your support last year, and express the wishes of the Commission that our fiscal year 1973 budget will be approved so that we may continue energetically with the work underway.

GRANT FROM MANPOWER ADMINISTRATION

Senator INOUYE. I appreciate your contribution this afternoon, Doctor.

Just a few questions. On this project with grant funds from Manpower Administration, how much did you receive?

Dr. FEREBEE. $24,500, with two workers.

Senator INOUYE. When you do have the report ready, this committee would appreciate receiving a copy of it.

Dr. FEREBEE. We would be very happy, indeed, to send you that.

Senator INOUYE. On your fiscal year 1973 request, there is a small item of $1,200 for within-grade advancements.

Dr. FEREBEE. Yes.

Senator INOUYE. Now, we have had this commission in operation for less than 6 months. How do you justify within grade advancement for someone who has been there less than 6 months?

Dr. FEREBEE. They will be by the middle of 1973. They will have been there for a year.

Senator INOUYE. That calls for an automatic increase?

Dr. FEREBEE. That is an automatic increase, as I understand is required by law.

Senator INOUYE. I thought they had to be there a little longer and the advancement was not automatic. But you say it is automatic after a year?

Dr. FEREBEE. It is our understanding that is so.

Senator INOUYE. Is that so, Mr. Coppie?

Mr. COPPIE. That is correct, Mr. Chairman.

Senator INOUYE. So you can expect an advancement within a year?

Mr. COPPIE. Well, according to the Civil Service Commission regulations, the within-grade is automatic, unless there is a judgment on the part of the supervisor that the increase should be denied.

Senator INOUYE. I see.

Well, once again, I thank you very much. I wish you great success in your endeavor.

Dr. FEREBEE. Thank you very much.

COMMISSION ON JUDICIAL DISABILITIES AND TENURE

STATEMENT OF NEWELL ELLISON, CHAIRMAN

PREPARED STATEMENT

Senator INOUYE. Our next witness is Mr. Newell Ellison, Chairman of the Commission on Judicial Disabilities and Tenure.

Welcome, Mr. Ellison.

Mr. ELLISON. My name is Newell W. Ellison. I appear before your committee on behalf of the District of Columbia Commission on Judicial Disabilities and Tenure, of which I am Chairman.

At the outset I should like to present for the record the names of the Commissioners which I request appear at the close of my statement.

Senator INOUYE. Without objection, so ordered.

(The statement follows:)

Since I have heretofore explained in some detail to your Committee the creation and functions of our Commission, I will not repeat that information and will limit myself to explaining briefly what our Commission has done during the past year.

We were created by Subchapter II of Chapter 15 of the District of Columbia Court Reform and Criminal Procedure Act of 1970. And we came into existence on February 1, 1971.

Our Commission has "power to suspend, retire, or remove a judge of a District of Columbia court" where he is guilty of

"misconduct in office,"

"willful and persistent failure to perform judicial duties,"

"conduct which is prejudicial to the administration of justice or which brings the judicial office into disrepute."

It has power also to act where a judge has "mental or physical disability (including habitual intemperance)" which seriously interferes with the proper performance of his judicial duties.

The two courts to which our jurisdiction applies have 48 judges -- 9 in the Court of Appeals and 39 in the Superior Court (including two retired judges recalled for duty). During the past year we

have received 33 complaints relating to the conduct of 12 different judges.

We feel strongly that the Commission should not act as investigator and prosecutor and judge. Where complaints are received by the Commission (or it acts on its own initiative), it is necessary that a careful investigation be made of the complaint if the matter appears serious. And as I have heretofore urged the Congress, we should have a competent man (Executive Director), of sound judgment and with discretion, to investigate complaints and report to the Commission.

The Commission has the power to remove a judge if in the opinion of the Commission he is guilty of one or more of the offenses enumerated in the Act. It is for this reason that we think it is enough for us to exercise the function of a judge.

Of the 33 complaints received, where we thought the complaint was without substance or was beyond our jurisdiction, we dismissed it without

bothering the judge. Most of those which we have disposed of have been through correspondence with the judge involved in the complaint.

Where we felt the complaint was of a serious nature, the procedure we follow is approximately as follows:

We first get a transcript of the record of the case involved in the complaint and study what actually transpired rather than acting upon the information given us by the complainant.

If we find the matter is serious, we then communicate with the judge involved and give him an opportunity to submit any information he may desire to submit with respect to the complaint.

With respect to the cases we have disposed of, they have all been settled -- save one -- on what we considered a satisfactory basis without the issuance of a formal complaint looking towards a hearing. In

only one case have we had to have a formal confrontation with the judge involved.

It is the earnest hope that the very presence of the Commission as a means of disciplining judges who step beyond the grounds of propriety will in itself act as a restraint on judges who would otherwise indulge in what could be considered improper activities.

DISTRICT OF COLUMBIA COMMISSION ON JUDICIAL DISABILITIES AND TENURE

Members of the Commission

Newell W. Ellison, appointed by the President
William S. Harps, appointed by the Mayor
Judge George L. Hart, Jr., appointed by Chief Judge Curran
Norman O. Jarvis, appointed by the President
John J. Wilson, appointed by the President

Alternates

Henry A. Berliner, Jr., appointed by the President
Judge Aubrey E. Robinson, Jr., appointed by Chief Judge Sirica
Bishop John Thomas Walker, appointed by the Mayor

OPERATING WITHIN FUNDING LIMITS

Senator INOUYE. Thank you very much, Mr. Ellison.

Then the last fiscal year, the Congress appropriated only $44,000. Were you able to operate within that funding limitation?

Mr. ELLISON. We have so far. We have projected our work for the rest of this fiscal year, in which it would go a little beyond that unless we are very careful, which we will be and will not go beyond the appropriation.

Senator INOUYE. This one case that you alluded to on page 5 of your statement. Is that the *Alexander* case?

Mr. ELLISON. That is the *Alexander* case. That is correct.

Senator INOUYE. What is the present status of that case?

Mr. ELLISON. The case is closed. We have issued our opinion and order, in which we censure him, and it is closed, as far as we are concerned.

Senator INOUYE. Does the censured party have an opportunity to appeal this matter?

Mr. ELLISON. He had 30 days within which to take whatever steps he thinks are available and he has not done anything. I think that 30 days is just about expired.

Senator INOUYE. What is the something that he can do?

Mr. ELLISON. Well, I really think nothing, Mr. Chairman. If we had removed him, I can tell you what he could do. I do not think he can do anything when you censure him, because that is a lesser punishment. But where he has been removed, he can ask the Chief Justice of the United States to convene a court of three judges to review what we have done. The Chief Justice convenes that court from judges of U.S. district court and the U.S. Court of Appeals, and they can review our action and reverse it or affirm it, or do whatever they think is proper.

Senator INOUYE. From a professional standpoint, don't you consider that the censorship is almost as painful as the dismissal? You have placed this person in public disrepute, disgraced him before his peers?

Mr. ELLISON. Well, I would not say it is as severe, no.

Senator INOUYE. But there is no appeal to this?

Mr. ELLISON. I do not think so.

Senator INOUYE. So a censure decision is final?

Mr. ELLISON. I think that it is.

Senator INOUYE. Do you think, as a lawyer, that this is fair?

Mr. ELLISON. I do. In this case I think it was a fair decision.

RIGHT TO APPEAL CENSURE DECISION

Senator INOUYE. I am not talking about the case, itself, but the fact that a man does not have the right to appeal a censure decision. Do you think this is fair?

Mr. ELLISON. No; I do not think it is fair. We are contemplating asking the Congress to amend the act, to permit, where a public censure occurs, to allow an appeal. But that is not in the law now.

Senator INOUYE. So under the terms of the law, the right to appeal does not extend to one who has been censured?

Mr. ELLISON. I think that is correct.

Senator INOUYE. Thank you every much. I appreciate your contribution this afternoon, sir.

Mr. ELLISON. Thank you very much.

Board of Labor Relations

STATEMENT OF WILOUGHBY ABNER, CHAIRMAN

ACCOMPANIED BY:

DONALD WEINBERG, CHIEF, PAY SYSTEMS AND LABOR RELATIONS DIVISION, PERSONNEL OFFICE

HOWARD ABRAMSON, LABOR RELATIONS SPECIALIST, DISTRICT OF COLUMBIA

INTRODUCTION OF ASSOCIATES

Senator Inouye. Our next witness is Mr. Wiloughby Abner, chairman of the Board of Labor Relations.

Mr. Abner. Thank you, Mr. Chairman.

My name is Wiloughby Abner. I am director of the National Center for Dispute Settlement and vice president of the American Arbitration Association, appearing today as chairman of the District of Columbia Labor Relations Board.

Appearing with me are Mr. Don Weinberg, chief, Pays Systems and Labor Relations Division for the District of Columbia government, and Mr. Howard Abramson, the labor relations specialist for the city.

The District of Columbia Board of Labor Relations was established by the Commissioner June 19, 1970, and initially funded in December 1971.

The five members of the Board were appointed in April 1971 by the Commissioner; two members were nominated by the unions, two members nominated by management, and the chairman nominated by the four members. There are also two full-time permanent positions to administer the day-to-day activities of the Board.

The primary mission of the Board is the impartial peaceful resolution of disputes and negotiation impasses between labor organizations and management within the District government.

Among its duties, the Board determines what is an appropriate unit of employees for purposes of collective bargaining and certifies as exclusive representative a labor organization that has been chosen by the employees in that unit; decides whether unfair labor practices have been committed; resolves impasses in negotiations through fact-finding or arbitration; and makes final determination as to whether a matter is within the scope of collective bargaining.

UNIONS THAT NOMINATE BOARD MEMBERS

Senator Inouye. Mr. Abner, if I may interrupt, there are two members nominated by unions. What unions are you speaking of, sir?

Mr. Abner. In this case mainly, the dominant unions in the D.C. government in terms of membership: the American Federation of State, County, and Municipal Employees, and the American Federa-

tion of Government Employees. There are other unions, and I think they have been combined in terms of selection.

Senator INOUYE. By management, you are speaking of the Government?

Mr. ABNER. The city government. And it is represented here by Mr. Weinberg.

Senator INOUYE. Please proceed.

EXPENDITURES OF LABOR RELATIONS BOARD

Mr. ABNER. As a neutral entity, the board serves as a substitute for concerted work action when the parties are unable to resolve their labor-management problems internally.

The operating cost of the D.C. Board of Labor Relations for fiscal year 1973 is estimated at $108,200, which is an increase of $24,200 over the operating budget of fiscal year 1972. $16,300 of the increase requested is for annualization; $6,900 for the classified pay increase that became effective in January of 1972; and the remaining $1,000 is for within-grade advancements.

During this last year the board has been involved in developing its operating procedures as well as handling matters submitted to it as part of the board's areas of responsibility.

For example, the board heard and decided a complex appeal from a disputed election in the Department of Human Resources. Also it granted recognition to three locals covering 1,473 employees.

The board has acted to provide assistance to both sides in matters that could have been highly volatile in the sanitation negotiations and the negotiations in the Department of Human Resources.

The value and importance of this type of board has been recognized in many States, counties and cities in the United States.

As the public sector moves toward increased unionization, the need for stable and responsible labor relations becomes a necessity.

Mr. Chairman, the District government and the unions with which it deals have demonstrated their desires for responsible labor-management relations and their willingness to take disputes to the board. It can be well demonstrated that where no dispute settling mechanism exists, chaos and instability results; eventually some third party must be brought in—usually after positions have hardened.

We see the next few years as a time when the board's role will substantially increase as the District government moves toward an independent personnel system and the unions seek a voice in those matters vitally affecting their members.

Again let me thank you for the opportunity to appear, and I will try and answer any questions which you may have.

EFFECT OF STRIKES OF CITY EMPLOYEES

Senator INOUYE. I thank you very much, sir.

Do you have any statistical information available for this committee, relating to the number of work days lost due to work stoppages, strikes?

Mr. ABNER. I did not bring any with me. Are you talking in terms of the District government, or talking about national strikes?

Senator INOUYE. Concerning only the people you have jurisdiction over.

Mr. ABNER. To the best of my knowledge, we are not aware of any strikes that have occurred during the period the board has been in operation. There have been strikes avoided; situations have been avoided. I am not aware of any strikes, as such. There may have been some lost days.

Mr. WEINBERG. Mr. Chairman, a report that we submit information to the Department of Labor shows that in 1970 there were two work stoppages involving about 2,000 employees; man-days idle were 10,050. That was primarily the result of the sanitation stoppage.

In 1971 there were disputes; but no serious strikes that idled any substantial number of employees.

Mr. ABNER. The board was not established; nor was it functioning in the period to which he referred, in which the sanitation strike occurred. As a matter of fact, the funds were just appropriated in December of last year.

Senator INOUYE. I thank you very much.

74-704 O - 72 - pt. 1 - 35

Contributions to Metropolitan Area Agencies, Metropolitan Washington Council of Governments

STATEMENT OF WALTER A. SCHEIBER, EXECUTIVE DIRECTOR

ACCOMPANIED BY DONALD E. BERKHEIMER, DIRECTOR OF ADMINISTRATION

BUDGET REQUEST

Senator Inouye. We now turn to "Contributions to metropolitan agencies." The total appropriation request for the contributions to the metropolitan area is $161,366.

Our first witness in this area will be Mr. Walter A. Scheiber, the executive director of the Metropolitan Washington Council of Governments.

Welcome, gentlemen.

Mr. Scheiber. I have with me Mr. Donald Berkheimer, the director of administration of the Council of Governments.

I wish to express the apologies of our president, who is Chairman Gilbert Hahn, District of Columbia City Council, and also our board chairman, Martha Pennino, of the Fairfax County Board, for their inability to be with us this afternoon.

As we have indicated in the statement which was filed for the record, Mr. Chairman, the Council of Governments is an areawide organization, the members of which are the District of Columbia government and the governments of the 14 major cities and counties of the Washington suburban areas.

The council has a number of responsibilities listed on the first page of the statement.

Senator Inouye. Without objection, your full statement will be made a part of the record.

(The statement follows:)

Mr. Chairman:

I am Walter A. Scheiber, Executive Director of the Metropolitan Washington Council of Governments. I am appearing before you on behalf of the District of Columbia's appropriation request to support its share of the Council's program for F.Y. 1973. I have with me Donald E. Berkheimer, our Council's Director of Administration.

The Council of Governments was created in 1957 by the District of Columbia and the major suburban cities and counties of the Washington Area to carry on a wide variety of areawide programs. It is the official Metropolitan Planning Agency in this area. In this capacity, it is responsible not only for carrying out a variety of areawide planning activities, but also, under Federal law, for maintaining the continuing eligibility of our cities and counties for many types of Federal grants, and for reviewing and advising the Federal Government concerning local and state applications to it for grants in more than 100 grant-in-aid programs. It also serves as a forum for the development of coordinated areawide policies as to the major problems confronting our Region, and for providing technical assistance to our local governments.

The Council of Governments is one of about 200 similar agencies in metropolitan areas throughout the United States. It is recognized as one of the leading councils in terms of both the breadth of programs and achievements. In the past year it has been acknowledged for the quality of its transportation and housing programs, as well as for the quality of its fiscal administration. Just two months ago, it became the first COG to be recognized by the Municipal Finance Officers Association of America for the quality of its financial systems and its financial reports. Programs developed by the Council of Governments are being utilized in many other similar organizations throughout the country.

Our request shown in the District of Columbia budget is $161,366 for COG's operating budget for the coming year. (COG does not have a capital budget nor any major capital expenditures.) Our request compares with an appropriation on behalf of the District for the current fiscal year of $160,000, or a net increase of $1,366.

Its appropriation request represents 25.4% of COG's total local budget for the coming fiscal year of $634,802. These local contributions are apportioned on the basis of population, and the District's proposed contribution reflects the fact that its population is 25.4% of that of the Metropolitan Area. In addition to these local contributions of $634,802 which COG anticipates for the coming fiscal year, we have budgeted a total of $525,000 from the three State Highway Departments of the Area to carry on transportation planning required under the Federal Aid Highway Act of 1962, and a variety of Federal grants described in our submission of $1,715,851. In all, the proposed budget for FY 1973 amounts to $3,264,707.

This budget will underwrite major areawide programs in the following fields:

Reduction of crime.

Reduction of transportation congestion and hazards.

Reduction of environmental pollution.

Assurance of an adequate supply of water.

Provision of improved housing for low- and moderate-income people.

Provision of improved services to low-income people.

Promotion of orderly and efficient physical development.

Improvement of the quality of government in the Metropolitan Area.

I would be happy to answer any questions you might have about the specific aspects of the program.

ACTIVITY OF COUNCIL OF GOVERNMENT

Mr. SCHEIBER. The council over the past several years has been active in a variety of programs, which are of concern and interest to the District of Columbia. We believe that it has made substantial progress in a number of these areas, including transportation, housing, and environmental programs.

I should also note that it has been acknowledged for the quality of some of its programs, including those which relate to fiscal administration. Just 2 months ago it was recognized by the Municipal Finance Officers Association of the United States and Canada for the quality of its financial reporting system.

As the statement indicates, our request on behalf of the District of Columbia for the coming fiscal year is $161,366, which represents the District's proportionate share of the budgeted local contributions of the council, based on a formula which equates the population of each of our governments to that of the entire area.

So that our local contributions are based on a per capita formula.

In addition, I might mention, Mr. Chairman, we would like to bring to the committee's attention a special project not referred to in my statement, which would be of special benefit to the District of Columbia and Montgomery County, and which I would like to describe in just a few words for you, if I might.

I should say before mentioning that project, that as the committee may note, the share of the District of Columbia for the coming year represents 25.4 percent of the local contributions to the Council of Governments, a percentage which has been falling annually as the proportion of the District of Columbia's population to that of the area as a whole diminishes.

About 5 years ago, when I first came before the committee the District's share represented roughly 34 percent of the local contributions to the Council of Governments.

The project which I would like to describe to the committee is one which I understand is being submitted as an amendment to the proposed 1973 budget, which is recommended as a part of the budget by the Mayor, and which I understand is now before the city council for its consideration.

A description of this project as contained in a draft application has been provided for the committee staff.

Specifically, this project is part of an ongoing program of the Council of Governments to improve bus transit service, especially within the District of Columbia, but also throughout the metropolitan area.

NEEDED IMPROVEMENT IN AREA BUS SERVICE

The Council of Governments is concerned that there must be a massive improvement in bus services throughout our area for a variety of reasons, which are known to the chairman. This project is one which has been reviewed by the Urban Mass Transportation Administration of the U.S. Department of Transportation, and which has been received informally but favorably by that administration.

It would provide for a 2-year demonstration project, to improve bus service within the District of Columbia along the Benning Road/Florida Avenue corridor which would serve residents of Anacostia,

Shaw, Cardozo, and Adams-Morgan. This project, related to a similar project described in the draft application as the Capital Flyer, would carry persons residing in the District of Columbia out to employment centers in Montgomery County.

The project, as designed here, would be financed 90 percent by the Urban Mass Transportation Administration, 10 percent by the District of Columbia, Montgomery County, and Rockville. The total amount sought for fiscal 1972 and 1973, as the District's contribution, is $18,750, out of a total for the 2-year project period of $30,000, against which the urban Mass Transportation Administration would provide $270,000.

The project would permit contracting with the D.C. Transit Co. to provide an express bus line from Anacostia into Northwest Washington, through the Florida Avenue corridor. It would eliminate the need for transfers on the part of residents of Anacostia going to Northwest Washington to work.

It would also permit us to double the number of buses on Benning Road and Florida Avenue during the rush hours of the morning and the afternoon.

It would also increase service during the remainder of the day, especially for persons who have no recourse to transportation except through bus transit.

This project is not a part of our basic request. It is one which we think has great merit. It would permit the District of Columbia, in effect, to purchase $10 worth of bus transportation for a contribution of $1 by the District, and we hope that the committee will give it favorable consideration.

I would be happy to respond to any questions the chairman might have.

RECIPROCAL ARRANGEMENTS FOR COLLECTION OF PARKING FINES

Senator INOUYE. Thank you very much, sir.

I notice on your last page that "This budget will underwrite major area programs in the following fields," and topping the list is reduction of crime.

Now, I do not consider a parking violation necessarily a crime, but under the laws of the District of Columbia, it is a misdemeanor and technically it would be a crime. I am certain you are aware that during the year 1971 over a million tickets were issued to Maryland, Virginia and District drivers by police officers of this city.

As for District drivers, about 93 percent of them responded and paid their fines.

In the case of Virginia drivers, less than 45 percent paid their fines.

In the case of Maryland drivers, less than 60 percent paid their fines.

The amounts involved are rather large. It is not $30,000, but it goes into the millions of dollars. Significant numbers of families in Maryland and Virginia depend upon the District of Columbia for their livelihood. Has this council done anything to resolve this problem?

Apparently there are many drivers who come into the city and with absolute impunity—almost arrogance—park their cars illegally, knowing when they leave the city that enforcement of the traffic violations is nearly always impossible.

COUNCIL ACTION ON PARKING VIOLATIONS AGREEMENT

Mr. SCHEIBER. The council has given consideration to this problem, Mr. Chairman. The council was cognizant of your concern with the problem, which was brought to the attention of the community during the hearings last year.

As a result of the hearings, and your clearly expressed concern, the council attempted to bring together representatives of the motor vehicle agencies of the District of Columbia, the State of Maryland, and the Commonwealth of Virginia. In fact, there was a considerable amount of discussion with these motor vehicle agencies, as to ways and means of attempting to flag the registrations or operator's licenses of suburban residents who had committed parking violations in the District.

During the course of these discussions, after having exposed the concerns of each of the parties, it became apparent that the District of Columbia Motor Vehicle agency was extremely anxious to press ahead with a reciprocal system under which each of the three jurisdictions would honor the concerns of the others. However, the motor vehicle agencies of Maryland and Virginia objected to the initiation of a reciprocal system, on two grounds: One was that it would be much more costly to them because of the large number of Virginia and Maryland violators whose permits or registrations would have to be flagged at renewal time than it would be to the District, and they were concerned about being compensated for this additional work done, as they saw it, on behalf of the District.

The second concern they expressed was it would take legislative change at the State level in both States in order to permit them to do this.

We are attempting, notwithstanding the apparent reluctance of the two State agencies, to pursue this by means of drafting legislation which would, as we understand our concerns, meet the legislative objections which they have raised.

We have not yet resolved the issue of compensation to them for their part in a tripartite reciprocal arrangement.

Senator INOUYE. In other words, the individual members of the Council of Governments do not always agree with the decisions of the Council of Governments?

Mr. SCHEIBER. That certainly is true, Mr. Chairman, although in this case the Council of Governments does not have jurisdiction or a reciprocal relationship with the two States. We represent the local governments, the District of Columbia and the suburban local governments.

Maryland and Virginia are not officially members of our organization.

This is not to say we will not proceed with this matter.

Senator INOUYE. From where you sit, would you say it is going to be business as usual?

FORMULA FOR COMPENSATING STATE AGENCIES

Mr. SCHEIBER. My opinion is that if we can work out an adequate formula for compensating the two motor vehicle agencies, we can overcome the legislative concerns they raised.

Senator INOUYE. What amount would be involved in the compensation? Without making any estimate, we will come out ahead, that is the city would, wouldn't it?

Mr. SCHEIBER. I think so.

Senator INOUYE. It is your view if we resolve the compensation problem, the two States would be ready to enter into a reciprocal agreement?

Mr. SCHEIBER. It would be my guess they would.

Senator INOUYE. Have you drafted the necessary legislation?

Mr. SCHEIBER. We have in draft form right now legislation which we think would meet the concerns.

This legislation would be legislation within the Maryland and Virginia General Assemblies, and we would be happy to furnish it to you.

Senator INOUYE. What about the necessary legislation for the District?

Mr. SCHEIBER. I am not aware of the need for legislation on behalf of the District, but I would like to check with our legal people.

Senator INOUYE. Thank you very much.

(Note: The information was supplied and is in the committee files.)

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

STATEMENT OF JEREMIAH C. WATERMAN, CHAIRMAN

ACCOMPANIED BY:
DOUGLAS N. SCHNEIDER, JR., EXECUTIVE DIRECTOR
WILLIAM McGILVERY, CHIEF CLERK

Senator INOUYE. Once again we will call Mr. Jeremiah C. Waterman, Chairman of the Washington Metropolitan Area Transit Commission.

Mr. WATERMAN. Senator, I have with me Mr. Douglas N. Schneider, Jr., the Executive Director of the Commission, on my left; and Mr. William McGilvery, Chief Clerk of the Commission.

PREPARED STATEMENT

We have submited a brief prepared statement and I will not proceed to read that, unless you desire.

Senator INOUYE. Without objection your statement will be made a part of the record.

(The statement follows:)

The Commission's budget request for 1973 is in the amount of $118,692. The amount requested is supplemented by appropriations from the State of Maryland ($185,633) and the Commonwealth of Virginia ($121,247), representing a total budget of $425,572 for fiscal 1973.

It is anticipated that in fiscal 1973, as in fiscal 1972, the Commission will continue to face increased activity. As the financial situations of the carriers under the jurisdiction of the Commission continue to worsen, the resulting fare cases, service cases, and court litigation intensify the work load of the Commission. In addition, increased public awareness of, and sensitivity to, transit matters has increased the volume of telephone inquiries, correspondence, and office visits by members of the public. Further, demand for information by Federal, state, and local officials and agencies has also increased sharply in proportion to generally increased involvement in the plight of the transit rider in the Metropolitan area, and the Commission bears most of the burden for special investigations, analyses, and projections, and for production of data.

The 1973 District of Columbia budget request of $118,692 represents a decrease of $7,695 from the 1972 budget request of $126,387. This is due to the fact that the population of the District of Columbia, as reported in the 1970 Census, has decreased from 31.32 percent to 27.89 percent of the population of the Metropolitan Transit District. The Commission's budget is allocated among the signatory jurisdictions in accordance with population data.

The Commission's work is accomplished under the direction of three appointed Commissioners with a full-time staff of 19. The 5.5 percent increase in the Commission's overall budget is required to adjust salaries to the new Federal pay scale and to provide for fringe benefits and in-grade anniversary promotions. It represents the minimum amount with which the Commission can continue to function.

DECREASE IN FISCAL YEAR 1973 BUDGET REQUEST

Mr. WATERMAN. I would just point out that our District of Columbia budget request of $118,692 represents a decrease of $7,695 from the 1972 budget request.

This is due to the decrease in population of the District in proportion to Virginia and Maryland.

I shall be happy to answer any question you may have.

Senator INOUYE. Are you satisfied with the progress being made by your Commission?

Mr. WATERMAN. I think so. We have an excellent, hardworking staff, and we are processing a case involving the fare status of the D.C. Transit, Inc. We held 7 days of hearings on that. We hope to wind that up in the next few weeks.

Senator INOUYE. Thank you very much.

Miscellaneous Contributions, Redevelopment Land Agency

STATEMENT OF MELVIN MISTER, EXECUTIVE DIRECTOR

ACCOMPANIED BY:
ROBERT RAFNER, ASSISTANT EXECUTIVE DIRECTOR FOR PROGRAM DEVELOPMENT
DAVID SMITH, FINANCIAL MANAGER

BUDGET REQUEST

Senator Inouye. We now come to the category of Miscellaneous contributions. The total appropriation request is $4,103,000?

Our first witness will be Mr. Melvin Mister.

Mr. Mister. I have with me Mr. Robert Rafner, on my left, our Assistant Executive Director for Program Development, and Mr. David Smith, who is our financial manager.

I have submitted a very brief statement concerning the $6,000 we are requesting to pay for the per diem amount for our five Board members appointed by the Mayor and confirmed by the Senate.

Senator Inouye. Without objection, the statement will be placed in the record at this point.

(The statement follows:)

We are pleased to appear before you today in support of our request for $6,000 towards the administrative cost of the Agency.

The Agency, established by the District of Columbia Redevelopment Act of 1945, is charged with the responsibility to carry out urban renewal projects which have been approved by the National Capital Planning Commission and the City Council after public hearings. There are presently eleven active renewal projects in Washington.

The funds allocated to the Agency by the District are for per diem payment to the five members of our Board at the rate of $20 for each day of service at regular or special meetings or work of the Agency.

Each member of the Board is appointed by the Mayor-Commissioner, confirmed by the United States Senate and serves a five year term. The rate of compensation to our Board Members for each day they participate in Agency activities is provided by the Redevelopment Act of 1945 (Public Law 592–79th Congress).

Our request of $6,000 for Fiscal Year 1973 is the same amount that was appropriated last year. The estimate is based on our experience over the past few years.

We will be pleased to answer any questions that you may have regarding this request.

URBAN RENEWAL PROGRAM

Mr. Mister. I did, however, want to say a little bit about the urban renewal program as a whole. I would be happy to answer any questions about our $6,000 appropriation; but I did want to take the opportunity to tell you something about our program and some of the things we have done.

(The statement follows:)

I would like to provide the Subcommittee with a brief report on the progress of the urban renewal program in the District of Columbia.

In housing construction, a total of 960 new units were completed during 1971. 546 of these units were for low- and moderate-income families. An additional 688 units of new housing started construction during 1971, all of which will be for low- and moderate-income families. Housing starts in renewal areas represented approximately 2/3 of all housing starts in the District as a whole during 1971.

Substantial progress was also made during 1971 in other than residential construction. For example, two large office building complexes with a total development value of over $30 million were started: the Union Center Plaza project in the Northeast One Area--within walking distance of the Capitol--and the final building in the Columbia Plaza project. Construction also began on L'Enfant East, a combination hotel and office building in the Southwest area. This $27 million building will complete the unique L'Enfant Plaza development with its four large office buildings, promenade, underground shops, theatre and parking. In the Southwest also, construction was begun on the New Hogate's and Flagship Restaurants, marking the beginning of the development of the Southwest Waterfront. When completed, private investment in the Waterfront will exceed $20 million.

In overall terms, a total of approximately $49 million in redevelopment projects was completed in urban renewal areas during 1971, with an additional $94 million in redevelopment projects under construction.

One of the economic benefits of renewal is the increased tax revenues from new redevelopment. Tax receipts from new development in renewal projects nearing completion have increased nearly fourfold, compared to the tax receipts for the same areas immediately prior to the start of renewal.

We have compared Washington's urban renewal program with the efforts in other cities. As of June, 1971--the last date for which Department of Housing figures are available--Washington had more redevelopment completed or underway in renewal areas (approximately $580 million) than any other city of comparable size, and had redevelopment completed whose total value ($475 million) among all cities was second only to New York. In housing construction, Washington had more new housing units completed or under way in renewal areas--over 8,000 units--than any other city of comparable size, and had completed more housing (7219) than any other city except New York, Chicago, and Philadelphia--all of course substantially larger in size and more populous than the District of Columbia.

CONVENTION CENTER SPORTS ARENA

Senator INOUYE. I believe you have some interest in the sports arena development?

Mr. MISTER. Yes, sir; we do.

Senator INOUYE. What are your thoughts on that? Are you for it?

Mr. MISTER. Yes, sir; we are. It is part of our downtown urban renewal program; we participated in with other public agencies, including the General Services Administration and the National Capital Planning Commission, in doing some studies of alternative locations of the sports arena convention center.

We also hired a consultant of our own on the downtown renewal project to look at several alternative sites and he recommended that the sports arena be located in downtown, south of Mount Vernon Square. It was our contention that the convention center would be a boost for downtown, to help the renewal and revitalization of that area.

Senator INOUYE. We were advised yesterday that studies had not been made as to the problem of displaced business and displaced persons. Why was it not done? Isn't that important?

Mr. MISTER. Oh, yes, sir. It is extremely important. As you know, the Redevelopment Land Agency has responsibility for doing relocation for public projects throughout the city, not just urban renewal. All projects—schools, fire stations. We have always had a very deep concern about family and business relocation.

As far as the sports and convention center is concerned, we have done some studies of the kinds and types of businesses and families and individuals living in the area that has been considered for the sports arena and convention center.

The studies of alternative locations that were done, some of them by Booz, Allen & Hamilton, did address the problem of relocation of families and businesses.

Senator INOUYE. I am certain you are aware that we have received complaints from the L'Enfant Plaza as to its relationship with your agency.

Mr. MISTER. Yes, sir.

COMPLAINTS ABOUT L'ENFANT PLAZA

Senator INOUYE. Some of the complaints are rather bizarre, such as no lights in tunnels, roads that do not lead anywhere, et cetera. Have you resolved these problems?

Mr. MISTER. No, sir; we have not resolved them. We have been working with the president of the L'Enfant Plaza Corp. over a period of many months, going through each of the items that have been raised. We have a mediator, the Mayor asked to assist us to resolve our differences with the L'Enfant Plaza. He has been working with us now for many, many months. We are attempting to identify those areas in which the Redevelopment Land Agency was deficient in carrying out its responsibilities.

The Agency certainly feels that if there is any case where we have been derelict in carrying out our responsibilities and some financial loss has been suffered as a result, we have an obligation to pay.

Through this mediator the Mayor has asked to help resolve our differences, we are trying to arrive, through an independent person, at

what our mutual responsibilities were and how we carried them out. If we owe any money or caused the corporation to suffer any damages due to our failure to live up to contractual obligations, we are obligated to make some kind of payment.

Senator INOUYE. I gather that one of the major problems, as noted by you, is the matter of carrying out contractual obligations. I further gather that there is no denial that the agency has failed to meet the contractual obligations as they relate to time, for completion of certain phases.

Mr. MISTER. Well, Senator, when we started the mediation process, we started with the belief, based on our interpretation of what our contractual obligations were, that we were not delinquent. We had an understanding about what the nature of the contract was. It was signed back in 1965. General Quesada and the L'Enfant Plaza representatives had a different understanding of what these contractual obligations were.

We and—I think I can say this for the L'Enfant Plaza Corp.—we both agreed there was some way to settle our differences, without going to court and we ought to do so. It would be in the public interest to do that and also in the interest of the L'Enfant Plaza Corp.

What this mediator is attempting to do is arrive at an independent judgment as to what our contractual obligations actually were, as there was a dispute about that between the Agency and L'Enfant Plaza Corp.

I think the Agency, and I hope the L'Enfant Plaza Corp. also, will accept the findings of the mediator. We will then be able to make some kind of settlement of the claim that the L'Enfant Plaza Corp. made to the Agency some time ago.

INVOLVEMENT WITH ECONOMIC DEVELOPMENT

Senator INOUYE. In your activities, do you concern yourself with "economic development" of this city?

Mr. MISTER. Yes, sir; we do. Many of our activities have a very definite impact on economic development. As you know, we have worked very closely with the Mayor's Economic Development Committee. I am an ex officio——

Senator INOUYE. What committee is this?

Mr. MISTER. The Mayor's Economic Development Committee. It is an organization which is funded almost exclusively with grant money. The Economic Development Administration of the Federal Government encourages in cities like Washington that have been designated as economic development areas, the creation of citizen organizations made up of private businessmen and public officials to help plan economic development programs and to help carry them out.

The Mayor's Economic Development Committee has a wide spectrum of people from the business community and citizen organizations, and ex officio members representing the public agency serve on that.

They prepared for the city an overall economic development report and have revised it at least once, and it is a document which is of some value in carrying out activities in the city.

One project is the D. C. Development Bank. They made that recommendation and legislation has been proposed. I understand there have been hearings by both the House and the Senate District Committees.

So we have worked with that organization and they have testified in support of some of our renewal activities before the City Council, some of our activities relating to economic development.

Also, we work very closely with Mr. Dugas in the Department of Economic Development. Because in a lot of our development activities, for example, the Downtown Urban Renewal Project, we are buying property around the two major Metro stops in downtown and we hope to create some development there, which will have an important effect on the economic life of the city.

The Mayor's Economic Development Committee has been very helpful to us in figuring out how to do that and getting public support for urban renewal around the subway stops in downtown. So I think our activities do have, as I indicated from these figures, an economic value, even in a place like L'Enfant Plaza.

This is a $27 million combination hotel-office building, which will be a great boon, not only to the L'Enfant Plaza Corp., but to the city as a whole.

MAYOR'S ECONOMIC DEVELOPMENT COMMITTEE

Senator INOUYE. Mr. Coppie, I realize that this committee does not handle the appropriations for the Economic Development Committee. Because of our interest in this phase, will you furnish this committee with a roster of its members, the nature of its activities?

Mr. COPPIE. That will be done.

Senator INOUYE. And its accomplishments during the year.

Mr. COPPIE. That will be done, Mr. Chairman.

(The information follows:)

MAYOR'S ECONOMIC DEVELOPMENT COMMITTEE

The Mayor's Economic Development Committee (MEDCO) was created by Mayor-Commissioner Walter E. Washington in August 1968. MEDCO was charged with preparing an overall economic development program for the District of Columbia and with providing leadership in the economic development of the City.

MEDCO has 37 members, who are appointed by the Mayor-Commissioner. Current members are listed below.

Day-to-day operations of the Committee are carried out by a staff of 12. These personnel and the activities they perform are funded by Federal grants-in-aid. A $140,500 grant from the Commerce Department expired January 31, 1972; another Commerce grant for $240,000 is due to expire August 15, 1972. Funding of $23,680 from the Small Business Administration will end April 23, 1972.

MEDCO has prepared a 10-year Economic Development Program for the City; this plan is updated each year. In addition, the Committee has prepared a first year Development Action Program based on the overall plan.

The Committee has also proposed legislation in the area of economic development. Pending in the Congress are three bills (H.R. 11313, H.R. 11501, and S. 2196) to provide authority for the establishment of a development bank in the District of Columbia.

MEDCO

JOSEPH B. DANZANSKY ---------- *Chairman*
R. GRAYSON McGUIRE ---------- *Vice Chairman*
ARLINE M. NEAL ---------- *Secretary*
JOSEPH W. BARR ---------- *Treasurer*

COMMITTEE MEMBERS

JOSEPH W. BARR,
President,
American Security & Trust Co.

MARION S. BARRY, JR.,
Executive Director of Operations,
Youth Pride, Inc.

DONALD S. BITTINGER,
Chairman of the Board,
Washington Gas Light Co.

JAMES E. CHEEK,
President, Howard University

ROGER A. CLARK, Esq.,
Royall, Koegel & Wells

DR. WILLIAM K. COLLINS, (D.D.S.)
United Community National Bank,
Chairman of the Board

KENNETH M. CROSBY,
Vice-President, Merrill, Lynch,
Pierce, Fenner, Smith

ALMORE M. DALE,
Chairman, Anacostia
Local Development Corporation

CHARLES T. DUNCAN, Esq.,
Epstein, Friedman & Duncan

THE REV. DAVID EATON,
Senior Minister,
All Souls Unitarian Church

DR. LLOYD H. ELLIOTT,
President,
George Washington University

MORRIS FORMAN,
President, Forman Bros.
Wholesale Liquor Distributors

THEODORE R. HAGANS, JR.,
President, Health and Welfare Council
for the National Capital Area

WILLIAM S. HARPS,
Vice-President, John R. Pinkett, Inc.

EDWIN K. HOFFMAN,
President, Woodward & Lothrop

JOHN H. KAUFFMANN,
President, The Evening Star

ROBERT E. KOEHLER,
Vice-President, Finance,
Marriott Corporation

EMMER LANCASTER,
Manpower Specialist,
United Planning Organization

THE HON. MARJORIE M. LAWSON,
Lawson, Lawson, Nesbitt & Taylor

ABRAHAM LISS,
President,
Midtown Business Association

R. GRAYSON McGUIRE, JR.,
President, McGuire Funeral Services

ALPHONSO S. McLEAN,
President, A. E. McLean Company, Inc.

C. WILLIAM MARTIN, JR.,
Chairman of the Board and
President, Pepsi Cola

HARRY L. MERRICK, SR.,
President, Kal & Merrick
Advertising, Inc.

DOYLE MITCHELL,
President,
Industrial Bank of Washington

H. CARL MOULTRIE, Esq.,
NAACP

(MRS.) ARLINE M. NEAL,
Area Manpower Representative,
Human Resources Development
Institute AFL/CIO

THORNTON OWEN,
President, Perpetual Building
Association

CHARLES E. PHILLIPS,
Chairman of the Board of Trustees,
Equitable Life Insurance Company

FRANK H. RICH,
President, Metropolitan
Washington Urban Coalition

ROBERT H. SMITH,
President, Charles E. Smith
Construction Company

OSBY L. WEIR,
General Manager,
Sears & Roebuck Company

THOMAS M. WALSH,
President, Metropolitan
Washington Board of Trade

EX OFFICIO MEMBERS

KNOX BANNER,
Director, National
Capital Downtown Committee, Inc.

BRUCE BRYAN,
Executive Vice-President,
Savings and Loan League,
Metropolitan Washington

CHARLES H. CONRAD,
Executive Director,
National Capital Planning Commission

YATES COOK,
Executive Director,
Federal City Council

GREGORY M. HARRISON,
President, D.C. Chamber of Commerce

(MRS.) MARGARET A. HAYWOOD,
D. C. City Council

CHARLES S. HOLLOWAY,
Executive Director, Uptown Progress

ROBERT KUNZIG,
Administrator,
General Services Administration

MELVIN A. MISTER,
Executive Director,
Redevelopment Land Agency

JEANUS B. PARKS, JR.,
Executive Director,
United Planning Organization

WILLIAM H. PRESS,
Executive Vice-President,
Metropolitan Washington
Board of Trade

WALTER A. SCHEIBER
Executive Director,
Metropolitan Washington
Council of Governments

L. NORD SCHWIEBERT,
President, Hotel Association of
Washington and General Manager,
Sheraton Park Hotel

WINFORD SMITH,
District Director,
Small Business Administration

THE HON. GRAHAM WATT,
Deputy Mayor, District of Columbia

Senator INOUYE. I appreciate this because yesterday we were advised there is no agency in the Government here that handles economic development. I was naturally surprised.

Mr. MISTER. Mr. Chairman, I think the department of economic development does not have, and has not been able to secure from the Congress any funds to carry out the economic development program that it would like to carry out. The Mayor's Economic Development Committee is a citizens' organization. It receives grants for the city from the economic development administration, but it is not an official department of the city government.

Senator INOUYE. I thank you very much, sir.

Apprenticeship Council

STATEMENT OF MAURICE P. FENTON, DIRECTOR

PREPARED STATEMENT

Senator Inouye. Our next witness is Mr. Maurice Fenton, Director of the Apprenticeship Council.

Mr. Fenton. We have submitted a brief statement to the committee staff.

Senator Inouye. Without objection we will make this a part of the record.

(The statement follows:)

Summary of Activity and Program

The D.C. Apprenticeship Council was established by the Bridges-Randolph D.C. Apprenticeship Act of May 21, 1946 (PL 79-387_ (Chapter 1-A, Title 36, D.C. Code, 1961) to encourage and render technical assistance to qualified D.C. Employers to provide young people in the District of Columbia with planned apprenticeship training that will equip them for profitable employment and citizenship. Under Title 36, the Council helps formalize voluntary apprenticeship programs under individual written agreements (indenture) between an employer and the apprentice providing facilities for training and guidance in the "arts and crafts of industry and trade", with parallel instruction in related and supplementary education, promotes employment opportunities for young people under conditions providing adequate on-the-job training and reasonable earnings, and relates the supply of skilled workers to employment demands. It establishes standards for training apprentices as journeymen craftsmen, establishes local joint trade apprenticeship committees to assist in effectuating the purposes of this Act and Title, prepares and submits reports to Corgress, the D.C. Commissioner, and the public, regarding the status of apprenticeship in the District of Columbia, establishes procedures for the determination of apprenticeship agreement controversies.

With the revision of Title 29, Subtitle 5, Part 5, the DCAC has taken on the additional work of developing and coordinating on-the-job training for youth to enter apprenticeship programs. Training is being formulated so that disadvantaged youth is given the training opportunity to acquire skills sufficient to qualify him for apprentice training programs. These are actual job situations, working and receiving training under the standds and conditions set by the Joint Apprenticeship Training Committees and certified by DCAC.

During the last fiscal year, the Council certified II new programs for D.C. employers and apprenticeship committees as meeting the minimum standards of apprenticeship under the Act and Title. Also during the last year, the Council registered 1,064 new apprentices, issued 393 Certificates of Completion and cancelled, for various reasons, 651 indentures.

A breakdown of the 1,064 registrations during the period from January 1, 1971 through December 31, 1971 indicates that 358 members of the minority were registered and 433 veterans were registered.

TRADE	TOTAL	VETERANS	PERCENTAGE	MINORITY	PERCENTAGE
Construction	896	322	.36	322	.36
Graphic Arts	114	58	51	25	.22
Service Trades	54	53	.99	11	.20

Total Indentures as of December 31, 1971----------2,763

Veterans Registered through December 31, 1971---------- 988

Minority Registered through December 31, 1971---------- 600

At the present time we have three (3) certified minority training programs:

Electricans----------83 Certified Trainees

Iron Workers----------3 Certified Trainees

Sheet Metal Workers---------- Active

Also during the last year the Council explained the working of the Manpower Development and Training Act to all interested parties whenever contacts could be made. Presently all programs are under revision to comply with

Title 29, Subtitle A, Part 30 by April 8, 1972. The Council is cooperating with and rendering technical assistance to all employers and Joint Apprenticeship Committees.

The amount of $5,000 requested for the budgets provides compensation to the members of the Council for attendance at meetings on apprenticeship and other related problems, travel and attendance at out of town conventions, conferences and meetings relating to the work of the Council and, when required, the payment of registration fees and dues, and for miscellaneous expenses essential to carrying out the policies, programs and obligations for the Council, paper, reproduction services and other office supply items. During the year, members of the Council, the Secretary-Director of the Council and members of his staff represented the Council at more than 25 conferences and meetings at which apprenticeship and related problems were explored. The Council's field staff periodically visits about 900 trade programs operated by over 500 employers and 52 area wide apprenticeship and on-the-job training committees. In addition, some 100 requests for new program approvals are investigated each year by the Council's field technicians and, if the establishments have the essential manual and mechanical facilities to train in the trade, and the owners agree to meet minimum standards, programs are certified as meeting minimum standards of the D.C. Act and Title and placed on the Council's Program Register.

Program Justification

1971 Obligations (Estimated)		1972 Obligations (Estimated)		1973 Obligations (Estimated)	
Pos.	Amount	Pos.	Amount	Pos.	Amount
...	$5,000	...	$5,000	...	$5,000

D. C. Apprenticeship Council

Senator INOUYE. Frankly, I have no questions. In fact, I apologize to you for your having to wait all of this time to testify on an appropriation of $5,000. Please be sure your statement will be given our very thoughtful and serious consideration.

School Transit Subsidy

STATEMENT OF COMER S. COPPIE, SPECIAL ASSISTANT TO THE MAYOR-COMMISSIONER FOR BUDGET AND PROGRAM ANALYSIS

ACCOMPANIED BY DOUGLAS S. SCHNEIDER, EXECUTIVE DIRECTOR OF THE TRANSIT COMMISSION

PREPARED STATEMENT

Senator Inouye. The next witness is Mr. Coppie, on the school transit subsidy.

Mr. Coppie. Mr. Chairman, I do have an opening statement that I have provided for the record.

Senator Inouye. Without objection, it will be made a part of the record.

(The statement folows:)

SCHOOL TRANSIT SUBSIDY

The District Government is requesting $3,738,300 to fund the school transit subsidy for Fiscal Year 1973. The subsidy represents the amount needed to compensate the D.C. Transit Company and the W.M.A. Transit Company for the transportation of school children at reduced fares, as required by Public Law 90-605, amended by Public Law 92-90.

The school children ride these lines to and from school for a fare of 10 cents a ride. The difference between 10 cents and the minimum standard fare on the lines is the maximum subsidy the carriers can receive. The standard fare for D.C. Transit is 40 cents; for W.M.A. Transit, 45 cents. Only these two lines qualify for the school subsidy.

Annual ridership under the subsidy program has been increasing by about 1,075,000 riders a year because of adjustments in school district boundaries, increased secondary school enrollment, and a general increase in student awareness of the program. This growth factor has been considered in our estimate for Fiscal Year 1973.

The total subsidy requirement is computed by the Washington Metropolitan Area Transit Commission, which certifies the amount to the Mayor-Commissioner each month.

We estimate that D.C. Transit will receive $3,674,375 of the total fiscal 1973 request; W.M.A. will receive an estimated $63,928.

PROJECTED RIDERSHIP TOTAL

Mr. COPPIE. By way of summary, the total amount is $3,738,000, which represents a $340,000 increase over the adjusted 1972 base.

The total ridership projected for 1973 is $12,433,148, which is an increase of $1,130,842 rides over 1972, or a 10 percent increase.

That is a very brief summary, and I would be glad to answer any questions at this time.

Senator INOUYE. Has the D.C. Transit resolved its rail removal problem?

DEBT FOR TRANSIT COMPANY TRACK REMOVAL

Mr. COPPIE. Mr. Chairman, the outstanding debt from the D.C. Transit to the District of Columbia government at the time they appeared before you last year was $575,533.85. Subsequent to the hearings last year, we did reach an agreement with D.C. Transit. That agreement is now in the process of being implemented; I believe as of today, assuming that a large payment for D.C. Transit has been completed, the outstanding balance in the track removal account is $27,743.

I would like to provide for the record a letter from the vice president of D.C. Transit to the Mayor, that speaks to this agreement, an agreement that is being implemented. When it is finally implemented, the full payment from D.C. Transit to that account will be made.

(The letter follows:)

D. C. TRANSIT SYSTEM, INC.
2251 26TH STREET, N.E.
WASHINGTON D.C. 20018

Dear Mayor Washington: October 15, 1971

As a result of recent meeting with your staff, I wish to confirm my agreement to a new procedure by which D. C. Transit System, Inc. will compensate the District of Columbia Government for the costs of track removal.

D. C. Transit is obligated under the terms of its franchise to reimburse the District Govemment for track removal costs. These costs have been partially offset in the past by funds due the company under the terms of our snow removal contract with the Department of Highways and Traffic.

D. C. Transit agrees that the following procedures will be instituted to provide for the orderly payment of track removal costs. First, the District Government will apply to the company's current debt of $575,533.85 the monies it owes to D. C. Transit for the transportation of school children in Fiscal Year 1971 under Public Law 90-605. This action will reduce the current debt level to $81,901.85.

In addition, to liquidate this remaining debt, D. C. Transit will reimburse the District Government in the amount of $10,000 per month, beginning in October 1971, such amount to be deducted from the District Government's monthly school fare subsidy payment to D. C. Transit, as certified by the Washington Metropolitan Area Transit Commission under Public Law 90-605 as amended. Monies owed D. C. Transit for future snow removal will continue to be applied against any accrued track removal debt and in those months that monies due D. C. Transit, for snow removal, exceed $10,000 no part of the aforementioned $10,000 deduction from the school fare subsidy payment will be made.

We believe that the procedures just described will allow D. C. Transit to meet its present and future financial obligations to the District Government in an orderly and systematic manner. We appreciate your cooperation in developing this improved plan.

Yours truly,

S. O. Hatfield
Senior Vice President & Comptroller
D. C. Transit System, Inc.

SECONDARY SCHOOL POPULATION INCREASE

Senator INOUYE. This year's request involves an increase of $340,000. Is this increase due to increased ridership?

Mr. COPPIE. That is entirely due to increased ridership, Mr. Chairman.

Senator INOUYE. I gather that the school population has not increased?

Mr. COPPIE. Mr. Chairman, the school population has not increased. As I believe, the secondary school population has increased. On the basis of the studies that have been done, we attribute the increase to three factors:

One, the increase in the population of the secondary schools; two, the increased awareness of the subsidy on the part of the eligible students; and three, the changes that have been made in school boundaries.

I could provide more detailed information relative to each one of those, if you feel it is necessary; but I think those are the three primary reasons for the projected increase.

I might point out that the increase, going back to 1968 and tracing it through 1972, has averaged about 10 percent a year. It is on that basis that we have calculated the 10-percent increase for 1973.

Senator INOUYE. For the record, would you provide this committee the total amount that the District spends on public bus transportation, with a breakdown of the amounts for each department?

We have been advised that for vocational rehabilitation, the Department of Human Resources passes out tokens; the Public Service Commission has stated it purchases tokens; and so forth. The amounts may go into the hundreds of thousands of dollars. I would just like to know how much is being spent for public bus transportation within the city.

Mr. COPPIE. Mr. Chairman, are you referring specifically to subsidized transpotration for specific groups as distinguished from District of Columbia employees?

Senator INOUYE. District of Columbia employees, subsidized Federal grants, moneys from this Commission. I just want to get an overview picture of how much we are spending for bus transportation, because I somehow suspect the $3.7 million is just one item of public but transpotration. If we add up all of the other tokens that are being passed around, it might double this.

Mr. COPPIE. We will provide the information you have requested.

(The information follows:)

74-704 O - 72 - pt. 1 - 37

ANALYSIS OF EXPENDITURES FOR D.C. TRANSIT TOKENS FOR USE BY DISTRICT GOVERNMENT EMPLOYEES AND OTHER PERSONS[1]

Office of Budget and Program Analysis
District Government

AGENCY	FY 1971 (Actual) Employees	Others	FY 1972 (Estimate) Employees	Others	FY 1973 (Estimate) Employees	Others
Office of Budget and Program Analysis	160		80		120	
Office of Planning and Management	740		520		560	
Personnel Office	240		250		250	
Department of Finance and Revenue	1,200		1,640		2,000	
Office of the Corporation Counsel	15		15		15	
Department of General Services	480		360		360	
Department of Economic Development	3,720		3,840		4,000	
Public Library[2]	1,456		1,456		1,456	
Assistant to Commissioner for Youth Opportunity Services[3]	285	35	477	3	381	19
Assistant to Commissioner for Housing Programs	50		50		50	
Alcoholic Beverage Control Board	30		40		50	
Board of Parole	30		30		30	
Minimum Wage and Industrial Safety	80		80		80	
Recorder of Deeds	95		20		20	
Public Service Commission	480		600		720	
Zoning Commission	100		90		100	
Board of Appeals and Review			40		100	
Office of Human Rights	107		72		80	
Office of the Surveyor	17		18		20	
Commission on Judicial Disabilities			6		12	
Metropolitan Police[4]	480					

[1] Figures include both District and Federal funds except as noted.

[2] Includes transportation during training of Library employees (71-$388; 72-$334).

[3] OTHER: Community Program Participants.

[4] Presently have 2,542 tokens valued at $1,016.80

AGENCY	FY 1971 (Actual) Employees	Others	FY 1972 (Estimate) Employees	Others	FY 1973 (Estimate) Employees	Others
Superior Court[4]	24	56	135	1,546	144	2,280
Court of Appeals	32		44		60	
Bail Agency	40		120		160	
Department of Corrections[5]	40	8,620	60	5,940	60	8,000
Public Schools[6]	22,000	253,775	15,000	154,000	20,000	150,000
Washington Technical Institute[7]		3,200		1,800		1,800
Recreation Department	844		900		900	
Department of Human Resources	14,310	714,553	9,405	737,703	9,405	737,703
Office of the Director[9]	(350)		(1,845)		(1,845)	
Vocational Rehabilitation Administration[10]		(300,000)		(264,000)		(264,000)
Community Health Services Administration[11]	(12,510)	(22,790)	(4,560)	(6,090)	(4,560)	(6,090)
Social Services Administration[12]		(329,963)		(392,303)		(392,303)
Narcotics Treatment Administration[11]		(16,400)		(18,270)		(18,270)
Hospitals and Medical Care Administration[13]	(1,450)	(32,000)	(3,000)	(33,200)	(3,000)	(33,200)
Mental Health Administration[11]		(13,400)		(23,840)		(23,840)
Department of Highways and Traffic[14]	240		280		80	
Department of Motor Vehicles	24		18		15	
Department of Environmental Services	840		2,000		2,000	
Emergency Employment Act Program[15]			330	1,355		
TOTAL	$48,159	$980,239	$37,976	$902,347	$43,228	$899,802

5 Includes D. C. Court System; Other; Juvenile Probationers (71 - $56, 72 - $454, 73 - $600); Adult Probationers (72 - $1,092, 73 - $1,680).

6 Other: Participants in Vocational Rehabilitation Programs.

7 Other: Student bus tickets ($.10 each), paid for with Federal Impact Aid funds.

8 Other: Neighborhood Youth Corps enrollees; Communication Link I Instructional Center.

9 100% appropriated funds.

10 75%-80% Federal reimbursement funds; Other: Vocational Rehabilitation Program participants.

11 100% appropriated funds; Other: Clinic patients.

12 Average of 50% Federal reimbursement funds; Other: Public assistance recipients.

13 100% appropriated funds; Other: Hospital patients

14 Federal funds: 71 - $202; 72 - $34; 73 - $17.

15 All expenditures financed by Federal grants; Other: participants in program.

INCREASED USE OF PUBLIC TRANSPORTATION

Mr. COPPIE. I am sure that you do realize, as a result of the recent changes in the transportation area for District employees, there is increased utilization of public transportaiton and particularly D.C. Transit. I am sure that has increased the use of bus tokens.

What the increase is, and how much the total is, I am not sure. But we will do an analysis and provide that information for the record.

Senator INOUYE. How many buses does the city own? How many buses do we find in the public school system today?

Mr. COPPIE. I would have to provide that information for the record, (The information follows:)

Ten Year Analysis of Public School Vehicles
Used for Student Transportation

Office of Budget and Financial Management
District Government

Fiscal Year	Number of Carry-Alls[1]	Number of Busses[2]
1963	7	11
1964	13	12
1965	17	20
1966	21	25
1967	24	19
1968	34	28
1969	34	28
1970	32	70
1971	36	74
1972	36	73

[1] Carry-alls include vehicles carrying 8 - 13 passengers.

[2] Busses are classed as vehicles carrying 14 or more passengers.

SPECIFIC USES OF BUSES

Senator INOUYE. Will you also advise this committee as to what specific purposes these buses are used, other than special education?

Mr. COPPIE. We will.

Senator INOUYE. I understand you have about 200 buses. It has been suggested that these buses are not being fully utilized. Could you also provide this committee with information on the number of buses that have been owned by the city for the past 10 years?

And the school population in line with these numbers of buses, and the transit subsidy for the past 10 years, on an annual basis?

I just wanted to have a much broader view of the transportation costs for the people and employees of this city. I thank you very much.

Mr. COPPIE. That will be done, Mr. Chairman. Thank you.

(The information follows:)

Ten Year Analysis of School Bus Subsidy
Program: Ridership and Payments[1]

Office of Budget and Financial Management
District Government

12 Month Period

Period Ending	Public Law	Ridership	Payment[2]
8/31/63	87-567	232,700	$ 23,270.00
8/31/64	87-567	238,941	34,471.25
8/31/65	87-567	214,402	31,745.50
8/31/66	87-567	206,410	30,961.50
8/31/67	87-567	201,217	30,182.55
8/31/68	87-567	6,991,637	521,519.30
8/31/69	90-605	7,686,711	1,402,552.33
8/31/70	90-605	8,945,700	1,972,897.46
8/31/71	90-605	10,384,323	3,112,130.40
6/30/72[3]	90-605[4]	11,302,306	3,398,300.00

[1] Information supplied by Washington Metropolitan Area Transit Commission.

[2] For the period ending 8/31/63 through the period ending 8/31/67 payments were made only to WMA TRANSIT CO. After this period, payments were made WMA TRANSIT CO. and D.C. TRANSIT, INC.

[3] Figures are an estimate for FY 1972.

[4] As amended by Public Law 92-90.

School Population 1962-1972
Office of Budget and Financial Management
District Government

School Year	Prekinder-garten	Elementary Schools	Junior High Schools	Senior High Schools	Vocational High Schools	Other[1]	Total
1962-1963		86,147	28,640	14,339	2,688	2,561	134,375
1963-1964		87,792	29,579	16,385	2,924	2,476	139,156
1964-1965		89,719	29,922	18,189	2,894	1,329	142,053
1965-1966		92,665	29,180	18,694	2,858	1,403	144,800
1966-1967		94,250	29,769	19,035	2,897	1,504	147,455
1967-1968		95,353	31,256	19,211	2,899	1,716	150,435
1968-1969	1,014	93,364	32,467	19,250	2,926	1,843	150,864
1969-1970	2,292	90,978	33,250	19,571	2,963	582	149,636
1970-1971	2,017	88,416	33,062	19,432	2,777	520	146,224
1971-1972	1,874	85,755	32,108	20,254	2,842	578	143,411

[1] The Teachers College is included from 1962-63 until 1968-69, but only regular day students from 1964-65 until 1968-69. Beginning with 1969-70, Teachers College is no longer included.

Washington Convention and Visitors Bureau

STATEMENT OF AUSTIN KENNY, EXECUTIVE DIRECTOR

PREPARED STATEMENT

Senator Inouye. Our next witness this afternoon is Mr. William Calomiris, chairman of the Washington Convention and Visitors Bureau.

Mr. Kenny. My name is Austin Kenny, executive director. Mr. Calomiris was called away and was unable to appear, and expressed his regrets.

We have submitted a statement for the record. I am here to answer any questions you have.

Senator Inouye. Without objection, it will be made a part of the record.

(The statement follows:)

MY NAME IS WILLIAM CALOMIRIS AND BY PROFESSION I AM PRESIDENT OF WILLIAM CALOMIRIS INVESTMENT COMPANY, WITH THE PRINCIPLE BUSINESS BEING REAL ESTATE, BUT I AM APPEARING HERE TODAY AS THE CHAIRMAN OF THE WASHINGTON CONVENTION AND VISITORS BUREAU AND I HAVE WITH ME THE MANAGING DIRECTOR OF THE BUREAU, AUSTIN KENNY.

THE WASHINGTON CONVENTION AND VISITORS BUREAU WAS FORMED SOME 41 YEARS AGO TO ACCOMPLISH THREE BASIC GOALS. FIRST, TO ATTRACT AN EVER-INCREASING NUMBER OF CONVENTIONS TO THE NATION'S CAPITAL. SECOND, TO DEVELOP BY EVERY MEANS POSSIBLE THE GREATEST NUMBER OF TOURISTS TO THE CITY AND; THREE, TO GENERATE AS MUCH FAVORABLE PUBLICITY IN THE NEWS MEDIA AS WE CAN SO THAT WE WILL BE ABLE TO ACCOMPLISH OUR FIRST TWO GOALS. WE FEEL WE HAVE MET WITH A GREAT DEAL OF SUCCESS IN ALL OF THESE GOALS, WITH THE VOLUME OF TOURISM HAVING TRIPLED AND THE NUMBER OF CONVENTIONS HAVING DOUBLED IN THE PAST 20 YEARS. IN ADDITION, EACH YEAR WE HAVE BEEN THE FORTUNATE RECIPIENTS OF HUNDREDS OF LINES OF FAVORABLE STORIES ABOUT WASHINGTON AS A VISITOR ATTRACTION, DUE TO OUR PUBLIC RELATIONS EFFORTS. THIS SAME 20 YEAR PERIOD WE HAVE SEEN VISITOR SPENDING GROW FROM APPROXIMATELY $200 MILLION PER YEAR TO A CURRENT ESTIMATE OF SOME $650 MILLION PER YEAR.

TO ACCOMPLISH THE FIRST OF THE THREE TASKS I HAVE OUTLINED ABOVE, THE DEVELOPMENT OF AN EVER-INCREASING NUMBER OF CONVENTIONS, WE HAVE A FULL TIME STAFF OF THREE SALES PERSONNEL WHO ARE DAILY CONTACTING EVERY POSSIBLE NATIONAL ORGANIZATION HEADQUARTERED BOTH HERE AND OTHER CITIES, ALONG WITH CONTACTING THE LOCAL MEMBERS OF THESE ORGANIZATIONS TO DEVELOP INVITATIONS TO MEET IN WASHINGTON, D.C. CONSTANT PERSONAL CONTACT BY KNOWLEDGEABLE SALESMAN IS THE ONLY SUCCESSFUL METHOD OF CONVENTION DEVELOPMENT. OUR ENVIABLE RECORD IN CONVENTION DEVELOPMENT HAS BEEN ACHIEVED IN THE FACE OF TWO DISTINCT DISADVANTAGES. FIRST OF ALL, MANY CITIES THROUGHOUT THE UNITED STATES ARE DEPENDENT UPON A LARGE NUMBER OF STATE CONVENTIONS MEETING IN THEIR CITIES IN ORDER TO ACHIEVE THE VOLUME THAT THEY DO. OF COURSE, THERE ARE NO SUCH CONVENTIONS FOR THE DISTRICT OF COLUMBIA AND; SECONDLY, WE CONTINUE TO REMAIN THE ONLY CITY IN THE UNITED STATES WITHOUT A CONVENTION HALL EITHER BUILT OR UNDER CONSTRUCTION. WE ARE CONSTANTLY REMINDED OF WASHINGTON'S NEED FOR SUCH A FACILITY WHEN WE SEE THAT THE NEW YORK CITY COUNCIL JUST RECENTLY APPROPRIATED $11 MILLION TOWARD THE START OF THEIR $100 MILLION CONVENTION CENTER, THAT ATLANTA IS ABOUT TO GET UNDERWAY WITH ITS SECOND CONVENTION CENTER, THAT MIAMI IS PUTTING THE THIRD EDITION ON THEIR AUDITORIUM AND THAT PHILADELPHIA HAS JUST RECENTLY REBUILT THEIR ENTIRE FACILITY. CONVENTIONS ARE A BIG BUSINESS AND EVERY CITY IN THE UNITED STATES NOW REALIZES IT.

IN THE FIELD OF TOURIST DEVELOPMENT WE ARE, OF COURSE, THE SPONSORS OF NEXT MONTHS NATIONAL CHERRY BLOSSOM FESTIVAL, WHICH ANNUALLY ATTRACTS HUNDREDS OF THOUSANDS OF PEOPLE TO THE CITY AND HAS THE ADDITIONAL BENEFIT OF BRINGING WASHINGTON TO THE ATTENTION OF THE ENTIRE COUNTRY AT A TIME WHEN EVERYONE IS STARTING TO THINK ABOUT SPRING AND SUMMER TRIPS. IN TWO MONTHS TIME WE WILL START THE SUMMER JUBILEE PROGRAM TO ATTRACT SUMMER TOURISTS AND WE HAVE SEEN THIS PROGRAM OVER THE LAST 15 YEARS DEVELOP TO THE EXTENT THAT TOURISM IN JULY AND AUGUST MATCHES THE GREAT NUMBERS THAT WE SEE IN APRIL AND MAY. LAST YEAR WE TOOK ADVANTAGE OF THE NEW UNIFORM MONDAY HOLIDAY LAW AND STARTED A PROGRAM OF DEVELOPING VISITATIONS DURING THESE NEWLY CREATED THREE DAY HOLIDAYS. THIS PROGRAM WILL TAKE A LONG AND CONTINUING EFFORT TO DEVELOP, BUT WE FEEL IT WILL SHOW GREAT DEVELOPMENT IN THE YEARS AHEAD AND WE CONTINUE TO PRODUCE SPECIAL FOLDERS FOR EACH OF THESE HOLIDAYS. AS A MATTER OF FACT, WE PRODUCE OVER 20 PUBLICATIONS FOR CONVENTION AND VISITORS DEVELOPMENT AND SERVICING. IN ADDITION, WE PUT OUT DOZENS OF TOURIST DEVELOPMENT PRESS RELEASES THROUGHOUT THE YEAR AND ACCOMPANY THESE WITH HUNDREDS OF PHOTOGRAPHS OF THE ATTRACTIONS OF WASHINGTON.

WITH ALL OF THESE PROGRAMS ALREADY IN OPERATION WE STILL MUST LOOK TO THE FUTURE AND EVEN BETTER PROGRAMS IN THE YEARS AHEAD. WE ARE NOW IN THE PROCESS OF STARTING TO PUT TOGETHER A NEW TOURIST DEVELOPMENT FILM TO REPLACE AN OUTDATED ONE PRODUCED SOME SEVEN YEARS AGO. THIS FILM HAS A VERY HEAVY USAGE IN THE SECONDARY SCHOOLS THROUGHOUT THE COUNTRY AND WE ARE HOPEFUL THAT WHEN WE GET FINISHED PRODUCING THIS ONE WE WILL HAVE ENOUGH COPIES AVAILABLE TO US TO SATISFY THE VERY HEAVY DEMAND THAT WE HAVE. THE FILM THAT WE ARE REPLACING IS ANNUALLY BOOKED AT LEAST ONE YEAR AHEAD.

FROM THE INFORMATION THAT IS AVAILABLE TO US IT APPEARS THAT THE VISITOR CENTER AT UNION STATION IS NOW GOING TO BE ABLE TO PROCEED WITH ALL HASTE TOWARDS ITS FULL DEVELOPMENT AND OPENING SOME THREE YEARS FROM NOW. WE ARE IN CONSULTATION WITH THE NATIONAL PARK SERVICE REGARDING THE ROLE THAT WE WILL PLAY IN SERVICING THE MANY MILLIONS OF VISITORS THAT WILL BE USING THIS EXCELLENT FACILITY FROM THE TIME THAT IT OPENS. IN THE NEXT FEW DAYS I WILL BE APPOINTING A SPECIAL COMMITTEE OF OUR MEMBERS TO DEVELOP SPECIFIC PLANS WITH REGARD TO PERSONNEL, SERVICES, FINANCING AND ALL OF THE OTHER PHASES OF OUR PARTICIPATION.

LAST, BUT NOT LEAST, WE ARE LOOKING FORWARD WITH GREAT ANTICIPATION TOWARDS THE BICENTENNIAL YEAR OF 1976. WE ARE ALREADY AT WORK ON OUR PROMOTIONAL PROGRAM TO LET EVERY AMERICAN AND IF POSSIBLE EVERY POTENTIAL TOURIST THROUGHOUT THE WORLD KNOW THAT HE IS WELCOME IN THIS NATION'S CAPITAL SPECIFICALLY IN THE BICENTENNIAL YEAR TO MAKE A PILGRIMAGE IF YOU WILL TO THE MEMORIALS, TO THE MEN THAT WORKED TO BUILD THIS COUNTRY AND TO ITS MANY MUSEUMS TO REVIEW OUR MANY DEEDS AND ACCOMPLISHMENTS.

IN ORDER TO ACCOMPLISH THESE GOALS AND KEEP OUR CURRENT PROGRAM OF WORK GOING, WE ASK THAT YOU AND YOUR COMMITTEE APPROVE THE MAYOR'S BUDGET REQUEST OF $252,000 FOR FISCAL YEAR 1973. THIS AMOUNT IS IDENTICAL TO THE AMOUNT RECEIVED IN FISCAL YEARS 1971 AND 1972. THE ECONOMIC CONDITIONS OF THE PAST 18 MONTHS HAVE RESTRICTED OUR FUND RAISING TO $342,000 IN EACH OF THESE YEARS AND, THEREFORE, WE ARE ASKING FOR NO INCREASE AT THIS TIME AND WE DO NOT ANTICIPATE RETURNING AND ASKING FOR ANY ADDITIONAL FUNDING FOR FISCAL YEAR 1973. HOPEFULLY, WE WILL FIND THE BUSINESS COMMUNITY MORE RECEPTIVE TO OUR FUND RAISING EFFORTS THIS COMING YEAR BUT THOSE EFFORTS WILL NOT BE KNOWN FOR MANY MONTHS IN THE FUTURE. I WOULD LIKE TO POINT OUT TO YOU THAT THIS $252,000 IS A VERY PROFITABLE INVESTMENT FOR THE DISTRICT OF COLUMBIA GOVERNMENT SINCE APPROXIMATELY $25 MILLION OF THE $650 MILLION THE VISITOR SPENDS ENDS UP AS DIRECT TAX INCOME TO THE DISTRICT OF COLUMBIA GOVERNMENT.

WE WOULD, OF COURSE, BE MOST HAPPY TO ANSWER ANY QUESTIONS THAT YOU MAY HAVE.

THANK YOU.

Senator INOUYE. My only question is: How well have you succeeded in attracting visitors since the unfortunate problems of 1968?

Mr. KENNY. As best we are able to judge it, and as you can appreciate with the three airports, railroad stations, a couple of bus stations, and about 85 percent of the tourists arriving by automobile, we can only make estimates. We feel that we have been able to come back to the pre-1968 levels and perhaps with a slight increase.

What we feel we are missing was the projected 6-percent growth per year. But at the same time we must take into account the factor of economic conditions, the economic recession of the last 18 months.

We were able to see very clearly in the case of convention delegates, where companies who would normally send perhaps six men would reduce it to two, in holding down expenses.

We assume the same type of thing probably took place in the case of tourists. He maybe reduced his stay. From postponed vacations, perhaps because of their own economic circumstances, we feel we are about holding our own and perhaps this year, and in the years following, we will be able to see our growth pattern continue.

Senator INOUYE. I wish you luck, sir. Thank you very much.

Office of Human Rights

STATEMENT OF JAMES W. BALDWIN, EXECUTIVE DIRECTOR

ACCOMPANIED BY:

A. FRANKLIN ANDERSON, DEPUTY DIRECTOR
JOSEPH DONEGHY, SUPERVISOR, ENFORCEMENT AND COMPLIANCE DIVISION
EDWARD BROOKS, ASSOCIATE DIRECTOR FOR RESEARCH AND STATISTICS

INTRODUCTION OF ASSOCIATES

Senator Inouye. I have been advised we have received the necessary information requested of the Office of Human Rights. The committee can now receive that officer's testimony. Is Mr. Baldwin here?

Welcome.

Mr. Baldwin. I have with me, to my left, Mr. A. Franklin Anderson, Deputy Director; and on my immediate right, Edward Brooks, Associate Director, Research and Statistics; and on my far right, Joseph Doneghy, Supervisor, from the Enforcement & Compliance Division.

We have presented to the committee an opening statement, a rather detailed and long statement. At this time I would like to share with you the highlights from that statement, leaving out the purpose, the goals, the objectives, and begin with the budget, the justification of the budget, and some of our activities for the past year.

I would also like to say I noticed in yesterday's paper where you were concerned about the racial breakdown of the District of Columbia Government. We brought some copies of the latest staffing pattern report as of November 30, 1970.

Senator Inouye. We appreciate that very much.

Could you give us, if at all possible, a thumbnail sketch of what the situation is?

SUMMARY OF STAFFING PATTERN IN DISTRICT GOVERNMENT

Mr. Baldwin. Yes. Mr. Brooks.

Mr. Brooks. Right. I think it is set forth fairly well in the highlights and I might bring you up a copy.

I refer you to the highlights Roman numeral page IV. As of November 30, 1970, blacks comprised approximately 64 percent of the employees within the District government. Which was up about 2 percent over the preceding year.

I can go on and on——

Senator Inouye. I am just reading this. This is what I am looking for.

What area do you consider as the most troublesome, as far as human rights are concerned—District of Columbia Government, Federal employment? Private business? Hotels?

Mr. BALDWIN. I do not have jurisdiction as far as the Federal Government is concerned, Mr. Chairman, with the exception of those four or five agencies that come directly under the Civil Service Commission. Our jurisdiction is in the area, in the private sector of housing, employment, and public accommodations.

Also I wear a hat as Director of Equal Employment Opportunity of the District government, for the District government only.

I would say, in response to your question, mostly in the private sector. Our problem would be with employment in the private sector, and there I would say it is because of not having the staff to totally look into and work on it. If we say where the most discrimination is, it would be in the private sector at this point.

Most of the complaints that we receive come from the private sector in employment.

EQUAL EMPLOYMENT OPPORTUNITY IN PRIVATE SECTOR

Senator INOUYE. Are you satisfied that all of the companies that you deal with abide by the spirit of the law?

Mr. BALDWIN. I don't think at this point we have been able to evaluate their affirmative action plans to say this. Those we have looked into, something like 35 or 40 firms, I would say "No." But then, there again, you must get to each firm and take a look at the EEO–1 report, which will give you a racial breakdown according to job categories, and then say to this firm, this is where you are now, and this is where you should be, and we start working.

This is called a systemic review which we would like to do for the private sector. We have done this for the District government.

Frank Anderson might want to comment on this. He was the prior Director of Enforcement.

Mr. ANDERSON. I would just like to emphasize that one of the items in our budget for which we are asking an increase is in the area of contract compliance, because we are not satisfied that the firms the District government deals with are performing satisfactorily with regard to equal employment opportunities.

We have with us a supervisor from the Enforcement Division, who has been working on a contract compliance program, which we would like to get underway, providing we can staff it.

Mr. BALDWIN. But I think we can further respond to your question this way: If you take a look at the minority breakdown, as far as employment is concerned, in the private sector, minorities comprise 25 percent and the District government 64 percent.

Senator INOUYE. Mr. Baldwin, I am certain you are aware that you were originally scheduled to have been heard earlier, but on the opening day I indicated that since I had not received the information which was requested last December, that your position in the list would be forfeited. Now that the report has been received, could you tell us how many employees you have?

PERSONNEL IN OFFICE OF HUMAN RIGHTS

Mr. BALDWIN. Yes. Presently we have 29 appropriated positions. All 29 are filled. We have one temporary position where, in 1972, Congress appropriated $10,000 but no position.

Senator INOUYE. Why did it take so long to furnish this information?

Mr. BALDWIN. To be very frank with you, Mr. Chairman, it was due to two reasons: Inadequate staff and inefficiency in that area. I have been with the Office of Human Rights a couple of years now, and when I came in I inherited some people that had not had the expertise and training in this particular area. As far as I am concerned, the area of accounting and budgeting requires people with training. We had someone who had not had that type of background.

I am not making excuses because I feel I have responsibility for my staff and if there is someone on my staff who is not working up to par, it is my responsibility. It is in the process of being corrected.

I must apologize for this information getting in late, but it will not happen again. It is my responsibility and I am not making excuses for the staff. But I can say to you at this point, it will not happen again.

GRADE STRUCTURE OF HUMAN RIGHTS STAFF

Senator INOUYE. I am looking over your staff. We have done a little analysis of your staff, and we learn, for example, that the average grade structure of your office is GS–10.55, which is higher than the U.S. Civil Rights Commission, which is GS–9.8. It is about a difference of $1,200 a year, average.

We were told yesterday that the District of Columbia Management Office has a grade structure of about two levels above the National Science Foundation. And you have just indicated to us that you did not have the talent to prepare this.

Mr. BALDWIN. I was speaking of one area, the person in that particular area, the grade has been classified as GS–9. I am sure you are aware of the fact that this is considered a specialized area, if you look at the Corporation Counsel, I am sure you will find out the average grade is much higher than ours. We operate under standards not set by me but by the Civil Service Commission.

They say the journeyman grade of an investigator is GS–11.

I have brought in some people at training levels GS–5 and GS–7. We are beginning to train some people at that level, and it may be after 4 or 5 years we can give them the journeyman grade.

We are attempting to get some trainees in. But naturally, if the journeyman grade is a GS–11, and then your supervisor is GS–12, your average grade would be GS–9 or GS–10, I am sure. But if you take any specialized field in the District of Columbia government, where you are requiring college degrees, and you have the standard qualifications that we have no control over, then I must recruit at that level. Naturally the grade would be higher.

Senator INOUYE. Frankly, I find it very difficult to agree that it takes so long to compile a record for 29 permanent employees.

Mr. BALDWIN. I agree with you.

Senator INOUYE. I am certain someone in your office could have prepared this.

Mr. BALDWIN. Yes. I agree with you, Mr. Chairman. This is a problem the Budget Office has been working on with us. As I said, I think we have taken care of it. The only thing I can do at this point is agree with you and apologize. There is nothing else I can say.

74-704 O - 72 - pt. 1 - 38

Senator INOUYE. Who prepared this?

Mr. BALDWIN. You mean the name of the person, or the position?

Senator INOUYE. Position.

Mr. BALDWIN. The Administrative Officer, which is a combination of Budget Officer, Accounting Officer and Personnel Officer. In fact, as I understand it, the job consists of 12 separate functions.

Senator INOUYE. This is the GS–11 position?

Mr. BALDWIN. Right.

GRADE LEVEL OF JOURNEYMAN—INVESTIGATOR

Senator INOUYE. I notice in your request your Journeyman Investigator is set at GS–11; is that correct?

Mr. BALDWIN. Yes, that is it.

Senator INOUYE. Are the responsibilities greater than an FBI agent?

Mr. BALDWIN. I do not know what the responsibilities of an FBI agent are. I could not make a comparison there.

Senator INOUYE. The FBI agent comes in at the GS–10 level.

Mr. BALDWIN. As I said earlier, I have the same concern you do about this grade structure, and we have gone to the Civil Service Commission.

As I understand from the D.C. Personnel Office, the Civil Service Commission is attempting to come up with some updated standards for what an Investigator, Journeyman grade, should be.

So at no point am I trying to defend the grade structure for my office.

Senator INOUYE. Do you find it necessary to have a grade structure this high in order to effectively recruit new personnel?

Mr. BALDWIN. No; I do not.

Senator INOUYE. Would you be able to get a Journeyman Investigator GS–10?

Mr. BALDWIN. As I said earlier, we are attempting to lower the entry level grade and recruit and train. I believe in training. I do not think there is anything magic about the college degree and the GS–11 level for people to do investigative work.

Senator INOUYE. I thank you very much, Mr. Baldwin. I would hope that next year you will be able to furnish the personnel profile information in a more timely manner.

Mr. BALDWIN. Not only that, information requested by our Budget Office will be in on time. As I said to Mr. Coppie's question, not only information coming to the Congress, but to the Budget Office, or any other request we get. This is a situation I am not pleased with. As I said, I have made some changes. They will become permanent soon and this will not happen again.

Senator INOUYE. Thank you.

ACTIVITIES OF OFFICE OF HUMAN RIGHTS

Mr. BALDWIN. But if you have time, I would like to get into our activities, what we do, how we spend the money, and our justification for our present request.

Senator INOUYE. Please.

Mr. BALDWIN. This office is requesting $563.2 in its budget submission for fiscal year 1973, an increase over the adjusted allotment for fiscal year 1972 of $52.3, $30.5 or 61 percent of this increase is to cover uncontrollable costs—within grade advancements and classified

pay increase—the remaining $21.8 or 39 percent of the increase is to cover the costs of the five positions requested in this budget submission.

During the past year the enforcement division docketed 284 cases of alleged discrimination, closed 330 cases, completed special compliance reviews of the 10 largest firms having contracts with the District of Columbia Government, monitored the affirmative action plans for all District of Columbia Government agencies and trained 184 Equal Employment Opportunity counselors.

The research and statistics division implemented reporting systems which provide data on the age, race, sex, educational level, length of service and organizational location of each of 42,314 full time employees who were employed by the District of Columbia Government in November 1970.

The research and statistics division developed an automated data system for recording, on an on-going basis, the volume of complaints received, docketed and disposed of. This Division also produced a major report on discrimination within the District of Columbia Fire Department.

Finally, the research division has made substantial strides in obtaining and collecting, for ready use, minority group participation data for all private sector employees within the District of Columbia who are required to file EEO–1 reports with the Equal Employment Opportunity Commission.

At the present time, agency has EEO–1 forms for approximately 1,000 private sector firms.

COMMUNITY RELATIONS DIVISION

The community relations division provided supportive efforts in securing services for 199 citizens; received and referred to the Police-Complaint Review Board 118 incidents of police misconduct; aided in the amelioration of 19 tension-causing situations between citizens and police; acted as mediators for 27 neighborhood disputes; attended 315 community and institutional meetings; 109 consultative and planning sessions with a total audience of 17,075 participants.

This division also maintains a rumor control center whose purpose is to squelch rumors which could lead to possible trouble in the city.

Finally, this division develops audiovisual materials for use by other District agencies and community groups.

Our fiscal year 1973 budget request is both modest and reasonable and represents the minimum requirements for the Office of Human Rights to continue serving the city of Washington in such a sensitive area.

In 1969 an in-depth study of this office by an outside consultant firm was made; one of the recommendations was that a minimum staff of 51 was needed for the workload of this office. At that time the office had a staff of 11. There was a request for 51 positions in our fiscal year 1970 budgetary submission, an increase of 40 new positions. The Congress granted 20 of these positions. The remaining 20 positions were requested in fiscal year 1971, and none were granted.

In fiscal year 1972, the request was for eight new positions, three of which would not require additional funds, but would be funded by redirecting funds within our budget. All eight positions were denied, plus the Congress reduced the then present staff by two, leaving the office with 29 appropriated positions.

Thus, during the past 2 years, our workload has increased, new responsibilities and programs have been delegated to this office, without an increase in staff. In fact, as mentioned earlier, staff has been decreased by two.

JUSTIFICATION FOR FIVE NEW POSITIONS

The justifications for the five new positions are as follows: Three positions: 1, GS–11—equal opportunity specialist; 1, GS–7—equal opportunity specialist; 1, GS–4—clerk typist which would be assigned to a contract compliance unit. Recently the Office of Human Rights was given the central responsibility for contract compliance, that is, to insure that contractors are adhering to the provisions of the regulations. The Office of Human Rights intends to undertake 150 special compliance reviews of those firms doing the most dollar business with the District of Columbia government.

Senator INOUYE. What happens if they fail to carry out your directives?

Mr. BALDWIN. No. 1, we do not have such powers at present; and secondly, we are in the process of coming up with some recommendations to the Mayor. We have some thoughts about what should be done. If you do not have an enforcement system, then nothing can be done.

Senator INOUYE. If you were to have a system that you envision, what would you be able to do?

Mr. DONAHAN. The system we are developing would be similar, if not identical, to the system used by the Federal Contracting Agencies. The Federal Contracting Agencies require firms doing business with the Federal Government to establish specific minority goals on the work that they perform for those agencies. They are to meet these goals by hiring, recruiting, training, promoting minority persons. This is the type of program which we have envisioned for the District of Columbia.

Presently the District of Columbia has a Contracting Compliance Regulation which was written in 1972, and does not provide for such goals or timetables.

Senator INOUYE. Please proceed.

CONTRACT COMPLIANCE PROGRAM

Mr. BALDWIN. As I said earlier, three of those positions would be responsible for the contract compliance program. The additional two positions—well, Congress gave us $10,000 in fiscal year 1972 for a Spanish-surname program; not a position, but $10,000.

We took the $10,000 and hired a temporary employee. We are asking the Congress this year to give us the position. We are not asking for any additional money for the position, because the money is in our budget base. We are asking for the position.

The fifth position would be for a position that we lost in error. As I mentioned earlier, there were two positions we had to abolish at the suggestion of Congress, and one of those positions, in addition to our public information person, was a chauffeur. The Office of Human Rights did not have a chauffeur. At the time the study was made we had a position that was called a clerk-messenger position. It was a temporary position. Not only was it temporary, but on November 15, 1971, the time expired so there was no one in the position.

Senator INOUYE. Are you applying for a driver?

Mr. BALDWIN. No, I am not.

In order to meet the congressional request, we were instructed to abolish two permanent positions, so we abolished a vacant position—GS–12 community relations specialist.

We ask the Congress this time to reinstate the permanent position we had to abolish in order to meet the mandate of the Congress.

Senator INOUYE. What is this, public relations?

NEED FOR POLICE-COMMUNITY RELATIONS SPECIALISTS

Mr. BALDWIN. No, it is not. It is a police-community relations specialist.

What I am saying is that the Congress told us to abolish the public information position and a chauffeur position. Our office did not have a chauffeur position and has never had a chauffeur position. But in order to meet this request we had to abolish another position. At this time we had a police-community relations position that was vacant.

Senator INOUYE. Technically, none of the officers had chauffeurs; they all had clerk-messengers?

Mr. BALDWIN. It did not apply in our case. Not only that we did not have an appropriated position for that.

The office has a car and it is used in community relations. They are on call 24 hours a day, working for people in the community. It does not have a chauffeur. Any one of five community relations people may drive this car.

So I am asking the Congress to restore one position I felt we lost unjustly. We lost an appropriated position, a police-community relations specialist because it was reported to the Congress, apparently, that we had a chauffeur position. The closest thing to that was a temporary GS–2 clerk-messenger position which was vacant at the time and expired as of November 18, 1971.

Senator INOUYE. So you did not lose anything?

Mr. BALDWIN. Yes, we lost one of our permanent GS–12 community relations specialists.

Senator INOUYE. Was he fired?

Mr. BALDWIN. No. In order to meet the request from the Congress, we had to lose a permanent position. Congress cut us down to 29.

Senator INOUYE. A vacant position?

Mr. BALDWIN. Yes. At the time we had a position that was vacant and we lost that.

Senator INOUYE. I have been advised with all of the austerity programs we have had in this city, no employee has lost his job. So I would be surprised if someone lost his job within your office.

Mr. BALDWIN. I did not say somebody lost his job. We lost a position and we are asking the Congress to reinstate the position.

Senator INOUYE. How long was the position vacant?

Mr. BALDWIN. Two weeks. I have never had a position in the Office of Human Rights since I have been there that was vacant longer than a month.

Senator INOUYE. Thank you very much. You may be sure your request will be given our serious consideration.

Thank you, sir.

(The statement follows:)

Mr. Chairman and members of the Committee, I appreciate this opportunity to appear before your committee in support of the budget proposals for the Office of Human Rights for F.Y. 1973

The Office of Human Rights is responsible for eliminating illegal discrimination on the basis of race, creed, color, sex, age and national origin from every phase of public and community life. The Office of Human Rights cooperates with an advisory Commission on Human Rights in the enforcement of Articles 45 and 47 of the Police Regulations of the District of Columbia in accordance with provisions of the Commissioner's Order which established the Office.

In order to anticipate and reduce the negative consequences of interracial discord and conflict in the community, the Office of Human Rights also maintains close and continuous ties with neighborhood groups throughout the city. While the primary focus of this activity is to combat racial polarization, it is also intended to 1) create mutual respect and cooperation between citizens and the city agencies established to serve them, 2) encourage city agencies to be fully and effectively responsive to all segments of the community, and 3) discredit false rumors and quell disturbances that might arise before they get started

A major and recent function delegated to the Office of Human Rights has been the central responsibility for contract compliance. This requires that the Office of Human Rights review the employment patterns and practices of the more than 3100 firms awarded D.C. contracts during a fiscal year. Those firms which are found to have deficient Affirmative Action Plans for recruiting and employing minorities and women are advised of the steps they must take in order to remain eligible for future D. C. contracts.

This responsibility further requires that the Office of Human Rights continually monitor throughout the length of the contract, those 3100 firms, as well as all of their subcontractors and any labor unions with whom they may have collective bargaining agreements.

The Office of Human Rights has the primary role in ensuring that all firms, companies, and contractors doing business with District Government adhere to the District's policy of non-discrimination on D. C. contracts. Specifically, this means that contractors must provide equal employment opportunity for minority persons and women in all job categories and levels of responsibility. When contractors underutilize minorities and women, they must seek out and consciously recruit minorities and women for those job categories where they are under represented in order to retain eligibility for D.C. contracts.

Until quite recently the major emphasis within the Office of Human Rights was on processing individual and ad hoc complaints brought in by individuals on their own initiative. This was, at best, a finger-in-the-dike operation which, while it has served to redress wrongs done to individuals, has done little or nothing to change the systemic patterns of discrimination from which these complaints originated. For the past year and a half the Office of Human Rights has been moving in the direction of ferreting out pockets of discrimination within the Government of the District of Columbia, among contractors doing business with the District of Columbia Government, and among private sector employers, labor organizations, employment agencies, and real estate owners, operators and brokers operating within the

District of Columbia ---- and mounting systemic investigations and remedies to eliminate these discriminatory practices.

Commissioner's Order No. 71-26 was issued on February 2, 1971. This regulation spelled out the procedure to be followed by District of Columbia Government employees (who are not covered under Article 47 of the D. C. Police Regulations) for filing complaints of discrimination on the basis of race, creed, color, national origin, sex or age. On March 17, 1971, Commissioner's Order No. 71-77 was issued establishing guidelines for a District Government Affirmative Action Plan to implement the Equal Opportunity Program. Both of these Commissioner's Orders superseded previous Orders on the same subject but strengthened and widened their scopes. The successful implementation of this latter program constitutes a major demand on the resouces of the Office of Human Rights. Among other things the Office must review and suggest modifications where necessary all the Affirmative Action Plans developed within each D. C. Government agency.

The Affirmative Action Program calls for the appointment within each D. C. Government department of a Women's Program Coordinator whose function it is to identify problems existing in her department in the area of women's rights and make recommendations toward possible solutions through proper administrative channels. Each coordinator serves on an advisory committee to, and under the direction of, the Federal Women's Program Coordinator for D. C. Government who is a staff member of the Office of Human Rights. The position of Federal Women's Program Coordinator has not been funded and the incumbent has been

merely transferred from another program area to serve in this capacity. Increased emphasis on women's rights and presidential directives calling for stepped up recruitment of women make it mandatory that staff be assigned to provide for effective program emphasis in the area of women's rights.

Thus far I have given a general overview of the goals, objectives, and missions of the Office of Human Rights. During the remaining of this presentation I will discuss the immediate goals, the activities, and the accomplishments during the past year of the various divisions within the Office of Human Rights and the justifications for the proposed budget.

Research Division:

Eighty-eight thousand dollars, or 16 percent of our total request is allocated to the Research Division whose responsibility it is to generate and make available, on a timely basis, accurate and comprehensive information identifying the locus, nature and extent of illegal discrimination in all areas within the jurisdiction of the Office of Human Rights. Among other things, this requires the development of data processing and analytical systems necessary to conduct extensive systemic investigations of alleged discrimination within (1) any given agency of the D. C. Government or selected sub-units of such agencies, (2) selected firms or industries operating within the District of Columbia, and (3) realtors or housing management firms or specific units or complexes operated by them.

During the past year, we have made considerable progress toward these goals. We have, for example, implemented reporting systems which provide data on the age, race, sex, educational level, length of service and organizational location of each 42,314 full-time employees who were employed by the D. C. Government in November of 1970. These data were used to generate the 1970 Staffing Patterns report which is by far the most comphrensive body of information that has ever been compiled on D. C. Government employees. I have brought copies of the report with me and will make them available to members of this Committee.

In addition to the reporting system for D. C. Government employees, the Research Division has made substantial strides in obtaining, and collating for ready use, minority group participation data for all private sector employers within the District of Columbia who are required to file EEO-1 reports with the Equal Employment Opportunity Commission. This has been achieved through the negotiation of a data sharing agreement with EEOC. At the present time, the agency has EEO-1 forms for approximately 1,000 private sector firms.

The Research Division has also begun to collect and systematically organize similar data, reported on D. C. Government, Forms 126 and 127, for all firms holding contracts with the D. C. Government, in conjunction with the new Contract Compliance thrust discussed elsewhere in my testimony. These forms have been ordered chronologically, by contract number, and number approximately 700 prime contracts, which generally also involve forms for one or more sub-contractors.

Further, the Research Division has developed an automated data system for recording on an on-going basis, the volume of complaints received, docketed, and disposed of by:

1. Nature of complaint,
2. Age, race and sex of complaint,
3. Type of respondent,
4. Basis of alleged discrimination,
5. Elapsed time from docketing to closing, and
6. Nature of disposition.

This system generates periodic reports used by the Director and his senior staff to measure progress, establish priorities, and plan for the future -- and was, in fact, used to generate the caseload information included in this testimony. On the basis of the implementation of this system, the Office of Human Rights has, for the first time, a clear and comprehensive picture of where it is and how well it is doing, through time, in handling the complaints of discrimination that are brought to it by citizens of the District of Columbia.

Finally, the Research Division produced a major report on discrimination within the D. C. Fire Department which provided most of the information used in my report entitled Survey of Racial Patterns and Practices within the D. C. Fire Department, dated July 13, 1971.

These are clearly major and difficult responsibilities and, as I have noted each year, responsibilities requiring six or seven positions. We received only two (the Research Director and a Statistician) for this Division in the fiscal 1970 budget. It was our expectation at that time that the additional positions would be received as the program developed and began to be implemented.

As you know, however, these positions were not forthcoming in either the fiscal year 1971 or 1972 budgets. Consequently, I have been compelled to "rob Peter to pay Paul" by transferring two positions from the Enforcement Division. In addition, we have supplemented this staff of four with personnel in non-appropriated positions through programs sponsored by the Neighborhood Youth Corps, the Urban Corps, and the Emergency Employment Act. While this has enabled us to accomplish what I have outlined above, it remains a very unsatisfactory situation, since it is impossible, with these alternative tactics (and the consequent high rate of turnover), to develop an experienced and career-oriented cadre of Research personnel.

Enforcement Division:

The goals of this Division are to enforce the regulations governing discrimination in 230,000 housing units in the District of Columbia; the employment of 300,00 employees by 17,000 employers and the employment of approximately 42,000 employees of the District of Columbia government. Discrimination cases in the area of public accomodations are also the responsibility of the Office of Human Rights. Two hundred and eighteen thousand dollars, or 38 percent of the total budget, will go into this function.

In order to achieve these goals, this Division receives and investigates all such complaints brought to the Commission. Whenever possible, this Division seeks to negotiate informal conciliation agreements between the contending parties. Failing this, public hearings are instituted leading to findings of fact and, where indicated, orders of compliance. In some instances, when it seems warranted, the Enforcement Division will initiate complaints and investigations on its own.

This Division is also responsible for examing the reports on minority employment statistics filed with the Equal Employment Opportunity Commission by private firms bidding on D. C. Government contracts in order to ensure that these firms are providing equal opportunity for hiring and advancement without regard to race, creed, color, national origin or sex. When appropriate, the Enforcement Division negotiates affirmative action programs with these firms.

Activities:

During calendar year 1971, the Enforcement Division docketed 284 cases of alleged discrimination and closed 330 cases. (See tables 1 and 2 below).

Table I

Complaints Docketed During 1971 by Basis of Alleged Discrimination and Type of Respondent

Type of respondent	Total	Race	Sex	Race and sex	Other	All (a) bases
Total	284	193	18	13	32	28
Private employment	190	135	13	12	13	17
Initiated by complainant	173	135	13	12	13	-
at OHR	69	56	1	4	8	-
deferred by EEOC	104	79	12	8	5	-
Initiated by OHR	17					17
EEOC Project	17	-	-	-	-	17
other	-	-	-	-	-	-
D.C. Government	24	12	4	1	4	3
Housing	35	27	-	-	8	-
Public accomodations	4	3	-	-	1	-
General inquiry	31	16	1	-	6	8

(a) Cases initiated by OHR are systemic in nature and thus examine all possible bases of illegal discrimination.

Table II

Disposition of Cases Closed During 1971 by Race and Sex of Complainant

Race and sex	Total	No probable cause	Administrative	Satisfactory adjustment	Percent satisfactorily adjusted
Total	330	141	85	104	31.5
Negro	263	112	66	85	32.3
Other minority	10	3	4	3	30.0
Other	45	21	9	15	33.3
Male	184	78	50	56	30.4
Negro	160	68	42	50	31.3
Other	24	10	8	6	25.0
Female	134	58	29	47	35.1
Negro	103	44	24	35	34.0
Other	31	14	5	12	38.7
OHR-initiated	12	5	6	1	8.3

The Division received and monitored Affirmative Action Plans for all D. C. Government agencies under the full administrative jurisdiction of the Commissioner. Training classes were designed and administered for 184 D. C. Government Equal Employment Opportunity Counselors.

As mentioned earlier, this office has the additional responsibility of monitoring the Equal Employment Opportunity activities of firms doing business with the D. C. Government. Toward this end the Enforcement Division recently completed special compliance reviews of the 10 largest D. C. Government contractors and completed redrafting revised regulations to strengthen existing contract compliance requirements. (During

FY 71 the D. C. Government let 3100 contracts totaling 122.8 million dollars).

To meet this obligation, the Office of Human Rights has requested three positions for contract compliance to enable the Office to initiate an outgoing system to ensure compliance with the District's policy of Equal Employment Opportunity.

In addition, we are asking for one investigative position for which Congress, in FY '72, appropriated funds but not the position.

Community Relations Division:

The second basic function of the Human Relations Commission - fostering communication and mutual respect among all racial and ethnic segments of the community and between the citizenry and the Government - is the province of the Community Relations Division. One hundred thousand dollars, or 18 percent of our total request, will be allotted to this function.

The immediate goals of this Division are to develop programs to increase intergroup understanding and communication among all segments of the community and to build an effective network of communication between the District Government and the community in order to insure that public agencies are truly effective in meeting the needs of the community. The Division engages in a variety of activities in pursuit of these goals.

The division, as reflected in the table below provides supportive efforts in securing services for citizens, processes and refers complaints of police misconduct, aides in the amelioration of tension - causing situations between citizens and police and acts as mediator for neighborhood disputes.

Staff Activities

January, 1971 - December, 1971

Provided Supportive Efforts in Securing Services for: 199 Citizens

Received and Referred to the Police-Complaint Review Board: 118 Complaints of Police Misconduct

Aided in the Amelioration of:

19 Tension-causing situations between citizens and police

Acted as Mediators for:

27 Neighborhood Disputes

Attended:

315 Community and Institutional Meetings

109 Consultative and Planning Sessions

With a total audience of:

17,075 Participants

Recognizing the danger inherent in every inflammatory rumor this division maintains a rumor control center whose purpose is to squelch rumors which could lead to possible trouble in the city.

This division also develops audio-visual materials for use by other district agencies and community groups.

It has the additional responsibility for operating a speaker's bureau drawing upon members of the staff and the Commission with its activities directed toward unions, citizen groups, social clubs and churches.

The Community Relations division is requesting the re-establishment of the position of Police-Community Relations Specialist which was vacant at the time of the Mayor-Commissioner's

Executive Order to abolish all vacant positions. This position is needed because of the increasing number of complaints against police filed with our office and the apparent need for improvement in the area of Police-Community relations.

Administrative Division:

The balance of our budget, one hundred fifty seven thousand, two hundred dollars, or 27 percent, will be allocated to the Administrative functions of the Office of Human Rights. Administrative staff include, the Legal Counsel, Administrative Officer, Women's Program Coordinator, the Director, Deputy Director and Clerical Support Staff.

SUBCOMMITTEE RECESS

Senator INOUYE. We will recess until tomorrow morning, when we will resume with the Police Department, and Fire Department.

(Whereupon, at 4:00 p.m., Thursday, March 16, the subcommittee was recessed, to reconvene at 10 a.m., Friday, March 17, 1972.)

74-704 O - 72 - pt. 1 - 39

DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 1973

FRIDAY, MARCH 17, 1972

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, D.C.

The subcommittee met at 10:10 a.m. in room 1224, New Senate Office Building, Hon. Daniel K. Inouye (chairman) presiding.

Present: Senator Inouye.

DISTRICT OF COLUMBIA

PUBLIC SAFETY

METROPOLITAN POLICE DEPARTMENT

STATEMENT OF JERRY V. WILSON, CHIEF OF POLICE

ACCOMPANIED BY INSPECTOR ROBERT C. WATSON, FINANCE OFFICER

Senator INOUYE. The subcommittee will please come to order.

Before proceeding, I would like to apologize for being late. I had a special conference with the mayor.

This morning the subcommittee will continue with hearings with the requests which are funded under the public safety appropriation.

The total amount is $183,527,500.

Our first witness will be the chief of police, Jerry V. Wilson, who will support the request for the police department, $95,428,700.

Welcome back, sir.

Chief WILSON. Thank you, Mr. Chairman.

We have for the record a rather lengthy formal statement, which if we could, we would just submit for the record.

(The statement follows:)

Mr. Chairman, distinguished members of the subcommittee, I am pleased to present our fiscal year 1973 Budget Request and to report on our activities in combating crime and increasing the safety of the citizens, commuters and visitors of our Capital City.

Mr. Chairman, our Budget Request totals 98.7 million dollars ($98,707.7). This total consists of 95.4 million dollars ($95,428.7) in operating funds and 3.3 million dollars ($3,279.0) in Capital Improvement Funds.

In terms of measurable resources, this Budget represents a turning point. The Budgets in the late 1960's successively increased the police and civilian manpower, culminating in a manpower authorization of 6,217 in fiscal year 1970.

Our leveling point was reached in FY 1972 when we requested funds only to meet mandatory pay increases. This year's Budget is based on a reduced authorized strength of 6,092 with the funding sufficient to maintain an on-board strength of only 5,663. The authorized strength reduction is in the civilian and cadet category and is in consonance with the city's desire to reduce the number of District of Columbia employees.

Our request of 3.2 million dollars ($3,279.0) in Capital Improvement funds includes $2.5 million dollars ($2,529.0) for construction and construction services for the 3rd District Station House and 75 thousand dollars ($75.0) for equipping our new 7th District Station House.

While this Budget appears to signal a turning point for police resources, we fully intend to make continued progress in the pursuit of our major objectives. Last year I described in considerable detail our objectives and specific goals. Today, I would like to report on our progress and to project goals for fiscal year 1973.

Our principal objective continues to be the reduction of crime. Last year I stated a goal of reducing crime index offenses from 66,746 in fiscal year 1970 to 55,000 in fiscal year 1972. Although there still remains several months in fiscal year 1972, I have every expectation that this goal will be achieved by a considerable margin. Our goal for fiscal year 1973 is to reduce crime index offenses to 48,800. These reductions are possible and are happening because of the various legislative programs initiated by the President and supported by you, the legislators - court reorganization, more prosecutors, quicker trials, more policemen, and new narcotic treatment programs.

The Police Department, as the front line element of the "criminal justice system", is attacking the crime problem on several fronts:

--We must narrow and limit the opportunities for crime.

--We must gain continuing community support.

--We must have a responsive communication and command system.

--We must keep our young people from turning to a life of crime.

--We must detect and root out the hidden cancer of vice that is progressively gnawing away our social fibers.

--We must increase our criminal apprehension rate.

--We must provide our front line officers with the technical means for the detection and identification of criminals.

The first of this multi-front attack on crime is our Police Patrol Forces. This is our mixed force of car patrol, scooter patrol, foot patrol, canine patrol and casual clothes units that operate throughout the city day and night to narrow and limit the opportunities for crime. These patrol forces play the key role in maintaining our downward trend in crime and consequently receive the largest portion of our resources.

In my testimony last year, I stated that our police service to the Anacostia area could be improved by dividing this area into two

Police Districts. This Seventh District was established in August 1971 and, concurrently, our scout car patrol beats increased from 120 to 138.

In an other area of improvement, I testified last year that a helicopter aerial patrol would soon join our patrol forces. Three helicopters began operations in July of 1971 and were funded by LEAA grant funds through this fiscal year. In our Budget, we are requesting 245 thousand dollars ($245.0) to continue this program in fiscal year 1973.

The operating cost for our Police Patrol Forces is 33.2 million dollars ($33,222.5).

We continue to exert every effort toward enlisting and maintaining the support of the public in our crime fighting and law enforcement efforts through a well structured Public Education and Support program. In this day and age where social imbalances and unrest cause such a variety of motivational behaviors, it is essential that citizens and police alike respect each other and recognize their mutual goals and interdependence. We have a variety of highly successful on-going programs directed toward that goal. One recent program I should like to bring to your particular attention is the neighborhood scout car plan. Under this program officers meet regularly with citizens

residing or working in their area of patrol. These meetings provide an excellent forum for educating citizens of the community on safeguards against crime, elimination of opportunities for crime, and the timely reporting of suspicious activities and persons. The program has the net effect of bringing police-community relations down to the "grass roots" level of the community where they are most urgently needed. I plan to expand this program in fiscal year 1973 not only in terms of reaching more people but to make the dialogue more effective through audio-visual presentations.

The cost of the Public Education and Support program will be approximately 749.2 thousand dollars ($749.2).

The key to an effective police-community interplay is the notification process. Timely response to the citizen's call for help is crucial. This demands a responsive Communication and Command System. This year the Police Department began operating an emergency 9-1-1 communication system whereby the citizens can call this number for police-fire-or ambulance service - even without paying at a pay phone station. In the first three weeks of operation, we experienced an 81.4% increase in emergency calls. In upgrading our communication system, we plan to improve the portable radio system so that eventually each District

can transmit and receive on its own frequency. The other requirement of a command system is the ability to vary the deployment of the Force based on shifting crime patterns. This requires crime analysis and each of the Districts now have this capability. The cost of this Communication and Command System is 2.5 million dollars ($2,473.6).

The educational process of which I spoke earlier must be directed not only at the community at large, but needs a special emphasis on the younger generation. Our Youth Activities are aimed at that segment of the population. The "Officer Friendly Program", which reaches all school children up to sixth grade three times a year, together with the "Side-by-Side" police band presentations and our "Ride-Along" program should pay handsome dividends as these youngsters mature. Even now there are encouraging signs that our younger people are inclined to be more law-abiding than before. In fiscal year 1971, there were 941 fewer arrests of Part I offenses for persons under 18 years of age than in fiscal year 1970 - an 18% decrease. Our truancy patrols of which I spoke to you last year is a continuing program. In fiscal year 1971, it resulted in 9,503 truancy contacts. Based on trends established so far in fiscal year 1972, it would appear that there will be a slight increase in the number of contacts in fiscal year

1973. The cost of the "Youth Programs" is estimated at 1.8 million dollars ($1,831.0).

Our Vice Control effort continues to focus on illicit narcotic and dangerous drug activity. As a further progress report I can state that presently over 2,000 police officers have been given specialized instruction by the Bureau of Narcotics and Dangerous Drugs. I would say that while the narcotic problem will be with us for some time, the worst appears to be over. If the current trend of fiscal year 1972 continues, there will be only a relatively slight increase over fiscal year 1971 in both the number of offenses and arrests. This can be ascribed in large part to increased drug awareness and problem recognition by the citizens resulting from the considerable educational efforts expended by the Department as well as to the narcotic treatment programs in the city.

Although I have spoken only of narcotics and dangerous drugs, it must be understood that vice offenses often interrelate; i.e. where one is present, one of the other forms of vice, e.g., gambling and liquor offenses, prostitution or sex deviation may be endemic to the situation. In this context, we shall be particularly alert to vice offenses suspected to be linked to organized crime. We are requesting an increase of 100

thousand dollars ($100.0) to the Confidential Fund to combat vice offenses.

The cost of Vice Control is estimated at 3.8 million dollars ($3,773.1).

An essential element in the apprehension of criminals is the ability to effect positive identifications in a timely manner. The processes involved in Crime Investigation require a high degree of technical skill, perservance, and dedication to piece together the often puzzling mosaic traces left behind by the criminal. Although it is difficult to single out any one piece of detective work as being representative of our capabilities in this area, the much publicized Ammidown case reflects due credit to the competence of our crime investigators. I am pleased to relate that we are right on target with our goal of increasing our crime index closure rate in fiscal year 1972 by three percent (3%) over the previous fiscal year and look to a further similar improvement in fiscal year 1973. The cost of our Investigative and Criminal Intelligence activities is estimated at 5.3 million dollars ($5,315.9).

The behind-the-scene support to our investigators is the Police Analysis and Identification activity. Our centralized mobile crime

laboratory and crime scene search teams in each of the Districts provide the technical support required by our investigators. The review of crime offenses, arrests, the central filing, fingerprint analysis, handwriting analysis, firearm identification through ballistic testing, are all part of this support. This activity is estimated at 2.5 million dollars ($2,508.1).

Last year I referred to the role of the policeman as a "peace officer". The fact that peace-keeping on a massive scale is indeed the lot of the policeman of our nation's capital was demonstrated vividly during the May Day Demonstrations of 1971 when the city was confronted by many thousands of demonstrators with the avowed purpose of closing down the government. With the war in Vietnam becoming less and less of an issue, it is difficult to forecast what problems or grievances may stir the emotions of people in peaceful or violent demonstrations. One fact is unmistakable: the venue of venting issues of national concern will be Washington, D. C. and the Metropolitan Police will be looked to for maintaining law and order, and protecting life and property.

A problem of mounting concern to our nation is bomb scares, threats, and actual bombings. We recognize this as an awesome problem

everywhere and particularly in the nation's capital where various governmental institutions reside. Our bomb disposal unit responded in calendar year 1971 to seventy incidents of suspected explosive devices. There were three actual detonations and our unit was able to disarm forty explosive devices. I will ensure that personnel of this unit will remain at the highest state of alertness and technical proficiency. I might add that our bomb disposal personnel were ably supported in the bomb searches by four canine teams trained to detect explosives.

The cost of Maintenance of Public Order is estimated at 3.5 million dollars ($3,483.1).

Through our Court Liaison with the various criminal courts operating in the District of Columbia, the Department is able to effectively control police-court interaction, including police appearances at trials and hearings. We have streamlined procedures to reduce police court time to a minimum. Further, with the activation of a Case Review Section, which acts as a quality control unit for the police officer's investigation and case preparation, I have high hopes to reduce the "no paper-nolle prosse" dismissal rate.

Court Liaison will cost an estimated 223.6 thousand dollars ($223.6).

Let me now turn to Traffic Law Enforcement. I am pleased to report that traffic fatalities resulting from automobile accidents declined from 121 in calendar year 1970 to 96 in calendar year 1971. This reduction largely reflects the combined efforts of our Department, the Department of Motor Vehicles, the Department of Highways and Traffic, and the Superior Court. Since the utilization of "breathalyzers" has been authorized by the Corporation Counsel, it can be anticipated that additional driving-while-drunk cases will be made and adjudicated with convictions, consequently removing more drunken drivers from the streets of our community.

Although we normally associate traffic with our streets and highways, there is an increasing requirement for traffic control on the waterways as more and more people turn to pleasure boating. Even before the enactment in 1971 of the Federal Boat Safety Act, the Department prepared for the passage of the Act by actively taking steps to qualify at the earliest time for federal assistance granted under the Act. I am pleased to report that we are well in the process of establishing eligibility under the Federal Boat Safety Act and our

application therefore has gone forward. The cost for Traffic Law Enforcement is estimated at 2.9 million dollars ($2,899.3).

When we speak of General Support we are referring to the administrative and logistical apparatus which supports the frontline police officer in his law enforcement and crime fighting role. Speaking of one of several activities encompassed hereunder, let me say that data management becomes an increasingly critical factor in our day-to-day operations due to the daily addition of masses of data. We are, therefore, constantly striving to improve the utility and responsiveness of our automatic data processing system.

General Support also encompasses the personnel operations, including recruitment; the cadet programs; our training activities, as well as budget, management, and internal investigations and inspections. The cost of General Support is estimated at 14.2 million dollars ($14,205.8).

The final cost item of our Budget is payment of pensioners, their widows, and other beneficiaries. This amounts to 24.7 million dollars ($24,743.5).

Mr. Chairman, as a closing note, I would like to focus your attention to the police officer on the street. He is the one stopped many times a day for directions, for information, for other assistance;

he is the one summoned when there is no one else to turn to, when a situation is beyond control. He is faced with tense and dangerous confrontations, when tact and appropriate action must be combined with quick on the spot decisions - there is no time for overnight deliberations. He daily comes in contact with the best and the worst of our society. In short, the key element of the police function is still the individual officer - the basic unit of government, representing the power and might, the fairness and compassion, and the wisdom of government. He stands there, on the point, as representative of all the people. Much is asked from him and he deserves all of our support. He also has a private life, a family, and living expenses to meet. It has been three years since his last pay increase. I am confident that the Congress will support him in the new police pay proposal.

Mr. Chairman, members of the subcommittee, this concludes my statement. We will make every effort to continue to make our Capital City a safer and therefore more enjoyable place for both residents and visitors.

*CRIME INDEX OFFENSES - JANUARY THRU DECEMBER 1970
CITIES 500,000 TO 1,000,000 POPULATION

CITY	POPULATION	OFFENSES		MURDER	RAPE	ROBBERY	AGGRAVATED ASSAULT	BURGLARY	LARCENY	AUTO THEFT
		TOTAL OFFENSES	RANKING PER 1,000 POP							
BALTIMORE	895,222	62,150	5	231	535	10,965	7,159	19,041	13,866	10,333
BOSTON	628 215	38,360	6	114	303	3,371	1,627	10,002	7,543	15,400
CLEVELAND	738.956	44,564	7	271	307	5,475	1,909	10,765	6,234	19,603
COLUMBUS, OHIO	533 418	25,764	15	47	263	1,682	922	9,095	8,558	5,217
DALLAS	836,121	50,391	9	242	552	2,964	4,399	19,510	15,069	7,655
DENVER	512.691	37,835	4	74	374	1,980	1,685	15,511	10,569	7,942
INDIANAPOLIS	742 613	25,277	19	60	253	2,073	1,205	10,309	6,063	5,314
JACKSONVILLE, FLA.	513,439	25,223	14	95	296	1,507	2,211	11,568	6,602	2,944
KANSAS CITY, MO.	507 087	28,995	11	120	401	2,582	1,921	11,265	6,736	5,570
MEMPHIS	620 873	21,614	17	91	189	998	1,401	8,889	7,300	2,746
MILWAUKEE	709 587	20,188	20	50	93	649	720	4,303	9,355	5,018
NEW ORLEANS	585 787	35,325	8	100	324	3,632	2,270	11,086	9,829	8,084
PHOENIX	580 275	29,483	13	63	206	1,395	1,891	14,097	7,172	4,659
PITTSBURGH	512 789	28,396	12	63	246	2,690	1,646	8,432	6,371	8,748
ST. LOUIS	607 718	43,915	3	266	546	5,296	3,239	19,011	4,532	13,025
SAN ANTONIO	650 188	27,721	16	73	202	1,062	1,912	11,660	7,353	4,959
SAN DIEGO	675 790	25,232	18	32	135	839	981	6,902	10,613	3,730
SAN FRANCISCO	704 217	57,136	1	111	572	5,881	3,020	18,844	14,515	14,193
SEATTLE	524 263	31,176	10	42	184	1,984	954	14,770	8,942	4,300
WASHINGTON, D.C.	746 169	59,311	2	221	313	11,816	4,089	22,348	9,414	11,110
D.C. RANK - ACTUAL OFFENSES		2nd		5th	8th	1st	3rd	1st	6th	5th
D.C. RANK PER 1,000 POPULATION		2nd		3rd	12th	1st	2nd	3rd	13th	7th

SOURCE: The FBI Uniform Crime Report - 1970, dated August 31, 1971.

*NOTE: This chart has been reaccomplished to include all cities with 500,000 to 1,000,000 population as reflected in the 1970 Census Report. The FBI Uniform Crime Report and Census Report for 1970 were not available when this chart was prepared in March 1971.

*CRIME INDEX OFFENSES - JANUARY THRU SEPTEMBER 1971
CITIES 500,000 TO 1,000,000 POPULATION

CITY	POPULATION	OFFENSES		MURDER	RAPE	ROBBERY	AGGRAVATED ASSAULT	BURGLARY	LARCENY	AUTO THEFT
		TOTAL OFFENSES	RANKING PER 1,000 POP							
BALTIMORE	895,222	39,374	6	218	385	6,578	4,874	13,222	7,346	6,571
BOSTON	628,215	31,707	5	77	187	3,270	1,428	9,254	5,433	12,058
CLEVELAND	738,056	32,713	7	194	319	4,204	1,475	8,162	4,448	13,911
COLUMBUS, OHIO	533,418	19,521	14	54	207	1,300	683	7,228	6,187	3,762
DALLAS	836,121	34,379	9	163	438	1,996	3,924	13,307	9,348	5,203
DENVER	512,691	28,028	2	55	346	1,583	1,531	11,392	7,931	5,190
INDIANAPOLIS	742,613	16,910	19	35	189	1,551	728	6,994	4,100	3,313
JACKSONVILLE FLA	513,439	17,814	15	60	201	899	1,455	8,807	4,496	1,896
KANSAS CITY, MO.	507,087	20,680	10	78	277	1,772	1,344	8,455	4,596	4,158
MEMPHIS	620,873	16,766	18	71	164	703	1,092	7,430	5,092	2,214
MILWAUKEE	709,537	16,013	20	40	88	445	486	3,244	7,383	4,333
NEW ORLEANS	585,787	27,057	6	88	238	2,475	1,556	8,392	8,100	6,208
PHOENIX	580,275	23,145	11	46	151	917	1,814	10,067	6,247	3,403
PITTSBURGH	512,789	19,261	13	54	204	1,805	1,473	6,724	4,137	4,864
ST. LOUIS	607,718	32,978	3	160	384	3,510	2,446	13,952	3,626	8,900
SAN ANTONIO	650,486	19,853	16	73	155	625	1,532	7,723	6,115	3,630
SAN DIEGO	675,750	19,223	17	29	106	842	625	6,312	8,577	2,732
SAN FRANCISCO	704,217	43,445	1	78	377	4,998	2,321	13,970	12,905	9,606
SEATTLE	524,623	20,299	12	31	159	1,273	829	9,386	5,939	2,682
WASHINGTON, D.C.	746,169	39,024	4	195	476	8,524	3,013	14,396	5,734	6,686
D.C. RANK - ACTUAL OFFENSES		3rd		2nd	1st	1st	3rd	1st	12th	6th
D.C. RANK PER 1,000 POPULATION		4th		3rd	2nd	1st	4th	4th	17th	8th

*NOTE: The FBI Uniform Crime Report for all of Calendar Year 1971 was not available as of February 28, 1972.

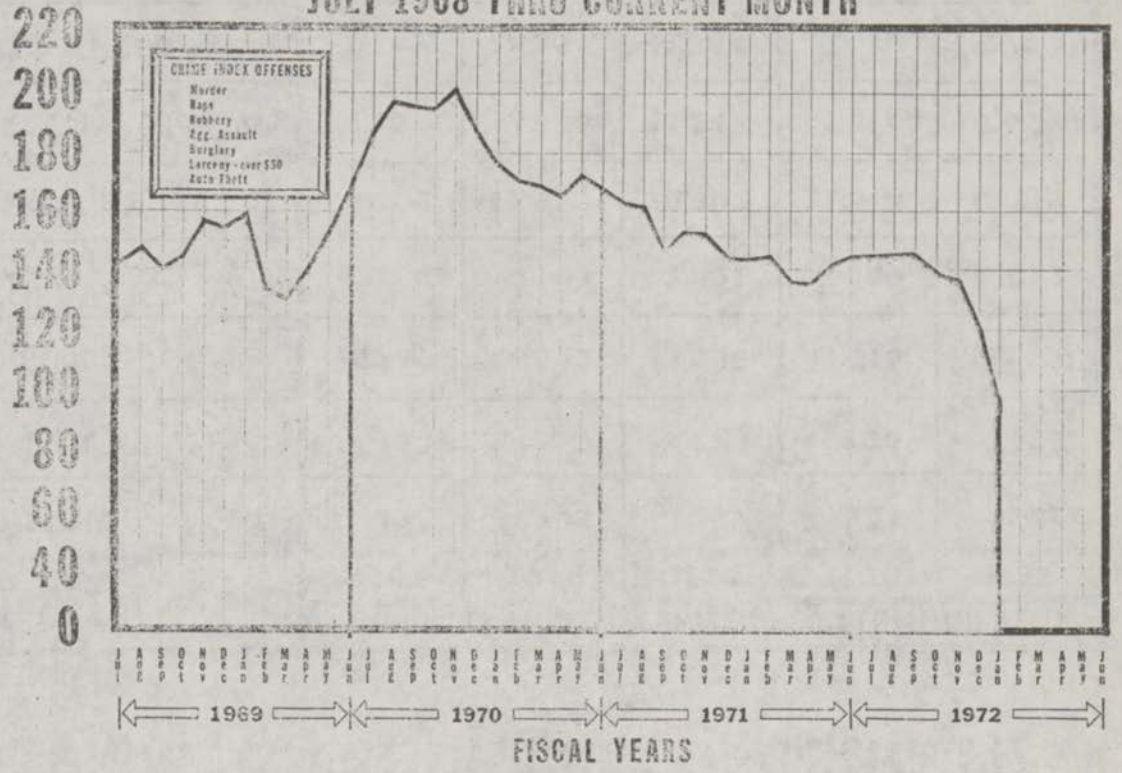
SOURCE: The FBI Uniform Crime Report dated December 29, 1971.

CRIME IN THE DISTRICT OF COLUMBIA

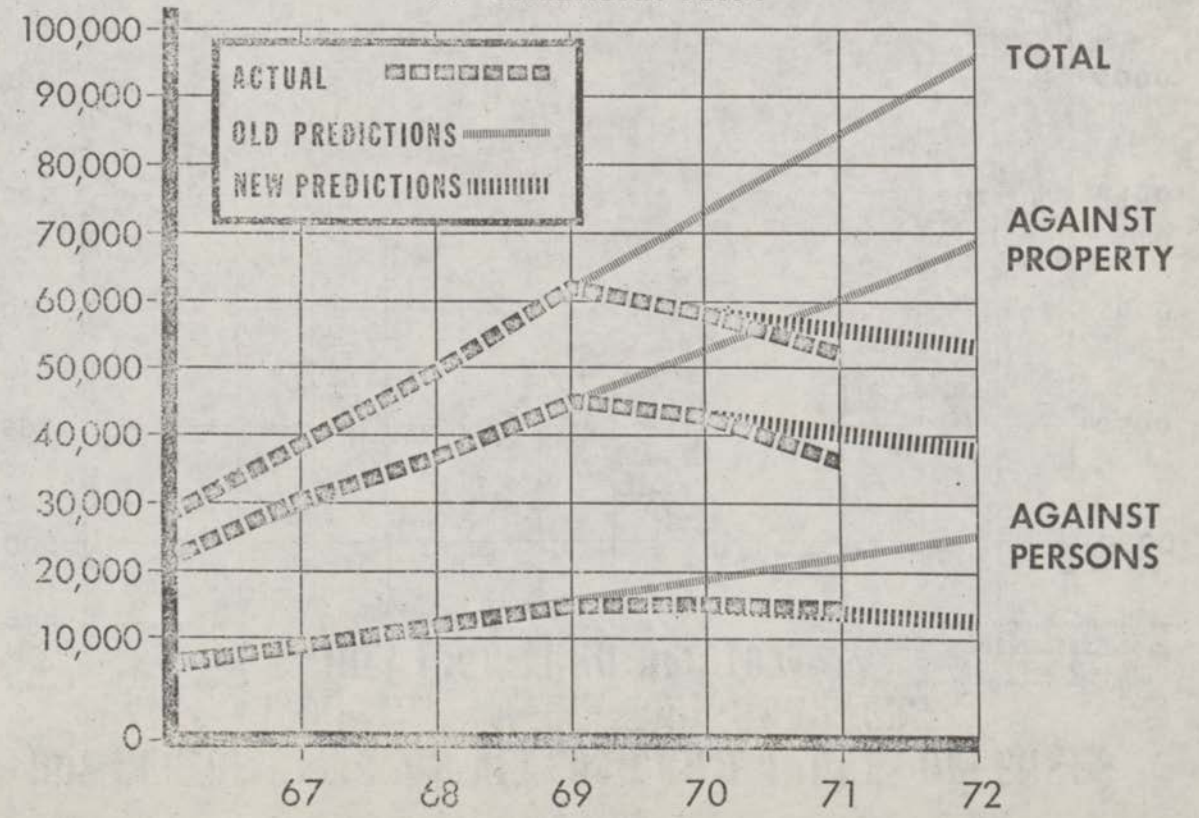
OFFENSE	JANUARY THRU DECEMBER - CALENDAR YEAR				
	1967	1968	1969	1970	1971
HOMICIDE	178	195	287	221	275
FORCIBLE RAPE	103	260	* 776	* 720	* 615
ROBBERY	5,759	8,622	12,423	11,816	11,222
AGGRAVATED ASSAULT	3,143	3,103	3,621	4,089	3,972
BURGLARY	14,702	17,950	*22,902	*21,740	* 18,818
LARCENY($50& OVER)	7,124	7,876	11,548	9,414	7,622
AUTO THEFT	8,507	11,354	11,364	11,110	8,73[illegible]
TOTALS	39,516	49,360	62,371	59,110	51,2[illegible]

* REPORTING PROCEDURES CHANGED

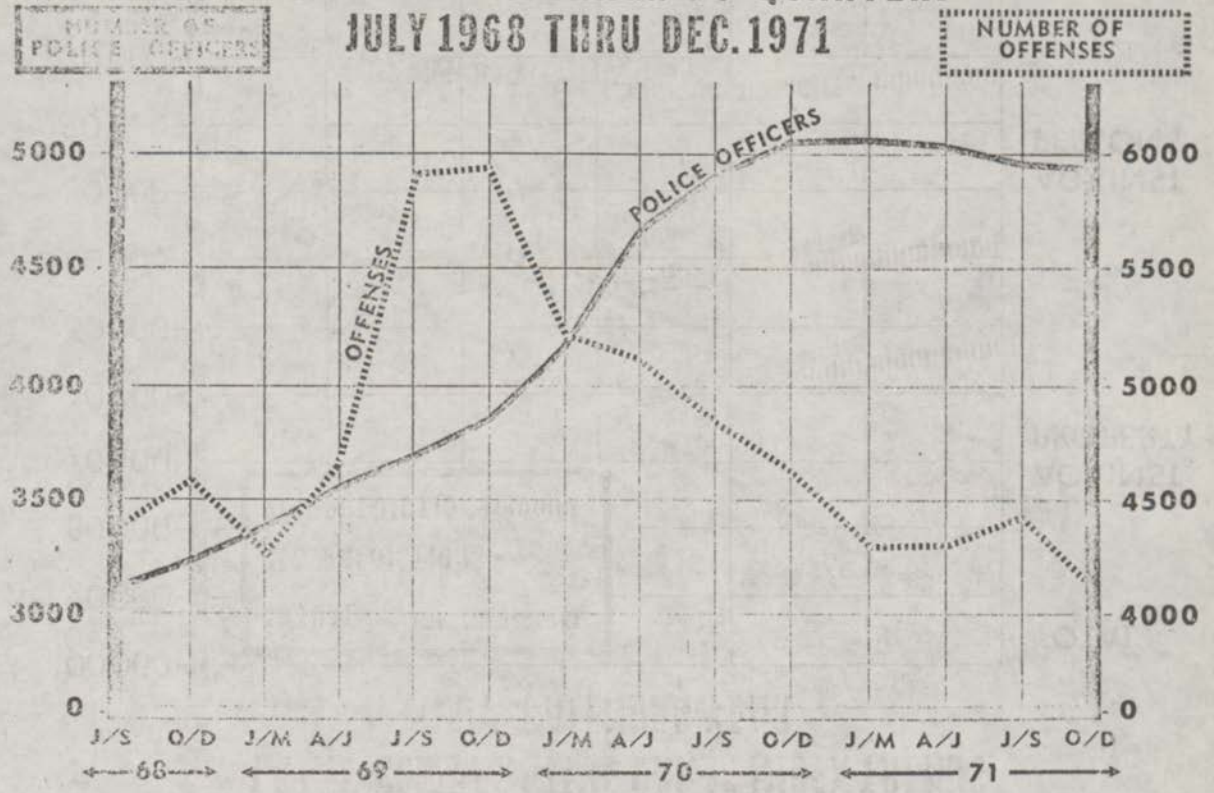
CRIME INDEX OFFENSES
DAILY AVERAGE BY MONTH
JULY 1968 THRU CURRENT MONTH

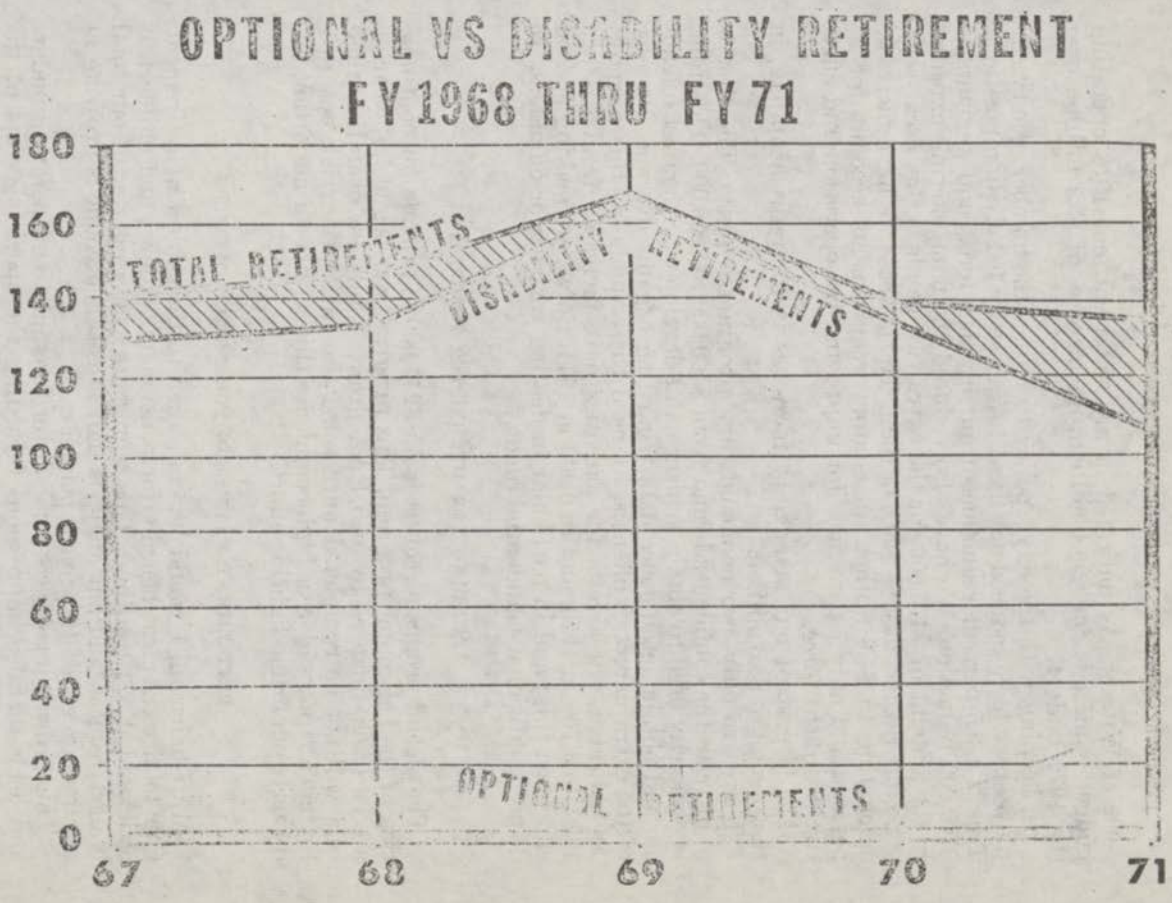


TOTAL COMPARATIVE CRIME INDEX TRENDS BY CALENDAR YEAR



NUMBER OF OFFICERS VERSUS CRIME INDEX OFFENSES
MONTHLY AVERAGE BY QUARTERS
JULY 1968 THRU DEC. 1971




OPTIONAL VS DISABILITY RETIREMENT
FY 1968 THRU FY 71
180
160
140
120
100
80
60
40
20
0
TOTAL RETIREMENTS
DISABILITY RETIREMENTS
OPTIONAL RETIREMENTS
67
68
69
70
71

BUDGET REQUEST

Chief WILSON. As indicated in my statement, our 1973 operating budget request is for $95.4 million, an increase of $3.5 million over the 1972 budget.

In keeping with the city's policy to reduce the number of city employees, we have reduced our fiscal 1972 base by 103 civilian positions. This is a 9.5-percent reduction of our civilian force, and amounts to $709,000 reduction. We have also reduced the nonrecurring expenses in the amount of $476,000 for the extra two paydays this fiscal year.

So our revised base is $90.6 million. To this base we have increases amounting to $4.8 million, mandatory requirements account for 93 percent, and only 7 percent is for improving the operation and effectiveness of the force.

The largest of our mandatory increases is for retirement pay, in the amount of $3.3 million.

There are only two nonmandatory program requests. The first is to increase the confidential fund from $100,000 to $200,000. This fund is primarily used to obtain evidence and develop cases against offenders and obtain intelligence data regarding organized crime. Because of the extra narcotics offenses, we need these funds for this purpose. As indicated, our arrests for narcotics have increased from 1,700 in 1969, to 4,700 in 1970, and to 6,200 in 1971. So we are making special efforts on this; and in particular in dealing with major offenders, we do need additional confidential funds.

FUNDING FOR HELICOPTER PROGRAM

The second program request is for $245,000 to provide for continuation of the helicopter program. This program was begun last year on a trial basis, financed by an LEAA grant. While our overall evaluation will not be completed until some time after the trial, our preliminary reports give us high confidence this will be an important addition to our crime-fighting effort.

RETIREMENT PAYMENTS FOR POLICE OFFICERS

Mr. Chairman, I would like to return to the subject of retirement. Our total retirement benefits for pensioners, widows, and childern is estimated at $24.1 million. This represents over a quarter of our total budget request, and our analysis indicates this account is growing at a rate in excess of 12 percent per year.

This growth introduces some distortions into our operating budget and leads to false impressions regarding the operating costs of the Department. The Office of Program Management and Analysis identified this to be a major study issue, and a study is underway to determine an alternative method of financing this account.

There has been a lot of concern in the past over the large percentage of policemen who retire on disability, and we have tightened procedures to reduce the proportion.

We have recognized the extended sick leave also forms the basis for substantiating the disability claim. To overcome this problem, we have established an administrative duty branch, to which police on extended sick leave are assigned. It encourages their return to light duty, or regular duty, as soon as practicable.

Since the establishment of that branch, extended sick leave has been steadily declining and is now about half what it was a year ago.

Mr. Chairman, in 1970 Washington, D.C. ranked second highest in crime per thousand population for those cities of comparable size. For the first 9 months of 1971, we have dropped to fourth place in crime per thousand. And for the calendar year 1971, we had a 13 percent decrease, and I believe our February data, when we get the firm data, will show Februray is at the lowest percentage since about November of 1966.

So we are making continued improvements in this area, I believe.

CRIME RATE IN THE DISTRICT OF COLUMBIA

Senator INOUYE. Can you give us an up-to-date report on the crime situation in the District of Columbia?

Chief WILSON. Mr. Chairman, as I indicated, for the calendar year 1971, our crime was reduced by 13 percent from the calendar year 1970. The calendar year 1970 was a reduction of 5 percent from 1969.

Our crime index offenses peaked on a fiscal year basis in 1970, but on a calendar year basis it peaked in 1969 at 63,000 offenses.

For 1971 we are down to 51,000 offenses. And as I indicated, the data for January, February, and March, indicates that this trend is continuing.

I am optimistic that we will, within the next few years, be able to return, at least, to the 1966 level, which was about half that of 1969. I am very optimistic. The court processes have improved considerably over the last year when the court processes under the 1970 law are fully changed and that will be accomplished in August—we will see even further improvements.

Senator INOUYE. In fiscal years 1970 and 1971 how many officers did you recruit and enroll as new officers?

Chief WILSON. I do not believe, Mr. Chairman, that we have at our fingertips the number of recruits in 1970 and 1971. As you know, our force was increased in January of 1970, to essentially 5,100 men. So the total number of appointments would have been on the order of 2,000. But, of course, this is offset by attrition.

RECRUITS STILL ON FORCE

Senator INOUYE. How many of these officers, the new recruits, are still on the force?

Chief WILSON. Could we furnish that for the record in terms of precise numbers?

Senator INOUYE. I would like you to.

(The information follows:)

NUMBER OF OFFICERS APPOINTED DURING FISCAL, YEARS 1970 AND 1971

	Fiscal year 1970	Fiscal year 1971
New officers recruited	1,205	1,074
Reinstatements	14	30
Cadets appointed officers	205	156
Military furlough returns	3	1
White House returns	1	0
Total appointments	1,428	1,261

The number still on the Force is as follows: Fiscal year 1970, 998; fiscal year 1971, 897.

RATE OF LOSS

Chief WILSON. There is a high rate of loss in the new recruits, as has always been so. The separations from the force tend to occur in the first 2 years of service, historically and presently. As men get into the first, second, and third year, there is a diminishing of the separation from the force. But most separations occur in the first and second year of service.

Senator INOUYE. If I may, Chief, I would like to submit several questions relating to recruits, because we have seen some reports that are quite distressing. For example, you have been averaging, I think about 49 resignations a month?

Chief WILSON. That is approximately correct, Mr. Chairman. But I do not consider that surprising, considering the fact that we have had a high level of recruitment in preceding years. Again, historically, individuals coming into the police service drop out in the first 3 years of service. After that there is a significant drop in the separations from the force.

The attrition during the first 2 years occurs for a variety of reasons: A man comes in the police service thinking it is something different than it actually is. He finds the hours are undesirable. They find their families are unhappy with the uncertainties of police work and with the problems of off-duty court time. Many of them are attracted by what appears to be a high salary and they come to the Washington area and find that it is not.

So it is not surprising, following a period of high recruitment, that there is a period of high separations.

Senator INOUYE. Is there any validity to the observation that your best men are resigning?

Chief WILSON. That is difficult to assess, Mr. Chairman. We lose good men, we lose bad men. It is very difficult to make definite assessment. I think in a sense good men resign in some cases because they can do better elsewhere. This is particularly true now with the salaries being the lowest in the area and one of the lowest in the larger cities of the country.

A lot of good men can find jobs that pay better. On the other hand, a lot of bad men resign because of the pressures of supervision. So I am unable to give you a statistical answer in terms of good and bad.

Senator INOUYE. In your personal view, could you provide an assessment of the quality of the recruit of today as compared to the recruit of a year ago?

Chief WILSON. I would say that the recruit of today, Mr. Chairman, compared with the recruit of a year ago, is probably about the same. The standards have not changed. I daresay that the quality today is probably about the same as a year ago, but there is no easy way to make that sort of a judgment. Given the fact we have an open examination and do not technically or actually operate from registers, since everyone who passes the examination is eligible for appointment, there is no easy way to give a judgment in terms of quality.

The mental examination for appointment to the department is the same as it was in 1948. It has not changed. The only requirement we have added is a high school education, which was added several years ago. So there has been no change in the standards.

I would say it is probably about the same, although there may be some possibility we are attracting a few men of lower quality because of the low pay right at this time.

Senator INOUYE. I believe you had 5,100 authorized police officers?

Chief WILSON. Yes, sir.

Senator INOUYE. How many of these have been on duty during the last 9 months?

Chief WILSON. Our vacancy rate runs about 150 a month currently and has for sometime now.

Senator INOUYE. What about the 300 cadets you have?

Chief WILSON. We have 130 cadet vacancies at this time. Cadets are very difficult to recruit, except at the end of the school year, simply because of the age requirement. There is no pool from which the cadets can be recruited, except at the end of high school graduation.

Senator INOUYE. Isn't it true you have never been able to come up with the authorized quota?

Chief WILSON. Of cadets? No, we have not been.

Senator INOUYE. Were you able to a year ago?

Chief WILSON. A year ago, Mr. Chairman, in July of last year, for example, we had 85 vacancies. So we were substantially at full strength.

TRANSFERRING TO SUBURBAN AREAS

Senator INOUYE. We have received several reports that District of Columbia police officers are now transferring to similar positions in suburban areas. Do you have any information as to how many police officers have resigned from the District force in the last 5 years to take up similar positions in the suburbs?

Chief WILSON. We have that, Mr. Chairman. We can provide it. In the last 5 years it tends to run up and down on the basis of salary variations. At this particular point, we are the lowest salary in the area, so my guess would be it is higher than it has been in the past. It has been some years since it has been a substantial problem, that is, in terms of large numbers.

But we can provide the number. We do collect data on that.

(The information follows:)

Existing statistics do not accurately reflect which police department the resignee joined. However, statistics are available on the number of officers resigned to accept employment with other police departments by Fiscal Year and they are:

1967	54
1968	25
1969	33
1970	36
1971	43

SUBURBAN OFFICERS JOINING DISTRICT FORCE

Senator INOUYE. For the same period, could you advise the committee as to how many suburban police officers have joined the District force?

Chief WILSON. We can, I believe, Mr. Chairman, although we do not gather that regularly. I would guess practically none, though—which would be my offhand guess.

(The information follows:)

The Department records do not contain this information.

RESIGNATIONS FROM DISTRICT POLICE FORCE

Senator INOUYE. In terms of increased recruitment and training costs, would you consider this emigration a very serious emigration?

Chief WILSON. Well, Mr. Chairman, the problem of separations, the problem of resignation, are, of course, a total problem in terms of the cost of recruitment and training.

In terms of men who leave the department, the proportion going into suburban jurisdictions is relatively small. I would judge perhaps 30 a year would probably be a good guess. It isn't a substantial problem in terms of the total problem of separations.

However, the recruitment and training is a problem of concern.

RETIREES WORKING AS SECURITY POLICE

Senator INOUYE. How many retired D.C. policemen continue to work as policemen elsewhere?

Chief WILSON. I do not know, Mr. Chairman.

Senator INOUYE. Can you provide us with some information about that?

Chief WILSON. We can attempt to. The function on following up on retired police officers is a function of the Police and Firemen's Retirement Review Board, which is not under my control. But I will talk to Mr. Eaton and see if we can obtain that for you. I just do not know.

(The information follows:)

EMPLOYMENT OF RETIRED POLICE OFFICERS

(Metropolitan Police Department, Mar. 31, 1972)

We have been advised by the District of Columbia Personnel Office that they cannot provide the requested information. Persons retiring under the 20 year optional retirement system do not provide information on their employment. Even those on a disability retirement are not required to provide employment data after age 50.

NIGHTTIME UTILIZATION OF HELICOPTERS

Senator INOUYE. On the matter of your helicopter, do you utilize them during the nighttime hours?

Chief WILSON. Yes, sir; Mr. Chairman. The helicopter is used regularly during the day and regularly through about midnight. After

midnight, it is only on standby. It has a significant nighttime use in terms of both patrol and in terms of lighting areas seeking to apprehend a criminal.

Senator INOUYE. Do you think the money for the helicopter has been well spent?

Chief WILSON. Yes, Mr. Chairman. I believe the helicopter is going to prove to be a very valuable addition to the force.

Senator INOUYE. I note that for fiscal years 1970 and 1971 you had 2,013 and 2,016 pensioners, respectively. What is the basis for the predicted large increases in pensioners for fiscal years 1972 and 1973? In your report you indicate you will have a large increase of pensioners.

Chief WILSON. It is based, Mr. Chairman, on the experience of the past in terms of the rate at which the pension rolls tend to increase. Pensions tend to run in large groups. For example, at the present time, because of the pending salary bill, there has been an actual slowdown in the number of retirements. Our experience is that following a pay increase, there tends to be a jump in the number of retirements, and this tends to diminish as the pay bill grows old.

These men await new pay bills for fear there may be provisions they would lose if they retired before the effective date of the bill.

Senator INOUYE. What percentage of your pensioners receive disability retirement?

Chief WILSON. The total number of retirees on the roll for December 1971 was 1,844 Metropolitan Police, 1,600 of those were on disability retirement. This comes to 88 percent.

There has been a change, Mr. Chairman, and we are showing the change in disability retirements which has been dropping constantly since 1969, when our department began its program to try to cope with disability retirements. There has been an increase in optional retirements over the last 2 years.

Senator INOUYE. How does this percentage compare with other similar-sized jurisdictions?

Chief WILSON. My understanding is that the disability provisions are fairly widely used in other jurisdictions. But I do know that the D.C. personnel office has done surveys, and I can ascertain if they have any data.

The tendency, of course, is for a man to try to obtain disability retirement for income tax reasons. In terms of the pension received, most men, if they have more than 22 or 23 years of service would receive more from optional retirement in terms of the payment from the District than they would in terms of disability. Of course, the disability pension, under the income tax provisions of exempting payments in the forms of workmen's compensation, are tax exempt and therefore there is a major tax benefit in the disability retirement.

RATE OF DISABILITY RETIREMENT FROM FORCE

Senator INOUYE. We have been advised this high percentage of about 90 percent disability retirement, is more than double that of most cities of comparable size in the United States.

Chief WILSON. That may be, Mr. Chairman. I don't know.

Senator INOUYE. Further, several officers who have retired on disability inform us that it is an easy thing to be retired on disability. Is that a valid observation?

Chief WILSON. Mr. Chairman, when I became Chief of Police in 1969, one of the things that I instructed my administrative officer to do, who then was an Assistant Chief was to address the problem of apparent abuses of the retirement system.

I should make it clear at the outset, I am not, as Chief of Police, totally responsible for the disability retirement system. I am only one member of the board, and not the chairman. However, I instructed my administrative officer to watch closely apparent abuses of the retirement system and, as my representative on the board, to argue against those cases which appear to be abusive.

I think prior to that, there were some indications that it was fairly easy to obtain disability retirement. I think we have changed that. I believe the data of the last couple of years shows the abuses of the retirement system, the flat abuses, have been diminished. There are a great number of problems in terms of coping with the problem of abuses.

For one thing, the pension law is a very liberal law and has been very liberally construed by the courts. For example, just recently a man was able to obtain a pension within the last month, who was fired from the department almost 10 years ago. based on a court decision he appeared before the retirement board and the result is that he is now drawing a pension from the city.

These are problems that are very difficult to cope with. One of the proposals we are coming up with in the department is to have a variable pension—a pension based not on total disability for every illness, but a pension based on a percentage disability, depending on how much the man is disabled.

There are some abuses very difficult to cope with because of the law and because of the problems of proving abuses.

Mr. Chairman I get many letters from many wives who tell me that their children are hungry because their husbands are off the payroll, because I have ordered it. And on a case-by-case basis, it is a very difficult problem to deal with.

OPTIONAL RETIREMENT PLAN

Senator INOUYE. On the optional retirement plan, it is now possible for a police officer to retire after 20 years of service, is that not so?

Chief WILSON. That is correct.

Senator INOUYE. Then one who joins the force at the age of 20 may retire at the age of 40?

Chief WILSON. That is right.

Senator INOUYE. Is there any restriction as to his income beyond his retirement pay, which is 50 percent?

Chief WILSON. Not if he retires optionally. Mr. Chairman, for a man who retires optionally there are no restrictions, except the city government has a policy against rehiring a retired police officer. It requires an order from the Mayor, I believe, to rehire a retired police officer within the city government. We have none in the police department.

For an optional retirement, there is no restriction on outside employment. For a man who has retired on disability, he is restricted to, I believe, 80 percent of his salary for 2 consecutive years or until the age of 50.

Senator INOUYE. So it is possible for a retiree to receive two District of Columbia checks?

Chief WILSON. It is possible, yes, sir.

POLICY ON MOONLIGHTING

Senator INOUYE. What is your policy on the matter of moonlighting?

Chief WILSON. Well, Mr. Chairman, the policy that I developed about 2 years ago was a general prohibition against most outside employment on the premise that police officers should be devoting their principal energies to the police job.

The policy prior to that had been fairly nonrestrictive. It was restrictive only in the sense a man cannot be a special officer or taxi driver or working in an ABC place.

But we developed a policy, I believe in early 1970, that was fairly restrictive in terms of new applications for outside employment, and which generally prohibited everything except those activities that would add professionalism. For example, an individual may teach college—we have some who do—or perform consulting work, jobs that would improve him and would reflect well on the department professionally.

However, frankly, because of the salary restriction and the fact that our salaries now are low, we are faced with the problem of young men not being able to make ends meet.

At the time I adopted the restrictive policy, we had a great deal of overtime being worked in the department, as you well know, which we no longer have. I now have in the process, I suppose being printed, a change in the order which is going to fairly well permit a man to work outside generally, so long as he does not work longer than 20 hours each week.

Quite frankly, I have come to the conclusion that police officers deserve to be treated as much as possible like everyone else. My intention is to liberalize the policy considerably and to restrict outside work in terms of police duties or debt collectors, or things that might involve the use of the police power.

Senator INOUYE. At the present time how many police officers are moonlighting?

Chief WILSON. I would have to provide that for the record, Mr. Chairman. It would be those who had permission prior to the old order. My guess would be several hundred, but we can provide that.

(The information follows:)

Currently one hundred and ten (110) officers have a second job.

PAY RAISE FOR POLICE OFFICERS

Senator INOUYE. Since assuming the chairmanship of this committee, my office has been flooded with calls from police officers and their wives, who somehow have been led to believe that a pay raise is imminent, when in fact there were no funds for this purpose included in last year's budget or, for that matter, in this year's budget. So, therefore, this is a matter of concern to me.

Apparently there is some misinformation. I believe that you would do your officers and this committee a favor if you could clear up this matter of a pay raise in the foreseeable future.

Chief WILSON. I am not certain, Mr. Chairman, how I can clear up the matter. The fact is that the Policemen's Association, as well as myself, have discussed with the city government the need for a police pay raise. You understand, of course, that the classified employees have had three pay raises since the effective date of the last police pay raise, and these raises amounted to something on the order of 18 percent. The Policemen's Association has negotiated with the city government a proposal for a new pay raise which, as I understand it, is now pending in the White House Office of Budget and Management, and will be forthcoming in the very near future.

Indeed, I believe the House is going to commence hearings on it next month.

Senator INOUYE. We have not received a pay-raise bill yet.

Chief WILSON. I understand that, Mr. Chairman.

Senator INOUYE. Many officers have been given the impression that the Senate is sitting on the bill.

Chief WILSON. That, I can clarify, Mr. Chairman, if that will be helpful to you.

Senator INOUYE. Thank you. Am I correct that all of the amounts cited in your statement are based on the present salary scale?

Chief WILSON. Yes, Mr. Chairman.

Senator INOUYE. So you need additional funds to finance a pay bill, if passed by the Congress?

Chief WILSON. That is correct, Mr. Chairman.

STUDY ON FOUR-DAY WEEK

Senator INOUYE. I believe Inspector O'Neill and his committee conducted a study on the 4-day week.

Chief WILSON. There is a pilot project underway at this time, Mr. Chairman, in the third police district.

Senator INOUYE. Has this study been completed?

Chief WILSON. No, sir; it has not.

Senator INOUYE. When the study is complete, may we be favored with a copy of the report?

Chief WILSON. Yes, sir, Mr. Chairman.

As a practical matter, I would consider that I would need if not legislation, at least implicit approval from the Congress before going to a 4-day week in any event, given the fact, the obvious intent of the Congress in the present law is a 5-day week.

So there would be no change on that, without full appraisal to the Congress.

TRAINING FILMS

Senator INOUYE. You have a 30-minute documentary called "The Whole World Is Watching".

Chief WILSON. Yes, Mr. Chairman.

Senator INOUYE. It was about the last year's May Day disorder. Was this movie made with department funds?

Chief WILSON. Mr. Chairman, yes and no.

The history of that documentary and the previous one which was made with regard to the moratorium is that beginning with about 1961, recognizing the very real problems that we have in the department over the years in terms of training new men in crowd control, and the fact it is very difficult to deter crowds effectively, we began a process of filming actions of the department in crowd control.

We have done this, as I say, beginning in 1961. We did some of it during the 1968 disorders in which we put together a film, but because of poor editing we were unable to find it very useful.

In 1969, we did pay for professional editing of the film, I believe on the order of $3,000, to put together a 30-minute film of the 1969 moratorium, essentially for training purposes.

The film turned out quite well and because of that, arrangements were made with IACP for them to go ahead and distribute it and sell it to other departments at no cost to the District. And, in turn, they provided us with sufficient free copies for our own use.

The May Day film was edited at the expense of the IACP. The IACP provided us with free copies for the purpose of distribution.

Senator INOUYE. This film has been criticized, as you are well aware, as "right wing propaganda." Would you care to comment on that?

Chief WILSON. It was not designed as "right wing propaganda," Mr. Chairman. It was designed as a training film. As a matter of criticism of the film, it was not as good as the 1969 film, simply because the action was much harder to portray in terms of training purposes than was the moratorium, which had different types of crowds than the May Day action.

It was not intended to be "right wing propaganda," certainly.

Senator INOUYE. Is this film put to good use by your department?

Chief WILSON. It is used, Mr. Chairman, for training purposes by the department, and also for showing to public groups. I believe it is put to good use, yes.

OFFICERS STATIONED IN PUBLIC SCHOOLS

Senator INOUYE. How many of your officers are currently stationed in public schools?

Chief WILSON. I would say about 40, Mr. Chairman. I would have to give you the precise number, since it varies from time to time.

We have about 40 who are working schools. "Stationed" is perhaps an overstatement, since many of them work between a high school and junior high.

But we have, I believe, on the order of 40 men who are assigned essentially to work pretty much with the public school system.

I will provide for the record the precise number.

LOCATION OF SCHOOLS

Senator INOUYE. Would you give us some statistics on this, with the name of the school and the number of officers?

Chief WILSON. Yes, sir.

(The information follows:)

The listing below reflects, by Police District, officers assigned short beats in the vicinity of secondary schools and officers performing the function of school boy coordinator at elementary schools. The distinction between the short beat and schoolboy coordinator functions is that the former is principally designed to protect the community from possible wrong-doings of pupils while the latter caters to special problems arising in school. No police officers per se are "assigned" to any of the public or private schools in the District of Columbia. In the breakdown given below "High School" refers to high school, junior high school, and senior high school. "Elementary School" includes public, private, and parochial schools.

FIRST DISTRICT

High School	Number of Officers On Short Beats
Dunbar; Martha Washington	1
Armstrong Vocational	1
Chamberlain Vocational	1
Hines	1
Jefferson	1
Randall	1
Shaw	1
Stuart; Terrell	1
TOTAL	8

Elementary Schools	Number of Schoolboy Coordinators
Amidon; Blair-Ludlow-Taylor Bowen; Brent; Bryan; Buchanan; Bundy; J.F. Cook; Giddings; Langston; Lenox; Lenox Annex; Logan; Montgomery; Morse; Payne; Peabody; Perry; Simmons; Slater; Syphax; Thomson; Tyler; Van Ness; Walker-Jones; Watkins; Academy of Our Lady; Holy Redeemer; St. Peters.	5

SECOND DISTRICT

High Schools	Number of Officers On Short Beats
Woodrow Wilson	1
Western	1
Gordon	1
Francis	1
TOTAL	4

Elementary Schools	Number of Schoolboy Coordinators
Eaton; Janney; Fillmore; Jackson; Grant; Key; Hardy; Lafayette; Hearst; Murch; Horace Mann; Oyster; Hyde; Stevens; Stoddart; Annunciation; St. Thomas; St. Ann's; Our Lady of Victory; Blessed Sacrament; St. John's Child Development Center.	3

THIRD DISTRICT

High School	Number of Officers On Short Beats
Cardoza	1

Elementary School	Number of Schoolboy Coordinators
Adams; Cooke; Cleveland; Garrison; Grimke; Harrison; Meyer; Morgan; Morgan Annex; Seaton; Sumner; Immaculate Conception; Sts. Paul & Augustine's.	4

FOURTH DISTRICT

High School	Number of Officers On Short Beats
Bell Vocational; Lincoln	1
Coolidge	1
Roosevelt	1
Bertie Backus	1
MacFarland	1
Rabaut	1
Paul	1
TOTAL	7

Elementary School	Number of Schoolboy Coordinators
Bancroft; Barnard; Brightwood; Bruce;Clark; Keene; LaSalle; Monroe; Parkview; Petworth; Powell; Powell Annex; Raymond; Shepherd; Takoma; Truesdell; Tubman; West; Whittier; Hebrew Academy; Nativity; Sacred Heart; St. Gabriel	2

FIFTH DISTRICT

High School	Number of Officers On Short Beats
McKinley Technical; Langley	1
Taft	1
Eastern Senior; Elliott	1
Hamilton	1
Spingarn; Phelphs Vocational	1
Browne	1
TOTAL	6

Elementary School	Number of Schoolboy Coordinators
Brookland; Bunker Hill; John Burroughs; Langdan; Lewis; Mott; Noyes; Stowe; Staed; Eckington; Gage; Emery; Blow Pierce; Crummell; Kingsman; Lovejoy; Madison; Maury; Minor; Pierce; Webb; Wheatley; Wilson; Young; Kennedy Institute; Campus	9

SIXTH DISTRICT

Elementary School	Number of Schoolboy Coordinators
Alton; Benning; Burville; Carver; Davis; Drew; Dupont Park SDA; Harris; Houston; Kenilworth; Kimball; Merritt; Nalle; Plummer; Richardson; River Terrace; Shadd; Smothers; Thomas; Weatherless; Capitol Christian Academy; Merrimac Private School; Our Lady Queen of Peace; St. Francis Xavier.	7

SEVENTH DISTRICT

High School	Number of Officers On Short Beats
Anacostia	1
Ballou	1
Douglas	1
Hart	1
Johnson	1
Kramer	1
TOTAL	6

Elementary School	Number of Schoolboy Coordinators
Orr; Randall Highlands; Ketchum; Ketchum Annex; Stanton; Savoy; Birney; Nichols Avenue; Garfield; Anne Beers; Moten; Draper; Hendley; Patterson; Green; McGogney; McGogney Annex; Simon; Congress Heights; Leckie; Turner; St. Theresa; Our Lady Assumption; St. Thomas Moore	2

Senator INOUYE. Are those officers who are stationed in public schools required to go through any special training programs?

Chief WILSON. No, Mr. Chairman. They are not.

Senator INOUYE. They are not trained to handle juvenile problems?

Chief WILSON. Only as regular police officers are. And to some extent, of course, the officers are obviously selected on the basis of their ability to work with youngsters. But they are not given training beyond that training which is given to all police officers in handling juveniles.

Senator INOUYE. What is your policy with regard to fingerprinting and photographing of those accused of misdemeanors and major traffic offenses?

Chief WILSON. Mr. Chairman, we have a departmental order which we will give to you. Traffic offenders, except for drunken drivers or reckless drivers, are not fingerprinted. Persons charged with misdemeanors are fingerprinted if they have no clear-cut local identification such as local operator's permit, which has a photograph, or other identification which would clearly identify them.

(The order follows:)

GENERAL ORDER

SERIES	NUMBER	EFFECTIVE DATE
502	1	March 1, 1972

SUBJECT:

Processing Prisoners and Centralization of Prisoner Confinement

DISTRIBUTION: A

ORIGINATING UNIT: PDD

The purpose of this order is to establish the policy and procedures for centralizing prisoner confinement and for processing prisoners through the Identification Annex, Central Records Division, and district stations. This order consists of the following parts:

PART I Responsibilities and Procedures for Members of the Department

PART II Responsibilities and Procedures for Supervisory and Command Personnel

PART I

Fingerprinting and Photographing Prisoners.

It is the policy of the Metropolitan Police Department that all persons (including females) charged with any of the offenses enumerated in paragraphs 1 and 2 below shall be fingerprinted and photographed prior to their release.

1. Criminal Offenses.

   a. All felonies.

   b. All misdemeanors prosecuted by the Corporation Counsel:

      (1) Violation of the firearms regulations.

      (2) Sex offenses, to include those encompassed by the disorderly conduct statutes.

      (3) Jostling or peeping tom.

      (4) All other forms of disorderly conduct; except that, those persons charged with any offense under the disorderly conduct statutes (except jostling or peeping tom) who reside in the District of Columbia, and who have acceptable documentary identification sufficient to show residency in the District of Columbia, shall not be fingerprinted and photographed. Examples of acceptable identification are given in part I, paragraph B3.

2. Traffic Offenses.

a. Operating a motor vehicle involved in an accident resulting in death of another.

b. Operating a motor vehicle at a speed in excess of thirty miles per hour above the authorized speed limit.

c. Operating a motor vehicle in disregard of restriction imposed.

d. Operating a motor vehicle while apparently under the influence of intoxicating liquor or drugs.

e. Leaving the scene of an accident, in which the motor vehicle driven by him was involved and in which there is bodily injury, without giving assistance or making his identity and address and that of the owner of the vehicle known.

f. Reckless driving involving bodily injury.

g. Engaging in the commission of a felony in which a motor vehicle is involved.

h. Operating without a D.C. permit when one is required.

3. Acceptable Identification.

For purposes of this order, examples of acceptable documentary identification sufficient to show residency in the District of Columbia shall include:

a. A valid District of Columbia driver's permit showing District of Columbia residency.

b. Any personal card or document, showing D.C. residency and including a photograph, issued by a Federal, State or local governmental agency as identification or evidence of local entitlement to public benefits or status.

c. Any personal card, showing D.C. residency and including a photograph, issued by a recognized local commercial firm as identification or evidence of entitlement to enter a place of employment.

d. Any recognized commercial credit card which includes a photograph and District of Columbia residency.

e. Any combination of photo identification and other documentation which in the discretion of the official in charge sufficiently demonstrates personal identity and District of Columbia residency.

C. Procedures.

1. On the effective date of this order, all persons in the categories stated in part I, paragraphs B1a and B1b, who are to be fingerprinted and photographed, shall be processed at the Identification Annex, located adjacent to the Central Cell Block. All persons in the category stated in part I, paragraph B1c, who are to be fingerprinted and photographed, and all those in part I, paragraph B2, shall be fingerprinted and photographed at the district station wherein they were arrested.

2. Photographs and fingerprints taken at the district stations shall be transmitted to the Identification Annex, Central Records Division, via regular messenger service.

3. In exceptional circumstances, i.e., mechanical failure of equipment or unavailability of trained personnel, prisoners required to be processed in the districts may be processed by the Identification Annex. However, before any person normally processed at a district station is sent to the Identification Annex under the conditions outlined above, the approval of the official then in command of the concerned district shall be obtained.

4. All prisoners arrested, who are required by this order to be fingerprinted and photographed, shall be transported to the arresting officer's organizational element of assignment or to the nearest district station for booking, processing, and preparation of the necessary reports.

5. All prisoners (misdemeanants) arrested who are not required by this order to be fingerprinted and photographed shall be transported directly to the Central Cell Block from the scene of arrest, unless:

a. The offense is one for which collateral may be deposited and the collateral is reasonably available.

b. The prisoner is eligible for release under the Citation Release Program. All prisoners who are eligible for a citation should, after processing, be detained at the organizational element until released.

6. All prisoners transported to the organizational elements (even those prisoners required by this order to be processed through the Identification Annex) shall be afforded the opportunity to make necessary phone calls while at the organizational elements to arrange for bond, collateral, counsel, and to notify families or employers. This information shall be noted in the statement of facts on PD Form 163 (Prosecution Report).

7. Upon completion of the necessary reports and/or processing, the prisoner shall then be delivered to the officer in charge of the Central Cell Block, unless the prisoner:

a. Is going directly to court and is not required to be processed through the Identification Annex.

b. Has deposited collateral and can be released.

c. Is a female (Female prisoners not going directly to court shall be transported to the Women's Detention Center.).

d. Eligible for release under the Citation Release Program.

8. Those prisoners (misdemeanants) who are eligible for release under the Citation Release Program and who are required by this order to be processed through the Identification Annex shall also be booked at the nearest district station or the arresting officer's organizational element. They will then be transported to the Identification Annex. The transporting officers will be responsible for processing the prisoner, after which they will return the prisoner to the organizational element where he was originally booked. There, the prisoner will remain until released. If, however, while at the annex, the transporting officers are notified by the station clerk that the prisoner is not eligible for release under the Citation Release Program, the prisoner shall be confined at the Central Cell Block and the officers will return to their organizational element for service. Every prisoner brought to the Identification Annex must be accompanied by the Arrest Report (PD Form 255) and the Prosecution Report (PD Form 163).

9. When transporting officers have delivered prisoners to any facility as required by this order, they shall, unless directed otherwise by an official of this department, return at once to their organizational element.

10. Prisoners shall be transported to the Central Cell Block with all personal property except vehicles and evidence. Articles that are dangerous or with which the prisoners may effect their escape shall be removed and transported in the operator's section of the transporting vehicle. Vehicles shall be stored at the station house of that district where the arrest occurred; and evidence, except narcotics, shall be held at the organizational element to which the arresting officer is assigned. Illicit or suspected narcotics or drugs shall be turned over to a member of the Narcotic Branch, Morals Division, as soon as possible. During the hours when prisoners are transported directly to court (0500 hours to the close of the court business day except on Sundays), personal property that a prisoner is not permitted to take to court shall be held at the district station where the prisoner was originally booked.

11. Districts shall not transport prisoners to the Central Cell Block for detention purposes between 0500 hours and the close of the court business day, with the exception of Sunday. (To verify the termination of the court business day, contact the Police Liaison Officer located in the D.C. Superior Court who will, in turn, query the U.S. Marshal on duty).

12. Prisoners arrested between 0500 hours and the close of the court business day, excluding Sundays, shall be booked and processed at the organizational element and then transported directly to the D.C. Superior Court Cell Block, unless:

a. They are required by this order to be processed at the Identification Annex.

b. It is necessary for them to appear at lineup.

c. The charge is one for which collateral may be posted and is readily available.

In these cases the prisoner will be processed accordingly and then transported directly to court, unless he has posted collateral.

13. Prisoners will not be accepted at the morning lineup after 0715 hours. Transporting officers shall take these prisoners directly to court, if court is in session, after they have been processed.

14. If possible, all prisoners sent to the Identification Annex and to lineup shall be clothed as when arrested, including their ties, belts, and hats.

PART II

A. Commanding Officers.

It shall be the responsibility of the commanding officers of each district to select and maintain on each tour of duty a sufficient number of trained men to successfully carry out the provisions of this order.

B. Director, Central Records Division.

It shall be the responsibility of the Director, Central Records Division, to train the officers selected by each commanding officer to participate in the program and to supply necessary photographic and fingerprinting equipment.

Jerry V. Wilson
Chief of Police

DISCIPLINARY MATTERS

Senator INOUYE. I have some questions on disciplinary matters which I would like to submit to you. They involve individuals, sir. This material is for the committee files.

Chief WILSON. All right, sir.

Senator INOUYE. I do not want in any way unnecessarily to jeopardize the career of anyone.

The committee has received information that in several instances your Department has recommended termination for cause of police officers, only to have this decision overruled by the Mayor's office. How many termination cases have been overruled in fiscal years 1971 and 1972, in the calendar years 1971 and 1972? You may wish to provide that information.

Chief WILSON. We have it, Mr. Chairman.

We can provide it for the record. My recollection is—and I looked at the data this morning—in the last couple of years there have been perhaps five cases overruled. But I should make it clear that in the calendar years 1970 and 1972, I do not remember a case where the Mayor has overruled my recommendation. While the Trial Board may recommend removal, it would be inappropriate for me to say the Mayor has overruled cases that the police department recommended, because I review the cases before they go to him and in several instances I recommended they be overruled.

I will provide that for the record and indicate any instances where I have recommended removal. [Checking.]

Here it is for the fiscal year of 1970: Nine officers were recommended for removal from the force, two did not appeal—one terminated, and one resigned. Seven appealed to the Mayor, one officer resigned before the appeal, three officers had the recommendations for removal modified by Commissioner's order and fines assessed, and the others were removed.

So nine were recommended for removal, three of them were not upheld by the Mayor, and probably by me.

In fiscal 1971, five members were recommended for removal from the force. Two appeals are still pending, but in two cases the removals were overturned by Commissioner's orders.

In fiscal year 1972 eight members were recommended for removal, and to this point, one case has been overruled. However, there are still pending appeals.

But I would again make it clear that I do not remember a case that the Mayor has overturned that I did not recommend he overturn.

ALLEGED FAVORITISM ON PROMOTION EXAMS

Senator INOUYE. This committee and I, personally, have received at least a dozen calls from police officers, complaining that certain favored officers have received promotional examination sheets in advance of taking these exams.

In fact, most of the callers have named two officers, whose names I will furnish to you. If there allegations are true, it could be detrimental to the morale of the department. And if it is untrue, it should be refuted.

This rumor must be widespread if we get 12 officers to call. Do you know of any instance where officers have received in advance copies of examinations?

Chief WILSON. Mr. Chairman, I know of absolutely no instance where an officer has received an advance copy of an examination. However, ever since I have been on the force, at every exam I have heard rumors this occurred. I have never seen a substantiated case.

However, if you have two names, I will certainly be glad to thoroughly investigate it and report back to you.

Senator INOUYE. Is our calculation correct that in calendar 1971 the average new officer received $3,000 less than the average new officer in 1970 because of less overtime pay?

Chief WILSON. That would not surprise me, Mr. Chairman. Three thousand sounds—well, that probably would not surprise me. That sounds a little high, but there is no doubt there was a great deal of overtime worked. It is probably on that order of magnitude.

BREAKDOWN BY RACE

Senator INOUYE. In the promotional examination scoring, do you have a breakdown by race for the average scores for blacks and average scores for whites in the efficiency rating aspect?

I would like to get the average score for the white officers and the average score for the black officers. Could you provide this committee with that?

Chief WILSON. Yes, Mr. Chairman. I do not think we have it but we can certainly provide it.

For the promotional examination, Mr. Chairman, you are referring to the last one? There is one next Saturday, but you are referring, I gather, to the last one.

Senator INOUYE. Yes.

(The information follows:)

Promotion Exam Average Scores

The average scores, by race, on the written portion of the 1971 Police Promotional Examination are as follows:

	Blacks	Whites
Sergeant		
Average	56.04	59.01
Number Taking exam	320	725
Lieutenant		
Average	61.23	61.95
Number Taking exam	39	294
Captain		
Average	66.23	62.33
Number Taking exam	9	84

Metropolitan Police Department
March 31, 1972

TERMINATION DURING THE FIRST YEAR

Senator INOUYE. How many of the officers that have been hired subsequent to the commencement latest recruitment drive have been terminated or have voluntarily resigned prior to the completion of their first year of probation?

Chief WILSON. We can provide that for you, Mr. Chairman.

Again, the number of terminations in the first year are traditionally high. But we will provide the precise figures.

(The information follows:)

The following probationers left the Department in 1971 for the following reasons:

Resigned	196
Terminated or separated-disqualified	83
Military furlough	42
Transferred to EPS	2
Death	2
Total	325

CARRYING OF FIREARMS

Senator INOUYE. Is it your policy to require all police officers to carry firearms within the city limits?

Chief WILSON. Yes, Mr. Chairman. This is a requirement of the Police Manual, and is in a regulation by the City Council. It is a requirement that all police officers carry their service weapons or another weapon approved by the department within the city.

Senator INOUYE. Does this mean that those who reside in the city are always on duty?

Chief WILSON. That is correct, Mr. Chairman. The manual states that an officer is always on duty and indeed there is a statute which makes it a criminal offense for an officer to fail to make an arrest any time for an offense against the United States, committeed in his presence.

OFFICERS ON ADMINISTRATIVE LEAVE

Senator INOUYE. How many officers are on administrative leave, with pay and without pay? Would you provide that for the record?

Chief WILSON. Yes, sir; we can, Mr. Chairman.

(The information follows:)

The following is a break-out of administrative leave:

Sabbatical leave with pay	8
Administrative leave with pay	26
Leave without pay	14
Suspended without pay	17

COST OF IMPROVING THE PORTABLE RADIO SYSTEM

Senator INOUYE. What is the cost of improving the so-called portable radio system on an annual basis?

Chief WILSON. Could we provide that for the record, Mr. Chairman?

Senator INOUYE. Yes.

Chief WILSON. Are you referring to improving it beyond its present capacity?

Senator INOUYE. Yes.

(The information follows:)

The present plans for improving the portable radio system is to install, on a phased basis, a communication voting system on six frequencies so that each district will have the capability of enhanced inter-communication with its assigned portable radios. The 6th and 7th District will share the same frequency. The cost of providing this on-street coverage is estimated at 86 thousand dollars ($86.0). Current year funds in the amount of 28 thousand dollars ($28.0) would pay for the equipment of two of the six frequencies which will provide on-street coverage for the 1st, 6th and 7th Districts. Fiscal year 1973 funds would permit the purchase of equipment for the remaining four frequencies in the amount of 58 thousand dollars ($58.0). Based on future year fund availability and priorities, the long range plans are to significantly upgrade the system to provide for radio transmissions from within a building reaching the intended receiver. This would require additional voting equipment and, while additional tests would be required, preliminary estimates place this second phase improvement at about 200 thousand dollars ($200.0).

REMOVAL OF DRUNK DRIVERS

Senator INOUYE. On page 14 of your statement you speak of removing more drunk drivers from the streets of our community. Do you mean by imprisonment or revocation of licenses, or some other deterrent?

Chief WILSON. Well, as a matter of deterrent, of course, our only action within the Police Department can be through arrest and obtaining convictions of drunken drivers. Beyond that, the assumption is that this will be followed by revocation or suspension.

Senator INOUYE. You suggested in your statement, also, that you are hopeful of reducing this so-called nolle prosse dismissal. What is the present rate nolle prosse cases?

Chief WILSON. We will provide that for you, Mr. Chairman. This is with regard to our establishment of a case review section in the U.S. Attorney's office, which is aimed at trying to improve essentially the presentation of cases by officers and to follow through to determine where we failed. This review is not only to upgrade presentations on a case-by-case basis, but also to improve training and advance our policy of presenting cases in a way that they are prosecutable.

(The information follows):

Statistics relative to the "no paper-nolle prosse" rate are maintained by the U.S. Attorney's Office. That office indicates the current rate to be approximately twenty-five to thirty percent.

POLICE BOYS CLUB

Senator INOUYE. We have several questions relating to the Police Boys Club, which we would like you to provide answers to for the record.

(The questions and responses follow:)

What programs are offered by the Boys Club?

As of November 1, 1971 the Boys Club had a membership of 20,153 organized into nine clubs. All statistics given below relate to calendar year 1971.

1. Athletic Programs:

Baseball: 33 teams played 380 games, servicing 8,300 boys.

Football: 48 teams played 404 games, servicing 10,100 boys.

Basketball. 49 teams played 404 games, servicing 11,136 boys.

Other athletic activities include boxing, tumbling, track, volleyball, softball.

2. Musical Programs:
Boys Club Band: 90 members played 42 engagements.
Drum and Bugle Corps: 80 members played 32 engagements.
Every member has the opportunity to join either unit and is furnished a musical instrument.
3. Summer Camp: 1,458 boys attended the two-week program at no cost to the boy or his parents.
4. Recreational Programs:
Members are grouped according to age, i.e., Midget 6–10 years, Junior 11–14 years, Senior 15–18 years.
Activities include table games, bowling, fishing derbys.
5. Social Programs: Daily, selected television programs; weekly, full length feature movies; merit award nights; seasonal parties, family picnics and other outings.
6. Crafts and Hobbies: Model building; woodwork, plaster moulding; soap box derby; boat regatta, kite building.
7. Educational Programs: Tutoring (all ages); character education; Toastmasters International; photo lab; supervised tours; art; informal use of library; job training.

Can you outline some of the more pressing needs for the Club?

1. Personnel: Fifteen additional personnel (civilians) are needed to act as coaches in athletic and educational programs, and as crafts instructors.
2. Transportation: Three additional Maxi-buses are needed to transport boys to the scene of various Club-sponsored activities.
3. Availability of playing fields and gymnasiums: As the use of playing fields and gynasiums (after school hours) is controlled by the District of Columbia Department of Recreation, the Club's athletic activities are curtailed to a degree contingent on prior or higher priority commitments, e.g. league play. Greater availability of playing fields and gymnasiums would greatly benefit the Club.

What is the scope of the Boys Club operating expenses?

The Club's operating expenses are in large part met by adult membership and private donations. The Metropolitan Police Department provides the full-time services of one Lieutenant, two Sergeants, and twenty officers. Additionally, twenty officers are detailed to the Club for 36 weeks of the year, specifically to assist during the baseball, football, and basketball seasons. In addition to this staff assistance, the Metropolitan Police Department assumes payment for the following minor expenses incidental to the Club's operation: telephone service, office supplies and, occasional bus transportation. These minor costs are not separately identified in the budget; however personnel costs are included in Program B, Field Operations, on page 20–9 of the line item budget. The other specified minimal expenses are included in Program F, "Other Objects" on page 20–8 of the line item budget.

PRAISEWORTHY ACCOMPLISHMENT OF THE POLICE DEPARTMENT

Senator INOUYE. I would like to close this segment of the hearing by applauding the police for several things. I want it to be known I am not just critical of activities. We have been impressed by the fact that we have not received any letters or any complaints relating to brutality, which is quite an accomplishment for any police force.

We have been impressed by the fact that your parking ticket violation collections have improved markedly. And the fact that the crime rate in the District of Columbia has dropped, is something that we can all be proud of, and I believe the Department can take some credit for this.

We have been very much impressed that you have the capacity to handle all of the additional calls generated by the new emergency telephone number 911.

I think it should also be noted that your Department, of its own volition, has dismissed about 60 officers last year for various irregularities. These are some of the things on which you should be complimented, because I think these things are noteworthy. On the person-

nel questions, I am sure you will provide the information for our confidential files. We would appreciate it.

Chief WILSON. Yes, Mr. Chairman, we will provide the information.

Senator INOUYE. Thank you very much.

Mr. Jordan has some questions.

Mr. JORDAN. Over the past 3 or 4 years I have had approximately half a dozen occasions to visit your training school. You know from our personal conversation and from some questions asked here, the concerns that we have had.

I did want to tell you that over the past year I made two visits to your new facility. I regard it to be the best building that the District of Columbia government has built that I have been in. It is functional, it is well built, it is well planned, and from talking with representative groups of students in the schools—both inservice and recruits—I find, the training program being carried on to be a very superior one.

Chief WILSON. Thank you. We are working very hard to improve it even further, as I suspect you know.

Senator INOUYE. Thank you very much.

Chief WILSON. Thank you, Mr. Chairman.

Senator INOUYE. I would like to call a short recess for about 7 minutes.

(Short recess.)

74-704 O - 72 - pt. 1 - 42

Fire Department

STATEMENT OF JOSEPH H. MATTARE, FIRE CHIEF

ACCOMPANIED BY:

DANIEL PLASS, ACTING ASSISTANT FIRE CHIEF FOR SERVICES
EDWARD EBERHARD, ADMINISTRATIVE OFFICER
FRANKLIN MAPHIS, BUDGET OFFICER

PREPARED STATEMENT

Senator Inouye. We will resume our hearings and hear from the Fire Chief, Joseph H. Mattare, who will testify in behalf of the department. The amount is $31,070,600.

Welcome to the committee, sir.

Chief Mattare. Thank you, Mr. Chairman.

I would like to present for the record a statement I have here.

Senator Inouye. Without objection, the statement will be made a part of the record, sir.

(The statement follows:)

Senator Inouye, members of the Committee, I am Joseph H. Mattare and this is my first appearance before you as Fire Chief. I appreciate the opportunity to bring to your attention the needs of the Fire Department as reflected in the Fiscal 1973 Budget Request.

The primary functions of the Department are to prevent fires from occurring and to extinguish those that do occur. The Department also operates the City's emergency ambulance service and performs rescue activities arising from causes other than fire.

To carry out these functions in Fiscal 1973, a request is made for $31 million 070.6 thousand and authority for 1506 positions is sought. This is $1 million 368.8 thousand more than presently authorized for Fiscal 72 but four fewer positions. The difference represents a reduction of $277.5 thousand and five positions in firefithting manpower and increases of $1 million 646.3 thousand and one position.

The increase includes an additional $1.5 million for pension payments to retired firemen and their beneficiaries. From recent analysis it has been estimated that the cost of pension rolls will increase approximately one percent each month. Based on this, the total need for Fiscal 1973 will be $10.5 million.

An additional $59.2 thousand is requested for the most recent classified and wage system pay increases.

The increased cost of fire apparatus requires an additional $58.6 thousand. From a total expenditure of $329.0 thousand, the Department plans to replace five 1956-57 pumping engines at a cost of $40.0 thousand each, a 1950 aerial ladder truck at $80.0 thousand, the

Foam and Dry Chemical Truck at $45.0 thousand, and one utility truck at $4.0 thousand.

To improve the training of firemen, $25.3 thousand and one position are requested. These will provide an officer to devote full time to developing the various manuals, training aids, and lesson plans required for in-service training at the company unit level and at the Training Center. The funds will also provide an additional $18.0 thousand to support the Department's curriculum at the Washington Technical Institute. Through this program members of the Department can receive either a certificate or an associate degree in fire science. The additional funding will be used to reduce the time required for a certificate from 3-1/4 years to 2-1/4 years and the time for a degree from 7-1/2 years to 5 years. The balance of the training funds will provide additional air masks for enlarged probationary classes.

The Fire Department conducts the Washington Junior Fire Marshal's Program which teaches fire safety to 5th grade students. Prior to Fiscal 1973 the cost of supplies was funded through a private grant from the Sears and Roebuck Foundation. The grant will not be continued; therefore, $3.2 thousand is requested to continue the program in its present form.

I have briefly outlined the requirements of the Department for Fiscal 1973. This level of funding will allow it to maintain its companies at strengths sufficient to meet the needs of the city.

This concludes my statement. I will be happy to answer any questions.

SUMMARIZATION OF STATEMENT

Chief MATTARE. I would like to summarize what is included in the statement, if I may.

Senator INOUYE. Please proceed.

Chief MATTARE. The statement includes the functions of the District of Columbia Fire Department and requests in order to accomplish these functions, a total budget of $31,070,600, and authority for 1,506 positions.

This is $1,368,800 more than presently authorized for fiscal 1972, but four fewer positions. The difference represents a reduction of $277,500, and five positions in firefighting manpower and increases of $1,646,300, and one position.

The increase includes an additional $1.5 million payments to retired firemen and their beneficiaries.

$59,200 is requested for the most recent classified and wage system pay increases.

$58,600 increased cost of fire apparatus; $25,300 and one position to improve the training in the fire department; $3,200 for the junior fire marshal's program.

The increased total is $1,646,300.

MOONLIGHTING

Senator INOUYE. How many of your officers moonlight, and what is your policy on moonlighting?

Chief MATTARE. I have a very liberal policy on moonlighting. I do not know the exact number. I can furnish that for the record.

Senator INOUYE. We would appreciate that, sir.

(The information follows:)

FIREMEN HOLDING SECOND JOBS

The total uniformed strength of the District of Columbia Fire Department is 1,436 men. Of that number, 641 are currently holding part-time jobs in addition to their jobs in the Department. This is 45 percent of the total.

Chief MATTARE. We feel that unless it is a type of work that is so very debilitating that we have no objections to our men working. We do limit it to the number of hours that they can work.

Senator INOUYE. What is the limitation?

Chief MATTARE. Twenty hours per week.

Senator INOUYE. What percentage of your officers do work? I would like from you an approximation.

Chief MATTARE. Offhand, I would say somewhere around 60 percent.

Senator INOUYE. Has your new retirement program—the optional retirement—resulted in an increased loss of experienced personnel?

Chief MATTARE. The optional retirement? No, sir. In fact, very few men have retired optionally.

Senator INOUYE. Do most of your new recruits come from within the District of Columbia?

Chief MATTARE. No. But since I have become Fire Chief, more have come from the District, because I have made a concerted effort to recruit the minority groups in the District of Columbia. For illustration, we took on by last count, 106, of which 58 were black and 48 were white.

Senator INOUYE. That live in the District?

Chief MATTARE. Most of the black firemen live in the District of Columbia.

RETENTION OF EXPERIENCED OFFICERS

Senator INOUYE. Are you experiencing difficulty in retaining experienced officers?

Chief MATTARE. No, sir.

Senator INOUYE. What about recruiting men for replacements?

Chief MATTARE. We have sufficient applicants so that we are experiencing no difficulty. In fact, we have only 18 vacancies within the uniformed forces of the fire department at this time.

Senator INOUYE. What has been your experience during the past calendar year of having your officers being pelted by rocks or attacked while responding to fires?

Chief MATTARE. There have been occasions. I believe that these attacks are lessening. I know, for instance, since I have been Fire Chief, I have received six instances of reports of stoning, no injuries to firemen. I am inclined to believe that in some instances they may be taken out of proportion to what they actually are. Young children, 10-, 12-year-old boys, throwing a single rock, maybe.

Senator INOUYE. What is your policy under those circumstances?

Chief MATTARE. We have two members who are actively engaged in community relations and the reports are forwarded to them and they immediately go to the neighborhood, try to get as much information as they can relative to the incident, and make every effort to find out who and why.

TRANSFER OF AMBULANCE SERVICE

Senator INOUYE. Would you favor transferring the responsibility of the ambulance service to some other agency?

Chief MATTARE. No, sir. I protested very vigorously to the proposed move of the ambulance service to the Department of Human Resources.

Senator INOUYE. Do you feel that this service can be better performed in your department?

Chief MATTARE. Yes, sir.

Senator INOUYE. For what reason, sir?

Chief MATTARE. Because we have strategically located fire houses, our men are conditioned to emergencies. We have the capability for servicing these ambulances and equipment. Also, we have a very fine communications setup.

Senator INOUYE. Are the police department helicopters presently equipped to provide ambulance service or medical service?

Chief MATTARE. To my knowledge, they are not equipped to provide ambulance service.

Senator INOUYE. Do you think they should be?

Chief MATTARE. I have often been asked whether or not I thought we should have helicopters within the fire department for ambulance service. I wonder at the advisability of this because we are within 10 or 15 minutes of any hospital. There is however, Route 295 where we could have a very serious accident and where a helicopter may be very useful. I would not be opposed to helicopters within the emergency ambulance service. I just question the advisability, because of the expenses involved.

LOCKING OF FIRE EXITS IN SCHOOLS

Senator INOUYE. We have received several calls suggesting that fire exits in public schools have been locked during school hours. Is this information correct?

Chief MATTARE. Yes, sir. We are constantly in communication with the principals. I personally have written at least two, perhaps three letters of complaint to the Superintendent of Schools. We even had one of the principals appear before the Corporation Counsel's office. He was warned that if there were any further violations, he would be charged with a violation of our fire prevention code.

I must say that Dr. Scott has vigorously opposed this locking of doors. He sent out several communications. He always forwards one to me. It is a very serious problem. The principals on occasion have indicated that they would prefer taking a chance with a fire emergency rather than the crime problem, the drug problem, that they are faced with, in some instances. I do not condone locking authorized exit doors and we are constantly on the alert for this sort of thing.

Senator INOUYE. What is the projected cost for pay raises in fiscal year 1973 for the fire department? We must anticipate this and take it into consideration.

Chief MATTARE. The pay raise bill which is now before the Congress? I do not have those figures here, but we will furnish them for the record.

Senator INOUYE. I will appreciate it.

(The information to be furnished follows:)

COSTS OF ANTICIPATED PAY INCREASES FOR POLICE AND FIREMEN IN THE DISTRICT OF COLUMBIA

The Mayor-Commissioner is now preparing to present his recommendations on salary increases for uniformed policemen and firemen to the National Pay Board. This information will probably be supplied to the Board by early April, and the City will prepare legislation to provide for the pay increases after final action by the Pay Board. The legislation submitted to the Congress will also provide for obtaining the additional resources required to meet the higher personnel costs.

There is now a pay bill before the Congress (H.R. 12710); this bill is sponsored by the police and firemen's associations. On the basis of the provisions of H.R. 12710, the pay raise for firemen only would cost $4.8 million in Fiscal Year 1973. The current bill does not contain proposals for financing the pay raises.

STARTING SALARY

Senator INOUYE. With this new pay raise, what would be the beginning rate, sir?

Chief MATTARE. The beginning rate?

Senator INOUYE. Yes.

Chief MATTARE. $9,500 for the first step and $10,000 for the second step.

FALSE ALARMS

Senator INOUYE. What has been your recent experience with false alarms? This was a matter of some concern about 3 years ago. What was the experience last year, the last calendar year?

Chief MATTARE. I am very happy to report our false alarm rate is dropping off quite noticeably. In part, I think due to the voice alarm type boxes which we used to replace 111 telegraph type boxes.

For illustration, in August of 1971, on the telegraph type alarm boxes, we had 240 false alarms. And the last month, for the same number of voice alarm boxes, we had 15 false alarms.

CHAUFFEURS

Senator INOUYE. Chief, as you are aware, this committee and the House committee has specifically exempted you and the chief of police from the stringent limitations on chauffeurs and drivers. I must say, however, that I cannot understand, although I have tried my best to, why you need around-the-clock drivers.

As we analyze this, it takes 5 man-years to staff a 24-hour operation, when you consider leave, illness, et cetera, at a cost estimated to be about $60,000 a year. Is it imperative that you have around-the-clock drivers?

Chief MATTARE. I consider it urgent, sir, because I respond to all second alarms. I purposely live in the District of Columbia so that I can get there in a hurry. My vehicle is housed within four or five city blocks of where I live. Since becoming fire chief, other than during normal office hours, I have made 280 separate visits to fire stations or responses to fires.

I feel that it is most urgent that I continue to have this driver aid service.

Senator INOUYE. The chief of police also has around-the-clock drivers, but I believe on one or two of these shifts he has cadets doing the driving chores.

Chief MATTARE. Yes. And I might say that the term "driver" is in a sense a misnomer. The person who drives me is also an aide, in that he is a firefighting aide. And when we get on the fire ground, he simply does not stand around and wait to drive me home. He is performing innumerable duties which I must take care of.

Conditions in the rear of buildings, conditions on the sidewalk, water in basement two and three doors away. People who have to be housed. Emergency aid. Red Cross. He is, in every sense, a firefighter when we reach the fire grounds.

Senator INOUYE. Thank you very much, Chief.

REPORT ON ALLEGED VIOLATION OF ANTI-DEFICIENCY ACT

Senator INOUYE. At this time I have been advised that the Budget Officer of the city, Mr. Coppie, has a report he would like to submit.

Mr. COPPIE. Thank you very much for this opportunity, Mr. Chairman.

Since receiving a copy of the letter from the Comptroller General dated March 13th to you, my office has been busily at work reviewing the letter and the alleged violations of the Anti-Deficiency Act.

I have submitted a report to the Mayor, dated March 17, 1972. In a letter dated March 17, 1972, he has transmitted the report to you.

I am mindful that the report has just been received by you and that you have not had an opportunity to review it. We are submitting the report for the record because of the priority nature and urgency of the issues involved. We will be available at a later time to address the report in more detail after you have had an opportunity to review it and perhaps to raise questions with regard to it.

I would like to specifically read from two paragraphs of the Mayor's letter to you:

> The report finds that there has been compliance with the Anti-Deficiency Act as it applies to District of Columbia appropriations and apportionments. A few cases of open apportionment accounts are still under review for determination as to compliance.
>
> APPROVAL OF ACCOUNTING PROCEDURE
>
> The issue in our judgment is actually one of the redesign of the central accounting system of the District of Columbia to enable it to provide the timely information that is needed for the present level of municipal government operations. Since the General Accounting Office on February 18, 1972, approved our statement of accounting principles and standards, we are now able to move rapidly to complete the complex redesign and restructuring of the central accounting system of the city government. We also plan to take interim measures to enable us to monitor departmental and agency accounts and balances on a more current basis.

Mr. Chairman, I want you to know that because of the publicity this issue has received this week, we have made a wide distribution of the report and the Mayor's transmittal letter to you. That distribution includes Senator Hatfield, the senior minority member of the committee; Congressman Natcher, Congressman McMillan; Senator Eagleton; and Congressman Fauntroy.

I want to reaffirm that we will be available to meet with you to discuss this report in more detail.

(The report follows:)

THE DISTRICT OF COLUMBIA

WASHINGTON, D.C. 20004

MAR 17 1972

Honorable Daniel K. Inouye
Chairman, Subcommittee on Appropriations
for the District of Columbia
Rm. 442, Old Senate Office Building
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

It is my privilege to send to you a report by our Office of Budget and Program Analysis commenting on the March 13 letter from Comptroller General Elmer Staats.

The report finds that there has been compliance with the Anti-Deficiency Act as it applies to District of Columbia appropriations and apportionments. A few cases of open apportionment accounts are still under review for determination as to compliance.

The issue in our judgment is actually one of the redesign of the central accounting system of the District of Columbia to enable it to provide the timely information that is needed for the present level of municipal government operations. Since the General Accounting Office on February 18, 1972, approved our statement of accounting principles and standards, we are now able to move rapidly to complete the complex redesign and restructuring of the central accounting system of the city government. We also plan to take interim measures to enable us to monitor departmental and agency accounts and balances on a more current basis.

The redesign of our central accounting system is receiving the high priority attention from my office that the Comptroller General recommended it be given in his February 18, 1972, letter to me.

We will be advising you of the steps we intend to take to complete this program of central accounting system improvement and of any additional resources required for this task.

Sincerely yours,

Walter E. Washington

Walter E. Washington
Mayor-Comissioner

March 17, 1972

MEMORANDUM

TO: Mayor Walter E. Washington

FROM: Comer S. Coppie
Special Assistant to the Mayor

SUBJECT: Report on Comptroller General's Letter of March 13, 1972

The Office of Budget and Program Analysis has completed a review of the eighteen instances of possible overobligations in the 1971 fiscal year cited by the March 13 letter of Comptroller General Elmer Staats to Chairman Daniel K. Inouye of the Senate Subcommittee on Appropriations for the District of Columbia.

It should be emphasized in summary that we have confirmed that the total appropriations were not exceeded during Fiscal 1971 and that all D.C. appropriations accounts ended in the black. Thus, it was clear that the objectives of the Anti-Deficiency Act of not overobligating appropriations were achieved.

The review shows that the overobligations listed by the General Accounting Office were developed from information which did not accurately reflect the financial condition of the District of Columbia accounts and balances at the time they were noted. This was mainly due to information in the accounting "pipeline" that had not yet been posted to the central accounting records. In addition, there were differences of interpretation of accounting procedures, as well as posting errors that had not been reconciled.

We believe that the effect of the listing by the General Accounting Office was to call attention to problems of the central

accounting system that had been previously identified and are in the process of correction.

The basic staff findings are:

(1) Total spending during Fiscal Year 1971 fell within the total amounts provided by Congress in its regular and supplemental appropriation measures for each of the eight appropriations as well as for the total budget.

The review confirms the statement in Comptroller Staats' letter "that the total obligations charged aginst each appropriation had not exceeded the total amount of the appropriation."

There are eight appropriations that together form the appropriations measure for the District of Columbia. They are the appropriation for capital outlay and the following seven operating accounts:

a. general operating expenses

b. public safety

c. education

d. recreation

e. human resources

f. highways and traffic

g. environmental services (formerly sanitary engineering).

(2) The eighteen instances of alleged overobligations related to apportionments which are departmental subdivisions of these appropriations and, in five instances, to allotments which are further subdivisions of the apportionments to the departments.

It is the overobligations of appropriations and apportionments for the District of Columbia that are covered by the Federal Anti-Deficiency Act. The Act does not extend to allotments made by the District of Columbia under each apportionment as long as the total apportionment itself is not exceeded.

The practice of the District government is to apportion at the level of the highest governmental unit practicable. This practice is consistent with that followed by the Federal government. Hence, there was in fact no violation by the five units of the Department of Human Resources mentioned in the GAO report. The apportionment account of the Department of Human Resources (including the five units listed by the General Accounting Office) in fact shows a positive balance for Fiscal Year 1971. Clearly, this was not an overobligation of an apportionment.

(3) Several instances cited in the GAO report related to the costs incurred during the emergency involving the massive demonstrations in the Capital of April and May 1971. The Anti-Deficiency Act clearly recognizes that an appropriation or apportionment may be exceeded "in cases of emergency involving the safety of human life or the protection of property."

Actually, it was not necessary to exceed the public safety appropriation because unobligated balances existed within that appropriation. Both the Congress and the President were advised of the operational measures that were taken and the costs incurred.

(4) In several of the instances cited by the General Accounting Office, the negative balances shown in the central systems reports did not accurately or completely reflect the financial condition of the governmental units cited, according to information furnished from their records in connection with this analysis. In some instances, there was information in the accounting system that had not been posted to the central system.

It needs to be understood that agency and departmental records are maintained at two levels -- (1) by the department concerned and (2) by the accounting system.

Under the present system, departmental records are more current than the records of the central system. Our analysis takes cognizance of the fact that the General Accounting Office listing was based upon an examination of central system records.

Some of the cases of alleged overobligations were not violations, but rather instances where reimbursements were not recorded in the central system prior to the time that the General Accounting Office examination occurred. Such expenditures were based on obligations to be reimbursed as authorized by various laws, for example: Title 1-244, D.C. Code; Title 24-446, D.C. Code; Chapter 13 of Title 20 of the U.S. Code. Moreover, this procedure is followed by Federal agencies as well.

In some cases, the central system did not accurately reflect the financial condition of a particular account due to posting errors. Such errors normally are reconciled before accounts are closed. The accounts involved are active accounts.

(5) Further examination is required in a very few cases to determine the circumstances under which the cited obligations were incurred and whether any of the obligations were in excess of apportionments. None of these instances involve substantial amounts.

****

I am attaching an item by item examination of the instances cited.

****

ACCOUNTING IMPROVEMENT

In your message to the Senate District Appropriations subcommittee, you said: "We have received important assistance from the General Accounting Office that has approved the city's statement of accounting principles and standards, permitting the city to go ahead with the design of a system that will give the executive office the timely information that it needs for effective management and control."

Some of the instances cited involve offices, agencies, boards and commissions not under the direct administrative control of the Mayor.

The General Accounting Office has urged that such units accept the city's statement of accounting principles and standards so that their records and the city's records may be maintained on the same basis.

As you know, the Corporation Counsel, at your direction, is working on the preparation of proposed language for legislation to clarify the accounting relationships between the central city government and such units.

As Comptroller General Staats suggested on February 18 when he approved the District's Statement of Accounting Principles and Standards, the next phase is the preparation of the design of the improved system as a matter of high priority.

This report adds emphasis to the need to modernize the accounting system of the District of Columbia.

ATTACHMENT - EXAMINATION OF INSTANCES CITED

The item by item examination of the instances cited by the General Accounting Office with notations of alleged overobligations in parentheses follows:

Metropolitan Police ($1,432,892) -- This involves obligations required to cope with May Day demonstrations, authorized as an emergency matter, and provided by available funds in the public safety appropriation.

Human Relations Commission ($2,384) -- This agency, now known as the Human Rights Commission, incurred this expense during the May Day period. Funds were provided under the appropriation for General Operations.

D.C. Bail Agency ($37,236) -- An estimated $15,000 of this obligation was for May Day activity. This is an agency

set up to serve the criminal justice system. Its work levels, of necessity, are determined by other agencies in the system, reflecting the activity of the courts and the police department. Covered by funds in the public safety appropriation.

Juvenile Court ($68,816) -- In February 1971, this court system was absorbed within the new Superior Court established by the 1970 Court Reform Act. For six months prior to that time, the chief judge of the Court of General Sessions assigned a number of his judges and other personnel to this court as part of a crash program to eliminate the backlog of approximately 4,000 pending cases before that court. The balances for this court properly are considered with the balances for the Superior Court which did not expend all its available funds during Fiscal Year 1971.

Vocational Rehabilitation Administration ($5,916) -- This formerly independent agency has been part of the Department of Human Resources since that department was created on March 6, 1970. The Department of Human Resources had a substantial positive balance at the time of the General Accounting Office examination.

Social Services ($1,110,617) -- Formerly the separate Welfare Department, this unit, like the Vocational Rehabilitation Administration, is a part of the Department of Human Resources which had funds available to cover these obligations.

Health Services ($962,711) -- Formerly the separate Health Department, this unit is part of the Department of Human Resources which had funds available for these obligations.

Narcotics Treatment Administration ($597,159) -- This unit was created originally as part of the old Health Department and assigned to the Department of Human Resources. Department of Human Resources had funds available for these obligations.

Office of Director of Human Resources ($140,447) -- Formerly a staff office reporting to the Mayor, this unit became the directorate of the Department of Human Resources when that department was created. Department of Human Resources had funds available for these obligations.

D.C. Teachers College ($250,334) -- The accounts of this agency which is under the administrative control of the Board of Higher Education are now being reviewed. It is now evident that there are accounting errors where costs have been improperly charged between years. When corrections are made, it is believed that the balance of this agency will end up in a positive position.

D.C. Public Schools ($194,594) -- The accounting problems of this agency which is under the administrative direction of the Board of Education have previously received attention. A report by this office which was made available to the four D.C. Committees of the Congress, the press, the public and the General Accounting Office on January 21, 1972, showed that there were probably no deficit balances outstanding against the

school system as of the end of Fiscal Year 1971. When reimbursements from Federal grant funds still in the pipeline are recorded, it will show that this agency's accounts were not overobligated, confirming the previous report.

Youth Development Services ($69,380) -- This agency is more appropriately referred to as the Special Assistant to the Mayor for Youth Opportunity Services. This agency was controlled under two accounts. Posting errors with respect to grant funds and the allocation of charges have occurred with respect to this agency. When corrective entries are made, the central accounting records will present no overobligations.

Board of Elections ($66,582) -- This instance is an outgrowth of the 1970 amendment to the D.C. Election Act creating the Office of Delegate to the House of Representatives, and the passage of legislation enfranchising persons in the 18 to 21 age group. Under the Congressional Mandate to hold a primary and a general election for this post, it was necessary to go forward with an intensive voter registration drive and the elections before funding was provided by the Congress. The Second Supplemental approved on May 25, 1971 failed to provide sufficient resources to cover the justified expenditures. We believe these expenditures are covered by Title 31, Section 665 (e) of the United States Code.

Board of Appeals and Review ($3,278) -- This account is still under review relative to the possible overobligation. Its workload is determined by the cases before it. Covered by the general operations appropriation.

Board of Parole ($25,915) -- This account is still under review. Its workload is determined by the cases before it. Covered by funds in the general operations appropriation.

Department of General Services ($148,649) -- This agency is unique as a service agency to other District departments. It receives funds from a variety of sources including reimbursements from Federal funds, and from other District agencies, from capital outlay appropriations and from general operations appropriations. When reimbursements still in the pipeline are recorded, it will be shown that this agency has not overobligated its funds.

D.C. City Council ($3,912) -- This is a small, independent unit that depends for its primary accounts on the central record system. It is likely that when posting lags are taken into account that there will be no overobligation. Any overobligation would be covered by funds from the general operations appropriation.

Department of Corrections ($56,485) -- This agency is within the public safety appropriation, but also receives grant funds and reimbursements by the Federal government for the care of Federal prisoners. It is believed that when all reimbursements are recorded, there will be no overobligation.

VIOLATIONS OF THE ANTI-DEFICIENCY ACT

Senator INOUYE. It is your present assessment that, notwithstanding the letter from the Comptroller General, the District of Columbia government has not violated the provisions of the Anti-Deficiency Act?

Mr. COPPIE. That is correct, Mr. Chairman. It is our conclusion that there are no reportable violations of the Anti-Deficiency Act at this time. The Mayor's letter does state that there are four accounts that are still being examined. They are open accounts; the amounts involved in these open accounts are relatively small, totaling $55,441.

Senator INOUYE. Have you discussed this matter with the Comptroller General's Office?

Mr. COPPIE. We have not discussed it with the Comptroller General's Office. The report will be transmitted to the Comptroller General's Office, but we have not had any further discussions with them.

Senator INOUYE. I would suggest you do so because the letter from the Comptroller General is quite precise.

I thank you very much. The Committee will give this matter very careful consideration. At a later time we would be very happy to sit with you and appropriate officials to discuss it.

Mr. COPPIE. Thank you very much, Mr. Chairman.

SUBCOMMITTEE RECESS

Senator INOUYE. The committee will not meet this afternoon, but will stand in recess until 10 o'clock Monday morning, at which time we will resume with hearings on the budget of the court system and related agencies.

(Thereupon, at 11:20 a.m., Friday, March 17, the subcommittee was recessed, to reconvene at 10:00 a.m., Monday, March 20, 1972.)

DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 1973

MONDAY, MARCH 20, 1972

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, D.C.

The subcommittee met, at 10:10 a.m., in room 1224, New Senate Office Building, Hon. Daniel K. Inouye (chairman) presiding.

Present: Senators Inouye and Hatfield.

DISTRICT OF COLUMBIA

PUBLIC SAFETY

DISTRICT OF COLUMBIA COURT OF APPEALS

STATEMENT OF HON. ANDREW M. HOOD, CHIEF JUDGE

ACCOMPANIED BY:
ALEXANDER L. STEVAS, CLERK
MRS. CLAIRE WHITAKER, FIRST DEPUTY CLERK AND PLANNING COORDINATOR

BUDGET REQUEST

Senator INOUYE. The subcommittee will please come to order.

This morning we are glad to have with us the Honorable Andrew M. Hood, Chief Judge of the District of Columbia Court of Appeals.

The budget request for fiscal year 1973 is $1,276,400. In view of the fact that the budget for the fiscal year 1973 increases both the operating expenses and capital outlay, which the court initially requested in the supplemental budget for fiscal 1972, I have requested the agency to justify both the 1972 supplemental and the 1973 budget.

Welcome, Your Honor.

PREPARED STATEMENT

Judge HOOD. We have filed with the committee, a statement regarding the supplemental. Primarily this involves a request for eight positions which were requested last year, and which were passed over. We are not requesting any compensation for those that we expected. So we are requesting $9,600 for the necessary equipment and supplies for these eight new positions.

(The statement follows:)

In Fiscal Year 1973, the D.C. Court of Appeals requests the addition of three positions and $201,100.00. This request was prepared based on the approval by Congress of the Court's F.Y. 1972 Supplemental Budget Request of eight positions and $9,600.00 which is also before the Committee today. The Court's successful implementation of the D.C. Court Reform and Criminal Procedure Act of 1970 is dependent on the additional staff requested in both the 1972 Supplemental Budget and the 1973 Budget. Disapproval of the 1972 Supplemental Budget would require a substantial revision of the 1973 request. With this in mind, the 1973 Budget justification is presented for your consideration.

In August 1972, Phase II of the judicial transfer provided by the Court Reform Act will take place. This transfer will give to the Superior Court of the District of Columbia jurisdiction of all local felonies and all local civil matters. Also to be transferred are cases involving gifts to minors, hospitalization and property of the mentally ill, commitment and maintenance of substantially retarded persons, appointments of committees for alcoholics and addicts, and appointment of conservators.

With this jurisdictional transfer, the D.C. Court of Appeals' workload will increase rapidly. We have predicted in Fiscal Year 1973, our case filings will increase to in excess of one thousand appeals. For this reason, the F.Y. 1973 Budget contains a request for three additional deputy clerks at the GS 7 salary level to expand the capability of the Clerk's Office. It also provides for increases in printing costs, telephone costs, rental of machines, postage, and additional compensation for retired judges. Other increases include annualization of funds approved in F.Y. 1972, withingrade advancements, and the classified pay increases of January 9, 1972.

The total Budget of the Court for F.Y. 1973 would be $1,276,400.00.

Judge HOOD. Do you wish me to go into those eight new positions which we attempted to do, and I thought did justify last year?

Senator INOUYE. Yes. Just for the record, I think it should be discussed, sir.

Judge HOOD. Three of those positions are necessary to implement provisions of the Court Reform Act, relating to bar admissions.

Beginning April 1, the court will have control over the admissions of the members of the bar. There are some 1,000 applications for admission to the bar during the year, to take bar examinations. We find this imposes upon the clerk's office an extremely heavy burden and will require at least three, which we have requested in there.

In addition to that, we request a law clerk for the court, which is the last of three positions created by the Court Reform Act. It provided for three. We have filled two of them and we want the third.

In addition to that, there is a stenographer to assist the three law clerks for the purpose of transcribing the memorandum prepared by those.

The additional positions, three deputy clerks, one at 10, one at 8, and one at 6, will be assigned to the clerk's office to process the present workload of the expanded court.

The Court Reform Act increased the jurisdiction of the trial court, gave our court three additional judges, which we have had, but this additional jurisdiction of the trial court with additional judges in the trial court, there are many more cases being tried, many more appeals being taken, and our clerk's office is simply not equipped at present to handle this additional work. It is on the basis of that we ask for these eight additions in the supplemental.

Senator INOUYE. Judge, in the category designated as "Other," you have a rather modest sum of $9,600, which, divided eight ways, allows $1,200 per position there. What is this $1,200 for?

Judge HOOD. Well, desks, typewriters, supplies. The equipment necessary for any new employee coming in there. We simply have to buy these additional pieces of equipment and supplies.

Senator INOUYE. You mean the supplies for the law clerk would be of equal cost to those of the stenographer?

Judge HOOD. I do not know it will work out exactly even. Mr. Stevas here, who is our clerk——

Senator INOUYE. According to your justification here, they are all precisely set forth at $1,200, whereas on the other items you would have, say, $627 or $712. But in this category, by coincidence, it is $1,200.

Judge HOOD. Each one will have to have a desk. Each one will have to have a chair. Each one will have to have a telephone. Cases, typewriters——

Senator INOUYE. This is the supplemental budget, is it not?

Judge HOOD. That is the supplemental.

Senator INOUYE. In other words, the $9,600 is for the eight, and the $1,200 would be the average cost.

Judge HOOD. That is right.

Senator INOUYE. I thank you very much, sir.

JUSTIFICATION OF FISCAL YEAR 1973 FUNDING REQUEST

Judge HOOD. Do you wish me to go through the 1973 budget, now?

Senator INOUYE. Please proceed with the 1973 budget.

Judge HOOD. Now, the 1973 budget is based on the assumption that we will get the eight positions requested in the supplemental. In the 1973 budget we are asking for three additional positions in the clerk's office. Beginning August 1 of this year, the trial court takes over practically all local jurisdiction, excepting that of the Register of Wills Office. Right now they are entitled to seven additional judges. Again, the workload of our clerk's office is bound to increase, and it is for that purpose we have requested these three additional positions.

The other increases are largely due to the increase in cost of printing, telephones, and other increases including within-grade advancements.

Senator INOUYE. So the total combined request would involve 11 new people?

Judge HOOD. That is correct, sir. And I might say we only have 14, and with that 11, it would give us 25 in the clerk's office.

And as I set forth somewhere, I do not like making comparisons too much, but the only comparable clerk's office is the U.S. court of appeals. They have nine judges and they handle approximately the same amount of cases which we will be handling, and their clerk's office is larger than the 25.

Besides, they do not handle the bar admissions which we have. We are asking for these three additional for only 9 months' funding. They would not be appointed until after August with the new jurisdiction, and we would not begin to feel the increase until around September.

Senator INOUYE. Then you feel that under the provisions of the Court Reform Act, these positions are necessary?

Judge HOOD. We do.

Senator INOUYE. Thank you very much.

Judge HOOD. Thank you, sir.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

STATEMENT OF HON. HAROLD H. GREENE, CHIEF JUDGE

ACCOMPANIED BY:

ARNOLD MALECH, EXECUTIVE OFFICER

JOSEPH M. BURTON, CLERK

BUDGET REQUEST

Senator INOUYE. Our next witness is Hon. Harold H. Greene, chief judge of the superior court. The amount requested for the 1973 fiscal budget is $16,083,300.

Welcome, Your Honor.

PREPARED STATEMENT

Judge GREENE. It is a privilege to be before the committee, Mr. Chairman; I have with me Mr. Arnold Malech, the executive officer for the District court system, and Mr. Joseph M. Burton, the clerk of the court.

(The statement follows:)

I appreciate the opportunity to testify before the Subcommittee in support of the appropriations requested by the Superior Court of the District of Columbia for fiscal year 1973 and for 1972 supplementals.

The total budget estimate for 1973 for the Superior Court is $16,083,300. This represents an increase of $3,359,400 over the 1972 adjusted budget. However, I should note that 85% of that increase, or $2,848,600, consists of required items, principally annualization of positions requested in the 1972 supplemental, and the transfer of the Commission on Mental Health and Auditor-Master from the United States District Court for the District of Columbia to the Superior Court, to be effective August 1, 1972 as provided by the D.C. Court Reorganization Act. Only $510,800 of the increase is attributable to new requests, and that amount represents an increase over the adjusted 1972 budget of approximately four per cent.

In addition to the 30 positions transferring from the United States District Court for the District of Columbia, the Court is requesting 60 new positions as follows:

1 Programmer and 4 Key Punch Operators will be for the Data Processing Division to meet the expanded application in this function which is one of the most important of the Court.

3 positions are requested in the Office Services Section of the Administrative Division to cope with the purchasing and distribution of equipment and supplies, and 2 positions to alleviate the workload of sorting and distributing mail, memoranda and Court documents throughout seven buildings occupied by the Court.

11 positions will be for the Criminal Division to handle the ever-increasing workload resulting from court reorganization.

2 positions are requested in the Civil Division, including the Small Claims Branch, 2 positions for the Appeals Office, 5 positions for the Family Division and 1 position for Courtroom Operations. These positions will likewise handle the increased responsibilities resulting from the new legislation.

4 positions are requested in the Planning and Research Division to provide adequate statistics and planning and research support for all divisions of the Superior Court.

23 additional positions are requested for the Social Services Division to assure smooth handling of the considerable increase in caseload in all areas of this Division.

2 positions are needed to implement the development of a system-wide library for the D.C. Court of Appeals and the Superior Court.

The 1972 supplemental request for the Superior Court consists of $300,900 mainly for equipment for 121 positions

to further implement the court reorganization as authorized in Public Law 91-358, the Court Reform and Criminal Procedure Act.

Funding for this phase of implementation was requested in the original 1972 budget, but denied by the Congress. Additional judges authorized by the Act and requested in this supplemental are to assist the Court in assuming new responsibilities and jurisdiction as scheduled in the Act.

Personnel costs for the 121 positions requested will be absorbed within available funds for the remainder of the 1972 fiscal year. However, funds are required for the purchase of necessary supplies and equipment, and to cover the expense of moving various offices to the "Pension Building". Funds are also requested for rental of additional computer equipment to enable the Court to upgrade its facilities to incorporate all records of the former Juvenile Court and to cope with the ever increasing caseloads in all areas.

In addition to the seven new judges and their supporting staffs, (42 positions) which were authorized to be appointed by February 1, 1972, pursuant to the Court Reorganization Act, the Court is requesting 79 additional positions, as follows:

28 positions will be for the Criminal Clerk's Office and the Criminal Assignment Office, to handle the additional responsibilities vested in the Superior Court as a result of court reorganization, principally the new felonies, as well as the increased workload resulting from recent increases in prosecutions.

15 positions are requested for the Civil Division Clerk's Office, including its Small Claims Branch, and the Civil Assignment Office, and 13 positions are for the Family Division Clerk's Office and the Family Division Assignment Office. These positions will likewise handle the additional responsibilities imposed upon these Divisions as a result of the new legislation.

19 additional positions are requested for the Probation Department to permit that Department to handle a considerable increase in persons under supervision and in presentence investigations. 4 additional coding clerks are requested for the Central Violations Bureau, and $12,500 is for computer rental.

Under the Court Reorganization Act, the Superior Court of the District of Columbia is becoming the District's court of general trial jurisdiction for all criminal, civil, family, and tax matters. In spite of very high increases in criminal workload, the Court of General Sessions was able to remain on a current status, while at the same time maintaining a high quality of operations. The appropriations requested for fiscal year 1972 will permit the Superior Court to continue to fulfill the expectations of the community with respect to speedy and fair justice.

BREAKDOWN OF REQUEST

Judge GREENE. If I may, I would like to divide my remarks into three types, the 1972 supplemental request, then the 1973 budget request, and then the capital improvements request for the court building.

Senator INOUYE. Fine.

Judge GREENE. With regard to the 1972 supplemental budget, we are requesting the amount of $300,900 and 121 positions. While the funding will be for 3 months, all of the amount of funding will be absorbed by unexpended funds. The 121 positions arise largely out of the fact that seven judges will be added to the court, assuming their salaries are approved.

Seven judges with their staffs will amount to 42 persons. That includes court reporters, bailiffs, law clerks, secretaries, enrolling clerks, courtroom clerks, and so on.

The court is requesting 28 positions in the Criminal Division, which will become necessary because of the fact that on August 1, the superior court will take over the entire local criminal jurisdiction from the U.S. district court, including all felonies, from homicides on down.

There are some lesser increases requested in the other divisions, 15 positions in the Civil Division, again arising out of the increased jurisdiction of the court; 13 positions in the Family Division, which has assumed considerable importance due to court reorganizations; four positions in the Central Violations Bureau, and 19 positions in the Adult Probation Department which at the present time cannot fully handle the workload in an efficient and effective manner.

There are some relatively minor or miscellaneous expenses, moving expenses, and telephone service. But most of the expenses requested for the 1972 supplemental budget concern these 121 positions I have described.

Senator INOUYE. Please proceed with the 1973 budget, sir.

Judge GREENE. On the 1973 budget, we are requesting funding for 4 months, and we are there requesting an increase over the 1972 base of $3,359,400 and 90 employees. However, 85 percent of that amount are required items. One of the items is the Commission of Mental Health, which is being transferred from the U.S. district court to the superior court on August 1, which has 15 employees; the auditor-master, who is being transferred from the U.S. district court to the superior court on August 1, who also has 15 employees; and there are well over $2 million which comes out of such items as annualization, within-grade advancement, reallocation of pay increases.

Additionally, in the request for 1973, there are 60 positions for $510,752. That consists of the following, very briefly:

Five persons for data processing, five persons for administrative services, 11 persons for the Criminal Division, four persons for the Civil Division, and 23 positions for the Social Services, Probation Department, which again will have to absorb a much larger share of the load, due to the transfer of the criminal jurisdiction.

In addition to that, there are five positions in the Family Division, four positions in planning and research, and two positions in the library, for a total request of 60 new positions, Mr. Chairman.

Senator INOUYE. Judge, while the judges of the Superior Court are appointed by the President, I believe your District of Columbia

court funding is wholly from the District of Columbia resources. As a practical matter, how do you work with the Mayor and his Budget Office?

Judge GREENE. As a practical matter, we try to and we do work out our budget requests by way of compromise and by way of mutual accommodation. The Court Reform Act provides that the budget of the District of Columbia courts, like the budgets of the Federal courts, cannot be reduced either by the District government or by the White House, the Federal Bureau of the Budget, but can be reduced only by the Congress.

As a practical matter, we have, so far at least, always reached a mutually satisfactory arrangement, and our requests are being supported by the Mayor.

RELATIONSHIP BETWEEN COURT AND DISTRICT GOVERNMENT

Senator INOUYE. I asked this question because we have been advised by some that the cooperation has been lacking, that much more was desirable. Do you feel that your working relations with the Mayor's Office or the Budget Office have been satisfactory?

Judge GREENE. I have never had the slightest difficulty with the Mayor or the Mayor's Office. I must say in all candor that there sometimes have been difficulties with the Budget Office because the Budget Office, naturally, like all budget offices, is always desirous of reducing requests that agencies make, and we have discussed matters back and forth. But there has been, so far, at least as long as I have been chief judge, there has never been a time when our requests to the Congress, when they ultimately did go to the Congress, were not fully supported by the Mayor.

Senator INOUYE. I realize, Judge, that under the provisions of the Court Reform Act, there is some question as to the autonomy of your system. But we have noticed that the Mayor's Office has been trying to comply with the President's directive on austerity and as a result has been advising his various departments to tighten the belt a little. Have you sat with the Budget Office to restrict increases in your expenditures in the formulation of the budget?

Judge GREENE. Mr. Chairman, I sat with the Deputy Mayor on that subject when the Deputy Mayor informed me that the District government, the executive branch of the District government, was making reductions in its requests, in its present number of employees, under the Mayor's austerity program. I volunteered to make similar reductions in the requests that the courts would make, although we were not, strictly speaking, bound by that program.

As a result of proposals that were made back and forth, we did reduce a certain number of positions, 28 positions, I believe—I cannot exactly recall—out of our existing budget and we held down our requests made to this committee today considerably from what it was initially, before I met with the Deputy Mayor.

ACCESS TO COURT'S BUDGET RECORDS

Senator INOUYE. Does the Budget Office of the city have access to your budget records?

Judge GREENE. I am certain they do. As far as I am concerned, any of our records are open to anyone. I have always taken the position that we are a public agency and no one has ever had any difficulty, either public or private, congressional, city, press, or anyone else, of having access to any of our records.

We do not have any confidential matters of that kind, at all.

Senator INOUYE. I asked this question because my staff was led to conclude that the Budget Office does not have full access to your records.

Judge GREENE. Well, if they do not, I do not know about it. They have not brought it to my attention. It may be that a certain request was made and was not granted. I do not know. I cannot say. It is obvious that we cannot present a budget that will stand the scrutiny of the Congress unless there is cooperation. That cooperation, of course, must go both ways.

Senator INOUYE. Mr. Coppie, is the conclusion reached by my staff a valid one?

Mr. COPPIE. Mr. Chairman, I believe it is not. We feel we do have a good working relationship with Judge Greene and the staff of the superior court and the court of appeals. I believe that the provision in the Court Reform Act that Judge Greene makes reference to, the legislative history of that provision will clearly show that the Congress did have in mind a substantial degree of autonomy for the court system in the District of Columbia, at the time that provision was included in the Court Reform Act of 1971.

Now, from time to time there have been requests for information from the Senate's staff pertaining to the court system, and I believe—and I say this in a constructive day—the problem we do have is getting information from the court system in light of that provision of the Court Reform Act of 1971. I think a question that might be raised here today is whether the committee wants the Budget Office to be the link in coordinating that information to the committee, or whether that information should be addressed directly to the chief judge and perhaps be committed directly to him, independently of the Budget Office, or independently of the Mayor's Office.

Senator INOUYE. Well, it has been my desire to deal as much as possible through the Mayor's Office, as you know, Mr. Coppie.

Judge Greene, for fiscal year 1972, the superior court received an appropriation, I believe, of $17.2 million?

Judge GREENE. I believe that is correct, Mr. Chairman.

AMOUNT OF APPROPRIATION SPENT BY COURTS

Senator INOUYE. As of December 31, I have been advised that you have only expended 30 percent of this amount.

Judge GREENE. No, Mr. Chairman. I believe that is incorrect. The correct figure is 45.7 percent.

Senator INOUYE. In the last fiscal year, did you use all of your appropriations?

Judge GREENE. Apparently we did not. I cannot give you the figure at the moment. It was not fully expended.

Senator INOUYE. If that is the record, is there really a need for additional funds?

Judge GREENE. Mr. Chairman, you must remember, last year we went through an extraordinary transformation, an extraordinary increase in jurisdiction. It was not quite foreseeable at a particular time how much the workload would or would not increase and when the increase would come, how fast the indictments, for example, would be returned. The indictments in the district court had frequently been lagging for a number of months. We had hoped to have the indictments come down much faster and the trials come faster.

That would have meant that the supporting personnel, including probation officers and so on, would be needed much faster. Last year we were sort of more in the dark, in a sense, than we had been at any time in the past, because of the transformation of what essentially was a municipal court into the court of general jurisdiction, with vast changes.

Naturally, more than at any other time, the budget estimates had to be somewhat less precise, simply because of the element of foreseeability than they would otherwise be. That is largely behind us.

NUMBER OF AUTHORIZED POSITIONS

Senator INOUYE. Once again, for the record, how many authorized positions are there in your appropriation request?

Judge GREENE. If our requests for the supplemental and for the 1973 budget are granted, there will be 1,018 employees.

Senator INOUYE. Setting aside the additional request of the presently authorized positions, are all of the positions filled?

Judge GREENE. No. There are 57 vacancies out of 928 employees.

Senator INOUYE. What use is being made of the so-called savings? I believe they have been funded, have they not?

Judge GREENE. Some of the savings, of course, will be used to compensate the employees who we hope will be granted in the 1973 supplement. If there are any other savings, they will, of course, be returned to the U.S. Treasury.

COMPLIANCE WITH REPROGRAMING REGULATIONS

Senator INOUYE. Will you conform with the committee's request for reprograming? I am certain you are aware that the committee has set forth certain procedures of the amounts to be reprogramed.

Judge GREENE. I understand there are procedures for reprograming, but I cannot in good conscience tell you I am fully familiar with how the reprograming was done. I think Mr. Malech's office, who is the court executive, and the fiscal officer who works for him, are the people who are taking care of those aspects of the administration of the funds.

Senator INOUYE. Mr. Malech, do you feel that the court system is subject to the committee's directive on reprograming?

Mr. MALECH. Yes, sir.

REPROGRAMING TO MEET COSTS OF MAY DAY DEMONSTRATIONS

Senator INOUYE. If that is the case, when was the committee informed of the transfer of funds to cover the 1971 May Day cost in the Police Department? We have been advised that funds from your office were transferred to the Police Department to cover the 1971 May

Day costs. That is May of last year. If that is the case, it would seem that this committee should have received requests for reprograming.

Judge GREENE. Mr. Chairman, I do not want to contradict you, particularly since I am not entirely sure of my facts, but I think if we had transferred funds to the Police Department, I would have known about it. I have never heard about it.

Senator INOUYE. Mr. Coppie?

Mr. COPPIE. Mr. Chairman, I believe Judge Green is accurate. I do not believe there is any statement from the District of Columbia government that indicates that funds from the court system were reprogramed to the Police Department to meet the cost of May Day.

What we have said—and I think the record is accurate concerning this—the balances in the public safety appropriation for 1971 fiscal year were used to meet the costs of May Day.

Part of those balances were from balances in the court system and other portions in the total appropriations for public safety, but no specific reprograming request has been addressed to the committee; nor in our documented testimony to the committee have we indicated that a reprograming request was presented to the committee.

Senator INOUYE. My question is: Considering the directive issued by the committee, how did the funds from these various public safety activities, including the courts, get into the Police Department without the committee being aware of it?

Mr. COPPIE. What I am saying, Mr. Chairman, is that the balances in the total public safety appropriations for 1971 were used to sustain the requirements of the total public safety appropriations for 1971, or specifically the additional funds that were required for the Police Department to sustain the cost of the May Day demonstrations.

Under the provisions of the Anti-Deficiency Act, there is a health and welfare provision that can be used to support emergency requirements. In this case we do refer specifically to that provision to support the additional costs that were incurred by the Police Department.

The total appropriations for public safety for 1971 is in balance, although there was an additional requirement for the police department beyond the apportionment that was made available by this committee in the 1971 appropriations bill.

Senator INOUYE. If the transfer of funds exceeded $25,000, aren't we supposed to be notified?

Mr. COPPIE. Mr. Chairman, we do not consider this to be a reprograming of funds in the sense that reprograming has been discussed and documented by this committee. We consider it to be a requirement of the Police Department to meet an emergency in the 1971 fiscal year. To justify that requirement for the Police Department, we are specifically calling into reference the provision in the Anti-Deficiency Act pertaining to health and welfare for emergency situations.

Senator INOUYE. I believe you indicated that the funds from the court system were made available for this May Day cost; is that correct?

Mr. COPPIE. I do not believe I said that, Mr. Chairman. I said there were sufficient balances in the total appropriations for public safety for 1971 to sustain the cost of the total public safety appropriations for 1971. One of those balances was in the court system. That has been used to meet the total requirements for public safety in the 1971 fiscal year.

74-704 O - 72 - pt. 1 - 44

Senator INOUYE. And this, in your mind, does not involve reprograming or transfer of funds?

Mr. COPPIE. It involves a transfer of funds, Mr. Chairman. But it does not, in our judgment, involve reprograming of funds in the sense that reprograming has been referred to by this committee and implemented by the District of Columbia government.

Senator INOUYE. Even if they involve separate departments?

Mr. COPPIE. The reprograming, Mr. Chairman, involves a transfer of funds prior to the time that the need could be actually determined. We are implementing that policy. In the spring of 1971 the District government was confronted with what I think was not only a local emergency, but also a national emergency.

We could not fully anticipate the costs that were involved with that emergency.

Senator INOUYE. I do not question that.

Mr. COPPIE. Subsequent to the May Day demonstrations in 1971, we did write to this committee and to the House Appropriations Subcommittee to document the costs of the May Day demonstration to the District of Columbia government. That communication made specific reference to the fact that we would need additional funding in the amount of approximately $1.9 million to meet the costs of May Day. The greatest part of this requirement was for the police department.

As we moved forward to examine the situation in detail, we discovered there were sufficient balances in the public safety appropriations for the year to sustain the cost of the May Day demonstrations. That did not involve a reprograming of funds in the sense that reprograming has been used by this committee and implemented by the District government. It involved a technical transfer of funds, consistent with the provisions of the Anti-Deficiency Act, to meet emergency situations.

Senator INOUYE. So you do not believe that transfer of funds need be reported?

Mr. COPPIE. What I am saying, in this particular case, Mr. Chairman——

Senator INOUYE. How much is involved?

Mr. COPPIE (continuing). The transfer is justified under the legal requirements of the Anti-Deficiency Act. That provision was documented in our communication to you of Friday of last week, pertaining to the alleged violations of the Anti-Deficiency Act that were discussed last Tuesday.

Approximately $1.5 million, Mr. Chairman.

PRETRIAL DETENTION SECTION

Senator INOUYE. At a later date, Mr. Coppie, I will respond to your letter.

Judge Greene, do you believe that your pretrial detention section serves a useful purpose?

Judge GREENE. Well, Mr. Chairman, I have some difficulty responding. I was one of the few witnesses who, before Senator Ervin's committee at the time that the pretrial detention measure was under consideration, testified in opposition to the pretrial detention proposals.

I did not believe then that they would be an appropriate measure, and I must say that certainly they have not turned out to be the kind of panacea that they were advertised to be.

Senator INOUYE. Has this section been used frequently?

Judge GREENE. As I understand it, it has not been used more than 10 or 12 times at the most, and then only for a very brief period, for a period of 5 days. I do not think it has been really fully exhausted in any single case.

DATA PROCESSING EQUIPMENT REQUEST

Senator INOUYE. In your fiscal year 1973 request for data processing equipment, you have three major hardware components. What model of the IBM 370 system do you plan to purchase? If you could just provide us with the information——

Judge GREENE. I have the information right here. We are asking for the system 370, with the storage capacity of 256K.

Senator INOUYE. Do you coordinate this data processing plant into other agencies of the city government?

Judge GREENE. We do. Yes, we do coordinate planning for data processing with other agencies of the District of Columbia, particularly with the police department.

We do, however, maintain our own data processing operation for the reason that it has been shown elsewhere—we have consulted with others in many other cities—that unless the data processing operation that the court maintains is under the control of the court, albeit in full cooperation with police agencies, the independence and integrity of the court system cannot be guaranteed.

Senator INOUYE. I do not suppose that you will maintain full capacity of the system, would you?

Judge GREENE. We do not have a completely full capacity. I am not sure what degree of capacity we are using right now. We, of course, are providing services to other agencies as well. For example, we are providing the service of processing the parking tickets for the police department. We are now in final discussions with the police department to have our computer take over the moving violations as well. We are providing jury selection service for the U.S. district court, and matters of that kind.

Senator INOUYE. I note that in the supplemental request, you have computer rental, one programer and four keypunch operators. Don't you have a computer at the present time?

Judge GREENE. That must be an increase in the computer rental, probably, for the additional capacity that we are seeking at this time.

What we are attempting to do at this time, Mr. Chairman, is something that we have been planning and working toward for several years, and that will permit us to operate with a certain number of terminals, which can be used in the various clerks' offices, and possibly even in courtrooms, to provide instant access of information, both for citizens and for attorneys and for court personnel. That accounts for the attempted increase, both in the size of the computer operation and the increase in the number of programers.

Senator INOUYE. The committee has been advised, Judge Greene, that on any given day, particularly the first day of the week, Monday, approximately 12 to 18 percent of the on-duty strength of the police department is in court from 7:30 a.m. to 4:30 p.m. If this is the case, it is a rather staggering burden in lost manpower.

Do you find any solution to this problem? Because I note, if you have, for example, 100 officers a day, that would equal $5,000 a day or $1.5 million a year. When we are scrimping and saving for each dollar, that appears to be a rather massive amount.

Judge GREENE. Senator, we have done some things to reduce that problem. When I became chief judge, when new cases were brought to the court, after new arrests had been made, and the people involved were arraigned in court the next day, the police officer had to remain until the court date was fixed, which meant that many police officers had to sit there long hours just to wait for a court date.

I eliminated that practice because I saw no need for them remaining there. The court date could just as easily be communicated to them through the U.S. Attorney.

We fairly recently split in half, so to speak, the traffic court operations, so as to require police officers and citizens as well, to come either only in the morning, or only in the afternoon, so they would not have to sit there all day.

Beyond that, quite frankly, particularly in the physical operation under which we operate and because of the tremendous volume which we have, 298,000 cases per year, the only other solution to the problem that you mentioned, Mr. Chairman, would be to put police officers on telephone call and to hope and expect that when their cases did come up they would arrive.

It is my considered judgment, Mr. Chairman, that that would not be possible, that we could not operate under these circumstances. We tried telephone calls with chemists, for example, who are a much smaller number of persons, in narcotics cases. Invariably—not invariably, but in many instances—although we were promised that the chemist would be there, the chemist was not there and everybody else had to sit around and wait.

I think to put police officers on telephone call and expect them to be there when the trial was due to start would mean in many, many, instances, everybody else would have to sit around, perhaps for hours, having nothing to do and the trial being unable to go forward.

The problem arises largely out of the fact that we cannot accurately schedule criminal cases because we do not know when and how many and which of the various defendants will plead guilty and which ones will demand a trial. If we knew that, we could accurately schedule.

But if we scheduled eight cases, say, for Courtroom X, and we would, for example, release the witnesses for the last four until 2 o'clock in the afternoon, if the first four pleaded guilty, which quite often happens, the judge would sit there with nothing to do, the U.S. attorney would sit there with nothing to do, and we would hopelessly fall behind in our effort to cut the backlog.

I see no better solution to that problem than we have devised so far.

Senator INOUYE. I am certain that you have concluded that this

question arises from our discussion with police officers. Other police officers have indicated that if they are late, even 5 minutes late, they are required to write a letter of explanation, or the judge is required to write a letter of explanation, to the chief. These police officers feel that if that is the rule, fine, they will abide with it. But they complain that judges are never on time, especially after the lunch recess. What is your thought on the timeliness of judges under your jurisdiction, sir?

ALLEGED LATENESS OF JUDGES

Judge GREENE. Well, I cannot give a specific answer as to whether a particular judge is or is not late in coming to court. All I can say is that I will match the amount of work performed by the judges of this court, of the Superior Court of the District of Columbia, with those of any court in the country. That includes the amount of time put on the bench, the amount of work time off the bench. The judges have shown an extraordinary amount of dedication in trying to make this system work, in spite of tremendous handicaps.

As I say, I cannot vouch for the fact a judge will not occasionally be late in getting on the bench. Obviously, that is not so. I do not know why he might be late. He may have a settlement conference in chambers. He may be just late, and there may be no excuse for it. But I do not think the committee, or the public, should look at this in the light of whether a judge is late or five judges are late, at times, in taking the bench.

I think it should be looked at from the point of view of the amount of work done and the performance that has been achieved.

And as I say, in spite of the tremendous obstacles that we encounter here, the tremendous workload we have, I think we are the only urban court in the United States today that is current in both its criminal and civil operations, notwithstanding the fact that we try by jury, or by the court, a far higher percentage of cases than courts elsewhere.

If that is the record, and those are the results, then the individual performances by one judge or another really are not that significant.

Senator INOUYE. I presume that in any court system in the United States, you would have what in the law is called judge shopping. Defense lawyers have somewhat concluded a certain judge is easy on certain crimes. Police officers have advised my staff people that as a result of this there is a lot of wasted time, waiting for the defense attorney to make up their minds.

What is the situation in the District courts?

Judge GREENE. I do not see how the situation that you describe can arise in the system that is used in our court. In felonies, we have what is called the individual calendar, and that means that the case is assigned to a particular judge as soon as the indictment is returned and it stays with him until the bitter end, to the trial and to the sentence, if there is a conviction. There cannot be any shopping in that respect, because he is the only judge who is allowed to handle that case.

As far as misdemeanors are concerned, we have a central calendar. When the case is ready, in the sense that everybody is there, the defense lawyer is there, the U.S. attorney is ready, the police officers, the witnesses are there, the case is called out by the calendar control

judge to the assignment commissioner, and the assignment commissioner certifies the case then to the first available judge.

The time when the case is certified out is placed on the jacket and the time when the jacket arrives before that particular judge is placed on the jacket.

By these means we have maintained as much control as can be maintained in a system which, as I say, has these hundreds of thousands of cases.

ENTRY OF PLEAS OF NOLLE PROSEQUI

Senator INOUYE. In keeping your calendar current, for which I commend you, sir, as I do not suppose there are too many jurisdictions in the United States with a current calendar—what portion of the criminal calendar eventually finds itself being nolle prossed?

Judge GREENE. I am not certain, because nolle prosse under our rules is strictly the responsibility of the prosecutor. Unlike the U.S. District Court, where the Judge must agree to the nolle prosse, under the rules of our court, the nolle prosse is strictly the responsibility of the prosecutor. The court has nothing to do with it. The court need not give its assent and is not requested for its assent. So if a substantial portion of cases are nolle prossed, it is the responsibility of the prosecutor.

I am not laying any blame on the prosecutor. Many cases are nolle prossed because they were not good cases to begin with. For example, a husband and wife quarrel, which is a very typical one in urban courts. The day that the blows were struck, the husband, assuming he is the one who struck the blows, is arrested and charges are filed for assault and destruction of property, and everything else.

About 3 weeks later, when the man is supposed to go to trial, and his wife realizes that she will lose her breadwinner, she comes pleading to the U.S. attorney, "Please nolle prosse the case." That is how most of them get nolle prossed.

But that is not anything that either the U.S. attorney or the court can be charged with.

PREPARED STATEMENT

Senator INOUYE. Judge, may I ask a few questions of Mr. Malech? I note you have a prepared statement. It will be inserted in the record at this point.

(The statement follows:)

Mr. Chairman: Thank you for the opportunity of appearing before the Subcommittee on the District of Columbia of the Committee on Appropriations in support of the annual estimate of appropriations requested by the District of Columbia court system for Fiscal Year 1973.

The District of Columbia court system was established pursuant to the provisions of the District of Columbia Court Reform and Criminal Procedure Act of 1970.

The total request for fiscal 1973 is $2,879,400, an increase of $267,990 over the adjusted 1972 appropriation. Of this increase, approximately 81 percent or $216,398 consists of required items -- mainly the annualization of positions requested for the court system in the 1972 supplemental request justified by Chief Judge Greene, and the classified pay increase of January 1972. In addition to the required items, the court system is requesting two positions for the Executive Office. One position is for a staff assistant to implement a training program for court personnel pursuant to the Act and a secretary to alleviate the workload of the present employees.

The present number of Official Court Reporters does not allow sufficient reserve strength for daily requirements of transcribing all proceedings. Thus, four additional reporters are requested to meet all reporting requirements. Three transcription typists are needed to meet the influx of orders for transcripts.

Senator INOUYE. Your office, Mr. Malech, is a relatively new one, I believe. How many persons do you have in the executive office?

Mr. MALECH. There are seven. Four of which are secretarial positions.

Senator INOUYE. Since we do not have anything in the record, I would like to ask you, could you cite the major responsibilities and the major accomplishments of your office since its creation?

Mr. MALECH. The executive officer of the District of Columbia courts serves as the staff arm to the Joint Committee on Judicial Administration in the District of Columbia, which is charged by statute for developing policy for the District of Columbia courts.

In addition, he serves at the direction of the chief judge of each District of Columbia court; that is, the District of Columbia Court of Appeals and the superior court.

The chief judge of each court is vested by statute with the administration of his respective court.

Some of the statutory responsibilities of the joint committee and the executive officer relate to the publication of an annual report, and this kind of thing is ongoing at the present time. It is planned as an annual report for calendar year 1971, which will be published in the near future.

In addition, the executive officer is given responsibility by statute for a number of nonjudicial administrative functions, ranging from procurement to space management, under the direction of the joint committee. He is the payroll officer and he is the disbursing officer. It is this kind of thing that the statute cloaks upon the executive officer.

I believe you asked a second part of that question; that is, What are the major accomplishments of the office? I think the principal accomplishment of the executive office of the District of Columbia courts is to provide for the judiciary a device for the accomplishment of many nonjudicial administrative matters, in the light of court reorganization, that would otherwise have taken judicial time or substantial judicial time.

I view it as a fairly low-key kind of thing; that is, to provide the wherewithal for these hundreds of thousands of cases to get tried promptly, and to service the needs of the citizens of the District of Columbia.

Senator INOUYE. I gather these functions were carried out by the courts prior to the creation of your office?

Mr. MALECH. Yes, sir.

POSSIBLE DUPLICATION OF RESPONSIBILITIES

Senator INOUYE. Do you feel there is duplication presently? Because those people who are responsible for carrying out these functions are still on the payroll; are they not?

Mr. MALECH. I do not really think there is any duplication, Mr. Chairman. The size of my own office almost precludes duplication, in my immediate office. I think what the concept has done is to lend itself to the concept of professional, nonjudicial management of the courts. I do not really see it as duplication.

Senator INOUYE. Senator Hatfield.

Senator HATFIELD. Judge Greene, did I understand you to respond

to our chairman's question concerning your docket, that the docket is presently current for the superior court?

Judge GREENE. Senator, I consider it current, although being current is a matter of judgment. We try our criminal cases, that is felonies, as well as misdemeanors, and our juvenile cases in approximately 6 to 7 weeks. I consider that to be current, in light of the fact there must be some trial preparation.

We try our civil jury cases in approximately 6 months, which I also consider current, in view of the fact in civil cases there is a certain amount of jockeying going on between lawyers, taking depositions, and so on.

I compare that with the fact that before the juvenile cases were transferred to our court, there was a wait of 2 to 3 years before some came to trial. As I say, we are now down to 6 weeks.

When the U.S. district court was handling felonies on its own, all by itself, without any assistance from us, frequently delays of a year or more were quite common. Our own civil jury docket or calendar had about a delay of two years, as late as 1969.

So by standards relative to the past, and I think also by standards relative to other cities, 6 weeks in criminal and juvenile cases and 6 months in civil jury cases can be considered to be current.

NO BACKLOG IN COURTS

Senator HATFIELD. In the common parlance of courts where they refer to the backlog, you do not have a backlog?

Judge GREENE. No, I would say that we do not have a backlog. We have eliminated——

Senator HATFIELD. How would you compare that to a year ago? What is a good time to compare the situation today with the previous situation, before we had the new judges and the reorganization?

Judge GREENE. In the misdemeanors, where we really never permitted a substantial backlog to arise, because we concentrated most of our resources on those, on January 1 of 1971, 2,339 defendants were pending trial. That has now been reduced to 1,667. But even the 2,300 was not a major backlog when it is considered that we have something like 18,000 cases per year. It never was a very large backlog and certainly is not a backlog of any significance today.

In felony cases we have no experience upon which to make comparisons. Our court has no experience because we only took over felonies last February. We now have 468 cases pending as of December 31, in a period when 1,442 indictments have been returned.

I do not think that is any significant backlog when it is compared with New York City, for example, where there is a backlog of 500,000 criminal cases, if Life magazine is to be believed. That is, you know, we are talking about completely different dimensions.

Now, the Civil Jury Calendar has been most dramatically advanced because up until the new judges came on, it was my feeling that we had to concentrate on the criminal calendar to keep the criminal justice system in this city from collapsing. There were delays in the district court of 1 year and delays in the juvenile court of 2 to 3 years. There had to be one place where defendants could be tried in a few weeks.

We always managed to do that, although our caseload tripled in the

last 6 years. But, necessarily, the civil side suffered, and during the last 5 years, we were never able to reduce the number of pending civil cases. They were around 4,000, 4,500, 5,000, pending all during that time.

As of December 31, that was reduced to 2,943.

So that we have made substantial inroads in the civil cases as a result of the judicial manpower that was given to us.

Senator HATFIELD. Comparing it, then, to the past performance, you have an extraordinarily excellent record at this point. Are there norms set by the Judicial Association of various types, or by the ABA, that would indicate what kind of workload you should compare this against, say on an initial basis of other States, if New York is not appropriate to compare it to?

Judge GREENE. Senator Hatfield, I do not think there are specific norms. The talk is of 90 days in criminal cases being a pretty good record. I do not know if there are any norms on civil cases. I did not want to single out New York. I think you will find the situation is the same in Baltimore, Detroit, in Chicago, in many other cities.

I feel, and I sincerely feel, on the basis, not simply of pride in our own court, but on the basis of what comparison I have been able to make with statistics furnished by other cities, that we are far more current than any other urban court, and that we have done so and are disposing by trial of a far greater percentage of cases than do courts in other cities.

In most other cities, 90 to 95 percent of the convictions are obtained by guilty pleas and the guilty pleas are obtained either by pressure or coercion, or judge shopping and the reduction of charges.

Of the cases that come before our court, eliminating the nolles that the prosecutor does before they come to the court, and eliminating the fugitives, we try about one-third of our cases, which is a far higher percentage than I believe anywhere else.

ENOUGH JUDGES TO HANDLE WORKLOAD

Senator HATFIELD. Do you think there are enough judges today in the superior court to handle the workload?

Judge GREENE. There are enough judges today. Now, of course, the proof of the pudding will come on August the 1st, when we will get the major felonies, as the felonies having a penalty of 15 years to life. And when we will have a year later the civil jurisdiction coming, which again will be the more complicated and lengthier kind of litigation.

At the time the Court Reform Act was pending. I furnished a memorandum, both to the House committee that handled the matter at the time, and to the Senate during the debate, in which I estimated that eventually the superior court would need 50 to 55 judges, rather than the 44 that have been allowed.

But at the moment, no one can really tell.

Senator HATFIELD. Thank you very much.

Thank you, Mr. Chairman.

Senator INOUYE. In line with that question, sir, there was a very interesting article in the Washington Post last year, November, reporting on information submitted by Mr. Malech. Just for the record, I would like to know if these figures are correct, sir.

That for 3 months covered in the study, July, August, and September, there were 5,348 defendants scheduled for trial and of that number, 40 percent, or 2,143 were postponed; 35 percent, or 1,872, were dropped by either the judge or the prosecutor; 18 percent, or 958 pled guilty or went before a judge rather than a jury trial; 281 fled the jurisdiction before trial; and only 98 went on trial. And of the 98, 28 were found guilty, 26 acquitted, 39 directed verdicts, and five mistrials.

Was this from your office, Mr. Malech?

Mr. MALECH. If I recollect the figures that were submitted to the Washington Post, these were court figures for a period, I believe of July, August, and September.

Senator INOUYE. Yes.

Mr. MALECH. Which was the summertime period. Most of the postponements described in there did relate, at least to continuances, so that there could be the in-gathering of witnesses and others for an appropriate trial to take place.

That period of time, for which the figures are accurate, is atypical of the whole year for that reason, because the summertime is involved. During the summer there is frequently a greater degree of continuances in order for cases to be tried in the presence of all of the witnesses, all of the necessary parties.

But these figures appear to be accurate.

Senator INOUYE. Could you provide this committee with a followup, with similiar information for October, November and December of 1971?

Mr. MALECH. Yes, sir.

(The information follows:)

District of Columbia Courts

Dear Senator Inouye:

At the hearings on the budget of the District of Columbia Courts on March 20, 1972, you addressed an inquiry to me with respect to a story that had appeared in THE WASHINGTON POST concerning disposition of cases of 5,348 defendants in criminal misdemeanor trials. You specifically asked for a breakdown of information for the succeeding three-month period, namely, October, November and December 1971.

Appended to this letter is a copy of the story that appeared in THE WASHINGTON POST under the byline of Maurine Beasley on November 7, 1971. At the end of it, there is a table listing the dispositions.

In response to your inquiry regarding the statistics for the months of October, November and December of 1971, it is with pleasure that I submit the following information.

During the months aforementioned, the court tried 158 or 10.5 percent defendants by Jury, 214 or 14.3 percent trials by Judge, 654 or 43.6 percent Pleas accepted, and 476 or 31.6 percent Dismissals for Want of Prosecution. During this three-month period, there were, likewise, 694 or 79.4 percent dismissed by the prosecution, and 180 or 20.6 percent absconded prior to trial.

Of the total dispositions, 1,502 or 63.2 percent were actually before the court for adjudication. The remaining 874 or 36.8 percent were in the latter category, dismissed by the prosecution or absconded prior to trial.

The article appearing in THE WASHINGTON POST on November 7, 1971, lumped all of these cases and, therefore, provided a distorted picture as to the jury trials held in the Superior Court. While this article implied that 5,348 came before the court for adjudication, it should be noted that in reality only 3,205 were actually before the court for disposition. Wherefore, of the 3,205 total dispositions, 2,192 or 68.4 percent were actually before the court for adjudication and the remaining 1,013 or 31.6 percent were dismissed by the prosecution or absconded prior to trial. Of those before the court for adjudication, 98 or 4.5 percent received trial by Jury, 258 or 11.8 percent received trial by Court; 690 or 31.5 percent Pleas were accepted and 1,146 or 52.2 percent were dismissed for want of prosecution. It, likewise, did not reflect the total case load in the Criminal Division in that there were no statistics relevant to felony cases for which the court obtained jurisdiction on February 1, 1971.

I have, therefore, included with this letter a table of felony and misdemeanor cases brought before this court during the months of July through December of 1971, to establish an accurate analogy.

I trust that this statistical data regarding the court's operation will give you a more comprehensive evaluation of the operations of the Superior Court of the District of Columbia.

Sincerely,

Harold H. Greene

FELONY BRANCH
CRIMINAL DIVISION

July 1 through December 31, 1971

TOTAL DISPOSED BY COURT		765
Jury Trials	- 187 or 24.5 percent	
Trial by Court	- 34 or 4.5 percent	
Pleas Accepted	- 544 or 71 percent	
TOTAL DISPOSED PRIOR TO ADJUDICATION		253
Dismissed by Prosecution	- 151 or 60 percent	
Absconded	- 94 or 37 percent	
Other	- 8 or 3 percent	

Of the total dispositions, 765 or 75.1 percent were actually before the Court for adjudication. The remaining 253 or 24.9 percent were disposed prior to adjudication.

SERIOUS MISDEMEANOR BRANCH
CRIMINAL DIVISION

July 1, through December 31, 1971

TOTAL DISPOSED BY COURT		3694
Jury Trial	- 256 or 7 percent	
Trial by Court	- 472 or 12.8 percent	
Pleas Accepted	- 1344 or 36.3 percent	
Dismissed for Want of Prosecution	- 1622 or 43.9 percent	
TOTAL DISPOSED PRIOR TO ADJUDICATION		1887
Nolle Prosequi	- 1436 or 76.1 percent	
Absconded	- 451 or 23.9 percent	

Of the total dispositions, 3694 or 66.2 percent were actually before the Court for adjudication. The remaining 1887 or 33.8 percent were disposed of prior to adjudication.

WASHINGTON POST -- Sunday, Nov. 7, 1971

Few Get Jury Trials For Misdemeanors

Fewer than 2 per cent of the 5,348 defendants scheduled for jury trials in Superior Court on criminal misdemeanors actually went before a jury in a recent three-month period.

Statistics released last week by court executive Arnold M. Malech showed: Of 1,749 trials scheduled for September, 32 were held; or 2,134 set in August, 30 were held; of 1,465 set in July, 36 were held.

The figures indicate that conditions that existed in the old Court of General Sessions, which was replaced by Superior Court in a reorganization that went into effect Feb. 1, continue despite court reforms.

These include:

• The constitutional guarantee of the right to a jury trial is often used as a delaying tactic by defendants and their attorneys.

• The courts still are unable to provide jury trials for many who genuinely want them.

Policemen, victims and witnesses are wasting money and time showing up for trials that seldom take place.

Here's what happened to the bulk of the cases in the three months surveyed:

• 2,143 cases (40 per cent) were postponed to another month.

• 1,872 charges (35 per cent) were dropped, either by failure of the prosecution to take it to trial or by dismissal by judges for lack of prosecution.

• 958 defendants (18 per cent) changed their request for a jury trial, by either pleading guilty, forfeiting collateral of going to trial before a judge only.

• Of the 98 defendants who went to trial as scheduled, 28 were found guilty, 26 were found innocent, 39 got directed verdicts, and 5 cases were declared mistrials.

Court sources said the relatively small number of misdemeanor jury trials may be related to the number of cases now being tried as felonies as the result of court reorganization.

In the past, hundreds of charges were reduced from felonies to misdemeanors, because the Court of General Sessions lacked authority to try felonies and the U.S. District Court was so overloaded that it could not take additional felony cases.

Superior Court is expected to show a 20 to 30 per cent drop in the number of misdemeanor defendants from last year's total of 15,000. The new court, which handles some felonies and will handle even more in the future, also is expected to have handled about 1,800 felonies by the end of this year.

The statistics cover two months, July and August, when many judges were on vacation, although court sources could not agree on how much that affected the totals. Those sources said the number of trials held in nonvacation months have been averaging

between 60 and 100, but no figures were available to support that.

The number of trials being held appeared to be fewer than before court reorganization, even though the new court has 10 additional judges.

The total of 98 trials in three months averages less than one misdemeanor trial per month for each of the court's 37 judges. Those judges, however, also preside over Family Court (divorces and juvenile matters), Traffic Court, a civil division and felony trials.

Malech said his office has no reports for the months prior to July. He took over the new post of court executive on April 1.

Malech said information on judges' vacations is not made public, but he noted that "the criminal branch of the court is fully staffed during vacation periods, so judges' absences should not affect the number of jury trials."

"Lawyers take vacations as well as judges. In addition, witnesses and police are unavailable in those months because they are on vacation too," Malech said.

Malech said he "presumed" that the number of trials held in October was more than in the previous three months. He said those figures would be released as part of a report being complied by Chief Judge Harold H. Greene.

"The speed with which a defendant can get a jury trial in Washington is excellent," Malech added.

Persons charged with misdemeanors can now go to trial within three weeks of arraignment, he said, and the time for felony suspects is four to six weeks.

"Over the years in the District of Columbia, the number of cases entering the system and the number disposed of show that the total ended with a jury trial is substantially higher than in other jurisdictions."

Records showing the number of jury trials per month in misdemeanor cases at Superior Court have not been made public in the past.

Judge Greene was asked to comment on the figures released by Malech. At first he said he doubted the figures were accurate. Later he said they were meaningless without explanation, but he declined to provide an explanation.

Judge Greene said he would release a comprehensive report on court operations this week.

In his year-end report last year, Judge Greene reported that the number of criminal defendants given jury trials in the Court of General Sessions from Jan. 1, 1970, through Jan. 31, 1971, was 937. He listed the number of requests for jury trials in the 13-month period as 19,859.

That averages to 72 trials a month, or just less than 5 per cent of those sought. Greene did not provide a monthly breakdown, nor did he list how many cases were dismissed, postponed or withdrawn.

The chief judge, however, praised the court for conducting "more than 10 times as many jury trials as the comparable misdemeanor court in Detroit."

He also said that, "While the relative number of trials is not conclusive evidence of the quality of a court's operations, it does tend to indicate . . . whether pressures and inducements are avoided as an integral part of the system; and whether fair and proper procedures are generally expected by the participants and followed by the courts."

Disposition of requests for jury trials in criminal misdemeanor cases in Superior Court:

	July	Aug.	Sept.
Jury Trials	36	30	32
Postponed	644	599	900
Dropped by prosecutor	259	217	266
Dismissed by judge	150	880	110
Defendant failed to show	90	94	77
Forfeited collateral	5		5
Plead guilty	203	233	254
Tried before judge	72	81	105
Unaccounted	6		
Total	1,465	2,134	1,749

CAPITAL OUTLAY PLAN

Senator INOUYE. Judge, if we may at this point proceed to the capital outlay program, sir?

Judge GREENE. Well, Senator, the courts are requesting as part of the 1972 supplemental, an amount of $3 million for planning, architectural, and other planning, for a new central courthouse. I do not believe I should belabor the need for a central courthouse.

I am sure it is quite obvious to the committee that an efficient operation is almost impossible out of six or seven different buildings, with courtrooms scattered over those six or seven buildings, with jurors in one building who are then scattered through various places; court reporters in another building, who are then scattered to various places; and one cell block, and dangerous criminals being led across city streets by deputy marshals, in handcuffs, to another building to be tried there; a building which is occupied also by the civilian population, for office space.

I simply mention all of that, not because I am not perfectly willing to elaborate on it for several hours, if the committee wishes me to, but because I think it is perfectly obvious that the superior court cannot obtain true efficiency or security or cannot enforce a respect for law with respect to those who come before it, unless it has a different physical plant, namely, one building.

Senator INOUYE. As I indicated on several occasions, Judge Greene, I have no quarrel with the need for a new court complex. At this morning's meeting, sir, I indicated to you that I did walk the path that many judges walk, and that many jurors, and many of the prisoners are required to take. I can well understand the problem of security involved, and the problem of time. So I do not believe that there is any Member in the House or Senate of the United States who would be opposed to providing the city of Washington a new court facility.

The present system is far from satisfactory.

Before discussing the conversation we had this morning, Your Honor, I thought for the record I should indicate why I had some reluctance to support the court complex as set forth in the Westinghouse study, and proceed from there. I do this because it has been suggested that I have been unfair. I am not saying you said so——

Judge GREENE. I did not, sir.

SIZE OF PROPOSED COURT

Senator INOUYE (continuing). But I have received calls and I have received letters saying that I am unreasonable and irrational. So a few statistics might help as to why I have expressed some doubt.

On the matter of the size of the court, the Supreme Court of the United States is the most important court of our Nation, and here the courtroom is 56 by 56 feet, or 3,136 square feet. Compared to this, we find that in the new plan for the U.S. district courts, the large courtroom, the so-called ceremonial courtroom, would have a square footage of 2,400 square feet, and for the small courtrooms, 1,120 square feet.

For the District of Columbia Superior Court, under the Westinghouse study, the small courtroom would be 2,000 square feet and there

are two ceremonial courtrooms at 4,500 square feet, which, incidentally, is much larger than the courtroom of the Supreme Court of the United States.

For the judges' chambers, each Justice of the United States has an office of 480 square feet. For the new plan under the U.S. district court, the judges' chambers would be 600 square feet.

For the District of Columbia Superior Court, under the Westinghouse study, it comes to 964 square feet.

In addition to this, the record seems to indicate, at least according to the testimony of Colonel Starobin, that there are no other areas considered, although I have been advised by the judge this morning that other areas were considered.

Adding all of these things, plus the fact that for some reason the city was insistent on proceeding, even without the Westinghouse report before them, caused me to pause. I want you to know, Your Honor, that I want very much to cooperate with you and the city in providing this city and the people of this city with the most efficient and with the most progressive, complex of courtrooms.

But at the same time, I hope you will understand that I find it very difficult as an individual Senator, to approve of a courtroom, for example, that would be larger than the courtroom of the Supreme Court of the United States. I hope you understand, sir.

With this preface, I think it would be well that we discuss for the record the conversation we had this morning. I want the record to show that the District of Columbia Superior Court has taken a long step toward resolving this problem and, further, that I will do my utmost to expedite whatever must be done to provide you and the people of this city with the best system possible.

So with that, could you for the record, tell us what transpired at our meeting, sir?

Judge GREENE. Let me say this, Mr. Chairman: First of all, that the searching inquiry that you made is, of course, in line with the function of the Congress. The Congress has the power of the purse and it is entitled to know and is entitled to inquire and to question when monies of some magnitude are being sought, and it is not up to an individual agency or consulting firm to make decisions. So as far as I am concerned, so far as we are concerned, we understand that that is the appropriate way in which matters are being handled in a democratic society.

So far as the specifics are concerned, as you were given to understand, at one time that the building, the new building, might cost as much as $100 million.

REPORT OF WESTINGHOUSE STUDY

Senator INOUYE. This is the report of the Westinghouse study?

Judge GREENE. Yes. Either the Westinghouse mentioned $88 million, or one can read perhaps there will be additional costs. Whether it is $88 million, $98 million, or $100 million, it is certainly a sum approaching $100 million.

We have made a great effort during the past several weeks to reduce the size and thereby the cost of the court complex by eliminating from that complex all those functions which did not absolutely have to be there, in our judgment.

For instance, the ones that come easiest to mind are the Marriage License Bureau, the Central Violations Bureau, and there are a list of others.

As a result of those efforts, we have reduced the estimate of the court complex from $88 million or $100 million, to $60 million, by simple elimination of certain agencies and departments from the court complex itself.

The next problem is the one of the size of the courtrooms. I fully understand, again, the concern of the committee about the size of the courtrooms. The courtrooms were recommended to be 2,000 square feet.

I have seen the courtroom that is proposed as the model for the Federal courts, which can be seen here in the city of Washington, which has about 1,200 square feet. In my judgment, that would be too small for our operations, principally because the public space consists of only 24 seats and it is impossible for us even to impanel a jury. In a felony case we need at least 40 or perhaps more jurors to choose from, on the basis of 24 seats.

So I suggest, Mr. Chairman, that the courtrooms, the majority, the vast majority of the courtrooms, something like 45 or 46 courtrooms, be reduced to 1,450 square feet from the 2,000 that are recommended in the Westinghouse study. Eight courtrooms would have the size of 2,400 square feet, not to serve ceremonial purposes, but such purposes as traffic courts, arraignments, small claims, criminal calendar control, and other courts within which there is such volume of business and so many people, hundreds of people, that they simply could not be accommodated in a 1,450-square-foot courtroom.

Finally, as to the problem of the employment security building, which as we know is only 7 years old and cost, at that time, $4.5 million to build, when we were here last we felt that it would be advisable to have that building demolished. However, particularly in view of the fact that the size of the courthouse is being reduced anyway, as a result of the other mentioned measures, I think it is quite feasible for us now to build around the Employment Security Building and leave it standing where it is.

COST PER SQUARE FOOT OF COURT COMPLEX

Senator INOUYE. There was another matter involved in the construction of this facility. I am certain you are aware that the latest Federal building in this area is the FBI Building on Pennsylvania Avenue. That building is being constructed at a cost of approximately $34 a square foot. According to the Westinghouse study, this court complex would cost $62 a square foot. Under the revised plan, what is the estimate of the cost per square foot, sir?

Judge GREENE. My understanding is this, Mr. Chairman. I am not certain of the square footage cost of the FBI Building, but I am told that its construction cost to date has been $130 million.

I do have some figures here on the Rayburn Building, which cost $34 per square foot, when it was built in 1965. That is a rather low cost because a substantial portion of the Rayburn Building consists of underground garage space, which is obviously cheaper than above-ground space.

Furthermore, as concerns the Rayburn Building, or for that matter any other office building, it would be cheaper than a building such as

ours, which needs cellblocks, security elevators, court rooms with benches, and so on, which costs more than simply open space.

I am told that at today's building costs, the Rayburn Building would cost something like $55 per square foot, and the building we are talking about, the court building for the Superior Court, would cost in the neighborhood of $52 to $55 per square foot, if it were built today.

The reason the $62 figure was mentioned, so I am told by Colonel Starobin and his associates, is that they expect that by the time the building is actually constructed, 2 or 3 years from now, they anticipate building costs of $62. But it is no more than that. It is no more definite than that. It would cost more because construction costs seem to have had a tendency to go up. They are the experts on it and they advise us that that is what the cost per square foot would be. I have no way of knowing whether that is true, or not.

Senator INOUYE. Under the revised plan, sir, the Employment Security Building will remain?

Judge GREENE. Yes, sir.

ALTERNATE SITES FOR COURT COMPLEX

Senator INOUYE. In reaching your decision to have the court complex located in the so-called Pennsylvania Avenue area, did you consider alternative sites?

Judge GREENE. Yes. At the time when we first began this search for a courthouse, the then Deputy Mayor Fletcher and I personally walked around and drove around to look at various other sites. At that time we were particularly interested in a site which now houses the Federal Home Loan Bank Board, and a site which now is occupied by the Labor Department.

There were other sites which we considered at that time, but ultimately it was felt that the site on Pennsylvania Avenue, between Sixth Street and John Marshall Place, was the one that was most available, most suitable, most in proximity to the U.S. Courthouse and to the Municipal Building, Police Headquarters, and therefore most suitable. And it was available in the sense that there were not many either public or private buildings on the site which would have to be condemned or purchased or alternative locations found for the personnel.

Senator INOUYE. I instructed my staff to look over past studies and justifications of this court and detention facilities. I gather that these studies have cost nearly a million dollars. In looking over these studies, there are about 20 references to the efficiency and continuing cost-benefit to locate the court and the jail in proximity to each other. It has been suggested that the court should be as close as possible to the detention facilities.

These are not necessarily my views, but these are the recommendations in the studies made at the request of the city. In view of this, what consideration has been given to locate this new court near the new jail?

Judge GREENE. Well, I think you will find, Mr. Chairman, that some experts have recommended that the court be close to the jail, and some other studies have come to the conclusion that the court be located as far from the jail as possible.

I, personaly, do not feel it is desirable for the court to be in close proximity to the jail. I have, perhaps too elevated an image of what

the judicial process should be, but I do not believe it should be regarded by those that come before the court as simply a way station to the jail, as an adjunct to the jail.

I think it undesirable, for those reasons alone, to have the jail and the courthouse next to each other. The people who come before us, it seems to me, are entitled to expect that they are presumed to be innocent until they are proved guilty, and not to expect that they are simply here to go through a convenient formality before they are sent back to the back room where the jail is located. I do not believe it is a good idea.

Now, we have discussed at some length with Colonel Starobin and others the possibility of having a small detention facility, not far, several blocks from the courthouse. If that can be arranged, there is certainly no difficulty with that.

DETENTION FACILITIES IN PROPOSED COURT COMPLEX

Senator INOUYE. I gather that in the new building you will have detention facilities costing over $1 million. According to the studies that have been looked over by my staff, none of them suggested the new court should be far away from the new jail. That is why I asked this question.

All of the experts who have been called upon to study this suggested that the matter of security would call for the court being as close as possible to the jail and the matter of costs would also call for the jail being close to the courts.

But it is your view that they should not be too close to each other?

Judge GREENE. I do not mean one has to be one at one end of the city and the other at the other end of the city, but I do not believe they should be on the same site.

Senator INOUYE. I am not suggesting this.

Judge GREENE. I misunderstood.

Senator INOUYE. For example, I am bringing this up because our studies have indicated that there is a site 4 blocks away from the jail, readily available, at a cost of about $2 million. It is the present carbarn of the District of Columbia Transit Co. This $2 million, I have been advised, could be offset with the amount owed by the D.C. Transit to the city for the track problems.

So, essentially, we could get this for no cash transaction. This is a large site, in fact larger than the one presently considered along Pennsylvania Avenue.

Judge GREENE. Mr. Chairman, the Pennsylvania Avenue site was considered at great length, 4 or 5 years ago. It has been discussed, it has been assumed to be the site for the courthouse ever since that time. I would like to believe that Pennsylvania Avenue should not be reserved solely for Federal buildings with special purposes.

The Superior Court is a community facility in the sense that hundreds of thousands of citizens of this community have contact with it every year. Millions. I am told there are 6 million contacts of citizens per year with the Superior Court. Citizens are actually using that court to a tremendous extent.

Now, to assume that the court should be moved elsewhere, out of sight some place, not on Pennsylvania Avenue, so that another model

building could be put there for a Federal agency, for tourists to look upon, and for out-of-town people with business before that particular specialized agency to transact their business there, seems to me is not fair to the importance that the community ought to have.

I believe that a facility that serves this community, the citizens of this community, should be as much entitled to be within sight of those who come here, as another Federal agency.

Senator INOUYE. Judge Greene, the committee has been advised that at the present time there are two blocks just east of your present court complex, one block privately owned, which I have been advised is available for either sale or lease-purchase arrangement, and the other under the jurisdiction of the Federal GSA, which also is available.

According to the square footage involved, it would seem about the size which would be necessary for this revised plan. Would that area be one that should be considered by you?

CONSIDERATION OF ALTERNATE SITES

Judge GREENE. Well, Mr. Chairman, we will consider whatever we have to consider. If you are asking my opinion, I feel that we have considered, we have gone through 4 or 5 years of consideration of this particular site.

Now, at the 11th hour, the 59th minute, to come and look for alternative sites and hope that they can be condemned or can be purchased or otherwise made available, for no apparent reason that I can see, except that we should not be on Pennsylvania Avenue, is not reasonable.

The site is there. With the Employment Security Building saved, there is really no reason why that site should not be used right next to the U.S. court house.

Senator INOUYE. Judge, these questions are asked to make the strongest case for you, sir. Because there will come a time, I am certain, that some of my colleagues will be asking these questions, and I will not be the person to provide the answers.

Judge GREENE. I understand.

JUSTIFICATION FOR PENNSYLVANIA AVENUE SITE

Senator INOUYE. Therefore, I am providing the opportunity for the record to show why Pennsylvania Avenue should be the site considered.

Judge GREENE. I understand.

Senator INOUYE. Otherwise, it could be delayed further and I do not want to be a party to that.

Will you, at the earliest possible moment, possibly with the assistance of Mr. Starobin's office, provide this committee a report covering the revised plan, in greater specifics, and if at all possible, a sketch of what the new plan would look like? I think these would be necessary for use of this commitee, if we are to reach any conclusion as to the appropriation requests made in the supplemental 1972.

Judge GREENE. Certainly, Mr. Chairman.

Senator INOUYE. You may be assured, as soon as we receive that report it will be circulated, because of the interest shown by other

members of this committee. As I have indicated to all of my colleagues, I will do whatever I can to expedite this, but I will need help from you, also.

Judge GREENE. Yes, sir.

Senator INOUYE. So, could you advise this committee as to about when we can expect the report of this nature?

Judge GREENE. Within a week? Or less than that, as far as I am concerned. We will get it to you within a few days.

Senator INOUYE. Fine.

Do you have anything else you would like to say about this new court, sir?

Judge GREENE. No, Mr. Chairman. I just want to thank you for the consideration that you are showing. I know you understand as well as anyone the need for the new court system, and I am perfectly willing to leave it in your hands.

Senator INOUYE. In this report, if I may ask further, would you touch upon the other sites that have been mentioned in this hearing, and set forth your reasons why the Pennsylvania Avenue site is superior to, say, the site east of the present court system, or the present D.C. Transit Carbarn there?

Judge GREENE. Certainly.

Senator INOUYE. It would be appreciated very much, sir.

Thank you very much.

Judge GREENE. Thank you very much, Mr. Chairman.

(The information follows:)

Superior Court of the District of Columbia
Washington, D. C. 20001

March 24, 1972

Honorable Daniel K. Inouye
United States Senate
Washington, D.C.

Dear Senator Inouye:

In response to the questions you raised at the hearings before the Senate Appropriations Committee on March 20, 1972 concerning the proposed site for the new court complex, I submit the following information.

The presently planned site of the new courthouse, between 6th Street and John Marshall Place, N.W. and Pennsylvania Avenue and C Street, N.W. was selected approximately 5 years ago after consideration of it and several other available sites. Plans for the new court, including approval from the National Capital Planning Commission and the Fine Arts Commission, as well as the Westinghouse Study, have gone forward on the basis that this will be the site. Other agency plans have also proceeded on the basis that this would remain the site, and such necessary support functions as the Metro have been designed to provide adequate transportation to the Judiciary Square area. There appears to be no reason for a change in the site other than a desire to preserve Pennsylvania Avenue for federal facilities and relegate local facilities to less visible locations. The new court will be an important community facility, serving hundreds of thousands of local citizens each year. Surely this function is as worthy of recognition and inclusion on Pennsylvania Avenue as some specialized federal interest serving lesser numbers of people.

Among the reasons this site was decided upon as the best among the then available sites were the following: its relative convenience for both the general public and attorneys; its adjacence to the Federal Courthouse which is highly convenient for practicing attorneys and police officer witnesses and which also facilitates problems of moving prisoners from the D.C. Jail to the court complex; its adjacence to both the present Police Headquarters and the proposed new Police Headquarters; and the plans for providing adequate public transportation to this area via the Metro subway system. None of the other proposed sites fulfills these needs as well as the site selected, and all the others have significant drawbacks.

The two alternate sites suggested at the hearing, even if they might be in fact equally adequate sites for a new court complex, share one major and overwhelming drawback. The time necessary to obtain approval from the necessary bodies such as the Fine Arts Commission and the National Capital Planning Commission, and the further time necessary to acquire these sites and ready them for construction, would add, conservatively, two to three years to the time required for completion of the new court. Inasmuch as operation in the present facilities creates such severe problems for the administration of justice in the District of Columbia, it seems imperative that action be taken on as expedited a basis as possible to alleviate these conditions by providing adequate physical facilities for the court operation.

I am advised that the alternative sites mentioned at the hearing also share another inadequacy, in that they do not provide enough potential building space for the construction of an adequate court complex. Even in view of the reductions in the size of the courtrooms and judges' chambers, and the plan to remove certain support functions from the new court building, we estimate that a court building of approximately one million square feet will be needed to provide adequate quarters for the court functions. The Pennsylvania Avenue site, minus the space presently occupied by the Employment Security Building, contains adequate space. The other sites mentioned are wholly inadequate. The table below shows the exact land area available on the alternative sites suggested, and the floor space which could be constructed on this land area.

Property	Location	Floor Area Ratio (FAR)	Land Area (Sq. Ft.)	Gross Floor Area (Sq. Ft.)*
Sq. 530	3rd, 4th, F & G Streets, N.W.	6.0	50,500	303,000
Sq. 531	3rd, 4th, E & F Streets, N.W.	6.0	65,500	388,000
Sq. 532	3rd, 4th, D & E Streets, N.W.	6.0	76,000	456,000
F Street	Between 3rd & 4th Streets, N.W.	6.0	18,700	112,200**
Sq. 1057	14th, 15th, A & East Capitol Streets, N.E.	3.0	123,930	371,790

*Gross floor area (above ground) equals the floor area ratio times the land area.

**Assuming that this street can be officially closed.

In specific terms, the site between 3rd and 4th Streets, N.W. and E and F Streets, N.W. is, of course, less conveniently situated in relation to the District Court than the Pennsylvania Avenue site. The site of the D.C. Transit Car Barn is far from suitable in many respects. Although it is located in closer proximity to the D.C. Jail than the presently proposed site, it is not so proximate as to allow for a means of transporting prisoners other than by special buses or vans, with whatever security risks such a system carries. The time required for such transportation would undoubtedly be less than the time required to transport prisoners from the Jail to the presently planned site of the new courthouse, but it seems unlikely that the time saving involved would be significant enough to outweigh the other disadvantages of this site. The Car Barn is not conveniently located for the majority of Washington citizens, and surely not for the bulk of Washington attorneys. Present and planned public transportation to the Car Barn is, I believe, inadequate to the needs of the court system, and the site does not have the advantage of being adjacent to the other institutions involved in the local justice process.

I believe that the information I have presented to you supports the need of the Court to proceed with construction on the site planned on Pennsylvania Avenue. I hope you will continue to support us in planning for the court building on this site.

Sincerely yours,

Joseph L. Greene

STATEMENT OF COMER S. COPPIE, SPECIAL ASSISTANT TO THE MAYOR-COMMISSIONER FOR BUDGET AND PROGRAM ANALYSIS.

PREPARED STATEMENT

Senator INOUYE. The final witness will be Mr. Comer S. Coppie, with a statement regarding the United States Courts.

Excuse me. After Mr. Coppie, we would like to take up the Public Defender Service, the Bail Agency, and the National Guard. So if the witnesses for these agencies will remain, I think we should be able to finish these agencies by 12:30.

Mr. Coppie, welcome back.

Mr. COPPIE. Thank you, Mr. Chairman. My formal statement will be provided for the record.

(The statement follows:)

We are requesting a total of $6,676.5 for payment to the U. S. Treasury for 75% of the anticipated FY 1973 expenditures of the U. S. Attorney's Office and the U. S. Marshal's Service for the District of Columbia. This payment is required by Sec. 203 of the State, Justice, Commerce, Judiciary, and Related Agencies Appropriation. The required payment to the U. S. Judiciary and the General Services Administration is no longer being included within what has been called the U. S. Courts appropriations. Title I, Section 173 of the District of Columbia Court Reform and Criminal Procedure Act of 1970 requires that the new Executive Office of the District of Columbia Courts make these reimbursement payments to the U. S. Treasury. Accordingly, these funds are now transferred to the Superior Court.

The FY 1973 payment for 75% of the costs incurred by the U. S. Marshals and U. S. Attorneys for the District of Columbia represents a $853.0 increase from FY 1972. This increase represents salaries for 12 new positions, increases in witness fee payments and obligatory use of new communications equipment.

Mr. COPPIE. On the total request, this particular apportionment for 1973 is $6,676,500, which represents an increase of $853,000 over 1972.

By way of explanation, I point out we consider this to be mandatory cost. It is a transfer of funds from the District government to the U.S. Treasury, representing 75 percent of the total cost of the U.S. Attorney's Office for the District of Columbia, and the U.S. Marshal's service for the District of Columbia.

The total cost for 1973 is estimated at $8.902 million; and the District of Columbia share is 75 percent of this total, which is $6,676,500.

Senator INOUYE. I have no questions, Mr. Coppie. I thank you very much.

PUBLIC DEFENDER

STATEMENT OF MRS. BARBARA BOWMAN, DIRECTOR

ACCOMPANIED BY:
MRS. BONNIE LARSON, EXECUTIVE ASSISTANT
J. PATRICK HICKEY, DIRECTOR, CRIMINAL JUSTICE ACT, PLANNING AND COORDINATION

INTRODUCTION OF ASSOCIATES

Senator INOUYE. Our next witness is Mr. Samuel Dash, chairman of the board of trustees of the public defender service.

Mrs. BOWMAN. Good morning, gentlemen. I am Barbara Bowman, director of the public defender service. Mr. Dash was called out of town unexpectedly. I have with me our executive assistant, Mrs. Bonnie Larson, and Mr. Patrick Hickey, director of the Criminal Justice Act, planning and coordination.

Mr. Dash has submitted a statement to the committee, justifying the increases which we seek. I would like, if it is all right with the committee, to devote my time to answering whatever questions you have.

Senator INOUYE. Without objection, your statement will be made a part of the record.

(The statement follows:)

The Public Defender Service for the District of Columbia (PDS) was created by statute as part of the Court Reform and Criminal Procedure Act of 1970 (Public Law 91-358), enacted in July, 1970. The PDS is the successor to the Legal Aid Agency created by Congress in 1960, with the personnel of the Legal Aid Agency becoming employees of the PDS. The major difference between the Legal Aid Agency and Public Defender Service statutes is that the earlier statute anticipated a rather small organization with relatively few attorneys, whereas the PDS bill lays the foundation for a larger and more influential agency.

Board of Trustees

The PDS is governed by a seven member uncompensated Board of Trustees, who are responsible for the agency's general policies. The Trustees hire the Director and Deputy Director of the Service, who operate the agency on a day-to-day basis and are answerable to the Board. Members of the Board are appointed for three year terms by the Chief Judges of the four District of Columbia courts and the District's Mayor-Commissioner.

The "Mixed System" of Representation

Pursuant to its statute, the Service's major responsibility is to represent persons financially unable to obtain adequate legal representation in the following courts and proceedings: felony and misdemeanor cases in United States District Court and in the Superior Court of the District of Columbia; proceedings before the Superior Court's Family Division where juveniles are alleged to be delinquent or in need of supervision; proceedings before the Commission on Mental Health involving civil commitments; appellate cases; and any proceedings

ancillary or collateral to the foregoing representation. The new statute also specifies that "not more than 60 per centum of the persons who are annually determined to be financially unable to obtain adequate representation and who are persons described in the above categories may be represented by the Service. . . ." This provision guarantees continuation of a "mixed" legal representation system in the District of Columbia, with the private bar called upon to handle up to 40 percent of the more than 20,000 indigent cases annually requiring appointment.

Increases Requested

In its fiscal 1973 budget, the non-mandatory increases requested by the Public Defender Service relate to establishment of an appellate division ($153,100), the upgrading of supervisory attorney positions ($24,200), and fuller staffing ($47,700).

Appellate Division. A year ago, in its fiscal 1972 budget submission, the Public Defender Service sought seventeen new positions to be devoted exclusively to appellate representation in the District of Columbia Court of Appeals and in the United States Court of Appeals for the District of Columbia Circuit. This request was denied. The reasons for establishing an appellate section in fiscal 1973 are as compelling now as they were a year ago. I quote from the statement which I submitted to this Appropriation Subcommittee last year:

> The Service also seeks seventeen new positions . . . to be devoted exclusively to appellate representation in the District of Columbia Court of Appeals and in the United States Court of Appeals for the District of Columbia Circuit. In the past, PDS appellate work has been minimal as compared to its volume in other areas. . . . The focus on the trial courts arose from the great need for experienced counsel in that arena. With the

advent of court reform, a similarly pressing need has arisen for a corps of highly trained defense attorneys to practice exclusively in the appellate courts. The D.C. Court of Appeals, particularly will undergo a dramatic increase in its caseload. . . . Approximately sixty or seventy percent of these new cases are likely to be criminal or juvenile appeals.

The D.C. Court of Appeals strongly endorses the request for an appellate section in the PDS, since it would greatly aid the court with its new duties. In a recent letter to the District's Budget Officer, the Honorable Frank Q. Nebeker, spoke of the efficiencies in having an appellate section within the Public Defender Service:

> "A centralized appellate function has one essential by-product which, as time progresses, cuts consumed research time and reduces overall costs. I speak of the investment in research by briefing legal issues in an office where even minimum continuity in professional staff permits valuable use of past effort. I can safely represent that without such a by-product three times the man-hours will be consumed in identifying issues on appeal and briefing them."

Judge Nebeker writes from experience, for he served as Chief of the United States Attorney's appellate section for seven years.

The Public Defender Service believes that with a complement of twelve appellate attorneys and five secretarial positions it could handle a significant portion of the appellate cases in the D.C. Court of Appeals, in addition to appellate representation in the United States Court of Appeals.

The importance of having a pool of experenced attorneys at the appellate level is underscored by provisions of the 1970 Crime Bill, which place a heavy burden on the defendant in obtaining release pending appeal; because of this most defendants will very likely be detained in the process. This makes it essential that delay caused by counsel unfamiliar with the

criminal law and with the possible issues to be raised on appeal be eliminated.

It should also be noted that the PDS has a vital information function to discharge in a mixed system of representation involving public and private appointed counsel. The new PDS statute indicates that the Service is to "furnish technical and other assistance to private attorneys appointed to represent persons described in the above categories." Through centralized research and briefing in its appellate section, PDS attorneys could aid private appointed counsel in identifying issues for appeal, and in expeditiously following appellate procedures.

The Service presently has 44 authorized attorney positions which is significantly less than the number allocated for the District of Columbia prosecutor offices. The United States Attorney's Office has a staff of 133 Assistants, 121 of whom are designated for the handling of criminal trials and appeals. The Corporation Counsel's Office has 18 Assistants assigned to handling juvenile cases. The Public Defender Service, of course, has responsibility for providing representation in both criminal and juvenile matters, and the PDS also appears in hundreds of Mental Health Commission hearings in which neither the United States Attorney nor the Corporation Counsel are involved. While precise statistics are lacking, probably about ninety percent of all persons prosecuted for criminal and juvenile offenses by the United States Attorney and Corporation Counsel Offices are indigent. This means that from a comparative standpoint the Public Defender Service should have, at the very least, a staff of about 75 attorneys, i.e., sixty percent of the total number of Assistant United States Attorneys and Assistant Corporation Counsels assigned to criminal and juvenile cases less ten percent for non-indigent cases. In fact, the attorney staff size of the

PDS should be even larger than 75, since the time demands in defending criminal and juvenile cases are greater than those involved in prosecution.

Supervisory Attorney Positions. In addition to funds for an appellate division, the Public Defender Service believes it is imperative that budgetary recognition be given to establishment of supervisory attorney positions. Presently the only attorney supervisory positions authorized in the PDS budget are three at approximately $21,000 per annum. In contrast, the United States Attorney's Office has 15 attorney supervisory positions -- five GS-16 positions (minimum of $29,678) and 10 GS-15 positions (minimum of $25,583). Given a staff of 133 lawyers in the United States Attorney's Office, this is a ratio of nine attorneys for each supervisor. Utilizing the nine to one ratio with 44 authorized attorney positions, the Public Defender Service, as requested in its fiscal 1973 budget, should have five supervisory positions -- two at GS-16 and three at GS-15. The creation of such positions is essential if the Service is to retain its most talented attorneys and be able to promote them to positions of administrative responsibility. Section 305(a) of the Public Defender Service statute anticipates that the compensation paid to employees of the Service shall be comparable to that paid to "persons of similar qualifications and experience in the Office of the United States Attorney for the District of Columbia."

Fuller Staffing. Due to budgetary limitations, during the last six months of fiscal 1972 the Service will be able to fill only about thirty-nine of its forty-four authorized attorney positions. Overall, of the agency's 114 authorized positions, less than 100 will be able to be filled during the last half of fiscal 1972. During fiscal 1973 the Service

believes that virtually all of its attorney positions will be able to be filled, but unless funds for fuller staffing are appropriated, we shall have to continue with significant vacancies among the positions authorized for investigators and staff for the appointment of counsel program. The $47,700 requested for fuller staffing will enable the Service to fill three more of its authorized investigative positions and two more of its authorized positions in the coordination of appointments program.

Absent the requested funds for fuller staffing, the Service estimates that it will be able to hire for only about 102 of its 114 authorized positions. The effect of these vacancies will be to make it more difficult for the Service to discharge its responsibilities pursuant to the 1970 D.C. Crime Bill, according to which the agency has a duty not only to provide legal representation in up to sixty percent of the eligible cases, but also to coordinate an effective system for the appointment of private counsel in indigent cases and to supply to such counsel investigative assistance and other support.

Conclusion

The necessity of adequate defender services in order to prevent breakdowns in the criminal justice system has been repeatedly stressed by Chief Justice Burger. Similarly, President Nixon in his 1969 Message on Crime in the District of Columbia noted that "professional public defenders . . . not only better safeguard the rights of defendants, but also speed the process of justice." Creation of the Public Defender Service was a significant step in the overall war on crime, for the agency can have enormous implications for both judicial efficiency as well as the quality of justice.

PROCEDURES FOR OBTAINING SERVICES

Senator INOUYE. What procedure does a person follow to obtain the services of your agency?

Mrs. BOWMAN. The services of our agency are obtained in the same way that private counsel is appointed, who is not from the public defender service. In other words, there is no selection involved in the cases that we take. We are appointed by the court on the same basis as any other lawyers would be appointed by the court to an indigent case.

Senator INOUYE. My staff has been advised that the court-appointed attorneys are paid by the hour, rather than by the case. Is that correct?

Mrs. BOWMAN. That is correct. The court-appointed lawyers in the District of Columbia for most cases, the serious criminal charges, are paid under the Federal Criminal Justice Act, the rates of which have just increased and they are paid by the hour up to a certain amount for a case.

I believe Mr. Hickey can furnish you those exact figures.

Mr. HICKEY. The figures, Senator, are $30 an hour for time spent in court and $20 an hour for time spent out of court. The maximum payments which can be certified, with a specific certification by the chief judge that it is appropriate to do so, are $400 for a misdemeanor case, $1,000 for a felony case, and $1,000 for an appellate proceeding.

The history has been those figures are not generally exceeded, but the statute permits it.

TIME CONSUMED BEFORE THE COURT

Senator INOUYE. It has been suggested that ever since the institution of this hourly system, that the time consumed before the court has doubled or tripled. Is this a valid conclusion?

Mr. HICKEY. I do not believe it is, Senator. The figures which are kept by the Administrative Office of the U.S. Courts indicate, for example, that prior to the rates doubling, which happened in February of 1971, in the superior court, for example, there was an average voucher of approximately $50. Since that time the voucher, the average voucher, has doubled to slightly over $100, which is, I think, attributable to the doubling of the rates.

But that suggests to me that the amount of time spent is approximately the same.

Senator INOUYE. The committee has been advised that the Administrative Office of the U.S. Courts has indicated that for the fiscal year 1970 the average cost per case was $191.82, and since the enactment of the Criminal Justice Act rates they have exceeded $350 per case. Is that about correct?

Mr. HICKEY. Would those figures for 1970—I did not understand you.

Senator INOUYE. For fiscal year 1970 the average cost was $191.82 and since the new rate system, the average cost has about doubled?

Mr. HICKEY. I would imagine that is approximately correct. The figures I cited referred to superior court cases and they have traditionally been lower than the District courts where felonies are tried.

Senator INOUYE. We have also been advised that we have attorneys in the District of Columbia who rely on court-appointed cases to such an extent that the bulk of their income would come from these cases. Am I correct?

Mr. HICKEY. I believe that is true, yes.

AMOUNT PAID TO ATTORNEYS

Senator INOUYE. For example, in calendar year 1971, one attorney received about $58,000, another $45,000, another $36,000, another $33,000, and another $32,000. Would this be correct?

Mr. HICKEY. Senator, we do not have——

Senator INOUYE. Would you confirm this?

Mr. HICKEY. I am not sure I can, altogether. We do not have access to the records showing payments, which are made through the Administrative Office of the U.S. Courts. I am familiar with the figures that you are citing and believe that they are based on estimates and projections. I do not frankly know what payments were made by the Administrative Office to attorneys during the calendar year 1971.

Senator INOUYE. Since this committee has to reach a decision on appropriations covering such costs, I think it is a legitimate question to ask.

Mr. Coppie, could you furnish this committee with information on income received by attorneys in excess of $10,000 during fiscal year 1971? Both with the superior and the Federal courts here?

Mr. COPPIE. We will attempt to provide that information, Mr. Chairman.

(The information follows:)

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS
SUPREME COURT BUILDING
WASHINGTON, D.C. 20544

April 11, 1972

Mr. Comer S. Coppie
Special Assistant to the
Mayor-Commissioner
Room 423, District Building
14th & E Streets, N. W.
Washington, D. C. 20004

Dear Mr. Coppie:

With further reference to your letter of March 30, 1972, there are enclosed two statements; one containing a list of court-appointed attorneys who were paid $10,000 or more during calendar year 1971 and the other showing payments of $10,000 or more out of the fiscal year 1971 appropriation.

The statement for calendar year 1971 (Attachment 1) is based on actual check issues regardless of when the attorneys were appointed or when they actually performed their services. The statement for fiscal year 1971 (Attachment 2) shows cumulative payments through March 31, 1972, for services rendered pursuant to appointments made during fiscal year 1971.

I should explain that the appointment of an attorney constitutes a contractual obligation and, therefore, his fees are payable out of the appropriation current at the time of the appointment regardless of when the case is finally disposed of or when the claim is filed with this office. We still have a substantial number of outstanding claims which are properly payable from the 1971 fiscal year appropriation.

Sincerely yours,

William E. Foley
Deputy Director

Attachment 1

PAYMENTS OF $10,000 OR MORE TO COURT-APPOINTED COUNSEL IN THE DISTRICT OF COLUMBIA DURING CALENDAR YEAR 1971

	Amount
Armstrong, Bruce	$18,371.50
Bailey, Philip Mackin	20,708.25
Black, Harvey	26,852.50
Black, Jr. Matthew W.	15,485.75
Burke, Richard D.	16,196.25
Couvillon, Donald A.	18,336.00
Dawson III, James S.	21,665.00
Dorsey, W. Louis	10,084.00
Doud, James F.	26,161.50
Dreos, George C.	12,145.52
Drucker, Martin S.	34,031.06
Durkin, James P.	12,382.50
Farquhar, Thomas W.	17,063.48
Feldman, Melvin	11,556.64
Grabowsky, Fred	31,638.00
Holloman, James E.	16,216.25
Hurley, John J.	11,991.50
Hutter, Allen M.	17,186.90
Jones, Colenester B.	14,330.00
Kapinus, Bert W.	15,102.50
Kawahara, Thomas T.	15,358.75
Kearney, Michael M.	18,190.45
Kehoe, Edward T.	30,104.25
Kemp, Bernard W.	15,382.00
Keren, Barney J.	51,510.60
Koppelman, Jack	11,276.40
Kubinski, Charles A.	15,907.50
Leib, Jeffrey H.	12,640.25
Lewis, Nettie M.	11,999.50
Lichtman, Irene K.	47,108.00
Lunsford, John K.	10,915.00
Luria, Davis Jr.	15,808.75
Marshall, Miller	19,480.30
Masino, Frank N.	10,514.77
Mendes, Fortunato J.	10,670.08
Millstein, Stephen S.	17,804.00
Monahan, Henry J.	11,530.90
Mundy, James	17,497.50
Nesbitt, Leroy	24,670.00
Parker, O.B.	22,389.10
Porter, James O.	13,905.50
Respess, James W.	12,741.85
Ringell, Richard	20,446.28
Rosen, Sol Z.	37,574.10
Saccardi, Clarence R.	15,199.10
Schaeffer, Charles	12,247.50
Shannon, William T.	18,155.00
Sheehy, Donald J.	10,367.19
Shepherd, Kenneth	21,185.50
Skirble, Joel H.	14,562.50
Speidel, Richard H.	12,992.50
Still, Richard L.	16,393.30
Thompson, David H.	10,016.50
Tinney, Jr. William A.	11,708.50
Whalen, Jr. Arthur J.	14,673.50
Whitlock, Richard W.	18,500.00
Wilhite, E.	14,150.55

Attachment 2

PAYMENTS OF $10,000 OR MORE TO COURT-APPOINTED COUNSEL IN THE DISTRICT OF COLUMBIA OUT OF THE CRIMINAL JUSTICE ACT APPROPRIATION (THROUGH MARCH 31, 1972*)

	Amount
Armstrong, Bruce	$14,825.00
Bailey, Philip Mackin	16,700.75
Black, Harvey	29,572.50
Black, Jr. Matthew W.	13,781.00
Burke, Richard D.	13,901.25
Couvillon, Donald A.	20,338.50
Dawson III, James S.	23,965.00
Doud, James F.	23,911.75
Dreos, George C.	11,104.39
Drucker, Martin S.	27,273.08
Durkin, James P.	14,740.10
Farquhar, Thomas W.	17,291.98
Grabowsky, Fred	33,740.00
Holloman, James E.	14,592.75
Hurley, John J.	11,852.50
Hutter, Allen M.	17,271.20
Jones, Colenester B.	14,385.00
Kapinus, Bert W.	14,865.00
Kawahara, Thomas T.	13,237.50
Kearney, Michael M.	19,701.95
Kehoe, Edward T.	28,881.75
Kemp, Bernard W.	11,244.50
Keren, Barney J.	45,974.30
Kubinski, Charles A.	15,247.50
Leib, Jeffrey H.	10,685.25
Lewis, Milton I.	13,432.40
Lewis, Nettie M.	11,284.50
Lichtman, Irene K.	42,345.00
Lunsford, John K.	10,300.00
Luria, Davis Jr.	13,180.75
Marshall, Miller	17,185.55
Masino, Frank N.	13,904.72
Mendes, Fortunato J.	10,194.08
Millstein, Stephen S.	17,106.00
Monahan, Henry J.	15,007.62
Morse, Louis J.	11,252.75
Mundy, James	18,022.50
Nesbitt, Leroy	20,517.50
Parker, O.B.	21,336.70
Porter, James O.	14,185.50
Respess, James W.	17,262.10
Ringell, Richard	20,781.38
Rosen, Sol Z.	32,561.00
Saccardi, Clarence R.	14,917.35
Schaeffer, Charles	11,607.50
Shannon, William T.	16,017.50
Sheehy, Donald J.	10,334.98
Shepherd, Kenneth	19,227.00
Skirble, Joel H.	14,110.00
Still, Richard L.	14,176.35
Thompson, David H.	11,324.71
Timberlake, Frederick	11,180.00
Whalen, Jr. Arthur J.	12,982.65
Whitlock, Richard W.	18,315.00
Wilhite, E.	15,680.20

*Attorneys are paid from the appropriation current as of the date of the appointment regardless of when the claims for fees are filed.

FEDERAL FUNDS USED TO PAY ATTORNEYS

Mrs. BOWMAN. Senator Inouye, I might say these funds, of course, by which attorneys are paid, under the Criminal Justice Act, are Federal funds and are not connected in any way with our appropriations, except to the extent we have a statutory mandate to attempt to coordinate the appointment of counsel. And the system under which some lawyers take a number of cases which would result in these income figures is not the system that we are proposing and seeking to implement. But the money that is paid individual lawyers under the Criminal Justice Act is completely separate and independent of our appropriation.

And I might say, out of our control.

Senator INOUYE. It may be out of your control, but it still is, I would hope, of valid concern to this committee. Because it does involve the operations of your service.

Mrs. BOWMAN. It is of great concern to us. We have statutory mandates to coordinate the appointment of counsel and to set up a system which will be fair and rational and provide the fairest kind of representation, so that we are concerned about it.

But the two kinds of appropriations are completely separate.

Senator INOUYE. Would you feel that it would be valid for one to conclude by looking over these figures that some lawyers are favorites of the courts?

Mrs. BOWMAN. I think the most that we could conclude is that some lawyers are receiving a great many appointments, many many cases per year, to submit vouchers totaling these amounts.

AVERAGE INCOME FOR CRIMINAL LAWYERS

Senator INOUYE. I am not too familiar with the income of attorneys in Washington, D.C., but for criminal lawyers, is there any average figure?

Mr. HICKEY. I am not aware of any, Senator.

Mrs. BOWMAN. You might compare it to the figures we pay our lawyers who practice exclusively in the criminal area. We pay on salary scale, comparable to that of the U.S. Attorney's Office.

Senator INOUYE. What is that?

Mrs. BOWMAN. It involves for an honor's graduate, immediately out of law school, we pay a salary of $13,300.

Senator INOUYE. $13,300.

Mrs. BOWMAN. Yes. And it goes up to about $17,000 a year as experience increases in the agency.

Senator INOUYE. $17,000 is the maximum?

Mrs. BOWMAN. I am sorry, $18,500 is the maximum. That is after 4 years. Except for attorneys with supervisory responsibility.

Senator INOUYE. What is that?

Mrs. BOWMAN. Well, we are seeking an increase in that. Presently it is $21,000. We are seeking that increase, to be comparable to the U.S. Attorney's Office.

Senator INOUYE. That is still less than half of what some lawyers received last year.

Mrs. BOWMAN. That is correct.

Senator INOUYE. Do you believe that this system is a valid one—where one attorney can get close to $60,000 a year on court fees?

Mrs. BOWMAN. Senator, we are seeking to implement a quite different system under our statutory mandate, which would involve more reasonable payments to individual attorneys and which would spread the representation in the Criminal Justice Act to a greater degree, over a greater number of lawyers. And, of course, since that is the system that has been proposed and adopted by the courts in the District of Columbia, we feel that would be a superior system.

Senator INOUYE. How many cases do you anticipate handling in fiscal year 1973?

Mrs. BOWMAN. We expect to have full staffing with 44 lawyers.

Senator INOUYE. With the full staffing?

Mrs. BOWMAN. We hope to reach 30 or 35 percent of the representation in the next fiscal year, and given that there are about 20,000 cases requiring the appointment of counsel—I am not sure I can do that math in my head—but a figure of 30 or 35 percent of the total representation of 20,000, or approximately 20,000 indigent cases.

Senator INOUYE. So it would be in excess of 6,000?

Mrs. BOWMAN. Yes.

Senator INOUYE. All right. I thank you very much.

District of Columbia Bail Agency

STATEMENT OF BRUCE D. BEAUDIN, DIRECTOR

ACCOMPANIED BY:
WILLIAM R. CECIL, ASSISTANT DIRECTOR
DEWAINE GEDNEY, COURT COORDINATOR

INTRODUCTION OF ASSOCIATES

Senator Inouye. Our next witness is the Director of the District of Columbia Bail Agency, Mr. Bruce Beaudin.

Mr. Beaudin. If I may, Mr. Chairman, I should like to introduce my associates. The man seated at my left is the Deputy Director of the agency, Mr. William R. Cecil, and the gentleman to my right is the Court Coordinator for the agency, Mr. Dewaine Gedney. We call him Nick.

Senator Inouye. Welcome, Nick.

PREPARED STATEMENT

Mr. Beaudin. Mr. Chairman, I did submit for the committee an opening statement last week. With your permission I would just ask that statement be entered in the record, if that is agreeable.

Senator Inouye. Without objection, your full statement will be made a part of the record, sir.

(The statement follows:)

The Court Reorganization and Criminal Procedure Act of 1970 added much to what was simply an interview at the time the defendant entered the court system. The Act has added the responsibilities of notification of continued dates, supervision of the total pretrial release period, a requirement to develop and utilize resources of the community to reduce the risk posed by any defendant, and the task of providing the judicial officer with accurate, complete, almost instant information regarding any change in the status of the defendant. In short, the Agency has become analogous to a pretrial probation agency.

While the case load increased 20 percent, the responsibilities of the Agency have increased by over 100 percent. Thus the workload increase has been from less than one hour per defendant to an average of three hours per defendant. In the area of notification alone the Agency provides notification of court dates for some 2,400 defendants a month. While the Agency has increased its work force by a factor of less than four as a result of the implementation of the new Act, it has increased its responsibilities by a factor of 10 or more.

The original budget of $560,000 for Fiscal 73 allowed an increase of 49.8 thousands over Fiscal 72. This increase, which represented no increase in positions, was made up primarily of additional monies necessitated by the pay raise increase effective in January of 1972 and for within-grade advancements. In addition to this budget, the City Council

was also asked to consider an increase of 21 positions in a requested amount of $192,100. In order that the Chairman may understand the importance of an additional 21 positions, I emphasize that these positions were not requested in Fiscal 72 because the Agency was not certain what the total impact of the Court Reorganization Act would be. Having worked with the Act for one year and based on the experience gained in that year, the Executive Committee of the Bail Agency, by way of request through the Mayor, proposed the increase of 21 additional new positions to our present staff of 44 to handle the additional workload.

The 21 additional positions are dedicated to the reduction of the rate of rearrest that has continuously climbed in the past year. Fourteen of the positions are to be committed to supervising the more than 3,000 defendants who are at large in the community on conditions of pretrial release at any given time. Each has an average of four conditions per release. It is a simple mathematical computation to ascertain that this means that some 12,000 conditions must be supervised on a daily basis. At the present time the limited resources of the Agency can only commit nine staff members to supervise these conditions, a woefully inadequate situation. While the addition of 14 more people dedicated to supervising pretrial releases will not solve the problem completely, it will enable the Agency to report violations of those conditions of release hopefully before most defendants are rearrested. Two of the remaining seven positions will be committed to the important task of

notification. It has been our experience that defendants will appear when required providing they know of their court dates. The remaining five positions will be committed to the pre-presentment investigations. The Executive Committee of the Bail Agency has determined that the additional five positions will be a more productive use of money than paying large amounts of over-time to cover the six-day work week which the Bail Agency must do.

In conclusion, Mr. Chairman, because this Agency approached cautiously its new responsibilities and developed programs as the needs and occasions demanded, its initial request under the court reorganization supplemental was modest — less than one half of what was authorized for the Agency. It is only now, based on a year of experience, that we have asked for an increase which is directly related to the implementation of our new responsibilities.

REARREST RATES

Senator INOUYE. Would you prefer I ask whatever questions I have?

Mr. BEAUDIN. Yes, sir. I have nothing to add.

Senator INOUYE. What is the rearrest rate for the defendants under the supervision of your Agency?

Mr. BEAUDIN. Mr. Chairman, that figure would have to be divided to give, the committee full understanding. We are faced with a rearrest rate of about 40 percent. In other words, 40 percent of the influx of new criminal cases is comprised of men who are at liberty, either on pretrial release or postconviction release.

These people might be on probation, parole, out of a community center from the Department of Corrections, or pretrial release.

I would say about 20 percent——

Senator INOUYE. Could you furnish us with the information? I realize you cannot do it precisely at this time. I would like to know, also, what percentage of those rearrested were under the so-called passive supervision of your agency.

Mr. BEAUDIN. Yes, sir. I can do that.

(The information follows:)

REARREST RATE FOR PERSONS SUPERVISED BY BAIL AGENCY

During calendar year 1971 the Bail Agency supervised 10,927 defendants who were at liberty on pretrial release. Of this number, 1,684 were rearrested and charged with a substantive crime prior to the termination of the first case in which they were accused. This number of rearrests represents a rearrest rate of 15.4 percent.

NOTIFICATION UNIT

Senator INOUYE. What problems has the Notification Unit encountered in reaching defendants, supervised by your Agency, especially those under the passive supervision?

Mr. BEAUDIN. The biggest problem, Mr. Chairman, is being able to identify a place in the community to reach a defendant who is on pretrial release. That is where we have concentrated a good portion of our effort. With the cooperation of the court, the police, and the U.S. attorney, in fashioning the conditions of release that are being set we try to insure a place in the community where we can reach a man by telephone. It may be an aunt, it may be a next door neighbor, it may be his job.

Senator INOUYE. Isn't that a prerequisite?

Mr. BEAUDIN. No, sir. That is the problem. That is a prerequisite as far as one of our recommendations for release is concerned, but oftentimes the court will release a man without having established the fact that he does in fact have a residence where he says he does.

Senator INOUYE. How do you notify him?

Mr. BEAUDIN. That is where we run into our problems. We go back and try to find old files that we have on him and pull them out. One of the investigative techniques we use is to have a Haines Cross Directory, call a next door neighbor, see if the neighbors ever heard of him. We did have a period of time when a man that was on the street. He tried to find him on the street by checking——

TIME SPENT LOCATING DEFENDANTS

Senator INOUYE. How much time do you spend locating the defendant under those circumstances?

Mr. BEAUDIN. Mr. Chairman, that could range from a matter of 5 minutes in being lucky enough to find him, to a matter of 2 or 3 days of off-and-on checking. There is no way to estimate a specific time period.

In a little experiment we conducted, I was able to locate a man within the space of 5 minutes, like that.

On another day another man might be a little more difficult. He may have been released without our having anything to do with his release, without our knowing he was to be released, and we have to track him down with the back records we can find.

I would be willing to represent to you 80 to 90 percent of those people of whom we are aware, we can reach within an hour.

As far as the people we do not recommend for release in the first instance, it becomes a very difficult thing to locate them if they are released and, of course, we have no control over that.

We do have a statutory directive to notify them and that is where the bind comes from.

Senator INOUYE. Do you have sufficient information in advance on, say, a court date, to notify all of our defendants?

Mr. BEAUDIN. Ninety percent.

Senator INOUYE. What sort of advance notice do you receive under the present system?

Mr. BEAUDIN. Well, for the first court date, Mr. Chairman, we have a release order which has on that order the date that the man is due back in court. We have a computer printout, by courtesy of Mr. Malech and Judge Greene, from the superior court, which we receive 2 days after the initial appearance, which carries a continued court date.

We have a copy of the Marshal's van sheet so we have three different places we can pick up that first date.

In the district court we have the magistrates' blotters and, of course, all of blotters of the judges in the U.S. district court. We get the continuance dates, again on the release order.

The first date is on their release order, so the first date a man is due back is not where the big problem is. The problem of failure to appear, or failure to make notification, usually comes on the first continuance date.

Senator INOUYE. You indicated on this first continuance date you are able to contact 90 percent?

Mr. BEAUDIN. Yes, sir.

Senator INOUYE. What happens to the 10 percent?

Mr. BEAUDIN. Those 10 percent either are lucky enough to have remembered their day, so they appear, or else they do not appear and a bench warrant is issued for them. Of course, you can appreciate what that means in terms of lost court time. If the defendant does not appear and the court witnesses are sitting around that court room, along with the police officers you are concerned about, there is a whole wasted court day.

Recognizing the problems that stem from failure to appear, it is the waste of money that we are trying to get to by having the man

appear there. At least, if we can get him in there, we are going to save that kind of problem.

Senator INOUYE. From my vantage point as a lay person, it would seem just a matter of commonsense something should be done about this.

Mr. BEAUDIN. You are absolutely right.

Senator INOUYE. Who are the people opposing commonsense in this system?

Mr. BEAUDIN. Well, I think, Mr. Chairman, the idea of the new release order, is one commonsense answer. You are familiar with the fact that the Bail Act came into the District and everybody threw their hands up in horror, "We are going to release all of these people and nobody knows what is going to happen."

There were a lot of things that were unanticipated such as the very problem you address this morning, that of notification.

Senator INOUYE. Can this committee do something to resolve it?

NEW POSITIONS FOR BAIL AGENCY

Mr. BEAUDIN. Mr. Chairman, with all modesty, I think one of the ways we are seeking of solving it exists right now. Since the notification was made a part of our Bail Agency's present statute, I believe that if the committee would approve the positions we have requested, geared to buttress the notification problem, we will be able to solve it.

I have confidence we will be able to appear before you next year and talk about a decrease of over 50 percent in failure to appear rates.

Senator INOUYE. Well, you would still be looking around, spending 4 or 5 days. That is the problem. Can't we do something about that?

Mr. BEAUDIN. Yes, I think so. But there are different ideas that we are trying. Everything is in a state of flux; the individual calendar system, for example, where a judge has his own 35 cases as opposed to the old central calendar system where all of the cases were sent down to one court and that judge sent the people around into different places.

The idea of centralizing the place a man has to come back to and identifying for that man a specific person to see, is going to reduce these problems.

But when the buildings are set, when the individual calendars are set, when the jurisdiction is transferred from the district court, then everything in the system will be geared so that it darn well better work, or else it is going to be a tremendous waste of the taxpayer's money.

There are so many good minds that have gone into identifying the kinds of problems you have recognized here and what we can do about it, that I have a very, very high hope that the answers for these kinds of things will emerge.

Senator INOUYE. I have high hopes, also. At least I hope it will be resolved.

CITY COUNCIL APPROVAL OF NEW POSITIONS

Mr. CLARK. What is the status now of these 21 additional positions you are requesting? Did the City Council approve that last weekend?

Mr. BEAUDIN. I am not absolutely certain what they are going to do with it. I really feel like a fish swimming around in the air, because I do not understand, really, how the Council works or how the Budget Office works, or what the Mayor acts on.

74-704 O - 72 - pt. 1 - 47

Senator INOUYE. There is Mr. Coppie. You had better ask him.

Mr. COPPIE. Mr. Chairman, if I could speak specifically to Mr. Clark's question. The City Council did amend the District of Columbia Bail Agency to provide the 21 positions and an additional amount of $43,000 for 6 months' funding for these positions in fiscal year 1973. That request is now pending before the Mayor, and he will have to make a judgment as to whether it is acceptable to him. If it is, it will be formally transmitted by the President about the first of April.

Mr. CLARK. That was 21 positions, not 22.

Mr. COPPIE. Twenty-one; yes.

Mr. CLARK. The only change was to give 6 months' funding rather than 1 year's?

Mr. COPPIE. That is correct.

Mr. CLARK. And your budget contained no additional positions?

Mr. BEAUDIN. That is correct.

Mr. CLARK. And this is the recommendation from this Agency, they would like to have additional positions?

Mr. BEAUDIN. That is right.

Mr. CLARK. Thank you very much.

Senator INOUYE. We are also trying to understand the budget.

STATEMENT OF MAJ. GEN. CHARLES L. SOUTHWARD, COMMANDING GENERAL

ACCOMPANIED BY:
BRIG. GEN. CUNNINGHAM C. BRYANT, ADJUTANT GENERAL
LT. COL. LEONARD F. BERGSTROM, QUARTERMASTER

INTRODUCTION OF ASSOCIATES

Senator Inouye. Our last witness this morning is the commanding general of the National Guard, Maj. Gen. Charles L. Southward, speaking in behalf of the National Guard.

General Southward. Thank you very much, Mr. Chairman.

We appreciate the opportunity to appear before your committee on behalf of the District of Columbia National Guard budget.

I have with me this morning, on my right, General Bryant, who is the adjutant general of the District of Columbia National Guard.

On my left is Colonel Bergstrom, the U.S. Property and Fiscal Office and the District of Columbia Quartermaster.

PREPARED STATEMENT

Sir, we have submitted a statement, and I would like to put that into the record.

Senator Inouye. Without objection, your full statement will be made a part of the record.

(The statement follows:)

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE,

I APPRECIATE THIS OPPORTUNITY TO TESTIFY ON THE DISTRICT OF COLUMBIA NATIONAL GUARD'S PORTION OF THE DISTRICT OF COLUMBIA 1973 BUDGET FOR $263,900. I HAVE WITH ME TODAY, BG C. C. BRYANT, THE ADJUTANT GENERAL OF THE DISTRICT OF COLUMBIA NATIONAL GUARD, AND LTC L. F. BERGSTROM, USPFO, WHO, IN ADDITION TO OTHER DUTIES ACTS AS THE DISTRICT OF COLUMBIA QUARTERMASTER AND FISCAL OFFICER. THESE OFFICERS ARE PREPARED TO FURNISH SPECIFIC DETAILS CONCERNING THE UTILIZATION OF THE DISTRICT OF COLUMBIA FUNDS BY THE DISTRICT OF COLUMBIA NATIONAL GUARD, IF DESIRED.

THE NATIONAL GUARD TRADITIONALLY HAS A DUAL MISSION, FIRST TO TRAIN AS A MILITARY UNIT TO AUGMENT THE ACTIVE FORCES IN TIME OF NATIONAL EMERGENCY, AND SECONDLY, TO SUPPORT CIVIL AUTHORITIES IN CIVIL DISTURBANCES OR IN ANY OTHER EMERGENCY SITUATION, AS REQUIRED. THE GUARDSMAN RECEIVES ARMORY TRAINING, FIELD TRAINING, AND SPECIAL SCHOOLING TO MAKE HIM PROFICIENT IN HIS DUAL ROLE.

WHILE THE DISTRICT OF COLUMBIA NATIONAL GUARD CONTINUES TO ACTIVELY TRAIN FOR ITS PRIMARY MISSION, ITS SECONDARY MISSION, SUPPORT TO DISTRICT AUTHORITIES, HAS ASSUMED MAJOR PROPORTIONS. IN THE PAST CALENDAR YEAR, FOR EXAMPLE, OVER 24,000 MANDAYS WERE UTILIZED TO SUPPORT THE METROPOLITAN POLICE. DCNG UNITS WERE ASSEMBLED AND AVAILABLE TO PROVIDE SUPPORT TO THE METROPOLITAN POLICE ON THREE SEPARATE OCCASIONS:

ON 24 APRIL - VIETNAM VETERANS MARCH

ON 30 APRIL - 7 MAY - MAY DAY ACTIVITIES

ON 25 OCT - "EVICT NIXON" ANTI WAR PROTEST

THE ENTIRE COST OF THESE OPERATIONS - PAY AND ALLOWANCES, SUBSISTENCE, AND OTHER LOGISTICAL SUPPORT FOR THE GUARDSMAN, APPROXIMATELY $300,000, WAS BORNE BY THE FEDERAL GOVERNMENT THROUGH TRAINING SCHEDULE ADJUSTMENTS WHICH RESULTED IN NO CHARGES TO THE DISTRICT OF COLUMBIA FUNDS. IT IS MY PLEASURE TO REPORT THAT THE PERFORMANCE OF THE DISTRICT OF COLUMBIA NATIONAL GUARD DURING THESE TIMES BROUGHT HIGH PRAISE FROM MANY SOURCES - BOTH CIVILIAN AND MILITARY.

THE BENEFITS TO THE COMMUNITY, DERIVED EITHER DIRECTLY OR INDIRECTLY FROM THE NATIONAL GUARD, TAKES VARIOUS FORMS. THE MOST OBVIOUS IS THE FEDERAL PAY AND ALLOWANCES FOR INACTIVE DUTY AND FULL TIME TRAINING DUTY OF OUR NATIONAL GUARD,

AS WELL AS CONTRACTS FOR SUPPLIES AND SERVICES, A GOOD PART OF WHICH FINDS ITS WAY INTO THE HANDS OF LANDLORDS AND MERCHANTS IN THE DISTRICT.

THE YOUTH LEADERS PROGRAM IS FIRMLY ESTABLISHED WITH SELECTED STUDENTS FROM LOCAL HIGH SCHOOLS BEING PROVIDED A 10 DAY LEADERSHIP TRAINING ENCAMPMENT AT ABERDEEN PROVING GROUND, MARYLAND. THIS IS ACCOMPLISHED UNDER THE AUSPICES OF THE DISTRICT OF COLUMBIA NATIONAL GUARD AND SUPPORTED FINANCIALLY BY LOCAL BUSINESSMEN WORKING THROUGH THE METROPOLITAN BOARD OF TRADE.

SINCE 1970, THERE HAVE BEEN CONSIDERABLE CHANGES IN OUR RECRUITING-STRENGTH PICTURE. THE REVISION OF THE DRAFT PROCEDURES AND EMPHASIS ON THE ALL-VOLUNTEER FORCE HAS ELIMINATED OUR ONCE LENGTHY WAITING LISTS. OUR REORGANIZATION OF 1 FEB 72 TO TWO MP BATTALIONS AND ONE INF. BATTALION HAS PRESENTED US WITH AN EVEN GREATER CHALLENGE IN RECRUITMENT. WE ARE, IN FACT, CURRENTLY CONDUCTING A VIGOROUS RECRUITING CAMPAIGN TO FILL NOT ONLY THE VACANCIES RESULTING FROM NORMAL ATTRITION BUT ALSO THOSE NEW POSITIONS OPENED BY THE ADDITION OF THE INF. BATTALION.

WE ARE ALSO ENDEAVORING TO IMPROVE THE RACIAL AND GEOGRAPHICAL MAKE-UP OF THE GUARD TO REFLECT MORE EQUITABLY THE RACIAL COMPOSITION OF THE COMMUNITY AND INCREASE THE D. C. RESIDENT PERCENTAGE. SPECIAL EMPHASIS IS BEING PLACED ON ATTRACTING D. C. HIGH SCHOOL STUDENTS.

A MORE ACTIVE PART IN COMMUNITY PROJECTS HAS BEEN EMPHASIZED. THE COLOR GUARD, THE BAND, AND MARCHING UNITS TAKE PART IN PARADES AND CEREMONIES.

WHENEVER POSSIBLE, THE GUARD ASSISTS YOUTH ACTIVITIES SUCH AS THE BOY SCOUTS, DRUM AND BUGLE CORPS, RIFLE TEAMS, AND SUCH. OUR SMALL BORE RANGE RECEIVED STEADY USE BY HIGH SCHOOL RIFLE TEAMS.

MR. CHAIRMAN, THE FORGOING DESCRIBES GENERALLY THE NATIONAL GUARD SUPPORT WHICH THE DISTRICT OF COLUMBIA HAS RECEIVED AT NO DIRECT COST TO THE DISTRICT. HOWEVER, THERE ARE CERTAIN AREAS WHICH BY LAW ARE MADE THE RESPONSIBILITY OF THE RESPECTIVE STATES - IN THIS CASE THE DISTRICT OF COLUMBIA. THESE AREAS INCLUDE THE RESPONSIBILITY FOR PROTECTION OF FEDERAL PROPERTY ISSUED TO THE STATES (THE ESTIMATED VALUE OF THE PRESENT INVENTORY FOR THE DISTRICT OF COLUMBIA ARMY AND AIR NATIONAL GUARD UNITS IS APPROXI-

MATELY 40 MILLION DOLLARS) AND ADMINISTRATIVE SUPPORT FOR THE DISTRICT HEADQUARTERS. IN THE LATTER INSTANCE, EVIDENCE OF THIS SUPPORT IS AMPLY SHOWN IN THE INSTALLATION OF THE NEW TELEPHONE SYSTEM AUTHORIZED AND FUNDED BY THE DISTRICT OF COLUMBIA. THIS SYSTEM PROVIDES A MORE EFFICIENT SYSTEM OF DAILY OPERATIONS AND WILL MATERIALLY AID IN THE ALERT AND RAPID ASSEMBLY OF THE GUARDSMEN SHOULD THE SITUATION BE SERIOUS ENOUGH TO REQUIRE IT.

A BREAKDOWN OF THE DISTRICT PORTION OF THE D. C. NATIONAL GUARDS BUDGET PROVIDES $229,900.FOR PAY AND BENEFITS, AND A VERY AUSTERE $34,000 FOR OTHER EXPENSES. THE ENTIRE INCREASE IN THIS BUDGET OVER THE FY-72 BUDGET IS THE RESULT OF INCREASES IN THE PAY AND ALLOWANCES FOR DISTRICT SUPPORTED EMPLOYEES.

WITH ALL OTHER COSTS INCREASING AND WITH FEDERAL SUPPORT FOR FY 1973 BEING ESTIMATED AS WELL IN EXCESS OF EIGHT MILLION DOLLARS, IT IS CLEAR THAT THE DISTRICT OF COLUMBIA GOVERNMENT'S REQUESTED CONTRIBUTION OF $263,900 FOR SUPPORT OF THE DISTRICT OF COLUMBIA NATIONAL GUARD WILL BE MONEY WELL SPENT FOR THE SECURITY THAT IT PROVIDES TO THE COMMUNITY.

HIGHLIGHTS OF PAST YEAR

General SOUTHWARD. I would like to make just a few brief remarks.

Senator INOUYE. Please proceed.

General SOUTHWARD. First, I would like to briefly describe some of the highlights of the past year, since we last appeared before your committee. I am very happy to report, since our last appearance, that General Bryant has been promoted. He is not only the first black general officer in the National Guard, he is the only black general officer in the National Guard nationwide.

Senator INOUYE. Congratulations, sir.

General SOUTHWARD. I think that recognition of his talents, and dedication in his performance of duty, have gone a long way to motivating the young people in our community and demonstrate, that they can go as far as their talents and will to succeed will take them.

Also during the year we performed in our secondary role to protecting the lives and property of our District residents in support of the Metropolitan Police on several occasions. The most active period we had was during the May Day activities, when we were on duty approximately 5 days.

Another highlight during the year was our District of Columbia youth leader program, where we work with the young men in our community. It was the fourth such camp we have conducted. The Freedom Foundation at Valley Forge recognized that effort by awarding us for the fourth time, the George Washington Honor Medal.

We are very proud of that program, sir.

Also, recently we have been reorganized in the District of Columbia National Guard. The primary result of that reorganization is the addition of an infantry battalion to our troop basis. We are now in the process of organizing that unit.

One of our big problems which we face, and it is common to all National Guard units, is the maintenance of strength. That is a very serious problem at the current time and we are now approximately 500 understrength, authorized strength. But it is primarily the result of the addition of the new infantry battalion.

We are making drastic efforts to inform the young men of the community, the many advantages that accrue to a young man in serving his country in the reserve components and particularly the District of Columbia National Guard.

So we are hoping that we will, in the next several months, bring our strength up to the full authorized strength.

Sir, the budget which we are defending this morning is approximately $6,700 more than we received in 1972. It is due primarily, entirely, to pay increases.

I would be glad to answer any questions, sir.

Senator INOUYE. Thank you very much, General. I have no questions, sir.

RECRUITMENT OF BLACKS

General SOUTHWARD. Last year, sir, you were interested in our effort to get more of our black members into the District of Columbia National Guard.

I would like to report, sir, that as of December 31, 1971, 26 percent of our membership was black. Today, as of the 29th of February, 34 percent. We have made a drastic effort to get more of our young men into the District of Columbia Guard.

I would like to thank you for your support, sir.

Senator INOUYE. Thank you.

SUBCOMMITTEE RECESS

The committee will stand in recess until 10 a.m., Tuesday, March 28, at which time we will resume in regular budget order, probably taking up the supplemental budget on Wednesday, March 29.

(Whereupon, at 12:15 a.m., Monday, March 20, the subcommittee was recessed, to reconvene at the call of the Chair.)

DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 1973

TUESDAY, MARCH 28, 1972

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, D.C.

The subcommittee met at 3:40 p.m., in room 1224, New Senate Office Building, Hon. Daniel K. Inouye (chairman) presiding.

Present: Senator Inouye.

DISTRICT OF COLUMBIA

PUBLIC SAFETY

DEPARTMENT OF CORRECTIONS

STATEMENT OF KENNETH L. HARDY, DIRECTOR

ACCOMPANIED BY:
CHARLES RODGERS, DEPUTY DIRECTOR
ROBERT W. COLEMAN, ASSOCIATE DIRECTOR, ADMINISTRATIVE SERVICES
LEROY ANDERSON, EXECUTIVE ASSISTANT TO DIRECTOR
ALLEN AVERY, ASSOCIATE DIRECTOR, COMMUNITY SERVICES FOR ADULTS

BUDGET REQUEST

Senator INOUYE. I understand your budget request for fiscal year 1973 is for $27,079,300. Please proceed.

PREPARED STATEMENT

Mr. HARDY. Thank you, Mr. Chairman.

I am pleased to present our justifications for the $27,079,300 request for 1973.

Rather than read the whole statement, I would like to submit it for the record and extract for my opening statement.

Senator INOUYE. Without objection, your full statement will be made a part of the record.

(The statement follows:)

MR. CHAIRMAN, DISTINGUISHED MEMBERS OF THE SUBCOMMITTEE:

OVER THE YEARS, SINCE I BECAME DIRECTOR OF THE D. C. DEPARTMENT OF CORRECTIONS IN 1967, I HAVE HAD THE PLEASURE EACH YEAR OF OUTLINING THE NEEDS OF THE DEPARTMENT FOR THE ENSUING YEAR. CONGRESS HAS BEEN GENEROUS AND UNDERSTANDING... NOT ONLY IN TERMS OF APPROPRIATIONS BUT IN THE DIRECTION AND ENCOURAGEMENT IT HAS GIVEN US SO THAT WE HAVE BEEN ABLE TO EMBARK ON OUR BOLD, IMAGINATIVE AND INNOVATIVE PROGRAMS.

THE DEPARTMENT CURRENTLY IS IN A PERIOD OF REASSESSMENT SO THAT WE AND OTHER COMPONENTS OF THE DISTRICT GOVERNMENT CAN APPRISE THE PROGRESS WE HAVE MADE IN ORDER TO HELP US BETTER PREPARE FOR THE FUTURE.

THE BUDGET I PRESENT TODAY FOR YOUR CONSIDERATION REFLECTS THIS REASSESSMENT. BUT, AND I CONSIDER THIS A MATTER OF THE UTMOST URGENCY, IT OUTLINES FOR YOU IN TERMS OF CAPITAL OUTLAY AND PERSONNEL NEEDS ONLY THE BARE ESSENTIALS WE MUST HAVE IF WE ARE TO BE AT ALL ABLE TO MEET THE DEMANDS THAT NOW ARE UPON US. OUR PRESENT CRISIS IS DUE PRIMARILY TO THE IMPACT OF THE 1970 COURT REFORM AND CRIMINAL PROCEDURES ACT WHICH HAS BEEN IN EFFECT FOR A LITTLE MORE THAN A YEAR.

NOW, WITH YOUR INDULGENCE, I WOULD LIKE TO SKETCH FOR YOU THE OUTLINES OF THE VERY DIFFICULT PROBLEM WE IN CORRECTIONS IN THE DISTRICT OF COLUMBIA FACE.

OUR INSTITUTIONS HAVE A DESIGN CAPACITY OF 2,711. DURING THE FIRST SIX MONTHS OF F.Y. 1970, OUR AVERAGE DAILY POPULATION WAS 3,155. DURING THE SAME PERIOD OF F.Y. 1972, THIS FIGURE INCREASED TO 3,697. AT THIS RATE OF GROWTH WE CAN EXPECT TO HAVE BETWEEN 4,000 AND 4,125 BY THIS TIME NEXT YEAR.

THE LORTON CORRECTIONAL COMPLEX HAS A RATED CAPACITY OF 1,384. DURING THE FIRST SIX MONTHS OF F.Y. 1970 WE HAD AN AVERAGE DAILY POPULATION OF 1,499. DURING THE SAME PERIOD IN

F.Y. 1972, THE AVERAGE DAILY POPULATION HAD GROWN TO 1,789 OR 29.2 PERCENT OVERCROWDED.

THE D. C. JAIL, WITH A CAPACITY OF 663, HAS BEEN OPERATING AT 83 PERCENT OVER CAPACITY WITH AN AVERAGE DAILY POPULATION OF 1,213 SINCE LAST JULY.

DURING DECEMBER 1971, AN AVERAGE OF 114 WOMEN WERE HOUSED AT THE WOMEN'S DETENTION CENTER IN SPACE DESIGNED FOR 50 OR 128 PERCENT OVERCROWDED.

I PREFACE THE PRESENTATION OF OUR F.Y. 1973 BUDGET WITH THESE FEW STATISTICS FOR TWO REASONS:

1. ANY PUBLIC ADMINISTRATOR CAN TELL THAT ANY SYSTEM WHOSE FACILITIES ARE OPERATING AT MORE THAN 50 PERCENT OVER CAPACITY CAN FUNCTION NEITHER EFFECTIVELY NOR EFFICIENTLY FOR LONG.
2. THE FIGURES I CITED UNDERLINE THE DEEP FRUSTRATION WHICH WE HAVE FELT DURING THE PAST TWO YEARS, AS WE HAVE FACED THE RELENTLESS PRESSURES ON OUR INSTITUTIONS, MEASURED BY DAILY CENSUS REPORTS SHOWING A STEADY BUILD-UP OF PRISONER POPULATION.

DESPITE OUR BEST INTENTIONS AND BETTER INSTINCTS, WE HAVE BEEN INCREASINGLY FORCED INTO THE ROLE OF KEEPER. WE WOULD PREFER TO ALLOCATE MORE OF OUR RESOURCES TO THOSE PROGRAMS WHICH SHOW PROMISE OF MORE BENEFICIAL REHABILITATION.

OUR 1973 BUDGET REFLECTS THE PRESSURES UNDER WHICH, I AM AFRAID, WE MUST CONTINUE TO OPERATE UNTIL SUCH TIME AS:

A) THE DISTRICT OF COLUMBIA IS ABLE TO EXPAND AND MAKE USE OF THE FULL RANGE OF ALTERNATIVES TO INCARCERATION IN EVERY PHASE OF THE CRIMINAL JUSTICE SYSTEM;

B) OUR CONSTRUCTION PROGRAM ENABLES US TO PHASE OUT, FOR THE MOST PART, THOSE INSTITUTIONS WHICH BELONG TO AN EARLIER ERA.

Our 1973 operating budget request is for $27,300,300 -- an increase of 23.5 percent and $5,328,900 over 1972.

$3,988,000 or 74.8 percent of the increase is for mandatory items as follows:

Classified Pay Increases	$1,073,600
Within-Grade Advancements	340,400
Annualization of F.Y. 1972 Approved Staffing	2,574,000*

*($2,335,200 for Youth Center #2)

$50,000 is requested for additional reimbursements to the Federal Bureau of Prisons, reflecting their increased costs.

$1,290,900 is requested for 161 additional positions and contractual services. Of this amount,

$709,100 is for	114 Correctional Officers (GS-6)
227,100 is for	16 Classification and Parole Officers (GS-11)
62,400 is for	10 Clerical Staff (GS-4/5/6)
54,800 is for	1 Medical Officer (GS-14) and
	3 Medical Technical Assistants (GS-8)
46,700 is for	4 Educational Instructors (GS-9)
31,900 is for	3 Assistant Stewards (GS-9)
23,400 is for	2 Recreation Specialists (GS-9)
17,600 is for	4 Investigators (GS-9) Warrant Squad
	1 Clerk/Stenographer (GS-5) Warrant Squad
17,900 is for	1 Director (GS-12),
	1 Administrative Aide (GS-6), and
	1 Secretary (GS-6) for the Prison College Project.
100,000 is for	Federal City College Tuition Fees for the Prison College Project

This is an austere budget request reflecting the District's desire to maintain the highest level of service while containing

costs. It is, in some respects as I said, inadequate to meet our needs. Let me give you a few examples.

The American Correctional Association recommends a ratio of one correctional officer to four inmates (1:4). At the Lorton Complex we presently have a correctional complement of 331 officers. During the first six months of F.Y. 1972, the ratio was one to five point four (1:5.4). Our request is for 38 additional officers at the Complex. If this request is allowed, the ratio will stand at one to five point six (1:5.6); if it is not allowed and our population continues to grow as expected, the ratio will rise to one to six point two (1:6.2).

At the D. C. Jail we have a correctional complement of 230 officers, and during the first six months of F.Y. 1972, a ratio of one to five point three (1:5.3). Our request here is for 40 additional officers. If this request is allowed, the ratio will stand at one to five point zero (1:5.0); if denied, one to five point nine (1:5.9).

As to the other types of positions requested, the Department has been subject to continuous examination by interested groups, governmental committees and civic organizations. During my administration we have not only welcomed this and provided active cooperation, we have initiated studies by other agencies in areas of particular concern to us such as Medical Services and Sanitation. We review these findings and recommendations and in every case attempt to make a meaningful response. In some cases, administrative action by my office is all that is needed; others require enabling legislation, but most require money for new positions, facilities and equipment. Our requests for additional staff for Medical and Food Service Personnel, for Education Instructors and Recreation Specialists reflect some needs recognized by the De-

PARTMENT AS LONG AGO AS 1968. OUR 1973 REQUEST TO BE TRULY RESPONSIVE TO THE MANY RECOMMENDATIONS MADE WOULD HAVE TO BE AT LEAST TWICE THAT WHICH WE HAVE REQUESTED. I WILL PROVIDE THE COMMITTEE WITH COPIES OF SOME OF THESE REPORTS IF YOU SO DESIRE.

OUR REQUEST DOES NOT PROVIDE FOR THE DEVELOPMENT OF ANY NEW PROGRAMS OR FOR THE EXPANSION OF PRESENT SERVICES. THE WARRANT SQUAD AND THE PRISON COLLEGE PROJECT, ARE PROGRAMS WHICH HAVE BEEN OPERATIONAL FOR THE PAST THREE YEARS UNDER LAW ENFORCEMENT ASSISTANCE ADMINISTRATION (LEAA) FUNDING. BOTH HAVE PROVEN TO BE HIGHLY SUCCESSFUL. WE MUST PICK THEM UP AS PART OF OUR BUDGET THIS YEAR IF THEY ARE TO CONTINUE.

WE WILL JUSTIFY EACH INCREASE, AS YOU WISH, DURING THE REGULAR COURSE OF THESE PROCEEDINGS.

THANK YOU FOR YOUR TIME, PATIENCE AND CONSIDERATION.

Figure 1

AVERAGE DAILY POPULATION

INSTITUTION AND RATED CAPACITY BY REPORT PERIOD

INSTITUTION	CAPACITY	FY 70 Jul. 69 Dec. 69	FY 70 Jan. 70 Jun. 70	FY 71 Jul. 70 Dec. 70	FY 71 Jan. 71 Jun. 71	FY 72 Jul. 71 Dec. 71	FY 73 * Jul. 72 Dec. 72
D. C. Jail.....	663	1024.0	1074.3	1090.1	1093.8	1213.7	1351.2
W.D.C.....	50	95.5	83.3	87.3	91.6	94.3	101.9
Complex.....	1384	1449.0	1478.2	1562.0	1559.0	1788.8	2048.4
MIN SEC.....	300	203.2	225.2	227.8	220.3	235.3	243.0
Youth Center 1....	324	383.7	383.8	349.3	375.3	364.8	381.0
Totals:	2711	3155.4	3244.8	3316.5	3340.0	3696.9	4120.6

* Estimates Based On Percentage Increase

1st. 6 months FY 71 - 1st 6 months FY 72

Figure 2

DISTRIBUTION OF POSITIONS REQUESTED FY 73

POSITIONS BY LOCATION

POSITION	TOTAL	JAIL	WDC	COMP.	MIN.SEC.	YCI	CENT.OFF.
Correctional Officers...	114	40	6	38	10	20	--
C & P Officers.....	16	7	1	7	--	1	--
Clinical.....	10	7	--	3	--	--	--
Medical Officer.....	1	--	--	1	--	--	--
MTA	3	1	--	2	--	--	--
Education Instructors...	4	1	--	3	--	--	--
Assist. Stewards.....	3	1	--	2	--	--	--
Recreation Spec.....	2	1	--	1	--	--	--
Warrant Squad	--	--	--	--	--	--	5
Prison College.....	--	--	--	--	--	--	3
Totals:	161	58	7	57	10	21	8

FIGURE 3

RATIO OF CORRECTIONAL OFFICERS TO INMATES

INSTITUTION BY REPORT PERIOD

Institution	FY70 Jul69 Dec69	FY70 Jan70 Jun70	FY71 Jul70 Dec70	FY71 Jan71 Jun71	FY72 Jul71 Dec71	FY73 Appr oved	FY73 Dec 72 Denied
D.C.Jail							
Corr.Off.	245		230		230	270	230
Inmates	1024	1074	1090	1094	1214	1315	
Ratio 1:	4.17	4.38	4.73	4.75	5.27	5.00	5.87
W.D.C.							
Corr. Off.	64		65		74	80	74
Inmates	96	83	87	92	94	102	
Ratio 1:	1.50	1.29	1.33	1.41	1.27	1.27	1.34
Complex							
Corr. Off	322		311		331	369	331
Inmates	1449	1478	1562	1559	1788	2048	
Ratio 1:	4.50	4.59	5.02	5.01	5.40	5.55	6.18
Min. Sec.							
Corr. Off.	70		59		53	63	53
Inmates	203	225	227	220	235	243	
Ratio 1:	2.90	3.21	3.84	3.72	4.43	3.85	4.58
Youth Center I							
Corr. Off.	126		135		135	155	135
Inmates	384	384	349	375	365	381	
Ratio 1:	3.04	3.04	2.58	2.77	2.70	2.45	2.82
Total							
Corr. Off.	827		810		823	937	823
Inmates	3155	3245	3316	3340	3697	4121	
Ratio 1:	3.81	3.92	4.09	4.12	4.49	4.39	5.00

OPERATION OF FACILITIES IN EXCESS OF CAPACITY

Mr. HARDY. To extract from this, sir, I would like to preface the presentation of our fiscal year 1973 budget with these few statistics for two reasons:

Any public administrator can tell that any system whose facilities are operating at more than 50 percent over capacity can function neither effectively nor efficiently for long.

The figures I cited underline the deep frustration that we have felt during the past 2 years, as we have faced the relentless pressures on our institutions, measured by daily census reports showing a steady buildup of prisoner population.

Despite our best intentions and better instincts, we have been increasingly forced into the role of keeper. We would prefer to allocate more of our resources to those programs that show promise of more beneficial rehabilitation.

Our 1973 budget reflects the pressures under which, I am afraid, we must continue to operate until such time as:

The District of Columbia is able to expand and make use of the full range of alternatives to incarceration in every phase of the criminal justice system;

And until our construction system enables us to phase out, for the most part, those institutions which belong to an earlier era.

ADJUSTMENTS RESULTING FROM REVIEW OF CITY COUNCIL

Mr. Chairman, there are some corrections on page 3. I would like to have them inserted because these changes came about after the City Council reviewed our budget. So I have necessarily to make these adjustments.

BUDGET ALLOCATIONS

Our 1973 operating request is for $27,079,300, an increase of nearly 20 percent, and $5,107,900 over the 1972 budget. Of this amount, $3,767,000, or 75 percent of this increase is for mandatory increases, such as classified pay increases, within grade advancements, annualization, and approved staffing for youth center No. 2.

An increase of $50,000 is requested for reimbursement to the Federal Bureau of Prisons, reflecting its increased costs.

We are requesting $1,184,000, for 161 additional positions and $100,000 for contractual services. This area I have just spoken of is less than 25 percent of the budget increase.

Sir, I could go to each position and justify these 161 positions, if the committee would like for me to do so.

RELIGIOUS SERVICES AT CORRECTIONAL INSTITUTIONS

Senator INOUYE. Before going to some of the positions, may I ask a question to clarify a statement which was made by Senator Percy. His report is that there are no religious services provided. And yet I notice there are four chaplain positions.

Mr. HARDY. I am glad you gave me the opportunity to explain that, because I was somewhat embarrassed to hear that.

Senator Percy is correct when he speaks of maximum security at Lorton. Maximum security at Lorton is part of that complex where we have to remove from the central facility those men who are intractable, incorrigible, unreformable, for any moment of time during their serving of a sentence. So they go behind what we commonly call the wall area where they are single celled and under better control than they would be under in the complex, that is the central facility, which is nothing but open dormitories. So these men have to be removed there.

But the purpose is to work them through this maximum security facility, hopefully within 3 to 6 months, back into the central facility. If we cannot work them back into the central facility, then we request the Bureau of Prisons to consider a transfer of these men to penitentiary type institutions where intractable inmates belong.

When a man is held behind the "wall" we have to be careful about mass movements. Not like in the central facility, where you can take 1,500 men and move them or they can go on their own within that parameter of security, to church, to school, to what have you. These men, because of their conduct, must be moved very cautiously. So, therefore, gatherings of inmates in maximum security are not necessarily permitted even in the messhall. Just the other day, you may have read in the paper where a man was in court for stabbing and killing another inmate in the maximum security messhall, because we permitted him to come out of the cell and go in and mix with the other inmates.

Now, we have a mass service that is given 50 to 100 men, but the chaplain is available for pastoral, you know, for religious counseling. Chaplains conduct religious services behind the wall each week.

Senator INOUYE. So the services of the chaplain are available to all inmates, maximum security or otherwise?

Mr. HARDY. Yes sir.

CORRECTIONAL OFFICERS: AUTHORIZED, FUNDED AND FILLED POSITIONS

Senator INOUYE. On page 27, it appears for correctional officers, GS–6, 7, and 8, you have 292 authorized positions, 308 filled, and 301 funded. This subcommittee was led to the impression last year that funded and filled positions are always less than authorized positions.

Can you explain this? I would like to repeat it again. According to the figures we have here, you have 292 authorized positions, yet you have 301 positions funded and 308 filled. This is for the adult services. I just wanted to know how you could have more positions filled than are funded or authorized.

Maybe Mr. Coppie can answer that.

Mr. COPPIE. No, I do not have the answer to that question, Mr. Chairman. We just have to provide it. If they do not have it, we have to provide it for the record.

Senator INOUYE. You provide that for us later on, please.

(The information follows:)

As indicated on pages 13-14 of the Department's Personnel Profile, the Division of Adult Services had during FY 1972 a total of 437 authorized positions of which 428 were filled and 428 were funded. During FY 1971 there was a total of 421 positions authorized for the Division of which 418 were filled and 418 were funded. Thus, for both FY 1972 and FY 1971 the total number of filled and funded positions is below the number of authorized positions, and all positions filled are or have been authorized.

It should be noted however, that during these years the Department has held a number of non-correctional positions within the total authorized complement vacant while increasing its correctional officer strength. This has been done due to the severe overcrowding at the Complex necessitating increased security coverage. The conversion of non-correctional into correctional positions is neither a "reprogramming" or "redirection" but is a redefinition of duties within Adult Services and has been accomplished while remaining within the total number of positions authorized for the Division.

A tally of the total authorized, filled and funded correctional officer positions within Adult Services on the basis of the information reported on pages 13 and 14 does indicate discrepancies between the number of authorized positions and the number of filled and funded positions. This is due to the fact that several conversions within the total authorized number did not

appear on the computer printouts supplied to the office which prepared the Personnel Services Schedule.

The Personnel Services Schedule is being revised to reflect the conversion of non-correctional into correctional positions. It should be noted, however, that in spite of the inaccuracy in the breakdown of the total complement of Adult Services positions, the total number of authorized positions for both FY 1971 and FY 1972 is greater than the total number of funded and filled positions, and that all filled positions have been authorized.

The revised personnel profile will be submitted to the Committee as soon as it completed.

SWINEHERDSMEN: TRANSFER TO CATTLES OPERATION AND REWRITE OF JOB DESCRIPTION

Senator INOUYE. This is another item. It is not a big thing. On page 27–11 of the personnel profile, for WS–10 swineherdsmen, $13,104. We were led to believe this farm had been terminated. If the pig farm has been terminated, why do you still need these swineherdsmen?

Mr. HARDY. You are correct, Mr. Chairman. That the swine ranch has been discontinued. We have no hogs there at all.

Senator INOUYE. You say the swine farm has been discontinued?

Mr. HARDY. Yes, sir.

Senator INOUYE. And there are no hogs remaining?

Mr. HARDY. No hogs.

Senator INOUYE. You have a foreman swineherdsman and an assistant swineherdsman. One for $13,104, and the other for $12,805.

Mr. HARDY. These 2 men, who are a part of the agricultural staff, have been absorbed in our agricultural operations. As I mentioned, I believe last year, we did away with our hog ranch and we are building up our beef cattle.

Senator INOUYE. What does the foreman swineherdsman do in the beef farm?

Mr. HARDY. I am sure he can be used as well. He is a farmer, and he can as easily adapt, make a transfer from the swine to cattle, beef cattle or dairy cattle.

Senator INOUYE. And you carry him as a swineherdsman?

Mr. HARDY. That is probably picked up from the previous position description, which I think should be rewritten.

Senator INOUYE. This was submitted December 31, 1971.

Mr. HARDY. Personnel is—they have quite a load on them, I am sure. It will be changed.

Senator INOUYE. It is a $25,000 matter, and I think it is rather important that we have these little things squared up.

Mr. HARDY. I can assure you he is not at the hog ranch, but he is being used effectively and I hope efficiently.

Senator INOUYE. You are certain of that?

Mr. HARDY. I will supply that for the record.

(The information follows:)

The Swine Ranch ceased operation on December 31, 1971. It required 45 days to dispose of stock, inventory, supplies, equipment, etc., and to clean the area.

Since mid-February, Mr. Argenbright, Supervisor of the Swine Ranch, has been detailed to the position of Farm Foreman pending revision of his Position Description for permanent assignment. Mr. Wright, subordinate supervisor to Mr. Argenbright has been detailed to a position of General Transportation and Farm Foreman pending final reclassification of his position.

These functions were previously performed by employees who, in the first case, recently retired; and in the latter case, was transferred to the Dairy Farm to allow expansion of that farm operation.

STATUS OF HALFWAY HOUSE RESIDENTS

Senator INOUYE. During our discussion of the supplemental requests, sir, we referred to your problems with the halfway houses. What is the current situation among halfway house residents with respect to the use of illicit drugs?

I ask this because there have been several press reports, suggesting

that a large number of inmates participating in the halfway house programs have been arrested for drug violations while at the center.

What is the present status of that?

Mr. HARDY. That was one house in particular that I had been watching because it is our Youth Crime Control project, a diversionary facility which the Congress appropriated half a million dollars for this supplemental project, to see if we could keep youth from going into prison, keep them on the street, rather, but under stricter control and probation.

I was somewhat concerned about the incidence of drug use in this house several months ago, and I am speaking of May 1971, at which time the urine coming up positive was 90 percent.

Senator INOUYE. Ninety percent?

Mr. HARDY. Ninety percent involvement in drugs. Now, whether these youngsters were addicted, whether they were experimenting or not, I cannot say, but all I can say to you, sir, is that we test our men two and three times a week in all or our community houses to see whether they are involved in this drug epidemic.

Senator INOUYE. This is routine procedure?

Mr. HARDY. Routine procedure, sir.

Senator INOUYE. All of the halfway houses?

Mr. HARDY. All of the half-way houses.

Senator INOUYE. What happens if the urine sample turns up positive?

Mr. HARDY. The first positive, we try to counsel the man. We try to work with the case on an individual basis. I do not feel that we should be punitive, but we should be treatment-oriented. This is a problem so let's work with it.

However, I found that it was necessary—I have established a policy, that after five positive urines, in a protracted period of time, say five within a period of 2 weeks, it indicates that man is not availing himself of treatment through abstinence or through methadone. Therefore, this man must be returned to the institution.

I would like to say that this same facility which I had much concern about in May of 1971, has dropped, or dropped in August, down to 20 percent involvement. Then it went up again in September to 30 percent, then it began to drop again and now it is to a level of, I would say 18 percent, as opposed to 90 percent almost a year ago.

So this, I hope, will sell the committee on the need for therapeutic approaches to the treatment of the offender instead of punitive approaches. I think if we get our professional knowledge together and work with these people, we can start turning the tide for those who are addicted to drugs, under our supervision.

REHABILITATION PROGRAMS FOR HALF-WAY HOUSE RESIDENTS

Senator INOUYE. Do you have any organized rehabilitation program for the residents of these half-way houses?

Mr. HARDY. Yes, sir.

Senator INOUYE. Would you describe what sort of programs you have?

Mr. HARDY. I can generally describe them. More specifically, I could ask Mr. Avery to do that.

Senator INOUYE. Fine.

Mr. HARDY. Mr. Avery is the associate director in charge of community services for adults. He is responsible for parole and for the work-release activity in this department for adults.

Senator INOUYE. I would like to know what sort of organized rehabilitation program you have for inmates in the half-way houses.

Mr. AVERY. Senator, we have individual and group counseling twice a week. We also have family counseling in the half-way houses whenever a problem arises. This usually comes about because our correctional counselors in the half-way houses are responsible for visiting homes and jobs. So that if anything untoward happens in the home or anything untoward happens on the job, the correction counselor knows about it and sometime during that week, either at the Tuesday or Thursday meetings that we have in the house, these little adjustments are made.

Also, from all phases of the community, we have speakers who regularly come into the houses to discuss various aspects of community living.

One of the things that we are planning to do in the near future—and we just talked about this on Friday—I talked to a gentleman at Howard University, Dr. Scott, who has the counseling program up at Howard, and he is going to supply us with individuals in the second year of the program there, to come to the houses regularly for counseling periods. We think that this is going to bring about a better frame of mind for the individual and for the house in general. I think this will be most helpful in his dealings with his problems in the community.

STAFF AT HALF-WAY HOUSES

Senator INOUYE. What sort of staff do you have up at the half-way houses?

Mr. AVERY. We started off with a staff of 12—administrator and assistant administrator, two stenographers, five correctional counselors——

Senator INOUYE. At each half-way house?

Mr. AVERY. Yes. I can understand your question, Senator; but we have got to provide the protection and we have got to give the responsibility necessary to the community.

Senator INOUYE. How many others do you have?

Mr. AVERY. Twelve altogether. We have the administrator. We have no more assistant administrators. I mean they have been taken out of the houses. We have five correctional officers, and the senior officer in the house usually acts as the acting assistant administrator. I am talking about our houses now.

Senator INOUYE. There is someone on duty 24 hours?

Mr. AVERY. That is right. We have three CQ's. These are charge-of-quarters, that usually work the midnight shift.

Senator INOUYE. How many inmates at these half-way houses?

Mr. AVERY. In our houses—these are houses run by the Department of Corrections—the average is 25 for two of the houses and 30 for the other house, which, incidentally, is in the Lincoln Heights Housing Development.

Senator INOUYE. There is one close by here, isn't there?

Mr. HARDY. "C" Street.

Mr. AVERY. 519 C Street NE, is run by the Bureau of Rehabilitation. They use that to house narcotics.

Senator INOUYE. It is not run by you?

Mr. AVERY. No, sir. We contract with the Bureau of Rehabilitation for that particular house.

Senator INOUYE. Thank you very much.

CORRECTIONAL OFFICER QUALIFICATIONS

Mr. CLARK. You can supply this for the record. I would like to know what the qualifications are of the correctional officer at a half-way house, also his grade level. In other words, specification for a man to qualify for that job at a half-way house.

(The information follows:)

Correctional counselors employed by the Department of Corrections in the Community Correctional Centers are selected internally from Correctional Officers assigned to various Department institutions. Generally these officers have been with the Department one to five years and all have satisfied the basic Civil Service Commission requirements which are 3 1/2 years of experience in supervision, counseling, community work, teaching, etc.

When vacancies occur, they are posted throughout the Department. All employees who are eligible according to Civil Service regulations may apply. Applicants are then placed either in Qualified or Highly Qualified categories according to the following three criteria: supervisor's rating, community experience, and a report writing sample. The last element is used because of the volume of reports issued from Community Correctional Centers.

The Highly Qualified applicants then meet a panel composed of Department supervisors who rate applicants according to a variety of elements (see attached). After scores are compiled, a roster is established and the Associate Director for Community Services make selections. Finally resignments are made, based on the selections.

It should be noted that no promotions are involved in this process. Correctional officers apply for these positions on a reassignment basis only. The primary motivation, therefore, appears to be a genuine desire to work in the community.

MERIT PROMOTION RATING GUIDE
Vacancy Posting 42-72
CORRECTIONAL COUNSELOR

DATE_____

RATING ELEMENTS (Applicants may receive 0-10 points per element)

I. Experience (custodial, group counseling, social agencies, report writing, community groups) _____

II. Ability to relate (inmates and community groups) _____

III. Correctional and community program ability (function as member of team, program ideas) _____

IV. Judgment (program and administrative judgment) _____

V. Initiative and innovation _____

VI. Academic achievement and related training _____

TOTAL _____

CANDIDATE_____

COMMITTEE MEMBER_____

CHAIRMAN_____

AVAILABILITY AND NEED OF METHADONE

Mr. CLARK. Also, I would like to know if methadone is quickly or immediately available when the decision is made that is indicated this could be considered. You talked about taking tests two or three times a week, and I assume this is an administrative process, perhaps outside of the half-way house, which is another part of the District Government. Give a brief explanation, for the record, how quickly methadone is available, where the need is indicated.

Thank you very much.

(The information follows:)

The Department of Corrections seeks to ensure that all persons remanded to its custody continue with any methadone treatment begun in the community prior to incarceration, and that any person in a community-based program who demonstrates the need and desire for methadone treatment have such treatment readily available. It does this with the assistance of the District's Narcotic Treatment Administration (NTA).

During initial orientation at detention facilities the officer on duty outlines methadone modalities available and procedures for application. Persons with treatment needs can indicate such as this time. All persons received by the detention facilities routinely receive physical examinations the day of arrival or, if they arrive in the evening, they are placed on the sick-call list for the following morning. Inmates identifying themselves as receiving methadone treatment and those ascertained to be on heroin withdrawal are examined by a physician during the intake process; medication is prescribed, where indicated, under close supervision; and history of drug use is subsequently

established. NTA has assigned a nurse to the D.C. Jail to coordinate drug treatment activities, and she verifies with NTA, the appropriate methadone dosage. Inmates within the detention facilities on either methadone maintenance or methadone detoxification receive their medication during sick-call.

Within the Lorton facilities methadone treatment is minimal, directed at most to three or four inmates and representing an extension of the maintenance or detoxification program begun at the Jail. The methadone is administered by the Medical Services Unit during daily sick-call examinations.

The administration of methadone to community center residents is under the control, supervision, and operation of the Narcotic Treatment Administration through NARC. Inmates shown to be involved in or demonstrating the need and desire for methadone treatment are placed in NARC, a halfway house operated for the Department by NTA and accommodating drug addicts. The medical clinic located in the house dispenses medication.

Upon occasion, community center residents demonstrate subsequent to placement the need and desire for methadone treatment. In these instances the resident is referred to NTA as an out-patient where he is examined by the medical unit and then assigned to a treatment program. All out-patients report to the medical clinic for medication where the appropriate dosage is administered; methadone is not allowed to be taken into the resident's center.

PROGRAM ESCAPEES

Senator INOUYE. What percentage of the inmates at these houses have escaped custody this fiscal year, to date?

Mr. HARDY. That report is somewhere in our resource material here.

Senator INOUYE. Would you furnish the committee with the number who have escaped custody and how many are still at large?

Mr. HARDY. We will submit it for the record.

(The information appears on pages 767 and 768.)

PROGRAM RECIDIVISM RATE VIS-A-VIS OTHER CUSTODIES

Senator INOUYE. What is the recidivism rate among former halfway house inmates for the District and how does this compare with the recidivism rate for inmates in other forms of custody?

Mr. HARDY. Mr. Chairman, there has been much discussion on recidivism, how to measure it. And finally, we are saying that we start with a zero base, and you measure your own department against your department, houses against houses, instead of comparing with other States.

For the first 8 months out, I find that the man who goes through the halfway house system will recidivate at a lesser rate than a man discharged directly to the community.

We are trying to follow these cases out to—I think it is 18 months now, and I am beginning to see little difference or no significant difference between the direct releasee and the halfway house releasee on recidivism, except that the offense for which the halfway house releasee is charged with is of lesser gravity than the ones charged to the one who comes through, directly through the community.

I might stand corrected on that, but if we have a report before us, I would like to extract from that.

Senator INOUYE. Would you say from the standpoint of the rate of recidivism that the halfway house program is not too successful? Is that what you are saying?

Mr. HARDY. I am not saying that in total. What I am saying is that in the halfway house program, we have different mix. We have a mix from the court, directly ordered from the court, who come to us not by our selection but from the bench. We have men who probably would not be granted parole by the Board of Parole—we are somewhat on the fence about these cases, but they say let's try them in a halfway house situation before we give a parole grant. Then we have the men——

Senator INOUYE. The court directs you to put them in halfway houses?

Mr. HARDY. I guess one-third of my halfway house population is court order.

Now, I do not want to give the impression that the court is sending all of its intractables to us, those men who can't make probation, and placing them in work-release. But I am saying that about one-third of our population, I have no control over in the selection for halfway houses.

If I could go down this list, the turnover rate in the Community Correction Centers by source, for the period of July 1971 through

January 1972, it might help to clear up some of which I am attempting to say.

We have broken it down into court order cases, bail bond cases, parole board cases, and institutional cases. Now, the institutional cases are those that we select.

Senator INOUYE. Can you submit that for the record, sir?

Mr. HARDY. Yes, sir.

(The information follows:)

In response to your request for population turnover in our community centers I have submitted the enclosed two Tables indicating the number of persons processed through the centers during the months of July through January of the current fiscal year. Table I provides the information by our youth and adult center programs. Table 2 provides population information on our adult center program by the three referral sources feeding the centers; the Youth Center program referrals are all considered to be joint institution and Parole Board decisions.

The tables provide information on the percentage of center residents involved in new arrests while in the program. I emphasize the difference between arrest and conviction. Preliminary studies indicate that 40%-50% of these arrests are not processed to Court, dismissed, nolle prossed or result in acquital or a fine and release. Escapes as a percentage of the population have been indicated on both Tables.

74-704 O - 72 - pt. 1 - 49

Table 1
COMMUNITY CENTERS
Population Statistics by Program

	Youth Centers	Adult Centers	All Centers
At Start (July 1, 1971)	117	333	450
Admitted (thru 1/31/72)	293	605	898
Removed - New Arrest (PI)	55	73	128
Administrative Removal (PI)	49	77	126
Absconds (PI)	68	122	190
Released (PC)	97	366	463
Total New Arrests	55	90	145
Program Completed (PC)	97 36%	366 57%	463 51%
Program Incomplete (PI)	172 64%	272 43%	444 49%
Absconders as % Population	17%	13%	14%
Arrests as % Population	13%	10%	11%
Administrative Removals as % Population	12%	8%	9%

Table 2
ADULT COMMUNITY CENTER PROGRAM*
Population Statistics by Referral Source
FY 1972: July-January

	All Adult Referrals	Court Referrals			Parole Board Referrals			Institution Referrals		
		Total	Misd.	Bail-bonds	Total	Misd.	Felons	Total	Misd.	Felons
At Start (July 1, 1971)	333	99	83	16	109	2	107	125	30	95
Admitted (thru 1/31/72)	605	197	169	28	195	12	183	213	76	137
Removed-New Arrest (PI)	73	20	13	7	32	0	32	21	7	14
Administrative Removal (PI)	77	23	22	1	26	2	24	28	14	14
Absconds (PI)	122	47	40	7	42	3	39	33	14	19
Released (PC)	366	134	120	14	122	4	118	110	37	73
Total New Arrests	90	24	17	7	39	0	39	27	8	19
Program Completed (PC)	366 57%	134 60%	120 62%	14 48%	122 55%	4 44%	118 55%	110 57%	37 51%	73 61%
Program Incomplete (PI)	272 43%	90 40%	75 38%	15 52%	100 45%	5 56%	95 45%	82 43%	35 49%	47 39%
Absconders as % Population	13%	16%	16%	16%	14%	21%	13%	10%	13%	8%
Arrests as % Population	10%	8%	8%	16%	13%	0%	13%	8%	8%	8%
Administrative Removal as % Population	8%	8%	7%	2%	9%	14%	8%	8%	13%	6%

*Youth Community Center referrals are made by joint institution and Parole Board decision

SUBMISSION OF QUESTIONS FOR ANSWERS IN RECORD

Senator INOUYE. There is a vote going on, so I would like to submit to you several questions, which would require technical responses, and request that your response be made to us.

(The questions and answers follow:)

Question. Do you treat persons awaiting trial differently from those who have been convicted?

Answer. Convicted men who have been remanded to the Department of Corrections for sentencing are accommodated either in the Lorton institutions or in community programs. There they are able to work and to participate in the established educational, vocational and counseling programs as determined by individual needs and the prescribed period of time that they will remain incarcerated.

Persons awaiting trial are housed at the detention facilities where they can remain in the Department's custody for varying periods of time from several days to several months. During their stay they may spend anywhere from days to months in Court on an interrupted basis while their case is being legally adjudicated. The Department is limited insofar as it has no concrete idea as to the time persons awaiting trial will remain incarcerated within the detention facilities and insofar as it legally cannot assign such persons to job assignments or to participate in different programs.

The legal and time restrictions upon the person awaiting trial necessitate a difference in the programs in which convicted and non-convicted persons participate. However, in spite of structural and other limitations, the D.C. Jail is a rarity in that it does provide some educational, religious, and recreational services unlike many other detention facilities across the country.

The Women's Detention Center due to its dual function of both a detention center and an institution for short term offenders presents extremely different administrative problems. Severe overcrowding and limited space compounded by legal and time restrictions preclude the development and operation of programs for the population. Again, however, the District is unique insofar as it does provide minimal education, recreational, vocational, and religious opportunities for women awaiting trial.

It should be noted that, although differences exist in the programs offered to convicted and detained inmates, due to limited resources, there is no difference in the treatment afforded these people in terms of attitude and general respect.

Question. Are there other proposals for the use of the land at Lorton Reservation?

Answer. As the Mayor has announced, the District's Department of Environmental Services has proposed that a Lorton Resource Recovery and Recreation Development Center be developed on part of the Lorton Reservation. Plans for such a Center are now being reviewed by the District's Office of General Services and the Department of Corrections in conjunction with Environmental Services, including a proposed land-fill operation and a beautification and recreation program.

Question. Would it be possible for the Complex to prepare a camping ground and maintain it with inmates?

Answer. As indicated, utilization of Lorton resources are now under review by the Mayor and various District agencies including the Department of Corrections. A camping ground is one way which the land might be put to good use.

However, it must be emphasized that if inmates are used to maintain the camping site, the Department would insist that they be paid for their work at prevailing or minimum wages, since it cannot accept the concept of exploitation of inmate labor any more than it is forced to do so at present.

Question. Charges of brutality to inmates are numerous. What rules govern the conduct of guards in handling prisoners?

Answer. As stated in Department Order 5300.6 regarding discipline matters, it is the long standing policy of the Department of Corrections that treatment of inmates ". . . must be administered to insure that the inmates' needs are met, that institutions' needs for security are met, *and that procedural safeguards against abuse and abridgment of individual rights exist at all times.*" In line with this policy, each institution develops specific procedures for the handling of inmates, tailored to the needs and procedures of the particular institution.

The rules governing the conduct of guards in handling prisoners are found

in various Director Orders, Superintendent Orders, and institutional directives within the Department. Each correctional officer is required to maintain and update continually a Manual of Regulations pertinent to the institution to which he is assigned.

It should be noted that Department policy, as found in Department Order 5000.12 is that any assault on an inmate—either attempted or executed—must be reported to the Director through the appropriate chain-of-command containing a statement of facts; background information; and all back-up material including signed statements from the victim and all inmate and correctional officer witnesses, a medical report, and latest classification report.

The Department of Corrections in no way sanctifies the use of unnecessary violence. Correctional officers carry no weapons and must rely solely upon a whistle to summon help in instances of physical threat. Although charges of brutality to inmates are often unsubstantiated upon subsequent examination, the Department does not seek to hide the existence of these alleged incidents as attested to by its open dealings with local news media and the appearance of articles in local papers concerning inmate brutality. For the time period of January 1, 1972 through March 26, 1972, there were six such incidents at Lorton Complex and with the severe overcrowding at that facility the Department projects that twenty-four or more may occur before the calendar year is complete. The Department also has begun to use of review boards to determine facts in all cases of alleged brutality on other institutional incidents.

DO 5300.6
May 17, 1971

DEPARTMENT ORDER 5300.6

Subject: Handling of Non-conforming and/or Intractable Inmates

1. Cancellation. This Order cancels Department Orders 5300.1, 5300.3, and 5300.4.

2. Definitions.

a. Disciplinary Report - A written report which enumerates the rules or regulations violated and details the facts of the violation (who, what, when, how, how many, who else); is signed by the employee who witnessed the alleged violation; is co-signed, along with comments, by the shift supervisor.

b. Disciplinary Board - A panel composed of at least three supervisors who are not parties to the disciplinary action.

c. Control Cells - An area in which those found in violation of rules and/or regulations are placed.

d. Adjustment Units - Long-term, restrictive housing units to be used not as a result of a disciplinary report or a decision by the disciplinary board, but as a treatment mode for inmates whose behavior indicates an unwillingness or inability to benefit from less restrictive housing. All facilities which have been variously called "deadlock," maximum security units, special treatment units, etc., now will be called adjustment units.

3. Policy. Treatment of inmates will deal with correcting the attitudinal and social defects which cause them to rebel, in a socially unacceptable manner, against the social structure of the correctional facility. Such treatment must be administered to insure that the inmates' needs are met, that institutions' needs for security are met, and that procedural safeguards against abuse and abridgement of individual rights exist at all times.

4. Action. Each service will write specific procedures for the handling of inmates in keeping with the following:

a. All rules and regulations governing inmate behavior are to be formalized, published, and circulated to the inmate population.

b. All behavior which results in a formal disciplinary action must be noted in a written disciplinary report.

c. Formal corrective action will be decided and implemented only after the disciplinary report has been considered by a disciplinary board.

d. The findings of the board will be reported in writing and filed, along with the disciplinary report, in the institution folder, after being reviewed and signed by the superintendent of the institution or his designee.

e. A variety of corrective actions will be developed and used by the board. Where the actions result in a restriction of the inmate's freedom, such action will be detailed as to scope and length. All actions taken by the board will be recorded, signed by the panel members, approved by the Superintendent or his designee, and filed in the inmate's folder.

f. The specific procedures developed by the service in compliance with this Order are to be submitted for review in the form of a Superintendent's Order, to the Associate Director for Program Development, within one month from the date of this Order. Such Superintendent's Orders are to contain specific procedures for disciplinary board operations and review and an enumeration of corrective actions available to the disciplinary board.

5. Use of Control Cells.

a. The control cell area can be used as a "pre-trial" or "emergency" holding area for a period not to exceed 48 hours. Such a commitment can be made only by the superintendent or his designated supervisor.

b. The use of control cells as a corrective action by the board should be viewed as its most serious action and must be used judiciously. No commitment on any one disciplinary report will exceed 14 days.

c. The following guidelines are to be followed in the operation of the control cells area:

(1) Meals will be the same as those served the general population and served with the same frequency.

(2) Full bedding will be provided at all times.

(3) The area will be inspected at least hourly to insure the safety and welfare of the inmates.

(4) The area will be inspected daily for health and sanitation reasons.

(5) No smoking by inmates or employees will be allowed in the area.

(6) Written records of all visits will be kept.

(7) The area will be cleaned daily.

(8) The inmates will be allowed to maintain their personal hygiene in keeping with good health standards.

(9) Inmates will be allowed reading material related to their academic programs.

(10) Inmate correspondence with lawyers and courts will not be restricted.

(11) The area is to be inspected weekly by the Superintendent and the Chief Medical Officer.

(12) A monthly report in writing will be submitted by the Superintendent of the service to the Associate Director for Program Development. Such reports will include comments on the health and safety conditions and recommendations for improvements.

8. Use of Adjustment Units.

a. Commitment to the adjustment unit will be made by the classification or adjustment committee after due consideration of all factors of the inmate's progress and program as recorded in a progress report (See Example 5, Social Service Manual).

b. The findings of the committee will be in writing, signed by the chairman of the committee, and endorsed by the Superintendent as his designee.

c. The findings will enumerate the reasons for commitment to the unit and outline a treatment program to be followed. The program should include academic schooling, therapy, and vocational training where feasible. A copy of findings will be filed in the institution folder.

d. Commitments to the unit will be formally reviewed every 45 days from original commitment by the committee. A written progress report covering the progress for the preceding 45 days is to be prepared and the committee's findings will be in writing. A copy will be filed in the institution folder.

6. Effective Date. This Order is effective upon receipt.

Kenneth L. Hardy
Director

DISTRIBUTION: "A" "B" & "C" plus
President, Lodge 1550, AFGE
Secretary, Lodge 1550, AFGE

DO 5000.12A
October 24, 1969

DEPARTMENT ORDER 5000.12A

Subject: Incidents of Assault on an Inmate

1. Purpose. To establish within the Department a defined and uniform procedure for reporting any assault (attempted or executed) on an inmate and notification of the appropriate law enforcement agency.

2. Cancellation. Department Order 5000.12 dated September 12, 1969, is hereby cancelled and may be removed from the files.

3. Definition. As used in the D. C. Code s22-501 through s22-507.

4. Action.

a) Examination. The victimized inmate, as well as any other person who may need medical attention as a result of an assault, is to be taken immediately to the medical facility where he is to be examined by the medical staff. The one making the examination is to make a written report immediately on his medical observations of the patient, his diagnosis and his prescribed treatment.

This report is to be submitted to the Superintendent/Administrator along with copies of any photographs taken which indicate contusions, etc.

b) Reports.

1) The Senior Supervisor on board at the time is responsible for obtaining a statement from the victim and all witnesses. This statement is to be obtained as soon as possible after the incident of assault and is to contain at least the following: where did the assault take place; how did the assault take place; who was the perpetrator(s) and witness(es); why did it take place; to whom was it initially reported.

2) The Superintendent/Administrator is to submit a report to the Office of the Director immediately if the assault occurs during the #2 watch, and by 8:30 a.m. if during #3 or #1 watch. This preliminary report should contain a brief statement of the facts immediately surrounding the incident, the condition of the victim (at the time of the medical examination and at the time of the reporting) and what action has been taken up to the time of the initial report. This report may be oral.

3) The Superintendent/Administrator is to submit to the Director, through the Chain-of-Command, a complete written report which shall contain a statement of the facts surrounding the incident, any background information that might shed additional light on the matter particularly as to motive, the results of the medical examination, the condition of the victim immediately after the assault and at the time the written report is submitted. Attached to this report is to be all backup material; signed statements of the victim, witnesses, employees, etc; medical report; and latest classification report.

c) In all cases where an inmate is the victim of an assault, the Superintendent will notify the law enforcement agency which will conduct an investigation in an effort to determine the feasibility of prosecution.

5. Applicability. This Order is applicable to all activities of the Department of Corrections.

6. Effective Date. This Order is effective upon receipt.

M. R. Montilla
Acting Director

DISTRIBUTION: "A" "B" "C" & "D"
President, A.F.G.E.
Corporation Counsel
Special Assistant (Investigations)

Question. Are guards required to attend refresher training sessions on rules governing their conduct and the right of prisoners?

Answer. Correctional officers are required to participate in a special training program their first year and during subsequent years in on going in-service training. During these sessions they deal with issues and problems directly related to their positions as correctional officers, including human relations, treatment of inmates in general, and handling of recalcitrant inmates.

Every new correctional officer participates in an introductory two-week training program. During this time he is oriented to the Department of Corrections and receives basic instruction in concerns directly related to his job such as disciplinary procedures, rules and regulations, count techniques, security precautions, and report preparation. Subsequently, he is assigned to the Training Coordinator at the particular institution where he is stationed for further training for up to an additional three weeks. A Training Coordinator is assigned to each institution to ensure that training is provided on an individual on-the-job basis for all correctional officers—especially the new employee.

In addition to the first year of training, the Department's budgetary allotment allows for 10 days of refresher training for each correctional officer. The Department has chosen to allow for this training even though there is no civil service requirement to do so in recognition of the need for a well-trained, well-briefed correctional officer staff. During these refresher periods, new orders and procedures are reviewed, problems particular to the correctional officer position are discussed, and the dynamics of human inter-relationships are explored.

Question. Are prisoners advised of their rights when they enter the custody of the Department of Corrections? If yes, how exactly is this done? Orally? Or in writing?

The increasing attention now being devoted to inmate rights is attested to by the increasing number of suits or reports involving the District of Columbia and the Department of Corrections. As a correctional administrator I welcome this attention in hopes that inmates are guaranteed those daily activities which are too often taken for granted by the free community. For this reason, I have proposed to the District's Public Safety Committee that a broadly-based citizen's committee be established to examine and report on inmate rights. Such a report, I hope, will cover not only those persons adjudicated by the Courts as lawbreakers but those with legal problems in other areas.

Upon admission into the D.C. Jail, inmates are advised of their rights both orally and in writing. During the reception process the officer on duty will give a brief orientation talk concerning procedures for contacting bondsmen, family and attorney; outline sick call procedures; and explain methadone modalities available and procedures for application.

A new admissions kit is distributed during the intake process. This kit contains items such as pencil, paper, and envelopes; rules and regulations, recreation schedules and other items. A list of the kit's contents and copies of the written documents are provided for your information. Within two or five days after admission a classification and parole officer will visit a new admission to complete intake summaries. At this time outstanding matters may be completed and remaining questions may be answered.

The Women's Detention Center (WDC) serves as both a booking precinct for the Metropolitan Police Department and as a correctional facility. The reception unit therefore contains placards posted on the walls stating in large-sized print the rights of persons under arrest. At the present time, an oral orientation to WDC is conducted by the officer on duty including an explanation of procedures and rules and regulations. Copies of rules and regulations, recreation schedules, and various procedures are posted on bulletin boards within the Center. The Department is currently designing an Admission Kit similar to that at the D.C. Jail and will begin to issue it as soon as possible.

ADMISSIONS KIT

(1) A synopsis of current Education Programs and procedures for application.

(a) A copy of the Educational Class and Book request forms.

(b) A statement explaining that books can only enter the institution when shipped directly from a publisher or bookstore to the resident. Further that books sent by procedures other than the above or left by visitors will not be processed and/or accepted.

(2) Outline current recreation programs and facilities to include recreation hours for each housing unit.

(a) A statement explaining that musical instruments, art supplies, and other items of a recreational nature will not be accepted into the institution.

(3) Definitive information regarding the receipt of gratuities to include amount, eligibility, etc.

(4) Notary services to include procedures for request.

(5) Outline Law Library services and procedures for request.

(6) Schedule of clothing and bedding changes.

(7) Outline Canteen to include procedures and hours for each housing unit.

(8) Procedures for requesting telephone request slip.

(8) Procedures for requesting telephone calls.

(a) Copy of telephone request slip.

(10) Explain the institutional count to include resident obligations.

(11) Outline visiting hours to include explanation of rotunda, legal and personal visits. Note that CB-3 or detail inmate visiting is different.

(12) Outline institutional work details to include salary scales, method of payment, special housing, and office processing work detail applicants.

(13) Procedures for obtaining legal paper or paper envelopes for social writing.

(14) A pencil, three envelopes and six sheets of paper.

(15) A copy of the resident rules and regulations

(16) A copy of Form 2.138 (10-71) with instructions re: uses, how obtained and processed.

RESIGNATION OF PRISON GUARDS

Senator INOUYE. I have just one question to ask. We have been advised that after the Attica tragedy, a large number of prison guards resigned. Is that correct?

Mr. HARDY. I don't think that is true in our system. Nobody has hit the fence yet under these most pressing circumstances of the day. I think we have officers who are ready to meet the challenge and they are staying on the job.

Senator INOUYE. Do you find it difficult to attract and retain correctional officers?

Mr. HARDY. I do not think there is any difficulty there, sir.

Senator INOUYE. I see.

Would you please furnish for the record the number of guards who resigned after the Attica incident.

Mr. HARDY. Yes, sir.

(The information follows:)

The turnover of Correctional Officers among our 854 man force during an average six-month period is less than one percent. We average eight new recruits per month and an average of six leave the Department.

From July 1971 through March 1972, 73 men entered on duty and 58 were separated as shown in the following:

	EOD	Separated
July	8	3
August (Attica)	14	6
September	15	10
October	7	4
November	0	3
December	7	11
January	0	7
February	0	7
March	22	7
Total	73	58

SUBCOMMITTEE RECESS

Senator INOUYE. This subcommittee will stand in recess until 10 o'clock tomorrow morning, at which time we will hear from the District of Columbia Teachers College, Federal City College, Washington Technical Institute, and the Recreation Department.

(Whereupon, at 4:15 p.m., Tuesday, March 28, the subcommittee was recessed, to reconvene at 10 a.m. Wednesday, March 29.)

DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 1973

WEDNESDAY, MARCH 29, 1972

U. S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, D.C.

The subcommittee met, at 10:05 a.m., in room 1224, New Senate Office Building, Hon. Daniel K. Inouye (chairman) presiding.

Present: Senators Inouye, Hatfield, Ellender, and Young.

DISTRICT OF COLUMBIA

EDUCATION

FEDERAL CITY COLLEGE

STATEMENT OF DR. HARLAND RANDOLPH, PRESIDENT

ACCOMPANIED BY:
JAMES BROWN, ACTING VICE PRESIDENT FOR ADMINISTRATION AND FINANCE
WILLIAM HYMAN, DEAN OF STUDENT AFFAIRS
JOHN GREEN, DIRECTOR OF FINANCE, FEDERAL CITY COLLEGE

BUDGET REQUEST

Senator INOUYE. The subcommittee will please come to order.

This morning, we will continue our hearings on the fiscal year 1973 budget requests for the District of Columbia.

Our first witness is Dr. Harland Randolph, President, Federal City College.

The request for Federal City College is $20,719,900.

It is good to see you again, sir.

INTRODUCTION OF ASSOCIATES

Dr. RANDOLPH. My pleasure. Thank you very much, Mr. Chairman.

I will ask the other members of the college staff to join me.

Mr. Chairman, may I introduce the members who are at the table with me this morning?

Senator INOUYE. Please do so.

Dr. RANDOLPH. On my left is William Hyman, who is the acting Dean of Students, responsible for student affairs at the institution: admissions, registrations, health, et cetera. On my left is James Brown, who is the Vice President for Administration and Finance, responsible for the financial operations of the institution. On his left is John Green, Director of Finance, who is principally responsible for knowing where each of these figures fit into the budget.

PREPARED STATEMENT

We have a statement that we have submitted for the record.

Senator INOUYE. Without objection, the statement will be made a part of the record, sir.

Dr. RANDOLPH. Thank you very much.

(The statement follows:)

I. INTRODUCTION

Mr. Chairman, first of all, I want to thank you for the support you gave the College last year in our effort to secure funding for the College's fourth year. I would also like to thank the members of your subcommittee and those other members of the Senate who also gave the College their support.

FCC sees its role as providing high quality, comprehensive higher education for the people of the District of Columbia. This, we believe, is our Congressional mandate. We cannot carry out this mandate without continued support.

Presently, FCC offers 55 degree programs at the baccalaureate and associate of arts degree level. An additional seven degree programs are offered at the master's degree level. In the Community Education Division, a variety of certificate programs, short courses, conferences, and institutes are conducted in connection with the College's function as a land-grant institution. We have attempted to develop and design these programs to fit the particular needs of the District of Columbia. With the continued support of the Congress, we feel that we can meet still unmet needs in the area of education for those thirsting for knowledge within our city.

Enrollment at the College has climbed steadily from 1700 students in the fall of 1968 to an estimated 7800 for FY 73. The present budget request does not provide for any further expansion, although approximately 1000 new students will be able to enroll in 1973 due to vacancies resulting from normal attrition and graduation. The College will complete its first senior-year program and graduate its charter class in June of 1972. We are planning to hold this historic event at the Kennedy Center, and we hope that all of you will join us for this memorable occasion. Sometime during fiscal year 1973, the College hopes to seek full regional accreditation. The mandatory cost increases reflected in this budget request must be provided if this event is to take place.

The demand for higher education in the District is greater now than at any other time in its history. The rate of applications for admission to Federal City College in both its graduate and undergraduate programs is increasing rather than declining. How are we going to meet this increasing demand for educational services? The cost of education nationwide is increasing at an accelerated rate, one to three percent higher than the inflationary increase in the cost of living (although this has not been the case at FCC). At the same time, resources for education throughout the nation are limited, with dim prospects for improvement. The District of Columbia, however, must play a catch-up game. Ten states in the United States have populations smaller than that of the District, yet they all provide both a state college and a state university higher education system.

The budget before you is a standstill budget. The Mayor has described it as a budget of consolidation and opportunity. For the College, however, it provides little for consolidation and no opportunities. The budget request, as it stands, will have serious program consequences at the College. Any cuts made in this budget would indeed be debilitating.

To conclude this prepared statement, I would like to describe some of the ways in which Federal City College is using public funds to the maximum advantage to FCC students, the people of the District of Columbia, and the taxpayers.

II. VALUE RECEIVED FOR THE FEDERAL CITY COLLEGE DOLLAR

Federal City College is a public agency operating with limited public funds. It is also the one real chance at higher education for most of the people of the District of Columbia. In such a setting, the administration and faculty of the College are acutely aware of their obligation to make the most effective use possible of the funds entrusted to them.

For these reasons, Federal City College's expenditures are the end activity of a long and severe in-house process of planning, justifying, cutting, proving and proving again why each dollar is needed and what it will produce. Each unit of the College is required to state its resource requests in terms of expected results--statements of need alone do not suffice. The outcome of this process each year is an austerity budget, a budget constructed on the basis of performance and productivity.

In its three and one-half years of operation, Federal City College has applied this criterion to the use of its limited funds to produce a steadily increasing stream of concrete outcomes:

- Educational and occupational achievements of students
- Models of Educational Innovation
- Cost-offsetting services to D.C. residents
- Internal systems for cost-saving.

Educational and Occupational Achievements of Students

Although the College has not yet operated long enough to graduate its charter class of baccalaureate degree candidates, it has already awarded 189 degrees to students who transferred into the College with prior credits or who completed programs at the Associate or Master's degree level.

By the end of the 1971-72 academic year, 250 additional degrees will have been granted, including the graduation of the charter four-year class. Projections of the graduation rate for the immediate future are:

1972-73	375 degrees
1973-74	450 degrees
1974-75	625 degrees.

Thus, it is projected that the College will have granted 1,879 associate, bachelor's and master's degrees in its first seven years of operation. The rate of growth of this indicator of productivity can be seen in the fact that the figure for the last year of the seven-year period will account for a third of the total.

But output of graduates, important as this is, cannot alone prove the effectiveness of the College's use of public funds. The true worth of degrees granted by Federal City College is measured in terms of:

- Acceptance of Federal City College graduates by graduate and professional schools
- Placement of graduates in professional and technical jobs based on qualifications gained at the College

. Promotions and salary increases for students and graduates already employed.

Success in these areas results in both immediate and long-range economic gains for the individual graduates and their families, the private business sector in the District of Columbia and the D.C. Government revenue base. Thus, dollars invested in Federal City College produce many times that amount of dollars returned to the individual, commercial and government sectors.

Examples of Federal City College's performance in this category include:

Department of Management - 13 graduates; all employed or in graduate schools

Department of Urban Studies-Social Planning - 14 graduates; 8 in graduate schools, 5 in law schools, one employed as a planner by the Redevelopment Land Agency

Department of Finance - 8 graduates; 7 in graduate schools, 1 employed in a professional position

Department of Marketing - 6 graduates; 3 employed or self-employed, 3 in graduate schools

Graduate Department of Teacher Education - 3 students awarded master's degrees; all 3 given grade promotions by the D.C. Public Schools

Graduate Department of Counseling - 32 master's degrees awarded; 29 admitted to doctoral programs at other universities; 8 are directors of projects

Department of Foreign Languages - 2 graduates; both in graduate school, 1 on scholarship

Department of History and Philosophy - 4 graduates, 1 in graduate school, 3 employed in professional positions.

These brief examples indicate the kind of concrete results being produced by most academic units of the College. A procedure is being developed at the College for 100 percent follow-up of graduates to permit continuous monitoring of their impact on the economic life of the community. This information will be combined with manpower need projections to help us in the most cost-effective allocation of academic resources each year.

Models of Educational Innovation

A significant aspect of Federal City College's academic program is the development of new methods and techniques of education to meet the problems of urban America in the 1970s. As the nation's first and only urban land-grant college, Federal City College is testing and receiving recognition for a wide variety of new educational configurations that promise to be replicable in others parts of the country where traditional forms of education are inadequate to meet existing needs.

A small selection from the many pioneering programs at the College includes:

. The Graduate Teacher Education Department is conducting a Staff Development Laboratory in conjunction with the local Model Cities Project in which students can earn a

Master of Education in Staff Development Degree. This program to train students as Master Supervisors is the first one of its kind in the nation. It is a problem-solving program in which research and curriculum development are based on actual administrative problems in the public schools of the Model Neighborhood. Federal City College has been asked to describe the Staff Development Laboratory Program at the annual meeting of the American Educational Research Association.

. The Early Childhood Learning Center of the Teacher Education Division has been cited by the Day Care and Child Development Council of America as one of the top 20 day care programs in the nation. Education officials have been sent by the U.S. Office of Education as Registered Visitors to observe the program. The Center has received a grant from the Bureau for Education of the Handicapped to develop models for integrating handicapped children into day care programs.

. The Department of Nursing has received a five-year grant of $949,000 from the National Institutes of Health to develop and implement a unique Program Improvement Package focussing on student support services, innovative curriculum development and staff development. The program has been commended by a number of expert consultants, including a representative of the National League for Nursing.

. The Community Education Division operates four innovative Upward Mobility satellite colleges for low-level federal employees seeking to earn college degrees, upgrade their skills and qualify for more rewarding jobs. The satellite colleges are located at Parklawn in Rockville, St. Elizabeth's Hospital, the HEW Southwest building and the National Institutes of Health. The 1,200 students take a standard college curriculum of mathematics, humanities, social sciences and natural sciences. Students attend classes before and after work and during lunch hours and are given released time by their employers for some class hours. The program is funded by a $1.5 million grant from HEW.

. The Federal City College Lorton Project, a program of the College's Community Education Division, is a cooperative educational effort of the D.C. Department of Corrections and Federal City College to permit inmates of Lorton Reformatory to earn high school equivalency diplomas and college degrees by taking courses on campus and on site at the Reformatory. An aspect of the Lorton Project called Project START enables former inmates in the program to hold professional jobs in the U.S. Department of Health, Education and Welfare while studying full time at Federal City College to earn their degrees. Another phase of the program, CREATE, is a long-standing community service project for Lorton inmates that serves as a bridge between incarceration and employment through Project START. The Lorton Project has been selected by HEW to serve as the national model for educational rehabilitation programs for prison inmates.

. The Management Department is offering a degree program in Procurement and Public Contracting which is unique at the undergraduate level. Graduates of the program, still in its

infancy, have been much in demand from government agencies and the business community. Over 500 students are enrolled in at least some courses offered by the program. Students are being employed as part of their degree requirement as interns throughout the Washington area, and to date there have been more requests for interns than there are students to fill the jobs.

. The Physics Department has been awarded a $32,690 grant by the Office of Noise Abatement and Control, of the Environmental Protection Agency for a study of noise pollution in the District of Columbia. The study will measure noise levels and obtain preliminary samples of audiometric data at selected locations in the District and at the same time develop and test procedures for the training of field measurement technicians. Federal City College students, under the supervision of professionals from the Physics Department, will be used as data collection and measurement technicians. A preliminary study conducted by the Physics Department last Fall indicated marked psychological effects which were not always related to the level or intensity of sound. The current study will develop and test models for measuring this psychological effect.

. The Media Services Division has become the home of the Educational Materials Center of the U.S. Office of Education. This one-of-a-kind library contains more than 15,000 volumes, including a complete collection of all textbooks used at the elementary and secondary levels in the United States. It also contains a complete collection of educational material used at the college level in teacher education and a developing library of other college level educational materials. The resources of the Educational Materials Center are used primarily by the Teacher Education Division and Graduate Teacher Education Department of Federal City College, by teacher education schools of other area colleges and universities and by government agencies.

Cost-Offsetting Services to D.C. Residents

In fulfilling its role as a land-grant institution and an instrumentality of the people of the District of Columbia, Federal City College provides a wide range of services to the community, most of which represent either budget dollars saved or cost-free services added in terms of D.C. Government expenditures.

Examples of Federal City College's community services include:

. The faculty and staff of the Graduate Counseling Department provide counseling and casework services in the ward offices of the D.C. Delegate to the House of Representatives, handling some 250 cases per week. In addition, members of the Department provide services for over 100 social agencies in the city.

. Two hundred fifty students in the Teacher Education Division are serving as teacher aides in the D.C. Schools, without cost to the school system, as part of their practicum experience.

They are contributing an average of 200 hours each while completing their undergraduate program, or a total of 50,000 man-hours. The Division's Physical, Health and

Recreation Education Department provides planned and supervised recreation activities for D.C. children in conjunction with the Summer in the Parks Program and the programs of the D.C. Department of Recreation. Staff and students of the Department also conduct programs for mentally retarded and physically handicapped children in the District.

. The Media Services Division provides audiovisual equipment, materials and technical assistance to the Model Cities Program, the D.C. Youth Center, local high schools and other community groups.

. Faculty and students in the Accounting Department provide income tax consultation services to inner-city residents--some 300 were served last year.

. The Computer Science Management Department designed a data processing curriculum for Federal City College's Lorton Project.

. Students of the Business Education and Office Administration Department volunteer time to teach typing and shorthand to D.C. residents on Saturday mornings.

. Faculty of the Management Department provide expert court testimony for the D.C. Public Defender's Office on behalf of indigent clients.

. The Natural Science Division has served thousands of District of Columbia high school students and District residents through its Mobile Science Laboratory. The Lab is housed in a 50-foot mobile home, completely equipped as a laboratory on wheels, which travels to area high schools serving as a science enrichment program. The Lab was partially financed by a grant from the National Science Foundation. The Lab conducts experiments in such urban problem areas as pollution, lead in house paint, drug abuse and nutrition. It has also recently begun serving as an information center for sickle cell anemia education for the District of Columbia. The Lab is staffed by science majors from the College under the supervision of Natural Science Division faculty members.

. Students of the Political Science Department raised $15,000, collected a large amount of clothing and traveled to Mississippi and Louisiana to help victims of Hurricane Camille.

. Sixty students in the Urban Studies-Social Planning Department have provided an aggregate of about 20 man-years of para-professional services to community agencies. Based on a range of $8,500 to $9,500 per year (salaries paid in this area for equivalent full-time work in agencies), these services have a value of about $160,000 per year. Students are also providing technical assistance to the Black Caucus of the National Association of Housing Rehabilitation Officers.

. The Office of Student Activities has organized Christmas and Thanksgiving parties for D.C. children. The Office has has also conducted a truancy project in the junior high schools, working with truant adolescents to get them to return to school. The Student Activities Entertainer Program has served 11,000 students in D.C. High Schools.

Through these and many other similar activities, the students, faculty and staff of the College serve the community and account for many hundreds of thousands of dollars in services that would otherwise come out of the D.C. Government budget or never be provided.

Internal Systems for Cost-Saving

The management and administration of the College is a major area for cost-effective improvements. Among an array of improved procedures and management systems, examples include:

- Unauthorized long-distance telephone calls have been reduced to nearly zero and the number of authorized calls reduced by 75 percent with the installation of a new Centrex telephone system.

- The College's Lost Discount record was only $112.00 out of a total of $2 million spent on equipment and supplies.

- The Property Control System reduced theft loss from $45,000 to $3,000.

- The Office of Finance has passed all audits by the D.C. Government.

- The Office of Personnel has been granted position classification authority by the D.C. Government.

- An effective accident/injury reporting system has been worked out with the D.C. Safety Management Office.

- The College Development Office has brought in approximately $400,000 in grant funds.

- The Office of Site Planning has acquired 100,000 square feet of floor space since June 1971.

- The Office of Institutional Research has set up on-going survey mechanisms to produce data on such vital measures as the College's impact on students' intellectual development, intensity of use of facilities, the College's overall impact on the community and needs for campus development. First results have already been produced on all four measures.

- The Office of Financial Aid and Manpower Programs has placed 917 students in part-time and full-time jobs, based on some 1,700 referrals. The Office has also arranged for supportive services to be provided to the student workers in the form of physical examinations, dental care, family and child care and parole and probation services.

Summary

The activities described in this report, which themselves represent only a small part of the output of the College, demonstrate clearly that Federal City College is constantly turning small money into big results. The dedication of most members of the College community, and the acute awareness they all have of Federal City College's difficult financial situation, are translated into hard-nosed planning and action to produce the biggest bang for the buck.

The message between the lines is, "What we have done up to now is only a hint of what we can do once we have adequate funding."

FACULTY AND ADMINISTRATION DISSENSION

Dr. RANDOLPH. We are prepared to entertain questions at this time.

Senator INOUYE. Dr. Randolph, many of us in the Congress noted, with much regret, the press reports of continuing disagreement between some members of the faculty and your administration.

When we discussed this problem last year, you implied this situation would be improved by now, yet you have been reported as saying "Dissension among faculty members is delaying full accreditation for the college."

Will you please review the situation for the committee?

APPOINTMENT BY MAYOR OF NEW BOARD OF HIGHER EDUCATION: ANTICIPATED REMOVAL OF ROOT CAUSES

Dr. RANDOLPH. There are two essential points to be made: One is that the Mayor has now appointed five new members to the Board of Higher Education, which means, in essence, that we have a new Board, and that Board, as you know, has the legal and statutory authority for the effective operation and management of the institution.

That Board has made one of its top priority items the development of the rules and regulations required to reduce the kinds of internal dissension that previously have plagued the institution.

They have prepared several documents to deal with this question. Responses to those documents are due by the 30th of March.

It is my expectation that the Board, within the next 30 to 60 days will, in fact, issue rules and regulations concerning the governance of the college and the respective roles and responsibilities of the officers and constituencies of the college.

It is my expectation, therefore, that most of the things which have been the root cause of the problems up to this point will be removed.

ABSENCE OF ORGANIZATIONAL STRUCTURE AND RESPONSIBILITY DEFINITIONS AND POWER-STRUGGLE DECISIONS

Senator INOUYE. What are those root causes, sir?

Dr. RANDOLPH. I would say that there have been three principal factors: (1) The institution did not have a system of government, so the responsibilities of the President, the responsibilities of the faculty as a body, and the responsibilities of division and department chairmen were not clearly defined.

(2) The institution did not have clear lines of organizational structure defining the responsibilities and authority of the respective officers within the organization.

Those two factors resulted in a third basic problem, which was that many decisions had to be made on the basis of power struggles between individuals instead of decisions being made on the basis of a prescribed set of rules and regulations.

If I might use an analogy, it has been like operating a city without a basic charter or constitution to indicate the rules which would govern the basic decisions of the city.

Those three factors, in my opinion, have been principally responsible for the difficulties.

Now, if you add to those some of the personality factors which inevitably would arise in that situation, we have a complete catalogue

of the various factors which have contributed to our internal problems over the last 18 months to 2 years.

I say again, however, that we have a new Board. That Board is clearly about its business, and it is a very strong Board, and I expect that Board to provide the institution the leadership it requires.

ACCREDITATION: WASHINGTON POST ARTICLE OF MARCH 2, 1972

Part 2 of your question concerned accreditation. I am assuming that that question grew out of an article in one of the local papers.

Senator INOUYE. I believe it is the March 2 edition of the Washington Post.

Dr. RANDOLPH. What actually transpired in the conversation between me and that reporter was that I said to the reporter that I would not make a comment to him because I had been misquoted by him. I asked my Public Information Officer to stand with me while I talked to him, and I refused to make any comment, and I said that I would, in fact, make an official statement in writing at such time as it became necessary.

Based upon my refusal to make a comment to that reporter, he then quoted me in the paper as saying that I refused to set the date.

First, I wanted this to clear up the headline; second, to answer the information.

It takes an institution offering a bachelor's degree approximately 6 to 8 years to become accredited, and that is the average amount of time for most institutions. That period of time has been verified by the Middle States Association, which is the accrediting agency for colleges and secondary schools in this geographical region.

Federal City College will be able to make accreditation within that 6- to 8-year period.

Senator INOUYE. Is this the usual route that colleges of your size would have to take, 6 to 8 years, before accreditation?

Dr. RANDOLPH. Yes.

ACCREDITATION PROCEDURE

Senator INOUYE. This is not unusually prolonged?

Dr. RANDOLPH. It is not; 6 to 8 years is the average amount of time for most institutions which grant the bachelor's degree.

Before you can have a team come in and evaluate the institution for purposes of accreditation, you have to graduate your charter class which is a 4-year period.

After you graduate your charter class, you have to conduct a self-study, which takes anywhere between 12 to 18 months. Then, you indicate that you are ready for evaluation, and they send a team in to see if, in fact, you are prepared for an evaluation.

The team comes in and spends a period of time, somewhere between 2 and 3 months, and then an additional 3 to 6 months is spent with that team and the commission evaluating their review of the institution.

So a 6- to 8-year period is a normal period of time for an institution of our size and character.

Senator INOUYE. At the present time, do you feel that you are on schedule?

Dr. RANDOLPH. We are on schedule.

The initial intention—and there was reason to believe that we could, in fact, be ahead of schedule—was to try to have accreditation between year 5 and year 6. What we are now saying is that we will not be able to make it between year 5 and year 6, but we can make it between the years 6 and 8, which is still within the normal schedule for institutions of our type.

ANTICIPATED RESOLUTION OF ADMINISTRATION-FACULTY PROBLEMS

Senator INOUYE. Is it your view that the problems related to the relationship of administration and faculty have been adequately resolved—or satisfactorily resolved?

Dr. RANDOLPH. I do not feel they have been resolved at this time. What I am saying is that the Mayor has appointed a strong Board of Higher Education and that it is my belief that that Board will exercise leadership in this area and that we need such leadership at the Board level to resolve those problems.

That Board was appointed on the first of March; it will have its first regular meeting on the 12th of April. In the period between the time of its appointment and its first regular meeting the Board has been holding a series of meetings to get about its task of providing the leadership needed by the institution.

Mr. Chairman, I believe that the Board, as appointed by the Mayor, will, in fact, provide the leadership desired to resolve those difficulties.

Senator INOUYE. I would like to point out that we have in the committee room Mr. Roger Jones who is a member of the Board of Higher Education.

Dr. RANDOLPH. If I could ask Mr. Jones at this time to respond to your question regarding the role of the Board, I would be happy to do so.

Senator INOUYE. Mr. Jones, would you care to step forward, sir?

Mr. Jones, before we proceed with the questioning, Senator Hatfield would like to pursue the matter of accreditation while we are at it. He is our senior minority member.

PHYSICAL REQUIREMENTS FOR ACCREDITATION

Senator HATFIELD. Thank you very much, Mr. Chairman.

Dr. Randolph, in this matter of accreditation, do you have all of the physical facility requirements, including library and other such requirements, that are part of the accreditation procedure, filled or satisfied at this time?

Dr. RANDOLPH. No, we do not. We do not at this point in time meet the space requirement. We are about 50 percent less than the national average regarding space. We are running only about 35 to 40 percent in terms of our library and media.

Senator HATFIELD. About how much space, did you say——

Dr. RANDOLPH. About 35 or 40 percent in terms of the ability of our library and media center to meet the needs of our various programs.

We are now engaged in an intensive effort to reallocate resources and to reevaluate programs within the institution in an effort to assure accreditation of those programs that can be adequately funded with the dollars that are available.

FUNDING ADEQUACY

Senator HATFIELD. Does this budget request that we are reviewing provide for the achievement of some of these inadequacies and inefficiencies at this time, such as the 30- to 40-percent deficiency in your library and media?

Or how much does this budget provide for meeting these deficiencies?

Dr. RANDOLPH. May I answer the question from a slightly different perspective?

This budget does not provide the dollars required for the present programs at the college to be accredited in all aspects.

We are going to reevaluate the programs and the college and make the necessary adjustments to bring programs at the college up to par within the dollar limitations provided by the District government and by the Congress.

REDUCTION IN PROGRAM OFFERINGS

Senator HATFIELD. Will this include a reorganization of your program to reduce the number of offerings and the number of possible majors?

Dr. RANDOLPH. That is correct.

Senator HATFIELD. Does this do violence at all to the general objective of the college as it was originally set out or the general goals that were stated for the purpose of establishing this college.

Dr. RANDOLPH. It is not what I would recommend as the president of the institution. However, we can provide adequate programing within the dollars that are provided within the 1973 budget.

UNCOMPLETED EVALUATION OF PROGRAMS

Senator HATFIELD. How would you list, by either numbers or by areas of disciplines these reductions that you anticipate in the reorganizations?

Dr. RANDOLPH. I would prefer to withhold answering that question at this time, until the review which at this point is about 75 percent completed has been evaluated and acted on by the college community.

Senator HATFIELD. Mr. Chairman, I presume the committee will be supplied with that report when it is complete.

(The information follows:)

REVIEW OF POSSIBLE PROGRAM REDUCTIONS

Federal City College is now reviewing the need to redirect funds in order to meet the standards for accreditation. Some programs will probably have to be cut as a result of the redirection. The results of this review will be transmitted to the committee as soon as work is completed.

FACULTY REQUIREMENTS

Senator HATFIELD. Will this study also include the degrees required by your faculty and other such faculty requirements.

Dr. RANDOLPH. Yes, it will.

Senator HATFIELD. Student-teacher ratios?

Dr. RANDOLPH. That is correct.

Senator HATFIELD. Ancillary services?

Dr. RANDOLPH. That is correct. The study will deal with all aspects of educational management, as related to accreditation and quality education.

POSSIBLE CHANGE OF INSTITUTION CHARACTER BECAUSE OF FUNDING LIMITATION

Senator HATFIELD. The only reason, Mr. Chairman, I was pursuing this line of questioning was we have two factors involved here: (1) the question of accreditation, and, then, of course, our concern is while there is a budgetary effort I am anxious to find out as far as this report is concerned whether we are changing the character of the college to meet the budgetary limitations or whether budgetary provisions are providing us with the tools with which to achieve the goal of the institution, that is, the goal of accreditation.

It sounds like the chicken and the egg, and yet at the same time we are in a very critical period of a new institutional life where some of these things will have to be considered beyond purely the dollar budgetary aspects if we are really going to achieve the goals of the campus.

Dr. RANDOLPH. You are quite correct, Senator.

Senator INOUYE. I quite agree with you.

It should be pointed out that this committee has endeavored to stay within the budgets submitted by the city, but experience has shown that we have at times gone beyond the suggestions of the city.

If the hearings indicated that extra effort was justified, for example, since we are talking about education—special education—we have recommended much more than requested, almost forcing it down the throat of the city. And if we feel, in the case of the Federal City College, that dollar limitations are reasonable and would, as Senator Hatfield suggested, take the thrust away from the original intent of the college, I am certain appropriate steps can be taken.

Dr. RANDOLPH. I understand, sir.

STATEMENT OF ROGER JONES, MEMBER, BOARD OF HIGHER EDUCATION

POSSIBLE RESOLUTION OF INSTITUTION INTERNAL DISSENSION

Senator INOUYE. If I may I now come to you, Mr. Jones.

Dr. Randolph has indicated the activities of the Board are involved in resolving the internal problems of the Federal City College.

Do you feel that the Board is in a position to provide assistance in resolving these problems?

ADEQUATE TEACHING STAFF

Mr. JONES. Yes I do. The Board has been faced with, as Dr. Randolph says, three root causes. I think the Board has been faced with four different kinds of considerations on which, frankly, there was vast underestimation of the situation.

The first was underestimation of the demand of the community for the kind of education that the Federal City College could provide. The result was that we turned our attention in the first couple of years to almost a "lift yourself by your own bootstraps" operation to get an adequate teaching staff to take on the massive educational demands. This seemed to us to be the first priortiy.

PREMATURE OPENING OF SCHOOL: ADMINISTRATIVE PROBLEMS

The second problem with which the Board had to deal, in my judgment, frankly, was that our startup time was inadequate and the first year of operation left us with a mass of problems which, perhaps, would have been better handled if we had delayed opening the doors to students for an additional year. This meant that the Board had to concern itself with a vast number of administrative matters which pushed policy issues into the background.

LEADERSHIP AT VARIANCE WITH EDUCATIONAL AIMS

The third issue was the fact that the leadership of the college initially had a different concept of what the educational aims and strategy should be. It was the opinion of the Board that this concept was not meeting the demands that were there, and, consequently, we did change the leadership by agreement all around at the end of the first year, which resulted in a compounding of the kinds of problems that the Board faced.

CROSS CURRENTS: APPOINTMENT OF NEW BOARD

The fourth issue—and by all odds not the least important—was the fact that the cross-currents of opinion, cross-currents of desires within the college, made the Board feel, I think unanimously, that we should move quite slowly to establish either a system of governance or a formal organizational pattern, hoping that by this delay we would avoid making some of the kinds of mistakes that we were afraid we might make if we attempted to establish a completely traditional type of educational and organization and governance pattern within the college.

In the light of hindsight, we admit we made some mistakes, but they were honest mistakes. We tried to stay flexible, and I think the situation got away from us.

Senator INOUYE. However, you are convinced that this matter can be resolved shortly?

Mr. JONES Yes. The Board, the old Board on which I had the privilege of serving, as well as on the new Board, felt very definitely that we needed new thinking, new points of view, new types of identification with the District community, and we presented that view to Mayor Washington with the result that he made a most careful selection of the five new members of the Board. I believe this brings a kind of perspective, a kind of judgment, that will enable us to get ahead with solving some of these problems fairly rapidly. But "fairly rapidly" does not mean tomorrow or next week or necessarily within

the next few months. There are a great many major difficulties still to be contended with.

Senator INOUYE. We will be watching your progress with very keen interest, sir. Thank you very much.

STATEMENT OF DR. HARLAND RANDOLPH, PRESIDENT, FEDERAL CITY COLLEGE—Resumed

TUITION INCREASES FOR RESIDENT AND NONRESIDENT STUDENTS

Senator INOUYE. Dr. Randolph, last year, you advised this committee that you would be submitting recommendations relating to tuitions. What recommendations did you submit to the Board of Higher Education?

Dr. RANDOLPH. The Board of Higher Education did adopt a tuition change in which we raised the resident undergraduate tuition to $35 per quarter and the nonresident undergraduate tuition to $275.00 per quarter.

Senator INOUYE. So, it is now $35 up from $25?

Dr. RANDOLPH. That is correct.

Senator INOUYE. And $275 up from $240?

Dr. RANDOLPH. That is correct.

Senator INOUYE. What percentage of your student body consists of nonresidents?

Dr. RANDOLPH. We are asked this question most frequently. We have tried through a variety of different techniques to ascertain and assure that all persons who are nonresidents in fact pay nonresident fees—checking addresses, checking on return mail, checking drivers licenses, et cetera, et cetera. We find that approximately 98 percent of our students are residents of the District of Columbia.

Senator INOUYE. So, very few are paying the $275?

Dr. RANDOLPH. That is correct.

TEACHER EDUCATION AND GRADUATE PROGRAMS

Senator INOUYE. What is the planned capacity of the graduate programs and teacher education?

Dr. RANDOLPH. How many students in teacher education?

Senator INOUYE. What is the planned capacity?

Dr. RANDOLPH. We have not specified the number of students, the total number of students, to be enrolled in teacher education at the graduate level. I cannot provide for you at this time the exact enrollment in adult education, and in the four areas of teacher education at the graduate level. I can provide that information for the record. It is available. I simply do not recall it.

(The information follows:)

The planned capacity of Federal City College's Graduate Teacher Education Department is dependent on two factors: the need in the Washington area for teachers and specialists with master's degrees and the funds likely to be available for graduate teacher education.

To receive a permanent position in the D.C. public schools, every high school teacher and staff specialist must have a master's degree. Teachers can receive temporary appointments but must obtain the master's within five years. At present, 600 of the 1,655 high school teachers in the D.C. schools do not have master's degrees; 785 of 1,576 in Montgomery County and 803 of 1,383 in Prince Georges County do not have master's degrees. Thus, in the District alone there are 600 currently working teachers who must obtain master's degrees in order to receive permanent positions, and 1,200 more teachers in the Maryland suburbs who lack the master's. In addition, there are numbers of new graduates with bachelor's degrees also seeking advanced degrees. Thus, the existing potential demand for graduate teacher education at FCC is several times greater than our present capacity.

In addition, staff specialists trained at the master's level are needed in large numbers in all school systems. A Bureau of Labor Statistics study shows that by 1980 the nation will need 56 percent more staff specialists in high school--counselors, school psychologists, social workers, attendance officers, psychometrists, reading coordinators, reading consultants, speech and hearing clinicians, audiologists, audiovisual technologists, and librarians. The current trend in training such specialists is to gear training to the urban setting. Problem areas emphasized are: special education, staff development, learning disabilities, and support service delivery.

Federal City College presently offers the master's degree in education in: administration and supervision, reading, counseling, early childhood and elementary education, adult education, staff development, speech and hearing, and library science. The Graduate Teacher Education Department also conducts summer institutes on urban aspects of education for faculty from colleges and high schools.

The average enrollment each quarter in Graduate Teacher Education is 600 students.

MASTER'S PROGRAM IN EDUCATION

Senator INOUYE. All right. I am asking this because we have been advised that the District of Columbia Teachers College is desirous of awarding master's degrees in teacher education, also.

Dr. RANDOLPH. We have offered our cooperation with the teachers college, to enable students who have taken courses there at the graduate level to qualify for the degree at Federal City College, assuming they have the courses in the proper sequence to qualify for a degree from the Federal City College. In this way, the authority of Federal City College to offer the master's degree can now be made available to the residents of the District of Columbia.

SIZE OF STUDENT BODY

Senator INOUYE. Does your 1973 fiscal budget bring your student body to the size anticipated at the time the college was established?

Dr. RANDOLPH. No, it does not.

Senator INOUYE. What is anticipated for this fiscal year?

Dr. RANDOLPH. We anticipated having 7,500 full-time-equivalent students (FTE) for this year. We are, in fact, at about 5,500 FTE under the present budget constraints.

Senator INOUYE. How many students do you anticipate in the 1972–73 school year?

Dr. RANDOLPH. We will have a zero increase in the number of students because the budget as provided in 1973 is, in fact, a budget reduction.

Senator INOUYE. How many students do you anticipate during this year, in number?

Dr. RANDOLPH. We will have the 5,500 FTE that we have now—probably minus about 100 FTE. So, we should be at about 5,400. We should lose about 100 FTE with the 1973 budget.

Senator INOUYE. Now, how many students do you have?

You are saying that you have 5,400 full-time-equivalent students?

Dr. RANDOLPH. That is the number we will have in fiscal year 1973.

Senator INOUYE. What is the total enrollment?

Dr. RANDOLPH. The head count?

Senator INOUYE. Yes.

Dr. RANDOLPH. The head count is about 7,450, including students in the operational budget and students in the various grant programs.

Senator INOUYE. According to your schedule, we should have had 7,500 full-time-equivalent students in this school year?

Dr. RANDOLPH. In this school year, according to the initial projection made in 1968–69.

Senator INOUYE. What do you anticipate will be the full-time-equivalent number in 1973–74? Do you have a master plan?

Dr. RANDOLPH. For next year?

Senator INOUYE. Yes.

Dr. RANDOLPH. We would prepare a budget based on the assumption of an increase of approximately 1,000 FTE, which would then bring us to 6,400 FTE for the next fiscal year budget.

CONTROL OF LONG-DISTANCE CALLS

Senator INOUYE. Turning to another matter.

Several years ago reports were received that long-distance calls were being abused. For example, there were recorded a few 8-hour conversations to the west coast from the Federal City College. What controls have you instituted now to avoid this type of long-distance abuses?

Dr. RANDOLPH. We have instituted three principal controls. First, we have gone to a Centrex system, which means all of the phones operate through one central operator, particularly for the placement of long-distance calls. We have provided that operator with a list of the names of persons authorized to make long-distance calls. This system also means that the cost per call within the institution has been reduced from the regular rate of calling of about 10 cents per call in 1968–69 to somewhere around 3.5 cents per call at the present time under the Centrex system.

We have also utilized the credit card for persons who are authorized to make long-distance calls. The effect of these changes has been a 75-percent reduction in the cost of long-distance telephone calls from the institution. Furthermore, the last report indicated that we had no unauthorized long-distance calls chargeable to the college. By unauthorized, we mean long-distance calls for which we could not find documentation that the call was of an official nature.

DROPOUT RATE

Senator INOUYE. Recently, there was an article which suggested that two out of three of your students dropped out. Can you give us your thoughts on this?

Dr. RANDOLPH. Yes. The article, again, occurred in the same paper that we referred to earlier, which has a mechanism for, I guess, viewing realities from a skewed position.

Our most recent studies on this particular question indicate that—in fact, I would like to read directly from this paragraph:

> Is it true that two out of three students you enroll at Federal City College never finish school?

That is the question that we had prepared to answer. The response:

> No, our records indicate that students who enrolled in September of 1968 and did not return for the winter quarter in 1969 are now returning to continue their education 3 years later. At this point, it is difficult to detemine who the dropouts really are. FCC students, like their counterparts at State colleges and public junior colleges, appear to move back into the system in no immediate perceivable pattern. A conservative estimate is that between 34 and 45 percent of our first class are continuing their education at Federal City College. And 22 percent of this class have attended regularly since enrolling.

And I might add that this percentage places Federal City College on par with the retention rate of most State colleges and, in fact, puts us in a range that is better than the average for most State colleges.

STUDENT PROFILE

Senator INOUYE. I think the record should indicate that the profile of your student is not quite the same with most of the other colleges. I believe most of the students are older——

Dr. RANDOLPH. Are older and working.

Senator INOUYE. And married.

Dr. RANDOLPH. That is correct.

Senator INOUYE. Would you provide this committee with a statistical profile with that type of information?

Dr. RANDOLPH. Yes.

Senator INOUYE. Which should indicate, unlike the average undergraduate student, your student has unusual problems.

Dr. RANDOLPH. That is correct. We can provide that to the committee.

Dr. RANDOLPH. At a time when it is appropriate, I have several major points which I think can best be explained to the committee with the use of the charts to the right, which have just arrived. It will take approximately 5 to 7 minutes to show and explain them to the committee. A profile of the students is one of the items on those charts.

So, at a time when it is most convenient to the committee, I would like to refer to those documents.

Senator INOUYE. Fine, sir.

(Information appears on pages 799–807.)

DELAY IN FURNISHING GRADES TO STUDENTS

Senator INOUYE. We have received calls from some of your students complaining about a delay in receiving their grades. Is there any validity to this complaint?

Dr. RANDOLPH. Yes, there is validity to that complaint.

The number of calls that you have received and that I have received has been steadily decreasing over the last 2 or 3 years, as our computer capability has increased, as our controls over getting the grades in from the faculty on time has improved, and as our ability to effectuate various subsystems necessary to get grades out has improved. We are not at the point of being able to return grades for a given quarter within 10 days. That is our objective.

What we did this quarter was to provide each student an official listing of all of the courses he has taken for the entire time he has been enrolled at the Federal City College. Thus, we are providing this information to the student each quarter as a means of updating and verifying his record and rate of progress at the institution. Now that we have that particular system on line, it will be possible to respond by providing students' grades within a shorter period of time.

FACULTY OVERPAYMENTS AND UNDERPAYMENTS

Senator INOUYE. According to an audit which was made last fall, you were having a few problems relating to overpayment and underpayment of faculty members. Have you been able to resolve this type of problem? I believe you had about five instances of overpayments to faculty.

Dr. RANDOLPH. Yes.

Senator INOUYE. One for about $4,500.

Dr. RANDOLPH. Yes. Let me ask our Director of Finance, John Green, who has direct responsibility for that area, to respond and indicate what we have done.

Senator INOUYE. Fine.

Mr. GREEN. Mr. Chairman, we did complete the outstanding requirements on that particular audit that was made by the District Internal Audit Office.

There were four or five instances of overpayment, and I believe four or five instances of underpayment.

On top of the District audit, the college accounting office then conducted another audit, using the same audit principals, and we found a few more overpayments and underpayments.

All of the underpayments have been made good. We still have one or two outstanding overpayments that we have not yet collected.

The faculty members have been contacted. We have the signed notices of agreement that are required for salary reductions, and we should collect those repayments before the end of the taxable year.

So, all of the transactions that were outstanding as the result of the audit have been or are being completed.

Senator INOUYE. Were you able to get repayment for the overpayment of $4,600?

Mr. GREEN. Yes, sir, we were. As a matter of fact, the individual who received the overpayment of $4,600 is no longer with the institution, but prior to leaving the institution he brought in the check.

SUBCOMMITTEE INSISTENCE UPON UNIFIED SYSTEM OF ACCOUNTING PRINCIPLES.

Senator INOUYE. I am certain that you are aware, sir, that this committee has been quite concerned about the accounting systems found within the city, and we have been urging the city to adopt some unified system of principles of accounting.

Have you been working with the central office to bring this about?

Mr. GREEN. Yes, sir, we certainly have. I am in contact almost daily with the central accounting officers and the District finance officers. We conduct meetings periodically to discuss the problems we have had. I am able to bring some of the experiences that we have at Federal City College to light in view of the type of accounting requirements that the District needs to implement, in order to service us properly. I have been working very closely with the District Accounting system's office in a redesign of several of the cash systems we have at Federal City College.

In the past 6 months, we have completed a redesign of our cash systems, particularly in the cashier's office.

We expect to implement, along with the new accounting standards for the District in July, the updated accounting system.

INCLUSION OF CHARTS IN RECORD

Senator INOUYE. Dr. Randolph, since I think the information set forth in those charts is of great importance, may I suggest they be placed in the record where other members of the committee could study them?

Dr. RANDOLPH. Yes.

Senator INOUYE. We would appreciate that.

(The charts follow:)

In reviewing the status of Federal City College there are seven basic factors one must consider. These factors are:

- What is the composition of the student body at FCC?
- What has been the rate of increase or student growth rate?
- How do the expenditures per student at FCC compare with expenditures at other publicly supported colleges and universities?
- How does FCC compare with similar institutions of higher education on the utilization of space?
- How does the budget for public higher education compare with other states?
- What can the community expect in return for every tax dollar invested in FCC?
- Is FCC providing a full educational opportunity to the residents of the District of Columbia?

Once these factors are understood it is clear that Federal City College is doing more than can be expected. If the progress accomplished by Federal City College is to continue, and if the mandate of Congress is to be fulfilled, and if students are to graduate on time, full funding for the college for FY '73 is mandatory.

Q: What is the composition of the student body at FCC?

A: Fifty-eight percent of FCC's enrollees are female; 42 percent are male. The majority of our students carry a full course load, nearly 67 percent attend during the day. About 45 percent of our students

attend part-time. Of our degree candidates, 32 percent are freshmen, 26 percent are sophomores, 20 percent are juniors, 15 percent are seniors, and 7 percent are graduate students. The average age of an FCC student is 27--20 percent of the students are over 30 years of age; 25 percent are veterans. Thirty percent are married. Among the married students, 22 percent have employed spouses. Seventy-two percent of the total student body are employed either full-time or part-time and have an average salary of $6200 per year. Slightly more than 50 percent of our working students are employed by either the Federal or District government.

Q: What has been the rate of increase or student growth rate?

A: Since the college opened its doors in September 1968, to present its student body has grown from 1,950 to 7,184 students. However, there has been a decline in the number of new enrollees accepted each year. The course of this decline is due to the fact that students who are already enrolled move in and out at a varying rate.

(See Chart No. 1)

Q: How do the expenditures per student at FCC compare with expenditures at other publicly supported colleges and universities?

A: FCC has been doing more with less. Despite the fact that new colleges in their first few years of operation are expected to be costly, our research indicates that over the past four years, expenditures at Federal City College ($2620 per full-time equivalent student (FTE) have been less than: (in FY '72)

CHART NO. 1
STUDENT GROWTH



- The national average -- $3094
- Expenditures per student at our neighboring states -- Maryland ($2674) and Virginia ($3586)
- Expenditures per student in public institutions within the boundaries of the Middle States Association of Colleges and Secondary Schools ($3266)

While expenditures per student at other Middle States colleges and universities have reflected increases in the cost of living by increasing 16 percent since 1969, expenditures at FCC have just begun to catch up with other institutions.

(See Chart No. 2)

Q: How does FCC compare with similar institutions of higher education on the utilization of space?

A: FCC has 72.2 square feet of floor space per FTE student. The average for similar institutions is 148 square feet per FTE, more than twice as much. Although FCC has less than half the space of similar institutions, our space use is 20 percent more efficient. Room utilization at FCC is 80 percent, while the national average is 60 percent.

(See Chart No. 3)

Q: How does the budget for public higher education compare with other states?

A: The per capita dollar spent on public higher education in the District of Columbia is $33.00. This amount is $1.53 below the median of members

Expenditures/FTE
Public Colleges and Universities

CHART NO. 2

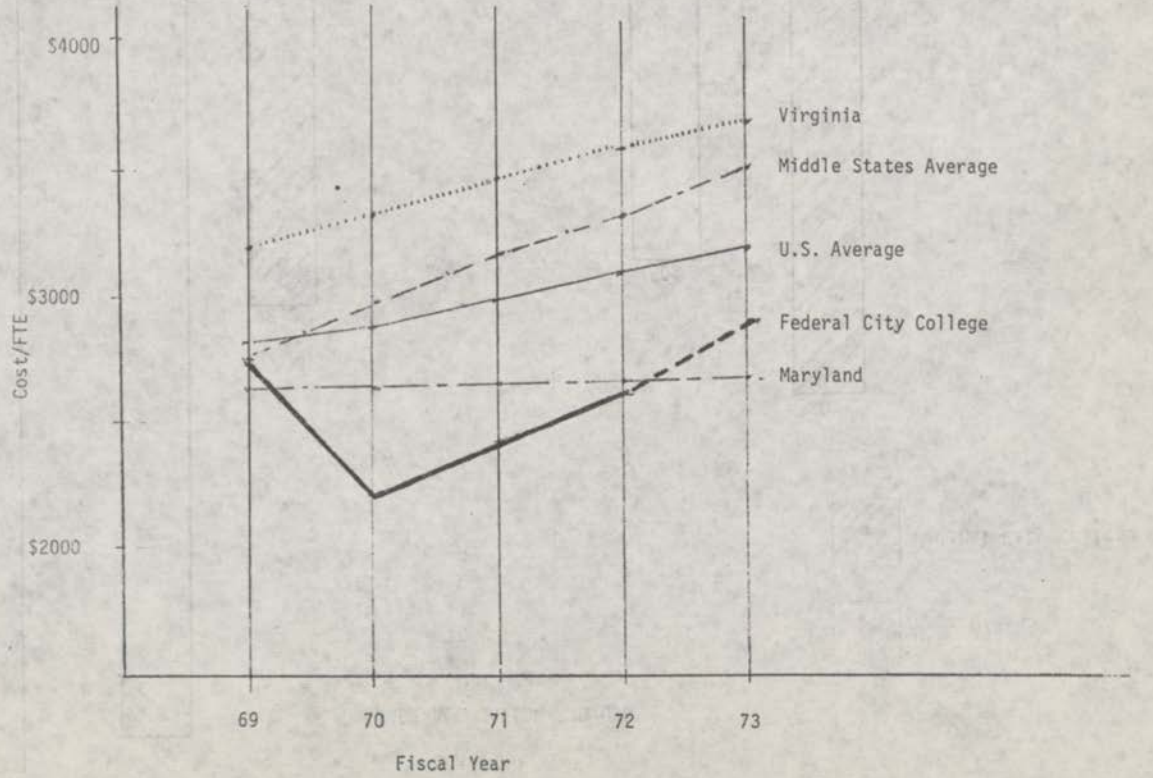
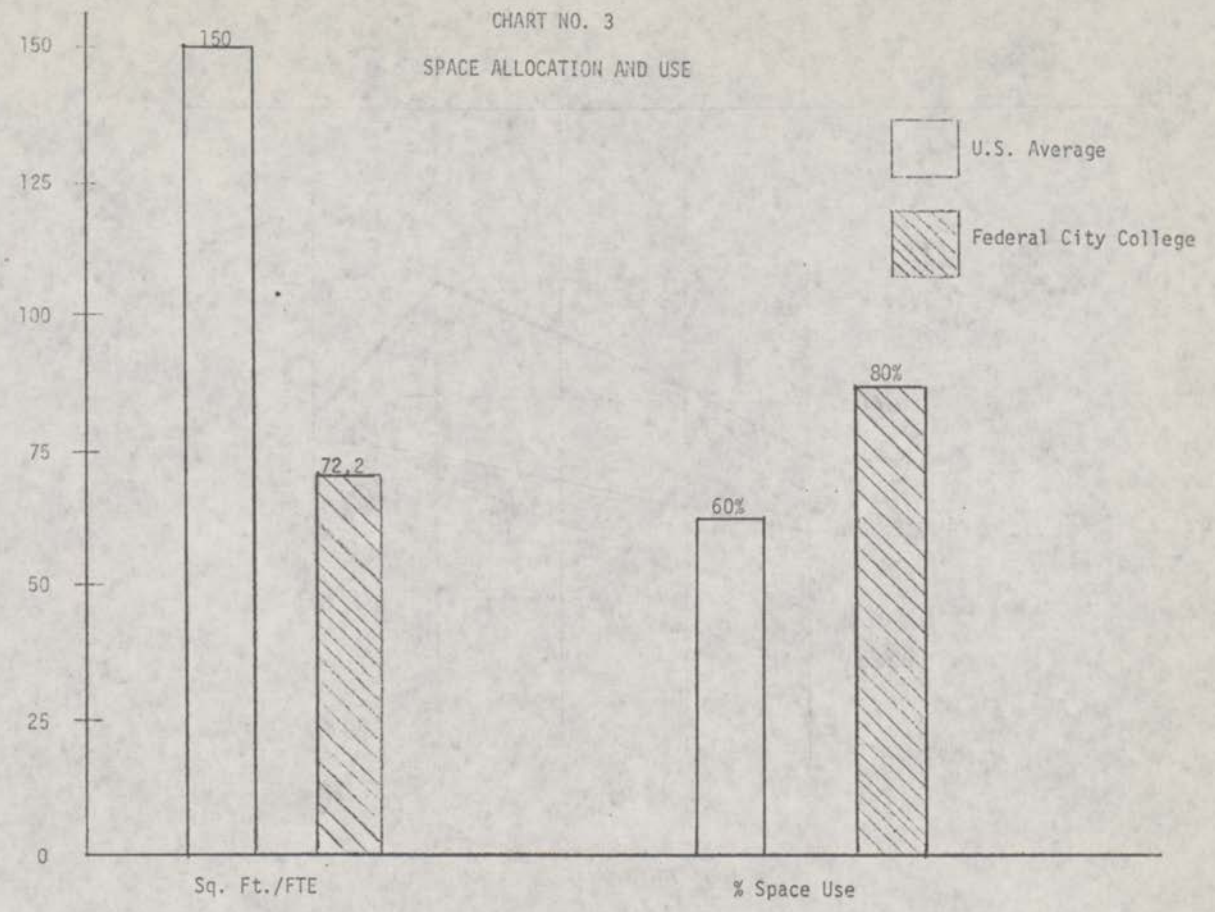


CHART NO. 3

SPACE ALLOCATION AND USE



of the Middle States Association of Colleges and Secondary Schools $34.53 and $4.00 below the total U.S. average of $37.00.

The budget for Federal City College is as shown on Chart No. 4.

Q: What can the community expect in return for every tax dollar invested in Federal City College?

A: Estimates indicate that in addition to such benefits as increased occupational mobility, greater participation in the democratic process, and intergenerational gains through the informal education of offspring of college graduates, for every dollar invested $21 will be returned in the form of added gains in the lifetime incomes of the 16,000 + students who have attended FCC since its inception. This represents nearly $1 billion of added income for residents of the District who might not have otherwise had the opportunity for post-high school education.

(See Chart No. 5)

Q: Is FCC providing a full educational opportunity to the residents of the District of Columbia?

A: Over the past 4 years FCC has had approximately 22,000 applicants. Review of new enrollment trends indicates that a small number of these applicants have been accommodated. Some will find educational opportunities elsewhere; others will simply recognize they may never have another opportunity and therefore lose interest.

A conservative estimate of our backlog demand of educational aspirants is 6,200 in FY '73. To serve their educational needs in the coming fiscal year at a level comparable to the average for member institutions of the Middle States region ($3,520 per full-time equivalent student) will require an additional $16.4 million. Each successive year that our resource base restricts admission of fewer new enrollees than the number of qualified applicants, FCC's backlog will increase as will the price of education.

CHART NO. 4

BUDGET BY FISCAL YEAR

Fiscal Year	Operational Budget	Capital Budget
1969	$4,333,000	$2,226,000
1970	9,628,000	4,236,000
1971	12,794,000	-0-
1972	18,764,000	-0-
1973	(20,720,000)	(3,895,000)

Chart No. 5

Expected Returns To The District of Columbia
From Investments Made in Higher Education At FCC Since Its Inception

Benefits of Higher Education	Monetary	Non-Monetary
Personal	Increased earning power	Increased intellectual awareness. Increased standard of living. Increased occupational mobility. Provides hedge against technological change as related to job security. Opportunity to acquire higher education.
Family	Increased purchase power	Increased probability of acquiring higher education. Increased intellectual awareness.
Society	Decreased costs to civil servants (courts, police, Correction institutions). Increased tax revenue. Reduced welfare outlays.	Sustained technological improvements which increase standard of living. Decreased unemployment provides greater likelihood of reduced criminal activity due to increased intellectual concern for societal mores.
	Total Return =	More Than $21 for every dollar invested in undergraduate students at FCC since its inception.
	=	More than $900 million in expected life time earnings.

1972 COMMITTEE REPORT: SUPPORT OF INSTITUTION PRESIDENT

Senator INOUYE. In our committee report, for the appropriation bill for fiscal 1972, we said the following:

> In taking this action, the committee reaffirms the support of the incumbent president of the institution and strongly suggests that the time for elimination of faculty infighting is long past and in the opinion of the committee the apparent inability of the faculty and the student body to work for the common good of the college has been detrimental to the image of the college and the support of both the community and the Congress.

We would like at this time to reaffirm our support for the incumbent president and for his efforts in resolving some of the internal problems confronting your organization.

We wish you the very best, sir.

Dr. RANDOLPH. Thank you very much, Mr. Chairman.

STATEMENT OF ANDRESS TAYLOR, DIRECTOR, LORTON PROJECT

ACCOMPANIED BY:

CLEVELAND BURGESS, BUSING STUDENT
JAMES HUNTER, BUSING STUDENT
JOSEPH PITT, BUSING STUDENT
GREGORY STEVENS, ON-CAMPUS—COMMUNITY SERVICE COMPONENT
LAWRENCE CROMARTIE, PROJECT START INTERN
RONALD GALLOWAY, PROJECT START INTERN

LORTON PROJECT

Senator INOUYE. If I may, at this time, President Randolph, touch upon something else.

In our hearings last year, I am certain you recall where I spoke out rather strongly in support of your rather extraordinary program of making college-level training available to those held in correctional institutions.

Since that time, the Lorton project has been selected as a national model. However, it should be noted that we still have Members of Congress, very conscientious Members, who have some doubts about this program.

The project was begun by Federal City College, although much of its financing comes through the Department of Corrections' budget. In fiscal year 1973, $200,000 is requested to continue this project.

I have asked a member of your faculty, Dr. Andress Taylor, who has direct charge of the project, to give us an overview of the progress over the past few months.

In addition, the committee has invited some of those participating in the project to come before us, voluntarily, to testify as to its worth.

I might add that these individuals were selected at random and were asked to appear only if they desired to do so.

This is a continuation of the practice I initiated last year of obtaining as much testimony as possible from those actually involved in these programs where funds have been requested.

So, Dr. Taylor, if I may call upon you, sir?

Dr. Taylor, I welcome you.

Gentlemen, welcome.

Dr. Taylor, the committee would be most appreciative if you could give us an update of your project and introduce the gentlemen with you who have expressed their willingness to appear in support of your appropriation.

MEN PARTICIPATING IN LORTON PROJECT

Dr. TAYLOR. Thank you.

I would like to introduce the men from the project first, if I may.

To my left is Mr. Joseph Pitt. Next to him is Mr. Cleveland Burgess. These are two students from the busing phase of the Lorton project.

To my extreme right is Mr. James Hunter, another student from that phase of the project.

Next to Mr. Hunter, coming back this way toward me, is Mr. Lawrence Cromartie, who is a member of Project START, which is the final phase or job-placement phase of the project.

Next to Mr. Cromartie is Mr. Ronald Galloway, who is also a member of Project START.

And Mr. Gregory Stevens who just assumed his seat between Mr. Hunter and Mr. Cromartie.

Senator INOUYE. Would you give us a report on the project and the current status of it?

STATUS OF LORTON PROJECT

Dr. TAYLOR. The current status of the project is as follows:

The initial grant funding from LEAA, which finances the institutional phase of the program, expires June 30, and unless we are successful in getting continuing support from the District of Columbia budget, that phase of the program will be in serious jeopardy.

The other phases of the program are financed jointly by the District of Columbia Department of Human Resources, through the Department of Vocational Rehabilitation, and by the U.S. Department of Health, Education, and Welfare, which finances the Project START component.

These two components seem to be in fairly good shape and are not in danger of losing support.

But the crucial institutional components at the youth center and the complex do face some financial difficulty if funds are not forthcoming in the District of Columbia budget to support that phase.

Senator INOUYE. Is this the $200,000 you are speaking of?

Dr. TAYLOR. The $200,000, that is correct.

At this point, the project has roughly 284 men who are active. We have had close to 310 men. It varies between 300 and 310, because there is an increase at each quarter and men become inactive and then come back into active status each quarter also. Thus, we do not have the exact figure, but it averages out to 284 active men out of a total of 305 or so who have been in the project in one way or another since 1969.

At this point, we have 34 men in the Project START component—that is the job-placement component at HEW. This figure will increase to 50 by the end of this fiscal year. And for fiscal year 1973, it is scheduled to increase to 100 men.

We have, at this time, 55 men in the community service component—that is, the component which is supported by the Department of Vo-

cational Rehabilitation and which is concerned with getting men job-ready before they move into the Project START component or into other employment.

In the busing phase of the program, we have 24 men scheduled to enter for spring quarter. We have 18 for the winter quarter. In the institutional phase we expect to have 32 men in the credit component of the college program, and approximately 60 to 65 in the precollege program, which is the preparatory program prior to entering the college.

CANDIDATES FOR BACCALAUREATE DEGREE

Senator INOUYE. Are you suggesting the 82 are potential candidates for a baccalaureate degree?

Dr. TAYLOR. That is correct. All men in the program are advised at the beginning that the college program is a degree program, and all men who enter do so with the goal of obtaining a bachelor's degree at least. And we are working on plans to have men enter professional schools. A number of men wish to enter law.

There is a problem there in that most law schools will not admit a man who has a prison background. We are working to try and change that.

Senator INOUYE. Is that a regulation in law schools? I was not aware of this.

Dr. TAYLOR. I do not know if it is a regulation or not.

Senator INOUYE. It is a policy?

Dr. TAYLOR. It is effective; it keeps men out.

I do not know whether it is a legal requirement by the state boards that give the legal examination, qualifying examinations to lawyers, or what.

But we do have at least six men in the program at the junior level now who expressed an interest in entering law school.

INVOLVEMENT IN LORTON PROJECT

Senator INOUYE. If I may, I would like to ask the project participants a few questions. First, a very general one:

Mr. Hunter, could you tell us how you became involved in the project?

What made you interested in it?

Mr. HUNTER. Well, I was sentenced in June of 1969.

When I first entered Lorton, I heard a lot about the Federal City College program. So, I first started with their pre-college program. You have to go through the pre-college program before you can enter the College Program at Lorton.

And I heard from people who were in the program, like Mr. Burgess here. He is the one who talked to me about the program. And I entered. I stayed in the program for about a year, and then I was transferred to New Jersey for trial.

It requires 2 years for the program. You have to have a sentence of more than 6 months and you cannot have more than 5 years to get in the program. If you have over 5 years you are not eligible for the program.

Senator INOUYE. What is your goal?

Mr. HUNTER. Well, my goal—I do not have a major goal now.

When you say "goal," I assume you are thinking about my major?

Senator INOUYE. What do you hope to accomplish by participating in this project?

Mr. HUNTER. I hope to go back in the community where I came from and try to give them, black people, the things that I have learned through this program. I have been working in the community while coming out on the busing program, dealing with kids—mostly drugs, because I am a drug specialist. I have been going back and forth, working in the community. I like to work with the community. I like to work with the kids.

BENEFITS OF PROJECT

Senator INOUYE. Do you feel that it has been worthwhile to you?

Mr. HUNTER. Yes, it has been a great opportunity for me. Without this program, I do not know—If I had been just released on a job, I do not know what would have happened.

But this program really has been an opportunity for me. I can speak for myself, and other fellows, on the busing program. It has been a great opportunity.

Senator INOUYE. I understand that most of you receive $2 an hour to participate in the program.

Do you receive that?

Mr. HUNTER. Repeat that again, please?

STIPEND FOR PARTICIPANTS

Senator INOUYE. I have been led to understand that most of the participants receive $2 an hour.

Mr. HUNTER. Two dollars an hour?

Senator INOUYE. Yes.

Mr. HUNTER. We receive a Work-Study stipend. That is $68 every 1–2 weeks. I do not know how much that is an hour.

Senator INOUYE. Would you have participated if you were not paid?

Mr. HUNTER. Yes. I participated at Lorton not because I was going to get paid but because it was an opportunity. If I had been in the street I would not have participated.

Senator INOUYE. Thank you very much, Mr. Hunter.

Mr. Stevens, if I may ask you the same questions: How did you become involved in this project?

Mr. STEVENS. Back in January of 1970 I had a robbery charge. I was also attending Federal City College, and, financially, I could not keep going. Well, Dr. Taylor and the people at Lorton took a special interest in my case, I guess you could say, and they understood the changes I was going through. I did not beat the charge; I was convicted of it. I was sentenced to 8 years under the Youth Act.

Well, my education did not stop then, because the Lorton project was down at Youth Center. There was a pilot program of the college functioning at the Complex and the Youth Center.

So, when I went to the Youth Center, I just kept functioning within the college program.

When I was released, I came back to the program. I have been there ever since.

Senator INOUYE. I presume you would say it has been worthwhile to you?

Mr. STEVENS. It has been beautiful. It has been a beautiful experience.

Senator INOUYE. Would it have made a difference if they did not pay you $68 every two weeks?

Mr. STEVENS. I do not think it would. Just working with the people themselves and seeing how they function has been worth it.

Senator INOUYE. Do you intend to continue your education?

Mr. STEVENS. Yes, sir; I do.

Senator INOUYE. What is your goal, sir?

Mr. STEVENS. Well, I am still undecided about my major. It would either be business administration, or sociology, or urban studies—something I can take back into the community and give to my people.

Senator INOUYE. If I may go to Mr. Cromartie.

When did you become interested in the project?

DESIRE FOR ADDITIONAL EDUCATION

Mr. CROMARTIE. I became a participant in the Lorton program in 1969 at the Lorton Correctional Complex. My reasons were: I had already, always had, a desire to get more education, because I saw that it was something I really needed to support myself and my family in order to give them some kind of good outlook. I got into the FCC Lorton program, because I had tried every program at Lorton—crash programs that would come for 6 months and then end with no place to go. I tried the FCC Lorton program, and I stuck with that. And, after getting an education, I realized that it was not a thing of just having to ask people. After you get the education, you can go and do for yourself, and I stayed with the program, ever since.

Senator INOUYE. It has been suggested that we should have more programs in our correctional institutions.

It was indicated yesterday that there is overcrowding and a lot of tension there. Would a program of this sort help to dampen this tension?

Mr. CROMARTIE. Yes; it would especially this one in particular if it is expanded for enough people.

There are very few people in Lorton, compared to the total number of inmates there, that have the advantage to get this. You have guys down there on a long waiting list to try to get into the program.

Senator INOUYE. Dr. Taylor, do you have a waiting list?

WAITING LIST FOR LORTON PROJECT

Dr. TAYLOR. At the last check we had something in the order of 600 men on the waiting list who had expressed an interest in the college program.

Senator INOUYE. Six hundred?

Dr. TAYLOR. And sometimes they stay in the precollege program as much as two quarters waiting for a vacancy.

Senator INOUYE. So you have 300 participating and 600 waiting?

Dr. TAYLOR. That is correct. There may be more now.

We have not counted this quarter. The inmate population has increased significantly in the last month. There may be more than that.

Senator INOUYE. Mr. Cromartie, may I ask the same question: Did the compensation make any difference to you?

Mr. CROMARTIE. I did not consider the compensation, because a lot of these things did not develop until some guys got out. I was actually out, and I had a job, doing something else. I did not receive $68, but

I still gave my free time to help them. It was not for compensation; it was for work that the guys were doing in our community project and in the school in general, in tutoring.

Senator INOUYE. What is your goal, sir?

Mr. CROMARTIE. My goal is to get a degree in business education and to go back and help my community develop economically and educationally.

Senator INOUYE. I wish you the best, sir.

Mr. CROMARTIE. Thank you.

REASON FOR INTEREST IN PROJECT

Senator INOUYE. Mr. Galloway, what made you become interested in this project?

Mr. GALLOWAY. I became interested in the project because I could attend school rather than just sitting around and doing nothing.

At first, I was not eligible for the college program, because I had a detainer; after I got the detainer lifted I became eligible for the college program.

Senator INOUYE. How long have you been in this program; ever since it started?

Mr. GALLOWAY. Yes, sir.

Senator INOUYE. What is your goal, sir?

Mr. GALLOWAY. My goal is to get a degree in business administration and to eventually open up a business in the community, dealing with black people.

Senator INOUYE. Would you recommend to this committee that the monies that are being requested be granted to continue this program?

Mr. GALLOWAY. Yes; I would recommend it very highly, because most people coming out of the penitentiary who do not have anything to do are more subject to turn to crime; whereas, this program is directing people to go to school, to get an education and stay as far away from criminal elements as they can.

Senator INOUYE. Dr. Taylor, do you have any statistics on recidivism relating to your participants?

Dr. TAYLOR. Yes. Our recidivism rate is around 10 percent. We have had some recidivism. It has decreased in the last year or so, as the program has developed more support for men when they are released.

RECIDIVISM AMONG PROJECT PARTICIPANTS

Senator INOUYE. The overall recidivism rate is beyond 70 percent; isn't it?

Dr. TAYLOR. The overall recidivism rate is around 70 percent; yes.

Senator INOUYE. And your experience among the participants is less than 10 percent?

Dr. TAYLOR. Less than 10 percent; correct.

Senator INOUYE. In other words, it is saving the city money, if you want to put it crudely?

Dr. TAYLOR. Correct; and, eventually, all of the men will become working, taxpaying citizens. We have 34 men now who are employed at HEW as interns, working and paying taxes. We will have 50 in that component by June 30. We have about a dozen men working in private industry in various other kinds of jobs. All told, of the 103

men who are on some kind of release through the college, around 65 are already taxpayers, or will become taxpayers, by June 30, including the men who are working now and the men we anticipate placing between now and June 30. We will have more than 60 men in the project who will be working, productive, taxpaying citizens.

Senator INOUYE. Mr. Burgess, it appears you are one of the senior members here and are one of the guiding lights.

What made you decide to take part in the project?

Mr. BURGESS. I was one of the first 25 selected at Lorton. And, like Mr. Cromartie, I had been in several other programs at Lorton, but they were never educational programs. I had graduated from high school in the community, and in a few years I was indulging in other activities.

So, while incarcerated, I wanted to get into something that would put me in a different position in the community. Once I got into the college program I saw where I could become an asset to the community rather than a liability that I was at one time.

So, I continued to stay in the program, and we, my brothers that were in the program from the beginning, decided to create a program together, a program which would be relevant to men coming into the community, working in conjunction with Federal City College. So, we got the program together, to come into the community, to combat certain elements in the community regarding the young sisters and brothers who were indulging in crime. So, Dr. Taylor took hold of that program and this is a working component along with the Federal City College itself.

So, as it stands now, I am a second-quarter junior, and my major is business management.

Senator INOUYE. You are in the junior class?

Mr. BURGESS. Yes. I am a second-quarter junior now at Federal City College.

Senator INOUYE. Just a few more months to go to get your degree?

Mr. BURGESS. Hopefully; yes, sir.

Senator INOUYE. I wish you the best, sir.

Mr. BURGESS. Yes, sir.

Senator INOUYE. Now, I would presume that you would recommend that this committee appropriate the funds to continue the program?

RECOMMENDATION OF FUNDING FOR PROGRAM

Mr. BURGESS. Yes, sir; I would recommend it very highly, because to my knowledge, a lot of the brothers in Lorton now have their eyes set on the Federal City College, to become participants and move away from crime. Because we are somewhat of a model, a lot of the brothers have seen the areas we are moving in, and it will divert their activities as far as crime is concerned, to try to get an education, to come into the community and be taxpayers and be assets to the community.

So, I would highly recommend money being funded for this program.

Senator INOUYE. What is a busing student?

Mr. BURGESS. That is a student who is still in the institution but coming up on campus to take classes.

Senator INOUYE. You are a busing student?

Mr. BURGESS. Yes, sir.

Senator INOUYE. How many years do you have remaining?

Mr. BURGESS. Before I go up for parole?

Senator INOUYE. Yes.

Mr. BURGESS. I have another year. I have been incarcerated 5 years now.

Senator INOUYE. I wish you the very best, sir.

Mr. BURGESS. Yes, sir.

Senator INOUYE. Mr. Pitt, how did you become involved in this project?

Mr. PITT. Well, my reasons were purely personal at the time, while returning to and going out of the penitentiary. So, I decided to join the college program and prepare myself for some sort of profession where I could earn a comfortable living and stay off the streets. I had a program in January of 1970. I am a busing student from Lorton.

Senator INOUYE. What are you pursuing; what is your goal?

Mr. PITT. I am in business administration, the last quarter of my junior year, and majoring in accounting.

Senator INOUYE. You are one of the junior students?

Mr. PITT. Yes.

PARTICIPANTS ABOUT TO RECEIVE DEGREES

Senator INOUYE. Do we have any on the verge of receiving their degrees, Dr. Taylor?

Dr. TAYLOR. Yes, sir; we do. We have 23 men in the program, from the original group, who should receive their degrees within the next 12 months.

Senator INOUYE. Then, the recipients of these degrees, are they given any preferences or do they have to compete with the rest of the student body?

Dr. TAYLOR. They have to compete.

Students in the college program at Lorton meet the same standards and same requirements as students in the college generally.

Senator INOUYE. Mr. Pitt, do you feel that this has helped you?

Mr. PITT. Tremendously. This is the first time, as I said, that I had ever thought about not entering back into the environment from which I came, so far as earning a living. This has given me a sense of worthiness, and I am quite sure I will not have any problems about recidivism any more.

Senator INOUYE. Thank you very much.

Mr. PITT. It is a highly recommended program.

Senator INOUYE. I would like to say that we are most privileged and honored to have with us the senior member of the Appropriations Committee, Senator Young.

Senator YOUNG. Thank you, Mr. Chairman.

Senator INOUYE. Senator Hatfield?

RESISTANCE TO LORTON PROJECT PARTICIPANTS

Senator HATFIELD. Thank you, Mr. Chairman. I just have one question.

Dr. Taylor, in placing participants in active roles out in the community, have you encountered any difficulty in people accepting these participants?

Dr. TAYLOR. At first, there was some difficulty.

In particular, let me add, the idea of community service was an idea developed by the men in the program, themselves; it was not a component of the program originally. The men established a nonprofit corporation called CREATE, which became a community service arm. They particularly wanted to work with younger men in the juvenile homes in the District. Initially, there was some reluctance on the part of those officials to allow men who, themselves, were just recently on parole from prison to come in and work with juvenile offenders. But that resistance has decreased now, I think, primarily due to the success of the CREATE free school, which is a program for the young juvenile offenders.

I think Mr. Burgess could correct me. I believe you turned out 55 GED students from that school?

Mr. BURGESS. Yes, sir.

COUNSELING SERVICES TO PARTICIPANTS

Senator HATFIELD. Dr. Taylor, do you have adequate counseling service and assistance along with the academic part of the program to help participants select their majors and to counsel them in the direction where there can be expectation of careers and positions available once they have completed their work and were out on parole or discharged?

The reason I asked the question is I have seen in some of the prison vocational work in other States, particularly my own, where sometimes there is very little relationship between the skills and vocations being taught and the job market outside. Sometimes, as a result, there was a backlash against the total idea of finding a meaningful employment in the community, because all of the time they had spent in the prison in learning that particular skill, much to their chagrin, it was supersaturated in the labor market, when they got out and they joined the ranks of the unemployed.

So, why I am asking the question is: In this particular program, through counseling and career analyses, do you have adequate staff for this, to relate the kind of academic work to the opportunities in the job market?

Dr. TAYLOR. No, I do not have adequate staff to do that. We try to make up for it by inviting faculty members from various departments to come down and speak with the men when they first enter the program at Lorton. The engineering departments and the various departments of the business division have been quite active in this work with us. Consequently, a majority of the men in the program tend toward managerial and technical areas in choosing a major. From all of the informtaion I can gather from people who are knowledgeable in the field, these are areas of high employment potential.

Senator HATFIELD. You really need more additional auxiliary services then for your program? Is that what you are indicating by that statement?

Dr. TAYLOR. That is correct; we have intensive counseling once a month—that is, career counseling as well as personal counseling—and as the project grows, the counseling naturally takes more and more manpower and more and more expertise. So, we call on various departments of the college in our attempt to bootleg and get as much help as we can within the budget resources available.

Senator HATFIELD. I would just like to be satisfied that you have the kind of services necessary, because sometimes we can raise expectations and these expectations if unmet can create some very difficult problems to the individuals' futures.

I would not like to see a program of this type undernourished, so that we are diminishing the odds on success. I think sometimes we can get set off in the academic curriculum and neglect these other auxiliary experiences that go into the whole academic experience. I am concerned about the adequacy of your full staff.

Dr. TAYLOR. We are discussing that very question with the Department of Vocational Rehabilitation. We both realize that very point—that the academic portion of the counseling can be handled readily by the average faculty member, usually on a volunteer basis without any extra budget, but that other kinds of counseling require a different kind of expertise—and we expect some expansion of that staff next year.

Senator HATFIELD. Thank you very much, Mr. Chairman.

Senator INOUYE. Senator Young?

Senator YOUNG. No questions.

WAITING LIST FOR PROJECT PARTICIPANTS

Senator INOUYE. Dean Taylor, I was quite impressed with the waiting list. You have indicated about 600 men are on the waiting list?

Dr. TAYLOR. Yes.

Senator INOUYE. Of the 600, how many would you feel are qualified to participate in the project?

Dr. TAYLOR. If you use "qualified" in the sense of qualifying for admission under normal standards to a State university—that is, possession of a high school diploma or GED—I would say more than half of the men are already qualified.

If you take it a step further and use the precollege program as a vehicle whereby men may qualify—that is, by achieving the GED—then I would say close to 100 percent. I might add, also, that Lorton itself has a first-rate GED program, and it is the success of this GED program which initially generated the pressure for the college program.

So, there is no reason to assume that an overwhelming majority of these men on the waiting list would not qualify or become qualified to enter the college program.

Senator INOUYE. If the subcommittee or the Congress finds it possible to locate, say, an extra $200,000, would you be able to use that extra $200,000?

Dr. TAYLOR. Definitely.

Senator INOUYE. Could you implement that immediately?

Dr. TAYLOR. Yes, sir.

TENSION AT LORTON

Senator INOUYE. If I may, gentlemen, I would like to change the thrust of my questioning and ask you something other than education.

If you do not wish to respond, I can understand.

Yesterday, we heard from officials involved in the correctional institutions, Lorton and other places, and we have been receiving other

reports from the press and elsewhere, talking about the overcrowding and the tension and complaints about brutality.

If you feel free, I would like to ask you some questions about those things.

Mr. Hunter, are you still in the institution?

Mr. HUNTER. I am at Occoquan now. That is minimum security. I am not at Lorton. I am quite sure you are referring to Lorton.

SITUATION AT OCCOQUAN

Senator INOUYE. In Occoquan, what is the situation as you view it?

Mr. HUNTER. There is no trouble at Occoquan. One reason is that there are no more than maybe 150 inmates there. So, there is no problem at Occoquan at all.

Senator INOUYE. Any of you here from Lorton?

Mr. PITT. As part of the busing program, part of the Lorton project, we were transferred from Lorton some 9 months ago to Occoquan.

Senator INOUYE. Were you in Lorton?

Mr. PITT. As a result, we are not in contact with what is going on.

Senator INOUYE. Nine months ago, what was the situation?

Mr. PITT. Really, I don't know. I came into the program as a busing student.

Senator INOUYE. Have any of you spent time recently in Lorton?

Mr. CROMARTIE. I have been away from Lorton for 2 years, but the situation does not get any better. Most of the time they get worse in a penal institution.

Senator INOUYE. What was the situation 2 years ago?

Mr. CROMARTIE. The situation was that you have grown men there with nothing but a lot of time and nothing to do but play, you may as well say—small recreation, nothing to gear their minds toward anything. You know this: When you have an idle mind, guys get grouchy about how much time they have, how closely they are penned in together, their situations, the food they have to eat and the things they have to go through to eat, and when you have to go to bed. And the guys talk about these things and situations build up and they come to a boiling point, and they explode.

I have seen one time—just an incident to show you how it works: The guys were told once to turn their TVs off because it was time for "lights out," and the response was, TVs came flying out of the windows, furniture comes flying out. A couple of days later, the goon squad retaliated, came down and really brutalized some guys. That type of thing happens. It builds up, just the tension there.

Senator INOUYE. You say that the tension was high there 2 years ago?

Mr. CROMARTIE. I imagine it is even higher now since I left. It is even more crowded. When I was there, there were approximately 1,500 or 1,600 inmates. From what I understand now, 2,300 to 2,400 are housed there.

Senator INOUYE. You have just free time and nothing to do?

Mr. CROMARTIE. Nothing to do—unless you are in a college program where you have something to do. When you get into those books, that takes a lot of time. You have something to look forward to.

There is the busing program, and I have something I am going to do; but if a guy has 15 to 30 years, what is he going to do for the 15 years, except wait and hope on that day he can make parole?

HOPE BECAUSE OF COLLEGE PROJECT

Senator INOUYE. So, this project, the Lorton project, gives you some hope?

Mr. CROMARTIE. I think most of the men will tell you that it gives them a lot of hope. Like I was saying before, I participated in a lot of programs there, and just overnight, 2 weeks later, the program is closed, no more funds for it. Say, I took the drafting course. I stayed in it for about 5 months, and I really liked the thing and thought I could do well at it. Then, it came to the situation where we could not even have the tools to work with, because they were considered dangerous. Then, a few weeks later, the whole thing was just cut out, had no more funds for instructors. We were just left in the air.

Senator INOUYE. Mr. Galloway, have you been in Lorton?

Mr. GALLOWAY. Yes, sir.

Senator INOUYE. Would you like to tell us what the situation is there?

Mr. GALLOWAY. Well, when I went to Lorton, it was the first time I had ever been incarcerated. I stayed at the jail, I think, about 18 months. At the time I was in the jail, I spent about a year, I think, in a cell that was not—I would say—7 feet by 9, two men in the cell. It was just, to me, a very bad experience, because it was something I was not used to.

Now, I once had a cell partner that tried to commit suicide one day. He ate a lot of cosmetics that we were receiving from the dispensary, just anything that he could eat. Then, there are a lot of incidents at the jail where people would get sick—and whatever your illness was, every morning they would have "sick call," you would go to "sick call," and the doctor would say: "What's wrong?" And you tell him what was wrong, and he would give you some pills; always the same pills, no matter how many times you go and complain about an illness, you would always get the same pills. You would get anything other than what was really necessary for your illness, I think.

Then, the time I was there they had what was considered as the isolation cell, I think, on certain tiers, where people were seemingly sick or mentally disturbed. One night I can remember a man having a lot of problems stood up on the top bunk and dived down into the toilet head first. When the guards got to him, what they did was take him and put him in the hole.

Now, I was never in the hole at the jail, but, from what they told me you had a mattress for a certain time of the day, and then they would take the mattress away at night. When I got to Lorton, I had a chance to see what the hole was really like. There were a lot of people in the hole who were sick or who might have needed medical attention. The doctor would never get to them. Some people seemed to be mentally disturbed, and they never seemed to do anything about that.

And, there always seemed to be a lot of tension. Anything could have set a person off and made him do things to other people.

TENSION AT LORTON

Senator INOUYE. Do you believe that the tension is at a dangerous level?

Mr. GALLOWAY. It was at the time.

Senator INOUYE. When was that?

Mr. GALLOWAY. I was there from 1969, or 1968, until April of 1970. The incident Mr. Cromartie was speaking about, when people started throwing TVs on the walk, was because the show they had that night started at 9 o'clock and ended something like 11:30 or 12, and the guard came in and said it was time for everyone to go to bed. The people had gotten so involved in the TV until everybody bucked.

So that set everybody off. The guard could have easily gone to the captain's office and gotten permission for the TV to stay on an hour or whatever time it was for the movie to go off, but he came into the dormitory and demanded that everybody go to bed. After the guards left, people started throwing TVs out on the walk and tearing up furniture.

A couple of days later, all of the guards seemed to disappear. That was very unusual, because you would always see a guard on the walk. So, when the guards came back, they were all different guards, and the National Guard came in. It caused a lot of disturbance.

Senator INOUYE. Would any of you like to add anything else?

Mr. HUNTER. This will just be brief. I do not really have any comment on Lorton. But you mentioned about the tension in Lorton. I feel the tension at Lorton is because of overcrowding. It is just like trying to put an elephant in a doghouse. It is just overcrowded, and it is going to bring about tension, and there is going to continue to be tension until the conditions change. That is all I have to say about Lorton.

EXPANSION OF LORTON COLLEGE PROGRAM

Mr. BURGESS. I would like to add to that: Basically, one solution to it would be to expand this Federal City College program, because with the overcrowdedness and the tension, the program itself would relieve a lot of the tension and anxiety, because a lot of the inmates there are interested in being involved in the college program. This would relieve a lot of the tension.

As it stands now, the college program is just about the only relevant program in Lorton. And with the waiting list and the hang-up, not knowing if the program will be funded to be carried on any further, there is even added tension, because a lot of the inmates there are looking forward to becoming students in the program. So, this is added pressure. This particular program here would relieve a lot of the pressure there.

NUMBER OF MEN IN CELL

Senator YOUNG. Is it a common practice to have two in a cell, or do you have any choice as to who the other one would be?

Mr. BURGESS. No. Well, they have it set up where, according to how many men are in one particular block, it could be one man or two men in the cell. But the cells are made for two.

Senator YOUNG. Do you have any choice as to who is in the cell with you?

If you made any complaint, would they honor your request and have someone else with you? Or do you have to just accept anyone they place with you?

Mr. BURGESS. I could not answer that, because I never had the experience to try to get someone else.

Mr. GALLOWAY. You have a choice sometimes as to who you might be in the cell with. Like two people are on the same charge and they go in together and are placed in the same cell block, and if they have a cell, a vacant cell, you can request to be put in the cell with the man that you came in with. Other than that, you are placed in a cell with just anybody.

Senator YOUNG. If you have trouble, serious trouble, with someone in the cell with you, won't they honor your request for a change?

Mr. GALLOWAY. Yes, they will honor it, but it might be too late. I have seen them put a young dude that just come off the street in the cell with a hardened criminal, a man who just really does not seem to care. And the first thing that comes to his mind, if this is a man who has been in there a long time and just really is drugged about different things, the first things that comes to his mind when a young dude comes to his cell is to take advantage of him.

Senator YOUNG. I can understand that. Thank you.

SUPPORT FOR PRISON COLLEGE PROGRAM

Senator INOUYE. Well, gentlemen, once again I would like to thank you for participating in our hearing today.

May I assure you that your statements will be of great assistance to us, as we decide upon the fate of the Lorton project.

I am personally impressed by the success we have had from this project. I am pleased to learn from all of you, personally, that you, personally, have found it successful. We hope that we not only can continue the program but to expand it and to make it possible for some of your brothers and sisters to participate.

So, Dr. Taylor, I would like to once again thank you for your assistance this morning and to thank all of the participants for coming here voluntarily to assist us.

Thank you very much.

I would like to commend Dr. Randolph for this project.

District of Columbia Teachers College

STATEMENT OF DR. PAUL C. COOKE, PRESIDENT

ACCOMPANIED BY PETER V. SWINDLER, ASSISTANT TO THE PRESIDENT, DISTRICT OF COLUMBIA TEACHERS COLLEGE

Justification of Budget Amount

Senator Inouye. Before proceeding, I am pleased to note that our very distinguished colleague, President pro tempore of the Senate and Chairman of the Appropriations Committee, Senator Ellender, is with us this morning. Welcome, sir.

Chairman Ellender. Thank you, sir. I make as many of these hearings as I can.

Senator Inouye. Our next witness is the president of the District of Columbia Teachers College, Dr. Paul P. Cooke, justifying the amount of $3,389,600.

Dr. Cooke, welcome.

Dr. Cooke. Gentlemen. Thank you. I am glad to be with you.

Senator Inouye. Would you care to proceed, sir?

PREPARED STATEMENT

Dr. Cooke. Thank you.

Mr. Chairman, we have prepared a statement which I have filed with the committee, and if you would permit me I would like to thank you and the committee for the second supplemental appropriation of 1971 because that supplemental made it possible for us to acquire the library books which, as has been reported to you, we needed to meet the requirements of the Middle States Accreditation Team.

I believe you will be pleased to know that the college was accredited in December of 1971 for the next 10 years, through 1981.

Senator Inouye. Congratulations.

Dr. Cooke. This, again, as I say, though not needlessly repeating it, was in part due to the committee's consideration of our request for supplemental money when we appeared before you in April of 1971.

I would like to emphasize, too, that growing out of the visit of the Middle States Team which occurred just a year ago, in March of 1971, was the observation that the college still needs better physical facilities. The college is in need of better health, education, physical education, and recreation facilities.

One of our major budget items is a request again for a gym, which would not only serve the college but, as our present gym does, serve

the community and continue an official D. C. T. C. playground in contract with the District of Columbia Recreation Department.

So, here is a gym not only serving a college which has a major in physical education and requires all undergraduate students in their general education to take physical and health education but also a gym that serves the community and Recreation Department.

I believe the director of the Recreation Department is here, and we have consulted with him steadily on the gym, and its service to the community, to the college, and to the Recreation Department.

So I think this is one item before the committee that we do stress: It is the need, again, for the gym which Middle States called to our attention in 1961—indeed, when they were here then evaluating the college—accrediting it in 1961 for the 10 years through 1971 and again in 1971 through 1981. In each instance, they observed: "Why don't you have your physical facilities improved?"

So, we are bringing that to your attention again, I think with the observation—I do not believe the budget statement records, that we do have a grant of $100,000 towards this gym, under the Higher Education Facilities Act of 1963, as amended, as a part of title I when, as a college in this city, along with other colleges, we applied for that money and were successful in obtaining a grant. We have $100,000 towards the new health, physical education and recreation facilities which we are placing before your committee.

OPERATING INCREASES

Now, of our actual increases in operating expenses for 1973, 95 percent is mandatory for salary increase recommended by the Board of Higher Education and approved by the Mayor, funded in 1972 through our own resources but placed in the 1973 budget.

There is no other major increase in operating expenses; the mandatory increase, we hope the committee will approve. We have a request for only two positions before the committee, both of those being custodians needed by the increase in available space in the College through the renovation of the third floor Wilson Building. So, it is mandatory in respect to the fact that we actually have more space, more students and need for these two custodians.

The request before the committee includes no other positions, although I would not want the committee to conclude that the college does not need more positions. We presented an extensive statement to the City Council and to the Mayor, too, on the positions we do need, but officially there is only before the committee the two custodial positions and the increase in operating budget for the salary increase.

So that, those two items, the custodian positions, increase in operating expenses, and the major item of importance, Mr. Chairman, in capital outlay, the gym.

Senator INOUYE. Without objection, your full statement will be made a part of the record.

Dr. COOKE. Thank you.

(The prepared statement follows:)

DISTRICT OF COLUMBIA TEACHERS COLLEGE

March 17, 1972

TEACHERS COLLEGE BUDGET REQUEST

Fiscal Year 1973

Introductory Statement of President

The District of Columbia Teachers College, in the 121st year of service since its founding in 1851 at Eleventh and New York Avenue, N. W., continues to emphasize the preparation of men and women for the education professions.

This year the College will graduate two hundred and fifty men and women equipped to enter the profession of teaching. This figure includes Early Childhood, Elementary, and Secondary Education Majors.

The accreditation of the District of Columbia Teachers College was reaffirmed in December 1971 by the Middle States Association of Secondary Schools and Colleges.

The above information was officially received from the Commission on Higher Education of the Middle States Association of Colleges and Secondary Schools following its Annual Meeting at Atlantic City, New Jersey in December.

Thus, the District of Columbia Teachers College has been accredited for the second time, the first occasion in 1961. Of course, both Miner Teachers College and Wilson Teachers College, predecessor institutions, had been previously accredited. The 1971 Middle States Accreditation stands for ten years.

The College completed its Self Study in February 1971. The Middle States Evaluation Team visited the College in March, filed a draft report in May, and prepared an official Evaluation Report in July. The College responded to the Report in October. The Commission acted in December.

Although the Middle States Association Accrediting Team has pronounced the Teachers College "a worthy institution" it also stated that certain physical improvements must take place.

The College has the authorization of the Board of Higher Education to take a freshman class in 1973. The Teachers College has recommended to the

Board a new master's degree for the College in order that many of the 2,000 teachers now earning graduate credit at the College may earn the master's degree required for high school teaching. The Board has no plan to merge the Teachers College.

The College asks an appropriation of $3,389,600 for operating expenses and the sum of $1,691,200 for capital outlay. In the latter a major item is the construction of new health, physical education, and recreation facilities that will serve the College and the Community, as present facilities do. This facility is equally important as the College can show to the Middle States Association, its accrediting association, the first new facility the institution has had in 58 years. Middle States observed in 1958 and in 1961 required improvement in physical facilities of the College but still accredited it.

The Operating Budget provides for a modest increase, covering for example, new teaching and administrative positions. While the College has been reasonably fortunate to keep up with Faculty needs, the institution is woefully lacking in counselors, clerical staff, guards, custodians, and a health service.

Increasingly, the College is working in the community. We give guidance to the Adult Courtesy Patrol, a community-based group, providing some measure of security on the Upper Fourteenth Street Corridor; the grant from the Office of Criminal Justice Plans and Analysis, District of Columbia helps the program.

The College has had a good year and I believe that FY 1972 will be another good year with the approval of the requested $3.4 million for operating and $1.7 for capital.

Matthew J. Whitehead
Acting President

for

Paul P. Cooke
President

HIGHER EDUCATION STUDY

Senator INOUYE. Dr. Cooke, before proceeding, I would like to preface my question by calling upon Mr. Coppie.

Mr. Coppie, exactly 1 year ago today, Mr. Watt, the Deputy Mayor, advised this committee that a quarter-of-a-million-dollar contract was signed with Arthur D. Little Company for a comprehensive study of higher education in the District of Columbia. We were advised at the time that the anticipated completion of this study was November of 1971.

Has this study been completed?

Mr. COPPIE. It has not been completed, Mr. Chairman.

I did advise your Staff Director, I believe in a communication that arrived this morning that while the study was scheduled for completion in November of 1971 we did run into some problems with the contractor and it is now scheduled for completion by the end of May 1972.

(The memorandum follows:)

OFFICE OF BUDGET AND PROGRAM ANALYSIS

Subject: Status Report on "Comprehensive Study of Public Higher Education in the District of Columbia"

Continued interest in the "Comprehensive Study of Public Higher Education in the District of Columbia" has reinforced my intention of furnishing you an updated report on the current status of this project.

As you know, the study is being prepared by the Arthur D. Little company under a $271,957 contract with the Department of Human Resources and is intended to provide a sound blueprint for short and longe range planning of higher education in the District.

As originally conceived, the scope of the project was divided into individual assignments for which separte reports would be required. The distinct portions of the overall study were therefore grouped under the following tasks:

Task I - Data Collection
Task II - Demand and Enrollment Projections
Task III - Education Programs
Task IV - Resource Requirements
Task V - Structures for Governance and Administration
Task VI - Manpower Requirements

In addition, a final report and summary documents were to be prepared to respectively integrate and summarize the findings and recommendations of each of the above tasks.

A Liaison Committee composed of representatives from interested District agencies was established to monitor and review the consultant's progress at each stage of the contract. William Rumsey, DHR Contract Administrator, chairs the Committee.

The study began in March 1971 and was scheduled for completion on November 29, 1971. Unfortunately, preparation of the final report, which is contingent upon the satisfactory completion of interim Tasks I-VI, has been delayed because of technical data collection difficulties and the Liaison Committee's displeasure with the quality of interim task materials. To date, the report covering Task VI is theonly document accepted by the Committee without qualification, although the contractor has received partial payment for substantial progress on Tasks I II, and III.

Currently, no additional funds are authorized for payment until an agreement is reached concerning the schedule for the completion of the study. An extension of the final deadline is now being negotiated between the contracting parties with the District's tentative position calling for a completion date of May 24, 1972 and a penalty of $500 per day charged to the contractor for any further delays.

Because of the importance of this study to the future direction of the District's Higher Education Program, we will be intensifying our efforts in the next two months to resolve outstanding problems and bring the study to a satisfactory conclusion without further delay. My staff and I will be available to answer questions and discuss in detail any concerns that you may have with respect to the Higher Education study.

In addition, to this status report, I will be happy to supply you with whatever backup information that is currently available.

Senator INOUYE. I would hope you will favor this committee with a copy of this report?

Mr. COPPIE. We certainly will, Mr. Chairman.

Senator INOUYE. Was the $50,000 assigned to the District government by the District of Columbia Teachers College from this Higher Education Act, title III funds, included in the $250,000?

Dr. COOKE. Yes, that was from our higher education title III grant for 1971.

Senator INOUYE. Are there any drafts of this study?

Mr. COPPIE. Mr. Chairman, it is my understanding that the coordinating committee—and I am not a member of the coordinating committee—has accepted one report from the contractor, but that report has not been officially released. I understand it is still going through some further substantive reviews, but nothing has been officially released at this time.

Senator INOUYE. Are you aware of any of the findings or recommendations of this report?

Dr. COOKE. I am aware of some of the findings, but there have been no recommendations. The findings relate to the demography of the city, needs of the city in employment, careers, the interests of high school students in higher education. Those are some of the findings I am aware of, in past reports, sir.

But I have not received any recommendations. Dean Swindler, dean of administration, is a member of the liaison committee. He may have more information with respect to the Senator's question.

Mr. SWINDLER. There have been no recommendations. These in general have been evaluative of the condition of public education and the need and enrollment projections, and also an estimate of the types of jobs that are going to be required to be filled for the next year, hopefully, through 1985.

Senator INOUYE. I have several other questions, but before I proceed I would like to call upon Senator Ellender.

Do you have any questions, sir?

REQUEST FOR CAPITAL IMPROVEMENTS

Chairman ELLENDER. I notice here where you are asking for $1.691 million capital outlay.

Dr. COOKE. Yes, sir.

Chairman ELLENDER. Is that for the gymnasium you are talking about?

Dr. COOKE. One of the capital improvement items is the gym, yes.

Chairman ELLENDER. How much area do you cover?

Dr. COOKE. We serve the whole city and our graduates go all over the world, if that is what you mean. We have graduates all over the United States.

I received a Christmas card from Greece from one of our graduates.

Chairman ELLENDER. I mean the area your college covers.

Dr. COOKE. The square footage, two buildings, 1100 Girard and one at 2565 Georgia Avenue. And the total is five acres for the two buildings.

Chairman ELLENDER. How many teachers do you employ?

Dr. COOKE. We have a 131 instructional faculty, 131, and a 15 administrative faculty.

Chairman ELLENDER. How many students do you serve?

Dr. COOKE. We serve an enrollment as of March 1972, of 3,521. The enrollment has reached as high as 4,500 and has been as low as 2,500 in the last few years.

Chairman ELLENDER. How many did you say?

Dr. COOKE. Let me get it exactly, sir; 3,525, men and women.

Chairman ELLENDER. Now, I notice you have a graduating class of about 250.

Dr. COOKE. That is right.

Chairman ELLENDER. There must be a lot of dropouts?

Dr. COOKE. No; our enrollment is made up of different components, and one of the largest components is the nondegree student, that is, a person who already has the bachelor's degree or the master's degree, or the master's plus further graduate work. And we may have as many as 1,500 to 2,000 persons who are, in the main, teachers in the public schools of the District of Columbia.

Now, out of the degree-seeking group of students, we are drawing primarily 1,500.

Chairman ELLENDER. They come there for refresher courses?

Dr. COOKE. The teachers come back for refresher courses.

Chairman ELLENDER. So that your actual student body that takes the regular course required for a bachelor's degree would be about what, about 2,000?

Dr. COOKE. About 1,500. Then, we would have, in addition to that 1,500, another 375 to 400 in the evenings who are also working toward their bachelor's degree but who are part-time students. The full-time day enrollment hovers around 1,500. It was 1,600 as a peak this year. It was 1,475 the year before. So, about 1,500 average is the normal full-time-day-contributing-to-the-degree students.

Chairman ELLENDER. And you do all of that with 131 teachers?

Dr. COOKE. That is right. But we do use part-time faculty, sir, equal to approximately 11 full-time faculty, 131 and 44 part-time equated to 11, by an equation of one-fourth, you get 11 full-time plus 131. We have a 142-equivalent full-time faculty.

FEDERAL FUNDING FOR DISTRICT OF COLUMBIA TEACHERS COLLEGE

Chairman ELLENDER. Do you get contributions from any other source than Congress?

Dr. COOKE. Aside from the appropriated funds we get Federal grants. I think we have about $630,000 in our report to the Congress. We also have a fee for the students of $35 a semester.

Chairman ELLENDER. What did you do with the $630,000?

Was that for construction or to pay teachers, or what?

Dr. COOKE. A great amount of it is for student assistance.

There is Work Study, Education Opportunity Grants, National Defense Student Loans.

Chairman ELLENDER. That is a form of scholarship you give to the students?

Dr. COOKE. Education Opportunity Grants, called, in short, EOG, are most similar to a scholarship. The national defense is a loan the

student borrows. Work study is money that the student earns. So, you have money that he earns, money that he borrows, and money that is a grant, EOG, which is the closest to a scholarship.

Chairman ELLENDER. How is this $630,000 that is given to the college distributed? Through your administration?

Dr. COOKE. Yes. For example, I mentioned the $100,000, that is a grant toward the gym, and that would be handled through the college. Then, we have had other grants from the HEFA, Higher Education Facilities Act. We get grants for various educational programs, the National Science Foundation for instructional scientific equipment, for example. We get grants to conduct programs for training of teachers. That may be a NDEA grant or a National Defense Education grant or it may be a National Science Foundation grant. We get grants also from HEW for other purposes in the education of teachers. We administer these grants.

If I might mention one more of which we are very proud: from the Department of Justice, Office of Criminal Justice Plans and Analysis, to operate an Adult Courtesy Patrol that makes a contribution toward the safety and security of the 14th Street corridor that you read about occasionally, sir.

Chairman ELLENDER. I wonder if you could make for the record a little summary of the various sources of funds that come to you?

Dr. COOKE. Very pleased to do that.

Chairman ELLENDER. And how you distributed them.

Dr. COOKE. Yes. We have filed with our budget office, and we will have that copy sent to the committee, a list of grants and exactly what each grant does.

Chairman ELLENDER. All right. And what the money is used for.

Dr. COOKE. That is right.

Senator INOUYE. Without objection, that report will be made a part of the record at this point, sir.

Dr. COOKE. Yes, sir.

(The information follows:)

74-704 O - 72 - pt. 1 - 53

Federal Grants to The District of Columbia Teachers College

Agency and Grant Program	Source	FY 1971 Actual	FY 1972 Estimated*	FY 1973 Estimated**
College Support Program				
1. Cooperative Education	HEW	-	15,000	30,000
2. Strengthening Developing Institutions (Title III)	HEW	116,500	163,000	170,000
Higher Education Facilities				
3. Title I Facilities Renovation	HEW	112,800	87,000	100,000
4. Title I Special Opportunity	HEW	20,000	-	-
5. Title VI Equipment Grants		-	14,750	20,000
6. Library Resources	HEW	3,724	-	5,000
7. Minority Schools Biomedical Research	NIH	-	-	80,000
National Science Foundation				
8. Instructional Scientific Equipment Grant	NSF	-	-	17,700
9. MACOS - Mankind: A Course of Study	NSF	-	27,280	-
Student Assistance Programs				
10. C W-S - College Work-Study	NIH	51,074	65,163	71,500
11. EOG - Education Opportunity Grant	NIH	33,600	48,479	55,000
12. NDSL - National Defense Student Loans	NIH	22,532	28,755	32,400
13. Students and Employees Health Services	HEW	-	-	91,713***
		$360,230	$449,427	$673,313

*Including grants awarded and applications for grants
**Applications for assistance
***To be submitted

Federal Grants to the District of Columbia Teachers College

THE PURPOSE OF THE GRANTS

1. Cooperative Education Program. Provides opportunity for students to work in agency, business, industry, or elsewhere at the customary wage levels and to relate the work to his college program. Grant pays for program operation (not student wages).

2. Strengthening Developing Institutions. Provides funding for several projects that serve the College, its administration, faculty, and student body.

3. Title I Facilities Renovations. Funds in part (1) renovation of the College's Wilson Building 3rd Floor to provide 10 classrooms, (2) renovation of further unused space, in this instance in the Miner Building, for College classrooms, and (3) health education, physical education, and recreation facilities (or gym) for the institution's Wilson Building.

All require dollar-for-follar matching by the College.

4. Title I - Special Opportunity Grant. Makes possible a survey of the College's academic program, present and projected, to derive therefrom the physical needs, and to provide a preliminary drawing of a new physical plant.

5. Title VI Equipment Grant. Makes possible purchase of instructional equipment, including television equipment, for all subject matter areas or disciplines.

6. Library Resources. Grant makes it possible for the College to acquire additional books for students on the College level and supplement regular books and other resources of the College Library.

7. Minority Schools Biomedical Support Program. Funds a program for student and faculty research and training for research and provides equipment for the instructors and research program.

8. Instructional Scientific Equipment Grant. Funds the purchase of equipment for social and physical science research, including modest computer equipment.

9. Mankind: A Course of Study (MACOS). A teacher training program developing a "mankind curriculum" to help children take frequent looks far afield at the culturally strange and alien lives of people remote in time and place.in order to help the student gain deeper understanding of himself and of his own human nature, thereby enabling him to relate with comfort and a degree of empathy to a heterogeneous nation and world.

10. College Work-Study (C W-S). Provides funds to compensate students for work they do in the College and in the community at the same time they are studying; also for low income students.

11. Education Opportunity Grant (EOG). Provides money for grants to students from substantially low income homes for purpose of aiding them to enter and remain in college.

12. National Defense Student Loans (NSDL). Provides loans to students to continue in school; students will repay all or most of the loan after their graduation.

13. Students and Employees Health Services. Proposes to Health, Education, and Welfare the funding of a substantially expanded program for improved health services to students and employees of the District of Columbia Teachers College, including increased staff and improved equipment.

APRIL 6, 1972

Senator INOUYE. The 1972 Senate Committee Report on page 43 said the following, and I wish to quote this—This is from the committee report.

"D.C. Teachers College. This vigorously led institution, which has over the years furnished the District of Columbia over 75 percent of its public school teachers, is in its 120th year of service. A decision on the proposed merger of the College with Federal City College is long overdue and action by the Board of Higher Education is absolutely essential to long-range planning for both the College and the vital services which it renders. In the interim, funds are provided for the College to carry on its educational program for more than 4,000, with substantially all of the requested operating funds."

In the December 7, 1971, issue of the Washington Post, there was an article which indicated there was no plan to merge the Teachers College with Federal City College.

I gather that the Teachers College will continue to be primarily a single-purpose institution concentrating on teachers' training.

Is that correct?

Dr. COOKE. The President of the college has recommended to the College Program Committee and the faculty senate that the college broaden its program beyond single purpose, but the major emphasis will continue to be single purpose. That recommendation has been presented to the Board of Higher Education, and, of course, that Board would have to act on any broadening of the institution beyond a single purpose. I would say it should be broadened in this city, with its need for education, beyond the single purpose. A major service would continue to be on the preparation of educational personnel.

Senator INOUYE. Would you be against the merger?

Dr. COOKE. I oppose the merger, yes, sir. I have.

Senator INOUYE. Mr. Coppie?

Mr. COPPIE. Mr. Chairman, this specific item was in the 1972 Senate Report. Subsequent to the publication of the report, I submitted that statement to the then acting chairman of the Board of Higher Education, Mr. Charles Horsky, and in a reply to the letter which I sent which quoted the Senate statement, he said that the Board was aware of the Senate's concern and also the legislative history surrounding the 1967 Public Higher Education Act in the District of Columbia and was awaiting recommendations from this comprehensive study, which is now due to come in May, before making an ultimate decision concerning the future of the District of Columbia Teachers College.

Senator INOUYE. Will the report address itself to the question of merger, too?

Mr. COPPIE. It will address itself to the question of higher education jurisdiction of the District of Columbia and the future of the governing structure.

I might say, also, Mr. Chairman, the Nelsen Commission, in its report which will be out later this month, will also address the issue of governance for public higher education in the District of Columbia.

So, I think we are in for two specific recommendations that will be forthcoming, and I am sure the Board of Higher Education will take them under very active consideration.

Senator INOUYE. Do you have any comments to make, Mr. Jones?

COMMENTS OF BOARD OF HIGHER EDUCATION

Mr. JONES. The only comment I can make, Mr. Chairman, is, essentially, what Mr. Coppie has said. The question of consolidation of the two organizations into one was obviously not possible during the experimental stage, the first stage of getting FCC off the ground. And by the time a second year was behind us, the higher education study was already more than just a dream. It had been formally proposed to the city, the city had meetings with the Board and with other interested people about it. The Board at that time unanimously voted to suspend any further action on the proposed consolidation until after the higher education report had been received, which was noted this morning that there has been some delay in it being presented.

There came closely on the heels of that the appointment of the Nelsen Commission which we felt also would go into problems of organization within the District of Columbia, and it would be wise to withhold it.

Furthermore, if I may add just a personal note, it is my belief a number of the members of the Board—I certainly was one of them—felt that the District of Columbia Teachers College presented a different picture from the picture of the experimentation that we were going through with the Federal City College and that we should not do anything to slow down the very commendable progress that District of Columbia Teachers College was making with a program which was quite different from some of the programs proposed for Federal City College.

MEASUREMENT OF PROGRAM EFFECTIVENESS

Senator INOUYE. I thank you very much, sir.

Dr. Cooke, do you assess the effectiveness of your program with measures, say, like the national teachers examination?

Dr. COOKE. The city does not use the national teachers examination, the NTE. The dean of the college has constantly urged the seniors of the college to take the NTE as a self-evaluation, and many have. But we do not require the NTE because (1) the public school system does not require the NTE; (2) most school systems to which our graduates go do not require them to present the NTE.

Senator INOUYE. What sort of measure do you follow to assist the effectiveness of your program?

Dr. COOKE. Well, we have rather steadily surveyed the actual performance of our graduates in schools; we ask the principal of the school about the performance of our graduate. That is one measure of determining how effectively they perform on the firing line.

The college is now considering: (1) an honors program and (2) measurement of the performance in the sophomore year and some preliminary consideration of the measurement in the senior year other than just the student teaching.

The major measure has been going back to the schools and to the principal: "Look here, what are the graduates of the Teachers College learning?

"How well do they perform?"

And that has been a rather reassuring answer, Senator, steadily, from the principals.

Senator INOUYE. The answers have been favorable?

Dr. COOKE. Yes, very favorable. They welcome the graduate of the Teachers College. They know they have had their practical experience in the classrooms of the inner city, and they are very welcome graduates.

The percentage of our graduates getting appointments in competition with applicants from all over the United States is very favorable.

MASTER'S DEGREE PROGRAM

Senator INOUYE. I note District of Columbia Teachers College is seeking approval of a master's degree program.

Dr. COOKE. That is right.

Senator INOUYE. Federal City College has a graduate department of teacher education.

Dr. COOKE. Yes.

Senator INOUYE. I am certain you are aware that as much as we would like to assist all of the educational activities here, funds are not unlimited, and, taking this under consideration, do you feel that it is necessary to have another graduate program for teacher education at this time?

Dr. COOKE. We do not believe that needless duplication should occur. For example, we have said to Federal City College, "Let us inform you of all of our people who are in guidance and counseling and you take over that part of the master's degree program."

So, we have 400 names to Federal City College, and those persons might come through Federal City College.

But it is our belief, after conferring with people in Federal City College, that there would not be needless duplication in other areas of teacher education.

We are talking about 7,000 or 8,000 employees here, all needing some kind of refresher; we are talking about the regular teacher, the counselor, the high school and elementary school principals; we are talking about people right on up to the level of associate superintendents who need training. It was our conclusion that one institution would not furnish all of that training, and I do not believe Federal City has concluded that they could furnish all of the training necessary for our graduate teacher education. But in guidance and counseling, I believe we should not initiate a master's degree now.

COORDINATION WITH FEDERAL CITY COLLEGE

Senator INOUYE. So, you are coordinating your activities with the Federal City College?

Dr. COOKE. Yes. In fact, we will go further.

We had proposed an official consortium.

If we get to the point of a graduate degree—and I think you know, Senator, we had the graduate degree program at the Teachers College. We granted degrees in 1959, 1960, 1961. We gave a total of 33 master's degrees. The degree was removed from the college. We have had experience at Teachers College of giving master's degrees and had 2,000 people last year in graduate training.

With that, we have said that if it is approved by the Board, we would establish a Consortium with Federal City College and meet

with their graduate dean and President Randolph, and figure out some of the early possible mechanisms that would have for its purpose to reduce the duplication so the institutions do not start out doing exactly the same thing in both institutions. We would coordinate our teaching resources so one faculty member might serve at one institution and a faculty member of the second institution serve in the first. We have agreed that where courses are in one institution and not in the other, the students would be free to enter the other institution. The fourth plank in our preliminary consideration of consortiums had to do with the use of library-facility resources between the two institutions.

FEES CHARGED BY TEACHERS COLLEGE

Senator INOUYE. Your tuition is $35 per semester; isn't it?

Dr. COOKE. To be precise, Senator, we have a tuition-free institution; our fee that I mentioned, Senator, is just about a fee and not tuition. Since its establishment in 1929 by Act of Congress, the Teachers College has been tuition-free.

Senator INOUYE. You have a fee of $35?

Dr. COOKE. That is right.

Senator INOUYE. Which would be equivalent to tuition?

Dr. COOKE. It could be considered equivalent.

Senator INOUYE. How does this fee compare with the tuition or fees charged by member institutions of the American Association of State Colleges and Universities?

Dr. COOKE. Generally, it is lower, sir.

We can give you the tuition and fees charged by every member of the American Association of State Colleges and Universities (AASCU) if you would like to have that for the record.

Senator INOUYE. We would appreciate it.

Dr. COOKE. But, at any rate, my answer to your question is: Our fee is lower than the average fee.

Senator INOUYE. We would appreciate the charts.

(The information follows:)

TUITION AND/OR REQUIRED FEES, ROOM RATES, AND BOARD RATES AT

Member Institutions of the American Association of State Colleges and Universities
By States: 1971-72

(Figures shown are rates for typical full-time undergraduate students, for two semesters, two trimesters, or three quarters. Where this year's figures represent a change over last year's, last year's rate shown in parentheses.)

Institution	Undergraduate tuition and/or required fees		Room Rate	Board Rate	Combined Room and Board (7-day unless footnoted)
	Resident	Non-Resident			
ALABAMA					
Alabama S.U.	330(260)[1]	555(410)	252(300)	432(420)	684(720)
Florence S.U.	370	550	280	512	792
Livingston U.	360(345)	540(465)	300(270)	480(465)	780(735)
Troy S.U.	405(390)	585(570)	300	495(450)	795(750)
U. of Ala.-Huntsville	525	1050			
U. of Montevallo	360	570			729(689)
U. of South Alabama	579(495)	867(639)	405(390)	585(507)	1035(897)
ARIZONA					
Northern Arizona U.	304	975	316	525	
ARKANSAS					
Arkansas Polytechnic C.	410(310)	980(740)			760(720)
Arkansas State U.	375(300)	675(600)			718(688)
Henderson State C.	375(300)	775(700)	264	424	688
Southern State C.	410(310)	680(580)	320(304)	424	744(728)
S. Col. of Arkansas	385(310)	870(700)			720
U. of Ark. at Monticello	426(326)	726(596)	252(225)	432(424)	729(694)
CALIFORNIA					
Cal. Maritime Academy	1080(930)	1380(1230)			1015
Cal. S. Dominquez Hills	170	1280			
Cal. S. Fullerton	160(155)	1270(1260)	730(720)	510(490)	1240(1210)

Institution	Undergraduate tuition and/or required fees		Room Rate	Board Rate	Combined Room and Board (7-day unless footnoted)
	Resident	Non-Resident			
Cal. S. Long Beach	164	1274			1138(1107)
Cal. S. Los Angeles	160(159)	1269(1197)			
Cal. S. San Bernadino	142(129)	1243(1020)			
Cal. S. Poly. Col. Pomona	167(150)	1277(1260)	531	567	1098
Cal. S. Poly. Col. (S.L.O.)	149	1259	549	600	1149
Chico State College	164(160)	1274(1270)	628(575)	480(500)	1128(1075)
Fresno State College	168	1260			1193
Humboldt State College	163(160)	1273 1270)	565	510	1075
Sacramento S. Col.	160	1270	504(450)	488	992(938)
San Diego S. Col.	157(146)	1267(1036)	590	540(520)	1130(1110)
San Jose State Col.	164(159)	1274(1269)	580	490	1070
Somona State Col.	140(138)	1250(1248)			
Stanislaus State Col.	162	1272			
COLORADO					
Adams S. Col.	435(414)	1347(1248)	315(300)	486	801(786)
Fort Lewis Col.	341(310)	1171(765)	380	550(520)	930(900)
Metropolitan S. Col.	258(285)	936(735)			
Southern Colorado S. Col.	282(236)	868(536)			943(823)
U. of Northern Colorado	393(293)	1167(743)	300	594	894
Western S. Col. of Colorado	459(384)	1389(834)			824
CONNECTICUT					
Central Connecticut S. Col.	450(100)	1350(1200)	350	520	870
Eastern Connecticut S. Col.	300(200)	800(700)	350(300)	520(480)	870(780)
Western Connecticut S. Col.	385(195)	1160(795)	350(300)	520(480)	870(780)
DISTRICT OF COLUMBIA					
D.C. Teachers College	70	1082			
Federal City College	89	734			
FLORIDA					
Florida Atlantic U.	570(450)	1620(1350)	580		
Florida Technological U.	570(450)	1620(1350)			335(295)
U. of South Florida	570(450)	1620(1350)	480(435)	606(581)	1086(1016)
U. of West Florida	570(450)	1620(1350)	450(435)	615(585)	1065(1020)

Institution	Undergraduate tuition and/or required fees		Room Rate	Board Rate	Combined Room and Board (7-day unless footnoted)
	Resident	Non-Resident			
GEORGIA					
Albany S. Col.	345(335)	750(745)	330	426(381)	759(714)
Armstrong S. Col.	360	765			
Augusta College	360(352)	720(757)			
Columbus College	360	765			
Ga. Col. at Milledgeville	387	792	345(315)	480(450)	825(765)
Georgia Southern Col.	378	783	315(270)	435(390)	750(660)
Savannah S. Col.	372(366)	642(636)	360(282)	480(405)	840(687)
Valdosta S. Col.	459(435)	864(840)	315	420	735
West Georgia Col.	387(378)	792(783)	368(398)	450	818(848)
GUAM					
University of Guam	75	175	400(350)	540	940(890)
IDAHO					
Boise State College	352(320)	1292(1060)	350	550(520)	900(870)
Idaho S. U.	370(340)	1120(840)	141	716(661)	857(802)
Lewis-Clark S. Col.	200(170)	800(670)	250	600(576)	850(826)
ILLINOIS					
Chicago S. Col.	502(427)	1376			
Eastern Ill. U.	651(496)	1205			1010
Governors S. U.	440	1136			
Illinois S. U.	472(411)	1182(1206)			1120(1020)
Northeastern Illinois S.C.	439(349(	1138(1123)			
Northern Ill. U.	568(410)	1229(1205)			1060
Sangamon S. U.	536(492)	1452			
Western Ill. U.	479(428)	1178(1177)	432(378)	558(540)	990(918)
INDIANA					
Ball State University	540	1080			990
Indiana S. U.	573(527)	1100(1054)			995(942)
IOWA					
U. of Northern Iowa	600	1000			860
KANSAS					
Fort Hays Kansas S. C.	407(377)	802(772)			850
Kansas S.C. Pittsburg	382(374)	777(769)			850

Institution	Undergraduate tuition and/or required fees		Room Rate	Board Rate	Combined Room and Board
	Resident	Non-Resident			(7-day unless footnoted)
Kansas S. Teachers C.	386(376)	781(771)	380(350)	530(470)	910(820)
Wichita S. U.	219	514			925(900)
KENTUCKY					
Eastern Kentucky U.	308	808	290(280)		
Morehead S. U.	300	900	300		300
Murray S. U.	305(300)	805(800)	280(260)	470(450)	750(710)
Western Kentucky U.	300	800	300(280)	700	1000(980)
LOUISIANA					
Louisiana Tech. U.	490	1663	325(303)	462(426)	787(729)
Nicholls S. U.	301	931	300	450	750
Northeast Louisiana U.	258	888(758)	360(304)	480	840(784)
Northwestern S. U.	325(290)	955(790)	320(300)	440(392)	760(692)
Southeastern L. U.	312(300)	942(930)	330	400	730
MAINE					
Maine Maritime Academy	727(675)	1127(950)	450	750(690)	1200(1140)
U. of Maine, Augusta	406	1356			
U. of Maine, Farmington	265	1025(575)		484	1000(950)
U. of Maine, Fort Kent	496(318)	1396(668)	516(466)	484	1000(950)
U. of Maine, Machias	491(327)	1391(1087)	516(466)	534(484)	1050(900)
U. of M., Portland-Gorham	366(466)	1016(1366)	516(466)	484	1000(950)
MARYLAND					
Bowie State College	330	580	400(350)	600(550)	1000(900)
Coppin State College	335(295)	585(545)			
Frostburg State College	335(320)	585(570)			1064(870)
Morgan State College	316	616(595)	333	500(480)	833(813)
Salisbury S. Col.	355(335)	605(585)	400	470(425)	870(825)
St. Mary's Col. of Md.	442(415)	692(665)	465(400)	500	965(900)
Towson State College	375	625			990
MASSACHUSETTS					
Boston S. Col.	265(260)	665(660)			
Bridgewater S. Col.	324(322)	724(722)	440(350)	480(430)	920(780)
Fitchburg S. Col.	270(265)	670(665)	510(300)	406(360)	976(660)
Framingham S. Col.	273(267)	673(667)	523(360)	412(100)	935(760)
Lowell S. Col.	250	650	470(370)	510(493)	980(863)

Institution	Undergraduate tuition and/or required fees		Room Rate	Board Rate	Combined Room and Board
	Resident	Non-Resident			(7-day unless footnoted)
Mass. Col. of Art	280	680			
Mass. Maritime Academy	440	440	680	693(413)	
North Adams S. Col.	300(275)	700(675)	262	450(422)	
Salem State Col.	280	680	525(460)	520	1045(980)
S. Mass. U.	320(260)	720(660)			
Westfield S. Col.	295(275)	695(675)	486(412)	300	786(712)*
Worcester S. Col.	290(265)	690(665)			
MICHIGAN					
Central Michigan U.	495(440)	1115(984)	471(450)	625(596)	1096(1046)
Eastern Michigan U.	540(438)	1305(1050)			1120(1060)
Ferris S. Col.	480(375)	1023(867)			1080(990)
Grand Valley S. Col.	456(429)	1200(1089)			1140(1080)
Lake Superior S. Col.	492(440)	1200(1101)			1180(1025)
Northern Michigan U.	480(440)	1120(1130)	340(324)	794(756)	1141(1084)
Saginaw Valley Col.	450(412)	1020(937)	490(420)	530(480)	1020(900)
Western Michigan U.	540(425)	1140(1020)	360(340)		1060(1010)
MINNESOTA					
Bemidji S. Col.	438(414)	834(765)			849
Mankato S. Col.	481(457)	877(853)	441	414	855
Moorhead S. Col.	423(399)	819(795)			852
St. Cloud S. Col.	481(444)	877(840)			825
Southwest Minn. S. Col.	416(393)	787(765)			840
Winona S. Col.	416	786			855
MISSISSIPPI					
Alcorn A&M Col.	400(402)	1000			1067(567)
Delta S. Col.	422	1022(1000)	220(200)	350	570(550)
Jackson S. Col.	350	950			73 (28 days)
Miss. S. Col. for Women	465	1065	310(300)	459(419)	769(719)
Miss. Valley S. Col.	350(286)	950(886)			550(490)
U. of Southern Miss.	474	1074	400(350)	400(370)	800(720)
MISSOURI					
Central Missouri S. Col.	300	705			765(735)
Harris Teachers Col.	290(190)	1540(1240)			
Mo. Southern Col.	350(310)	770(450)			820
Mo. Western Col.	350	740	300	500	800
Northeast Mo. St. Col.	260(220)	720(490)	260	508	768

Institution	Undergraduate tuition and/or required fees		Room Rate	Board Rate	Combined Room and Board
	Resident	Non-Resident			(7-day unless footnoted)
Northwest Mo. S. Col.	300(275)	720(545)			800(750)
Southwest Mo. S. Col.	300(270)	900(600)			780(716)
MONTANA					
Eastern Montana Col.	445(400)	1292(1067)			966(878)
Northern Montana Col.	451(393)	1325(1061)	279(251)	569(542)	848(793)
Western Montana Col.	441(396)	1288(1063)	204	576(549)	780(753)
NEBRASKA					
Chadron S. Col.	423(360)	731(640)			758 (for 5 days)
Kearney S. Col.	408(365)	716(645)			797(763)
Peru S. Col.	433(371)	741(651)			816(780)
Wayne S. Col.	433(370)	741(650)			732(696)
NEVADA					
U. of Nevada, Las Vegas	530(445)	1730(1245)			1100
NEW HAMPSHIRE					
Keene S. Col.	756(629)	1406(1349)	585(475)	465(425)	1050(900)
Plymouth S. Col.	724(602)	1374(1322)	510(460)	490(440)	1000(900)
NEW JERSEY					
Col. Medicine & Dentistry	775	1025			
Glassboro S. Col.	459	809	570(480)	520	1090(1000)
Jersey City S. Col.	451	801	570(480)	555(520)	1125(1000)
Montclair S. Col.	481(469)	831(819)	590(480)	546(520)	1136(1000)
Ramapo Col.	489	839			
Stockton S. Col.	481	831			
Trenton S. Col.	444	794	600	500	1100
William Paterson Col.	449(439)	799(789)	590(480)	525(520)	1115(1000)
NEW MEXICO					
Eastern N.M. U.	419(400)	986(940)	318(276)	556(484)	874(760)
Western N.M. U.	333(300)	900(840)	324	540	864
NEW YORK					
S.U.Col. Brockport	640(490)	990(690)	565	650(580)	1215(1145)
S.U.Col. Buffalo	637(487)	987(687)	575(565)	625(550)	1200(1100)
S.U.Col. Cortland	670(545)	1020(745)	565	632(631)	1197(1196)

Institution	Undergraduate tuition and/or required fees		Room Rate	Board Rate	Combined Room and Board
	Resident	Non-Resident			(7-day unless footnoted)
S.U.Col. Fredonia	677(526)	1027(726)	565	580(510)	1145(1075)
S.U.Col. Geneseo	650(500)	1000(700)	565	525(598)	1090(1163)
S.U.Col. New Paltz	635(485)	985(685)	565	(650)	565(1215)
S.U.Col. Old Westbury	640(480)	990(680)	565	596(680)	1161(1245)
S.U.Col. Oneonta	676(522)	1026(722)	565	550	1115
S.U.Col. Oswego	628(476)	976(752)	489	580	1069
S.U.Col. Plattsburgh	685(525)	1035(725)	525	1090	1015
S.U.Col. Purchase	550	900			
NORTH CAROLINA					
Appalachian S. U.	455(434)	1555(1184)	338(348)	630	968(978)
East Carolina U.	287(282)	951	270		
Elizabeth City S. U.	466(351)	1402(937)	300(250)	440(400)	740(650)
Fayetteville S. U.	385	1535			765
N. Carolina Central U.	392(387)	1492(1137)	360(342)	425(400)	785(742)
Western Carolina U.	486(449)	1236(1199)	255	360	615
Winston Salem S. U.	310(270)	1360(776)	316(285)	450(416)	766(701)
NORTH DAKOTA					
Dickinson S. Col.	406	874(802)	295(248)	369(351)	666(599)
Mayville S. Col.	384	951(852)	252(234)	405(354)	654(588)
Minot S. Col.	322	288(264)	245	360(351)	605(596)
Valley City S. Col.	388(369)	856(765)			240(228)
OHIO					
Bowling Green S. U.	660	1560	565(525)	480	1045(1005)
Cleveland S. U.	630(505)	1230(985)	435(405)		
U. of Akron	660(600)	1320(1200)			1140(1050)
U. of Toledo	735(627)	1785(1602)	780(675)	510	1260(1185)
Wright S. U.	720(570)	1620(1470)			1335(1260)
Youngstown S. U.	570(450)	1050(825)		570	925
OKLAHOMA					
Central S. U.	274(250)	396(348)			653
East Central S. Col.	356	868	288	440	728
Northeastern S. Col.	352	880(816)	304	456	760
Northwestern S. Col.	338	810			650
Southeastern S. Col.	344	839(779)	230	500	730

Institution	Undergraduate tuition and/or required fees		Room Rate	Board Rate	Combined Room and Board
	Resident	Non-Resident			(7-day unless footnoted)
OREGON					
Eastern Oregon Col.	546(430)	1232(1246)			960
Oregon Tech. Inst.	526(326)	1563(1466)			1000(900)
Portland S. U.	519(408)	1554(1407)			
Southern Oregon Col.	433(326)	1127(995)			942(892)
PENNSYLVANIA					
Bloomsburg S. Col.	700	1426			720
California S. Col.	720	1446	320	288	608
Clarion S. Col.	710(700)	705(695)	360	324	684
East Stroudsburg S.C.	650	688	360	324	684
Edinboro S. Col.	720(700)	1102	324	360	684
Indiana U. of Penn.	710	1350	414	324	738
Kutztown S. Col.	720	758			720
Lock Haven S. Col.	730	1370			720
Mansfield S. Col.	750(630)	1390(1175)	360	360	720
Millersville S. Col.	738	1348	360	360	720
Shippensburg S. Col.	719(704)	757(742)	360	360	720
Slippery Rock S. Col.	730(710)	1280(1260)	360	360	720
West Chester S. Col.	700	1426	360	360	720
RHODE ISLAND					
Rhode Island Col.	490(370)	1175(1055)			1065(965)
SOUTH CAROLINA					
College of Charleston	700(1000)	1400	480(475)	700	1180(1175)
Francis Marion College	410	910			
Winthrop College	520	1180		490	756
SOUTH DAKOTA					
Black Hills S. Col.	408(423)	792(807)	350(300)	420(398)	770(698)
Dakota S. Col.	456(441)	840(825)	350(310)	450	
Northern S. Col.	419(409)	803(793)	288(252)	374(365)	662(617)
Southern S. Col.	442(433)	826(817)	360(300)	564(372)	924(673)
TENNESSEE					
Austin Peay S. U.	306(243)	906(723)	315(294)		
East Tenn. S. U.	348(255)	948(735)	276	587(561)	863(837)
Memphis State U.	348(265)	948(745)	342(330)		
Middle Tenn. S. U.	331(268)	931(748)	308(295)	344	652(639)

Institution	Undergraduate tuition and/or required fees		Room Rate	Board Rate	Combined Room and Board
	Resident	Non-Resident			(7-day unless footnoted)
U. of Tenn. Chattanooga	365	980	415	365	
U. of Tenn. Martin	333(315)	948(930)	360(330)	465(435)	825(765)
TEXAS					
Angelo S. U.	220(230)	600(760)			905(850)
East Texas S. U.	190(206)	730(506)	395	472(423)	867(818)
Midwestern U.	252(210)	645(245)	396	524	920
North Texas S. U.	126(105)	666(255)			960(932)
Southwest Texas S. U.	218(198)	1298(498)	344	475(448)	819(792)
Stephen F. Austin S.U.	180(143)	660(243)			800(770)
Texas A&I U.	245	635			740
West Texas S. U.	213(193)	1293(493)	440(432)	370	810(802)
UTAH					
Weber State Col.	385	790	363(330)	472(430)	835(760)
VERMONT					
Castleton S. Col.	788(613)	1618(1363)	260	260	520
Johnson St. Col.	593	868	520	520	1040
Lyndon S. Col.	808(613)	1638(1363)	520	520	1040
VIRGIN ISLANDS					
Col. of the V. Islands	132	332	266(236)	532(474)	800(713)
VIRGINIA					
Clinch Valley Col.	370	400	320	600	920
George Mason Col.	590	1310			
Longwood Col.	575(549)	925(899)	520(456)	450(410)	970(866)
Madison Col.	624(616)	1024(1016)	481(455)	385(340)	866(795)
Old Dominion U.	470	870			
Radford Col.	411(381)	810(741)	561	447	1008
Va. Commonwealth U.	564(516)	1034(986)	495(455)	495	990(950)
WASHINGTON					
Central Wash. S. C.	447(360)	1359(720)			933(875)
Eastern Wash. S. C.	446(360)	1359(720)	306	480	786
Evergreen S. C.	447(360)	1359(720)	558	446	1004
Western Wash. S. C.	447(360)	1359(720)	370(315)	530(565)	900(880)

74-704 O - 72 - pt. 1 - 54

Institution	Undergraduate tuition and/or required fees		Room Rate	Board Rate	Combined Room and Board
	Resident	Non-Resident			(7-day unless footnoted)
WEST VIRGINIA					
Bluefield S. Col.	230(222)	980(822)			
Concord Col.	240	990(840)	482(334)	519(482)	1001(816)
Fairmont S. Col.	140	665	324(288)	540	864(828)
Marshall U.	262(244)	1076(868)			514(476)
Shepherd Col.	131(122)	506(422)	320(288)	608(540)	928(828)
West Liberty S. Col.	132	582	500(414)	539(504)	1040(918)
West Virginia Ins.	257(243)	1007(843)	370(324)	669(504)	1040(852)
W. Virginia S. Col.	325(250)	1000(850)	414	558	972
WISCONSIN					
Stout S. U.	484(428)	1490(1358)	486(434)	544(486)	1030(920)
Wis. S. U. Eau Claire	484(430)	1490(1360)	465(440)	440	905(880)
Wis. S. U. La Crosse	490(446)	1840(1796)	432	458	890
Wis. S. U. Oshkosh	490(406	1496(1336)	435(425)	500	935(925)
Wis. S. U. Platteville	460(440)	1496(1370)	460(440)	490	950(930)
Wis. S. U. River Falls	486(432)	1491(1365)	444(420)	498(468)	942(888)
Wis. S. U. Stevens Pt.	482(421)	1488(1351)	450(430)	489	939(919)
Wis. S. U. Superior	490(436)	1496(1366)	460(420)	500(468)	960(888)
Wis. S. U. Whitewater	495(406)	1500(1336)	480(440)	520(456)	1000(896)

Footnote:

1 Does not count as an increase because of a change from 2 semesters to 3 quarters.

PLANS TO INCREASE FEES

Senator INOUYE. Do you have any plans to increase your fee?

Dr. COOKE. Our fee has always been a student cooperative fee set by the students. I recommended to them in 1970 that it be increased to $50, but 1970 was a bad year, you might say, and it was not agreed by the students to increase it to $50. There is a recommendation for an increase, at least an increase beyond $35 to a higher figure. But that has always been a student cooperative fee set by the students, and it is not one set by the president or the administration.

Senator INOUYE. I gather that nationally this is not a good time for teachers and that teachers are having difficulties in finding positions.

Are your graduates having any difficulty?

Dr. COOKE. Our graduates are not finding difficulty in locating positions. We have a member of the staff of the office of the dean of students who has the major responsibility of placement, and he could place the students all over the United States. We have had as many as 90-some school districts recruit at the District of Columbia Teacher's College, either in person or by letter with, I think, 15 of them coming actually and sitting down on the campus from New York and from Wisconsin, from Pittsburgh, trying to recruit our students to teach in those school districts.

Our problem is not finding them places; the places are there. Our problem is persuading the graduates to leave the metropolitan area of Washington, D.C., where many of them feel that this is where they could work. They get jobs in Prince Georges County, Prince William County, Va., and Montgomery County, as well as in Washington, D.C. The problem is no longer a question of finding them jobs; they can get them. The problem is getting them to leave the city.

Another aspect of placement which assures us that students finishing the District of Columbia Teachers College will get jobs is that the recruitment today is from HUD, recruitment from the Labor Department, recruitment from Civil Service in the Teachers College. They say the kind of preparation we give them is such they would welcome a graduate even though they are called teacher-education graduates, in many of our Federal establishments and in the District Government.

TEACHING LOAD OF FACULTY

Senator INOUYE. What is the standard teaching load of your full-time faculty members?

Dr. COOKE. Twelve semester hours. That is, generally, four courses of three semester hours each. A standard load is 12 semester hours. This semester, which is a spring semester, 12 semester hours. The previous semester, the fall semester. The summer is voluntary.

Senator INOUYE. It would be about the same as Federal City College?

Dr. COOKE. That is the standard requirement, more or less, for the metropolitan area, but some of the institutions are moving to nine, and for graduate training, many of them are at 9 semester hours.

Senator INOUYE. You have been accredited for 10 years?

Dr. COOKE. We have been accredited since 1943.

Senator INOUYE. But the review period of accreditation is for the next 10 years?

Dr. COOKE. That is right through 1981.

Senator INOUYE. Is there a possibility of losing this accreditation?

Dr. COOKE. There is no possibility of losing the accreditation through 1981 as long as the college continues to exist. However, the Middle States did ask us to report two things to them for their information: (1) How we were coming along in improvement of physical facilities, and (2) the financial support of the college.

I would not like, Senator Inouye, for you to conclude there is no danger of losing and, therefore, there is no reason to consider our need. And I do not think you will, sir.

Senator INOUYE. I just wanted to learn if the accreditation for the next 10 years could be endangered if the Congress took any adverse action.

Dr. COOKE. It would not be endangered. But I must report in 1973 the two items I mentioned, physical facilities and financial support of the institution.

Senator INOUYE. Thank you, sir.

FEE FOR LABORATORY COURSES

Chairman ELLENDER. Reverting back to your $35 fee; how do you take care of the breakage that takes place in your laboratories?

Dr. COOKE. We do have a laboratory fee.

Chairman ELLENDER. Aside from this?

Dr. COOKE. In addition to the $35. We also have fees for the foreign language and the speech laboratories.

Chairman ELLENDER. Aside from the $35?

Dr. COOKE. That is right. So, a student might pay $42; he might pay $37; he might pay $40. But the basic fee is the $35 cooperative fee, plus possible lab fee for breakage.

Chairman ELLENDER. In addition?

Dr. COOKE. In addition.

Chairman ELLENDER. And the $35 goes to the paying of general expenses of the college?

Dr. COOKE. That is right. But the prime use of the $35 really has been to compensate students who work in the institution and in the community. The college has never had a secretary for any of the divisions; have never had a secretary for any of the nine divisions. So, we use student labor, and actually, the money from the fees has been used rather steadily to pay students to provide secretarial services for the instructional faculty.

Chairman ELLENDER. Thank you.

Senator INOUYE. Thank you very much, Dr. Cooke.

Once again may I commend you for your leadership for a fine institution. May we assure you everything will be done to see the old institution continues to grow.

Dr. COOKE. Thank you very much.

Mr. SWINDLER. Mr. Chairman, one more thought—I am sorry. It did occur to me that Congress could play an instrumental role in losing our accreditation since we remain the only 4-year accredited institution of higher education in the District. And if we were to be consolidated with an institution not having it, we would lose it. They would not gain it.

(Information subsequently provided by D.C.T.C. follows:)

Reactions of Recruiters to Senior Students of the District of Columbia Teachers College

1. Academy-Glasgow School
Cambridge, Maryland

"We were very favorably impressed by the caliber and personal qualities of the people we had the pleasure of interviewing. Your representatives seemed quite concerned not only about teaching, but they possessed a genuine interest for children, we were especially impressed by the Physical Education majors in this regard."

W. Roger Beckwith
Kenneth Gerlach
Recruiters

February 8, 1972

2. Webster Central School
Webster, New York

"Our visits with your students provided several fine learning experiences for us and we consider the time we spent on your campus to have been a most valuable investment."

David P. Cole
Principal

February 25, 1972

3. Arlington Public Schools
Arlington, Virginia

"The entire day was most rewarding to me personally as well as professionally. All of the prospective teachers interviewed showed evidence of being well prepared with dedication and enthusiasm for the profession."

J. Elmer Turner
Assistant for Recruiting

Schedule for Recruiting at
District of Columbia Teachers College February - April 1972

1. New York City Public Schools. Friday, February 4, 1972.
   (10 a.m. - 4 p.m.) Wilson Lounge.

2. Dorchester County, Md. Monday, February 7, 1972.
   (10 a.m. - 4 p.m.) Wilson Lounge.

3. Camden, New Jersey. Monday, February 7, 1972.
   (1 - 5 p.m.) Room 29W.

4. Montgomery County, Md. Wednesday, February 9, 1972.
   (9 a.m. - 5 p.m.) Wilson Lounge.

5. Baltimore County, Md. Thursday, February 10, 1972.
   (9 a.m. - 5 p.m.) Wilson Lounge.

6. Kent County, Md. Friday, February 11, 1972.
   (10 a.m. - 5 p.m.) Wilson Lounge.

7. Akron, Ohio. Thursday, February 17, 1972.
   (10 a.m. - 4 p.m.) Wilson Lounge.

8. Webster, New York. Friday, February 18, 1972.
   (9 a.m. - 5 p.m.) Room 29W.

9. Arlington, Virginia. Tuesday, February 29, 1972.
   (10 a.m. - 4 p.m.) Wilson Lounge.

10. Washington County, Md. Tuesday, March 7, 1972.
    (10 a.m. - 4 p.m.) Wilson Lounge.

11. Prince Georges County, Md. Thursday, March 9, 1972.
    (10 a.m. - 4 p.m.) Room 29W.

12. Newton, Massachusetts. Wednesday, March 15, 1972.
    (9 a.m. - 5 p.m.) Room 29W.

13. Kingston, New York. Wednesday, March 15, 1972.
    (1:30 p.m. - 5:30 p.m.) Room 18W.

14. Columbus, Ohio. Thursday, March 16, 1972.
    (9 a.m. - 5 p.m.) Wilson Lounge.

15. Charles County, Md. Tuesday, March 21, 1972.
    (10 a.m. - 4 p.m.) Wilson Lounge.

16. St. Mary's County, Md. Wednesday, April 12, 1972.
    (10 a.m. - 4 p.m.) Wilson Lounge.

17. Prince Georges County, Md. Wednesday, April 19, 1972.
    (10 a.m. - 4 p.m.) Wilson Lounge.

18. Howard County, Md. Monday, April 24, 1972.
    (10 a.m. - 4 p.m.) Wilson Lounge.

SUBCOMMITTEE RECESS

Senator INOUYE. The subcommittee will stand in recess until 2 o'clock this afternoon.

Our first witness this afternoon will be Dr. Cleveland Dennard, the president of the Washington Technical Institute.

He will be followed by Mr. Joseph Cole, Director of the Recreation Department; and we also hope to hear the Department of Highways and Traffic.

(Whereupon, at 12:15 p.m., the subcommittee was recessed, to reconvene at 2 p.m., the same day.)

(AFTERNOON SESSION, 2:00 O'CLOCK, WEDNESDAY, MARCH 29)

DISTRICT OF COLUMBIA

WASHINGTON TECHNICAL INSTITUTE

STATEMENT OF DR. CLEVELAND DENNARD, PRESIDENT

ACCOMPANIED BY:

DR. SATISH PAREKH, VICE PRESIDENT FOR RESOURCES MANAGEMENT
LELAND J. BARROWS, EXECUTIVE ASSISTANT
CLAUDE A. FORD, DIRECTOR OF PLANNING AND DEVELOPMENT
MRS. FRANCES GREEN, BUDGET OFFICER, WASHINGTON TECHNICAL INSTITUTE

INTRODUCTION OF STAFF

Senator INOUYE. The subcommittee will please come to order.

This afternoon we will continue with the Washington Technical Institute.

Our first witness is Dr. Cleveland Dennard, president of Washington Technical Institute.

Dr. DENNARD. Thank you, Mr. Chairman. I would like, if I may, to introduce the members of our staff who are present today.

On my right is Dr. Satish Parekh, vice president for resources management; to his right is Mrs. Frances Green, our budget officer. On my left is Mr. Claude Ford, director of planning and development, and to his left is Mr. Leland Barrows, the executive assistant.

Senator INOUYE. Please proceed, sir.

Dr. DENNARD. Mr. Chairman, I have a brief statement to make.

RESOURCES REQUEST OF INSTITUTE

Mr. Chairman, submitted herewith is the fiscal year 1973 resources request of the Washington Technical Institute.

The carefully delineated estimates reflect the requirements for enrolling a 2,600 FTE student body in our 5th year of operation and for maintaining the level of activity authorized in fiscal year 1972.

Academic year increases of $1,347,200 and no new positions are requested in operating funds to meet mandatory requirements. The enrolling of a 2,600 FTE student body in our 5th year of operation and highly motivated faculty, staff, and management will assure that each student enrolled receives maximum opportunity to prepare, upgrade, or retrain for skilled, technical, or professional employment.

Cost estimates reflect comparable factors that are normally found in public institutions of higher learning.

Our request today, Mr. Chairman is in support of the Mayor and City Council's efforts to respond to the critical revenue constraints

of the District. The planned orderly growth of the District's polytechnic institution is experiencing a setback due to the austerity of the fiscal year 1973 budget.

Request for capital funds for permanent campus development, including the orderly relocation to the new site in time to make available to the Department of State the presently occupied site of the temporary campus, is not under consideration at this hearing today.

I am delighted to have the opportunity of presenting the Institute's request and will be pleased to answer any questions that you may have.

ACCREDITATION OF THE INSTITUTE

Senator INOUYE. I would like to open my inquiry by congratulating you and the Washington Technical Institute for the accreditation.

Dr. DENNARD. Thank you.

Senator INOUYE. It is a great achievement. It speaks highly of the leadership you have provided for the Washington Technical Institute.

At this time, without objection, I would like to submit for the record an article which appeared in the Washington Post, March 27, 1972, entitled: "City College Writes A Success Story."

It is a fine article, and I think all of you should be very pleased with what it says.

(The article follows:)

THE WASHINGTON POST, March 27, 1972

Technical Institute's Aim: Jobs

City College Writes a

By Andrew Barnes
Washington Post Staff Writer

Working singly or in twos and threes, the young men stand at the electronic benches. Their eyes shift from the oscilloscopes, down to adjust the circuit boards, and up again to check the vivid green patterns on the scopes.

There are 12 students in the lab at Tech—Washington Technical Institute. The concentration is total. Instructor John Luther moves from bench to bench, checking, answering a question.

The purposeful, competent work of the students is partly explained when Luther says the majority already hold jobs in the electronics field.

Robert Stroud, for instance, might sound like the traditional college leader: student government association vice president, guard on the basketball team (16-2) in the past season, good student record.

But, like four out of five Washington Tech students, he also holds a job. Five days a week, from midnight to 8 a.m., Stroud is an electronic repairman for the Postal Service. He is 32.

Work is the constant theme at Washington's 4-year-old vocational college, created by Congress at the same time as Federal City College, the liberal arts institution.

"Our mission is pretty clear," says president Cleveland L. Dennard. "We want people who can compete for jobs."

Stroud describes his decision to go back to school a half-dozen years after completing Chamberlain Vocational High in southeast Washington this way: "I found out I didn't know enough."

Since his decision to again pick up the electronics he had dropped after Chamberlain, he has gone from level 5 ($7,822 yearly starting pay) to level 10 ($11,420 starting) at the Post Office. Many of his former coworkers, clerks and carriers, have not gone up in grade.

Advancement is not his only satisfaction. He talks too about the pleasure of "just personal knowledge."

Since Washington Tech was started, Stroud says, "people who didn't have the opportunities then, they have them now."

Courses are offered in the technological aspects of aerospace, business, engineering, environmental science, public administration and health science.

Special community programs reach Spanish speakers, high school dropouts, and others; another branch of the college teaches career advancement courses to employees in city and federal agencies such as police, firemen, the Department of Transportation, and many others, as well as private firms.

Because of these various programs, and because so many students are taking a few courses while they work full time, it is hard to say just how many students Tech has enrolled, but the current figure is about 2,900, 2,000 of them full time.

This June the college expects to have 448 graduates. Last year's figures, displayed on a briefing room board down the hall from Dennard's office, where he goes to describe the college, indicate that of 231 graduates, 196 got jobs, 97 sought further education, and

54 in fact went on to further education immediately.

The college offers the Associate of Science as its basic degree on completion of six quarters of work. A certificate of completion also is given, and a bachelor's degree in educational technology will be given to the first group of four-year students this spring.

The Tech student is older than usual, with an average age of 25. Because so many work, nearly half the sudents attend at night. Many have dependents.

At registration for the winter quarter, three-quarters of the students identified themselves as Afro-American, about 3 per cent as Caucasian, with the rest including African, American Indian, Caribbean, Oriental, Spanish surname, and a substantial group (10 per cent) identifying themsleves as "other."

Almost all are from D.C., with northwest residents the largest group, 40 per cent, followed by 31 per cent from southeast, 25 per cent from northeast, and 2 per cent from southwest.

The campus is set up temporarily in old National Bureau of Standards buildings on Connecticut Avenue at Van Ness Street. Planning is nearly complete for a new campus on the northern half of the same site.

Already the temporary quarters are filled with the sleek, expensive machinery necessary to instruction in modern technologies.

In the basement of Building 7, for instance, where the engineering detechnology—the skills needed to measure how deep and what kind of foundation an office building, or a metro tunnel will need—there is a machine called "the universal," which can pull with enough force to test structural steel, and push with enough force to crush rock.

> *"I really want to see some students come out of here, who, if they want to go into Anacostia or Shaw and build high rises, have the management skills to build them; have the fiscal understanding of what you have to talk with Joe Barr about at American Security or Mr. L. A. Jennings about down at Riggs, to get the resources to go and renew a community; and have the confidence and the capability to pour the concrete footings, determine what the concrete mix ought to be, know what the strength of the building ought to be, and get in there and do it."*
>
> —Cleveland Dennard
> President, Washington Technical Institute

There are drying ovens, shaking drums, delicate balances and small rooms that do nothing but keep soil samples damp until they can be tested.

Much of the equipment will be moved to the new facilities, which Dennard says will cost $100 million. Money to begin construction is already appropriated.

The apparent smoothness with which Washington Tech has begun its pro-

grams, been accredited (last December) and begun its permanent campus is in sharp contrast to the combative public turmoil that has characterized Federal City.

"Our objective is to create the institution, not the rhetoric about the institution," says Tech President Dennard. While Federal City president Harland Randolph has repeatedly said about the same thing, his college's course has been rougher.

Dennard comes back several times during an hour's coversation to the importance of getting a new institution's house in order first:

"You've go to have a core that's easily identifiable, for everyone, and be honest enough to describe" just what that core is.

To define the core of Washington Tech, two surveys were made. One found out what industries are really growing in the Washington area. The other asked high school students, and their parents, what courses they wanted to study.

The two sets of answers were largely the same. Most students wanted jobs in the fields where jobs were expected to become available. This was the basis for setting the Tech program.

Seventy per cent of students are in "applied technologies," and most instruction is "hands on." This is the jargon of the trade for teaching people the jobs of a machine-oriented world by letting them do it themselves, not just hear a teacher talk about it.

"We don't mean for menial kinds of jobs," Dennard emphasizes.

Because the student body is largely black, fields that are highly unionized were intentionally avoided, Dennard says. ' 'We don't have time to get involved in rhetoric. We don't have time to fight incidental battles when our mission objective is to create an institution" that will have 8,000 pupils and get congressional appropriation of $100 million.

"We'll battle our own wars on who gets into a piece of our action."

Dennard's views on the college's relationship to the community have a similar down to earth quality:

"To me, there is a need for . . . sophisticating our understanding of what the community's critical needs are . . . You have got to have the intellectual resources and the dollar resources to impact anything.

"There is so much rhetoric about what happens to the graduate of the poor schools in the District of Columbia. That alone is sufficiently depressing to convince someone that there is really no need to do anything substantive; just 'put it together and serve the people.'

"We're not really missionary-oriented in the sense that we're looking for great do-gooders who want to help the downtrodden deprived. You know, we want people with competence."

Some students have had a hard time fitting in:

"When he gets into the class he finds out that nobody's rapping about how hard it has been, nobody's rapping about all the problems, because you might sit in one class and find black, black, black, but this black is from East Africa, this black is from northern Africa, this black is from southern Africa, and all the other blacks are from someplace else."

Dennard says the college has had to recruit among high school seniors, and will have to continue doing it, at least in part because schools are unaccustomed to thinking in terms of specifically vocational training.

And there is a certain amount of sorting out for students who enroll in

a program and then find it is not right for them.

Professor John Lemmer is coordinator of computer programs. People arrive in his classes because they have heard about computers in radio ads, or from their friends, but have little idea what it might be to write a computer program. They "realize they can't hack it" and switch programs or drop out, according to Lemmer.

Those who stay get a solid grounding, and the price of $30 a quarter is not in the same league with private training programs.

Lemmer's classes, which average about a dozen, are taught in the traditional teacher explaining and questioning, student responding fashion, but there is a good deal of encouragement and help.

"It's going to look complicated, but it's not," said Lemmer to his class in Fortran, as he wrote a series of symbols on the board that did indeed look complicated.

The best students, Lemmer feels, "are the ones who work. Some of the others try to play Joe College."

The only visible Joe College is in the Falcon Inn, the student cafeteria, where a dozen or so young men on a recent afternoon spent an hour or more moving from table to table performing elaborately choreographed soul handshakes, making mock threats to each other.

Another dozen or so people were studying while they ate.

One problem the college has to handle is the student who is unprepared for the courses he wants to take, often because he does not know enough mathematics or other basic science.

While avoiding anything specifically called a remedial program, the college offers basic courses, and relies extensively on teaching machines for basic subjective catchup.

The media center is equipped with dozens of machines, and most classrooms are linked by closed circuit television. On several recent visits, the media center did not appear to be heavily used.

Teaching programs to help Tech students with their particular basic skill deficiencies are being written at the college, and the work is not very far along yet, Dennard said.

Students themselves will deal with the problem, according to Professor Philip L. Brach, chairman of the engineering department. They will either switch to a program they can handle, or pull back from a degree program to a certificate program.

The soils lab has taken over testing for the District of Columbia, a job that used to be done by the Bureau of Standards.

Angel Figlia is a technician who has been doing soils testing since 1941, when he got out of high school in New York and "filled out an application for a government job."

He was sent to the Bureau of Standards, saw what soil testing consists of, and that he was totally unprepared. He remembers saying to himself: "I can't be this stupid." He took courses at the old Central High in physics, math and chemistry, got a lot of help from his coworkers, and learned the job.

Far from boosting his own school of hard knocks, he is full of praise for the Tech program. "The opportunity is here for them. There is no one else to get is for you but yourself. These boys," Figlia looks in through the doorway at the class silently calculating a problem in soil compaction, "are way ahead of us at this stage of the game."

STUDENT JOB PLACEMENT

Senator INOUYE. Dr. Dennard, what is the job placement situation for your students this year?

Last year, if I recall, you suggested that about 84 percent of the graduates were placed in jobs.

Dr. DENNARD. That is correct, Mr. Chairman. Our followup information for this year indicates it is down to 81 percent.

Senator INOUYE. Do you have any explanation for the decline of 3 percent.

Dr. DENNARD. We think the decline is probably due to a larger percent of the students continuing with their education rather than the condition of the economy.

Senator INOUYE. Well, I know I speak for my fellow committee members, when I say "Congratulations on a job well done," and I have no questions.

Please be assured that your requests will be given our very serious consideration.

Dr. DENNARD. Thank you very much, Mr. Chairman.

RECREATION

RECREATION DEPARTMENT

STATEMENT OF JOSEPH H. COLE, DIRECTOR

ACCOMPANIED BY:

EDWARD H. THACKER, DEPUTY DIRECTOR
ROBERT FLEMING, ADMINISTRATIVE OFFICER
MISS WILHELMINA MARSHALL, DEPUTY ADMINISTRATIVE OFFICER
EDWARD B. WILLARD, DIRECTOR OF MAINTENANCE, DEPARTMENT OF RECREATION

JUSTIFICATION OF REQUEST

Senator INOUYE. Our next witness is Mr. Joseph Cole, Director, Recreation Department. He will justify a request for the Department in the amount of $13,885,800.

Mr. COLE. Mr. Chairman, I would like to introduce the witnesses with me.

On my right and your left is Mr. Edward Thacker, the Deputy Director of the Department; on his right is Mr. Robert Fleming, our Administrative Officer.

On my left is Miss Wilhelmina Marshall, the Deputy Administrative Officer in Charge of Budget, and Mr. Edward Willard, Director of Maintenance.

I have a very short statement, Mr. Chairman. It would be my pleasure to quickly read it.

It is my pleasure, Mr. Chairman, to appear before your committee to present and justify the Department of Recreation's 1973 requested budget increases to support the rapidly growing recreation and leisure interest and needs of our citizenry.

I express my sincere thanks to you, Mr. Chairman, and to the members of your subcommittee for the support given to the Department's requested and needed increases in the past fiscal year. The actions taken by your committee have done much to improve the quality of life for those whom we serve, this being especially true for our children, youth, and young adults. A well-organized, managed, supported and operated recreation and leisure program in any urban community contributes greatly to the health and well-being of the citizenry. Provision of public recreation programs and services by our Government and participation in these programs by our citizenry improves and enriches the quality of life for all concerned, physically, socially, culturally, and mentally. A potent factor in any urban community, to keep its city lively and responsive to urban living, is its capability to provide a varied and comprehensive recreation and parks program.

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The major thrust and goal of the Department of Recreation, as required in Public Law 534, 77th Congress 1942, is to provide wholesome, comprehensive and varied programs of recreation and leisure to service our citizenry of all ages, from preschool through senior citizens. We, likewise, plan, organize, and operate special recreation programs for the mentally retarded, the mentally ill, the blind, and the handicapped. We focus and place special emphasis on socially maladjusted youth and young adults through our well-known and well-accepted roving leader program. In our youth gardens program we focus on improving the quality of our environment.

OPERATING INCREASES FOR FISCAL 1973

Mr. Chairman, the Department of Recreation's requested fiscal year increase for operating cost is $1,762,800. This request represents mandatory items in the amount of $1,738,800. The remaining balance of $24,000 is for workload requirements. The mandatory items include:

$139,100 for within-grade advancements;

$529,800 for pay increases;

$399,500 for annualization of positions authorized in fiscal year 1972, and

$670,400, which includes cost for 46 new positions and related costs, such as supplies, equipment, utilities, and telephone, to operate new recreation facilities to be opened in fiscal year 1973.

Our programs and services are carried out in 165 recreation centers and playgrounds of various sizes and complexities. Operation of our programs and services is in public schools, primarily where recreation facilities are built into the school building, National Capital Housing Authority community buildings and in recreation centers directly under control of the District of Columbia Government. In addition, we now operate 16 large outdoor swimming pools, one natatorium, three year-round indoor pools in school buildings and 15 smaller walk-to-learn-to-swim pools for children ages 2 through 12. In addition to the year-round centers, playgrounds and swimming pool operations, the Department operates 19 day camps, 10 tennis day camps, and one resident camp, now underdeveloped, in Scotland, Md., on the Potomac River near Point Lookout, Md. We also operate programs for the mentally retarded and the physically handicapped though a great more needs to be done in this area of services.

Mr. Chairman, from the very beginning of our fiscal year budget preparation, we involve organized and recognized community groups so that they may address themselves to their neighborhood and community recreation needs. Priorities of needs are then prepared and requested as required. We provide a Mobile Recreation service through use of our Showmobile, Skatemobile, Craftsmobile, Rolling Stage, Music Wagon and fun wagons.

We have an authorized staff of 683 positions, including General Schedule and Wage Board, to carry out the administrative, supervisory, recreation leadership and maintenance functions in the Department.

We have good cooperation and support in planning and operation of programs with other city and Federal agencies. The agencies included within the District of Columbia Government are the Mayor's Youth Opportunity Services, Department of Human Resources, Department

of General Services—planning, Police and Fire departments, through their youth services programs, District of Columbia public schools, Department of Highways and Traffic and many others when called upon to coordinate their capability for support of our programs. At the Federal level, the National Park Service, the Department of Labor, and the Department of Health, Education, and Welfare are our primary contracts although other Federal agencies stand ready to lend their support and cooperation when requested.

The next page I would like to stress, Mr. Chairman, because it focuses on one of our areas that we definitely must strengthen, and we are trying to do it through the budget requested here.

NEED TO DEVELOP MAINTENANCE CAPABILITY

One of my greatest concerns today, Mr. Chairman, as my budget request for 1973 increases reflect, is the urgent need to develop our maintenance capability in manpower and equipment to perform an adequate maintenance service on our highly valued properties, and the need to maintain our operations for good quality programing. My focus at this point, Mr. Chairman, is on our request for authorization to convert 44 temporary maintenance positions to authorized permanent positions by way of redirection from available funds now in our base in the amount of $259.3. If this request is granted, Mr. Chairman, together with my other requests to meet mandatory needs in all areas of maintenance, we would then be able to do a far better job in all areas of maintenance than what we now have the capability to do. The number of maintenance positions and equipment transferred to the Department of Recreation from the National Park Service in July 1970, for us to perform our own maintenance, was totally inadequate to perform a creditable and acceptable level of maintenance for our operations. I will soon be faced with a large number of sizable park areas for recreation purposes that will be transferred to the District of Columbia from the National Park Service. It is well over 550 areas already that have been identified for recreation and park purposes which may be turned over to us very shortly now by action of the City Council and the Mayor in agreement, of course, with the National Park Service.

My equipment for the most part, Mr. Chairman, is surplus and old. Our maintenance staff which we now have is doing all within their power and strength to perform at their very best.

Mr. Chairman, I kindly request that in the review and markup of our Department's budget request that utmost attention be given to our urgent need to strengthen our maintenance force.

In administering and managing the Department's appropriations, every realistic effort is made to control and audit expenditures and at the same time provide and maintain a level of acceptable and quality program services for those whom we serve. Absorption of mandatory cost is our greatest problem in the budget operations.

We are very cognizant and knowledgeable of the fact that a great deal more needs to be done to provide for and to improve the quality of recreation services for the citizenry of the District of Columbia. With the continued help of the congressional committees, Mr. Chairman, we can, together, make life more meaningful for our children, youth, adults and senior citizens.

I certainly would like to thank you, Mr. Chairman, for this opportunity.

PEOPLE PARTICIPATING IN RECREATION PROGRAMS

Senator INOUYE. Thank you very much, Mr. Cole.

How many people have benefited from this program?

Mr. COLE. We have services, Mr. Chairman, that is what we have. We do not have a headcount. In services, we have serviced over 16 million people in the entire program for the fiscal year.

Senator INOUYE. Sixteen million?

Mr. COLE. Sixteen million services. By that I mean there is no national formula that actually can give us a head count by number. What we do is take a peak count. It is possible a child or a youth could participate in archery and lacrosse, say, in a morning program, and then come back and participate in a ball game in the afternoon, which means he would be counted twice as a service. That is the best figure I can give you, in terms of persons served, in services.

Senator INOUYE. In your various programs, how many mentally and physically handicapped people are involved?

Mr. COLE. There were a little over 300 in the programs for the mentally retarded and over 175 being serviced at one location right now for the youth. About 175. All told, we have with the blind at the Banneker Community Club, roughly, about 600 or more being serviced.

Senator INOUYE. In the 1972 appropriations bill, Congress limited temporary positions to 5 percent of the personnel cost. I noted that your Department had a lot of temporary personnel. How were you affected by this limitation?

Mr. COLE. Part of it, Mr. Chairman, under temporary personnel, is in the maintenance area. We have a great deal of difficulty with the handling of temporary personnel, in that we have to receive authorization each time when it is necessary and essential to put them on—and I am speaking now of the maintenance people—to perform the maintenance jobs that we need done.

For example, just recently, in the need to get the swimming pools ready for May 27 openings, it took quite some time to get the authorization to move ahead and to get these people on, and also to prepare our ball fields and other play areas for the early spring leagues and things of this nature, and our tracks for running, as well as other facility needs.

Now, in temporary positions on the other hand, if you are referring to what we call per diem leadership which are not classified employees, we get into great difficulty in this particular area.

TEMPORARY EMPLOYEES

Senator INOUYE. You have had a lot of temporary employees during the summer. How were they affected?

Mr. COLE. They were not affected, Mr. Chairman, by the limitation because of the need to put on additional staff in the summer, we received appropriate authorizations to put these people on.

Senator INOUYE. Last year, it was suggested that the city should look into the feasibility of combining your activities with that of the Youth Opportunity Office.

What are your thoughts on this?

Mr. COLE. If I can get a clarification, first, Mr. Chairman, I think there were certain aspects of the program—I believe it was the Roving Leader Program that was the one that was looked at as a possibility of merging into the Youth Opportunity Office, because the impetus and focus of the Youth Opportunity Service Office was to deal with juvenile delinquency programs.

But if we are speaking of the entire program of the Department, I would be definitely against that. If anything, the program of Youth Opportunity Services should—especially that part that comes under the Neighborhood Planning Councils, where they deal with some aspects of providing recreation in the community, those programs should be under the Department of Recreation, for which—before 1968, those programs were under the control of the Department of Recreation, under the Neighborhood Planning Council, The Department of Recreation should not be a part of the Youth Opportunity Services program, because we are a stable and existing department, established by Congress through public law 534, 77th Congress, 1942 to provide comprehensive programs of recreation for the citizens of the District of Columbia.

POSSIBLE DUPLICATION OF EFFORT

Senator INOUYE. Are you satisfied that there is no duplication of effort?

Mr. COLE. I am not totally satisfied, Mr. Chairman, to be very honest. I do get concerned about part of the Youth Opportunity Services program particularly, the 20 Neighborhood Planning Council's operation of recreation programs which are in part funded by the Youth Opportunity Services. I believe very strongly though, in my analysis and evaluation of those recreation programs, that they could be strengthened in terms of cooperation and coordination with the Department's programs.

In some areas of the city, we have found that our staff, our recreational leadership staff at various playgrounds, and some of the area managers and assistant area managers work very closely with Neighborhood Training Councils. In this way the Councils' working in a cooperative way with us, help to strengthen the quality of recreation in the community around those particular playgrounds and this certainly is a good supplement for what may be lacking in our recreation program.

Senator INOUYE. This coordination, is that just by accident or is it a planned coordination?

Mr. COLE. It is a planned coordination, Mr. Chairman.

REPLACEMENT OF VEHICLES

Senator INOUYE. I note you have requested 15 new vehicles to replace vehicles with 60,000 miles or more.

Could replacement vehicles be obtained through military surplus depots?

Mr. COLE. That is how we obtained them, Mr. Chairman, from the very beginning, in July of 1970 and the first half of 1971. For the most part, that is the way they were obtained. Some used vehicles

were also transferred over to us from the National Park Service at the time the transfers were being made, July 1970.

I believe, to answer your question, yes it could be done, but it would put us back into the same situation where most of the vehicles that we get through the surplus have already passed the 60,000 miles of use. This would mean, that we would have to go in for a request to put them into shape in order to make them usable for our service.

Senator INOUYE. I am asking this question, because you indicated in your hearing last year that by purchasing surplus vehicles you had saved $86,000.

Mr. COLE. That is correct, Mr. Chairman. We cannot, however, continue to do this if we intend to get the quality and the capacity to provide the kind of maintenance service that is actually needed. We have had 1½ years now to really study our realistic maintenance needs. We got nothing at all from the National Park Service when we asked them for an analysis and evaluation of maintenance needs. So, Mr. Thacker, and the others sitting here at the table with me, together, made an analysis and a study of our actual needs for maintenance.

We have come up with a more realistic and a sounder analysis for maintenance needs than what we could have gotten from the National Park Service at the time of the maintenance transfer.

With the increased maintenance load that we positively know we are going to receive with the transfer of over 500 and some odd park lands to be maintained, our present maintenance capability to this required maintenance workload will really place an impact on the department and, really, Mr. Chairman, we must be geared up to deal with what we now have and with the transferred sites. We are, as in other cities, heading toward a city recreation and park department. We are watching this very closely, because I can see we are heading in this direction.

I think that Washington, D.C.—in fact, I know, having attended the Urban Conference with the 20 largest cities represented, in New York, about the last part of February—that Washington, D.C. and San Diego are about the only two cities remaining in the United States, among the large cities, which only have a Department of Recreation. Practically all other large cities have a Recreation and Parks Department.

Senator INOUYE. Are you suggesting that you did not save $86,000?

Mr. COLE. Yes, we did save $86,000 because the money was not made available for us to purchase any new equipment in the amount of $86,000.

Senator INOUYE. Don't you wish to make the same type of saving again?

Mr. COLE. We wish to make savings, Mr. Chairman, wherever we possibly can. We believe it would be a savings to us to have the 15 newer vehicles. It is hard really to measure, but it would provide us with a greater capability to do more of the preventive kind of maintenance on our playgrounds and parks, and, in so doing, it would reduce other costs, I believe, in this direction there would be a savings in the long run or over the years.

Senator INOUYE. Doesn't the Department of Highways maintain the vehicles?

Mr. COLE. The Department of Highways maintains our vehicles at, I think we call it, the second and third level echelon. We have two mechanisms in our maintenance program, one in the north area and one in the south area. We can change tires and we can change batteries, fan belts, and things of this nature, but we are not permitted, although we have the capability in some areas, to do more than just a first echelon maintenance with the experienced mechanics we have.

NEED FOR ADDITIONAL MECHANICS

Senator INOUYE. We have received communications suggesting that if you had an additional two or three mechanics who do normal or light maintenance work, you could have saved a lot of time and a lot of money.

Mr. COLE. That is correct. That is exactly what I was referring to in my last statement.

Senator INOUYE. But you have no request for additional mechanics?

Mr. COLE. No, we do not in this budget, Mr. Chairman.

I was just advised that, that was not a mandatory requirement and we were trying to follow the directions of the budget office directive for preparing the 1973 budget. It was not mandatory.

Senator INOUYE. I think if we were going to save money, this might be a good way to do it.

Mr. COLE. It is, Mr. Chairman; I would agree with you.

Senator INOUYE. I notice Mr. Airis is here.

Mr. Airis, do you think, if the Department of Recreation had two or three additional mechanics they could save time and money in servicing the vehicles?

We have received complaints about delays, due to having to replace tires and so forth.

Mr. AIRIS. Well, Mr. Chairman, this problem of whether you break up the maintenance echelons and do it in small garages or whether you try it centrally can be argued both ways. But my feeling [so far], after talking with Joe Cole and others, is that the driver-echelon maintenance should be performed in the smaller shops such as [Joe] Mr. Cole is doing, trying to keep five, four, three echelons in a smaller shop where you have the capability of doing it.

I am not cognizant of any of these delays you have mentioned. If they come to my attention, I will certainly straighten them out. No one has brought that to my attention. I do not know.

Mr. Cole, bear me out.

Mr. COLE. You are correct. We try to deal with this type of responsibility in our shop, without always calling the director's office.

Mr. AIRIS. If at anytime, Mr. Chairman, these delays come to pass again, I would like to be informed about it, I will do one of two things: either I will ascertain they can be handled in the shop directly and taken care of without unreasonable delay, or I will support the organization in taking the maintenance away from the central shop and giving it to them.

Senator INOUYE. We had two memos we would be very happy to share with you.

These are members from the government of the District of Columbia——

Mr. COLE. Mr. Chairman, may I add to that, the 15 vehicles which we have requested here are very difficult to get via of surplus. In fact, we found difficulty in the past in trying to get surplus vehicles of the type we have requested here and which are so badly needed.

CITY'S SWIMMING POOLS

Senator INOUYE. Under your present program, will the children of this city have sufficient facilities for swimming this summer?

Mr. COLE. Yes, sir; Mr. Chairman, sufficient with those that we have. If you mean sufficient, in so far as our having enough pools to meet all of the needs and requests and interests of the children of the city, my answer would have to be "No," at this point. But with what we have, all of our facilities for swimming will be available.

Senator INOUYE. So, you expect to open on May 27, don't you?

Mr. COLE. That is correct, Mr. Chairman.

Senator INOUYE. Why is it so late?

Mr. COLE. There was one time when pools in 1966 and years before that opened the day that school closed. It was a request that has been made, since I have been the Director of the Department, to Senator Byrd, I believe it was 1966 or 1967, for funds to open the pools on the weekend of the Memorial Day weekend. Most of the pools in the area open on Memorial Day weekends primarily because of the weather conditions. In some years it has been very warm on the Memorial Day weekend, and then there have been other years when it has been very cool, and generally prior to that time in May it is rather cool for outdoor swimming.

But I would say this, Mr. Chairman: If I could open my pools about the 15th of May, or at least on the weekends before starting around the 15th of May it would be a far better service than we have right now, but we do not have the funding capability at this time.

Senator INOUYE. Thank you very much, Mr. Cole.

Your request will be given our serious consideration.

Mr. COLE. Thank you.

Highways and Traffic

Department of Highways and Traffic

STATEMENT OF T. F. AIRIS, DIRECTOR

ACCOMPANIED BY:
R. D. WALLACE, DEPUTY DIRECTOR
GEORGE M. BOYNTON, ASSISTANT DIRECTOR FOR BUSINESS ADMINISTRATION, DEPARTMENT OF HIGHWAYS AND TRAFFIC

OPERATING EXPENSE AND CAPITAL OUTLAY

Senator Inouye. The next witness is Director of the Department of Highways and Traffic, Mr. T. F. Airis. The request for the Department is in the amount of $18,096,500.

Mr. Airis. Thank you, Mr. Chairman.

As you know, I have submitted an opening statement for the Department, including both operating expenses and capital outlay.

I would like to summarize the operating expense portion of this statement.

For 1973, the total operating expense request is $18,096,500, which represents an increase of $1.231 million. The major item included in this increase is $303,200 and 21 positions for operation and maintenance of the Center Leg Tunnel.

The Center Leg Tunnel, sir; as you know, a section of I–95, lies right in front of the Capitol. That is scheduled to be placed in operation for the public late this year or in January of next year. The 21 positions are for the operation of this tunnel, the 9th Street Expressway Tunnel which was opened for use last Christmastime, and for the tunnel section of the Southeast Freeway which runs under Barney Circle. Other major increases are $100,000 for energy and maintenance for street lights, and $122,000 for replacement construction equipment.

That is it, sir.

Senator Inouye. Your full statement will be made a part of the record, sir.

(The prepared statement follows:)

STATEMENT OF THOMAS F. AIRIS,

Mr. Chairman. I am pleased to appear before your Committee to justify the Fiscal Year 1973 budget requests for the Department of Highways and Traffic.

The total request for Operating Expenses for 1973 is $18,096,500, of which $2,186,300 is payable from the General Fund; $15,505,200 from the Highway Fund; and $405,000 from the Motor Vehicle Parking Account. This represents an increase of $1,231,000. The total Capital Outlay budget request is $12,996,000, with $331,000 payable from the General Fund and $12,665,000 payable from the Highway Fund.

Of the total increase in Operating Expenses, $303,200 is required for the operation of vehicular tunnels on the Center Leg Freeway under the Mall, the Ninth Street Expressway under the Mall, and the Southeast Freeway - East Leg connection under Barney Circle, S. E.

The Ninth Street Expressway tunnel was opened to traffic on December 20, 1971. The Center Leg tunnel, 0.6 miles long, is targeted to open to traffic in January, 1973. The Barney Circle tunnel is also targeted to open in January, 1973. In order to operate these three tunnels efficiently and safely, twenty-one additional positions, together with funds for certain automotive equipment, contractual services and electrical energy, will be required.

Other increases in Operating Expenses include $84,300 for within-grade advancements, $159,300 for classified pay act increases, and $267,600 for wage system pay increases; $100,000 for energy and maintenance for street lights; $6,000 for traffic signal energy and maintenance; $15,500 for

metered electrical service; $49,900 for additional construction equipment; $122,000 for replacement construction equipment; $10,000 for additional plastic street lines and markers; $50,400 for laundry service for employees' uniforms; $10,100 for additional uniforms; and $10,000 for development of a system for microfilming our permanent engineering records. The remaining four additional positions, at a cost of $12,800 for four months funding, include one WG-10 Automotive Mechanic, one WG-12 Traffic Signal Installer, and two WG-8 Street Sign Installers.

Our Capital Outlay request includes additional increments for the Potomac River Freeway project and the construction of Southern Avenue; the H Street, N. E. grade separation; rehabilitation of several bridge decks, including the widening of South Capitol Street Bridge; improvements to South Capitol Street; several safety improvement projects; and various types of resurfacing.

At this point, Mr. Chairman, I would like to discuss briefly the status of our overall major construction program as of this date.

First, I would like to bring your Committee up-to-date on the status of the freeway system in the District of Columbia. This regional map shows the Metropolitan Area Freeway System status in color symbols for the various stages of completion of the network.

The solid red symbol indicates segments completed and opened to traffic. Outside of the District of Columbia, these include the Capital Beltway (I-495); the Shirley Highway (I-95), which has been in use for a number of years but is now being widened to provide three lanes in each direction with two reversible flow median lanes to 14th Street Bridge; I-66 outside of the Capital Beltway and the Dulles Access Road in Virginia. I-70S in Mary-

land continues in service with widening in progress north of the Beltway. Moving eastward, the Capital Beltway widening project is now nearing completion from west of Silver Spring all the way to the Woodrow Wilson Memorial Bridge at the southern extremity of the District of Columbia. I-95 in Maryland, opened July 1, 1971, is the most recently completed freeway facility in this metropolitan area. The remaining elements of the freeway system outside of the District include, in dashed red, the portions still in the design stage; namely, I-66 and a connection between it and the completed Dulles Access Road, which will together provide high quality service between Dulles Airport and the center city. It is our understanding that although I-66 is subject to court litigation, plans are under preparation for early construction scheduling. The solid blue symbol denotes elements still in the study stages in Maryland. The alignments shown are those contained in the 1968 Interstate Cost Estimate for Routes I-70S and I-95 between the District of Columbia Line and the Beltway.

Status in the District of Columbia

The same symbols are used to delineate progress within the District of Columbia. Of the original total 29.5 miles contemplated, 10.8 miles are complete and in use. These include, within the District, the Theodore Roosevelt Bridge and a section of the Potomac River Freeway (I-66) including the connecting E Street Expressway; the 14th Street Bridges (I-95) which now includes the center bridge completed and opened to use by express buses on April 5th of last year; the Southwest Freeway (I-95) including the northbound 12th Street Expressway and the southbound 9th Street Expressway which was opened on December 20th; the Southeast Freeway (I-695) to the completed

11th Street Bridges over the Anacostia River; and the Anacostia Freeway (I-295). All of these facilities are heavily used.

Approximately 1.8 miles of the system are now under construction. These include the Center Leg Freeway (I-95 between D Street, S.W. and New York Avenue). Completion of the portion to Massachusetts Avenue is now targeted for early in 1973. A construction contract to bridge K Street over the Center Leg will be awarded shortly. A portion of the East Leg (I-295) is under construction between Interchange "C" and Barney Circle at Pennsylvania Avenue. It is also scheduled to open for traffic early in 1973.

The Three Sisters Bridge segment of I-266 is shown in the construction stage, although construction has been halted by the U. S. District Court for the District of Columbia. As I indicated to you at last year's hearing, the District Government fulfilled its responsibilities regarding the requirements of that Court Order. The U. S. Court of Appeals, by decision in October, 1971, has imposed additional requirements. The Department of Justice, Department of Transportation, and the District of Columbia Government, in response to the Appeals Court Decision, have, under date of January 17, 1972, filed a petition for a writ of certiorari in the Supreme Court. Supreme Court action on the petition is pending.

The Potomac River Freeway (I-266) along the Georgetown Waterfront is technically in the design stage. A special study commenced on January 26, 1972, to prepare a sectional development plan for the Georgetown Waterfront, which plan is to address the socio-economic and environmental impact aspects of the freeway concurrent with recommending guidelines for future land developments. The study, sponsored by the Secretary of Trans-

portation, is a cooperative effort between the District of Columbia Government, the Department of the Interior and the Department of Housing and Urban Development. It is being administered through the National Capital Planning Commission and includes significant citizen participation.

The East Leg of the Inner Loop to Bladensburg Road is also in the design stage -- work is underway to prepare for a design public hearing which is requisite to commencing construction.

The remainder of the system in the District is in a preliminary study status shown in blue. The South Leg of the Inner Loop is scheduled for a design public hearing early in May.

The other segments, i.e., the North Leg of the Inner Loop (I-66), the Northeast - North Central connections (I-70S and I-95) and the upper end of the East Leg of the Inner Loop were the subject of an additional study during 1971. This 1971 study was an exhaustive analysis of the Interstate Highway System in the District of Columbia, conducted pursuant to the 1970 Federal-Aid Highway Act which required study and restudy of these segments and a report to the Congress by December 31, 1971. The study report was prepared by a consultant joint venture of DeLeuw, Cather Associates - Harry Weese and Associates, Ltd., and associated specialists in accoustical engineering, economics, sociology, community relations, air pollution and urban landscape design. The report contained detailed data to assist the District of Columbia Government and the Secretary of Transportation in preparing their report on recommendations to the Congress.

Subsequent to receipt of this report late in November, 1971, the District of Columbia City Council conducted public hearings as a means of getting citizen views on these important Interstate segments. The District of Columbia City Council recommended the system shown before you on the

overlay and identified as System 3 in the consultant report. Mayor-Commissioner Washington's report to the Congress, submitted on December 30, 1971, endorsed the Council's recommendations. The Secretary of the Department of Transportation submitted a report with similar recommendations.

Secondly, I will comment in a general way on principal items contained in the 1973 Capital Outlay Budget.

Street Improvements and Extensions (28-1) in the amount of $2,700,000 compares with $4,086,000 authorized in the 1972 budget. Approximately $2 million in contracts have been either advertised or awarded in this calendar year to date, and the rate of obligations will be stepped up as good construction weather approaches.

Fortunately, the District has experienced a mild winter, so even though street conditions were poor, as I pointed out last year, our present pavement deterioration during the past year has been less than expected.

Nevertheless, the full amount will be needed to insure adequate street conditions by the end of this calendar year. The admonition of this Committee to better street markings will be adhered to.

Supplementary funds for work not covered by Federal-Aid funding have been included for the reconstruction of the present H Street, N. E. grade separation as an overpass (28-27) in order to complement the construction of a National Convention and Visitors Center, which was authorized by Congress some years ago. Reconstruction of the present underpass is long overdue; hearings have been held and it appears important to fund the H Street project now in order that it can proceed in consonance with the National Convention and Visitors Center project.

The South Capitol Street Bridge project (28-81) will fund bridge widening needed in conjunction with the South Capitol Street Corridor development. The Corridor development will rely heavily on bus transit. The bridge widening will permit an exclusive bus lane movement on the bridge.

Southern Avenue (28-71) is a continuation of the District's long range program to construct this segment of the District's boundary street system.

Cabin, Benning, Anacostia Freeway over Oxon Run, Connecticut Avenue and northbound 14th Street bridges (28-90), (28-95), (28-96), (28-97) and (28-87) are included as timely and essential bridge deck replacement and/or repair projects. Funding for two pedestrian overpasses are requested at the Benning Road southbound ramp at 36th Street and Suitland Parkway between Sheridan Road and Dunbar Road (28-88) and (28-98).

Lastly, we are requesting $300,000 in additional street lighting funds (28-2) which will be used to install new high intensity sodium vapor lighting in the Far Northeast, Congress Heights, Brookland, Benning Road, Trinidad and other areas as shown in yellow on the display map and also as detailed on page 37 of our Capital Outlay Budget.

It should be pointed out in this connection, that the popularity of the high intensity sodium vapor lighting as an assist in reducing crime continues undiminished.

Mr. Chairman, this statement is meant to cover budget high lights but I am, of course, prepared to discuss all other Capital budget items requested in this year's budget request. This concludes my opening statement. Thank you.

CONDITION OF WASHINGTON BRIDGES

Senator INOUYE. Mr. Airis, the Federal Highway Administration has identified 10 bridges in Washington under your jurisdiction as being critically deficient structures which need to be replaced. These are the Douglas Bridge, the East Capitol Street Bridge, the Pennsylvania Avenue Bridge, the Anacostia Freeway Bridge, Park Road Bridge, Calvert Street Bridge, Kenilworth Avenue Bridge, the Wheeler Road Bridge, the New York Avenue Bridge, and the Connecticut Avenue Bridge.

We understand you are in disagreement with the Federal Highway Administration on their designating these bridges as being critically deficient. Would you like to share your views with us, sir?

Mr. AIRIS. Sir, we are in disagreement with the term "critically deficient."

Most of those bridges have deck problems and probably will require deck replacement, and possibly some replacement of structural members, but we are in disagreement on the term "critically," meaning, I suppose, that the bridge is structurally unsafe.

We do not agree to that, and the problem is being discussed and will be eventually worked out with the Federal Highway Administration.

Senator INOUYE. Is it your view that all these 10 bridges are structurally safe at this moment?

Mr. AIRIS. Except for problems as deck surfaces and that type of thing, and possibly some safety improvements in the way of guard rails. We would agree to that much. As you know, every year we have a program of replacement of the decks and replacement of structurally needed members in bridges. It is just a case of funding and proper scheduling. I think we can handle it.

MARKING OF CENTER LINES

Senator INOUYE. In last year's Senate committee report, the following appeared:

> Several members of the committee have noted the poor quality of marking center lines and directional signals imprinted on street surfaces for which the District of Columbia Highway Department is responsible. It is felt that this situation as it exists is a safety hazard of major proportion. Therefore, the committee directs that this situation be dealt with as a matter of high priority in connection with expenditure of funds appropriated for street repair and improvements.

Have you done anything in this regard, sir?

Mr. AIRIS. Yes, we have, Mr. Chairman. The report, of course, and the budget came out in late December, and any money that is spent on street markings, either plastic or painting, in the wintertime, is largely destroyed by the following year. In other words, it is very difficult to get material of the type that will adhere to cold surfaces and wet or moist surfaces.

Now, Mr. Hartley, the Assistant Director for Traffic Engineering and Operations, has a program well organized, and as soon as the warm weather arrives and we can go full-blast on the program, you will see a big improvement. I think it will be under control.

We have taken to heart the admonition of the Senate committee, and you will see a big difference here by midsummer.

74-704 O - 72 - pt. 1 - 56

Mr. HARTLEY. We will be underway about the middle of April, sir. The problem is we need some consistent warmth for pavements; so, you will begin to see some results about the middle of April.

Mr. AIRIS. But it will be midsummer before you get an appreciable amount of work on the streets and in place.

Mr. HARTLEY. You have to replace the crosswalks and the longitudinal lines.

Senator INOUYE. So, steps have been taken?

Mr. AIRIS. Yes, sir.

PROPOSAL TO RESTRICT NIGHTTIME PARKING

Senator INOUYE. We understand you have objected to the ban on nighttime parking imposed by the Department of Environmental Services.

The plan, as you are well aware, would apply to about 60 streets and was intended to enable cleaning equipment to get to the curb. What is the basis of your objection to this proposal?

Mr. AIRIS. Sir, there is no objection on my part. The only thing I felt about the press release of the Department of Environmental Services was that it was premature and had not actually been worked out in detail.

This is the thing to do; there has long been a need here to machine-clean streets in off-hours. We have a great number of streets already, Senator, as I am sure you know, mainly on arterials and semiarterials, that already have some parking bans. There is no reason we should not go right ahead and start in the early part of the rush period and the late part of the rush period, cleaning those streets with machine equipment.

In years past, in addition to the main arterials, there have been other streets where we have worked out alternative streetside parking, where, with the cooperation of the neighborhood groups, residents would park on one side of the street for a certain number of days and then on the other side for a certain number of days. This enabled the Department of Environmental Services to clean each side on alternate days.

Now, the only thing I objected to—and I am sorry this was taken out of context—was that they had not yet done their homework. You have to have, first, the cooperation of the people in the neighborhood. You must get it, otherwise you will not accomplish anything. You, second, must have the policing power to enforce it, and the police have not yet been coordinated.

Now, we have been working with the Department of Environmental Services in marking out these streets, and, hopefully they can come out with a program we all can agree to.

Since this Department which I represent has been delegated by the Council the responsibility for putting in parking prohibitions and that type of thing, all I wanted to do was to be absolutely certain everybody had done their homework.

PROPOSAL OF DEPARTMENT OF TRANSPORTATION

Senator INOUYE. On December 28, one of our TV stations had an editorial which suggested, among other things, that all of the various

functions of the city relating to transportation come under a new Department of Transportation. What are your thoughts on that, sir?

Mr. AIRIS. Well, of course, this has been a trend in some States. Many now have departments of transportation. As a matter of fact, I think we recommended to the Nelsen Commission, who are studying the District of Columbia Government, that the Department be transformed to a Department of Highways and Transportation, much similar to the Federal Department of Transportation. If it was their finding that that was desirable, we would go along with it.

Of course, the argument against it is probably the fact that WMATA is separate, that it is a regional compact type of arrangement. Probably, the airports and rail commuter service will continue to be separate, so you will not get the full package in any event.

But, nevertheless, it does appear to have some merit.

Incidentally, I do not know what the Nelsen Commission is going to recommend.

Senator INOUYE. I am certain you are aware that my office receives all types of complaints, some from citizens because highways and streets are closed and others from contractors who cannot get their streets closed to permit them to carry out the construction work on the Metro. Was the closing of 12th Street from F Street, Northwest, northward, in conformity with the highway regulations and police regulations in the Metro contract?

For the record, please provide us with a response. We have been having complaints on this specific area.

Mr. AIRIS. May I just say a word on that, Mr. Chairman?

Mr. Wallace, my deputy, has been given one of the main assignments by me to work with WMATA, work with the merchants.

Mr. Wallace has a long history of handling contract work. He is fully acquainted with the need; he is also fully acquainted with the needs of the citizens and the needs of the businessmen. I am sure you recognize that anything as complicated as this has a lot of different facets and a lot of different viewpoints, depending on where you stand. From where I sit, I think we have done real well.

But we will be glad to amplify the statement for the record, if that is your desire, or ask Mr. Wallace to speak to it further—whatever your wish is, sir.

Senator INOUYE. If you could just provide us with some answer to that for the record.

Mr. AIRIS. All right, sir.

(The information follows:)

The Director of the Department of Highways and Traffic has jurisdiction over street closings for construction purposes.

D. C. Code 40-603 gives the Commissioner, D. C. authority to promulgate motor vehicle regulations after due notification to the public. It further provides that whenever the Commissioner, D. C. deems it advisable to make effective immediately any regulation relating to parking, diverting of vehicular traffic, or the closing of streets to such traffic, the regulation shall be effective immediately upon placing at the point where it is to be in force conspicuous signs containing a notice of the regulation. Commissioner's Order No. 68-554, dated August 16, 1968, redelegated this authority to the Director, Department of Highways and Traffic, D. C.

Prior to commencement of subway construction proven methods of operation were agreed upon between the Department of Highways and Traffic and the Washington Metropolitan Area Transit Authority. Details are contained in a Master Agreement executed and approved on November 20, 1969 by the General Manager of the Washington Metropolitan Area Transit Authority and the Director, Department of Highways and Traffic, D. C. Criteria contained in the Agreement were incorporated into WMATA contracts and contractors are required to comply with them. They were so drawn as to provide reasonable working conditions for WMATA contractors, and at the same time, provide protection for such merchant activity and traffic circulation that is found to be in the overall public interest.

Accordingly, METRO contracts contain general traffic requirements which provide for needed traffic circulation and pedestrian movement to accommodate local business as well as providing through traffic reasonable levels of service during construction.

There is no question but that construction of METRO in the business district of the city under the general traffic requirement approved in the Master Agreement is more costly and time consuming to the WMATA than if streets were closed and the contractors allowed to proceed unimpeded. If the latter policy had been adopted, many adjacent businesses would have failed to the very great detriment of the city. Therefore, it was determined by all officials concerned, at an early stage, that the city's interests would best be served by requiring decking over of streets to permit subway construction to be carried on beneath the street surface.

However, the general traffic requirements in METRO contracts do not preclude closing streets if the public needs can be met and the advantages of saving time, and consequently shortening the period of disruption while placing decking, prove to be in the public interest.

Such was the case with 12th Street, N. W., north of F Street, where it was closed on two occasions for about one week each time in order

that the decking could be installed quickly and thus restore the street as soon as possible to a condition where normal traffic activities could be resumed. The Department of Highways and Traffic received a nearly unanimous petition from the Retail Bureau of the Metropolitan Washington Board of Trade, Downtown Progress, and other individual business people in the general area of 12th and G Streets, N. W., to close 12th Street for short periods to accomplish the advantages mentioned previously. We required this concurrence of business interests in advance before agreeing to the closures proposed by the contractor.

The Department of Highways and Traffic then, and only then, agreed that the closures were in the public interest in view of the demands from the business community. However, they were not placed into effect until it was determined, through a great deal of study and coordination, that necessary traffic services could be reasonably maintained for the relatively short periods of closure that were requested.

In addition, the detailed preparations included obtaining concurrence of the Metropolitan Police Department in the plan, agreement from the Metropolitan Police Department to man all critical intersections with a traffic policeman during both rush hours throughout the closure period, clearance with the D. C. Fire Department, cooperation of bus companies in necessary rerouting of buses, extensive informational signing in advance of the proposed closings, advance press releases and TV and radio coverage. The aforementioned were considered to be the minimum requirements to effect these closures. Dissemination of information and signing was designed to alert the general public so that they could, where possible, choose an alternate route and avoid delays insofar as possible. Although some congestion occurred at certain locations on streets comprising the ncessary detours, on the whole, the closures were executed without undue impact to traffic and to the satisfaction of those who had made the initial request to close the street.

Many other street closures have been proposed by various contractors that did not have local backing, were too disruptive to traffic, or would have had other effects not in the public interest. These were denied.

In each case, however, our engineers consulted with contractor representatives on possible substitute arrangements for constructing adequate detours on public space as other alternatives that would expedite the contractor's operations. A case in point was a proposal by the contractor on the portion of the subway on D Street, between 3rd Street, N. W. and Louisiana Avenue wherein the request was to close the intersection of D Street and New Jersey Avenue for a period of thirty (30) days. This request was denied on the basis that it would have been too disruptive to traffic. However, it was pointed out by our

engineers that a short detour on public space near the intersection, if provided, would make it feasible to close the intersection. The contractor agreed to place the detour. The results were satisfactory with regard to traffic movement and the work proceeded expeditiously.

In each case, the Department of Highways and Traffic has worked closely with officials of the Washington Metropolitan Area Transit Authority on these matters. We believe that by jointly working together, the overall public interest has been served.

(A copy of the Master Agreement is on file with the committee)

RATE CHARGES FOR SERVICING VEHICLES

Senator INOUYE. I believe your Department is responsible for servicing the vehicles of most of our District of Columbia agencies. My question is: Are the rates you charge to these agencies comparable to the rates in the open commercial market?

Mr. AIRIS. Mr. Chairman, Mr. Boynton would like to answer that.

Senator INOUYE. I have here a memo which relates to this, and if I could just quote three paragraphs, then, maybe you can respond to this:

> The D.C. Highway Department paint shop does good work but there is too much lost time for us, also the expense per vehicle is greater. The cost to us from Earl Scheib to paint a half-ton pickup truck is $57. We could get the job done for $45, but they do not stock our color and all of our vehicle colors must match. They will use the same paint that the Highway uses and the Highway Department charges $216.67 to paint and make a small repair to the rear fender. Outside paint jobs run about $100 to $150 per vehicle. Time is a very important factor in our operation. The Highway Department Paint Shop has other vehicles to paint besides ours, and we have to wait our turn. In the meantime, our vehicles are sitting.

Mr. AIRIS. Well, it is a very appropriate comment. If the using agency finds they can do better on the outside, it either requires I do something to get our service competitive or we go to something on the outside.

Mr. Boynton, would you go ahead?

Mr. BOYNTON. Mr. Chairman, I have to admit we have never made an attempt to make a thorough comparison between our rates and the rates charged by outside commercial firms.

When this department was assigned the function of operating the repair shops, in 1952, legislation was passed to create a self-supporting working fund to run the operation.

Whenever we analyze and adjust our rates, usually when there has been a Wage Board increase, the primary thing that we have to consider is the necessity of remaining self-supporting. Since we do not have an appropriation to cover this, we have to keep our rates at a level which will pay all of the expenses and all of the overhead of the complete operation. That is the main thing we take into consideration in developing the rates.

USE OF OUTSIDE REPAIR AND PAINT SHOPS

Senator INOUYE. If the rates charged by your Department, as noted in this memo, are considerably higher than what may be charged on the outside, would you suggest that the procedure be changed to permit the various departments and agencies to get outside service?

Mr. AIRIS. I would like to look into it. My experience on outside work is that it is not cheap, that is, if you get repairs that are worth anything. I would like to look into this criticism. If it is legitimate, I think maybe we should alter our procedure.

Senator INOUYE. How are priorities determined when you have a backlog of work?

Is it first come first served?

Mr. AIRIS. Generally so. If somebody has a real emergency, however, I think that would be put up at the top of the list. And by no means would I agree with giving our agency, that is, the Department

of Highways and Traffic, priority and shift the others to lower priorities. That is a sure way of getting in trouble.

I might add this, sir. As you know, by your order, we took over the operation of a motor pool, and, so far, all of the results I have had, sir, have been good. Actually, we had our top man there questioning the using agencies, and, at least, his report to me is that all of them were without exception, satisfactory, and some of them were even enthusiastic.

We are furnishing the services. But the point I wanted to make is that we took over quite a bunch of cars and among those were some real clunkers. If by "maintenance," we mean running them as clunkers, that is one thing; but if you have a good running car, as I think anybody who inspects the pool now would have to admit—that those we are running are in good shape—that is something else. The latter costs more than the former.

NUMBER OF TREES ALONG CITY STREETS

Senator INOUYE. Washington has been famous as one of the best shaded cities in the United States. However, according to our studies, I fear that we may be losing our claim to this beautiful distinction.

How many trees do we have along city streets today?

Mr. AIRIS. Roughly, we carry the figure of 250,000 on the curb-line trees and approximately 100,000 back of the sidewalk.

Senator INOUYE. Is it true that we are losing about 2,000 trees a year?

Mr. AIRIS. I am going to ask Mr. Wallace, who has these figures and is well acquainted with this area and watches it constantly, to share some of the information we have in our tabulations.

Now, unfortunately, in the budget the information was furnished as it was asked for, and it does not quite give the overall picture.

Mr. WALLACE. Mr. Chairman, we lose on the average of 2,000 to 3,000 trees each year. We have been attempting through our forces—and in prior years through contract work—to plant at least as many trees as we had been losing, but in the last couple of years we have fallen behind because we have not had money for contract planting. They can plant anywhere from 2,000 to 3,000 a year, but we have to plant more to decrease the backlog of vacant tree places.

Right now, we have 3,000 vacant tree spaces in the city. You would never decrease to zero, because the trees are dying at the rate of 2,000 to 3,000 a year. So, if we reach the level of 4,000 or 5,000 vacant spaces, that is the best we can do.

Senator INOUYE. Wasn't 1969 the last year when you had your last major tree planting?

Mr. WALLACE. I believe so; yes.

Mr. AIRIS. Yes. Periodically, when we have money—and, again, as I told the Council, it is a matter of money, the priority in which you spend your money—we will go back and recoup on these trees.

As a matter of fact, I think the Council has recommended, and I think the Budget Office has recommended, that we insert in this budget some money for trees this year.

COST OF PLANTING TREES

Senator INOUYE. We have been advised that the cost of purchasing and planting trees would run from about $125 to $150 per tree.

Mr. WALLACE. That is correct, by contract.

Senator INOUYE. Why is that so high, when I had been advised that private nurseries do the same thing for less than $50?

Mr. AIRIS. These are not the same as private nurseries, sir. We put this work out for bid. But we do have a guarantee. These trees are planted, where it is difficult for trees to grow. Everything is against the street-line tree; yet, there is the guarantee that the contractor will make it grow for 1 year. It has to be put in a position where it is difficult to grow. The limit of time that the contractor can get in there and place this tree is restricted, due to other things like the traffic, the requirements of businesses. The fact is we do require about a 3½-inch caliper.

Mr. WALLACE. Around a 2½-inch caliper?

Mr. AIRIS. Not less than 2½-inch caliper, sometimes as high as three, three-and-a-half. And other requirements do make it a more costly proposition than the same nursery going out and supplying a private individual with a tree in his front yard.

Senator INOUYE. How much have you requested for this coming fiscal year to fill vacancies?

Mr. AIRIS. In the way of contract work?

Senator INOUYE. Yes.

Mr. AIRIS. We did not include anything in this particular fiscal year, but I would ask Mr. Coppie to comment on this. Due to some discussion we had before the City Council, it may be some money has been inserted in our budget. I am not quite sure how much. Mr. Coppie may know.

Mr. Coppie. Mr. Chairman, the Council does have $100,000 in capital funds for tree planting by Highways and Traffic. That request is currently under consideration by the mayor. Although it would be premature to make a final judgment on the mayor's behalf, I believe the recommendation by the Council will be honored by the mayor. The funding will be an item for final consideration by this committee in the 1973 budget request.

Senator INOUYE. How many can be planted and maintained for $100,000?

Mr. AIRIS. We have not had a contractor for the last 2 years, but I think Mr. Wallace would probably be the best man to give you an off-the-cuff answer.

Mr. WALLACE. About 600 or 700 trees.

Mr. AIRIS. And we have 8,000 vacancies today.

Senator INOUYE. If we maintain this rate of filling in at the rate of 700 per year and we are experiencing about 3,000 additional vacancies per year——

Mr. AIRIS. About 2,400.

Mr. WALLACE. It is anywhere between 2,000 and 3,000 trees that die a year.

Mr. AIRIS. Probably averages around 2,500.

Senator INOUYE. If we keep this up, we will be denuded, won't we?

Mr. AIRIS. No, sir.

Senator INOUYE. If my mathematics are correct.

Mr. WALLACE. We plant up to 3,000 and sometimes, in good years, more than 3,000 trees with our own day-labor forces. We have been supplementing this work with contract work in order to reduce this backlog of vacant tree spaces.

That would still apply. If we do some planting by contract, we would cut that 8,000 down, because we can keep up with the backlog of tree spaces with our own forces.

NEED FOR TREES IN THE CITY

Mr. AIRIS. Let me just add: We are quite cognizant of the need to keep trees here in the city, and we are doing what I think is a reasonably good job of accomplishing that.

Now, compare us to other cities; compare us to New York, for instance, or some of the other large cities.

Senator INOUYE. Mr. Coppie, would you advise this committee as to the results of the conversation on vandalism?

Mr. COPPIE. Mr. Chairman, I did talk with the Chairman of the City Council, who is vitally concerned about tree planting in the District of Columbia. He indicated during testimony delivered by Mr. Airis before the City Council that vandalism was not the primary reason for the loss of trees in the District of Columbia, that the two primary reasons are air pollution and problems associated with the water table. I am sure Mr. Airis is prepared to develop that further.

The Chairman of the City Council indicated to me—and I am authorized to say this to you—that he is as concerned as is this committee about protecting the city's trees. To the extent that regulations by the Council are needed to protect the trees, he is prepared to examine that need and to offer a regulation to the City Council.

To the extent that additional funding for the Department of Highways and Traffic is required, he is prepared to examine that need and to make the appropriate representation.

And to the extent that vandalism is a problem, stemming from lack of enforcement of current law, the City Council Chairman will also be prepared to examine that need and to make the appropriate recommendations to the police department for a more strict enforcement of existing law to protect the investment we have made in the trees in the District of Columbia.

Senator INOUYE. I hope you will keep yourself on top of that.

Mr. COPPIE. That will be done, Mr. Chairman.

PROBLEMS OF GROWING TREES IN THE CITY

Mr. AIRIS. Mr. Chairman, could I comment with a few words on that?

The matter of trees is an important matter. It is not quite as simple as vandalism and air pollution. Everything in a large city militates against a tree maintaining a long life. There is some air pollution, but it is not as tremendous as some build it up to be.

There is a problem of wind whip of small trees as vehicles pass by. There is the case of vehicles running into trees. You see, yourself,

quite a few where vehicles have run into trees. There is some vandalism, but it is not major.

There is a problem in the city of tree disease. We fight a terrific battle on spraying the Dutch elm here. We have had success on it. It is successful. We have less success in the disease of the sycamore trees in the city. As you know, on Pennsylvania Avenue here about a decade and a half ago, they were nearly all sycamores. We have lost nearly all of them.

There is a great problem caused by the drop in water table. The construction of new buildings drops the water table down from the well-established tree, and it begins to dry out, as it is impossible to go around and put holes in and take care of all of the trees in the city. It is just impossible to do.

Then there is the problem of what the utilities that are in the streets could do to trees: Sewage lines, gaslines, that have some small leakage, and other things of that nature.

It was quite heartening to me to see the interest that Councilman Willard took in the trees, because I had begun to feel that I was the only one fighting for trees in the city, that this department is the only one doing anything about it.

It is quite heartening to me, actually, sir, to see you are interested.

Senator INOUYE. I just hope we will not reach the stage that the city of Los Angeles reached when they put plastic trees on the highway.

Mr. AIRIS. So long as I am here, I think we can avoid that.

COSTS OF SNOW REMOVAL

Senator INOUYE. I have just one further question: Last year, Congress appropriated $1 million for snow removal, and, if my recollection is correct, we have had very little snow this past winter, and now the cherry blossoms are coming out. What is going to happen to the $1 million, sir?

Mr. AIRIS. We spent this year, sir, about $975,000. It largely went into replenishing our salt stockpile and in the purchase of a considerable amount of equipment that was badly needed.

Senator INOUYE. That was not used for snow removal?

Mr. AIRIS. A good deal of the salt was stockpiled last fall. We did not have heavy use of it, and it is still stockpiled.

We had about 15 inches of snow and six storms. The trend in snow-removal requirement for the city continues to be up. I mean the service demanded. The folks on the Hill, everyone, just do not want to be held up by storms. So, the result of that is, the latest record shows, we have spent about $975,000, even though it has been a very light winter as far as large storms go.

Senator INOUYE. If you have been able to use the money to stockpile the equipment and supplies——

Mr. AIRIS. Yes, a large part of it.

Senator INOUYE (continuing). I note, again, you have a request for a million dollars for snow removal for this coming fiscal year——

Mr. AIRIS. That is correct.

Senator INOUYE. Does it mean that we can cut this drastically, or cut this back insofar as replacement?

Mr. AIRIS. I do not recommend it, sir.

We have an inaugural winter coming up. You can never tell about a winter. We may get a real bad one this year.

Senator INOUYE. Come to think of it, every 4 years we do have a lot of snow, don't we?

Mr. AIRIS. The gentlemen that sit at this table, with the exception of Mr. Boynton, are out there day and night, and there is not a night goes by, actually, even this winter, but what we have a number of telephone calls as to what is going to happen. And every 4 years, it becomes of great importance to see that everybody is well taken care of during the inaugural.

FREEWAY ALONG GEORGETOWN WATERFRONT

Mr. CLARK. Mr. Airis, in your statement, on page 5, I think you might want to correct the last sentence of the first paragraph. You say: "Supreme Court action on the petition is pending." As you know, the Court refused.

Just beyond that sentence, you say "The Potomac River Freeway along the Georgetown waterfront is technically in the design stage." Does this mean there are funds available to you for design?

Mr. AIRIS. There are design funds available.

Mr. CLARK. District funds?

Mr. AIRIS. Some District, more Federal.

Mr. CLARK. Could you, as a matter of record, spell that out a little more?

Then, you go on and talk about a study of the socioeconomic and environmental impact. It does not sound like we are really in a design stage; it sounds like we are in a predesign stage. Would you just elaborate on that for the record? Not now.

Mr. AIRIS. I will be glad to submit a statement for the record on this. It is a very complicated situation.

Mr. CLARK. That is why I thought a statement might come up, Mr. Chairman.

Mr. AIRIS. Building freeways in the District of Columbia is a very complicated matter.

(The information follows:)

The Department of Highways and Traffic commenced design of the Potomac River Freeway on September 9, 1969, after receiving requisite approval from the Federal Highway Administration.

The design which was initiated is that described in the Conference Report for the 1968 Federal-Aid Highway Act. Recent court actions have imposed the requirement to study further environmental impacts and to conduct additional public hearings on other metropolitan area freeway segments, notably the Three Sisters Bridge portion of I-266. The effect of the court rulings is to delay all design and construction activity on those projects.

The Sectional Development Plan Study mentioned in my opening statement is designed to provide the socio-economic and environmental impact evaluations of all alternative plans now under consideration by the community and government agencies. This data is to be used at a public hearing as required by Federal regulation for compliance with Title 23. Subsequent to the hearing, approval of a selected design will allow recommencement of the detailed design activity.

LOCATION OF CONVENTION AND VISITORS' CENTER

Mr. CLARK. At the bottom of page 7, you talk about the construction of the National Convention and Visitors Center and because of that

we are going to get very busy on H Street NE., and that supplementary funds for work not covered by Federal aid funding have been included for the reconstruction of the grade separation as an overpass. My understanding, from the subcommittee, is it has not been settled where that center is going to be.

Mr. AIRIS. You have a piece of legislation which says where it is going to be. Unfortunately, the Park Service, who had the responsibility for doing the work, has not been able to get it underway.

Now, I have no desire to build the H Street overpass if the visitors' center is not going to be built. But all of the advice I can find at my level, sir, is that it is going and it is going soon. If that is in error, I would quickly retract what is said in the opening statement.

Mr. CLARK. I think this subcommittee has some testimony which raises some small doubt, anyway. At least, you might watch that.

Mr. AIRIS. I will. And we will certainly not build this overpass if the visitors' center itself does not apply. It would have to go hand in hand.

Senator INOUYE. Senator Ellender.

Chairman ELLENDER. Have you jurisdiction over all of the streets in Washington?

Mr. AIRIS. Yes, sir. That is as far as highways and traffic goes. When you speak of street jurisdiction, we have jurisdiction on all streets.

Chairman ELLENDER. Repairs and upkeeping? Tree planting?

Mr. AIRIS. Yes, except the Park Service, of course. There are some park roads that are not.

Chairman ELLENDER. Are the park roads under your jurisdiction?

Mr. AIRIS. No, sir.

Chairman ELLENDER. Now, to what extent does the Federal Government assist in rebuilding the streets in the city of Washington?

Mr. AIRIS. Well, as I am sure you know, Senator, there is no Federal money for maintenance.

Chairman ELLENDER. I am talking about building.

Mr. AIRIS. For building streets? Of course, there are a number of programs. They have the ABC program——

Chairman ELLENDER. In other words, you have about the same situation as the States?

Mr. AIRIS. That is correct. The District is considered a State, in so far as the Federal highway aid is concerned.

Chairman ELLENDER. Now, you have designated streets, I presume, marked in different categories you just mentioned, A, B, and whatever it is.

Mr. AIRIS. Yes, sir.

Chairman ELLENDER. But the Federal Government does not supply funds for all streets; it is only certain streets?

Mr. AIRIS. That is correct.

Chairman ELLENDER. Thank you.

Senator INOUYE. Thank you very much, Mr. Airis.

Department of Motor Vehicles

STATEMENT OF JOSEPH P. MURPHY, DIRECTOR

ACCOMPANIED BY:
WILLIAM J. QUINN, EXECUTIVE OFFICER
HARRY GRAY, CHIEF, DATA PROCESSING DIVISION, DEPARTMENT OF MOTOR VEHICLES

BUDGET REQUEST

Senator Inouye. Our next witness is Mr. Joseph P. Murphy, Director, Department of Motor Vehicles.

The request of this Department is in the amount of $3,638,500.

Mr. Murphy. On my left is Mr. William Quinn, Executive Officer of the Department, and on my right is Mr. Harry Gray, Chief of our Data Processing Division.

The total increase requested is $277,100. There is a formal statement which I have submitted, Senator.

Senator Inouye. Without objection, the full statement will be made a part of the record.

(The statement follows:)

The Department of Motor Vehicles administers those motor vehicle laws, regulations and programs of the District of Columbia which establish, define and implement the Department's fundamental mission of safeguarding lives and property within the District. This is accomplished through conduct of operations and services that affect or control every person within the District of Columbia - resident and transient - and result in the collection of substantial and progressively increasing District revenue, e.g., $9,482,000 in F.Y. 1962 to an estimated $22,784,000 in F.Y. 1972.

A wide variety of important functions are performed by this Department: regulatory authority (through issuance of vehicle titles, registrations and license tags) is exercised over approximately 265,000 District-registered vehicles and their owners as well as over vehicle dealers; similar authority (through examination, issuance and renewal, and suspension, revocation and restoration of a variety of licenses and permits) is exercised over approximately 300,000 District-licensed drivers and driving instructors, approximately 12,000 public vehicle owners and operators, and approximately 10,000 public vehicles; provisions of the Owner's Financial Responsibility Act and the Motor Vehicle Safety Responsibility Act (including suspension and restoration of vehicle registrations and driver's permits) are administered where required by motor vehicle accidents which occur in the District of Columbia; driver safety clinics and city-wide traffic safety education and public support programs are conducted; Federally-financed and other research and development programs and projects in the fields of highway safety and vehicle-related air pollution control are administered; general planning and coordination of those District of Columbia highway safety projects funded under provisions of the Highway Safety Act of 1966 is a responsibility of the Department, as is planning for effective utilization of District transportation resources in a national emergency.

Conduct of these programs and services will require expenditure by the Department of approximately $3,401,600 in appropriated funds and $627,819 in Federal contract and grant funds in F.Y. 1972 as well as utilization of a personnel complement of approximately 300 regular, temporary and WAE employees, and operation of 4 major and 5 secondary permanent facilities and 2 temporary field offices.

The Department of Motor Vehicles not only is an important public service agency (it handles well over a million individual public transactions each year) but, through most of its programs and processes, is an important contributor to highway safety in the District. These elements were the bases for determination of the two most immediate objectives of the Department for F.Y. 1973: (1) control of added workload and related difficulties generated by increasing regulatory and procedural requirements and growing public demand for services and products; and (2) advancement of highway safety through continuing progressive compliance with requirements of the Highway Safety Act of 1966.

Final departmental decisions on its F.Y. 1973 budget program, however, necessarily took into consideration the financial plight of the District and the many and varied demands by all District agencies on available funds. As a result, the Department's F.Y. 1973 requests have been limited to the most essential needs, specifically: $167,300 to meet continuing mandatory pay-cost requirements; $25,200 to meet the increased cost of departmental mail services resultant from the May 15, 1971 increase in U.S. Postal rates; and $84,600 to secure the centralized data processing support services necessary to permit the inclusion of the Department's driver licensing program in its planned real-time EDP system.

This statement will not deal in detail with the employee pay and postal rate cost increases requested since they are "mandatory" in nature and explained in our budget justifications; it will describe the Department's broad needs and objectives in the following outline.

The first and most pressing operational problem is the growing administrative, technical and clerical workload in all programs and activities of the Department - and particularly in driver licensing. A few basic workload figures reflect this increase:

Workload Unit	F.Y.1965 (Actual)	F.Y.1971 (Actual)	F.Y.1972 (Est.)	F.Y.1973 (Est.)
Total Permit Examinations Given	272,800	333,000	335,000	337,000
Total Permits Issued	174,400	198,100	208,000	218,000
Permits Suspended or Revoked	12,100	29,100	33,000	37,000
Public Vehicle (PSC) Licenses Issued .	1/	9,800	10,100	10,300
Public Vehicle Operator's Licenses Issued	1/	10,900	11,500	12,100
Approximate Number Mail Units	1,014,000	1,030,000	1,058,000	1,083,000
Vehicle Titles Issued	101,400	98,000	100,000	102,000
Cross Vehicle Registrations	281,100	290,000	300,000	308,000
Vehicle Safety Inspections	357,500	363,400	365,000	367,000
Accident Reports Reviewed	48,600	95,600	97,500	99,500

1/ This function then in another agency

This workload condition results from, or is aggravated by a variety of forces and factors: new and revised District regulations and policies as well as departmental operating requirements; growing public demand for services and products; changes in technology and in public needs and attitudes; delays, errors and omissions resultant from methods and procedures that have failed to keep pace with the changing needs of departmental programs; limited personnel and difficulties in recruiting and holding competent people; etc.

Solution of a problem as far-reaching as this could not be expected in one fiscal year without expenditures for positions and related material, services and space which would not be reasonable in view of the District's financial situation. The decision to reduce departmental requests for increases to the three specific areas described above (pay and mail costs, and data processing) was reinforced by the Department's belief that more concentrated attention to in-house development of better organized and more effective methods and procedures could help resolve this problem without immediate need for a large number of additional employees and other resources - especially if this management attention could be coupled with the advantages of an expanded real-time EDP system. In this regard, the Department has a continuing program for management improvement and already has undertaken a variety of in-house actions to reduce its workload, improve its services to the public, and contain its operating costs.

In connection with achievement of the second stated immediate objective for F.Y. 1973 - advancement of highway safety through progressive compliance with the Highway Safety Act of 1966 - it should be pointed out that those programs and processes of the Department directly related to the objectives of the Act already are in substantial conformance with its various Standards. However, there are a few serious exceptions - e.g., lack of a "rapid response" data system, of a classified driver license program, of a program for periodic re-examinationof licensed drivers, of capability for broad research in the traffic accident field, and, of an "Implied Consent" Law for the District of Columbia.

74-704 O - 72 - pt. 1 - 57

Full compliance with all applicable Standards will be a long-term and expensive process requiring additional personnel, equipment, space, etc. - resources that seem beyond the present reasonable capability of the District to provide. A significant measure of progressive compliance is planned for F.Y. 1973, however, if the requests presented here today are approved. For example: as detailed in our budget justifications, approval of our request for funds to expand our real-time EDP system to our driver licensing activities not only will enable the Department to comply in substantial measure with the rapid response requirements of Standard 305 (Driver Licensing) and Standard 310 (Traffic Records) of the Act, but will enable the Department to conduct long-needed research projects and analytical studies based on data related to highway safety factors. And, further, will provide a highly effective tool to meet and overcome a substantial portion of the basic workload increase in driver licensing and other data-based operations and public services of the Department which is our first and most pressing operational concern.

In summation, approval of the limited budget presented here today should enable the Department to hold to the present level of operations and services in all areas without serious difficulties and could permit the Department to achieve some portion of its current objectives. At the same time, the resources requested will support the Department's continuing efforts to resolve new problems and determine and establish reasonable and meaningful new goals.

IMPLEMENTATION OF DATA PROCESSING SYSTEM

Mr. MURPHY. Of the total increase requested, $167,300 is required to cover employee pay costs, $25,200 to meet the increased cost of postage resultant from the May 15, 1971, increase in U.S. postal rates, and $84,600 to implement a real time rapid entry and retrieval system affecting driver licensing, driver records, and driver control.

I would like to speak to that latter item, if I may, Senator.

Senator INOUYE. Please do.

Mr. MURPHY. The heart of any traffic safety system is that it be recognized as a good traffic flow system.

I would like to submit to the committee just a short article from the "Highway User Magazine," which does not require much reading, to show the posture that I take with respect to the kind of traffic records system we should have.

The pictures show the type of equipment that we do not now have in operation that would be required.

At the present time we have a dual system of traffic records.

Since 1965, we have been collecting traffic records of motorists and putting them on magnetic tape for storage purposes. At the same time, we maintain a manual 4-by-6 card file system which has been used for many years.

There are various reasons for maintaining complete traffic records on motorists.

For example, during the month of February of this year, over 8,400 records were requested and paid for by individuals and firms who had need for them, such as insurance companies, employment offices, et cetera. There were 6,700 records requested by Government agencies during this month through March 28, 1972, various security agencies, Post Office Department people, and various agencies who needed to know about the traffic records of their employees. In comparison—and I looked at the figures this morning—for the first quarter ending March 31, 1962, there were requests by these various agencies of 6,500 as compared with 6,700 for just this one month of 1972. At the present time, we have to search the current card files by hand or refer to microfilm.

In order to produce a record for court, agency, or private purposes, the record must be located and photostated. This is an expensive processing, and it is slow. Also there are times when cards are incorrectly filed or missing.

The danger of that kind of recordkeeping comes up every once in a while when some motorist is picked up on the highway and his manual traffic record simply does not reflect his present status because this kind of recordkeeping results in records not being current.

SHARING OF TRAFFIC RECORDS WITH OTHER JURISDICTIONS

Just yesterday, the Department was requested to join with the Metropolitan Police Department in making our traffic records available to the Maryland interagency law enforcement system through which the Maryland police and the District of Columbia police would have computer-based access to criminal and traffic records of both jurisdictions for traffic enforcement purposes. In addition, the

various departments of police in the metropolitan area developed an organization known as the Washington area law enforcement system. That organization would also like to have instant access to the traffic records of the Department.

Just yesterday, I received a copy of a letter to Mayor Washington from the Secretary of the Department of Transportation, in which the District, along with many other jurisdictions, were evaluated as to their compliance with various standards, including Standard 305, Driver Licensing, and 310, Traffic Records.

We are one of the several jurisdictions which does not have an on-line, easily accessible computerized traffic record system.

We have today many records on magnetic tape which cannot be reached in a practical manner. If you should ask me for the record of John Doe and I had to take it from a magnetic tape, the process would involve locating the tape on which the man's name is found, put the tape into a computer, spin it until it has found the record, and, then, print it out. It is much faster to go to the 4-by-6 cards, picking out his record by hand, and making a photostsat of it. But it is a slow process and does not meet law enforcement agency requirements, nor the requirements of the standards laid down for us by the Department of Transportation.

The Department has gone ahead with the design of a real-time system which will be completed some time this fall. In August, it will be tested, and will be ready to be implemented if we are able to pay the rentals on the equipment required. The amount requested is needed to provide instant access to these records.

This amount represents half-year funding since we do not intend to go on-line with this system until January 1, 1973.

I would be glad to answer any further questions.

EMPLOYEES TO AUTO TAG RENEWALS

Senator INOUYE. Thank you very much, sir.

In the Thursday, February 10, 1972, issue of the Evening Star, on page E–4, the following appeared:

> A long, slow line of last minute applicants for auto tag renewals will be worse than ever this year due to a clerk cutback, says D.C. Motor Vehicle Director Joseph P. Murphy.

In fiscal year 1972, this last year, your agency requested appropriations for 255 positions.

The Congress, after deliberations, granted funds for 251 positions. Four positions were not granted, and these four were taxi inspectors.

That being the case, how do you explain the "clerk cutback" that you speak of as causing the long lines for auto tag renewals?

Mr. MURPHY. This was temporary help I was speaking of, Senator. Every year, for the past 30 years, the Department has employed some 35 temporary people prior to, during, and for at least two to three months after, the month of March. Obviously, there is not enough work to keep such a number of people busy for a 12 month period, because——

Senator INOUYE. How many were you not able to hire?

Mr. MURPHY. I think we had 28 this year.

Senator INOUYE. Under the congressional directive, the 5-percent limitation on temporary personnel applied to the City at large and did not apply specifically to each department because there are some departments that do not use temporary personnel. But this temporary personnel applied to the whole city.

Did you discuss this matter with the Central Office and try to get temporary personnel?

Mr. MURPHY. I would like to let Mr. Quinn answer.

Mr. QUINN. We discussed it and presented our needs in writing to the Budget Office of the District, justified them, gave them the amount of money needed to do the job in order to comply with the directive of Congress, and the Budget Office gave us their approval.

So, we did comply with the 5-percent ceiling on temporary positions, and we do have the approval for those we did take onboard.

Senator INOUYE. So, you have what you wanted?

Mr. MURPHY. We did not get all we needed, no. But we attempted to comply with the ceiling on temporary positions for the District.

Senator INOUYE. How many temporary clerks did you not get?

Mr. QUINN. Approximately, seven. They are not hired for a specific period of time, Senator. We hire some for 30 days, some for 60, some for 90, and some for longer periods. So, we have to estimate our total needs in this direction, and we reduced that estimate of total needs in order to comply with the ceiling.

Senator INOUYE. And because you did not get seven temporary positions, you had this long, slow line?

We got calls cursing us for the long lines.

Mr. MURPHY. Not lines——

Senator INOUYE. The implication in this article is the "No-good" Congress cut out your positions; therefore, the people in the District must suffer.

Mr. MURPHY. I was referring to the tradition that people wait until the last 5, 6, or 7 days, to buy their tags. Even with a full complement of temporary help, we had all we could handle to get people on the road by April 1.

I was trying to alert the people that it would be sensible and advisable to come in early and get their tags.

It has been our experience that most people do not come in the first 2 weeks of the month and, we have people who are not as busy as they should be for this period. As a matter of fact, a recommendation was made not to open our field stations on Saturdays in 1973 because people simply are not taking advantage of the fact that we are open on Saturdays.

USE OF OVERTIME IN PROCESSING TAG RENEWALS

Senator INOUYE. There is something further I cannot quite understand.

According to our records, as of February 1, 1972, about 3.2 percent of your personnel was used for temporary. That gave you a lot of leeway—overtime.

Mr. MURPHY. Overtime is not helpful unless we keep the Department open more than 8 hours a day, Senator. It is the temporary help that is helpful during the 8:15-to-4:45 hours we are open.

Senator INOUYE. According to the report submitted to this office, the overtime amount and the temporary position amount totaled 3.25

percent of the total personnel compensation, and the restriction was 5 percent, which gives you 1.75 percent remaining. By 1.75 remaining, why is it that you could not hire 14 extra people?—Unless somebody's bookkeeping was wrong here.

Mr. QUINN. Senator, are the figures you have projections of whole years or actual expenditures up to a certain date? My information is that by the end of the year we will have spent approximately $122,000 for temporary clerk hire, and approximately $48,000 for overtime. Are those the figures you have, Senator?

Mr. COPPIE. Mr. Chairman, I think you are looking at a chart that projected expenditures through a particular date. The total allotment for this Department for the year for overtime and temporary positions is $204,237, or 8.4 percent of the total personnel compensation for 1972.

ALLOTMENT FOR TEMPORARY POSITIONS AND OVERTIME

Senator INOUYE. I am reading from a document you have presented to the committee, "Schedule D, Project of Temporary Positions and Overtime Costs through June 30, 1972."

I will read the figures for you.

Department of Motor Vehicles—fiscal year 1972—Personnel compensation, $2,412,800. Overtime, $20,031. Temporary position, $78,442. Those two combined constitute 3.25 percent of the personnel compensation which gives you 1.75 percent remaining.

But the article says we were cutting you back so that "we have long lines."

Mr. MURPHY. We are simply not aware of the figures you have.

Mr. QUINN. We did not hear the reference. What page?

Senator INOUYE. In preparing the budget for fiscal year 1972, we had to rely heavily on the projection made by the D.C. Government, and the projections were reached, I hope, with consultation of all other agencies. We rely a lot on the projections. If the projections are wrong, it is not the fault of the committee—if the bookkeeping is still a mess.

Mr. MURPHY. Senator, that is a Budget Office schedule with which we are not familiar, and I am simply not able to comment on your question.

Mr. COPPIE. I can check on it. If you are talking about the 3.25 percent, that was the period through December 31, 1971. We also had supplied the committee with the projection for the total year. I did supply for the record the allotment for the Department of Motor Vehicles which totals $204,237, or 8.46 percent of the total personnel allotment.

OFFICE HOURS DURING EVENINGS

Senator INOUYE. We will get together later on to discuss this.

On your last rush days, do you open in the evenings?

Mr. MURPHY. No, we do not, Senator.

Senator INOUYE. I am certain you are aware this committee will have evening sessions to accommodate the people of the city, because I presume most people working will have other responsibilities during the day, and I would gather those people who apply for licenses also work. I can see the reluctance of some people leaving their work just to line up to apply for licenses. I am certain you are aware of that, too.

Keeping this in mind, why have you not considered being opened up for at least 1 night?

Is that too much of a burden for the Department?

Mr. MURPHY. No. I think it could be done.

Senator INOUYE. This criticism, I think, applies to all public service. Somehow, sometime ago, we bureaucrats forgot the word "service." The tax office opens from 8:30 to 4:30 when the people who pay taxes are usually employed. It would seem a crime to have them leave their work just to pay their taxes. I cannot understand why these service organizations cannot set aside some evening so that people, for their convenience in not losing a day's work, can get some service from the Government. This is a Government supported by people.

I hope you will consider setting aside at least 1 night for people to come in and get their tags without losing a day's work.

Mr. MURPHY. We have an alternate plan which I would not like to announce now, for the most critical day Friday, March 31, to service all applicants for tags.

The reason I did not want to announce it is simply if it were announced at this time, we are afraid that everybody would wait until then to come in. In order to service the overflow that will no doubt occur on that last day, it is possible we could stay open during the evening until every one has been served.

Senator INOUYE. I would think all agencies providing services to the people should consider setting aside some evening time. For example, the libraries are open from 9 a.m. until 4:30 or 5 o'clock in the afternoon. If a working man or working woman wanted to go to the library, he or she would have to take time off, lose some pay——

Mr. MURPHY. Senator, we had planned in advance—and I will change my mind about announcing it—to be open Saturday morning early and to remain open until everyone has been served.

Senator INOUYE. What Saturday are we speaking of?

Mr. MURPHY. April 1. This would probably get better results in that, those who work mornings or evenings would be able to register or renew registrations without loss of work.

(The announcement follows:)

DC DEPARTMENT MOTOR VEHICLES
EXTENDS AUTO TAG RENEWAL HOURS

From: D.C. Department Motor Vehicles
Thursday March 30, 1972
629-2929

Because the 1971-72 auto registration deadline expires on a holiday weekend (Good Friday March 31 midnight) and the next business day comes April 3, Joseph P. Murphy, Director of the D. C. Department of Motor Vehicles, today announced that the Department's three field offices will remain open Saturday April 1st from 9 a. m. to 4:30 p. m. for the public's convenience.

Murphy said that all persons waiting in line at closing time (4:30 p.m.) will be processed. He emphasized that motorists must have their applications with them in order to purchase their 1972-73 renewal stickers. Only checks or money orders will be accepted at the field offices.

In addition to the extended hours on Saturday DMV Director Murphy asserted the field offices will be open Good Friday 11 a. m. to 7:30 p. m.

He pointed out further that the DMV field offices had been open for business every Saturday during March in addition to their regular Monday thru Friday 11 a. m. to 7:30 p. m. schedule and in spite of good publicity the public's response had been disappointing.

Mr. Murphy asserted that over 200,000 auto registration sales are made during the month of March.

The District's DMV Director also announced that the regular DMV auto registration center at 459 C Street N. W. would be open Good Friday 8:15 a. m. to 4:45 p. m. as part of its regular Monday thru Friday shcedule.

Murphy pointed out that during the year driving permits in the District of Columbia can be renewed at DMV field offices 12 Noon to 7:45 p. m. on a Monday thru Saturday schedule.

ROBBERY OF MOTOR VEHICLE OFFICE

Senator INOUYE. Last year, one of your officers was robbed of $19,840, and this loss, as indicated by you, was not covered by insurance. How did you make it up?

Mr. MURPHY. Senator, the loss was in the finance office. The Department does not handle moneys. The finance office supplies the clerical help to collect the money for the tags. So, I am not really aware of how that loss was made up.

Senator INOUYE. The finance office is the office that collects the money?

Mr. MURPHY. That is correct, Senator. They supply cashiers who work side-by-side with our personnel and who collect the money for these tags.

Senator INOUYE. So, Mr. Coppie, what happened to this loss?

Mr. COPPIE. Mr. Chairman, I just do not know. I would have to discuss it with Mr. Back and would be glad to supply an analysis for the record.

Senator INOUYE. It is not a large amount, but we would like to have our books balanced.

Mr. COPPIE. We can provide something for the record.

(The information follows:)

REPORT ON ROBBERY—MAY BUILDING ON MAR. 31, 1971

	Motor vehicle registration fees		
	Total	Acct. 717 54 percent	Acct. 9051 46 percent
March 31, 1971 Cash receipts reduced due to robbery at May Building	$19,827.00	$10,706.58	$9,120.42
September 1, 1971 Cash receipts increased by the amount recovered by Metropolitan Police Department	655.00	353.70	301.30
Balance not recovered to date (See Note)	19,172.00	10,352.88	8,819.12

NOTES

Of the unrecovered amount, $10,000 is covered by bonds of the 2 cashiers involved ($5,000 each). The Corporation Counsel is negotiating with the bonding company for settlement of these amounts.

The 2 cashiers involved were immediately removed from their positions as soon as it was learned that they were implicated in the robbery. Both persons were apprehended by the Police and indicted for conspiracy against the District.

AGENCY REQUEST

Senator INOUYE. Mr. Chairman?

Chairman ELLENDER. No questions.

Senator INOUYE. Thank you very much.

Our next witness is Mr. Hampton, the acting director of the motor vehicle parking agency. His request for the agency is in the amount of $333,400.

J. 74-704 MENDS

MOTOR VEHICLE PARKING AGENCY

STATEMENT OF WILLIAM B. HAMPTON, ACTING DIRECTOR, ACCOMPANIED BY RAYMOND A. BOUCHER, ADMINISTRATIVE ASSISTANT, MOTOR VEHICLE PARKING AGENCY

PREPARED STATEMENT

Mr. HAMPTON. Mr. Chairman, I would like to introduce Mr. Raymond Boucher, my assistant, who is with me.

Senator INOUYE. Welcome, sir.

Mr. HAMPTON. I have submitted a statement to the committee.

Senator INOUYE. Without objection, the statement will be made a part of the record, sir.

(The statement follows:)

The Motor Vehicle Parking Agency is responsible under the provisions of P. L. 454, as amended, for conducting economic studies and engineering surveys to determine the nature and dimension of the parking problem in the Central Business District and other sections of the city. The basic data obtained is used to justify recommendations to both governmental and private interests for the provision of adequate parking facilities along with authorizing legislation needed to implement present and long range programs for an off-street parking system built in coordination with the progressive development of the master transportation plan for the Washington Metropolitan Area. Also included is a program to construct additional fringe parking lots designed and located so as to intercept work trips to the inner city and encourage the use of mass transit which would materially reduce traffic congestion in the Central Business District and promote the economic progress of this valuable downtown core as a major source of municipal revenue.

The Agency's fringe parking program provides 2,211 spaces in six lots located on the outskirts of the Central Business District which were used by over 300,000 cars during F. Y. 1971. This operation is vital in that it prevents all-day workers from adding to the congestion on the already over-burdened street and highway system in the downtown area where parking is in very short supply. It also serves to open up parking capacity for shoppers, tourists and other businessmen whose tax dollars contribute materially to the economic welfare and progress of the entire city. If they cannot find convenient and adequate parking in the commercial heart of the city, many of these potential customers will be attracted to the suburbs, where parking is both free and plentiful in shopping centers that compete directly with the District's retail establishments.

The Agency also designs and leases to the highest bidder three off-street parking facilities with a combined capacity of 512 spaces. Parking rates as approved by the Commissioner are stipulated in the lease. Rental receipts from these and other District property used for parking, estimated at $190,000 for F. Y. 1973, are paid into the Parking Account of the Highway Fund. Approximately $94,000 of the Agency's 1973 budget is used for the maintenance of 7,000 meters which will bring in an estimated $902,000 into the Parking Account of the Highway Fund during F. Y. 1973.

The additional funds requested are for authorized pay increases, within-grade advancements and for a new vehicle to replace a 1964 Corvair panel truck used in collecting revenue from the parking meters. This vehicle is often immobilized for repairs and high maintenance costs do not justify further use.

Mr. HAMPTON. I would like to make reference to the last paragraph in the statement:

"The additional funds requested are for authorized pay increases, within-grade advancements, and for a new vehicle to replace a 1964 Corvair panel truck used in collecting revenue from the parking meters. This vehicle is often immobilized for repairs and high maintenance costs do not justify further use."

I have a letter from the District of Columbia Collector of Taxes about the condition of the vehicle, and also a letter from the Mobile Equipment Division about the condition of the equipment. I would like to submit those letters.

Senator INOUYE. Without objection, so ordered.

(The letters follow:)

Memorandum • Government of the District of Columbia

Department, Finance and Revenue
Agency, Office: District Treasury

TO: William B. Hampton
Acting Executive Director
Motor Vehicle Parking Agency

FROM: John C. Ahearn
Associate Director for
District Treasury

Date: October 19, 1971

SUBJECT: Replacement of Motor Vehicles used in parking meter collection operations

I feel it necessary to comment on the condition of the motor vehicles now being used in our parking meter collection operation. The two vehicles now in use, because of age and condition, no longer meet minimum operational requirements although they must be used because no other vehicles are available. The constant "stop and go" movement required has depreciated these vehicles so that they are no longer satisfactory from an operational and a cost standpoint.

The 1964 Chevrolet (4 cylinder) with only the driver aboard lacks sufficient power to ascend the ramp leading from the Municipal Center garage to Third Street without a "running start." When this vehicle is used the parking meter collectors must carry their equipment and meet the vehicle on Third Street. This same situation is encountered on every street with an uphill grade, when fully loaded with 7 men plus collection equipment, and 170 pounds of dimes.

The 1964 Dodge required maintenance costing $900.00 last year. There was an additional cost for a major repair when the driveshaft dropped out on Connecticut Avenue, N. W., recently.

There are approximately 7000 parking meters located throughout the city and collections are made daily on regularly scheduled routes. Mobility and security are essential to the collection program. During the past three fiscal years we have averaged over 300,000 meter collections and the revenue has averaged $760,000.00 annually. It is estimated that the recent increase in parking meter fees will produce an annual collection of $810,000.00.

I am aware that your recent requisition for replacement of one vehicle has been disapproved. However, I feel that the need for at least one replacement at this time requires further consideration. Replacement of the second vehicle should be given high priority in future budget requests.

Continued deferment of replacement of these vehicles will at some time in the very near future jeopardize our entire collection operation.

March 29, 1972

MEMORANDUM TO: MR. WILLIAM B. HAMPTON
Executive Director
Motor Vehicle Parking Agency

SUBJECT: Repairs to D.C. Govt. Vehicle
D. C. Govt. Tag No. PA-002

Tag No. PA-002 - 1964 Corvair Panel truck Mileage - 21,210

Repairs	Estimated Cost
Windshield Installed	$63.30
Repair damage to both sides of vehicle and refinish	208.00
Remove, Replace and Recondition Engine + labor	102.00
Recondition Engine	575.00
	$948.30

In order to put this vehicle in Good running condition, the cost would exceed the value of the Vehicle.

Clinton C. Morningstar, Chief
Mobile Equipment Division
Dept. of Highways & Traffic, D. C.

JUSTIFICATIONS FOR RETAINING AGENCY

Senator INOUYE. Mr. Hampton, we understand the City Council has recommended your agency be abolished.

Mr. HAMPTON. That is correct.

Senator INOUYE. Do you wish to say anything to justify the continuance of the existence of your agency?

Mr. HAMPTON. Yes, sir, I would. This is some of the work that we do.

Installation of parking meters.—The motor Vehicle Parking Agency is jointly responsible with the Department of Highways and Traffic for determining the location of parking meters on the basis of Agency studies that indicate the demand for short-term parking in the central business district, which is the economic and cultural heart of the city, and in other areas throughout the District.

The Agency also writes specifications for the purchase and installation of the meters, and recommends to the District of Columbia Procurement Officer the acceptance or rejection of submitted bids. It supervises the installation work in the field for compliance with the specifications.

Servicing of the meters. Although actual meter maintenance work is performed on a reimbursable basis by the Department of Highways and Traffic, the Motor Vehicle Parking Agency is responsible for preparing purchase orders and authorizing payments for the parts and materials purchased.

Collection from the meters.—Although meter collections are made by the District of Columbia Department of Finance and Revenue, under provisions of section 47–301 of the District of Columbia Code, and the costs of these services are appropriated directly to the Department of Finance and Revenue, the Motor Vehicle Parking Agency furnishes the vehicles performing this service and pays for their maintenance.

Parking tickets and meters.—It is our understanding that this function is performed by cadet-trainees who are not police officers and who are used for a variety of other duties besides issuing parking tickets. This Agency has been conducting curb parking turnover studies in the central business district for the past 2 years, the results of which indicate the thin coverage in many areas with the corresponding loss of revenue.

On December 10, 1971, the chairman of the Board of Motor Vehicle Parking Agency sent a letter to the Mayor recommending the reactivation of the former civilian meter patrol under the jurisdiction of this Agency. This recommendation was based on the above curb parking turnover studies. Such action, it is estimated, would result in about $300,000 additional revenue.

Selection of areas for meters.—Before any intelligent choice of areas can be made for the installation of meters [in consultation with the Department of Highways and Traffic], the Motor Vehicle Parking Agency must provide the basic data on the supply and demand for short-term parking as determined by new traffic generators and changes in land uses.

Period field investigations by the Motor Vehicle Parking Agency reveal areas where meters should be installed as a result of change in traffic regulations and street usage.

Setting of meter rates.—The Motor Vehicle Parking Agency Board, which is appointed by the Mayor-Commissioner, is responsible for setting meter rates and does so on recommendation by the Agency staff, on the basis of surveys to determine the amount of meters "feeding" at different locations. Rates are increased to discourage this illegal practice.

FRINGE PARKING LOTS

Operation of fringe parking lots.—The fringe parking facilities operated by the Motor Vehicle Parking Agency are separate and distinct from the parking lots which are leased by the Agency to the highest bidder. The Agency operates and maintains six fringe parking lots, which are manned by seven guards who are Agency employees and are supervised by the staff.

All of the planning and design of the facilities, including lighting, pedestrian shelters and guard stations are produced by the Agency staff which also coordinates bus service to the lots.

During fiscal year 1971, these lots accommodated over 327,000 cars, thereby reducing congestion and air pollution in the city and releasing space for short-term parking for shoppers, tourists, and others whose tax dollars contribute to the economic health of the city.

We list these different surveys here, and I will read them off, if you want some breakdown as to what this list comprises——

Senator INOUYE. Or if you wish to, you could make that a part of the record.

Mr. HAMPTON. Yes, sir; I will make it a part of the record.

Senator INOUYE. Without objection, so ordered.

Mr. HAMPTON. Thank you.

(The statement follows:)

Motor Vehicle Parking Agency

Studies, Surveys and Reports

a. Parking Meter Revenues Appropriated for Highway Purposes:

A tabulation of funds from parking sources paid into the Highway Fund in accordance with the provisions of Sec. 604, Public Law 87-408 (approved 3/12/62). Prepared for each fiscal year since 1963 and transmitted to the D. C. Office of Budget and Planning Analysis, the D. C. City Council and Congressional Committees on D. C. Appropriations. Prepared in the Office of the Executive Director at an approximate cost of 24 man-hours.

b. Parking Meter Revenues and Operating Costs:

An analysis of the costs of parking meter collection, maintenance and enforcement on a fiscal year basis since 1958 to date. Tabulation shows the percentage of cost per average meter income. Preparation and distribution of this report is same as above.

c. Inventory of On-street and Off-street Parking Spaces in the Central Business District by type of facility, i.e., surface lots, garages, metered and unmetered curb spaces:

Compiled semi-annually by the Agency's parking survey unit and distributed to public and private agencies concerned with transportation planning, including Metro. Inventory of parking spaces located in selected sections outside the Central Business District also made at irregular intervals.

d. Comparison of Usage at Fringe Parking Facilities Operated by the Motor Vehicle Parking Agency:

A quantitative tabulation of cars using each of the Agency's six (6) fringe parking facilities by month and fiscal year totals, indicating also the daily and monthly averages and the peak day.

e. Existing Curb Parking Facilities in the Central Business District:

A compilation by year since 1955 and the number of curb parking spaces by time restriction both for metered and unmetered spaces.

f. Existing Off-street Parking Facilities in the Central Business District:

A compilation by year since 1955 of the number of off-street parking spaces by type of facility: Parking lots and garages in Government, commercial or private use.

g. New Office Building Construction:

A compendium of new office building construction in the Central Business District from 1959 to date showing location, number of square feet, estimated employee population and number of parking spaces before and after construction. Data provides planning tool in projecting potential new demands for additional parking services in the vicinity of new traffic generators.

h. On-street and Off-street Occupancy Survey:

A statistical analysis of the occupancy ratio to existing capacity in order to determine facilities which are unable to satisfy the parking demand at or adjacent to traffic generators. Is used to justify recommendations for new or expanded parking facilities.

Results are also color coded on map of the Central Business District to illustrate areas of high demand or in critical shortage of parking spaces.

i. Parking Rate Survey:

A record of rates charged by commercial parking operators in the Central Business District showing first hour and each additional hour costs, daily maximum, and monthly fee, if any.

Survey is made on a continuing basis, beginning in 1961, and provides a basis for comparison with parking costs in other cities.

j. Daytime Employee Population Central Business District and Southwest

This survey consists of a continuing head count of daytime employees to establish the parking demand based on a percentage of workers who drive to work in the study areas. This information is used to recommend additional parking facilities, if feasible or to incourage greater use of fringe parking lots.

NOTE! All these studies and surveys are useful aids in the development and maintenance of the City's transportation system and are furnished to other agencies engaged in community development. These include the Washington Metropolitan Area Council of Governments, National Capital Planning Commission, Washington Parking Association, various consultants retained by both the Federal and District Governments, and those employed by private interests.

STATUS OF COUNCIL'S RECOMMENDATION

Senator INOUYE. Mr. Coppie, what is the latest status of the Council's recommendation to abolish this Agency?

Mr. COPPIE. Mr. Chairman, the Mayor has the recommendation under active consideration now. I believe it will be going back to the Council probably tomorrow, with his judgment with regard to the Council's recommendation.

It would be premature for me to say what his recommendation is going to be, Mr. Chairman, but I think it would be accurate to say the Mayor is concerned about the action of the Council, because of the need for the responsibilities of this Agency to be properly implemented in the District of Columbia.

Senator INOUYE. Thank you very much, Mr. Hampton.

ENVIRONMENTAL SERVICES

DEPARTMENT OF ENVIRONMENTAL SERVICES

STATEMENT OF JAMES T. ALEXANDER, DIRECTOR, ACCOMPANIED BY EDWARD T. CURLEY, DIRECTOR, EXECUTIVE MANAGEMENT ADMINISTRATION; AND OTHERS

INTRODUCTION OF ASSOCIATES

Senator INOUYE. Our next witness is the Director of the Department of Environmental Services, Mr. James P. Alexander. The budget request is in the sum of $39,524,200.

Mr. ALEXANDER. Mr. Chairman, on my right is Mr. Ed Curley, the Director of the Office of Executive Management of the Department. On my left, Mr. Ed Lingenfelter, with the Budget Office of the Department.

PREPARED STATEMENT

I have submitted for the record a prepared statement.

Senator INOUYE. Without objection, the statement will be made a part of the record.

(The statement follows:)

Mr. Chairman:

This is my first opportunity to present, as Director of the Department of Environmental Services, the budget request of the Department. The Department was established by the Mayor-Commissioner on July 27, 1971 to deal with the broad problem of environmental pollution and control in the District. This organizational structure reflects the pattern at Federal and State levels to consolidate environmental control and operational programs within a single institutional entity. Such a consolidation permits a better utilization of resources to deal with the total problem of the environment. The Department was created by combining the former Department of Sanitary Engineering, Environmental Health Directorate of the Health Services Administration, Department of Human Resources, and the Office of Beautification, Department of Highways and Traffic. The first several months of operation have confirmed the Mayor-Commissioner's judgment relative to improved efficiency of operation and better utilization of resources.

The budget request reflects the present organizational structure of the Department designed to carry out the assigned responsibilities of the Department, namely:

74-704 O - 72 - pt. 1 - 59

(1) To provide the District with a safe and adequate supply of water.

(2) To operate and maintain a sewer system within the District and to provide a high level of treatment to sewage both from the District as well as adjoining jurisdictions.

(3) To collect refuse from all residential properties (less than four families) and to provide for safe and sanitary disposal of all refuse collected within the District.

(4) To carry out a regulatory program of environmental control for the protection of the health and welfare.

(5) To conduct a beautification program to enhance the esthetic and visual aspects of the District.

The Department requires a FY '73 Budget of $39,524,200 and 3,139 positions to carry out its basic program responsibilities. This represents an increase of $5,470,900 and 38 positions over the FY '72 adjusted base. The capital improvement budget is $6,780,000 for FY '73.

The budget request has been predicated on an austerity basis and will permit a continuation of essential services at approximately the same level as FY '72. In addition to dealing with the specific increases requested, I would like to review the nature and magnitude of the environmental problems we face.

Water Supply

The District is supplied with water by the Washington Aqueduct, Corps of Engineers which also supplies Arlington and Falls Church, Virginia, and Andrews Air Force Base. The supply is fully approved as meeting the requirements of the Public Health Service' Drinking Water Standards of 1962. Unfortunately, the critical issue of adequate capacity to meet demands has not been given the attention it merits. Raw water storage for the system is totally inadequate. A treated water reserve of 2-1/2 days is available under current annual average usage rates. At peak rates, reserve storage is reduced to 1-1/2 days. While the supply could be extended to some degree by the imposition of emergency conservation measures, the District does not have an assured dependable raw water supply in the event of drought resulting in low flow in the Potomac River, accidental pollution such as discharge of toxic materials to the River above the Great Falls intake, interruption of supply by collapse of either or

both of the conduits to the Dalecarlia Water Treatment Plant, or other similar problem. The maximum daily demand in the metropolitan area has exceeded the low flow of record in the Potomac. Fortunately, these conditions have not yet occurred at the same time although increased demands resulting from population increases in the metropolitan area enhance the likelihood of such an occurrence.

The Corps of Engineers is proceeding with the installation of an emergency pumping station capable of pumping one hundred million gallons per day of water from the upper estuary to Dalecarlia. This must be viewed as an interim solution and does not provide assurance to District and other area residents served of a safe continuing water supply in the years to come. The dam under construction at Bloomington, Maryland will provide some slight potential of increased flows in the Potomac River during drought periods. We are now working closely with the States of Maryland and Virginia in the hope of developing a long range permanent solution to the water supply problem. It would be difficult to conceive of the magnitude and seriousness of the health and economic problems which would result from loss of an adequate supply of water in the District.

Water Pollution Control

The District is moving in dealing with its problems of water pollution control. I am pleased to report that work on the upgrading of the D.C. Water Pollution Control Plant is on schedule and, barring unforeseen delays, should be completed on December 31, 1974 provided matching Federal Grant Funds are made available. Every effort is being made to operate the existing plant to its ultimate capacity pending completion of permanent plant improvements. An incidental cost of $270,000 is required to haul the entire sludge production of the plant to a new disposal site due to loss of the present sludge storage site on the property because of construction work.

Additional chemicals for effluent disinfection, odor control, and solids removal will be needed to comply with the recommendations of the Potomac Enforcement Conference. The cost of the required additional chemicals amounts to $272,000.

The elements involved in the first phase of Plant expansion will become operational on January 1, 1973. They include a pumping station, grit chamber building, 20 primary clarifiers, and additional chlorination facilities. The

requested 38 positions and $386,700 cover the cost of staffing and operation of the facilities. These facilities when operational will result in a significant improvement in the quality of the Plant effluent.

The District is party to a memorandum of understanding with Fairfax County and the Washington Suburban Sanitary Commission to initiate immediately, interim action to improve the quality of Plant effluent. This will be accomplished by the addition of chemicals to supplement the current treatment process. Research at the Plant indicates a potential removal of some 700 tons of sludge daily which would otherwise be discharged to the Potomac River. Arrangements are being made with the Maryland Environmental Services to transport and dispose of the sludge. Of the estimated annual cost of $5,150,000, the District's share would amount to $913,600. Also, the problem of the "Georgetown Gap" will be corrected on an interim basis by July, 1972 with the installation of a temporary by-pass followed by completion of the permanent line by April, 1973. We anticipate a cleaner upper estuary this summer.

Nevertheless, we are concerned with the related problems of sewage disposal within the metropolitan area as they may relate to operation of the D.C. Water Pollution Control Plant. Under the aforementioned memorandum of understanding, the allocation of flow to the plant is based on the construction of other sewage treatment plants in the metropolitan area, particularly Montgomery and Prince Georges, County, Maryland, provides for a diversion of flow from jurisdictions currently served in order to provide capacity for flow from the Potomac Interceptor. Planning and site selection of these regional plants is behind schedule with a potential for overload of our up-graded plant. The recent enforcement notice to the Washington Suburban Sanitary Commission by the U.S. Environmental Protection Agency should stimulate action in this regard.

In order to deal with the dual problem of regional water supply shortage and water pollution, the District of Columbia has been meeting with the States of Maryland and Virginia to develop a joint solution. A water supply crisis is considered imminent, and current plans to meet only the 1980 demands are inadequate. Plans for wastewater treatment facilities in the Washington Metropolitan Area are incomplete and further coordination is essential. At

projected rates of growth, existing plants will be overloaded before 1980. Comprehensive planning must begin at once and be implemented at the earliest possible time if water resources problems are to be alleviated and lasting solutions effected. While the proposed Potomac River Basin Compact is recognized as the appropriate mechanism for the coordination of Potomac River Basin action programs, it is urgent that the principles of that Compact be implemented now through joint action of the District of Columbia and the States of Maryland and Virginia to the extent that resources and legislative authority will permit.

Solid Waste

The problem of solid waste--collection and disposal--continue at the crisis level. In addition to the collection of refuse from residential properties of less than four families, the Department is also responsible to the disposal of wastes generated within the District as well as street and alley cleaning. This activity determines in large measure the physical appearance of the District and the protection of the public health, particularly in the control of rodents. The Department must also maintain a readiness capability to assist the Department of Highways and Traffic in emergency snow removal operations.

Collection activities over the past three years under an essentially constant budget have been streamlined to provide some improvement in the level of service. The establishment of a combined refuse collection system on a twice weekly basis, better design and balance of routes, and a higher level of supervision of field activities have resulted in more efficient use of staff and equipment. The institution of an automated management information system primarily to implement billing of private collectors at District disposal facilities will be helpful in providing basic data on which to further improve the system. Work load data will allow refinement of route design and a categorical measure of crew performance. At present, the 90 regular collection crews serve 180 established routes. Ten special collection crews serve schools and related types of facilities.

Street and alley cleaning crews are assigned on the basis of need. Prior budgetary cuts have reduced the level of service available. We are exploring alternate methods of operation (elimination of street parking, in-

stitution of alternate no-parking provisions on opposite sides of the street) to better utilize equipment and staff currently handicapped by curb parking of motor vehicles.

The new union contract signed March 2, 1972 will significantly elevate the level of collection service to the community. The most important provisions in this regard relate to:

(1) The daily quota of refuse for a collection crew on Monday and Tuesday will be four 16 cubic yard truckloads unless satisfactory completion of a route requires fewer loads. On Thursday and Friday, routes will be completed. This eliminates the former 12 load limit.

(2) "Satisfactory completion of the route" means collection of all refuse on the route, including pickup of containerized household solid waste, spillage and other loose garbage and trash.

(3) Wednesday shall be a bulk collection workday, which may include bulk collection and collection of refuse not picked up on the scheduled collection day.

(4) Makeup crews consisting of employees who were absent on the preceding Monday and Tuesday may be assigned on Wednesdays to pick up refuse not collected on Monday and Tuesday and to clean alleys. This provision was a joint effort by management and labor to reduce absenteeism.

(5) When a holiday falls within a work week, management may reschedule Wednesday in that week as a regular collection day.

This increased level of productivity should materially enhance our ability to improve sanitation within the District.

Some difficulty is being experienced with maintenance of collection vehicles. With a reserve of only 17 such vehicles, many of which are old, we are modifying our maintenance schedules in an attempt to insure 100 operational vehicles at all times.

The most critical need is for increased resources for the disposal of over 3,000 tons of District refuse daily. The essential elements of the Department's current disposal plan are:

(1) Operation of Incinerator No.5 to dispose of 1,200 tons of refuse daily.

(2) Development of a new landfill to dispose of 2,040 tons of refuse daily (includes residue from Incinerator No. 5).

(3) Continued operation of the Cherry Hill and Dykes Marsh landfills.

This plan has been developed following a critical evaluation of the several courses of action open to us in the disposal of the District's refuse. We are reviewing proposals for baling and rail haul to disposal sites by a private firm. Upon receipt of the proposals, a further evaluation will be made with some possible adjustment of the plan. Action is proceeding on obtaining the necessary trucks and equipment to institute the proposed transfer and hauling operations to a landfill in the metropolitan area. In view of the urgency of the situation, it has been necessary to proceed on the plan as outlined above. Studies are continuing directed toward a multi-year plan for the phasing out of all incineration facilities at the earliest possible moment. These actions are based on the closing of the Oxon Cove landfill whose capacity will be exhausted about June 30, 1972, placing Incinerator No. 1, 2, 3, and 4 on caretaker status thereby eliminating one of the serious air pollution problems in the District, installation of a new transfer station and conversion of the garbage grinding station to a transfer type operation. The removal and disposal of 200,000 cubic yards of stored incinerator residue from the Oxon Cove Landfill will also be required.

Plans have been developed and are in the process of being finalized for the creation of the Lorton Resource Recovery Recreation Development Center. This facility located on 3,000 acres of District owned property in Fairfax County, Virginia would provide a:

(1) Resource recovery center to salvage and recycle useful materials in the solid waste.

(2) Modern sanitary landfill to reclaim waste land for recreational purposes.

(3) Wildlife and conservation area to preserve the ecological aspects of a portion of the area.

(4) Recreational areas

(5) Experimental center to research advanced reclamation processes.

Details of the plan are being worked out with officials of Fairfax County

and the Metropolitan Washington Council of Governments. An ancillary benefit will be the meaningful rehabilitation work for minimum security residents of Lorton Correctional Center. As necessary, we will seek reprogramming of capital outlay funds already appropriated for solid waste disposal.

Effective January 19, 1972, the District imposed a charge of $5.00 per ton on private collector's for the use of the District's refuse disposal facilities. Preliminary data, projected on an annual basis, indicates revenue of approximately $2,000,000 per year. The annual licensing of such collectors and their vehicles should produce revenue in the amount of $90,000. These funds are placed in the general revenue fund of the District.

Environmental Health Programs

Growing concern of the public on problems of environmental pollution has been a major factor in our attempts to accelerate regulatory programs of control. Public interest stimulated by the news media together with legal actions initiated by environmentally oriented organizations have generated pressures for corrective actions which, at times, outstrip our technological ability. There is a growing realization on the part of the public as to the costs--both economic and social--which must be met in dealing with environmental pollution.

A number of administrative actions have been taken to better utilize program staff. The institution of a regulatory program on food establishments based on attainment of a minimum sanitation rating (70%) is an example of such action. Failure to meet this requirement results in immediate closure of the establishment. This rigorous approach in achieving compliance with the minimum Food Sanitation Regulations of the District has expedited enforcement action and accelerated the attainment of improved sanitation in our food establishments. The adoption and enforcement of the new Solid Waste Regulations should minimize the problems incident to the indiscriminate disposal of refuse, especially on vacant lots. The legal procedures incident to ordering cleanup are unnecessarily lengthy and complicated. We are reviewing the problem in the hope of using the tax lien method to do cleanup work on a more expeditious basis. It is anticipated that the recent consolidation of field inspectional staff into a single organizational entity will permit a better utilization of staff.

Attention should be called to two essential program activities, namely, food sanitation and air pollution control, where the level of activity depends in large measure on the availability of Federal grants. At present, the Department of Agriculture is contributing some $430,000 annually to the food sanitation program to support meat inspection activities under the Federal Wholesome Meat Act. These funds have allowed for a doubling of field staff to check food establishments and the scheduling of field inspections on a minimum surveillance level. Most food establishments are being checked at least quarterly, with necessary follow-up inspections, to meet nationally recognized standards of operation. In addition, the Department of Agriculture funds have permitted an expansion of laboratory work to check on the quality and wholesomeness of meat products sold in the District. The loss of the Department of Agriculture funds would seriously compromise the scope of the program.

A similar situation exists in the Air Pollution Control Program. A Federal grant of $234,000 supplemented by $110,000 in District funds has permitted the establishment of a minimum surveillance program. Excellent progress has been made in improving the quality of air as it relates to particulates and sulfur oxides. The more difficult problem of control of motor vehicle pollutants will require a substantial expansion of activity and facilities. Further, the Federal grant mechanism will require new budgetary support for the program in FY '74 in order to qualify for continued Federal grants. The present budget for various reasons does not provide for escalation of activity in this program. However, this does not preclude a possible request for reprogramming for this purpose. Judgments as to need will be based on the U.S. Environmental Protection Agency approval or revision of the Plan.

Another critical program activity directly related to consumer protection concerns the problem of pharmacy surveillance. Our current level of pharmacy inspection is not adequate. However, we are currently reviewing program emphasis in this area to determine whether some shifting of resources and staff might permit more frequent inspection. Our findings indicate a pressing need

for a minimum inspection of pharmacies annually in order to deal with the problems of (a) adulteration and misbranding and (b) general sanitation. Successful treatment of disease frequently depends on the therapeutic potency of the prescribed drugs. We are exploring possible approaches which may be taken to deal with this problem.

Finally, we have strengthened our career development program. The improvement in employee morale has been most gratifying coupled with an almost total elimination of discrimination complaints. The Environmental Service Corps program has provided a career development and training opportunity while permitting the Corpmen to render service to the community. Some expansion of regulatory action has also been possible.

Budget Increases

The FY '73 budget request of the Department for $39,524,200 and 3,139 positions is to carry out its assigned services and regulatory responsibilities. This represents an increase of $5,470,900 and 38 positions over the FY '72 adjusted base.

The budget will permit a continuation of activity at approximately the same level as FY '72. The increase of $1,904,000 is to cover mandatory increase in costs of pay increases ($1,573,500), electrical services ($209,500), telephone service previously paid by Department of Highways and Traffic ($100,000), postage ($6,000), and District contribution to the Interstate Commission on the Potomac River Basin ($15,000).

The balance of the increase is required to cover two essential activities, namely;

(1)	D.C. Water Pollution Control Plant	--	$1,842,300
	(a) Sludge removal	-- $270,000	
	(b) Chemicals	-- 272,000	
	(c) Primary treatment facil. (Staffing & Operation)	-- 386,700	
	(d) Interim treatment	-- 913,600	

(2)	Solid Waste Disposal		--	$1,582,600
	(a) Incinerator #5	—	$2,478,607	
	(b) New Sanitary Landfill	--	1,086,121	
	(c) Transfer station	--	2,193,664	
		Total	$5,758,392	
	Transfers from current landfill-Incinerator Operations	-	4,175,792	
		Balance	$1,582,600	

Capital Improvement Program

The Capital Improvement Program request is for $6,780,000. No major construction projects are contemplated. The funds will be used for needed sanitary sewer and watermain extensions, a limited amount of work on our concinuing program on separation of combined sewers, and necessary repair or construction of storm sewers to alleviate drainage complaints and coordinate with street paving activities of the Department of Highways and Traffic.

CONCLUSION

The requested budget is truly an austerity level request. The establishment of a Department of Environmental Services has permitted a better utilization of funds by the:

(1) Coordination of related functions throughout the Department.

(2) Pooling of manpower with improved utilization of staff time.

(3) Consolidation of a wide range of technical expertise to deal with problems of environmental control.

(4) Institution of selective spot checking activities to strengthen surveillance activities.

(5) Development of a closer working relationship with the Office of the Corporation Counsel on enforcement actions.

These actions have resulted in an improved level of service to the community without budgetary increases.

I shall be glad to answer any questions you may have.

Mr. ALEXANDER. However, I would like to make some opening comments, if you have no objection.

Senator INOUYE. Please do.

Mr. ALEXANDER. This is the first opportunity I have had as Director of the Department of Environmental Services to present to this committee the budget. The Department was established by the Mayor-Commissioner on July 27, 1971, to deal with the broad problems of environmental pollution and control in the District. This structure, to some large degree, reflects the augmentation of the organization efforts in various States to approach environmental problems. Basically, the Department involves three old agencies: the Department of Sanitary Engineering, the Directorate of Health from the Department of Human Resources, and the Office of Beautification, a small unit transferred from Highways and Traffic.

The budget reflects our present structure. Essentially, our jobs are:

To provide the District with a safe and adequate supply of water.

To operate and maintain a sewer system within the District and to provide a high level of treatment to sewage both from the District as well as adjoining jurisdictions.

To collect refuse from all residential properties (less than four families) and to provide for safe and sanitary disposal of all refuse collected within the District.

To carry out a regulatory program of environmental control for the protection of the health and welfare.

To conduct a beautification program to enhance the esthetic and visual aspects of the District.

The Department requires a fiscal year 1973 budget of $39,524,200 and 3,139 positions to carry out its basic program responsibilities. This represents an increase of $5,470,900 and 38 positions over the fiscal year 1972 adjusted base. The capital improvement budget is $6,780,000 for fiscal year 1973.

I think, overall, the operating budget when analyzed for the year will be lower than that of fiscal 1971.

The budget request has been predicated on an austerity basis and will permit a continuation of essential services at approximately the same level as fiscal year 1972. In addition to dealing with the specific increases requested, I would like to review the nature and magnitude of the environmental problem we face: (1) the problem of water supply; (2) solid waste disposal; both of which are critical issues.

(The review follows:)

Water Supply Shortage in the Washington Metropolitan Area

Where Are We Now?

- The Washington Standard Metropolitan Statistical Area (SMSA) encompasses approximately 2,400 square miles, more than 70 units of local government, and numerous specialized agencies. It is both the Nation's Capital and one of the largest urban areas. It is experiencing rapid growth which is bringing with it a variety of problems and potentials, many of which transcend established political boundaries.

- The major water supply issues facing the region are: (a) the possibility of water shortages in the summer months due to the variability of flow of the Potomac River, and (b) the lack of off-stream water shortage capacity to deal with emergency situations that would require the closing of Potomac intakes.

- While the record daily use of water from the Potomac is 402 mgd and low flow of record is 388 mgd, the average daily demand in the Washington SMSA will reach 467 mgd in 1976 and 607 mgd in 1984.

- The Washington Suburban Sanitary Commission is planning to construct a dam across the Potomac River at Watkins Island. Already they have obtained permission to use Potomac River water on an average of 350 mgd, not to exceed a maximum of 400 mgd. In 1966 when the low flow of 388 mgd occurred, WSSC withdrew only 69 mgd. While it is reasonable for the Maryland suburbs to assure an adequate supply of water for their customers, a dam at this point cannot be permitted if it threatens the supply to the city and the Virginia suburbs.

- The Potomac River is the source of two-thirds of all water delivered to the metropolitan area. Although the River will continue to be the principal source of supply, alternative sources must be developed immediately.

- In 1963, the Corps of Engineers developed a plan for a comprehensive network of dams and headwater impoundments. Only the Bloomington Dam is under construction and completion is projected in 1977. The Metropolitan Washington Council of Governments and the Interstate Commission on the Potomac River Basin have strongly endorsed the construction of six additional dams. The Congress has held hearings on the proposal; but has not taken action.

- The Corps is also considering use of the Potomac Estuary as a supplementary source of water but use of a source contaminated by viruses and a multitude of chemicals contained in wastes from the metropolitan area is highly questionable.

What Does This Mean?

- Growth of the Washington Metropolitan Area must be halted unless water is provided to support additional population. Because of the highly variable flow of the Potomac River, an adequate supply of water cannot be assured without storage.

- Building moratoria will be necessary. A great deal of publicity has been given to threatened suspensions of building. In general this has been limited to a suspension of permits to build in the future. Actually, to date there has been very little reduction in the rate of building. If a dependable water supply cannot be assured, building cannot continue.

- The economy of the Area will be adversely affected. If population growth is halted and the building industry is crippled, many jobs will be lost. Although the principal industry of the Area is government, thousands of local residents depend on building and service industries for a livelihood. For them a building moratorium will mean economic disaster.

- Under severe conditions it may be necessary to reduce use of water even for such essential as bathing and washing clothes.

- Enforce rationing of water use by regulation and system design may be required.

What Can We Do?

- Urge completion of the Bloomington Reservoir by the Corps of Engineers ahead of schedule, if at all possible. This will supplement the low flow of the river by approximately 135 mgd.

- Urge the Senate Public Works Committee to include two additional reservoirs in the proposed ommibus Bill. The Verona Reservoir near Staunton, Virginia will provide an additional dependable flow of 106 mgd and the Sixes Bridge Reservoir on the Monocacy River in Maryland will provide another 68 mgd.

- Urge the Corps of Engineers to intensify their study of the upper estuary as an emergency source of water. Intensive pollution of the tidal waters by upstream contributors, by storm and combined sewer overflows within the metropolitan area and by inadequately treated wastewaters presently render this potential source unfit for use. Comprehensive studies of the effects on the consumer of high dissolved solids, refractory organics, trace metals and viruses must be completed before estuary water is used.

- Provision of off-stream storage capacity is essential to meet crisis conditions, such as toxic spills that would render Potomac River and Estuary waters unsafe for use.

- Restrictions on the use of potable water should not be overlooked. Presently 100 to 200 gallons of high quality water is delivered to each consumer every day. Of this he consumes very little. The use of lower quality water for fire fighting, industrial processes, street flushing, construction, lawn sprinkling, car washing, etc., must be investigated.

- Reuse of wastewater can no longer be dismissed as being repugnant or economically unsound. With the advent of advanced waste treatment, we can no longer consider these highly treated effluents as a pollutant. They are a valuable resource. We should plan now to use the effluent from Blue Plains upon completion of present construction project in 1975.

- Promote an early beginning of regional planning to meet the long-range needs beyond the 1976-1984 period. In this effort, along with efforts to meet earlier needs, the District, the Interstate Commission on the Potomac River Basin, the Council of Governments, Congress, the Corps of Engineers, the Potomac River Basin Advisory Committee, and other regional, state and federal organizations should work together in all possible ways to develop and implement as quickly as possible, a viable plan for meeting water supply needs.

- Continue and accelerate, as appropriate, support and action for passage of legislation by the remaining Potomac Basin states, Pennsylvania and West Virginia (Virginia and Maryland having already approved), the District and the Congress establishing the Potomac River Basin Compact drafted by the Potomac River Basin Advisory Committee.

- In summary, a water shortage of crisis proportions faces the National Capital Area.

  (a) water demand has already exceeded dependable supply.

  (b) dams recommended by the Corps of Engineers have not been approved by Congress.

  (c) the Potomac Estuary is not recommended as a supplemental source.

  (d) off stream storage has not been provided.

  (e) restricted use may be necessary.

  (f) reuse should be considered.

The States of Maryland and Virginia should join with the District of Columbia in a dedicated effort to assure the National Capital Area of dependable and safe water supply. Until such an assurance is given, building moratoria should be continued and expanded and population growth should be held to a minimum. Mrs. Hester McNulty, League of Women Voters, stated at a recent Hearing, "Can we afford, at this point and time --with the bleak water supply outlook for the Washington Metropolitan Area - to fail to take into account the inter-relationship between water supply and waste treatment? Can we affort to build any additional waste treatment facilities - and here we are speaking only of future plans and not the current expansion or upgrading of existing plants - without determining their relationship to both existing and planned facilities for the Washington Metropolitan Area?"

I bring this to your attention, Mr. Chairman, not because I am here asking for a budget from you for those dams, rather I am asking you, as a subcommittee chairman, responsible for helping this District to move forward, to recognize and hopefully bring some influence to make certain that appropriate questions are raised on that water.

May I highlight the problem?

In this bottle right here, we have the kind of water we currently have flowing out of Blue Plains. That is our treatment facility.

In this second bottle we have the kind of water that in December 1974, hopefully, will begin flowing out of Blue Plains, some 309 million gallons a day, if Congress appropriates money for EPA, so they can complete giving us construction grants. And 309 million gallons a day of this kind of water, Mr. Chairman, will be coming out. On the other hand, at the present time, we have no dam from which we can assure water supplies for this city in the critical years late in the seventies. We may have to be considering, as of that time, an emergency situation, the direct recycling of the kind of water I just showed you.

I will not drink that water now. I ask you—I am sure you will not. My own staff advises me against it.

This third bottle contains water, the same water, the same process we are going to have after December 1974, that has been given special chlorination and all kinds of special treatment by my staff to protect me in case I stand here and drink it in front of you. I am not about to do it, because I still have the same basic public concerns about recycled water that would plague us if we tried to move today, to recycling water totally. We still do not know if all of the virus is removed from that water.

The fact is, if we do not build two dams soon, we will have, basically, a domestic consumer problem on our hands, because the public is not ready for that kind of recycling. We need support to bring to the attention of the Congress Public Works Committees the need for action on those two dams.

So far, that issue, successfully revolved before the Congress, has not been accomplished by the Corps of Engineers and not by us. Certainly it has not been addressed by all of the friends we have in Congress.

Another area of a critical problem is an area internal to city government. I bring this to your attention, because there is a budget item in connection with the solid waste disposal. We have to dispose of 3,000 tons per day of solid waste in this city.

NECESSITY OF ADDITIONAL INCINERATOR

Mr. ALEXANDER. Our problem is we have incinerator No. 5 which has cost approximately $20 million in invested money approved by the Council, money approved by the Executive, money approved by Congress. That incinerator is now being completed, practically at completion point, at Benning Road. It will handle 1,200 tons a day on the average, up to 1,500 tons a day at peak, if it is always running at maximum efficiency.

We need that incinerator. If we do not get that incinerator, if we are not allowed to open it, we will have to continue the operation of four old ones.

On a public health basis, we cannot afford to leave the old incinerators open and not open the new one. The City Council in our city has adopted, as of last July, a regulation. It says, very simply, the city cannot open an incinerator that does not fall below a 0.01 emission level. The fact is, that standard is something that has been attained no place in the world, except in France, under strictly controlled conditions. The fact is, that that standard is well below Federal standards. The Federal standard is 0.08. The fact is, the proposed new incinerator now more than meets that Federal standard. The fact is, the new incinerator would help us clean up the air in the District.

As an administrator, I am sitting here with a problem. I have to get rid of 3,000 tons of solid waste a day for maximum protection of the public, with the lowest possible air pollution.

I am sitting here with two regulations staring me in the face after 8 years of planning, and I have to make a decision.

Decision on Operating Incinerator No. 5

That decision, Mr. Chairman, is this: As of the date incinerator No. 5 is opened, do I, to protect the public of this city, transfer staff from old incinerators, close them down, and open the new incinerator in the name of better burning, better control of air pollution, more efficiency, more safety for the public—at the risk, sir, of violating Council regulations and facing a $300-a-day fine and being faced with the possibility of going to jail for 10 days for every day of the violation?

The fact is, Mr. Chairman, I am in what I consider to be an untenable position. The fact is, I will probably be faced with the decision of which violation do I undertake. If I am faced with that, unless the Council changes its position and budgets for incinerator No. 5, I will probably have to open incinerator No. 5 and take the consequences.

Mr. Chairman, I raise this because I know you read the papers. I know you know what the situation is. I have this problem, and I want to make sure I get on record.

You mentioned service awhile ago. I believe in service.

In closing, sir, I would like to say that I appreciate your bearing with me and hearing these few comments, one which does not directly concern the budget but is a request concerning your report on water supply, and the second that became a bit impassionate at times, and I apologize for that, but I want to make certain I get across the point. We have an untenable situation.

Regulation Concerning Incinerator No. 5

Senator Inouye. I think both points you brought up this afternoon are relevant and extremely important. I commend you for bringing them up this afternoon.

Mr. Coppie, what is the latest on that regulation relating to incinerator No. 5?

Mr. Coppie. Mr. Chairman, the regulation is a solid waste regulation, which is a regulation of the District of Columbia council and government.

Now, with regard to incinerator No. 5, the staffing and operating cost for that facility were requested by the Mayor in the 1973 budget,

and they have been denied by the City Council. The Mayor has the Council's recommendation currently under consideration.

As I indicated earlier, we will report back with the Mayor's recommendation to the Council probably tomorrow, but it would be premature for me to tell you what the Mayor's judgment will be. I can say that he is very concerned about the lack of available solid waste disposal alternatives to incinerator No. 5 at this particular time.

Senator INOUYE. What do we do, since some of the incinerators are not working, some are closed down, and then if you cannot open incinerator No. 5, where do we place the 3,000 tons of raw rubbish?

Mr. COPPIE. The only answer I am prepared to give at this time is that we are hopeful that as the City Council sees the full dimension of this problem, they will reconsider their action and incinerator No. 5 will be included in the budget for 1973. When the Mayor comes before you on or about April 10, we will be able to present to you a resolution to this very serious problem.

(Note: Funding for incinerator No. 5 was restored in the budget request submitted by the President to the Congress.)

Senator INOUYE. I hope something is done about this, because among the calls and letters that we receive in the office, the recurring theme seems to be rubbish collection. That seems to be the major problem in this city. So, I hope incinerator No. 5 is taken seriously.

Mr. Alexander, we have been advised that your absenteeism rate is rather high, especially on Mondays and Tuesdays. Is that observation correct?

ABSENTEEISM OF SANITATION WORKERS

Mr. ALEXANDER. That would be a very valid observation some months ago. The fact is that sometime during 1971, the absenteeism rate on Mondays and Tuesdays among collection crews reached as high as 40 to 50 percent. We and the union we worked with felt it was an untenable position. We could not operate that way. Those are the days of peakloads. So, we went to work with the men and tried to do something in terms of working it down. For a series of months, we worked together. The union sent stewards out to work with the men and we enforced regulations more stiffly.

Absenteeism is now averaging between 10 and 15 percent on Mondays and Tuesdays, which, I am sure, if anybody examines the situation, they will find it is a very, very good percentage of absenteeism on Mondays and Tuesdays among sanitation workers around the country and that it approximates that of Federal workers in general. I think 10 percent is not unacceptable. We have reduced it from over 40 percent to between 10 and 15 percent.

Senator INOUYE. I hope you can reduce it a little further.

Mr. ALEXANDER. We are trying to.

Senator INOUYE. On page 11 of your statement, you refer to some reprograming request you contemplate, in connection with control, a difficult problem of control of motor vehicle pollutants. When will we learn about this reprogramming request?

Mr. ALEXANDER. I missed the last part. Were you referring to the air pollution?

Senator INOUYE. However, this does not preclude a possible request for reprograming for this purpose.

CONTROL OF MOTOR VEHICLE EXHAUST

Mr. ALEXANDER. The Mayor has submitted to the Federal Environmental Protection Agency a proposed air pollution implementation plan for the control of motor vehicle exhaust. This plan went in at the end of January, substantially complete except for one part, some regulations on stationary sources to the Economic Council. If this plan is approved by EPA for early fiscal year 1973, we will need increased inspection and what have you. We would have to come back and suggest the reprograming of some money. That is all we are referring to there. We are talking about coming back and asking for supplementary money.

SEWER AVAILABILITY CERTIFICATES

Senator INOUYE. Last year, your department stopped issuing sewer availability certificates needed for building permits and I note the city later decided to allow for construction of new buildings but no occupancy. What is the present status, sir?

Mr. ALEXANDER. Sir, we are allowing construction of buildings and occupancy of buildings. The fact of the matter is that the rate of sewage flow from the District into the sewage system, as far as we can determine, has not grown appreciably, and, while we are building we are also tearing down, as you know, in the riot corridors and other areas. We feel we are breaking even on that and, justifiably allow connections and use.

Senator INOUYE. We also note that while this moratorium has been effected in the District, in the suburban areas there has been no moratorium.

Mr. ALEXANDER. There have been announcements of moratoriums in other areas. The fact is that Montgomery County announced a moratorium on basic buildings and hookups. I cannot vouch for that having any appreciable effect on reducing the increase in flow from those areas simply because the lines entering this city and the Blue Plains plant are not all metered and, then, those that are metered use systems that are not that dependable.

So the fact is that we can only assume from visual oversight that (a) building is going on in Montgomery County and (b) that people are moving in homes and businesses and say that that is increasing our sewage flow. We cannot tell you exactly how much, sir.

INSPECTION OF RESTAURANTS

Senator INOUYE. Your office has, among its responsibilities, the upgrading of District food dispensing establishments, restaurants, and such.

How many such establishments have been closed permanently for failure to attain minimum sanitation ratings of 70 percent?

Mr. ALEXANDER. Sir, I will ask Mr. Robey to come forward. I cannot remember the exact number.

Let me explain the system we established September 1.

We had existing at that time a rating system. It allowed a range of ratings from zero to 100. We established two points on the scale. We said that the point 70 on the inspection scale would mean the

74-704 O - 72 - pt. 1 - 60

place posed an imminent health danger and should be suspended at once until the problems of sanitation were cleared up.

We established 85 as a point at which the restaurants would be given a warning if they did not reach 85 in a period of time that was satisfactory, we would move to (a) suspension or (b) revocation. The fact of the matter is I think more than 150 establishments have been suspended temporarily until they come above the 70, and, then, above the 85. How many places have been closed?

Mr. ROBY. Our records have indicated eight establishments through the middle of February were closed for this reason. There are indications that others did close voluntarily, but, as a result of our action, approximately 10 places.

Mr. ALEXANDER. I would like to point out that I am quite confident any view from perspective will tell you the inspection system in this city is causing considerable difference in the quality of food service in stores and restaurants.

I have no doubt but what the Department of Agriculture would confirm that.

Senator INOUYE. I do not suppose the food establishments are required to display these ratings in a prominent place?

Mr. ALEXANDER. This is a question that was addressed to us by the Randle Committee, one we addressed to a task force of consumers and Government people and restaurant people we organized.

That task force came back to us with a recommendation against the classical method of posting, that is, some A, B, C, D rating system. We have reviewed that recommendation and presently are working on a proposed revision that would simply single out and mark those restaurants and food establishments that are excellent, if you will, use that approach, and would need no posting. We have not decided firmly on this. We are going to present it back to the task force and see how they react.

Senator INOUYE. With that system, we do not know which restaurants are bad.

Mr. ALEXANDER. One thing you do know: If the restaurant is bad, we cannot allow it to stay open.

FOOD HANDLERS' TRAINING PROGRAM

Senator INOUYE. Do you operate any food handlers' training program?

Because I gather most of the violations come with handling.

Mr. ROBY. Most of the violations come, basically, from sanitary conditions in operation or maintenance, in that context of daily operation. We have presently underway a study to find out whether or not we can, through working with restaurant associations and with the Department of Labor, come up with a plan which would provide training for food handling.

We are also working on the prospect of developing a bilingual program, because we do have this particular problem in many of the restaurants in the area.

The Hotel Association has just recently employed a sanitarian who will be responsible for developing training programs within the Hotel Association for their employees, et cetera.

LEGISLATION TO REDUCE AIR POLLUTION

Senator INOUYE. Mr. Alexander, will any legislation be required to implement the plan to reduce air pollution or are the present laws sufficient?

Mr. ALEXANDER. Mr. Robey, you can support me in this. But an examination by EPA authorities and myself on the powers and controls required indicate that, within this Government, we should be able to enact most of the regulations necessary, all of them.

RAT ERADICATION PROGRAM

Senator INOUYE. What is the status of your rat eradication program?

I gather there are just as many rats as we had a year ago.

Is that correct?

Mr. ALEXANDER. Sir, I would disagree.

First of all, in the past year, we have gone on working with the rat control program in service area 6, which is the inner city, which Mr. Roby will describe.

Secondly, within the past year, as you well know, rats essentially accumulate and grow and breed in stacks of debris and concentrates of filth. During one 3-month period we went out and removed some 24,000 tons of filth, corruption that had been stacked and allowed to accumulate for a long time in the city, above and beyond the normal collection. Twenty-six thousand tons of rat harborage.

But specifically, the concentrated rat control program we had is in service area 6.

Jim, will you discuss that?

Mr. ROBEY. Actually, the program is about 3 years old. We are getting ready to go into the fourth year. If you recall, the Public Health Service came in last year and did an independent study in service area 6, and it was determined there had been in fact a substantial reduction of rat harborage in the Model Cities area. The exact figures I do not have, but there was a substantial reduction, and we have, in fact, been working with the Health, Education, and Welfare people in terms of the fourth year program and talking in terms of putting some of these areas on a maintenance basis.

We have a plan to extend the actual concentration of the "War on Rats" program outside the Model Cities area in the next grant year which starts May 1. We will get into some other areas of the city which we have identified with a high infestation rate.

Mr. ALEXANDER. I should point out, Mr. Chairman, the study indicated that rat harborage in that area, which totals 80,000 people, has been reduced about 85 percent.

I should further point out the basic way to attack rats is to really get rid of trash and garbage. We are optimistic, based on a new contract with the union for increased activity for potential manpower. * * *

PROCUREMENT POLICIES

Senator INOUYE. I would like to commend you for the leadership you have shown in taking over the difficult chore.

I have a few questions relating to rather small items.

I am bringing up these items, because they will explain to you why I had some reservation about your procurement practice. My first question is:

How many persons are presently assigned to work in your old pumping station?

Mr. ALEXANDER. How many persons are presently assigned to the old pumping station?

Senator INOUYE. Yes. How many people are on duty there?

Mr. ALEXANDER. We do not have that figure here.

Senator INOUYE. While you are looking for or finding that answer, I will say that I realize the next item is an irritating one. It is a matter that I brought up when I was first given this assignment, and it is a matter of the houseboat. I know that the repair and maintenance cost for this houseboat in the last 11 months has exceeded $13,000. And for the last 12 months, the houseboat was assigned to take 52 trips but was able to only undertake 30 because 11 times it was under repair, twice on holidays, six times no operator, and two times bad weather, and one time the boat would not start, and 22 times no reason for no trip.

Why do we continue to maintain this very expensive piece of equipment that apparently does not work and costs your Department over a thousand dollars a month to maintain?

Mr. ALEXANDER. Sir, that is a good question, and I have asked it myself.

Senator INOUYE. It would be cheaper to get a rowboat, I think.

OPERATION OF HOUSEBOAT

Mr. ALEXANDER. I will not argue the position of purchasing a houseboat. The fact of the matter is there has been a need to monitor the pollution effect in the water up and down the river, so we can collect data, report it to the proper authority and do something about it.

The further fact is that the Department went out and got a houseboat that cost $21,000. The further fact is that one of the first things I discovered was the houseboat did not work. There were a lot of motor troubles. Despite the stories, there was no air conditioning in the houseboat. There was a lot of newspaper rhetoric about air conditioners, and there were none. The houseboat, itself, has a heater and refrigerator larger than normal for river samples.

There were problems with the welding. This cost money. Nobody seemed to be able to find a solution until about a month or two ago. The thing had been put together with a cantilevering design on front so the shed on top was linked to the pontoons about 4 feet back from the front. . . . We do not have boatmen. The problem was resolved with a mechanic who did not know a thing about boats coming in and saying "You can't cantilever it that way."

The boat, a week and a half ago, was running fine. The cantilevering had been corrected. It had been out for 3 weeks in a row before I was in it, and, apparently, it is now able to function.

Most of that cost was of people already in the Department. It was not outside labor. My question with the houseboat, frankly, goes beyond its functioning. We have to have testing, at least so far I think so. There is the problem of replacement in organization. I do not believe it belongs in the organization that is monitoring itself. Right now it is assigned to Water Resources Management Administration, and I think I should move it into Environmental Health. So, then,

I will not have the people running the operation monitoring themselves. It does not make sense to me. We are going to straighten that out. In any event it is running now.

Senator INOUYE. I hope you will, because it does not speak too highly of your procurement practices in your Department.

IMPROVEMENTS IN PROCUREMENT PROCEDURES

Mr. ALEXANDER. May I make a point on that?

You are interested in procurement practices, and I think it might be good business, Mr. Chairman, to discuss some of the problems of the procurement practices. We have reduced the number of people buying supplies from 38 to eight. Eight we can control.

We have gone a step further. We have required that all purchases beyond what is required for routine office expenses be cleared by my office before approved.

We further have required all office equipment and furnishings being considered for purchase must be cleared there. So, we can avoid some purchases like a $1,500 rug we had to turn back shortly after we moved in.

For the first time, we have an inventory going on with the staff working on it, and a central staff from the District government, inventory every section and every item throughout the Department, to make sure there are satisfactory controls.

Another cost production factor is phones. In the central office alone, our projection says that changes which we make there will reduce phone costs in this fiscal year by some $10,000.

Also, sir, because we are concerned about procurement, we have had going, since early November, an internal District audit of every process in connection with supply and management of funds. Their first recommendation is due the first part of April. We will share it with you.

In the middle of all of this, we ended up having to do such things as this: We had an investigation about 2 weeks ago to find out why the Department bought two cookie tins. We followed it up and found the reason for the purchase was because they were being used to test soil samples.

We investigated a report somebody bought two hairdryers and they ended up in a beauty establishment. So far I cannot find a record of it; if it did happen, we hope to God we can find it.

We have a report we investigated, that I had in my office the most expensive furniture in the District government.

The fact of the matter is that I would like to show to you, to scotch the kind of rumor we can be plagued with, a picture of exactly what the Director in this Department has as the basic desk and furniture in his office.

What I am saying to you, Mr. Chairman, we get 101 reports from inside and outside the Department about waste of money. This picture shows what is in my office: a remodeled engineering desk with a piece of plywood attached on the front and a $15 stool behind it.

Senator INOUYE. Is that your desk?

Mr. ALEXANDER. That is mine. As a matter of fact, that is the kind of economy we have going.

Facing and understanding that, we do have a number of reports of problems we are working on——

Senator INOUYE. If this is your desk, I can assure you a lot of offices have surplus desks that you can use. I can take you there.

Mr. ALEXANDER. Actually, I prefer that desk.

EMPLOYEES AT OLD PUMPING STATION

Senator INOUYE. How many employees do you have at the old pumping station?

Mr. ALEXANDER. There are 78 at the pumping station branch. In the maintenance branch, 188; and audit, itself, 157. A total of 423 out there.

Senator INOUYE. At the old pumping station?

Mr. ALEXANDER. All in the same complex.

Senator INOUYE. Are they on duty, the 423, all at one time?

Mr. ALEXANDER. There are some emergency crews at night.

Senator INOUYE. Am I correct that only 50 work in the building and the rest are on the road?

Mr. ALEXANDER. There are at least 200 probably working in the buildings, in that complex.

Senator INOUYE. We have been receiving some reports from friends in the building saying they thought you had too many refrigerators.

Mr. ALEXANDER. Twenty-two, sir.

Senator INOUYE. Compared to other agencies, they feel you are overstocked with refrigerators.

Mr. ALEXANDER. It is entirely possible that there are too many.

Senator INOUYE. Maybe you can turn in one of these brand new refrigerators in storage and buy a new desk.

Mr. ALEXANDER. Sir, we are going through the Department inventorying everything. The fact is that the refrigerators are basically used for lunches. There are not many cafeteria facilities in the area.

Senator INOUYE. We do not want to deny any of the employees any necessities, but if this is your desk, does it make sense to have two refrigerators in storage and you have to work on something that is ready to fall apart?

Mr. ALEXANDER. Mr. Chairman, if I may, I hope you did not mean "if that is my desk?" Sir, it is.

FURNITURE PURCHASES

Senator INOUYE. It is your desk, yes.

I think you should check on some other of your staff people, because their furniture appointments are a bit more comfortable. For example, a GS–11 on your staff, I suggest, received a new swivel chair costing the District $200—I stand corrected—$244.75.

Mr. ALEXANDER. That is correct, sir. I understand your point. The fact is, the man who occupies that chair is a Mr. Williamson, and he has a disability. The doctor recommended a need for a particularly erect and firm-sitting arrangement, something to do with the control of gastric juices, particularly during early afternoon periods. I would concur possibly he could have found a chair that might have provided

for that cheaper. I do not know at this time. But he did have a problem of disability for which he received payment, and that is the reason for that kind of chair.

Senator INOUYE. I am just curious. What do you need bar sinks and bar cabinets for?

Mr. ALEXANDER. I wish, sir, in describing the sinks for sale and for purchase, they had called them something else. The fact is, bar sinks are the metal-type sinks usually used in bars. What we have been using is porcelain sinks. They cannot take the same beatings that bar sinks or metal sinks can, and they are not as easy to keep clean. I believe we have some three or four bar sinks out there for use in replacement of porcelain sinks in the laboratory. That is correct.

Senator INOUYE. These are not for bars?

Mr. ALEXANDER. Sir, I know of no demands for a bar in my organization.

Senator INOUYE. It might be fun if you found one.

We brought this bar sink business up because we were advised that bar sinks were going in the men's room. It is the first time I heard of a men's room having bar sinks.

It seems like every other men's room has a porcelain sink, not the expensive steel bar sink.

Mr. ALEXANDER. Porcelain sinks chip, break easier, and are harder to keep clean. We have pictures showing the porcelain sinks we are talking about.

Senator INOUYE. I just wanted to bring these up.

We have a few other items.

At your leisure, I will have my staff go over them with you.

Mr. ALEXANDER. Sir, I would appreciate it. We are trying.

Senator INOUYE. We have been doing a little bird-dogging, and what we have seen would make us question some of the questions that are coming through.

Once, again, I would like to commend you on what you have done the short while you have been in office. We would hope you could keep it up.

Mr. ALEXANDER. Thank you very much.

STATEMENT OF JOHN S. KESTER, CHIEF

ACCOMPANIED BY MISS MARGARET PRESCOTT, BUDGET OFFICER

PREPARED STATEMENT

Senator INOUYE. Our final witness for the day is John E. Kester, Chief of the Washington Aqueduct.

The amount is $5,425,600.

Mr. Kester, I regret to tell you, I must be leaving here in a few moments. We have read your statement.

So, if you wish, you may have it placed in the record.

Mr. KESTER. I would like to have the statement placed in the record.

(The statement follows:)

PART I - PROGRAM OVERVIEW

The Washington Aqueduct, a division of the U. S. Army Engineer District, Baltimore, performs the water supply functions of the District of Columbia water system. The Washington Aqueduct is under the control and superintendence of the Chief of Engineers, Corps of Engineers, Department of the Army. The mission of the Washington Aqueduct is the provision and purification of an adequate supply of potable water for the District of Columbia, and by authorization of Congress may permit sale of water to Arlington County, Falls Church and other competent State and local authority in the Washington metropolitan area. We estimate that 78.1 billion gallons of water will be supplied to the citizens in FY 1973 which is a 3.4% increase from the 75.5 billion gallons being supplied in FY 1972.

The Operating and Capital cost for FY 1972 and FY 1973 are as follows:

	FY 1972	FY 1973	+Increase/ -Decrease
	(Dollars in Thousands)		
Operating Cost	$4,990.8	$5,425.6	$ 434.8
Capital Cost	2,295.0	1,000.0	$-1,295.0

Current level of funding:

Our FY 1972 allotment	$4,990.8
Decrease for non-recurring FY 1972 Adjusted Base	- 24.0
Increase	+458.8
FY 1973 Estimate	$5,425.6

Uncertainties which may effect the total agency program in FY 1973 are as follows:

a. A major uncertainty is a possible drought which could occur and reduce the available water supply from the Potomac River to a point at which we would not be able to meet our objective of supplying adequate water to the District of Columbia and Virginia communities.

b. Two minor uncertainties which could effect us are:

1. There are no funds in the FY 1973 budget for operating the emergency pumping station which was authorized and funded in the First Supplemental FY 1971 budget. Usually low flows in the river do not occur before July or August of any

year. However, it is not impossible that a low flow might be as early as May or June of 1973. If such a low flow should occur before the end of June 1973, there are no funds allocated to operate the emergency pumping facilities now being designed and constructed.

2. The escalation in the price of materials and supplies to operate the Washington Aqueduct Division reduces the buying power of our limited funds for maintenance parts and materials; therefore, we find ourselves annually postponing needed preventative maintenance and forced to perform more costly repairs on a breakdown basis.

PART II - POLICY AND EFFICIENCY AND ECONOMY HIGHLIGHTS

It has been, and will continue to be, the policy of the Washington Aqueduct Division of the Corps of Engineers to supply water to the District of Columbia and the Virginia communities which in quality exceeds Public Health standards and in quantity to satisfy the needs of the people served. There is no change in our assigned activity for FY 1973 but within the next three years we will be taking on a new wholesale customer, the City of Alexandria.

We are requesting an increase in the amount of $434,800 in the operating budget for FY 1973 over FY 1972. The increase covers items as indicated below:

BREAKDOWN OF INCREASES

Within-grade advancements	$ 37,000
Pay increases (GS)	48,500
Pay increases (WB)	128,700
Chemicals	128,100
Electricity	69,500
Equipment	15,000
Automatic Data Processing	32,000
	$458,800
Less Non-recurring	24,000
Net Increase, FY 1973 over FY 1972	$434,800

Salaries, electric power and water treatment chemicals constitute 90% of the operating cost for the production of water. Salaries and pay raises are mandatory. The quality of the raw water in the river, the frequency of heavy rains and the increasing consumption of water largely determine the expenditure for chemicals required to produce quality water. The expenditure for electric power is determined by the quantity of water pumped to the citizens. It is unrealistic to restrict the use of water because of insufficient funds to pump the water into the system.

We are requesting $1,000,000 for Capital Outlay projects in FY 1973. Funds are for: (1) second increment of a project for water plant extension and improvements at McMillan and Dalecarlia in the amount of $870,000. ($885,000 was appropriated in FY 1972 as first increment of this project. Total project is $18,735,000); (2) $130,000 for Plant Major Replacements and Rehabilitation, Dalecarlia and McMillan.

CITY WATER RESERVE

Senator INOUYE. For the record, could you supply the answer to this question, because I only have one question to ask?

You stated that this city had a two-and-a-half-days' water reserve. Is that correct?

Mr. KESTER. That is right, internal water.

Senator INOUYE. What would constitute, in your opinion, an adequate reserve for supply of water?

Mr. KESTER. Mr. Chairman, I do not see how there could be an adequate amount of internal supply in a system within the property that we have in our area. This is going to require a larger source, such as reservoirs or large impoundments for water supply for the city.

Senator INOUYE. Do you concur with the plea made by Mr. Alexander?

Mr. KESTER. Yes, sir.

Senator INOUYE. I have no other questions.

I thank you very much for waiting this long.

Mr. KESTER. Thank you, sir.

Senator INOUYE. Your request will be given our very serious consideration.

Mr. KESTER. Thank you very much.

SUBCOMMITTEE RECESS

Senator INOUYE. The subcommittee will recess until 10 o'clock Wednesday, April 5, at which time we will receive testimony concerning the budget request for the Department of Human Resources.

(Whereupon, at 4:45 p.m., Wednesday, March 29, the subcommittee was recessed until 10 a.m., Wednesday, April 5.)

CHRONOLOGICAL LIST OF HEARINGS

	Page
Tuesday, March 14, 1972:	
Statement of the Commissioner	79
City Council	117
Office of the Commissioner	139
Office of the Secretariat	143
Office of Public Affairs	163
Office of Budget and Program Analysis	187
Personnel Office	191
Office of Civil Defense	225
Department of Finance and Revenue	233
Office of Corporation Counsel	254
Wednesday, March 15, 1972:	
Office of Planning and Management	261
District of Columbia Public Library	317
Department of Economic Development	337
Department of General Services	353
Thursday, March 16, 1972:	
Other Independent Office and Agencies:	
Office of Assistant to the Commissioner for Youth Services	373
Office of Assistant to the Commissioner for Housing Programs	399
Alcoholic Beverage Control Board	443
Board of Parole	445
Minimum Wage and Industrial Safety Board	453
Recorder of Deeds	459
Public Service Commission	463
Zoning Commission Office	477
Board of Appeals and Review	513
Office of the Surveyor	529
Commission on the Status of Women	531
Board of Labor Relations	541
Metropolitan Washington Council of Governments	545
Washington Metropolitan Area Transit Commission	553
Miscellaneous Contributions:	
Redevelopment Land Agency	557
Apprenticeship Council	565
School Transit Subsidy	571
Washington Convention and Visitors Bureau	583
Office of Human Rights	589
Friday, March 17, 1972:	
Public Safety:	
Metropolitan Police Department	609
Fire Department	657
Monday, March 20, 1972:	
District of Columbia Court of Appeals	677
Superior Court	680
Public Defender	715
Bail Agency	729
National Guard	737
Tuesday, March 28, 1972:	
Department of Corrections	743

	Page
Wednesday, March 29, 1972:	
Federal City College	779
District of Columbia Teachers College	823
Washington Technical Institute	855
Recreation Department	863
Department of Highways and Traffic	871
Department of Motor Vehicles	893
Washington Aqueduct	939
Thursday, April 6, 1972:	
Board of Education	1059
Education/Public Schools	1083
Friday, April 7, 1972:	
Repayment of Loans and Interest	1217
Capital Improvements	1227
Public Schools	1277
Public Library	1303
Recreation	1307
Police Department	1311
Fire Department	1313
Department of Economic Development	1315
Federal City College	1321
District of Columbia Teachers College	1329
Human Resources	1337
Department of Corrections	1341
Department of General Services	1345
Department of Highways and Traffic	1347
Department of Environmental Services	1351
Washington Metropolitan Area Transit Authority	1353
District of Columbia Obligations	1367
Washington Aqueduct	1369
Monday, April 10, 1972:	
Public Witnesses	1373
Tuesday, April 11, 1972:	
Review of budget hearings	1633
Concluding statement of Mayor Walter E. Washington	1637
Office of Budget and Financial Management	1643
Financial Plan	1646
Material furnished subsequent to Hearings	1649

LIST OF WITNESSES

Page

Abner, Wiloughby 541–543
Airis, Thomas F 68–70, 869, 871–881, 885–891, 1347–1349
Alexander, James P 924, 928–937
Ambrose, Sharon 1539–1541
Atkin, Bertha N 1569–1571
Avery, Allen 758–759

Back, Kenneth 233–242, 246–247
Baisinger, Mrs. William C 1467–1470
Baldwin, James W 589, 592–595
Banks, James G 399–441
Barnett, Norman C 1403–1406
Barry, Marion, Jr 1059–1068, 1071–1072, 1074–1081, 1102, 1109, 1115–1116, 1172–1173, 1206
Beaudin, Bruce D 729–736
Bedford, William J 1152, 1190–1191, 1204
Bostick, Robert L 1485–1486, 1487
Bowman, Mrs. Barbara 715–722, 727–728
Boynton, George M 885, 1347
Brooks, Edward 589
Brown, Ann 1397–1401, 1432
Brown, Oliver 1075, 1081, 1103–1109, 1149–1150, 1155, 1157, 1174, 1178, 1190, 1202, 1205
Brown, Philip 1596–1598, 1613
Bryan, Irving 513–520
Burgess, Cleveland 814–816, 820–821

Cassell, Charles I 1282–1283, 1285–1290, 1292–1293, 1297–1299, 1434–1437, 1440
Clark, Mrs. Reuben 1463–1466
Clark, Robert 161, 304, 735–736, 759, 890–891, 1559–1560
Clark, Theressa H 1401–1403
Cole, Joseph H 863–870, 1307–1310
Coleman, Carl W 445–447
Coleman, Robert W 1341
Conard, Gale W 1533–1536
Cook, Prentis 1377–1379, 1396
Cooke, Dr. Paul C 823–826, 829–831, 835–838, 849–850, 1329–1332, 1336
Cooke, Wesley 1414–1415
Corfman, Eunice L 1443, 1451–1452
Coppie, Comer S 21, 27–30, 33, 52, 60, 63–68, 70–71, 73, 93–94, 99–100, 103–104, 106–108, 112–113, 131–139, 147–148, 155, 166–167, 187–191, 208, 214, 222, 240, 247, 270, 296, 315, 341, 533, 561, 571–573, 575, 578, 580, 663–664, 676, 685, 687–688, 713, 723, 736, 753, 827, 829, 835, 887–888, 900, 903, 912, 929–930, 1068–1072, 1096, 1100, 1102, 1217, 1220–1222, 1224–1227, 1231, 1238–1240, 1273, 1276–1277, 1296–1297, 1310, 1315–1317, 1322–1323, 1326, 1331, 1337, 1349, 1351, 1367–1369, 1643–1647
Cromartie, Lawrence 812–813, 818–819
Cush, Frank C. E 1469, 1494, 1518, 1535, 1541, 1545, 1562, 1564, 1571, 1572, 1575

Davila, Marcela Q 1494–1495
DeForest, Vincent A 1542–1543
Dennard, Dr. Cleveland 855–856, 861

74-704 O - 72 - pt. 1 - 61

Page

Donald, Barbara ... 1520, 1527–1529
Dugas, Julian R ... 337–352, 1315–1317

Eastman, Samuel T ... 163–166, 185
Eaton, John E ... 191–195, 207–210, 213–215
Ellison, Newell ... 539

Featherstone, James ... 387, 394–396
Fenton, Maurice P ... 565–568
Ferebee, Dr. Dorothy B ... 531–533
Fisher, Charles ... 525, 527
Fox, John O ... 1582–1586
Freeman, Marianne ... 1374–1376, 1422
Fromm, Sandra ... 1553–1556, 1559–1561

Galloway, Ronald ... 813, 819–821
Gardner, Robert ... 1337–1339
Gemmill, Mrs. Robert F ... 1470–1472
Ghee, Silvia ... 1446–1467
Graham, Jackson ... 1353–1366
Grayson, Mary ... 1498–1499, 1502–1506, 1507
Green, John ... 798
Greene, Charles T ... 455–457
Greene, Hon. Harold H ... 680–692, 695–697, 702–708
Griffith, Arturo ... 1594–1596

Hahn, Gilbert, Jr ... 117–131
Haley, Joseph D ... 18–20, 22, 24–29, 33, 73, 301–302
Hampton, William B ... 908
Hardy, Kenneth L ... 743–753, 756–758, 764–765, 778
Hartley, John E ... 880
Hatton, Arthur B ... 477–482, 487, 502–503, 507–509, 511
Hays, Helen ... 1536–1538
Heddinger, Richard W ... 1577–1578
Henley, Dr. Benjamin ... 1205
Hernandez, Charles ... 1586–1588, 1594
Hickey, J. Patrick ... 722–723, 727
Hood, Hon. Andrew M ... 677–680
Hubbard, Harriet B ... 1454–1460
Hunter, James ... 810–811, 818, 820

Iadarola, Rosalie ... 1475–1478, 1484–1485
Ingram, John ... 132, 261–267, 269–270, 284–285, 288–299, 301–302, 304, 314

Jacobs, Lorenzo ... 1415–1416, 1422
Johnson, Dr. Dorothy L ... 1110, 1112–1115
Johnson, Dr. John ... 1486–1487
Jones, Dr. James L ... 373–390, 393–397
Jones, Roger ... 791–793, 836
Jordan, William H., Jr ... 73, 147, 155, 161, 185, 213, 222, 295–299, 301–302, 349, 371, 470, 655

Kelly, Mary Agatha ... 1529–1530
Kemp, Father Raymond ... 1080–1081
Kemp, Lamar ... 1495, 1497
Kenny, Austin ... 583–587
Kester, John E ... 939–943

Lemmon, Lawrence ... 1308
Lombard, Edward P ... 451–452
Lowe, Schuyler ... 1362
Lynch, Jeanette ... 1563–1564

Malech, Arnold ... 696, 692–694, 697
Martin, Dr. Robert E ... 526–527
Mattare, Joseph H ... 657–663, 1313

Page

Mister, Melvin 557–561, 564
Murphy, C. Francis 254–260
Murphy, Joseph P 893–901, 903

Naiman, Steve 1543–1545
Newman, Mrs. Sarah H 453–455
Newmyer, Mrs. James M 317–327, 329, 332–334, 1303–1304, 1306

Perkins, Norval E 525–527
Philips, Jerome 1472–1473
Pitt, Joseph 815, 818

Quenstedt, Warren 1364–1365, 1579–1582
Quinn, William J 899–900

Randolph, Dr. Harland 779–791, 793, 795–798, 808, 1321–1326
Ridley, Peter S 459–461
Roberts, Donald 1437–1439
Robertson, James C 1351–1352
Robey, James B., Jr 932–933
Rodericks, George R 225–232
Rothchild, Prof. Donald P 1406–1408, 1414, 1422, 1432
Russo, Albert P 1500–1502, 1505–1506
Rutherford, Thelma V 1564–1567

Schaller, Martin K 143–147, 161
Scheiber, Walter A 545–551
Scott, Dr. Hugh 1072, 1075, 1077–1079, 1083–1088, 1096, 1100–1103, 1108–1110, 1114–1115, 1149, 1157, 1163, 1168–1169, 1172–1178, 1180, 1190–1194, 1202–1206, 1277–1278, 1287–1288
Simonson, Mrs. Joy 443–444
Southward, Maj. Gen. Charles L 737–742
Starobin, Sam D 353–366, 368–371, 1240–1242, 1266–1268, 1272–1276, 1281–1285, 1291–1293, 1296, 1298, 1300–1302, 1304, 1306, 1308, 1313, 1321–1322, 1324, 1326–1327, 1331–1332, 1336–1339, 1341–1346
Stevens, Gregory 811–812
Stewart, Stonewall J 1572
Swindler, Peter V 829, 850, 1332–1333

Taylor, Andress 809–810, 812–813, 815–817
Taylor, Fred 1509, 1516–1519
Tillery, Stanley 1474–1475
Torosian, Rev. Tom 1539, 1541, 1546–1547

Vidaña, Luis H 1488–1490

Wallace, R. D 886–888
Walton, Daniel A 266–267, 269–270
Washington, Walter E 1–3, 7, 15–17, 20–22, 24, 26–30, 32–35, 50, 52–54, 58–60, 65–71, 73, 80–84, 85–89, 92–93, 98–104, 106–107, 112–113, 115–117, 1634–1636, 1642, 1648
Waterman, Jeremiah C 463–470, 553–555
Watt, Graham W 17–19, 22–25, 30–34, 139–141
Weinberg, Donald H 195–207, 543
Weiss, Harry 1369
Werle, F. B 529
Whiteside, Rose 1561–1562
Wilson, Elizabeth A 1573–1575
Wilson, Jerry V 609–639, 643, 650, 652–655, 1311
Winner, Edward 1108–1109
Woodson, Granville 1190–1194, 1278–1279, 1282, 1288, 1290–1291, 1296–1298, 1300

Yeldell, Joseph P 35, 37–38, 49–51, 57–60

SUBJECT INDEX

A

Page

Accounting systems 16–26, 31–35, 60–63, 88, 291
Control over independent agencies 27, 32–35, 101–103
Anti-Deficiency Act 64–65, 66, 93–101, 663–676, 686–688
Appendix I: District of Columbia budget estimates as submitted to the Congress April 11, 1972 1669
Appendix II: Capital improvements projects requested at various funding levels 1783

B

Bicentennial 140–141
Budget in general:
Appropriations process, improvements in 113–114
Base cuts 112
Budget Officer, statement of 131, 1643
Changes in initial budget request 1649–1666
Commissioner, Statement of 80, 1637
Legislative authority 104
Review of budget hearings 1633
Senator Hatfield, Statement of 116–117

C

Capital improvements program 1217
Architectural services 1242–1271
Corrections, Department of 1341
Detention center 1341
Court complex 132, 259–269, 357–362, 364–371, 702–708
Debt service 106–107, 1221–1224
D.C. Obligations 1367
D.C. Teachers College 1329
Demountable classrooms 1329, 1332–1335
Federal grants for capital improvements 1330
Gymnasium 1330, 1331
Economic Development, Department of 1315
Eastern market renovation 1315
Georgetown market renovation 1315
Repair of vacant and vandalized housing 1315–1319
Environmental Services, Department of 1315
Federal City College 1321
Central library 1324
Procurement procedures 1323
Fire Department 1313
General Services, Department of 1345
Elevator renovation 1345
Emergency power supply 1346
Human Resources, Department of 1337
D.C. General Hospital, air conditioning 1337
D.C. General Hospital, core and obstetrical buildings 1338
Glenn Dale Hospital renovation 1337
Morgue 1339
Highways and Traffic, Department of 1347
Potomac River freeway 1348
South Capitol Street bridge 1348
Three Sisters bridge construction 1349

Capital improvements programs—Continued Page
Limitations on fiscal 1973 request 67–68, 1220
Metropolitan Police Department 1311
Fifth District Station House 1285
Second District Station House 1285
Seventh District Station House 1311
Third District Station House 1311
Permanent improvements, method of financing 1224–1226
Priorities for capital improvements request 1231–1237
Project manager system for capital program 1240
Projections of cost 115–116
Public library 1303
B. B. French School renovation 1304, 1305
Deanewood branch library 1304
Parklands branch library 1304–1305
Shaw branch library 1304
Public Schools 1277
Anacostia High School addition 1279
Architects, selection of 1291–1292, 1293–1295
Bancroft Elementary School addition and modernization 1278
Benning Elementary School replacement 1278
Buchanan Elementary School replacement, addition, and modernization 1279
Community involvement in school design 1285, 1291–1292
Differences between Board's Capital budget and Mayor's Capital budget 1277–1279, 1287–1290
Dunbar High School 1298, 1326–1327
Eaton Elementary School modernization 1279
Gage-Eckington Elementary School replacement 1279, 1299
Modular construction of Public School facilities 1283, 1287
Oxon Run elementary and junior high school 1301
Perry Simmons Elementary School replacement 1298, 1300
Rifle ranges 1296–1298
Standardized design of public schools facilities 1281–1285, 1286
Takoma elementary school replacement 1279, 1299–1300
Woodson junior high school 1327
Woodson senior high school 1327
Recreation, Department of 1307
Benning Park recreation center 1308
Campsite at Scotland, Md 1307
Rosedale recreation center 1308
Tree planting 1308–1310
Virginia Avenue playground 1307
Reporting of capital program expenditures 1238
Statement of budget officer 1228–1230
Unobligated balances for capital projects 1239, 1272–1274, 1325–1326, 1347–1348
Washington Aqueduct 1371
Washington Metropolitan Area Transit Authority 1353
Bonds to finance Metro 1364
Inflation, impact on Metro construction costs 1363
Justification material 1722
Parking space at Metro headquarters 1362
Provisions for handicapped persons 1364–1366
Schedule for construction 1360, 1363
Citizens and organizations of the District of Columbia, testimony of 1373
B. B. French school renovation project 1539–1547
Bicentennial, participation of black community 1542
Breakdown of residential areas 1596
Chinese culture center 1536–1538
Community correctional facilities 1443–1453
Consumer affairs 1374–1433, 1495–1497
Day Care programs 1528, 1529–1533, 1563–1564
Economic development of District of Columbia 1594–1596
Food stamp program 1564–1569
Forest Haven, institution for mentally retarded persons 1569–1571

Citizens and organizations of the District of Columbia, testimony of—Con. Page
Foster care programs 1498–1527
Half-way houses in District of Columbia 1454–1462
Higher education 1468
Library proposed at Alabama Avenue and Congress Street, SE 1572
Metro, provisions for physically handicapped persons 1577–1582
Preservation of historical landmarks 1583
Public schools' budget request 1463–1466, 1467, 1470–1472
Public schools construction projects:
Architects, selection of 1436–1442
Bancroft Elementary School 1561–1563
Gage-Eckington Elementary School 1466–1467
Spanish-speaking community, programs for 1488–1495, 1586–1594
Special education 1463, 1474–1475, 1475–1488, 1553–1560, 1572–1577
Three Sisters Bridge 1434–1436
Vocational rehabilition programs 1533–1536
Consultant services 270–283, 291, 295, 300, 315
Convention Center and Sports Arena 293, 346–349, 559

D

Debt service 106–107

E

Education 779
District of Columbia Teachers College 823
Accreditation 823
Federal funding 830–834
Justification material 1745, 1748
Master's degree program 837–838
Merger with Federal City College 835
Recruitment report on teachers college students 851
Tuition and fees 838–849, 850
Federal City College 779
Accreditation 788–791
Board of higher education, statement of Roger Jones 791
Dissension between faculty and administration 787, 789
Enrollment 795, 799–800, 801
Faculty overpayments and underpayments 797–798
Graduate program in education 793–795
Justification material 1746, 1749
Prison college program 808–817, 819–821
Program reductions proposed 790
Profile of student body 799
Public schools:
Absentee rate 1175
Academic achievement project 1180–1189
Budget requests by division:
Adult education 1129–1132
Business management 1136–1143
Career development 1126–1127
Community school program 1132
Elementary education 1110–1114
Employer-employee relations 1147
Personnel department 1146
Planning, research, and evaluation 1144–1145
Secondary education 1116–1122
Special education 1123–1125
Summer program 1133–1134
Urban service corps 1134–1135
Differences between Board's budget and Mayor's budget 1065–1067, 1068–1071, 1083–1084, 1096–1099, 1108–1109
Deficits in school system finances 1103–1105
Drug problem in school system 1206
Equalization of expenditures in schools 1177–1179
Evaluation of performance of school employees 1076–1078
Federal grant assistance 1072, 1149, 1153–1155, 1209–1210

Education—Continued
Public schools—Continued
Page
Financial Management 26–30, 63–66, 73, 1070, 1074–1075, 1081, 1085, 1105–1108, 1149–1153, 1155–1161
Fire codes, violations of 1194
Justification material 1739–1743
Library services 1203–1204
Personnel in school system:
Abolishment of positions 1102, 1161
Number of personnel 1157, 1162
Personnel profile, preparation of 1102
Public information functions 1162–1164
Reorganization of school system 1084
Residency requirements for school employees 1075
Security system in schools 1192
Spanish-surnamed pupils in school system 1202
Special education 70–72, 1067, 1109, 1123–1125, 1205, 1206–1208
Statement of President of Board of Education 1060–1064
Statement of school superintendent 1086–1095
Teachers' Union, relationship with School Board 1078–1079
Transportation services for school officials 1079–1081
Windows, replacement of 1190–1192
Study of higher education 827–829
Washington Technical Institute 855
Accreditation 865
Employment of students 861
Justification material 1747
Employment of District Government:
Limit imposed by the Congress 207–208
Racial and ethnic composition 215–218
Environmental Services 913
Environmental Services, Dept. of 913
Air pollution control 931
Environmental health programs 920, 931–933
Rat eradication 933
Restaurant inspections 931
Functions of department 924
Houseboat for sampling water 934
Increase requested for fiscal 1973 922
Justification material 1771–1772, 1779–1781
Procurement policies 933, 935–937
Solid waste disposal 917
Absenteeism of sanitation workers 930
Incinerator No. 5 928–930
Water pollution control 915, 928
Water supply 914, 925–927
Justification material 1770
Washington Aqueduct 939
Justification material 1773
Water supply 943

F

Federal assistance to the District of Columbia 15, 391, 832, 1072
Federal payment 84, 115
Financial management 7, 16–26, 31–35, 60–63, 284–287, 291, 1637, 1643
Financial plan 83, 135, 1646
Revenue projections 108–111
Revenue proposals 85, 119–124
Parking tax 127–128
Real property tax 125–127
Water and sewer rates 129

G

Page

General Accounting Office reports, audits, and studies:
- Anti-Deficiency Act, report on alleged violations of ... 95–97
- Statement of accounting standards and principles, letter of approval ... 90–91

General operating expenses:
- City Council ... 117
  - Justification material ... 1673
  - Revenue proposals ... 119–124
    - Parking tax ... 127–128
    - Real property tax ... 125–127
    - Water and sewer rates ... 129
  - Tax burdens, comparisons of ... 124–125, 126
- Commissioner's office ... 139
  - Bicentennial ... 140–141
  - Justification material ... 1672
  - Management improvement account ... 141
- Contributions to metropolitan area agencies ... 545
  - Justification material ... 1711
  - Metropolitan Washington Council of Governments ... 545
    - Justification material ... 1712
    - Parking fines, reciprocal arrangements for collection of ... 549–551
  - Washington Metropolitan Area Transit Commission ... 553
    - Justification material ... 1713
- Corporation Counsel, Office of ... 254
  - Justification material ... 1688
- Economic Development, Department of ... 337
  - Consumer affairs ... 341–344
  - Convention Center—Sports Arena ... 346–349
  - Justification material ... 1690, 1720
- Executive Office ... 187
  - Budget and Financial Management, Office of ... 963, 1643
    - Justification material ... 1679
  - Budget and Program Analysis, Office of ... 187
  - Civil Defense, Office of ... 225
    - Justification material ... 1682
  - Employees' disability, unemployment, and workmen's compensation ... 219
    - Justification material ... 1684
  - Justification material ... 1675
  - Personnel office ... 191
    - Justification material ... 1681
  - Planning and Management, Office of ... 261
    - Computer systems, compatibility of ... 266, 269
    - Computer systems, utilization of ... 267–268
    - Consultant services ... 270–283, 291, 295, 300
    - Financial management information ... 284
    - Justification material ... 1680, 1683, 1685
    - Management improvement account ... 290
    - Passenger vehicle study ... 291, 296–299
    - Personnel accounting system ... 284–287
  - Public Affairs, Office of ... 163
    - Justification material ... 1678
  - Secretariat, Office of ... 143
    - Justification material ... 1677
- Finance and Revenue, Department of ... 223
  - Denver boot, revenues from ... 254
  - Increases requested for fiscal 1973 ... 239
  - Justification material ... 1687
  - Paychecks lost in mail ... 247–249
  - Real property assessment program ... 241, 250
  - Tax burdens ... 241–246
  - Tax evasion and violation ... 240, 251–253

Page

General operating expenses—Continued
General Services, Department of ... 353
Court complex ... 357–362, 364–371
Justification material ... 1689, 1719
Supply management ... 357, 362–364
Independent offices and agencies ... 373
Alcoholic Beverage Control Board ... 443
Compensation study for board members ... 443–444
Justification material ... 1696
Appeals and Review, Board of ... 513
Justification material ... 1703
Elections, Board of ... 522
Justification material ... 1705
Housing programs, assistant to the commissioner for ... 399
Accomplishments ... 425
Congress Heights ... 410
Elderly, housing for ... 414–416
Justification material ... 1695
Model cities ... 420–424
Project Rehab ... 404–405, 437
Public housing, vacant units in ... 437
Urban renewal ... 418
Washington Highlands ... 409
Human Rights, Office of ... 589
Justification material ... 1704
Insurance, Department of ... 448
Justification material ... 1698
Judicial Disabilities and Tenure, Commission on ... 534
Judge Alexander, censure of ... 539
Justification material ... 1709
Justification material ... 1692
Labor Relations, Board of ... 541
Justification material ... 1710
Minimum Wage and Industrial Safety Board ... 453
Increase requested for fiscal 1973 ... 454
Justification material ... 1690
Metro construction, enforcement of safety standards for ... 456–457
Parole, Board of ... 445
Justification material ... 1697
Public Service Commission ... 463
Justification material ... 1701
Taxicab industry, regulation of ... 466–470
Recorder of Deeds ... 459
Justification material ... 1700
Surveyor, Office of ... 529
Justification material ... 1706
Youth opportunity services, assistant to the Commissioner for ... 373
Coordination of youth programs ... 385–387
Justification material ... 1694
Youth assistance center ... 388
Women, Commission on the Status of ... 531
Justification material ... 1708
Zoning office ... 477
Court decision on zoning process ... 483
Justification material ... 1702
Revised procedures ... 488
Justification for total general operating expenses ... 1670
Miscellaneous contributions ... 557
Apprenticeship Council ... 565
Justification material ... 1716
Justification material ... 1714
Redevelopment Land Agency ... 557
Convention Center-Sports Arena ... 559
Justification material ... 1715
Urban renewal program ... 558

General operating expenses—Continued
Miscellaneous contributions—Continued Page
School transit subsidy 571
Justification material 1717
Track removal debt 537
Washington Convention and Visitors Bureau 583
Justification material 1718
Public Library 317
Justification material 1691, 1721

H

Highways and Traffic 871
Highways and Traffic, Department of 871
Bridges, condition of 879
Convention and Visitors Center 890
Justification material 1767, 1774–1778
Marking of center lines and directional signals 879–880
Metro construction, street closings for 881–884
Nighttime parking, restriction of 880
Potomac River Freeway 890
Service and repair of city vehicles 885–886
Snow removal 889–890
Trees, funding request for 886–889
Justification material 1766
Motor Vehicles, Department of 893
Auto tag renewals, processing of 898–902
Justification material 1768
Robbery of motor vehicles office 903
Traffic records, maintenance of 897–898
Motor Vehicle Parking Agency 903
Justification for maintaining agency 908–909
Justification material 1769
Replacement of vehicles 906–907
Surveys and studies 910–911
Human Resources 945
Abolishment of positions 949
Arts, Commission on 1030–1036
Community Health Services Administration:
Abortion program 986–988
Birth control programs 981–982
For minors 988–989, 990
Illegitimate births 989
Interns, use in neighborhood health centers 1016
Venereal disease, treatment programs for 990–991
Executive direction and support:
Spanish affairs, office of 1014
Food services, study of 972
Hospitals and Medical Care Administration:
D.C. General Hospital 49–51, 948–949, 973–977, 1004, 1022–1029
Medicaid, collection of payments 1005
Medicaid, earnings of physicians 992–1003
Medicaid, overpayments 991
Medicaid, program cost 1004
Medicare, outstanding bills 1005–1006
Justification material 1751–1765
Medical Examiner, Office of:
College of forensic pathology 1020
Suicides, projected increase in 1019
Mental Health Administration:
Emotionally disturbed children, proposed facility for 1018
Narcotics Treatment Administration:
Addict population, estimates of 1036
Federal grants, expiration of 1037
Methadone, FDA approval of 1037
Status of participants in program 1040–1050
Reorganization of Department of Human Resources 946, 950–955

Page

Human Resources—Continued
Social Services Administration: 966–967, 968–970
Junior Village 964
Nursing homes, overpayments to 970, 971
Oak Hill
Public assistance program:
Administrative costs 977
Average public assistance payments 963
Caseload 37–38, 57, 956, 962
Flat grant method 958
Growth in welfare caseload 58, 957
Income supplementation program 1051–1056
Increase in payments to 85% of standard 135
Ineligibles and overpayments 35, 58, 957
Reform program 16, 36–37, 49, 947, 959
Reprogramming request 38–48, 58–60, 112, 136
Subsidized adoption 967
Vocational Rehabilitation Administration 1015
Results of vocational rehabilitation programs 1015

M

Management improvement account 141, 290
Mayor's Economic Development Committee 561
Motor vehicle pool service 8–14, 68–69

N

Newspaper clippings:
City College writes a success story 857
District of Columbia General seeks aid in care of poor 49
Few get jury trials for misdemeanors 700
It takes one voice to snow city under 105
Nursing homes overpaid $300,000 964
School aide expects $5.5 million deficit 71
U.S. expands methadone distribution 1039
School chief fires critic on spending 1166
Yeldell plans to centralize human resources agency 956

O

Overtime, limits on 3–6,

P

Personnel profiles for District Government agencies 103–104
Public Affairs positions, abolishment of 166–184, 208–213
Public assistance program:
Average public assistance payments 963
Caseload 37–38, 57, 956, 962
Flat grant method 958
Growth in welfare caseload 57–58, 957
Income supplementation program 1051–1056
Ineligibles and overpayments 38, 58, 957
Payments level, requested increase in 135
Reform program 36–37, 49, 16, 947
Reprograming request 38–48, 58–60, 112
Review of caseload to determine eligibility 959
Public Safety 609
Corrections, Department of 743
Community correctional program 51–56, 756–759, 764–768
Justification material 1733–1734, 1738
Methadone treatment for half-way house residents 762–763
Overcrowding in correctional facilities 53, 752
Personnel profile, explanation of 753–755
Prison College Program 808–817, 819–821
Recidivism 764
Resignation of prison guards 778
Tension at correctional institutions 817–818

Page

Public Safety—Continued
Courts ... 677
Appeals, District of Columbia Court of ... 677
Increases requested for fiscal 1973 ... 679
Justification material ... 1727
Bail Agency ... 729
Increases requested for fiscal 1973 ... 736–736
Justification material ... 1731
Court complex, proposed construction of ... 132, 259–260, 357–362, 364–371, 702–708
Executive Office of District of Columbia Court System ... 692
Justification material ... 1727
Justification material ... 1726
Public Defender Service ... 715
Justification material ... 1729
Payments to attorneys ... 723–727
Superior court ... 680
Backlog of court cases ... 695–696
Increases requested for fiscal 1973 ... 683, 689
Justification material ... 1727
Police officers in courts ... 690
Relationship between courts and District Government ... 684–685
Reprogramming to meet May Day demonstration costs ... 686–688
U.S. courts ... 712
Justification material ... 1728
Fire Department ... 657
Ambulance service, transfer of ... 661
False alarms ... 662
Justification material ... 1725, 1736–1737
Moonlighting by firemen ... 660
Retirement benefits program ... 660
Justification material ... 1723
Metropolitan Police ... 609
Crime rate ... 631
Helicopter program ... 630, 634–635
Increases request for fiscal 1973 ... 630
Justification material ... 1724, 1735
Moonlighting by police officers ... 637
Promotions, alleged favoritism ... 649–651
Public schools, police officers stationed in ... 639–642
Recruitment and turnover of police officers ... 631–634
Retirement benefits program ... 630, 635–637
National Guard ... 737
Justification material ... 1732
Recruitment of blacks ... 741

R

Recreation ... 863
Recreation Department ... 863
Citizen participation in and use of recreational programs ... 866
Coordination with youth programs ... 866–867
Increases requested for fiscal 1973 ... 864
Justification material ... 1750
Maintenance of recreational facilities ... 865, 868–870
Programs and services, summary of ... 864
Swimming pools under Recreation Department ... 870
Temporary employees ... 866
Repayment of loans and interest ... 1217–1266
Reprograming:
Instructions on reprograming ... 15
Requests for reprograming actions ... 112, 136, 258–259, 686–688
Retirement benefit programs of District of Columbia Government ... 630, 635–637, 660
Revenue proposals ... 85, 119–131

S

Statistical data and charts: Page
Abortions, number performed monthly at D.C. General Hospital 987
Attorneys receiving $10,000 or more a year as public defenders 724
Base reductions, District of Columbia, fiscal year 1973 112
Birth control program, estimated costs, District Government 982
Budget process, chronology of major events since December 15, 1971 74
Buses and carryalls owned by the District of Columbia Government 579
Buses owned by public schools, school enrollment, and school transit subsidy, 10-year analysis 581
Capital improvements program, architectural services 1243
Capital improvements program, cost projections 1223
Capital improvements program, design deficiencies corrected by architect-engineer 1269
Capital improvements program, priorities for fiscal year 1973 request 1232
Changes in the Mayor's original executive budget request, by agency, fiscal year 1963 1651
Community correctional program statistics 766
Computer utilization in the District of Columbia Government 268
Consultant services, District Government 271
Corrections Department, distribution of positions requested for fiscal year 1973 750
Driver, chauffeur, and public information officer positions, summary status report on transfers and abolishments 168–184
Employees by salary and minority group status, District Government 217
Employment security building, estimate of costs to acquire 367
Expenditure per FTE, public colleges and universities 803
Federal City College, budget by fiscal year 806
Federal City College, enrollment growth 801
Federal City College, space allocation and use 804
Federal grants for youth programs 391
Federal grants to the District of Columbia Teachers College 832
Federal payment to the District of Columbia 84
Health care programs, cost of care/accounts receivable, Department of Human Resources 1007
Higher education, expected returns to District of Columbia from investment 807
Human Rights: complaints docketed during 1971 by basis of alleged discrimination and type of respondent 603
Human Rights: disposition of cases closed during 1971 by race and sex of complainant 604
Income supplementation program—caseload, expenditures, case studies 1052
Junior Village: appropriation, positions, and funds—fiscal year 1969–72 970
Live births recorded in the District of Columbia 1965–1970 984
Location of children under the Social Services, Administration's Jurisdiction 971
Medicaid—physicians earning $10,000 or more; calendar year 1971 992
Office of Planning and Management, personal services schedule 305
Office of Planning and Management, positions at GS–15 and above 303
Patients transferred to D.C. General Hospital from private hospitals who expired within 24 hours of arrival 1024
Physicians, analysis of average gross earnings 995–1001
Police officers, number appointed during fiscal year 1970–1971 632
Police officers stationed in public schools 640
Population of the District of Columbia, by minority group status 216
Population of D.C. correctional institutions, by daily average 749
Private hospitals' average cost rates, comparative data 974
Promotion exams for Police Department, average scores by race 651
Public assistance, analysis of impact of payment of welfare benefits computed on basis of 41 percent of current budget standards 39
Public assistance program, administrative cost for calendar year 1970 979
Public assistance program, average payments, District of Columbia 963
Public information, disposition of employees in abolished positions 211

Statistical data and charts—Continued Page
Public schools, architects used on construction projects 1294
Public Schools, consultant services 1212
Public Schools, Federal grant assistance for special education 1209
Public Schools, Federal grant assistance summary 1213
Public Schools, number of personnel by category 1162
Public Schools, reimbursement for page program 1202
Public Schools, results of achievement tests 1183
Public Schools, results of reading achievement tests 1182
Public Schools, revenue and obligations summary, fiscal years 1971 and 1972 1073
Public Schools, schedule for submitting fiscal year 1973 budget request:
Public Schools, selected membership projections 1110
Public Schools, tenure status of teachers in service 1170
Public Service Commission, analysis of travel expenditures for fiscal year 1972 471
Public transportation, expenditures by District of Columbia Government 576
Ratio of correctional officers to inmates 751
Revenues and expenditures, projections for fiscal years 1974–1977, District Government 109
Superior Court, trial statistics 698
Tax burdens, comparisons of State and local taxes 243
Travel, out of city travel during fiscal year 1972, District Government 151
Tuition and fees at member institutions of the American Association of State colleges and universities 839

T

Tax burdens 124–125, 126, 241–246
Telephone costs 15
Temporary Employment, limits on 3–6, 147–154
Travel:
First-class travel 155–160
Limitations 3–6

W

Washington Metropolitan Area Transit Authority 1353

○