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Senate Hearings

Before the Committee on Appropriations

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District of Columbia Appropriations

Fiscal Year 1979

95th CONGRESS, SECOND SESSION

Part 2 (Pages 1–1141)

DISTRICT OF COLUMBIA
NONDEPARTMENTAL WITNESSES

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
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DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 1979

HEARINGS

BEFORE A

SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS UNITED STATES SENATE

NINETY-FIFTH CONGRESS

SECOND SESSION

ON

H.R. 9005

AN ACT MAKING APPROPRIATIONS FOR THE DISTRICT OF COLUMBIA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1979, AND FOR OTHER PURPOSES

Printed for the use of the Committee on Appropriations

PART 2 (Pages 1–1141)

District of Columbia
Nondepartmental Witnesses



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DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 1979

TUESDAY, MAY 16, 1978

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

The subcommittee met at 8:03 a.m., in room 1114, Everett McKinley Dirksen Office Building, Hon. Patrick J. Leahy (chairman) presiding.

Present: Senator Leahy.

DISTRICT OF COLUMBIA

GOVERNMENTAL DIRECTION AND SUPPORT

OFFICE OF THE MAYOR

STATEMENT OF MARTIN SCHALLER, EXECUTIVE SECRETARY

OPENING REMARKS

Senator LEAHY. Good morning. Today we will resume hearings on the fiscal year 1979 budget request for the District of Columbia. On February 1, the subcommittee held an opening day of hearings on the fiscal 1979 budget. At that time we focused on some of the major issues, and the committee was given an overview of the entire budget proposal for fiscal year 1979 on February 1.

We had the Mayor and Mr. Tucker with us, and the committee was able to discuss with the Mayor and with Mr. Tucker some of these major issues. We will have them with us again when the subcommittee receives testimony on the fiscal year 1978 supplemental and fiscal 1979 amendments now pending with OMB.

We hope to have during this week several days of hearings covering most, if not all, of the District of Columbia budget. We have two other issues that will be before this subcommittee as we go along, items that came out of the conference committee.

CONVENTION CENTER

One of the items that will be ongoing, is the matter of the convention center. Some people from the city are aware we have had some discussion recently regarding the convention center, and that matter will be ongoing. The subcommittee will be willing and ready to meet at any time as the new plan comes up from the city. The new plan will of course show a lower cost and also show

commitments for new construction that would result directly from the convention center.

RELEASE OF GAO REPORT ON CONSTRUCTION AT UNIVERSITY OF THE DISTRICT OF COLUMBIA

I will also release today after the hearing this morning a study done by the General Accounting Office addressing the need for the University of the District of Columbia to build a second campus at Mount Vernon Square. That also is a matter that will be an issue. It will be a matter of some concern both to us and to the House as a result of the language that is going to be in the conference report, which I expect to be accepted by both sides.

GOVERNMENTAL DIRECTION AND SUPPORT

Today we are going to take the agencies of the governmental direction and support mission budget category. It probably won't be possible to hear from every one of the agencies in this category, but we will try to cover as many as we can this morning before we break shortly before 10. For those agencies who do not appear this morning, we will submit questions to them for their response. Both the questions and the answers will be included in the record.

BUDGET JUSTIFICATION FOR OFFICE OF THE MAYOR

The first agency that we have before us is the Office of the Mayor. I understand Mr. Schaller is to speak to the budget request of the Office of the Mayor. Mr. Comer Coppie, of course, is here, and is welcome any time to take part in the testimony.

I wonder, Mr. Schaller, if you could just give us a brief overview for a couple minutes of what is involved in the Mayor's Office request.

INCREASES REQUESTED

Mr. SCHALLER. Good morning, Mr. Chairman. The request for the Mayor's Office for the 1979 fiscal year includes increased funding of nine positions and $321,300. Three of those positions are for the Office of General Assistant to the Mayor in the amount of $141,900. Three positions are for the Legislative Office within the Office of the Mayor, in the amount of $92,600. And three positions are positions that are being transferred from the Office of Budget and Management to the Office of the Mayor in the amount of $88,800.

We are also asking for an adjustment based on the final fiscal year 1978 budget of $8,000; and an increase of $5,000, which represents an inflationary increase for services rendered to the Mayor by the security officers that are attached to the Mayor's Office.

WORKLOAD OF LEGISLATIVE OFFICE

Mr. Chairman, we are particularly concerned that the Legislative Office and Office of General Assistant receive these additional positions which we are asking, and the funding that is required for those positions. As you know, our Legislative Office is a small unit within the Office of the Mayor now consisting of five permanent positions. The legislative unit has an inordinate workload in rela-

tion to the personnel attached to that office. The workload is literally overwhelming.

It has responsibility for reviewing and processing of all legislation originating from the Council, as well as initiating and reviewing legislation from the Mayor's departments. It deals with the legislation that is before the Congress or that the Congress needs to deal with vis-a-vis the District Government.

We are receiving approximately 150 to 200 pieces of legislation a year from the Council, and the work of the Legislative Office has increased so dramatically that we do need these additional professional positions rather urgently.

WORKLOAD OF OFFICE OF THE GENERAL ASSISTANT TO THE MAYOR

We also have within the Office of the Mayor the position of General Assistant to the Mayor, and we are asking approval of three positions for that unit. The office of the General Assistant to the Mayor has general responsibility for dealing with special program and community matters, and gives to the Mayor a greater capability to deal with certain crises.

For example, the office was instrumental in developing, following through, and having implemented, the Job Corps program and Job Corps activities in conjuction with the Department of Labor to initiate that program in the District of Columbia. In addition, there have been a number of new responsibilities given to the executive office and jurisdiction of the Mayor by the Council as a result of legislation, for example, the development of the minority contracting program and the educational licensure program. These offices have been started without general funding, and there is a great deal of interdepartmental activity and coordination required, and we look to the Office of General Assistant to the Mayor to work closely both with the Mayor and the several departments concerned with the implementation of these new programs.

TRANSFER OF POSITIONS FROM OBMS

We also have requested approval for three positions which will be transferred from the Office of Budget and Management Systems to the Office of the Mayor. These are management analysis positions that have responsibility for preparation of organizational directives requiring direct action by the Mayor.

I can discuss these at greater length if you desire, or answer any questions you may have, Mr. Chairman.

Senator LEAHY. I am concerned, of course, because the request is a 30-percent increase over what we recommended for fiscal year 1978. Now, the overall budget is growing at a 7 percent rate in fiscal year 1979, and here the Mayor's budget is growing slightly more than four times that rate. I realize there are additional problems that come up all the time, but it is kind of hard to tell the rest of the city to dig their heels in if one of the most visible offices, I guess in a way the most visible office, doesn't.

TRANSFER OF POSITIONS FROM CENTRAL POOL

I notice you transferred three positions from a central pool to the legislative function of the Mayor's Office. I am kind of new on this

committee, but I can't find a central pool. What is the central pool? When was that established?

Mr. SCHALLER. I would have to ask Mr. Coppie to address that. There is a central pool of unfunded positions existing within the District of Columbia Government. They are positions for which no funding has been provided but have been previously authorized. As you know, there are a number of positions that have been abolished in the past several years in accordance with Council actions. However, there is still a pool of existing authorized positions which we feel are necessary for allocation between various offices that need them. Rather than asking for new positions or abolishing those that are existing, we are asking for funding for them.

I would like to ask Mr. Coppie to address that.

Senator LEAHY. Mr. Coppie, could you please. When did this central pool start? How was that first set up?

CONCEPT OF CENTRAL POOL POSITIONS

Mr. COPPIE. Part of the problem here I think, Mr. Chairman, is the need for clarification. What we are essentially talking about in the 1979 budget is no net increase in the number of positions over 1978. But as Mr. Schaller has properly and prudently pointed out, there are a substantial number of positions within the city that have been authorized overtime for which there is presently no funding available. The 1979 budget abolishes a substantial number of those, more than 500, as I recall, and then redirects those positions to agencies that actually are in need of additional positions to carry out the responsibilities in the 1979 fiscal year.

That is basically what we are saying with regard to the central pool. It is just taking positions that have been vacant for which there is no funding available, putting them into a central pool, and then redirecting them based on actual need as we have established it in the 1979 budget.

Senator LEAHY. Are those vacant positions funded or are they all unfunded?

Mr. COPPIE. These are primarily vacant, unfunded positions.

Senator LEAHY. But there are some funded ones?

Mr. COPPIE. Perhaps.

PERCENTAGE INCREASE IN MAYOR'S BUDGET

I would also like to make an additional clarification. While the percentage increase in the Mayor's budget is 30 percent, as you pointed out, the substantial element of increase here is the redirection of three positions from my office to the Mayor's Office. That is close to $90,000, and that is part of a factor of that increase. The net percentage gain would be well below 30 percent if you subtract out the redirection.

Senator LEAHY. If we just do away with unfunded authorized positions and just funded specific positions that were needed, wouldn't that be easier to keep track of?

Mr. COPPIE. That is what we do in the 1979 budget; we do abolish a substantial number. Rather than establish new positions as such that would represent a net increase, we redirect positions to meet

the ongoing requirements of those Departments we feel an increase is justified.

Senator LEAHY. Thank you. I don't have any further questions on the Mayor's Office. I was pleased to see the other day when the Mayor dropped up here the other morning to have a cup of coffee with me, I noticed his car outside. It now has an up-to-date inspection sticker, and it made me realize that the inspection sticker on my own car was about up; it prompted me to get out and get it taken care of.

Mr. SCHALLER. Thank you very much, Mr. Chairman.

Senator LEAHY. I understand Mr. Williams will be delivering the testimony for the City Council. Mr. Williams, will you join us?

SUBMITTED QUESTIONS

Before he does, Mr. Schaller, I have some additional questions which I would like to have answered for the record.

Mr. SCHALLER. Mr. Chairman, I would be glad to provide the answers for the record.

[The following questions were not asked at the hearing, but were submitted to the Office of the Mayor for response subsequent to the hearing:]

SUBMITTED QUESTIONS

OFFICE OF THE MAYOR

B. EFFORTS TO COMPLY WITH GAO RECOMMENDATIONS

QUESTION:

1. Section 442(a)(5) of the District of Columbia Self-Government and Governmental Reorganization Act requires the Mayor to report, in the District of Columbia's annual budget request to the Congress, on the status of efforts to comply with recommendations contained in reports of the Comptroller General of the United States. This section became effective on January 2, 1975. Since that date, the U.S. General Accounting Office has issued 42 reports on District operations Nineteen reports were issued to the Congress, individual members of the Congress, and the Mayor which included recommendations to improve operations. There are eleven reports with recommendations to improve operation. There are eleven reports with recommendations that have not been fully addressed by the District. With the exception of one recently issued report, the District has had enough time to incorporate in its budget justification, the status of efforts to comply with recommendations contained in these reports.

1. Please provide the plans to comply with and/or the status of efforts to comply with recommendations in the following GAO report issued in fiscal year 1978.

REPORT TITLE	DATE	SUBMITTED TO
The District of Columbia Needs a Program to Identify Vacant Houses and Get Them Back On The Market	2/22/78	Walter E. Washington Mayor-District of Columbia

2. Please provide the status of the District's efforts to comply with recommendations in the following GAO reports issued between October 1, 1976, and September 30, 1977.

Report Title	Date	Submitted To
What Needs To Be Done To Improve the Supply System of the District of Columbia	9/29/77	Patrick J. Leahy, Chairman Subcommittee on District of Columbia, Committee on Appropriations, U.S. Senate
Review of the Cardozo High School Band Summer Employment Program	2/15/77	Thomas F. Eagleton, Chairman Subcommittee on the District of Columbia, Committee on Governmental Affairs, U.S. Senate
Ineffective Management of Welfare Cases Costing Millions	12/28/76	Walter E. Washington, Mayor of the District of Columbia

3. Please provide the status of the District's efforts to comply with recommendations in the following GAO reports issued between October 1, 1975, and September 30, 1976.

Report Title	Date	Submitted To
Review of Motor Fleet Management-Non-Use of Two Ambulances Purchased With Federal Grant Funds, Dept. of Human Resources	9/20/76	Walter E. Washington, Mayor of the District of Columbia
Questionable Use of Two Automobiles Leased With Federal Grant Funds, Dept. of Human Resources	9/8/76	Walter E. Washington, Mayor of the District of Columbia
Administrative and Financial Management Weaknesses in the Office of Youth Opportunity Services	8/5/76	Lawton Chiles, Chairman Subcommittee on the District of Columbia, Committee on Appropriations, U.S. Senate
How the District of Columbia Might Better Manage Its Tax Compliance Program	3/12/76	Walter E. Washington, Mayor of the District of Columbia
Urban Renewal in the 14th Street Corridor; Little Progress 7 Years After the Riot	2/9/76	Lawton Chiles, Chairman Subcommittee on the District of Columbia, Committee on Appropriations, U.S. Senate

4. Please provide the status of the District's efforts to comply with recommendations in the following GAO reports issued between January 2, 1975, and September 30, 1975.

Report Title	Date	Submitted To
Resource Management Can Be Improved by Greater Use of Productivity Techniques in the District of Columbia	4/16/75	Congress, Mayor Washington, and City Council
What Is Being Done About Individuals Who Fail to File a District Income Tax Return	3/20/75	Congress

5. In addition, would you please tell the Subcommittee the status of the corrective action taken on the recommendations contained in the following GAO report to heads of District Departments and agencies.

Report Title	Date	Submitted To
D.C. Government Needs to Improve Controls Over Receipt of Federal Grant Funds	4/3/78	Julian Dugas, City Administrator, District of Columbia
Accountable Personal Property Management in the Department of Human Resources	3/29/78	Albert Russo, Director Department of Human Resources
Excess Classroom Space--A Case for Better Planning	9/30/77	Therman E. Evans, President Board of Education
Survey of the Management Functions of the Department of Recreation	7/25/77	Dr. William H. Rumsey, Director Department of Recreation
Review of Motor Fleet Management, Need to Strengthen Gasoline Supply Controls, District of Columbia	7/1/77	Sam D. Starobin, Director Department of General Services
Survey of Procurement in the District of Columbia Department of General Services	9/29/76	Sam D. Starobin, Director Department of General Services
Review of Property Tax Administration	8/13/76	Emmett J. Rice, Tax Revision Commission, D.C. Government
Review of Motor Fleet Management, Department of Environmental Services, District of Columbia	7/9/76	Herbert Tucker, Acting Director, Department of Environmental Services
What Can Be Done to Improve the Management of Money and Staff?	6/16/76	Therman Evans, President Board of Education
Prosecution of Tax Law Violations, District of Columbia Government	6/7/76	John Risher, Corporation Council, D.C. Government
Observation on the District of Columbia's Administration of Self-Assessed Taxes	5/17/76	Kenneth Back, Director Department of Finance and Revenue
Review of Activities in the District of Columbia's 14th Street Urban Renewal Area	5/7/76	Julian Dugas, City Administrator, District of Columbia

Report Title	Date	Submitted To
Supply Management in the Department of Transportation	2/10/76	Douglas N. Schneider, Director Department of Transportation
Housing Issues Which Need Consideration by the District Government	10/20/75	Julian Dugas, City Administrator, District of Columbia
Correction of Water and Sewer Overcharges to Northwest County Customers, DES	8/21/75	William C. McKinney, Director Department of Environmental Services

B. Efforts To Comply with GAO Recommendations

Initial Comments

ANSWER:

1. The District of Columbia Self-Government and Governmental Reorganization Act, includes two requirements which deal with the Mayor's efforts to comply with recommendations made in reports by the Comptroller General of the United States. Section 442.(a)(5) requires the Mayor to prepare and submit to the Council each year, and make available to the public, an annual budget which shall include a report .... "indicating the status of efforts to comply with the reports of the District of Columbia Auditor and the Comptroller General of the United States." In addition, Section 736.(b)(3) requires that "The Mayor, within ninety days after receipt of the audit from the Comptroller General, shall state in writing to the Council, with a copy to the Congress, what has been done to comply with the recommendations made by the Comptroller General in the report."

Both of these requirements have been fully implemented and extensive efforts have been made to ensure that the Comptroller General's reports are carefully considered and that the recommendations of those reports receive prompt and thorough attention. With respect to the first requirement (Sec. 442.(a)(5), the District's annual budget, includes each year, a report on the "Status of Action on Audits." This report is intended to fully respond to that requirement. The following comments are being provided in response to the references to U.S. General Accounting Office reports which have not been fully addressed or were not included in the report on Status of Action on Audits submitted with the fiscal year 1979 budget documents. Although all reports to the Mayor from the Comptroller General of the United States are responded to promptly in accordance with Section 736.(b)(3) of the District of Columbia Self-Government and Governmental Reorganization Act, the status report on audits, submitted with the annual budget documents, must adhere to a cutoff date which precedes the date the budget is initially submitted to the City Council. Therefore, the report is prepared during an early phase of the budget cycle using current information, and organized in condensed format for easy reference. The latest report covers the period from July 1, 1976 to June 30, 1977.

Another point which may be pertinent to this matter is the way in which some reports of the U.S. General Accounting Office (GAO) are addressed and issued. While the District's legal requirements

refer to reports to the Mayor by the Comptroller General of the United States, some GAO reports on District operations are not sent to the Mayor for comment and/or action and are not signed by the Comptroller General. For example, thirteen of the twenty-six reports included in the current list of GAO reports were not sent to the Mayor for comment and/or action. Three of these reports were addressed to the City Administrator and ten were addressed to District department and agency heads. Since these reports were not submitted to the Mayor for his response, they have not been included in the Mayor's annual report on the status of action on audits. The procedure of GAO involving the submission of some reports to District officials below the level of the Mayor raises the issue, in those instances, of whether the requirements of the District of Columbia Self-Government and Governmental Reorganization Act, Section 442.(a)(5) and Section 736.(b)(3), are applicable. In our opinion, these requirements only apply to reports submitted to the Mayor by the Comptroller General.

The District's policies and procedures require department and agency heads who receive GAO reports to respond to those reports as thoroughly and as promptly as possible. It is our intention that all recommendations of the reports be fully addressed. We are not aware of any GAO reports with recommendations that have not been fully addressed other than those recently issued reports which are still under review by District officials. If there are such reports, we will immediately look into each instance as soon as we receive information which will identify the reports and the recommendations involved.

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The District of Columbia Needs a Program to Identify Vacant Houses and Get Them Back on the Market - February 22, 1978.

Recommendation

1. The District's program should include: "Incorporating procedures to identify vacant housing as part of the Department of Environmental Services' proposed meter reading and billing system."

Response

The Department of Housing and Community Development had already indicated their "agreement that this step would be worthwhile in facilitating the identification of vacant housing" and that the Department had "also already had some discussion with the Department of Environmental Services" concerning its use of their new system once it has been implemented. The Department of Housing and Community Development still intends to begin to utilize that system as soon as it is available within the Department of Environmental Services.

Recommendation

2. The District's program should include: Providing updated lists of locations and owners of vacant houses to prospective buyers."

Response

The Director, DHCD, agreed "to continue to make available to the public updated listings of vacant houses with accompanying information concerning ownership, use, etc." He also pointed out that the preparation of the two listings issued up to the time of his comments had required "the use of significant amounts of personnel resources, at the temporary expense of the ongoing regulatory activity of the housing code enforcement program." The Department is developing the information necessary to publish a third annual listing of vacant houses with accompanying information. In addition, the Department has tentatively identified a private contractor to prepare a detailed survey of all vacant structures, residential and nonresidential. This approach would address the concern regarding the use of personal resources needed for the regulatory activity of the housing code enforcement program.

Recommendation

3. The District's program should include: "Contacting vacant houses' owners to find out

their plans for the housing and to apprise eligible owners of assistance available for rehabilitating the housing."

Response

The Director stated that the Department of Housing and Community Development agreed with the potential usefulness of contacting the owners of vacant housing and was "actively exploring the feasibility of writing to all owners of vacant residential property to determine their plans for their properties." Since that time the Department has completed the first step of a two-step process to evaluate the usefulness of initiating contact with owners of vacant houses. Written questionnaires were sent to the owners of 151 vacant buildings and an analysis has been made of the responses which were received. The second step has commenced and involves a survey by telephone and in writing of hundreds of additional property owners. The responses in that survey will also be analyzed, and a decision will then be made as to the efficacy of systematically contacting all owners of vacant houses on a periodic basis to determine their plans for the houses and to apprise them of such assistance as may be available for rehabilitating the houses.

Recommendation

4. The District's program should include: "Increasing the use of available Community Development Block Grant funds to rehabilitate housing whenever possible."

Response

The concept of "increasing the use of available Community Development Block Grant funds to rehabilitate vacant housing whenever possible" is certainly deserving of support. The reality, however, is that the amount of such CDBG funds provided by the U.S. Department of Housing and Urban Development has already begun to decline and will decline even more sharply in the next two years. At the same time, inflationary pressures and the competing demands of other significant programs to provide housing are continuing. Restrictive statutory provisions concerning the characteristics of neighborhoods in which CDBG funds may be used also serve to limit the flexibility of use of these funds to address the matter of vacant housing. These points were made in comments on the draft report, but, as also noted in those comments, every effort will continue to be made to identify means of effectively utilizing CDBG funds and other available programs to rehabilitate vacant housing.

Recommendation

5. The District's program should include: "Completing and implementing tax delinquent property program regulations."

Response

The number of properties believed to be available for disposition as a result of tax delinquencies is small, and the other program development demands on the Department of Housing and Community Development has remained substantial. As a result the emphasis which the Department would have liked to place on development of regulations for a tax delinquent property program has not been possible. Every effort will be made to attain this objective as soon as possible.

Recommendation

6. The District's program should include: "Adopting legislation similar to the Residential Real Property Transaction Act of 1976 as it relates to vacant housing."

Response

The Director, DHCD, is willing to work with the appropriate committees of the Council to try to develop such legislation as may be necessary. All of the participants in such an effort should be mindful of the varied and often complex reasons that particular residential buildings may be vacant, so that any legislation which may be proposed does not envelop property owners who do not intentionally contribute to the withholding of the housing from the market. Any such legislation should also demonstrate an appropriate regard for fiscal and administrative considerations related to its implementation. A bill that would regulate vacant housing in certain respects, Bill No. 2-283, the Vacant Building Act of 1978, is now pending before the Council and may afford an opportunity to address the problem legislatively.

In another legislative area, the Department of Housing and Community Development has drafted legislation which would expand the authority of the Board for the Condemnation of Insanitary Buildings by permitting the Board to render a condemned building habitable, i.e. rehabilitate it, if the owner has failed to comply with a condemnation order within the time allotted to him. Currently the Board may render a condemned building sanitary or demolish it. That legislation is currently being considered within the Executive Branch.

Recommendation

7. The District's program should include: Pursing acquisition of chronically vacant houses in cases where owner compliance with code enforcement is not feasible and demolition in cases where chronically vacant property becomes a public nuisance."

Response

The Director, DHCD has directed that the completion of the program development work for the Rehabilitation Property Acquisition Program assume a high priority. (The Program is one through which the Department of Housing and Community Development would purchase vacant properties, rehabilitate them, and resell them.) That program development work has been completed, and appropriate rules for implementation of the Program have been published and adopted. However, the Department has formally pointed out to the Council on two occasions that two restrictions imposed by the Council constitute serious impediments to the effective operation of the Rehabilitation Property Acquisition Program. These restrictions are (1) the requirement of a property-by-property approval by the Council prior to acquisition and (2) the requirement that the resale price of houses that are rehabilitated under this program not exceed $25,000. We hope that those restrictions will soon be reconsidered and eliminated or modified.

The emphasis of the District Government should continue to be on the preservation and rehabilitation of existing housing. Nevertheless, there are situations in which demolition is the most appropriate course of action because of the extent of deterioration. In those instances demolition will continue to be utilized.

Although the report of the General Accounting Office accurately notes that there are many vacant residential buildings which can be rehabilitated, so that much work remains to be done, it should be pointed out that there already exists a sustained and increasing trend towards such rehabilitation. Significant numbers of vacant residential buildings have already been, or are being, rehabilitated and returned to the housing supply. We believe it accurate to state that these circumstances are in large part attributable to (1) the numerous programmatic efforts of the Department of Housing and Community Development as they relate to participation in, sponsorship of, and encouragement of rehabilitation activities, and (2) the comprehensive efforts being made by the District Government generally to continually improve the delivery of services to neighborhoods and to otherwise make neighborhoods more attractive for the investment of the capital necessary to revitalize them. The report does not, in my judgment, accord sufficient recognition to the accomplishments.

What Needs To Be Done To Improve the Supply System of the District of Columbia - September 29, 1977.

Recommendations

GAO recommended that the Mayor implement the Council's resolution concerning the establishment of an effective and centrally managed supply system. They also recommended that, in establishing such a system, the Mayor:

1. Give authority and responsibility for formulating and implementing the system to a central management group.

2. Include in the design for the city's new financial management system financial and operational information needed to manage the system.

3. Justify fully to the Congress the positions and operating funds used to implement the system.

Status

A Mayor's Work Group on Procurement and Supply Management has been established under Mayor's Order 77-181, dated November 7, 1977. The Group is Chaired by the Mayor's Special Assistant for Financial Systems Development. The participants represent those District Departments and Agencies having the largest inventories in the city, as well as a representative small Department. This group has met and begun work to establish a central source of reliable procurement and supply information.

In addition, the Director, Department of General Services (DGS) has established a small in-house staff to develop uniform supply systems and procedures, a uniform automated supply management information system, and to work with D.C. agencies to train their supply personnel in the improved system.

Rather than pushing immediately to centralize procurement and supply activities, DGS plans to work with all District agencies to set up programs for (1) organizing, improving and systematizing agencies' internal supply management operations, (2) conducting training sessions, and (3) standardizing reporting forms so that accurate data can be gathered on these activities. This data will allow them to determine what supplies and equipment are not on hand and what future needs will be. It will allow central control of inventories, and with such control, decisions on further centralization can be made.

This program was initiated in April 1975 and DGS is presently working with the Department of Environmental Services and Department of Transportation. In conjunction with the program to assist agencies in improving their internal operations, they will be conducting the parallel action of defining general system function requirements necessary for the design of a uniform automated supply management information system.

Review of the Cardozo High School Band Summer Employment Program - February 15, 1977.

Recommendation

GAO recommended that the Secretary of Labor recover from the District the amounts paid to the ineligible participants. Also Labor should determine the eligibility of the 55 youths who participated in the program but whose records were not available and recover from the District any payments made to ineligible youths.

Status

The U.S. Department of Labor, Directorate of Audit and Investigation has completed an audit of the CETA activities but a formal report has not yet been issued.

Ineffective Management of Welfare Cases Costing Millions - December 28, 1976.

The following response was submitted in the 1979 Status of Action on Audits Report.

Recommendations

GAO recommended that the Department of Human Resources develop a reporting and monitoring system to effectively inform all levels of management when established controls and operating procedures are not being followed and to assist them in evaluating the efficiency and effectiveness of the operation and administration of the public assistance caseload. Specifically the Department needs to:

-- Develop and report information such as the kinds of errors and their causes, to assist the Department in evaluating and changing procedures, if necessary, for verifying information at the time recipients apply for welfare and at the time a redetermination is made for continued eligibility.

-- Insure that the status of error cases identified by the Quality Control Group be reported monthly to Department management including reasons for not correcting the errors within the prescribed time.

-- Insure that analyses of Quality Control Group findings are made to determine whether widespread errors are occurring in the welfare caseload. Indications of widespread abuses in the welfare program should be investigated immediately. Ineligibles should be removed from the rolls and payments adjusted, if necessary, of recipients determined to be still eligible.

GAO also recommended that the Department collect, analyze, and report to its management on the results of the 100-percent Special Review Project for use in improving its procedures for handling welfare cases and payments.

Status

The Department of Human Resources (DHR) is developing and reporting information on errors and their causes to assist management in evaluating and changing procedures as necessary to verify data received at the time recipients apply for welfare and at the time their continuing eligibility is recertified. This information

is developed as a part of the quality control process. DHR is currently working with the Department of Health, Education and Welfare (HEW) utilizing this information in the development of new methods to reduce errors and discover client misstatement of facts during the eligibility certification and recertification processes. DHR expects that this effort will help reduce the rate of errors within a year.

To insure that the status of error cases identified by the Quality Control Group is periodically reviewed and reported to management, DHR's Bureau of Eligibility Determination now requires the preparation of a monthly list of error cases which have not been corrected within 30 days after the errors were reported by the Quality Control Group. Such lists include an explanation for the delay in correcting each of the errors. A list of all of the errors identified by the Quality Control Group which GAO found to be uncorrected has been prepared and furnished to the Chief of the Operations Division, Bureau of Eligibility Determination for corrective action.

DHR is analyzing the findings of the Quality Control Group to determine whether widespread errors are occurring in the welfare caseload. Based on the analysis of these findings, DHR with the assistance of GAO has developed an "error prone profile" which will enable the agency to identify through automation those cases which are most likely to contain errors. However, DHR cannot act to investigate a sufficient number of cases and promptly correct the errors identified without additional personnel. Accordingly, DHR is actively recruiting for positions approved in the 1976 and 1977 fiscal year budgets, and had requested 90 permanent and 90 temporary positions for fiscal year 1978 to be dedicated to the recertification of public assistance recipients.

DHR is currently working toward the same goal intended by GAO in its recommendation that the results of the Special Review Project be analyzed and improved procedures developed for the review of cases to minimize errors. This is being accomplished through the analysis of welfare caseload samples in the same manner that GAO was recommending for the analysis of data developed in the Special Review Project. The analysis of the samples has two advantages. It requires less manpower and time, and the results provide more current information.

Review of Motor Fleet Management - Non-Use of Two Ambulances Purchased With Federal Grant Funds, Dept. of Human Resources - September 20, 1976.

The attached letter was submitted to the Director, General Government Division, U.S. General Accounting Office in response to this report.

LETTER FROM ALBERT P. RUSSO, ACTING DIRECTOR
DEPARTMENT OF HUMAN RESOURCES

Mr. Victor L. Lowe, Director
General Government Division
U.S. General Accounting Office
Washington, D.C. 20548

MAY 24 1977

Dear Mr. Lowe:

The Mayor asked that I respond to several questions and recommendations related to the acquisition of two ambulances by the Department of Human Resources (DHR) which he received from you. Accordingly, I have prepared the attached statement in which each of the questions and recommendations are quoted followed by our comments.

The purchase of the ambulances was financed by grant funds received from the Department of Health, Education and Welfare (HEW) for use in the District's Maternal and Infant Care Project (MIC Project). We believe the program decision to purchase the ambulances was reasonable and logical under the circumstances. We also believe that the ambulances will be fully and effectively utilized in fulfilling the purpose of the HEW grant-improved maternal and infant health care.

If you have need of further information about this subject, please let me know.

Sincerely yours,

Albert P. Russo
Acting Director

STATEMENT
ON QUESTIONS AND RECOMMENDATIONS
RELATED TO THE
ACQUISITION OF TWO AMBULANCES FOR THE MIC PROJECT

Response to Questions

Question 1: "What was the basis for the stated justification of urgent need submitted to the Department of Health, Education, and Welfare and to DGS?"

During the latter part of fiscal year 1974, DHR received some supplementary grant funds from HEW which were available to the MIC Project for obligation through June 30, 1974. DHR

staff had been informed by representatives of HEW's Region 3 that a specialized ambulance transportation system was essential to adequately fulfill service needs of high-risk obstetrical patients and infants during the final stages of pregnancy and immediately after child birth. Accordingly, DHR requested and received HEW approval to use the supplemental grant funds for the purchase of two specialized ambulances to meet this need. Since the funds were available only through June 30, 1974, DHR requested that the District's Department of General Services expedite the purchase order for the ambulances as an emergency purchase. Thus, the order was considered an "urgent need."

Question 2: "What circumstances existed which allowed for the purchase of the two ambulances when no funds were available to staff the vehicles?"

At the time the ambulances were ordered, DHR planned to hire personnel to man them after their delivery. The ambulances were not received until the latter part of fiscal year 1975; and utilizing grant funds for the MIC Project, the staff planned to establish paramedic positions in fiscal year 1976 to operate the ambulances and provide assistance in the intensive infant care unit.

The President's budget submission for fiscal year 1976 included a substantial reduction of funding for grants to states for maternal and infant care. In implementing the continuing resolutions for fiscal year 1976, the funds available to the District were reduced by about 25%. Congress eventually restored the funding to the fiscal year 1975 level; however these monies did not become available to the District until April 1976. Without these funds, paramedics could not be hired. If, in April, the Department had decided to hire the paramedics, it is probable that the positions would not have been filled by the end of the fiscal year, and the authority to obligate the funds received in April would have lapsed.

Question 3: "What funds will DHR use to contract with an outside firm to operate the ambulances when funds are not available to staff the vehicles in-house?"

As a temporary measure, the contract for ambulance staffing was funded with grant monies received in April 1976. Future contracts will be funded by Medicaid reimbursements earned by the MIC Project and the Child and Youth Project. The decision to contract for these services instead of hiring personnel was the least expensive option.

Question 4: "How was the stated "urgent need" for ambulance services for program participants satisfied during the period in which the new ambulances were idle?"

In the absence of a specialized ambulance transportation system for high-risk mothers and infants, transportation was provided by Fire Department ambulances, private ambulances, private automobiles and taxicabs. Since these vehicles do not have specialized equipment, such as incubators, and personnel with special training in child birth, their use results in an increased risk of a medical catastrophe.

Question 5: "Has the Department of Health, Education, and Welfare been advised that two ambulances purchased with grant funds have not been used in the project financed by the grant?"

HEW has been kept informed during site visits about our continuing efforts in trying to make this service available to the mothers and infants of the District of Columbia.

Question 6: "To minimize additional purchases and to utilize the heretofore unused ambulances, can the District, with HEW approval use the ambulances on a cost reimbursement basis, in the emergency ambulance service operated by the Fire Department? Any such agreement should consider those cost incurred by the Fire Department when department ambulances are to transport project patients."

In 1974, prior to the acquisition of the ambulances, MIC Project staff met with a Deputy Fire Chief to determine if the Fire Department could staff the vehicles. At that time DHR learned that the Fire Department did not have personnel with the specialized training required to operate the intensive infant care transport vehicles. Recently the Fire Chief informed DHR that the Fire Department still does not have proper trained staff to operate these vehicles. He further stated that, if the ambulances were transferred to the Fire Department without proper positions to staff them, they would be placed in reserve status.

We believe that through hiring an outside firm to operate the ambulances, we will achieve the most effective utilization of the vehicles. Furthermore, through this method of use, the ambulances will be fully dedicated to the purpose for which the HEW grant was made-maternal and infant care.

Response to Recommendations Contained in Reported Dated September 17, 1976.

Recommendation 1:

"Evaluate and document the need for the two ambulances in the grant project and, if found to be unneeded in that project arrange for their use in another program or, if no use can be found, ask HEW for disposition instructions."

The ambulances will serve the high risk maternity cases enrolled in the MIC Project for prenatal care. Washington hospitals have been notified that the special ambulance service is available to high risk maternity patients and

have been instructed to distribute the phone number of the service to such patients who are receiving prenatal care. In addition, discussions are underway with the Fire Department for handling calls for ambulance services at the time of birth from persons in the vicinity of D.C. General Hospital. We believe that these services will result in full utilization of the ambulances.

Recommendation 2:

> "If the ambulances are found to be necessary for the grant project and funds are not available to staff the ambulances, DHR should explore with HEW available alternatives for using the ambulances to accomplish the grant project purposes.

As stated in response to question 3 above, DHR has contracted for staff to operate the ambulances and funding has been identified for the continuation of this service.

Recommendation 3:

> "DHR should formally advise HEW of the non-use of the ambulances over a 17-month period, so that HEW can determine the appropriate corrective action.

During site visits, HEW officials have been informed of our continuing efforts to implement the specialized ambulance service for mothers and infants. As a result of these efforts, this service is now operational.

Questionable Use of Two Automobiles Leased With Federal Grant Funds, Department of Human Resources - September 8, 1976.

Recommendation 1. That DHR be required to provide adequate justification and obtain required approvals before acquiring vehicles and related accessories.

Status

The provisions of the District's procurement regulations relating to the justification and approval for acquisitions of motor vehicles and accessories such as air conditioning, do not apply when Federal grant funds are the authorized funding source. Therefore, the Mayor instructed the Director of General Services to prepare and issue the necessary revisions in the District's regulations to assure that the requirements for adequate justification and approvals for acquiring vehicles and related accessories shall apply to all departments and agencies regardless of the source of funding to be used, except to the extent that the provisions of grants explicitly provide for other conditions.

Recommendation 2. That DHR be required to arrange for reimbursing the grant accounts for the vehicle costs incurred while they were used for non-grant project purposes.

Status

The former Director, DHR, had informed the Mayor that an adjustment was being made which resulted in the specific grant program account(s) involved being reimbursed for the vehicle costs and the indirect cost category being charged for the vehicles.

Recommendation 3. That DHR be required to adhere to Federal and HEW requirements governing vehicle use and acquisition.

Status

The recommendation is believed to refer to the following Federal and HEW requirements governing vehicle use and/or acquisition:

> Federal and HEW regulations (FMC 74-4 and 45 CFR 74, Appendix C) states that in order to be allowable under a grant program, costs must "be necessary and reasonable for proper and efficient administration of the grant program * * * and, * * * not be a general expense required to carry out the overall responsibilities of State or local Government." (Underscoring added.)

The leasing of subject vehicles was authorized, in writing, by the Federal grantor agency. The former Director, DHR had advised the Mayor that he believed the cost of these vehicles should have been charged to the indirect cost category and not to the grant program, and that this would have permitted the vehicles to be used for "implementing the basic purposes of the grant."

Recommendation 4. That DHR be required to adhere to its regulations requiring travel logs to be maintained for each vehicle.

Status

We concurred with this recommendation and necessary steps have been taken to implement the travel logs for all vehicles under the control of DHR.

Recommendation 5. That DHR be required to obtain Congressional approval if appropriated funds are to be used for vehicle costs.

Status

No appropriated funds will be used to pay the cost of the two vehicles discussed in the report.

DHR is aware of the requirement for Congressional approval if appropriated funds are to be used for the acquisition of passenger-carrying vehicles. There is no need for action to insure compliance with this recommendation.

Recommendation 6. That DHR be required to determine whether there is an actual need for the vehicles and, if so, acquire more economical vehicles than the existing ones.

Status

The former Director, DHR had informed the Mayor that the two vehicles were used by the Director, and other central staff in the executive offices of DHR including use for project related business and for travel to official meetings outside the District. However, the Mayor requested the Director, DHR, to provide additional documentation setting forth the need for these vehicles in detail.

Administrative and Financial Management Weaknesses in the Office of Youth Opportunity Services - August 5, 1976.

The following response was submitted in the 1979 Status of Action on Audits Report.

Recommendations

1. That the Mayor establish an effective financial management system for office activities that will insure that:

   a. Obligations be incurred only for authorized purposes and only after the funding authority has been received.

   b. Accurate time and attendance reports be prepared and properly certified to insure that persons are paid only for hours worked.

   c. Only eligible youths be enrolled in the summer employment programs.

   d. Accurate and properly prepared documents be maintained and appropriately filed to support all payments.

   e. Necessary deductions, such as for Federal Insurance Contribution Act taxes, be made from payment vouchers and the checks prepared for correct amounts.

   f. The practice of using grant funds for one purpose and later switching those charges to other available funds be discontinued.

   g. Funds not be used for permanent positions that have not been authorized by the Congress.

   h. Overobligations of appropriated funds be reported immediately to the President and to the Congress with a statement of the action taken as required by 31 U.S.C. 665.

Status

Since completion of the audit, a number of organizational changes have taken place with the Office of Youth Opportunity Services which will have significant effect on those activities and programs discussed in the GAO report.

On October 22, 1976, Mayor's Order No. 76-227, transferred the functions previously assigned to the Office of Youth Opportunity Services to the Department of Recreation, Department of Manpower, School of Continuing

Education, Federal City College, University of the District of Columbia and Board of Education of the District of Columbia. The functions not reassigned to the above agencies were assigned to the Office of Youth Advocacy Services.

The Office of Youth Advocacy Services is a newly created office which will review and evaluate programs operated by the District of Columbia impacting on children and youth, plan and develop demonstration youth programs for transfer to other operating agencies and generally promote the interest and welfare of children and youth.

The fiscal year 1977 budget as approved by the Congress for the Office of Youth Opportunity Services provided funding for eight positions and an additional $19,500 for non-personnel items. This funding has been transferred to the Office of Youth Advocacy Services. No funding will be utilized for additional positions without proper authorization.

Instructions were issued to the heads of those agencies to whom youth activities were transferred to review the findings and recommendations of the GAO report and take such action as may be necessary to ensure that they have effective financial management systems which would prevent the occurrence of problems similar to those discussed in the GAO report.

In addition to the above actions, the Office of Budget and Management Systems has prepared a revised procedure to ensure appropriate reporting of any over-obligations of funds in accordance with 31 U.S.C. 665.

Recommendation

2. That the Mayor require the Office of Municipal Audit and Inspection to periodically review Office of Youth Opportunity Services activities to ascertain that the financial policies and procedures are adhered to and that appropriate administrative measures are taken if violations occur.

Status

The Office of Municipal Audit and Inspection will include the activities of the Office of Youth Advocacy Services (formerly Office of Youth Opportunity Services) in their fiscal year 1978 schedule of audits.

How the District Might Better Manage Its Tax Compliance Program - Report No. GGD-76-46 dated March 12, 1976.

The following information was submitted in the September 1976 Status of Action on Audits Report.

Recommendations

The Mayor should:

-- Insure that DFR (1) complete its review of the information and resource requirements for systematic analysis and evaluation of the tax compliance program as soon as possible and (2) take appropriate action to establish a management information system that will best serve the Department in planning its compliance activities.

-- Provide the necessary resources to support DFR's efforts to improve the voluntary taxpayer compliance program. Such efforts can help insure maximum revenue for District services and equitable distribution of the tax burden among District residents.

Status

DFR has extensive information reporting systems which include preparation of goals and reports against those goals using the management by objectives concept. The systems normally involve quantitative data on workloads and production.

The general reasons for noncompliance with tax laws are known to DFR supervisors who are expected to take any feasible action to improve voluntary compliance. Many actions have been taken in this regard. However, GAO has recommended a more formal system for identifying, analyzing, and documenting various problems with voluntary compliance in order to better assure that appropriate action is taken to further reduce such problems.

Although the accumulation of additonal statistics will be expensive, we advised GAO that we would do so where reasonably feasible since it is possible that additional useful knowledge about taxpayer compliance problems might result.

Projects have already been initiated to accumulate more detailed statistics on tax audits and on the questions most frequently asked by taxpayers. Also, DFR has made a commitment to review its compliance programs to identify additional areas in which more detailed statistics might be developed for evaluation of compliance problems. As a part of this review, DFR has made plans to consult with the Internal Revenue Service and the tax departments of several states.

You may be assured that the District Government will support DFR's programs for improving the effectiveness of activities conducted to improve voluntary compliance with our tax laws.

Urban Renewal in the 14th Street Corridor; Little Progress 7 years after the Riot - Feb. 9, 1976.

Review of Activities in the District of Columbia's 14th Street Urban Renewal Area - May 7, 1976.

The General Accounting Office (GAO), issued two reports on the 14th Street Urban Renewal Activities on February 9, 1976, and May 7, 1976, to the Department of Housing and Community Development (DHCD). Recommendations included in the reports were the same in some cases or were interrelated. Therefore the recommendations of both reports and the status of their implementation have been combined for the purposes of this report.

Recommendation

No. 1 Discuss with developers the types of projects considered to have the best chance of succeeding, before issuing the prospectus.

Status

This recommendation had been implemented before the formal GAO report was received. Officials of DHCD (and before that, officials of the D.C. Redevelopment Land Agency) had held discussions with groups of developers prior to preparing an offering prospectus for a specific parcel, and will continue to seek developers' advice.

Recommendation

No. 2 Consider whether tax abatement would aid in more speedy redevelopment without adversely affecting the District's revenue position.

Status

DHCD has (a) included in its proposed housing policy a suggestion to consider a revised property taxation system that would encourage property rehabilitation by lower- or moderate-income home owners, and (b) included in its application for second year Community Development Block Grant (CDBG) funds a proposal to fund a tax revision commission.

The CDBG application is presently awaiting approval by the U.S. Department of Housing and Urban Development (HUD). If HUD approves funds for the tax revision commission, DHCD will urge the commission to consider a variety of incentives for redevelopment, including tax abatement.

Recommendation

No. 3 Establish a system under which the progress of rehabilitation projects will be monitored

and the specific cases progressing slowly will be highlighted for management action.

Status

The monitoring systems which DHCD had in operation prior to the GAO audit have been expanded and improved. Specifically: (a) Status reporting on four separate rehabilitation programs has been computerized. (Previously, only one program--the Section 312/115 federal loan/grant program for owner-occupants--was on computer.) Information can now be consolidated and reported back on a more timely basis, and technical and management personnel are able to spend more of their time on direct program matters. (b) For all programs, the number of events reported on has been increased, enabling potential delays to be identified earlier. (c) In addition to data required for internal management of rehabilitation programs, the computer program will yield date required for reports to HUD, and will be able (upon request) to provide certain information not previously readily available when requested by the Council or the Congress.

Computerized reports have been received for three months, and it is expected that the reporting and monitoring system will be fully operational (i.e., remaining computer problems corrected), by October 1976. Continued operation of the system (estimated to cost about $15,000 per year at present rates) will depend upon the continued availability of funds for computer operations.

Recommendation

No. 4 Undertake rehabilitation of agency-owned property to both speed redevelopment in 14th Street and to demonstrate that rehabilitation can work.

Status

Rehabilitation of agency-owned property on 14th Street is under way. Three projects, totalling 63 buildings and 81 dwelling units, are scheduled to start construction in October and November 1976, with completion of all three scheduled for May 1977. Construction on seven units of a fourth project is scheduled to begin in November 1976, with work on the remaining nine units of that project dependent on relocation of the present occupants.

In addition, one project, covering two apartment buildings and 218 dwelling units, is being rehabilitated under the Federal 221(d)(3) mortgage insurance program. The first 114 units are scheduled for occupancy in

September 1976, the remaining units for November and December 1976.

In all a total of 315 dwelling units are included in projects actively under way. As noted in the City's formal response to the GAO audit report, each building and dwelling unit to be rehabilitated requires an individual set of plans and construction documents, and each set of documents required HUD approval as well as review and approval by staff of DHCD. The time period from project approval to beginning of construction will therefore continue to be long, despite the best efforts of the Department to speed rehabilitation.

Recommendation

No. 5 Develop a management information system (1) to control properties from the time they are designated until they are disposed of or dropped from the plan and (2) to keep track of tenants from the time the District assumes responsibility for them until it has fulfilled its obligations.

Recommendation

No. 6 Identify, as part of the management information system, all households in the relocation workload and report monthly on the relocation status of each household, highlighting for special attention those households remaining in the same category for extended periods.

-- Monitor relocation counselors' activities on a regular basis to ensure that householders are promptly given services to which they are entitled.

-- Establish a system to advise the office of engineering, as soon as possible, when buildings to be demolished are expected to be vacant and to notify them when the buildings are in fact vacant.

Status

Recommendations 5 and 6 from the February GAO report and the two additional recommendations from the May report listed above deal with a complex, interrelated series of Department activities. The Department therefore addressed these recommendations as an entity, and established an interoffice task force to analyze the problems reported by GAO and recommend specific corrective actions.

On July 1, 1976, the task force submitted a comprehensive report which recommended more than 100 broad procedural and recordkeeping changes, some of them individually complex. Some of the short-range recommendations, including correction of the property inventory (a key element in the audit findings) have been implemented; others are in process of implementation.

Some of the task force recommendations, such as those proposing minor shifts of functions and staff, or for further workload analysis and a potential increase in total staff or reallocation of existing staff to priority functions, will require a longer implementation period, particularly in those offices whose workload has been increased by recent Federal or local legislation (for example, the Section 8 housing program and the condominimum conversion housing assistance requirements.)

The most important recommendation of the task force related to possible computerization of property management, relocation, demolition, and related records. The GAO auditors recognized that a key deficiency in present recordkeeping system was the lack of a continuous flow of data on individual properties and tenants in the relocation workload between separate organizations whose activities are interdependent. The GAO further recognized that computerization of operational records was essential to an effective management information system. However, the long-range advantages of computer operations cannot be achieved without added short-range costs. The proposed decrease in Federal community development grants, unless compensated by in appropriated funds, will force cutbacks rather than the desired improvements in many Departmental operations. Therefore, the Department will not be able to implement the most important elements of this GAO recommendation unless future levels of funding are sufficient to provide for either consultant services or additional staff (computer analysts and programmers) and for equipment rental or time sharing.

Recommendation No. 7

Establish a program to monitor progress and highlight areas for management action when corrective measures are necessary.

Status

The DHCD has established a set of comprehensive goals, supported by specific objectives and a schedule for completing each objective. Performance will be monitored and areas for management action highlighted through a new reporting system. Existing reports and monitoring mechanisms will be utilized in this new system where appropriate; new mechanisms will be devised where required. This goals and objectives framework includes the renewal activities discussed in the GAO audit reports.

Recommendation No. 8

Further improvements in property management are needed.

The May 1976 audit report recommended a series of actions relating to property inspection, rent collection, maintenance contracting, and defining (in consultation with HUD) what constitutes safe and habitable housing for properties acquired in deteriorated condition and scheduled for eventual demolition.

Corrective actions had been initiated prior to receipt of the report in all areas except consulting with HUD on standards for safe and habitable housing. Written procedures were developed and issued to cover contracting guidelines, leases and rent collection, and inspection of property. These procedures will be reviewed and revised as necessary to reflect organizational changes required when DHCD was established, as well as to reflect any changes required by new definitions of safe and habitable housing, when HUD had defined or agreed to a definition of those standards.

Resource Management Can Be Improved by Greater Use of Productivity Techniques in the District of Columbia - April 16, 1975.

Recommendation

That the Mayor require the District government to incorporate in its PMS techniques for continuing analyses to plot performance trends and to determine effects of one measure on another so that productivity can be increased and performance improved, as appropriate.

Status

In terms of the thrust and contents of the GAO report itself, it was previously pointed out to the Director, General Government Division, GAO, that there are significant variations in our productivity concepts, methodology and approaches to demonstrate the practical value of this important technique. Nonetheless, the subject matter of the GAO report will add considerably to the ultimate effectiveness of the District's performance monitoring and productivity improvement efforts.

Chapter one of the GAO report indicates that the productivity measures, standards and trends presented in the report are for illustrative purposes only, to demonstrate the application of productivity techniques. The report also correctly pointed out that firm conclusions about the actual performance of the District's Tax Audit and Liability Division cannot be drawn since the data have not been tested.

The latest report, Improving Program Performance for Fiscal Year 1977, presents the fourth annual report on program performance in the City of Washington. The system now tracks program performance on a monthly basis in 13 city agencies, encompassing over 60 service-delivery, regulatory, and revenue-collecting programs. The report shows considerable accomplishments which reflect the District Government's efforts to make better use of personnel and money, in other words, to increase productivity.

What is Being Done About Individuals Who Fail to File a District Income Tax Return - March 20, 1975.

Recommendations

That the Mayor of the District of Columbia assign the necessary resources to:

-- Initiate prompt inquiries on all potential nonfilers disclosed by TEP.

-- Use IRS information to contract nonfilers failing to respond to inquiries.

-- Exchange TEP followup data with States.

-- Check filing and reporting on income not subject to withholding.

It was also recommended that (1) to improve voluntary compliance, the Mayor adequately publicize these activities and (2) he contact States praticipating in TEP to determine whether a nationwide justification exists for proposing to IRS that individuals be required to designate on Federal tax returns the State(s) with which they filed or plan to file income tax return.

On January 26, 1978 GAO issued a report to the House and Senate Committees on appropriations entitled "Summaries of Conclusions and Recommendations on the Operations of Civil Departments and Agencies." In this report GAO stated that:

"The District agreed with GAO's recommendations to expand its efforts to increase tax assessments and indicated that any additional resources deemed necessary would be included in its budget requests. The new system implemented by the District's Department of Finance and Revenue in December 1976 to identify potential nonfilers through the Tape Exchange Program has increased productivity by about 20 percent. Use of the Internal Revenue Service's information to contact nonfilers will increase District revenues by about $100,000 annually. Although the Department of Finance and Revenue made periodic checks on the filing and reporting of income not subject to withholding,

it lacked the resources and a program to make effective use of the available data for testing compliance by individuals who receive such income but fail to file tax returns. The District's fiscal year 1978 budget request provides for the funding of authorized but unfunded positions to fully implement GAO's recommendations. (GGD-75-8, Mar. 20, 1975.)"

Status

In response to the GAO summary report of January 26, 1978 the Director, Department of Finance and Revenue furnished the following information.

"The statement that the "District's fiscal year 1978 budget request provides for the funding of authorized but unfunded positions to fully implement GAO's recommendations" is not accurate. No resources are requested in that budget to expand compliance coverage of income not subject to withholding and additional funding was requested for only 2 positions for the Tape Exchange Program.

"Using previously available resources, we have expanded somewhat our compliance program for income not subject to withholding.

"On numerous occasions we have advised GAO that while we agree that more could be done in the area of checking the reporting of income not subject to withholding, we have not submitted a budget request for personnel resources to increase our coverage. In December 1976, we advised GAO that:

"Periodic checks of filing and reporting of income not subject to withholding are made. Sources include information returns and AGI data from TEP tapes. In view of resources available and the results achieved, a large-scale program has not been implemented in this area. It should be noted that broader coverage than may be indicated is actually achieved in this area by virtue of the fact that IRS achieves good coverage in the area of income not subject to withholding and we receive notices of adjustments made from their audits."

"In connection with the Senate's review of our fiscal year 1977 budget, Senator Chiles asked whether that budget would enable the Department to do everything it wants to do or is required to do in the area of Tax Assessment and Administration. Numerous unmet needs were detailed in responding to this question, including that involving expanding the program for checking on the filing and reporting of income not subject to withholding. While action was subsequently taken by the Congress to increase the 77 budget for this Department to enable it to expand work on delinquent

accounts, it did not take action to provide additional resources for an expaded compliance program for income not subject to withholding.

"The 2 additional positions requested in the fiscal year 1978 budget will not enable us to work all TEP mismatches as recommended by GAO. However, these positions plus the 7 requested for this program in the fiscal year 1979 budget submission to the City Council would have enabled us to work substantially all TEP mismatches. The City Council cut this item from our budget. Also, the 2 additional positions for fiscal year 1978 are not available because as of this late date, the fiscal year 1978 budget has not yet been approved by the Congress.

"The new system for utilizing the tapes provided by IRS is estimated to increase productivity by about 20 percent. Computer system problems have not been fully resolved and the productivity increases we projected have not been realized. Accordingly, and unfortunately, the GAO statement that productivity has increased by about 20 percent is not accurate.

"The statement that use of the IRS's information to contact nonfilers will increase District revenues by about $100,000 annually may not be clearly understood by someone who is not familiar with this area. The referenced information is the IRS 719 program through which a taxpayer's latest address shown in the IRS files can be obtained. In this regard we advised GAO in December 1976 that:

> "Collections resulting from use of Project 719 are not identified separately. However, based on a test we conducted in early fiscal year 1976, we estimate that collections of about $100,000 annually may be attributed to the use of this program."

D.C. Government Needs to Improve Controls Over Receipt of Federal Grant Funds - April 3, 1978.

Recommendation

That OBMS establish a monitoring system that will allow it to evaluate the extent of grantee-agency compliance with OBMS requirements and will highlight the specific instances of agency non-compliance with OBMS - grant requirements.

Status

As a result of this recommendation, a team of operating personnel and system accountants has been created for the development and implementation of specific procedures to centrally monitor the financial activities of Federal grant programs, including grant receipts. This team will develop monitoring duties and recommend staffing requirements for OBMS. It will also train employees in the various phases of financial monitoring.

In addition, the team will analyze, define, and solve current Federal grant financial problems; scrutinize balances of inactive grant programs and take proper actions; do overview monitoring of current transactions involving budget authorization, obligations, and cash receipts and expenditures; and follow-up and assure that agencies are meeting requirements for reconciliation, reporting, billing, and collection. The Budget Operations Division of OBMS will assist in working with agencies to resolve problems associated with grant financing. To facilitate monitoring efforts, OBMS has standardized the account class code for program and project identification and plans to introduce improved CAS financial monitoring reports.

Accountable Personal Property Management in the Department of Human Resources - March 29, 1978.

As of June 15, 1978, we were informed by DHR officials that this report had been reviewed and they were in the process of preparing a response to the recommendations.

Excess Classroom Space - A Case for Better Planning - September 30, 1977.

Recommendations

GAO recommended that the Board of Education:

-- Cancel its plan to build the Perry-Simmons replacement school.

-- Implement a facilities planning system that provides for the accumulation and reporting of essential data to assist in evaluating its school building needs.

-- Revise its planning policy to consider the schools' available pupil capacity in adjacent planning areas rather than only that of a specified area in determining its space needs.

-- Codify its policy statements on capital improvements and formally submit them to the Superintendent of Schools.

-- Develop and adopt a plan and timetable for implementing the planning system.

Status

As part of the final report, the General Accounting Office included the Mayor's original response to the draft report as Appendix 1. However, the GAO deleted certain portions of his letter which are worth restating.

On Page 24 the GAO report includes the following statement:

> "In October 1976 when we sent the draft to the Board for comment, the data presented showed that this school was not needed. In March, however, the construction contract was awarded. Because of this action, we deleted discussions of the project from this report."

The Mayor stated in his original response that it would help understanding if it were clear that the participants in the budget process after considering all data, including that in the report, have come to a conclusion to proceed with the Burrville construction. The decision to proceed with the project was made after re-examination by the Board of Education, the District of Columbia Government and the U.S. Congress.

The other response which was deleted from the GAO report but which is worth reiterating concerns the statement on Page 1. GAO suggests that school operations are financed primarily by annual appropriations from the Congress. The fact that may not be clear to the reader is that funding for most of the Public Schools operation is provided by the District taxpayer and that capital funding is provided by borrowing authority for loans from the U.S. Treasury with subsequent repayment of principal and interest from the District's annual operating budget.

The President, Board of Education, submitted a letter containing the Board's views and comments on the GAO report. They are included herein in their entirety as follows:

Facilities Planning

"In spite of repeated setbacks and denials of its requirements, the Board of Education and Public School Administration have established, from within extremely limited resources, a limited Division of Planning with responsibility for educational and facilities planning. Both the Division of Planning itself and the Facilities Planning Unit are so insufficiently staffed that no commitment can be made to the comprehensive facilities planning outlined in this report. Far more extensive personnel and resources must be made available before the goals outlined in this report can be approximated. It must also be recalled that the Board of Education has no revenue authority, and is therefore totally dependent upon the City to provide the necessary funds and resources.

"In the meantime, we are making every effort within both the Division of Planning and the Office of Management Services to establish appropriate data banks, especially for enlisting facilities, which will include plant cost factors where such information can be retrieved. Again, additional city participation is necessary. In many cost areas, the present accounting system cannot record such cost data by individual cost center (school building), particularly in a fashion which permits easy retrieval."

Long-Range Planning

"A significant and basic data requirement in accomplishing the goals and purposes outlined in this report and concurred in by the Board of Education is significantly improved demographic data and long-range city planning information, neither of which is now available to the Public Schools. It is our intention to work closely with the appropriate city offices to

insure that such data is developed and applied to the planning of new construction or modernization.

"Although general demographic data is available and accurate for the city as a whole, and even for major areas of the city, it is often not directly useful in the planning of school projects. For example, planning for schools adjacent to the (14th Street corridor) is directly dependent upon the long-range development plans for that area. At the present time, the long-range city planning for the area is not yet developed to a point at which precise demographic data can be projected, and the need for classroom space in that area determined."

"The conjunction of such long-range planning and data projection with the very lengthy planning process necessary for the construction of schools will continue to create the kinds of planning inaccuracies noted in this report until both the planning time for area development and the project time for construction are radically shortened."

Board Policy

"The Board of Education is now deeply engaged in a massive revision and new development of rules and policies, including a clarification and codification of existing rules and policies. The entire matter of school closings has been completed, the use of school facilities beyond normal classroom and instructional purposes is now under development, and policies affecting new construction, modernization, etc., can be anticipated in the near future."

Planning Timetable

"As noted above, any planning timetable which envisions the development of a planning capability with the scope and vision in this report is directly dependent upon budget and personnel support, and for this support the Board of Education is totally dependent upon the city. The city appears itself to require considerable additional resources in the area of city planning, cost analysis, and management information.

"The Board of Education regrets that recent budget history does not demonstrate a commitment of city resources to those purposes. The several requests of the Board of Education have been denied, and massive reductions from the base itself have eliminated any possible budget flexibility by which the Board of Education might apply its own resources to this task. The most recent budget consideration by the City Council is clearly indicative of this process.

"The Board's funding request for facilities planning in FY 1979, as in previous years, was not recognized or considered by the Mayor or the City Council. In its subsequent deliberations, apparently as a result of the release of this report, the Committee of the City Council responsible for the Public School budget, contrary to the legislation governing the development of the Public School budget, but reflecting a desire to respond to this report, added $186,000 in its committee report, indicating that this increase was "earmarked" for a Facilities Planning Office. That same Committee, however, failed to fund such critical and mandatory cost items as:

Teachers Retirement Fund	$2,300,000
Legislated Pay Increases	1,800,000
Utility Rate Increases	1,300,000
Additional Building Maintenance	1,900,000

"The first three of these items are mandatory, and must be borne by the Public Schools through massive reductions in the educational program. Short-funded by at least $7,300,000, we must observe that the addition of a mere $186,000, even if approved, will quickly be "absorbed" by these mandatory costs."

Perry-Simmons

"Both Houses of Congress have deleted the Perry-Simmons project from the preliminary Committee draft of the FY 1978 budget for capital construction. The item is therefore not eligible for consideration in the subsequent Committee reconciliations, and the question of continuing the Perry-Simmons project appears therefore to be settled."

Survey of the Management Functions of the Department of Recreation - July 25, 1977.

Recommendation

That the D.C. Department of Recreation develop a Management Information System.

Status

In order to comply with the GAO Report issued on July 25, 1977 to the Director of the D.C. Department of Recreation, recommending the Department develop a Management Information System, he proceeded in an orderly fashion to develop this program. In January, 1978 a decision was made to reorganize the Maintenance Division into two functional branches. One branch would be responsible for building and grounds maintenance and one branch would be responsible for facilities and crafts. In March, 1978, this change was implemented by moving personnel and equipment and setting

up a Production Control Section. The Production Control Section also includes personnel who would be part of the Preventative Maintenance Section.

On March 2, 1978 the Department of Recreation and the Office of Budget and Management Systems organized a joint project for the purpose of improving recreation maintenance in Washington, D.C. The objectives of this project are: to provide routine maintenance for all recreation facilities; to provide adequate response to repair needs; to improve productivity of maintenance work force through better deployment, and to introduce a montoring system.

Review of Motor Fleet Management, Need to Strengthen Gasoline Supply Controls - District of Columbia - July 1, 1977.

Recommendations

That DGS issue interim control procedures to be followed by all D.C. agencies having gasoline facilities. At a minimum, these procedures should include the following requirements:

-- verify amounts delivered by taking storage tank level readings before and after deliveries,

-- verify daily amounts of gasoline that should be on hand in storage tanks,

-- lock storage tank caps,

-- fuel vehicles before rather than after the workday where possible,

-- install anti-siphon devices such as gas cap locks when feasible,

-- reinstitute requirement that serially numbered issue tickets be used and require monthly reports to DGS showing that serially numbered issue tickets were used and accounted for,

-- verify regularly the accuracy of pump meters and,

-- monitor preparation of the monthly gasoline report.

The District of Columbia Auditor and the Office of Municipal Audit and Inspection should plan to conduct periodic audits of gasoline activities. Such reviews should include a study and evaluation of controls.

Status

On August 29, 1977, the Director, Department of General Services issued Mayor's Memorandum 77-140 which prescribed interim procedures for strengthening and standardizing controls over the Districts' gasoline supply.

The Office of Municipal Audit and Inspection is presently in process of performing an audit of the controls over petroleum products in the District.

Survey of Procurement in the District of Columbia
Department of General Services - September 29, 1976.

Recommendations

To ensure that lowest prices are obtained, DGS can take steps to improve its (1) contracting policies and procedures and (2) managerial control over procurement authority delegated to departments, namely:

A. Limit the number of comparable or identical items bid upon for term contracts;

B. Instruct buyers to be more careful in evaluating bids made on the basis of percentage of price lists;

C. Establish new standards or added criteria to guide departments in ordering certain classes of purchases (e.g., executive office furniture, motor vehicles, and clothing);

D. Take a more active role to ensure departmental compliance with District procurement procedures and use of District term contracts and Federal supply sources by doing the following:

1. Assign staff to periodically audit departmental purchasing activities to ensure compliance. Arrange with the Director of the Office of Budget and Management Systems for identifying and obtaining necessary procurement audit personnel. Also, consider asking the Office of Municipal Audit and Inspection to assist in defining the scope of such audits and to develop a coordinated plan for conducting these audits on a scheduled basis.

2. Consider prenumbering, assigning and accounting for all blank purchase orders issued to departments to ensure all orders are being sent to DGS for review purposes.

3. Set up procedures for systemtically identifying departmental buyers who repeatedly fail to use existing District contracts or established Federal supply sources. Steps to deal with repeated violators should be established, such as conducting periodic training sessions on District procurement procedures. In this regard, consider withdrawing or restricting either the individual's or the department's delegated purchase authority.

4. Take an active role in deciding who and how many individuals are delegated small purchase authorization in departments. Consider limiting the number of such personnel.

Status

A. We are continuing review of our contracts and especially multi-award contracts for possible elimination. Part of this review includes investigation of existing Federal Supply Schedules to determine if supplies and services can be purchased through this G.S.A. source at or below District contract prices.

B. Continued efforts are being expended to eliminate this practice entirely. This subject is discussed at procurement staff briefings and has been added to the procurement training course for entry level and novice procurement specialists.

C. The District of Columbia Materiel Management Manual has been amended to expand the guidance to the departments and agencies in the acquisition of motor vehicles. Included in this amendment are instructions for purchase, lease and lease with option to buy passenger carrying vehicles. Also included are instructions for procurement of air conditioning for passenger carrying vehicles and consideration for implementation of the Buy American Act and Specification Requirement. This amendment is contained in Mayor's Memorandum 76-183, dated November 30, 1976.

D. Instructions pertaining to executive office furniture and clothing are adequately contained in paragraphs 2620.22E2 and 2620.22E12 respectively.

1. We agree that continuing efforts should be made to improve the procurement operations at all levels of the District Government. Since issuance of this report, DGS has assigned staff to assist agencies in improving their procurement systems. Page 6 of this report contains further information of the status of DGS efforts in this regard. (What Needs to Be Done to Improve the Supply System of the District of Columbia).

The Office of Municipal Audit and Inspection (OMAI) had planned to direct a significant portion of its efforts to this important area. However, because of recent staff

reductions audits of procurement operations have been severely restricted. OMAI has recently performed a review of District-wide contracting authority. They are currently reevaluating plans for further reviews and audits in the contracting and procurement areas in light of the proposed staff reductions and the GAO recommendation.

2. The prenumbering, assigning and accounting for all blank purchase orders was considered a number of years ago when the Procurement Office cut and issued all purchase orders regardless of dollar amount on source of supply. Even though the Procurement Office (P.O.) was procuring all the orders used, the administrative costs of accounting for each order was determined to be impractical and costly. It was considered also during the period when D.C. Accounting and the P.O. were equally sharing the cost of procuring the purchase orders. The P.O. at that time storing and distributing the orders to the various departments and agencies and prenumbering and accounting for each order was considered to be impractical due to the vast number of orders issued by District agencies under the small purchase procedures. Typists when cutting an order would make an error and instead of erasing each and every copy, ten (10) at that time, would remove the order from the typewriter and "destroy", and cut a new order. This practice still exists, thereby creating an accounting problem as to the disposition of each order. Administrative costs would be excessive particularly in the area of accounting for missing prenumbered orders. A minimum of one (1) man year would be required to account for all orders issued in each major department. Prenumbering would not alleviate the problem of unauthorized use of a purchase order. Therefore, no action was taken on this recommendation.

3. Special emphasis has been placed on this problem at a monthly Supply Officers' meetings. In addition, a more thorough review of copies of purchase orders executed within departmental contracting authority has been made in the Bureau of Materiel Management.

4. This recommendation is not feasible and could be construed as an infringement on department head rights. Paragraph 2620.22 of the Materiel Management Manual provides certain restrictions to this delegation, but it also provides the department heads the latitude necessary to efficiently manage his/her procurement programs. Therefore, no action was taken on this recommendation.

Review of Property Tax Administration - August 13, 1976.

By letter dated August 13, 1976, the General Accounting Office (GAO) furnished the Chairman of the District of Columbia Tax Revision Commission a report entitled "Survey of the Real Property Tax - District of Columbia Government." This report provided information on the District's policies and procedures for administering its real property tax and some significant developments concerning the tax in the last few years. GAO raised for the Commission's consideration the issue concerning the desirability of a fundamental change in the real property tax and mentioned some of the changes in the tax that the Commission might consider. No conclusions were drawn or intended by GAO on either the need for or direction of reform.

We were informed that the Commission reviewed the GAO report and fully considered the information it provided before presenting its final report to the City Council on December 5, 1977.

Review of Motor Fleet Management, Department of Environmental Services, District of Columbia - July 9, 1976.

Recommendations

GAO recommended that additional steps be taken to improve the fleet management program's economy and effectiveness.

Authority to manage the motor fleet program should be centralized within one agency in DES, and that agency should consider the following:

--establish departmental motor vehicle policies and procedures,

--evaluate and approve the need for each new or replacement vehicle to be purchased or leased,

--keep accurate operation and maintenance information,

--monitor maintenance practices to assure preventive maintenance schedules are followed and unscheduled and repetitive repairs are minimized. In addition to reviewing work authorizations, vehicle repair histories, and other repair documentation, the agency should make frequent inspection of Department of Environmental Service 11 maintenance sites.

To avoid added fleet acquisition costs, the central agency should consider:

--Increasing the use of existing vehicles by pooling and vehicle rotation among DES organizational elements to the maximum extent possible.

--Using privately owned vehicles instead of assigning District-owned vehicles to transport supervisory and administrative personnel.

--Buying subcompact and compact cars, where feasible, instead of light trucks and intermediate and full-size cars.

Further, continued emphasis should be given to DES' preventive maintenance program and to insuring that service managers are effectively performing their duties.

We believe periodic independent reviews are needed to control and improve the program. We therefore are recommending that the D.C. Auditor and Office of Municipal Audit and Inspection make periodic reviews of the District motor fleet management operations.

Status

Attached is a copy of the response submitted to the Assistant Director, General Government Division, GAO by Director, Department of Environmental Services.

LETTER FROM HERBERT L. TUCKER, DIRECTOR
DEPARTMENT OF ENVIRONMENTAL SERVICES

9 SEP 1976

Mr. Frank Medico
Assistant Director
General Government Division
U.S. General Accounting Office
Washington, D.C. 20548

Dear Mr. Medico:

This responds to your letter of July 9, 1976, concerning the General Accounting Office study of the motor fleet operations of the Department of Environmental Services (DES) District of Columbia Government.

The letter indicated that one of the prime concerns of GAO is the fact that the District's Motor Fleet Management is not centralized and therefore tends to operate in an uneconomical manner. Since you stated that a later report will address the benefits of such a consolidation, I will refrain from commenting at this time.

I am aware of the benefits which can result from a centralized Motor Vehicle Fleet Management Program within the Department of Environmental Services. In fact, in 1974 a DES reprogramming request was approved authorizing the consolidation of all mobile equipment repair and maintenance functions. Except for the control of vehicles, which remained with the Administrations, this action transferred all mobile equipment management responsibilities to the Mobile Equipment Management Division (MEMD) and in effect created a centralized motor fleet management system. However, because of personnel turnover and budget restrictions that resulted in positions either being frozen or abolished, the anticipated results under the reprogramming has only been partially accomplished. Upon reviewing the Department's progress in this area, I have concluded that in order to make the centralized system workable we must restructure the MEMD and provide that unit with the necessary resources to properly perform its assigned responsibilities. It is therefore my intention to move as expeditiously as possible to create an organizational unit which is capable of supporting a totally centralized vehicle management program. The timing of the restructuring is contingent upon the availability of funds to staff the unit. Concurrent with this action, the Department will take the appropriate steps to transfer control of all mobile equipment to the MEMD. When this is accomplished, I envision the responsibilities assigned to the MEMD will include the control of all mobile equipment, scheduling and control of maintenance, repairs, utilization, acquisitions, replacement, disposal, and equipment surveillance. Additionally, the Chief of the MEMD will be responsible for the administration of fleet related maintenance contracts and the D.C. Fleet Management Information System. In order to place the necessary emphasis on the proper management of the vehicle fleet, the Department will be realigned so that the MEMD will report directly to the Department Director.

The change to a completely centralized system will ensure the following:

- evaluation and approval of the need for each new or replacement vehicle to be purchased or leased,

- the collection of accurate operational and maintenance information,

- the monitoring of maintenance practices to assure that preventive maintenance schedules are followed and unscheduled and repetitive repairs are minimized.

Since there are many factors involved in the conversion to a completely centralized system, I am at present unable to provide a timetable for the completion of the realignment. Once the concept of a completely centralized vehicle management system is refined and the structure of the organizational unit developed, I will submit the necessary requests for realignment of resources and freeze exemptions to the D.C. Office of Budget and Management Systems for approval.

Additionally, I plan to immediately initiate steps for a utilization evaluation of the vehicles assigned to the department. This will enable us to identify underutilized general purpose equipment which should either be disposed of or reassigned to other departmental elements. The evaluation will be the basis for determining the size and composition of the DES vehicle fleet as well as vehicle authorization levels for each Administration/Office.

The recommendation that the department consider reimbursing employees for using their privately owned vehicles for business purposes has merit, but must be considered on a case by case basis. The reimbursement policy has been in effect in DES for sometime and we will continue to exert maximum effort to expand the program in order to reduce vehicle replacement costs. However, in our attempt to expand the program we must bear in mind that some employees are not willing to use their private vehicles for business purposes. This is particularly true when an employee realizes that vehicle insurance premiums will increase since the vehicle is no longer used solely for travel to and from work or pleasure. As a part of my continuing attempts to reduce operating costs, I plan to reduce the number of take home vehicles to a maximum of four (4) effective on October 1, 1976. One of these vehicles will be used by the Director and the remaining vehicles will be assigned to the various administration duty officers on a rotating basis.

I consider the comment concerning the purchase of compacts and subcompacts instead of sedans and pick-up trucks valid. However, the District of Columbia is governed by 31-USC-638a which addresses the acquisition of passenger cars. The document requires that the budget contain specific authorization from Congress for the purchase of passenger cars. There undoubtedly could be savings to the Department on the future acquisition of passenger cars versus pick-up trucks, but the authorization for the purchase must be contained in the budget document. If the authority is obtained, full consideration will be given to future purchases of compact and subcompact cars.

The comments and recommendations regarding the department's vehicle maintenance practices are also valid. In some instances our preventive maintenance program has fallen below acceptable standards. In order to correct this problem and re-vitalize the program, I have taken the following steps which should result in the establishment of a high quality preventive maintenance program which will eliminate or reduce the need for unscheduled and repetitive repairs:

- strongly emphasized to Administrators and Office Heads the merits of complying with established P.M. schedules,

- developed and published a quarterly preventive maintenance schedule for vehicles assigned to this department,

- designated an employee to serve as the P.M. scheduling coordinator,

- instituted a system which provides daily reports to the department Director concerning non-compliance with the published P.M. schedule.

With respect to the problems spelled out on the three vehicles with high parts replacement patterns cited in the study, I would like to point out that we have already made substantial systems improvements which would ameliorate, or eliminate a number of the problems referenced.

1. Since January 1976, the MEMD Chief has held monthly meetings with line and equipment managers aimed at sharpening skills in interpreting and utilizing the mobile equipment Management Information reports, as well as emphasizing the importance of adherence to the P.M. and Driver-Operator maintenance.

2. We have established a position to monitor repair parts issues.

3. We have placed stringent controls on battery issues. A battery may only be removed from the system after testing and certification that it cannot be recharged or reconditioned.

4. We have scheduled our mechanics in on-going comprehensive training programs in all phases of automotive repair to broaden the skills base.

Additional comments to the analysis of the three vehicles with heavy parts use cited in the report:

1. Many of these replacements were made on emergency road calls (seven for the 1967 Ford Dump Truck) where testing and electrical charging procedures are not feasible.

2. Most of the replacement batteries were made with recharged batteries. The standard operating procedures calls for in-shop testing and charging (if possible) of the replaced battery.

3. Most on-site (satellite) maintenance shops are not equipped with a complete array of test equipment. We have on order the necessary test equipment to reduce parts replacement as a diagnostic approach.

4. During the period that the problems associated with the three (3) vehicles occurred, the operation of our maintenance system was not as effective as desired. However, we have recently made some management and supervisory adjustments within the system which are designed to prevent reoccurance of the problems.

I am committed to the development of an efficient and economical Fleet Management Program. The programs and systems improvements outlined above should eliminate the deficiencies noted during the GAO survey and make the DES Motor Vehicle Management Program economically sound and a model of efficiency.

Sincerely yours,

Herbert L. Tucker
Director

The following response was submitted in the September 1976 Status of Action on Audits Report.

What Can Be Done to Improve the Management of Money and Staff? - June 16, 1976.

Recommendations

GAO recommended that the Board of Education establish an effective and reliable resource management system within the overall DCPS management structure by:

-- Developing guidelines to improve the educational information and financial management systems and the research and evaluation capability, possibly along the lines of the criteria in Appendix III.

-- Developing and adopting an overall plan and timetable for designing, installing, and operating a comprehensive resource management system that will provide for accumulating and reporting of cost data and other information on education as discussed in this report.

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To effectively carry out these recommendations, GAO stated that the District of Columbia Public Schools must:

-- Determine the needs and requirements for a comprehensive resource management system that will satisfy applicable laws and regulations and provide the Board of Education and the Superintendent of Schools with information required for policy formulation and good school management.

-- Prescribe and develop criteria for a comprehensive resource management system that sets forth the DCPS educational objectives, delineates organization and staff responsibilities, and describes the existing systems and processes.

Agency Comments

Board of Education

The President of the Board of Education said that the Board places a high priority on improving the management of the public school system, which includes developing data for effective utilization of resources, but that delays have occurred in achieving this objective, largely because of inadequate appropriations. He said that the Board recognizes the need for a system that will record

cost data for various kinds of expenditures by individual schools and that such a system is important for budget and financial record purposes and will facilitate local school budgeting and management. He said, however, that the use of academic grades in making comparisons between schools is rather inconclusive and that there are many other factors which affect the degree of success attained at different schools. The subjective nature of student evaluations by teachers would have to be considered in measuring program effectiveness based solely on grades. He said, however, that the need for a data system for management purposes fully justifies the efforts and resources that are needed to develop and operate it, as it would be useful to administrators in their continuing efforts to operate the schools effectively.

Superintendents of Schools

The Superintendent of Schools agreed with GAO's recommendations and position that one basic requirement for improving the management of money and staff is the development of a financial system data base that is reliable and useful, including the capability of identifying costs at the school level and within schools by program. He said this must be done before it will be possible to relate educational outputs to costs. The Superintendent said that this has been assigned one of the highest priorities in DCPS.

The Superintendent said also that DCPS has attempted to install a program evaluation system; however, this system has been limited to 34 elementary schools and has only been applied to the reading program because of the lack of funding and personnel.

The Superintendent said that implementation of these two systems will provide an improved resource management system and enable school management to evaluate the efficiency and effectiveness with which resources have been allocated throughout the schools.

Prosecution of Tax Violations - June 7, 1976.

The following information was submitted in the September 1976 Status of Action on Audits Report.

Recommendation

That the Corporation Counsel in cooperation with the Director of Finance and Revenue, as appropriate:

-- Establish written guidelines covering the type cases to be prosecuted and the facts needed to seek a conviction for violation of the tax laws,

-- Review the penalties provided for violation of the tax laws, and

-- Consider establishing a separate unit in his office whose sole responsibility would be the prosecution of tax cases referred by the Department of Finance and Revenue.

Status

The Corporation Counsel agreed that the prosecution of individuals and business entities that violate the tax laws is necessary to promote compliance; however, such an effort will be effective only if it is both constant and vigorous. Accordingly, prior to the commencement of the GAO review, he designated two assistant corporation counsels within the Taxation Division of his Office whose primary duty is the prosecution of tax cases.

In April 1976, these assistants commenced a review of the inventory of refferals of tax violations to the Corporation Counsel's Office from the Department of Finance and Revenue; as a result, they concluded that no more than 174 cases had prosecutorial merit. A further review of the balance of the inventory disclosed that, at most, approximately only one quarter of the balance might merit prosecution. A final determination in this respect had to be postponed until after the Department of Finance and Revenue had supplied additional information in accordance with the preliminary guidelines drafted by this Office.

Thereafter, the Corporation Counsel met with the Director of the Department of Finance and Revenue in an effort to expedite the preparation of those cases which, as a result of the inventory-review, could be said to warrant prosecution. On August 31, 1976, the Department finally provided sufficient information with respect to 10 cases (267 counts); the Corporation Counsel anticipated that they would initiate prosecution of these cases on September 13, 1976.

In addition to the foregoing, there are other matters relating to the city's collection of taxes which the task force currently is pursuing. The Corporation Counsel will be transmitting to Mayor Washington proposed legislation that would increase the penalties which may be imposed for violations of sales, use, and motor fuel tax statutes. Additionally, he will propose legislation which would make it a crime to negligently fail to file individual income tax returns or to fail to pay the tax liability incurred. With the enactment and enforcement of a "negligent" individual income tax statute, the individual income tax delinquency list probably will be markedly reduced.

Observation on the District of Columbia Administration of Self-Assessed Taxes - May 17, 1976.

Observation

GAO noted that DFR had not developed generalized tax education material for inclusion in the regular curriculum of District high schools. Many District schools now receive Federal tax education packages from IRS. DFR should supplement the Federal material with information on District taxes. District schools seem to GAO as a logical place to begin a program designed to achieve increased public awareness of the District's tax structure and its relationship to the District Government's programs.

Status

A project has been established to develop tax education material suitable for inclusion in the curriculum of District high schools. We had planned to submit draft material to the Public Schools for consideration and review no later than January 1977. The target was not met because it was necessary to use the assigned staff member on higher priority projects. Our revised target date for submission of this material to the Public Schools is September 1978.

Observation

The other observation GAO had pertains to taxpayer assistance provided residents by commercial tax preparers and by various public interest groups. GAO believes that these organizations might be able to help the District improve its tax information program. Therefore, the Department should consider regularly soliciting information from these groups on problems they note in the course of providing assistance to District taxpayers.

Status

Representatives of the Department of Finance and Revenue have the occasion to discuss taxpayer problems with commercial tax return preparers and public interest groups each year. Information obtained during these contacts is considered in formulating draft legislation, designing tax forms, and developing tax information programs. However, in order to document our efforts, a directive has been issued which specifies that written comments on taxpayer problems will be solicited from several tax preparers on an annual basis.

Supply Management in the Department of Transportation - February 10, 1976.

The following response was submitted in the September 1976 Report on Status of Action on Audits.

Recommendations

Authority to manage supply operations for the department should be centralized. Duties assigned should include, but not be limited to, the following:

-- Establishing supply policies, procedures and departmental goals, for example, on inventory turnover-rates;

-- ensuring stock cards are properly and accurately prepared, and stock status information is reported and used by ordering personnel;

-- reducing inventories through the sale or disposal of stock which is no longer used, slow-moving, or in excess of current requirements;

-- consolidating the number of storage points (eight) and space required to maintain inventories; and,

-- monitoring supply activities to assure plans and policies are being implemented.

The following detailed recommendations should also be implemented:

1. Instruct supply personnel on how to maintain current, complete, and accurate stock cards.

2. Review stock cards periodically to ensure all data recorded is current, complete, and accurate.

3. On future requisitions, require ordering personnel to show how quantitative requirements were computed. This should include showing what stock is on-hand and past usage.

4. Stop ordering practices which add arbitary "contingency" amounts to purchases.

5. Separate the functions of taking physical inventories from recording and approving adjustments to stock card balances.

6. Have all significant inventory adjustments

reviewed by management levels above the supply manager.

7. Request an impartial party, such as the Office of Municipal Audit and Inspection, to review inventory procedures, observe inventory-taking practices, and verify adjustments on a routing basis, at least annually.

8. Develop criteria for what and how much to stock, including consideration of such factors as: direct delivery, expected demand, procurement lead-time, turnover goals and inventory investment limits.

9. Develop procedures for identifying and disposing of excess or unusable stock.

10. Minimize, to the extent possible, investment in stock which has a high risk of technological or aesthetic obsolescence.

Status

The Director, Department of Transportation was in complete agreement that improvements were in order. Therefore on March 3, 1976, he issued an order to establish a centralized procurement, supply and inventory system under the Office of Administration.

Implementation is currently under way. On August 11, 1976, a physical inventory of all non-accountable property and establishment of all related inventory cards were completed. Presently, a study is being made of all like supply items to be housed in one central location; establishment of minimum/maximum inventory levels; writing operational and control procedures for the overall supply management operation. The target date for conversion to a centralized supply operation was January 1, 1977.

Housing Issues Which Need Consideration by the District Government - October 20, 1975.

Attached is a copy of a letter dated March 25, 1976 to the Assistant Director, General Government Division, GAO, responding to the recommendations made in this report.

Status Report
District Efforts to Improve Housing Programs

In a report to the District dated October 20, 1975, the U.S. General Accounting Office recommended that the City take action in the following housing related areas:

1. Develop a sound housing data base system.

2. Establish achievable housing and community development goals and objectives.

3. Provide for effective coordination among the functions of the new housing department and District and Federal agencies whose activities impact on housing.

4. Establish policies and procedures for attracting builders and developers into the city to rehabilitate and construct housing units.

5. Obtain private financing to help meet the city's housing and community development needs.

Following is a status report on District efforts to make improvements in each of these areas.

Housing Data Base System

The Department of Housing and Community Development has given a high priority to developing a sound housing and related data system. The Department is now in the process of establishing a comprehensive computerized data base system in conjunction with the Statistical Services Division of the District's Municipal Planning Office. In addition, the Department has contracted with the Washington Center for Metropolitan Studies to establish a system for estimating and projecting population and housing characteristics within the District of Columbia and the Metropolitan Area.

The computerized data system will integrate all of the District's record information concerning land use, assessment, ownership, real estate sales, permits, building condition and zoning. It is estimated that some of the initial data output from this consolidated system will be available in approximately 4 months time. Analysis of this data will be able to take place at all geographic levels, from the lot to the City as a whole, enabling not only an inventory of existing conditions but also a tracking of changes over time. In addition, the Statistical Services Division of the Planning Office will make available already developed computer models which will utilize these data to provide uniform indicators of housing, social and economic conditions. These data and their derived indicators will provide part of the basis for developing priorities for Department program activities. In addition, data from the computerized system will be a component in the Department's monitoring of housing activities.

The Trends Alert system developed by the Washington Center for Metropolitan Studies will provide a method for updating decenniel Census information on housing and population. Projections on housing and population for the City can be developed on a year by year basis through 1980. In conjunction with data derived from the Planning Office's computerized data

system, the Trends Alert System will provide a statistical basis for establishing Department goals and policy that meet current and estimated housing and community development needs.

Establishing Achievable Goals and Objectives

The Department agrees that housing and community development goals should be set in terms that are realistic and achievable. It must be emphasized, however, that setting realistic housing goals is an extremely difficult process for the Department because most of the resources for housing development are not within the District government, or in Federal funds available directly to the District. Most funds for subsidizing housing are controlled by HUD, and most funds for actual financing of housing are controlled by the private sector. (The Department has only limited funds available through CDBG for financing rehabilitation, primarily in the single-family type of housing.)

Accordingly, when the Department establishes a housing goal, it must be a projection based on the best information available, at a particular point in time, about what other parties (primarily HUD and the private sector) will do over the next one to three years. In making such projections, the Department attempts to take a balanced reading based on known resources, and provides qualifications on projections where funding may be uncertain or where assumptions might be speculative. However, as long as the key decisions on funding and investment lie outside the District government, such projections can only be at best educated guesses.

This background is important since the October, 1975 GAO report states that the Department set "major (housing) goals and objectives which are unrealistic and cannot be reasonably accomplished." The "unrealistic" goals noted related to the Housing Assistance Plan projections of 5000 units of Section 8, and the 4100 units of subsidized housing under other programs.

We believe these goals and estimates were reasonable at the time they were made, based on the information then available, and that they were properly qualified concerning possible shortages of HUD funding and possible private market resistance to the new Section 8 program. The GAO report does not fully reflect all the many changes that occurred after the initial goals were set, and is not entirely accurate concerning the facts of the situation. It is not possible to "clear up the record" in a short status report of this type. (However, Department staff would be glad to meet with GAO to lay out the full story if they so desire.) However, a few key points are worth mentioning:

a. The Section 8 goal was set "too high" because of the failure of HUD to provide any estimate of probable Section 8 funding for the District on a timely basis. Our estimate was made in January 1975 and put into the local Council approval process in February. It was not until April, after Council approval, that a firm dollar allocation was made known to the District. However, anticipating a possible shortage of funds, the District plan included a formula for allocating a lesser amount of funds.

b. The Section 8 goal of 5000 units was reasonable in relation to local resources available to the District. First, it represented two fiscal years of funding, with 2300 units in FY 1975 and 2700 units in FY 1976. Second, the large majority of units projected were on land or buildings already owned by the District.

Third, when HUD funding for FY 1975 was finally made at the level of 740 units, the District was able to quickly use all these funds. In fact, out of the reduced level of 540-550 units allocated for new construction and rehabilitation and advertised by HUD, proposals for 1326 units were submitted in the District.

c. Contrary to the statements noted in the GAO report, the goal of 4100 units under other subsidy programs did represent projects for which funding was available from HUD. Of these units over 1200 were actually under construction, with another 2864 units in various stages of HUD processing. Since January 1975 when the list was compiled, HUD has cancelled fund reservations for projects totalling 810 units, based primarily on costs too high to meet HUD criteria. The remaining 2000 plus units are in various stages of final design and HUD review (groundbreaking on a 91 unit project in H Street is scheduled for March 20).

Coordination of Agencies Involved in Housing

Creation of the Department of Housing and Community itself has helped to improve coordination by bringing together such previously separate activities as renewal, public housing, code enforcement, and building and zoning regulation functions. The Department has taken additional steps to improve coordination through:

1. Regular staff meetings with the Municipal Planning Office.

2. Negotiation of DHCD/MPO joint funding of housing related planning activities as partly described under the housing data system above.

3. Setting up regular monthly meetings between the Directors of DHCD and the HUD Area Office.

4. Recommendation of legislation to eliminate some of the duplicating steps now required by local laws (such as double approval of street and alley closings).

Continuing efforts will be made to improve coordination at all levels in order to simplify and expedite the delivery of much needed housing in the District.

Working Relationships Between the District and Building Industry

The Department has long recognized the need to maintain close contact with the private sector and to encourage their maximum participation in the provision of housing opportunities in the District of Columbia.

Since the Spring of 1973 we have been actively pursuing the question of how the City can improve its administrative processes to encourage private homebuilding activity in the City. Project HOME, a demonstration program funded by the Department of Housing and Urban Development, compiled, for the first time, a complete review of all administrative processes which apply in any effort to build housing in the City. This study identified problem areas and recommended changes to alleviate unnecessary and lengthly delays. Many of these changes have occurred already. In addition, the Department is working closely with the City's Municipal Planning Office to bring about major revisions in the zoning process, the area where the most serious time delays exist.

The belief, on the part of private developers, that low and moderate income housing cannot be provided without subsidy is one which is shared by the greater number of individuals working daily to increase these housing opportunities in the City. The realities of the situation cannot be ignored, however. Federal subsidy programs have been virtually disbanded except for the Section 8 program. This program, which will produce only 800 units in the first year for the District, has limitations built into it by Federal law and regulation which clearly reduce the City's flexibility in meeting the housing needs of low and moderate income families.

A portion of our Community Development Block Grant funds will provide low interest rehabilitation loans. This will help a small number of families. The local resources for a major subsidy program are just not available at this time.

With respect to construction of new non-subsidized housing for middle-income families, the building industry has clearly indicated to us that construction of multi-family apartments for rental is not feasible under the specific terms and conditions of the District's rent control law. In this regard, the Department expects to contract in the very near future for a special study of the impact of rent control on construction and rehabilitation in the District. We hope this study will provide well documented information on the impact of rent control, and provide the basis for Council consideration of possible changes in the law.

Concerning liaison between private industry and the Department, Project HOME devoted 50 percent of its effort to outreach activities to bring the private industry and City forces closer together. The communication lines opened in this process have remained open. Discussions continue as to how to improve the communication process. One area where the Department has increased its effort to talk with private interests is that of legislation before the City Council affecting housing. Another is a special effort between the Department and the D.C. Homebuilder's Association to rehabilitate 35 houses in the Shaw area as a demonstration of public-private sector cooperation.

Finally, we should note one potential problem area that may become a problem in the future. The FY 1977 District

Budget recently approved by the City Council, over the Mayor's veto, includes substantial cuts in the actual on-board staff of the Department's Building and Zoning Regulation Administration. This Administration has the principal role in review of builder's applications for building or home improvement permits, review of proposals for conformity with building and zoning codes and compliance inspection of construction activities. The Department is exploring alternative funding sources and other means to minimize the impact of this cut. However, the potential loss of staff, coming on top of about a one-third staff reduction over the last several years, has the very real potential of slowing down the processing of building permit applications throughout the city.

Private-Sector Finahcing

The GAO report noted several issues concerning private-sector financing of housing activities. One issue relates to what proportion of funds from city financial institutions is being made available for city housing development. This Department, like the GAO, is not in a position to readily determine the answer to this question at this time. We are, however, hopeful that the report soon to be issued by the D.C. Commission on Residential Mortgage Investment will supply considerably more information on this subject than is now available. This Commission is composed of members from both the executive and legislative branches of the D.C. Government, including the Director of DHCD, and from the public and the city's financial institutions. The Commission has been staffed since the summer of 1975 and is being supported in part by funds from the District's Community Development Block Grant allocation. It has now completed the gathering of data from an extensive survey of residential lending practices among all types of city financial institutions. We understand the Commission staff is in the process of compiling and analyzing the data which has been received from the institutions. The report on this material is expected to be released in April of this year, and a copy will be provided to GAO as soon as it is available.

The Department is familiar with the provisions noted in the GAO report for the issuance of revenue bonds contained in the home rule legislation. One important use of this power has now been proposed in the form of a housing and economic development finance corporation, the enabling legislation for which is now pending before the City Council. The Department supported the use of the city's revenue bonding authority for this purpose in testimony before the Council on this legislation last month. We hope to be able to work closely with the Council in moving this kind of legislation forward for final action by the Council and the Mayor.

The Department is also exploring other programs which can encourage the investment of additional private funds in the city's housing stock. At your suggestion, we will review the program being implemented in Baltimore to determine its applicability here. We should note, however, that an effort with a group of local savings and loan associations, known as SAFE, is already underway to provide loans for housing in several areas of the city which have traditionally been considered as higher risk areas. Cooperative efforts between the District government and SAFE have already resulted in provision of permanent mortgage financing for several development efforts here in the District.

LETTER FROM LORENZO W. JACOBS, JR., DIRECTOR
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Mr. Frank Medico
Assistant Director
U.S. General Accounting Office
General Government Division
Washington, D.C. 20548

25 MAR 1976

Dear Mr. Medico:

Enclosed is a report indicating the current status of the District Government's efforts to improve performance in the areas of housing activity noted in your letter of October 20, 1975.

As mentioned in our letter of October 24, 1975, the District of Columbia's approved Housing and Community Development Program includes the five major goals cited in your letter. We hope the information provided in the enclosed report demonstrates the firm commitment of this Department, and the District Government, to move quickly to address these important goals.

If you want to discuss any of this information further, please call.

Sincerely yours,

LORENZO W. JACOBS, JR.
Director
Department of Housing and Community Development

Correction of Water and Sewer Overcharges to Northwest County Customers, DES August 21, 1975.

Recommendations

That the Department of Environmental Services take the following action:

-- recompute total cost of water and sewer using readings over a 12-month consumption period.

-- compute bill for 12-month period using 12-month minimum allowance of 7,200 cu. ft.

-- adjust bill by subtracting amount paid on May 1975 bill, and bill the customer for the difference.

Status

DES notified GAO on October 30, 1975, of the steps taken to resolve the problems. The department also submitted a copy of the final memorandum of the method for computing split bills.

OFFICE OF THE MAYOR

A. BOARDS AND COMMISSIONS

Question:
1. How many Boards and Commissions are there in the City Government? For each Board and Commission please provide information regarding the following: Please list them.

- The purpose;
- The number of members;
- Whether the members are compensated or not;
- The life of the organization;
- The method of selection of members;
- The number of meetings held by each Board and Commission each year; and
- The product or output of each group.

Answer:
1. Attached is a chart which provides the above information.

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
ACCOUNTANCY, BOARD OF	To license and regulate the profession	3	no	indef.	Appointment by Mayor	Varies with need	Standards, examinations, licenses
INTERDEPARTMENTAL COMMITTEE ON ADULT LITERACY	To serve in an advisory capacity to the total adult literacy program in the various departments of the District Government and with Federal, public and private agencies involved in the program.	14	no	indef.	Ex officio; In addition, members may be invited to serve from agencies under the full administrative jurisdiction of the Commissioner, and from Federal, public and private groups, as the Committee determines appropriate.	On call	Advice
ADVISORY NEIGHBORHOOD COMMISSIONS (36 Commissions)	Each Advisory Neighborhood Commission may advise the Council of the District of Columbia, the Mayor and each Executive Agency and all independent agencies, boards and commissions of the government of the District of Columbia with respect to all proposed matters of District Government policy including decisions regarding planning, streets, recreation, social services programs, education, health, safety and sanitation which affect that Commission area.	172 total	no	indef.	Election	12	Advice; communication between residents and local governments
COMMISSION ON AGING	To advise the Mayor, the Director of the Office on Aging, the Council of the District of Columbia, and the public concerning the views and needs of the aged in the District of Columbia.	23	no	indef.	15 appointed by Mayor with advice and consent of Council; ex officio	12	Advice
ALCOHOLIC BEVERAGE CONTROL BOARD	Enforcing and implementing the District of Columbia Alcoholic Beverage Control Act (48 Stat. 319, Jan. 24, 1934 and subsequent amendments; D.C. Code Title 25, Ch. 1) and regulations adopted	3	yes, except for D.C. Govt. employees	indef.	Appointed by Mayor	104	Orders, decisions

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
ALCOHOLIC BEVERAGE CONTROL BOARD (contd.)	thereunder relating to the manufacture, sale, offering for sale, solicitation of orders for sale, importation, exportation, and transportation of alcoholic beverages in the District of Columbia and the issuance, denial, transfer, suspension and revocation of licenses and permits.						
APPEALS AND REVIEW, BOARD OF	To provide a final administrative remedy in cases under (the Board's) jurisdiction.	25	no	indef.	Appointed by Mayor	At least 26	Decisions
APPRENTICESHIP COUNCIL	Setting policies, rules and regulations relating to apprenticeship, and approving apprenticeship committees.	6	yes	indef.	Appointed by Mayor	12	Standards, regulations, certifications appointments, decisions
ARCHITECTS, BOARD OF EXAMINERS AND REGISTRARS OF	Licensing and regulating the profession.	5	no	indef.	Appointed by Mayor	Varies with need	Standards, examinations, licenses
ARMORY BOARD	1. National Guard Armory: Primarily to provide facilities for the quartering and training of the Militia of the District of Columbia, and, secondarily, to provide suitable facilities for major athletic events, conventions, concerts, and such other activities as may be in the interest of the District of Columbia.	3	no	indef.	1 ex officio, 2 appointed by Mayor with advice and consent of Council	As called	Reports, decisions, contracts, administrative orders

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
ARMORY BOARD (Contd.)	2. District of Columbia Stadium: To provide the people of the District of Columbia with a stadium suitable for holding athletic events and other activities and events of a nature requiring such a facility (D.C. Code 2-1720).						
ARTS AND HUMANITIES, COMMISSION ON	To evaluate and initiate action on matters relating to the arts, to encourage programs and the development of programs which promote progress in the arts.	18	no	indef.	Appointed by the Mayor with the advice and consent of the Council	12	Plans, grants, programs
AUTOMATIC DATA PROCESSING POLICY BOARD	To develop District-wide ADP policies and objectives; initiate and oversee an ADP planning process; establish procedures and standards governing the acquisition and operation of ADP equipment; and review and approve all major ADP acquisitions and contractual services.	11	no	indef.	Ex officio	On call	Policies, recommendation procedures, standards, approvals
BARBER EXAMINERS, BOARD OF	Licensing and regulating the profession.	3	no	indef.	Appointed by Mayor	Varies with need	Standards, examinations, licenses
BLIND VENDORS' COMMITTEE	To advise and consult with the Bureau of Rehabilitation, Social Rehabilitation Administration, Department of Human Resources, which is the Licensing Agency for the District of Columbia program.	7	no	indef.	Selected in an election provided by the Licensing Agency in which all licensed blind vendors shall have an opportunity to vote.	52	Advice

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
D.C. BOXING AND WRESTLING COMMISSION	To promulgate rules and regulations and to regulate boxing and wrestling events within its jurisdiction.	3	no	indef.	Nominated by the Mayor, approved by the Council	12	Regulations, licenses, permits
BUILDING CODE ADVISORY COMMITTEE	To assist the District Government to meet present-day demands for adequate and safe construction through the use of comprehensive and up-to-date codes and regulations.	39	no	indef.	31 appointed by Mayor, 8 ex-officio	12	Building codes and amendments
CAPITAL IMPROVEMENTS PROGRAM TECHNICAL ADVISORY COMMITTEE (CIPTAC)	To insure coordination of all public facilities projects between District and other applicable agencies.	6	no	indef.	Ex officio	At least 52	Recommendation
CITIZENS FUEL CONSERVATION COMMITTEE	A. To assist the Mayor in carrying out the President's energy programs within the District of Columbia B. To recommend to the Mayor actions which the Committee feels are necessary to achieve conservation of energy C. To advise government, business, and private citizens on actions which will mitigate the impact of possible local energy shortages.	14	no	indef.	Nominated by specified non-governmental agencies	On call	Recommendation
CITIZENS TRAFFIC BOARD	To advise the Board of Commissioners generally and the Engineer Commissioner specifically in improving traffic safety and traffic conditions in the District of Columbia.	27	no	indef.	25 appointed by Mayor, 2 ex officio	12	Recommendation

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
COMMUNITY RECREATION ADVISORY BOARD	Advice on matters affecting Department of Recreation communication with the public.	16	no	indef.	Appointment	12	Recommendation studies
COMMUNITY SERVICES ADVISORY COMMITTEE	Established as the city-wide Inter-Agency technical committee for the Service Area System, et al., insuring central coordination and communications on all Ward Service Area Managers activities to the Department, agency and office heads. The CSAC shall also advise the Director of the Municipal Planning Office on matters relating to Special Project Development, planning, and the conduct of the Service Area System.	Same as current number of departments, agencies, and offices	no	indef.	Ex officio	26	Recommendation inter-agency communications
BOARD FOR THE CONDEMNATION OF INSANITARY BUILDINGS	Established to examine into the sanitary condition of buildings in the District of Columbia, to determine which such buildings are in such insanitary conditions as to endanger the lives or health of the occupants thereof or of persons living in the vicinity, and, upon completion of an investigation by the Board of the premises in question, to issue appropriate orders of condemnation requiring the correction of such condition or conditions or to require the demolition of any building.	6	no	indef.	Ex officio	26	Orders of condemnations

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
CONDEMNATION REVIEW BOARD	Review of appeals from orders of Board for Condemnation of Insanitary Buildings	3	no	indef.	Appointed by the Mayor	On call	Orders
ADVISORY COMMITTEE ON CONSUMER PROTECTION	Recommend priorities affecting consumer problems, monitor Office of Consumer Affairs, and cooperate with consumer related agencies in the District of Columbia and Metropolitan area.	11	no	indef.	Appointed by the Mayor	At least 12	Reports
CONTRACT ADVISORY COMMITTEE	To make available to the Mayor, or his designee, and the Contracting Officers appointed by the Mayor, assistance and advice on contracting matters, including the area of contracting authority herein delegated to each Contracting Officer.	At least 3	no	indef.	3 ex officio and others selected by Director, Department of General Services	On call	Advice
CONTRACT APPEALS BOARD	To hear, to review, and to decide upon all protests and appeals from actions by Contracting Officers where the Contracting Officer is unable to satisfy the Contractor that the action taken was a proper action, and such other contractual appeals, or classes thereof, as the Mayor may from time to time order.	At least 3	no	indef.	1 or more named by Corporation Counsel; 2 or more named by Mayor	On call	Decisions
CONTRACT REVIEW COM-	Review and make recommendations to Contracting Officers on certain types of bids, contracts, contract changes, and bidder requests or protests.	3	no	indef.	2 ex officio, 1 appointed by Committee Chairman	26	Recommendation:

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
COSMETOLOGY, BOARD OF	License and regulate the profession.	6	no	indef.	Appointed by Mayor	Varies with need	Standards, examinations, licenses
CRIMINAL JUSTICE COORDINATING BOARD	Supervise the Office of Criminal Justice Plans and Analysis, review agency policies and render advice and recommendations to Mayor. Coordinate with Municipal Planning Office in the Office's preparation of comprehensive plans.	Up to 29	no	indef.	17 ex officio and between 8-12 District citizens not employed by D.C. Government	At least 4	Recommendation
DAY CARE, HUMAN RESOURCES ADVISORY COMMITTEE ON	To increase citizen participation in the District Government's Human Resources Department Day Care Program and to act in an advisory capacity to the Director of the Department of Human Resources on all matters of general policy involved in the provision of day care services under the District plan.	27	no	indef.	9 parents of children in day care (appointed); 6 ex-officio; others also appointed.	26	Recommendation
DENTAL EXAMINERS, BOARD OF	License and regulate the profession.	5	no	indef.	Appointed by Mayor	Varies with need	Standards, examinations, licenses
DEVELOPMENTAL DISABILITIES PLANNING COUNCIL	Serve to alert the DHR and the Mayor of changing and emerging socio-economic and educational issues affecting the developmentally disabled population throughout the District of Columbia and shall facilitate communication and cooperation among agencies, organizations, the professions and the public in developing recommendations for solutions to these issues.	Unstated	no	indef.	Appointed	12	Recommendation and reports

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPEN-SATED	LIFE OF ORGANI-ZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
D.C. GENERAL HOSPITAL COMMISSION	To ensure that any D.C. resident needing medical care and unable to obtain it elsewhere can be treated, and, if necessary, admitted to the Hospital, and to ensure that he will receive efficient, economical, quality hospital care and services.	11	no	indef.	Appointment by Mayor with consent of Council	12	Policies, contracts, plans
STATE ADVISORY COMMITTEE FOR DRUG ABUSE	Advice to Director, Department of Human Resources on recommendations regarding drug abuse, prevention and rehabilitation.	33	no	indef.	Appointment	12	Advice and recommendation
EDUCATION, BOARD OF	Determine all questions of general policy relating to the Schools, shall appoint the executive officers hereinafter provided for, define their duties, and direct expenditures. The Board shall appoint all teachers in the manner hereinafter prescribed and all other employees provided for in this chapter.	11	no	indef.	Elected -- 3 at large, 8 from Wards	At least 20	Policy, orders
EDUCATION OF HANDICAPPED CHILDREN, MAYOR'S AD HOC ADVISORY COMMITTEE ON	To bring together those agencies whose objectives include the provision of special education and related services to meet the needs of handicapped children in the District of Columbia. The Committee shall advise the Mayor on District of Columbia interdepartmental participation in the implementation of the Mills Decree and Public Law 94-142, "The Education of All Handicapped Children Act of 1975."	9	no	indef.	Ex officio	Irregular	Recommendation

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
EDUCATIONAL INSTITUTION LICENSURE COMMISSION	To license private educational institutions, and their agents, ensure authenticity and legitimacy of private educational institutions, serve as the state approving agency for veterans benefits, for persons choosing private educational institutions and programs, and provide and promulgate standards, criteria, rules and regulations therefor, including rules of procedure for the Commission which will ensure adequate public notice of each meeting of the Commission.	5	yes	indef.	Appointed by Mayor	Approx. 36	Licenses, standards, regulations
BOARD OF ELECTIONS AND ETHICS	Administer laws on elections and ethics of employees and officials of the D.C. Government.	3	yes	indef.	Appointed by Mayor with advice and consent of Council	52	Orders, registrations, etc.
ELECTRICAL BOARD	Regulate the profession.	At least 2	no	indef.	Appointment	Varies with need	Licenses, standards, examinations, regulations
EMERGENCY MEDICAL SERVICES, COMMITTEE ON	Advise and assist the Commissioner in preparing an Emergency Medical Services Plan and in developing standards and regulations governing ambulances, equipment and supplies, personnel and training, communications, and the emergency care and treatment of the injured or suddenly-ill at the scene of their injury or illness, in transport, or at the emergency treatment facility in accordance with the provisions of Public Law 89-564.	22	no	indef.	Appointment by Mayor.	At least 4	Reports and recommendation

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
DEPARTMENTAL ENERGY GROUP	To maintain essential services and to protect the health and welfare of the residents of the District of Columbia, and to exercise District Government responsibilities with respect to the consumption in the District of Columbia of motor vehicle and heating fuels which are under federal allocation.	18	no	indef.	Ex officio	On call	Recommendations, plans, decisions on fuel allocations to D.C. agencies
BOARD OF EQUALIZATION AND REVIEW	To fairly and impartially equalize the value of real property made by the ... assessors as the basis for assessment (D.C. Code 47-708, 1967 ed.).	3 or more	no	indef.	1 ex officio (Director, Dept. of Finance and Revenue) and 2 or more appointed by the Director	Daily, March through May; twice weekly September through October	Orders, decisions
FIRE TRIAL BOARD	The Fire Trial Boards are established for the purpose of insuring fair and impartial trials and reviews in cases involving infractions of discipline or improper procedure by members of the Fire Department.	Unspecified	no	indef.	Selected by Fire Chief from Battalion Chiefs and Captains of the Fire Department in rotation	As needed (approximately 48)	Decisions
MAYOR'S COMMITTEE ON FOOD, NUTRITION AND HEALTH	Study and advice on feeding and nutritional programs in D.C.	26	no	indef.	Appointment by Mayor	12	Advice
FUNDERAL DIRECTORS AND EMBALMERS, BOARD OF	License and regulate the profession	5	no	indef.	1 ex officio, 4 appointed by Mayor	Varies with need	Licenses, standards, examinations, regulations
HACKERS' LICENSE APPEAL BOARD	Consider appeals against adverse decisions, revoke or suspend licenses if justified	5	no	indef.	1 ex officio (Chairman), 2 representatives of Citizens' Traffic Board designated by Chairman, 2 designated by Mayor	On call	Decisions

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
HANDICAPPED, MAYOR'S COMMITTEE ON THE	The Committee will act in an advisory capacity to the Mayor on the broad human needs, including both services and employment, of the handicapped and disabled in the District of Columbia.	29	no	indef.	3 ex officio, 26 appointed by Mayor	12	Recommendations
HEALING ART, COMMISSION ON LICENSURE TO PRACTICE THE	License and regulate the profession.	12	$50/day spent on Commission work	indef.	2 ex officio, 10 appointed by Mayor with advice and consent of Council	Varies with need	Standards, examinations, licenses and regulations
HISTORICAL RECORDS ADVISORY BOARD	The Board shall serve as an advisory body to the Mayor for historical records planning and for coordinating projects developed and carried out under the grant program of the National Historical Publications and Records Commission.	11	no	indef.	2 ex officio, 9 appointed by Mayor	At least 6	Recommendations
HUMAN RIGHTS, COMMISSION ON	To assure that every individual within the District of Columbia shall be afforded equality of opportunity without hindrance by unlawful discrimination on account of race, color, religion, national origin, sex or age.	15	no	indef.	Appointed by Mayor	12	Recommendations, reports
INAUGURAL PLANNING COMMITTEE	The District of Columbia Inaugural Planning Committee ... in cooperation with other public and private organizations, the Pre-Inaugural Planning Committee, and the Inaugural Committee appointed by the President-elect, shall plan and coordinate services provided by the District of Columbia Government for the Presidential Inaugural Ceremonies.	14	no	indef.	Ex officio	Varies with need	Plans

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BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
INVESTMENT ADVISORY COMMITTEE FOR THE D.C. TEACHERS' RETIREMENT AND ANNUITY FUND	The Committee shall make recommendations to the Mayor on investment policies for the Fund.	7	no	indef.	6 ex officio, one appointed by the Mayor	On call	Studies, recommendations
INVESTMENT ADVISORY COMMITTEE FOR LAND GRANTS FUNDS	To manage and invest (any and all funds made available to the District of Columbia under the provisions of the District of Columbia Public Postsecondary Education Reorganization Act, as amended, relating to Land Grant Funds).	3	no	indef.	Ex officio	2	Reports, recommendations
JUDICIAL DISABILITIES AND TENURE, D.C. COMMISSION ON	The Tenure Commission shall have the power to suspend, retire, or remove a judge of a District of Columbia court as provided in section 432 (Removal, Suspension, and Involuntary Retirement).	7	yes, except for judges	indef.	(A) One member shall be appointed by the President of the United States. (B) Two members shall be appointed by the Board of Governors of the unified District of Columbia Bar. (C) Two members shall be appointed by the Mayor. (D) One member shall be appointed by the Council. (E) One member shall be appointed by the Chief Judge of the United States District Court for the District of Columbia.	12	Decisions

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
JUDICIAL NOMINATION COMMISSION	It shall be the function of the Commission to submit nominees for appointment to positions as judges of the District of Columbia courts in accordance with section 433 of (P.L. 93-198).	7	yes, except for judges	indef.	(A) One member shall be appointed by the President of the United States. (B) Two members shall be appointed by the Board of Governors of the unified District of Columbia Bar. (C) Two members shall be appointed by the Mayor. (D) One member shall be appointed by the Council. (E) One member shall be appointed by the Chief Judge of the United States District Court for the District of Columbia.	As needed	Nominations
JUVENILE JUSTICE ADVISORY GROUP	To advise the State planning agency (the Office of Criminal Justice Plans and Analysis in the Municipal Planning Office) and its supervisory board.	21 to 33	no	indef.	Appointed by Mayor	At least 12	Advice
LABOR RELATIONS, BOARD OF	Render decisions and assistance with regard to labor relations in the District Government.	5	no	indef.	Appointed by Mayor	12	Regulations, decisions
COMMISSION ON LATINO COMMUNITY DEVELOPMENT	To advise the Mayor, the Director of the Office of Latino Affairs, the Council, and the public concerning the views and needs of the Latino community in the District of Columbia.	23	no	indef.	8 ex officio, 15 appointed by Mayor	At least 6	Recommendations

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
D.C. LAW REVISION COMMISSION	Examine the law relating to District of Columbia; consider and recommend changes	19	yes	To 12/31/80	1. Two members shall be appointed by the President of the United States. 2. One member shall be appointed by the Speaker of the House of Representatives. 3. One member shall be appointed by the President pro tempore of the Senate. 4. One member shall be appointed by the minority leader of the House of Representatives. 5. One member shall be appointed by the minority leader of the Senate. 6. Three members shall be appointed by the (Mayor) of the District of Columbia. 7. Three members shall be appointed by the Council of the District of Columbia. 8. Three members shall be appointed by the Joint Committee on Judicial Administration in the District of Columbia. 9. One member shall be appointed by the District of Columbia Corporation Counsel. 10. Two members shall be appointed by the Board of Governors of the District of Columbia unified bar. 11. One member shall be appointed by the Director of the District of Columbia Public Defender Service.	52	Recommendation

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
D.C. ADVISORY COUNCIL FOR LEGAL SERVICES CORPORATION	To notify corporation of any apparent violations of law concerning Legal Services Corporation	9	no	indef.	Appointed by Mayor	Unknown	Information
LIBRARY TRUSTEES, BOARD OF	Administer the Public Library System	9	no	indef.	Appointed by Mayor	12	Orders, policies
LITTER, CITIZEN'S ADVISORY COMMITTEE TO REDUCE	To increase citizen participation in the litter reduction program, to act in an advisory and support capacity to the Director of the Department of Environmental Services, and to provide the necessary impetus to launch and sustain a vigorous attack on litter throughout the District of Columbia.	Unstated	no	indef.	Appointed by Director of Department of Environmental Services	On call	Advice, promotional information
MANPOWER SERVICES PLANNING ADVISORY COMMITTEE (MSPAC)	The Committee shall provide advice and guidance to the Mayor on all matters pertaining to manpower and related activities in Washington, D.C.	Unstated	no	indef.	Appointed by Mayor	26	Advice
MINIMUM WAGE AND INDUSTRIAL SAFETY BOARD	Administer and enforce laws relating to wages, hours, employment, and safety of employees.	3	yes	indef.	Appointed by Mayor	At least 26	Inspections, investigations

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
MINORITY BUSINESS OPPORTUNITY COMMISSION	To oversee the implementation of minority participation in public contracting (and) to foster local minority business opportunities consistent with ensuring that the interests of the District of Columbia Government are protected.	7	no	Until 1980	Appointed by Mayor	At least 12	Procedures, guidelines, recommendations
NATIONAL CAPITAL HOUSING AUTHORITY ADVISORY BOARD	The Board as a body shall act in an advisory capacity to the National Capital Housing Authority.	33	no	indef.	Appointed by Mayor	At least 24	Advice
NEGLECTED AND ABUSED CHILDREN, Interdepartmental and Inter-agency Committee for	The committee will bring together agencies and persons in the community whose objective is to assure that every child is guaranteed at least the minimum standards of care for his protection and maximum development, for the purpose of coordinating and improving services for abused and neglected children in the District of Columbia and making the available services known to the community.	30	no	indef.	13 ex officio, 17 (lay) members elected by the whole Committee	12	Reports, advice
NEIGHBORHOOD PLANNING COUNCILS (20 Councils)	To serve as the structure for adult and youth participation in the development, implementation, and evaluation of programs for the children and youth of (the Councils') respective geographic areas (Order of the Commissioners 68-219, March 25, 1968).	Average 7	no	indef.	Neighborhood election	12	Programs, plans, grants

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
NURSES' EXAMINING BOARD	Regulate and license the profession.	5	no	indef.	Appointed by Mayor	Varies with need	Standards, examinations, and decisions
OPTOMETRY, BOARD OF	Regulate and license the profession.	5	no	indef.	Appointed by Mayor	Varies with need	Standards, examinations, and decisions
OVERALL ECONOMIC DEVELOPMENT ADVISORY COMMITTEE	The Committee shall advise the Mayor on the preparation of the Overall Economic Development Plan for the District of Columbia and assist with the coordination of activities undertaken to stimulate new private and public investment and provide permanent employment and growth activities in the area.	38	no	indef.	11 ex officio, 27 appointed	12	Advice
PAROLE, BOARD OF	Recommend policy, set parole standards, administer parole laws of D.C., conduct parole hearings.	3	yes	indef.	Appointed by Mayor	At least 12	Policy, decisions, standards, orders
PHARMACY, BOARD OF	License and regulate the profession.	5	no	indef.	Appointed by Mayor	Varies with need	Standards, examinations, and decisions
PHYSICAL THERAPISTS EXAMINING BOARD	License and regulate the profession.	5	no	indef.	Appointed by Mayor	Varies with need	Standards, examinations, and decisions

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
COMMITTEE ON REGULATIONS FOR PLACEMENT OF CHILDREN IN FAMILY HOMES	To formulate and adopt rules and regulations, subject to the approval of the (City Council), prescribing standards of placement, care, and services to be required of child-placing agencies . . . the rules and regulations prescribed.	Approximately 16	no	indef.	Ex officio (includes representatives of licensed D.C. child-placement agencies)	9	Recommendations
PLUMBING BOARD	Regulate and license the profession.	3	no	indef.	Appointment	Varies with need	Standards, examinations, and decisions
PODIATRY EXAMINERS, BOARD OF	Regulate and license the profession.	4	no	indef.	1 ex officio, 3 appointed	Varies with need	Standards, examinations, and decisions
POLICE COMPLAINT REVIEW BOARD	(To insure) fair and impartial trials and reviews in cases involving infractions of discipline or improper procedure by members of the Police Department, arising from reports made by members of the Department, or sworn complaints of persons other than members of the Department which may be referred to such Boards by the Commissioners or the Chief of Police.	5	yes	indef.	Appointed by Mayor	(Inactive)	Decisions
POLICE AND FIREMEN'S RETIREMENT AND RELIEF BOARD	The Police and Firemen's Retirement and Relief Board is established for the purpose of insuring that fair and equitable policies and practices are established and applied in connection with the retirement and the relief of members of the: 1. Police and Fire Departments of the District of Columbia 2. U.S. Park Police Force	7	no	indef.	5 ex officio, 2 appointed	52	Approvals, disapprovals, fixing the amount of pension; policies and procedures

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
POLICE AND FIREMEN'S RETIREMENT AND RELIEF BOARD (Continued)	3. Executive Protective Service 4. U. S. Secret Service, who are subject to the provisions of the Policemen and Firemen's Retirement and Disability Act.						
BOARD OF POLICE AND FIRE SURGEONS	Report on physical condition of candidates for separation or retirement.	Unstated	no	indef.	Ex officio	52	Reports
POLICE TRIAL AND REVIEW BOARDS	(To insure) fair impartial trials and reviews in cases involving infractions of discipline or improper procedure by members of the Police Department.	3 (regular) 2 (special)	no	indef.	Regular Police Trial Boards: ex officio (selected by Police Chief from department) Special Police Trial Boards: one ex officio, one appointed	104	Decisions
COMMISSION ON POST-SECONDARY EDUCATION ("1202 Commission")	The Commission ... shall act in an advisory capacity to the Director, Department of Human Resources and shall serve as the required State Commission under Title I, Section 105 (Community Services and Continuing Education), Title VIA, Section 603 (Equipment for Undergraduate Instruction), and Title VIIA, Section 704 (Grants for Construction of Undergraduate Academic Facilities) of the Act. The Commission shall compile	23	no	indef.	Appointed by Mayor	10	Advice

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
COMMISSION ON POST-SECONDARY EDUCATION ("1202 Commission") (Continued)	comprehensive inventories of, and studies with respect to, all public and private postsecondary educational resources in the District of Columbia, including planning necessary for such resources to be better coordinated, improved, or altered so that all persons within the District who desire, and who can benefit from, postsecondary education may have an opportunity to do so.						
PRACTICAL NURSES EXAMINING BOARD	Regulate and license the profession.	7	no	indef.	Appointed by Mayor	Varies with need	Standards, examinations, and licenses
MAYOR'S COMMITTEE ON ISSUANCE AND USE OF PRESS PASSES	The Committee shall promulgate rules on the issuance and use of the Police Press Passes.	9	no	indef.	Appointed by Mayor	On call	Approvals
PROFESSIONAL ENGINEERS, BOARD OF REGISTRATION FOR	License and regulate the profession.	5	no	indef.	Appointed by Mayor	Varies with need	Standards, examinations, and licenses
BOARD OF PSYCHOLOGIST EXAMINERS	License and regulate the profession.	5	no	indef.	Appointed by Mayor	Varies with need	Standards, examinations, and licenses
PUBLIC DEFENDER, BOARD OF TRUSTEES	To establish general policy for the Public Defender Service.	7	no	indef.	Appointed by a panel of the chief judges of the U.S. Court of Appeals for D.C., the U.S. District Court for District of Columbia, the D.C. Court of Appeals, and the Superior Court of the District of Columbia, and the Mayor	12	Direction

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
PUBLIC INFORMATION REVIEW BOARD	To administer and supervise Mayor's Order 76-109, May 4, 1976, "Availability of Official Information for Public Disclosure," and to review delays and denials of information by agencies involved.	5	no	indef.	3 ex officio, 2 appointed by Mayor	As needed	Orders
PUBLIC NOTARIES, BOARD FOR REMOVAL OF FROM OFFICE	To hear complaints against Notary Publics	3	no	indef.	2 ex officio, one appointed	As needed	Recommendation to the Mayor for denial or revocation of commissions
PUBLIC SERVICE COMMISSION	To insure that every public utility doing business within the District of Columbia is required to furnish service and facilities reasonably safe and adequate and in all respects just and reasonable.	3	no	indef.	Appointed by Mayor with advice and consent of Council	As appropriate	Orders, standards, evaluations, reports, rates and regulation
PUBLIC SPACE COMMITTEE	The Committee is established for the purpose of making final determinations in cases involving the use of public space, exclusive of those involving the permanent closing of streets and alleys, those which have been delegated to the Director, Department of Economic Development, and those involving the use of air space above or below a street or alley under the jurisdiction of the Mayor.	6	no	indef.	Ex officio	12	Decisions

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
QUARTERS, SUBSISTENCE, AND LAUNDRY, COMMITTEE ON	Review and recommendations regarding quarters, subsistence, facilities and services, and rates therefor, furnished to D.C. Government employees.	5	no	indef.	Ex officio	On call	Recommendations
REAL ESTATE COMMISSION	License and regulate the profession.	5	yes	indef.	4 appointed by Mayor, 1 ex officio	52	Examinations, licenses, decisions
REDEVELOPMENT LAND AGENCY	Completion of urban renewal projects funded under Title I of Housing Act of 1949.	5	yes	indef.	5 appointed by Mayor with advice and consent of Council	At least 26	Developer selection for RLA owned properties and issuance or redemption of bonds or notes issued by RLA.
REFRIGERATION AND AIR CONDITIONING BOARD	Licensing and regulating the business.	3	no	indef.	2 appointed, 1 appointed by Director of Department of Licenses, Investigations and Inspections	Varies with need	Recommendations, license standards
RELOCATION ADVISORY COMMITTEE	The Committee shall be guided by Public Law 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970; Public Law 88-629, the District of Columbia Relocation Act of 1964 (herein referred to as "the Acts"); and all applicable District relocation regulations.	9	no	indef.	Ex officio	12	Advice, recommendations

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
RENTAL ACCOMMODATIONS COMMISSION	To stabilize and regulate rents and to carry out and enforce the provisions of the Act (P.L. 93-157), these regulations (Law 1-33) and any rules or orders promulgated and adopted by the Commission pursuant to the Act and these regulations.	9	yes	indef.	Appointed by Mayor with the advice and consent of the Council	Approximately weekly	Regulations, decisions, reports
D.C. SECURITIES ADVISORY COMMITTEE	To give the Public Service Commission the benefit of its advice on any matters pertaining to the administration of this chapter (Title 2, ch. 24; pertaining to the securities business and licensing securities dealers), particularly the adoption, amendment, or repeal of rules, regulations and forms provided for herein (D.C. Code 2-2416).	6	no	indef.	Appointed	On call	Advice
SERVICE AREA COMMITTEES (8 Committees)	The function of each of the eight (8) Ward Service Area Committees is to assist the Mayor, Department, Agency, Offices in planning, coordinating, and improving the delivery of municipal services at the ward service area level.	64 total	no	indef.	Ex officio	At least 12	Reports, communication
SPACE REVIEW COMMITTEE	Assisting Director of Department of General Services in space management for D. C. Government agencies.	5	no	indef.	Ex officio	As needed	Advice

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
STATEWIDE HEALTH COORDINATING COUNCIL	To review and coordinate the Health Systems Plan and Annual Implementation Plan; prepare and revise as necessary a State Health Plan; review annual health systems budget; review grant applications, advise the State Agency (DHR); approve or disapprove certain State plans in the health area; and perform prior review and comment on performance of health systems functions.	16-30	no	indef.	Appointed by Mayor	12	Plans, reports approvals
INTERDEPARTMENTAL STATISTICAL COMMITTEE	Assist in improving D. C. Government statistical programs.	7	no	indef.	Ex officio	On call	Reports, advice, communication
COMMISSION ON THE STATUS OF WOMEN	Assist in improving the status of women in the District of Columbia.	15-21	no	indef.	Appointment by Mayor	At least 3	Reports, hearings, programs
STEAM AND OTHER OPERATING ENGINEERS BOARD	License and regulate the occupation.	3	no	indef.	Appointment	Varies with need	Standards, examinations, licenses
TRAFFIC COORDINATING COMMITTEE	Assist in improving highway and traffic safety.	16	no	indef.	Ex officio	12	Advice, recommendations, communication
UNEMPLOYMENT COMPENSATION BOARD	Administration of law on unemployment compensation.	3	yes	indef.	1 ex officio (the Mayor); 2 appointed by Mayor	52	Regulations, standards, civil actions

BOARDS AND COMMISSIONS

TITLE	PURPOSE	NUMBER OF MEMBERS	MEMBERS COMPENSATED	LIFE OF ORGANIZATION	METHOD OF SELECTION	ANNUAL NUMBER OF MEETINGS	OUTPUT OF ORGANIZATION
BOARD OF TRUSTEES OF THE UNIVERSITY OF THE DISTRICT OF COLUMBIA	(The Board) shall be charged with the responsibility of governing the University of the District of Columbia and shall possess all the powers necessary or convenient to accomplish the objects and perform the duties prescribed by this section (Sec. 103 of P.L. 93-741 as amended, D.C. Code 31-1702). . .	15	no	indef.	(1) Eleven members shall be appointed by the Mayor by and with the advice and consent of the Council. (2) One member shall be appointed by the student community of the University. (3) Three members shall be a appointed by the alumni associations.	At least 4	Reports, plans policies, budget, orders
UNIVERSITY OF THE DISTRICT OF COLUMBIA BOARD OF TRUSTEES NOMINATING COMMITTEE	Nomination to the Mayor of individuals for appointment as members of the Board of Trustees of the University of the District of Columbia.	5	no	indef.	(1) Two members shall be appointed by the Mayor. (2) Three members shall be appointed by the Chairman of the Council of the District of Columbia.	As needed	Nominations
USER CHARGE REVIEW COMMITTEE	The Committee shall review existing and proposed user charges and make recommendations thereon to the Mayor.	4	no	indef.	Ex officio	On call	Recommendations, reports
VETERINARY MEDICINE, BOARD OF EXAMINERS IN	License and regulate the profession.	5	no	indef.	Appointment	Varies with need	Standards, examinations, licenses
ZONING ADJUSTMENT, BOARD OF	Permit special exceptions to provisions of zoning regulations in harmony with their general purpose and intent; interpretation of zoning maps.	5	yes	indef.	2 ex officio, 3 appointed by Mayor	24	Decisions
ZONING COMMISSION	To protect the public health, secure the public safety, and to protect property in the District of Columbia (D.C. Code 5-412).	5	yes	indef.	2 ex officio, 3 appointed by Mayor with the advice and consent of the Council	At least 12	Zoning map, zoning regulations

COUNCIL OF THE DISTRICT OF COLUMBIA

STATEMENT OF ROBERT WILLIAMS, SECRETARY TO THE COUNCIL

ACCOMPANIED BY EDWARD WEBB, GENERAL COUNSEL

USE OF CETA FUNDS

Mr. WILLIAMS. Good morning, Mr. Chairman.

Senator LEAHY. I am really concerned with a matter that relates to the City Council. I am really glad you gentlemen are here today, because I have been reading some recent articles in the Star and they pointed out that the District of Columbia City Council is one of the largest, most expensive legislative bodies of any city or State of its size in the country.

Stories also point out nearly half of the City Council employees are CETA employees, paid for largely by the U.S. Department of Labor from the CETA program. And in those reports they say during the last 3 years, the City Council has made extensive and sometimes illegal use of CETA funds.

Since then, the U.S. Department of Labor has initiated an investigation of the matter. The Federal investigation will focus on whether political considerations were used in hiring CETA people to work on the City Council staff and whether these people performed political activity while working for the City Council. Such activities would, of course, be illegal.

I am concerned about this, quite frankly. I am concerned about the things I hear about CETA programs all around the country. That includes my own State of Vermont where there are some problems to be looked into there. But I also like to think that the District of Columbia can be a model for the rest of the country. And if, indeed, the City Council is one of the largest, most expensive of any city or State in the country, I am not sure that is the kind of model that we want to set.

STATUS OF FEDERAL INVESTIGATION OF USE OF CETA FUNDS

But what concerns me even more is, if CETA people were in fact being hired by the City Council to perform political activities or political considerations were used in hiring them. I am curious. What is the status of the Federal investigation as to the city's hiring practices?

Mr. WILLIAMS. Mr. Chairman, I would like to commence by introducing Mr. Edward Webb, General Counsel. Mr. Webb from time to time will participate in this discussion on behalf of the City Council.

First, I would like to let you know the regional office of the Department of Labor in Philadelphia, for the past 6 weeks or so, has been conducting an onsite audit of the District of Columbia

Manpower program, specifically focusing in part on the Council of the District of Columbia.

In addition, Mr. Chairman, they have been looking at the records of the Employment Service of the District of Columbia, the local Department of Manpower, the District of Columbia Manpower Administration as it formerly was called, and records of the Council of the District of Columbia. They have conducted an interview of each of the incumbent employees, as well as some 80 former employees of the Council.

NUMBER OF CETA POSITIONS

Senator LEAHY. How many present employees are there?

Mr. WILLIAMS. Under CETA? There are presently 60 positions, 56 of which are occupied.

In addition, they have conducted an interview, or are in the process of conducting interviews, with former employees, the purpose of which was to examine the extent, if any, the allegations—which both you and I, as well as others have read in the paper—were in fact of substance. They have been looking at the procedures, processes, and methods of intake, referral, and placement.

At this time, phase 1 of the investigation has been completed, that is, the interviews. They are now in the process of preparing preliminary findings which, according to discussions with them yesterday, would probably be completed within the next 2 to 3 weeks.

But I would like to amplify, Mr. Chairman, some of the concerns that have been raised. There have been several articles in the newspaper where there have been questions raised regarding the use of CETA funds. As a result of these questions, DOL has conducted this audit.

PARTICIPATION OF COUNCIL IN CETA PROGRAM

I point out, Mr. Chairman, the Council of the District of Columbia is not directly involved with the Department of Labor in the CETA program and that we are part of the entire program of the District of Columbia. As a part of the District's program, the Council is entitled to participate in this program to provide jobs for unemployed and underemployed District of Columbia residents.

I point out here also, Mr. Chairman, we follow all the same processes and procedures as all other agencies. That is to say we receive an allocation of positions from the District of Columbia Manpower Administration. Each person who is employed by us has been through the same intake, referral, and certification process, et cetera, that the Government requires of all other applicants, and each position that we are allocated has a position description approved by the District of Columbia Department of Personnel and the District of Columbia Department of Manpower. Every request and every position that we have has been properly authorized.

Every employee under this program meets all criteria as is applied to all other applicants. There are no special exemptions for our employees and every one of them is working and performing a vital service with our Government.

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We would also like to point out, Mr. Chairman, that all of our employees, both CETA funded and appropriated, are subject to the provisions of the Hatch Act which, as you know, prohibits participation in partisan political activities.

This is not a new subject, first being raised in June of last year by the same regional office, which resulted in the specific review of the use of funded workers in the committees of the Council. Not at that time, nor since that time, have we been made aware of any violation of any regulation.

Senator LEAHY. Well, let me ask you on that. There are 56 positions presently filled with CETA workers, as I understand your testimony; you have 60 openings; is that correct?

Mr. WILLIAMS. Yes, sir.

TOTAL NUMBER OF COUNCIL POSITIONS

Senator LEAHY. How many positions are there in all on the City Council?

Mr. WILLIAMS. There are 83 positions, which includes members of the Council.

Senator LEAHY. So after you take out the members of the Council, how many positions are there?

Mr. WILLIAMS. A net of 70.

Senator LEAHY. So all but 10 positions on the Council are CETA positions?

Mr. WILLIAMS. No, sir.

Senator LEAHY. What is it?

Mr. WILLIAMS. There are 83 appropriated positions, 13 of whom are members of the Council; minus 13 leaves us 70, 70 staff workers.

Senator LEAHY. How many CETA positions?

Mr. WILLIAMS. There are 60 allocated CETA positions, 56 of which are filled.

Senator LEAHY. Is that part of that 70 number or in addition to?

Mr. WILLIAMS. That would be in addition to those appropriated positions.

Senator LEAHY. OK, so if there are about 70 appropriated positions, then you add on 60 CETA positions, am I correct there?

Mr. WILLIAMS. That's correct.

RATIO OF CETA POSITIONS TO APPROPRIATED POSITIONS

Senator LEAHY. I realize this is a program that goes across the city government, but it is probably fair to say, that other parts of the city government do not have this nearly 55–45 break. For example, DHR doesn't get an extra 45 percent of people out of CETA, do they?

Mr. WILLIAMS. I can't speak for them, Mr. Chairman. I am not familiar with their participation.

Senator LEAHY. But you have a fairly substantial number. It is almost 55–45. If you add the 70 appropriated positions, not counting elected members of the Council, with an extra 60 CETA positions you come up with 130 people or about 45 percent of the people being CETA positions. Is that approximately right?

Mr. WILLIAMS. I would say more or less, yes.

Senator LEAHY. I rather suspect that there aren't many other departments of the city government that have that same kind of ratio, if you looked at the total of both their appropriated positions and their CETA positions, 45 percent CETA positions would be high.

Mr. WILLIAMS. Mr. Chairman, I would suspect, without having full knowledge of the total participation in this Federal program, that the percentage of appropriated versus grant-funded and CETA-funded would be particularly high in small agencies where, for example there might be 15 persons who are in the regular appropriated positions; if they took on eight CETA-funded positions, they would increase by practically 50 percent.

Senator LEAHY. We have about 2,000 CETA positions and roughly 36,000 positions in the city. So in some agencies, just by those numbers, they can't keep the same kind of ratio.

But you say the questions haven't been raised. Let me just take a couple of questions just for my own clarification from the newpaper articles.

TEMPORARY USE OF CETA POSITIONS

Three years ago, according to the papers, the Council used CETA funds to hire the wife of a local dentist who was a political supporter of the Council chairman. The woman earns about $11,000 a year as a CETA employee.

Would that be a situation that might raise a question? Would you consider that at least a raising of a question, something worth looking into?

Mr. WILLIAMS. I look at it this way, Mr. Chairman: This program is designed to serve unemployed and underemployed and other workers. I suspect there is some provision in the law, which Mr. Wilkins can testify to, that does not exclude this category or type of work.

Senator LEAHY. The program is also supposed to be for temporary jobs, as I understand the CETA program.

Mr. WILLIAMS. That's correct.

Senator LEAHY. This newspaper article says that some CETA workers have been in their positions for 3 years. Is that temporary?

Mr. WILLIAMS. I can't really, Mr. Chairman, defend the article. I would like to speak to the program and to that portion of it and the extent to which we are in compliance, as I have been made aware, and are not in violation of any District or other regulations that pertain to the development of this program.

TIME FRAME OF PRELIMINARY FINDINGS

Senator LEAHY. Well, let me ask you this: You say the regional office has been doing an onsite investigation. Have they given you any preliminary results of that investigation? Have they said there are any improprieties or illegalities?

Mr. WILLIAMS. They have not, Mr. Chairman. As I pointed out a little earlier, they are in the process of preparing their preliminary findings. It would be approximately 2 to 3 weeks before they would be made available to us.

PRESELECTION OF CETA EMPLOYEES

Senator LEAHY. Now, it states in the same article that Council members have routinely forwarded names of people they want for CETA positions to the city's Department of Manpower Administration.

Mr. WILLIAMS. Mr. Chairman, as administrator of the program for the Council, it is my responsibility to initiate as well as to follow through with the Department of Manpower. If there have been requests by the members of the Council to the Department of Manpower, they have been without my knowledge and without my involvement, and I would not be able to speak for them.

[CLERK'S NOTE.—The response "without my knowledge and without my involvement" is countermanded by the existence of letters written by Mr. Williams on behalf of City Council members. These letters are printed in the record at a later point.]

Senator LEAHY. Would that be improper if that were being done?

Mr. WILLIAMS. Would it be improper for a member of the Council? As I recall in our discussions with Mr. Whitsitt, who is Regional Administrator from the Department of Labor, when he initially was setting the tenor for the investigation, he suggested, and these are essentially his words, he could understand how someone in their general pursuit of work might be possibly referring people for different kinds of work, but he did not, and he indicated then, this was not his intent or the subject of inquiry at that point.

Senator LEAHY. Would it be improper for somebody on the Council to call up the CETA office and say I want so and so, John Jones, Mary Smith, given a job? Would that be improper or illegal?

Mr. WILLIAMS. I don't know, Mr. Chairman. I honestly believe that if a member of the Council were to take that initiative, that it would be part of my job, I believe, to do that.

Senator LEAHY. Would you consider it improper for somebody to make such a suggestion?

Mr. WILLIAMS. I would not consider it improper for me to do that. I think that's part of my job. I think it is part of the movement of the program to bring people who are unemployed and underemployed into the main work force of this city. I believe that that is the purpose of the program, and the greater extent that we are able to participate in that, the more that we are doing what the program is designed to do.

Senator LEAHY. But that is supposed to be done without political considerations.

Mr. WILLIAMS. That is correct, and I think that is a separate issue.

POLITICAL CONSIDERATION GIVEN CETA EMPLOYEES

Senator LEAHY. If a Council member told you, for example, that they wanted you to send the name of so and so, would that be with political consideration on the job?

Mr. WILLIAMS. The question of the use of CETA-funded workers in the committees of the Council, as I indicated a little earlier, was a subject of a previous inquiry by the Department of Labor. They issued several regional directives. I would like, if it would be appropriate, for Mr. Webb, who is our general counsel, who has interpreted these regulations, to comment a little further.

Senator LEAHY. Before we get to Mr. Webb, could I ask one further question. Do City Council members ever recommend names for CETA positions?

Mr. WILLIAMS. Not to my knowledge.

[CLERK'S NOTE.—The response "not to my knowledge" is countermanded by letters written by Mr. Williams in behalf of members of the City Council. These letters and Mr. Williams' explanation of them are printed in the record at this point.]

CORRESPONDENCE AND MEMORANDA FROM ROBERT A. WILLIAMS, SECRETARY

COUNCIL OF THE DISTRICT OF COLUMBIA

May 18, 1978

The Honorable Patrick J. Leahy
Chairman, Senate Subcommittee on
Appropriations
Room S-146, Capitol Building
Washington, D. C. 20510

Dear Chairman Leahy:

An article in today's Washington Star indicated that my remarks before your subcommittee on the Council's budget request are contradicted by letters that I have written to the Manpower officials.

During the hearing, yesterday, you asked me two questions relating to contact between members of the Council and the Department of Manpower and my knowledge thereof. I assumed by your questions that your concern was with my knowledge of direct unilateral contact with that Department by members of the Council, as opposed to contact by me on behalf of Councilmembers. On the basis of that assumption, I responded "not to my knowledge". Yesterday's Star article suggested my answer is untrue. It is not.

There may be some confusion on this matter which did make a distinction between the two answers. I, therefore, feel that it is necessary to clarify my response.

As part of my duties as administrator of this program for the Council, I have written letters on behalf of Councilmembers in their roles as chairmen of Council committees, copies attached. These letters are routinely transmitted and acted upon by Department of Manpower officials in accordance with their normal processes and the way they handle similar requests by other agencies. Again, I will say that I am not aware of any contact other than that associated in the enclosed letters by members of the Council with Department of Manpower officials regarding selection or placement of prospective CETA employees.

I believe that this explanation is consistent with the testimony that I gave and trust that it removes to your satisfaction any doubt which may have been raised by the article in today's Star.

Sincerely yours,

Robert A. Williams
ROBERT A. WILLIAMS
Secretary to the Council

November 22, 1976

Mr. Floyd Goff
Director of Employment Services
Room 617
500 C Street, NW
Washington, D.C. 20001

Dear Mr. Goff:

Councilmember Spaulding is requesting the hiring of Mr. Cyril Osbourne Byron, Jr., form 171 attached, to fill the vacant Administrative Clerk position in his Committee on Higher Education.

Mr. Byron has served on that Committee, as an intern since August of this year. He has been actively involved in the research and drafting of legislation pending before that Committee; has coordinated and acts as supervisor of a high school intern program with 27 enrollees. Mr. Byron's experience with this Committee makes him extremely valuable and will require no additional training for him to assume the responsibilities of the vacant position.

He is currently unemployed, is available for full time employment, and meets the guidelines established under the CETA program.

I would appreciate your approval of this request as soon as possible so that Mr. Byron can start receiving a salary for his services.

Sincerely yours,

Robert A Williams

Robert A. Williams
Secretary to the Council

March 16, 1976

Mr. Lorenzo White
Director of Employment Services
Room 617
500 C Street, NW
Washington, D.C. 20001

Re: Name Request
Sybil M. Hammond

Dear Mr. White:

I am requesting the appointment of Ms. Sybil M. Hammond to fill the vacancy in the Council's Committee on Finance and Revenue, chaired by Councilmember Marion Barry.

Mr. Barry is currently in the process of developing a series of community meetings throughout the District of Columbia,

and is in need of someone with a flair for meeting and talking with constituents, ability to set up and organize these meetings, meet with citizens in the various areas, locate meeting places, and in general be the Committee liasion with the citizens and various community groups.

Ms. Hammond's personality and background, form 171 attached, shows her to be totally qualified to undertake this project, she meets the qualifications established by the CETA program, and has already begun working with the Committee, on a volunteer basis, awaiting your approval of her appointment.

I would appreciate your expediting this request.

Sincerely yours,

Robert A. Williams
Secretary to the Council

March 9, 1976

Mr. Lorenzo White
Director of Employment Services
Room 617
500 C Street, NW
Washington, DC 20001

Re: Name Request
Barbara Beth Grau

Dear Mr. White:

This is to request the appointment of Ms. Grau to fill the vacancy in the Council's Committee on Public Services and Consumer Affairs, chaired by Councilmember Wilson.

Ms. has completed a 6 month internship and has a strong background as analyst, and researcher, see form 171 attached.

She has been working with the Committee as a volunteer and is able to step into this position with no additional training required.

We would appreciate your prompt attention to this request so we can place Ms. Grau on our payroll.

Sincerely yours,

Robert A. Williams
Secretary to the Council

September 20, 1976

Mr. Floyd Goff
Director of Employment Services
Room 617
500 C Street, NW
Washington, D.C. 20001

Dear Mr. Goff:

Councilmember Douglas Moore, Chairman of the Council's Committee of the Budget, is requesting the hiring of Mr. Absalom Jordan to fill the position vacancy on his committee.

The Budget Committee is in the process of reviewing and analyzing the effectiveness of District programs with the aim of determining those programs which are to be continued, modified or terminated. In determing program priorities the Committee has the need for an individual who has (1) experience in developing program budgets and (2) ascertaining, through analysis, the needs of the target group or the effectiveness of the delivery of program services.

Mr. Absalom Jordan will bring to the Committee the District qualifications needed, and because of his long years of involvement in the community he brings added benefits for the Budget Committee. Mr. Jordan (form 171 attached) is currently enrolled under the CETA program, is a veteran, an ex-offender, and while we requested that he be sent to us as one of our interviews for this position, we were told this could not be done as his enrollment was in Feb.-March and there were many ones listed prior to that time. Mr. Jordan has been working as a volunteer for the Budget Committee for the past 9 weeks, awaiting a solution to this position and will require no additional training at this time. Therefore, we are requesting approval of Mr. Jordan to fill this vacancy.

Your earliest consideration of this request would be greatly appreciated.

Sincerely yours,

Robert A. Williams
Secretary to the Council

September 30, 1976

Mr. Floyd Goff
Director of Employment Services
Room 617
500 C Street, NW
Washington, D.C. 20001

Dear Mr. Goff:

Councilmember Marion Barry has requested that Ms. Earlene Mathews be appointed to fill the vacancy now existing in the Council's Finance and Revenue Committee.

Ms. Mathews' background indicates she has solid experience in not only administrative areas but in office management and finance as well. She has a thorough knowledge of government - vouchers, budget and monthly statements which will prove valuable in the research and investigation work of that Committee.

The Council is currently under its fiscal year 1978 Budget review period and this vacancy is proving to be a hardship as the Committee on Finance and Revenue is one of the most viable of the Council's Committees.

Ms. Mathews is curently unemployed, is a resident of the District, and meets the criteria established by the CETA program. Her form 171 is attached.

Mr. Barry is most anxious to expedite this request and I would greatly appreciate your prompt attention to this matter.

Sincerely yours,

Robert A. Williams
Secretary to the Council

March 9, 1976

Mr. Lorenzo White
Director of Employment Services
Room 617
500 C Street, NW
Washington, D.C. 20001

Re: Name Request
Adam Eugene Maier

Dear Mr. White:

It is requested that Mr. Adam Eugene Maier be hired to fill the position in the Housing and Urban Development Committee of the Council, chaired by Councilwoman Winter.

Mr. Maier's background (form 171 attached) shows him to have the experience and skills necessary to be a valuable asset to this Committee. He has been working with them, on a volunteer basis, for the past few weeks awaiting the approval of this position. He will require no additional training at this time.

While Mr. Maier is not a veteran, he still meets the other qualifications under the guidelines established for the CETA program.

Councilwoman Winter is most anxious for him to be processed and placed on our payroll.

I would appreciate your expediting this request.

Sincerely yours,

Robert A. Williams
Secretary to the Council

October 12, 1976

Mr. Floyd Goff
Director of Employment Services
Room 617
500 C Street, NW
Washington, D.C. 20001

Dear Mr. Goff:

Councilmember Clarke, Chairman of the Judiciary and Criminal Law Committee of the Council as requested us to fill the Administrative Clerk, GS-6 vacancy in his Committee by appointing Ms. Anne Marie Meister, form 171 attached.

Ms. Meister is a Law graduate, has worked as a Law Clerk to District of Columbia Court Judge William B. Bryant. She is thoroughly familiar with the D.C. Court system, has done legal research and drafting of legal memoranda, drafted legal opinions and orders and was certified for the District of Columbia Student-In-Court Program for Superior Court. She was appointed to represent Juvenile Delinquents' in the D.C. Court.

The Judiciary and Criminal Law Committee has the oversight of the Courts and the responsibility for laws regarding litigation of the Courts. Ms. Meister background and prior experience proves her to be invaluable for researching duties of that Committee.

Ms. Meister is currently unemployed, a resident of the District and meets the guidelines established for the CETA program. The Council is currently into the F.Y. '78 Budget Review process and Mr. Clarkeis most anxious to fill this vacancy as quickly as possible. I would appreciate your prompt response to this request.

Sincerely yours,

Robert A. Williams

Robert A. Williams
Secretary to the Council

Memorandum

City Hall, 14th and E Streets, N.W. 20004 Fifth Floor 638-2223 or Government Code 137-3806

To Lorenzo White
Director of Employment Services

From Robert A. Williams, Secretary to the Council

Date October 23, 1975

Subject Justification of Employment for James O. Thompson

It is requested that Mr. James Oliver Thompson (SF 171 attached) be hired to fill the vacancy which has recently occurred in the Legislative Services Unit of the Council.

The Legislative Services Unit is a supportive function of the Secretary to the Council, which is responsible for establishing and maintaining accurate and updated official records of the Council in one central location, including records of previous Council periods and an archives of the official records of the former Council. As well, the Legislative Services Unit records dates of specific actions of the Council to track the status of pending legislation and to determine the date such legislation becomes law.

Mr. Thompson's background and experience in documentation and disposition of records will be extremely valuable to the Legislative Services Unit at this time as the Council closes out the first session of Council Period One. His knowledge of records creation and maintenance will allow him to fill this vacancy with little or no training.

Mr. Thompson is a veteran of the Vietnam War, having served in the U. S. Air Force during the period 1964 through 1968.

Prompt consideration of this request will be greatly appreciated.

Memorandum

City Hall, 14th and E Streets, N.W. 20004 Fifth Floor 638-2223 or Government Code 137-3806

To Lorenzo White
Director of Employment Services

From Robert A. Williams, Secretary to the Council

Date September 4, 1975

Subject Justification of Employment for William L. Twitty

William Twitty is a former employee of the Council, assigned to the Government Operations Committee. Due to a cut-back of some of our CETA Title II positions, he was terminated June 30, 1975.

Since that time, Mr. Twitty has remained as a volunteer with that committee, providing a valuable service to the function of this committee. Mr. Twitty has not only the experience needed to fill this vacant position, but since his association with the Council, he has become familiar with the duties of this position, has established numerous contacts, and in essence, does not have to be trained in any way for this assignment.

Because of the items mentioned above and because of his past record while employed with the Council, Councilmember Arrington Dixon has requested that Mr. Twitty be hired to replace the vacancy which has occured on his committee staff.

December 8, 1976

Mr. Floyd Goff
Director of Employment Services
Room 617
500 C Street, NW
Washington, D.C. 20001

Dear Mr. Goff:

Councilmember Polly Shackleton is requesting that Ms. Nancy E. Valencia, form 171 attached, be appointed to fill the current vacancy in her Committee on Human Resources and the Aging.

Ms. Valencia has completed an intensive 18 month legal technician program from Antioch School of Law. This program prepares students for investigation, research, and drafting of various legal issues. The last six months of the program is an internship, which is on-the-job training. Ms. Valencia's internship has been with the Council's Committee on Public Services and Consumer Affairs. During that time she assisted the committee in various ways. She has drafted and researched proposed legislation, written a budget report on a District agency, and numerous memorandas. Ms. Valencia has assumed administrative duties; i.e. typing, filing, etc., which assisted the committee director enormously. She is highly recommended by Councilmember Wilson, Chairman of that Committee. She has demonstrated reliability and gained a working knowledge of the Council. Councilmember Shackleton feels she is fully qualified to assist her committee.

Ms. Valencia is currently unemployed, available immediately and meets the guidelines established under the CETA program. I would appreciate your favorable response to this request as soon as possible.

Sincerely yours,

Robert A. Williams
Secretary to the Council

November 29, 1976

Mr. Floyd Goff
Director of Employment Services
Room 617
500 C Street, NW
Washington, D.C. 20001

Dear Mr. Goff:

Councilmember Jerry Moore has requested the appointment of Mrs. Laverne Tyler White to fill the vacancy which has occurred in his Committee on Transportation and Environmental Affairs. Her 171 is attached.

Mrs. White has volunteered her services to this Committee over the past several months. Through this service she has become keenly aware of the procedures of the office and has taken over the functions of that Committee position in the absence of other staff members. During this period she has proved herself to be dependable, efficient, cooperative and most effective. Mrs. White's appointment to fill this vacancy will insure the continuity of production that is extremely necessary in the work flow of this vital Committee of the Council.

Mrs. White is currently unemployed and meets the guidelines established under the CETA program.

I would appreciate your favorable response to this request as expeditiously as possible.

Sincerely yours,

Robert A. Williams
Robert A. Williams
Secretary to the Council

January 8, 1975

Mr. Comer S. Coppie, Director
Office of Budget and Financial
Management
Room 423, District Building
14th and E Streets, N.W.
Washington, D.C. 20004

Dear Mr. Coppie:

This is to make an official request for the assignment of Mrs. Marcieta E. Hinton to the Office of the Secretary to the Council, as an Administrative Assistant, GS-09/01, salary $12,841, under the CEATA Program.

An additional communication will be forthcoming which will include the remainder of the positions desired by the Council as we discussed recently.

Sincerely,

[illegible]
ROBERT A. WILLIAMS
Acting Secretary to the Council

March 9, 1977

Mr. Floyd Goff
Director of Employment Services
Room 617
500 C Street, NW
Washington, D.C. 20001

Dear Mr. Goff:

We are requesting that Ms. Deborah Ellison (form 171 attached) be appointed to fill the current Research Aid vacancy in the Council's Committee on Employment and Economic Development.

Ms. Ellison has a law degree, a thourough knowledge of the functions of the Department of Economic Development of the D.C. Government through her past employment and has a strong background in research. She meets the guidelines established for the CETA program. While we have interviewed several referrals, none of them were acceptable. Ms. Ellison has been working as a volunteer pending approval of this appointment and will require no additional training.

I would greatly appreciate your prompt consideration of this matter. Thank you.

Sincerely yours,

Robert A. Williams
Secretary to the Council

Memorandum

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3805

To Lorenzo White, Director of Employment Services

From Robert Williams, Secretary to the Council

Date November 25, 1975

Subject Name Request - Dianna J. R. Harvey

It is requested that Ms. Dianna Harvey, form 171 attached, be hired to fill the vacancy which has occured in Councilmember Marion Barry's Committee.

The Committee is on Finance & Revenue and while the basic functions of the position are for researching and drafting of legislation, setting up and attending meetings, etc., the special emphasis is on budget, funding of programs, economics and community development.

Ms. Harvey's background clearly indicates strong experience in these areas. Her familiarity with government programs, budget management, funding, and the like make her an ideal choice for this Committee. It is believed that these skills will help her to adapt to the Committee workload with little or no training involved.

Our budget is currently under review before Congress at this time, therefore, this vacancy poses a true hardship on the Committee and Councilmember Barry has expressed his concern over the need to fill this vacancy as soon as possible. Ms. Harvey has begun working with his Committee as a volunteer pending approval of her appointment.

March 30, 1976

Mr. Lorenzo White
Director of Employment Services
Room 617
500 C Street, NW
Washington, D.C. 20001

Re: Name Request
Cleo Leontine Jollivette

Dear Mr. White:

I am requesting the appointment of Ms. Cleo Leontine Jollivette to fill the vacancy in the Council's Committee on Education, Recreation and Youth Affairs, chaired by Councilmember Hobson.

While the Committee has interviewed several applicants, Mr. Hobson feels that Ms. Jollivette is the most qualified to fill this position. I have attached her form 171. Her background as well as the fact that she combines both the secretarial skills and the ability to develop and organize new work, makes her a desirable candidate.

She meets the qualifications established by the CETA program and has been working part time as a volunteer awaiting the appointment so that she can begin her tasks with little or no additional training.

I would appreciate your prompt attention regarding this request.

Sincerely yours,

Robert A. Williams

Robert A. Williams
Secretary to the Council

September 23, 1976

Mr. Floyd Goff
Director of Employment Services
Room 617
500 C Street, NW
Washington, D.C. 20001

Dear Mr. Goff:

We are requesting the hiring of Ms. Linda Diane Palmer to fill the vacant position of Administrative Clerk/Receptionst in the Office of the Chairman.

The position as receptionist in the Office of the Chairman, Council of the District of Columbia, requires many high qualifications. Among these qualifications, a person must be poised, an accurate typist, have good control of the English language, etc. Everyday, she has to meet the public, either in person or over the phone. She is the first person the public meets when entering the Chairman's office, and she has to be able to give a good impression for the office and the Council.

Of the many applicants we have recently interviewed, many of which were CETA referrals, none of them possesses the higher level qualifications that the Chairman requires for his office. Therefore, we are requesting to have the vacant position filled by Ms. Linda Palmer (form 171 attached).

In addition to the high level of qualifications sought, Ms. Palmer is a recent college graduate, and brings to the position a level of capability and knowledge that will enhance the position further. Ms. Palmer is unemployed, a resident of the District of Columbia, and meets the guidelines established for the CETA program.

Your prompt approval of this request would be greatly appreciated.

Sincerely yours,

Robert A. Williams
Secretary to the Council

April 13, 1976

Mr. Lorenzo White
Director of Employment Services
Room 617
500 C Street, NW
Washington, D.C. 20001

Re: Name Request
Denise Fontain Robinson

Dear Mr. White:

Councilmember Dixon, Chairman of the Council's Committee on Government Operations, has requested the hiring of Ms. Robinson to fill the vacancy in his Committee.

The Committee requires the assistance of a qualified individual to assist in its day to day work. The administrative assistant/staff assistant desired for this position should be able to type accurately, arrange public hearings, briefings of Members, and write Committee reports. He feels that Ms. Robinson's background (form 171 attached) shows her to be totally qualified to handle the particular duties of this Committee.

Ms. Robinson is unemployed, meets the qualifications established for the CETA program, is available immediately, and has been working as a volunteer with the Committee and thus will require little or no additional training at this time.

I would appreciate your immediate attention to this request so that she can be placed on a paying basis.

Sincerely yours,

Robert A. Williams
Secretary to the Council

Memorandum

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3800

To Lorenzo White, Director of Employment Services

From Robert A. Williams, Secretary to the Council

Date January 6, 1976

Subject Name Request - Jonathan Rowe

It is requested that Mr. Jonathan Rowe be hired to fill the vacancy in the Finance & Revenue Committee of the Council.

The Finance & Revenue Committee continues to require the assistance of a qualified individual to assist in its work. Of primary importance to this Committee is someone with a knowledgeable background in tax assessment and other related tax matters of the Federal and District Government.

Mr. Rowe's experience proves that he has been active in tax research and tax reform for years. He is a skilled economist and attorney and is vitally needed in the forming and drafting of Council legislation and in designing tax alternatives.

Mr. Rowe has been working with the Committee since early December on a volunteer basis awaiting this vacancy and Councilmember Marion Barry, Chairman of this Committee has requested that we do our utmost to expedite his appointment. Mr. Rowe's form 171 is attached and we believe that he qualifies under the guidelines established for the CETA program, is available for immediate employment and will prove to be extremely valuable to this Committee.

I would appreciate your prompt attention to this request as we would like to get him on board in a paying status.

Memorandum

City Hall, 14th and E Streets, N.W. 20004 Fifth Floor 638-2223 or Government Code 137-3806

To Lorenzo White, Director of Employment Services

From Robert A. Williams, Secretary to the Council

Date October 3, 1975

Subject Justification of Employment for Gregory J. Swartz

Mr. Swartz is particularly qualified for this position because of his extensive legal education with an emphasis on Administrative Law and his prior related legal work experience and training.

Mr. Swartz participated in the Georgetown Law Center Clinical Program as a student associate. He was responsible for the full preparation of approximately five (5) cases, primarily concerned with the Rule Making at various stages in the administrative and judicial process before both Federal and District of Columbia agencies and tribunals.

Moreover, as a legislative analyst for the Director of the National Institute of Health, HEW, Mr. Swartz prepared briefing material for the agency's witnesses at Congressional hearings including opening statements, reports on proposed legislation, and section-by-section analysis. The Committee's work load involves similar responsibilities of this previous position such as preparation of summaries of articles and hearing testimony, developing and editing reports on legislation for Committee mark-up sessions and final Council adoption in Legislative session.

Because of his familiarity with the entire legislative process, the Committee feels reasonably assured of receiving immediate assistance in its research and drafting responsibilities on a large volume of pending legislative matters. Accordingly, the Committee's present staff will not be overburdened with the training responsibilities that would result from hiring a candidate with less professional training and less comparable employment experiences.

Memorandum

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

To Lorenzo White, Director of Employment Services

From Robert A. Williams, Secretary to the Council

Date January 14, 1976

Subject Name Request - Gregory Thompson

This is to request the appointment of Mr. Gregory Thompson to fill the vacancy in the Support Service Unit of the Council of the District of Columbia.

Mr. Thompson has impressed the Director with those qualities which would make him an asset to the Unit. While no special academic or technical skills are required for the position, he appears to possess the intelligence, the responsibility, and the ability to function with the present staff.

Mr. Thompson is a veteran and meets the requirements established for the CETA program.

I would appreciate your prompt attention to this matter as the Unit has suffered with this vacancy since December 12, 1975.

October 13, 1976

Mr. Floyd Goff
Director of Employment Services
Room 617
500 C Street, NW
Washington, D.C. 20001

Dear Mr. Goff:

The Council currently has a vacancy for an Administrative Clerk/Receptionst position under the Office of the Secretary. This position is perhaps one of the most important positions in the Council as incumbent is the first contact the public has with the Council, either in person or by phone. Person must be neat, have a good command of the English language, pleasant speaking voice and poise in dealing with people.

We are requesting that Ms. Elsie E. Young be appointed to fill this vacancy. She seems to possess these qualities mentioned, has typing skills, and has been able to adapt to a variety of receptionist jobs under a temporary agency.

Although she is currently employed, it is on a temporary basis, working only 10 hours a week, is a resident of the District and meets the guidelines established for the CETA program.

I would appreciate your attention to this request as the Council is currently under a hardship without a receptionst during this busy Budget Review period. Her form 171 is attached.

Sincerely yours,

Robert A. Williams

Robert A. Williams
Secretary to the Council

FAIR AND EQUAL OPPORTUNITY FOR PARTICIPATION

Mr. WEBB. Mr. Chairman, part of the concern I believe, that has been aired and the response Mr. Williams has made has to do with the adherence to the regulations of the Department of Labor with respect to the term they call objectivity in the selection and appointment, and that is to insure that the persons who are eligible to participate are given a fair or equal opportunity to participate. From that perspective and reviewing the processes that have been followed by the Council, we are not convinced that we have deviated from that policy.

The test, basically, in terms of selection of personnel for the CETA program is generally that same personnel selection practice that the administering agency ordinarily employs. To this extent, the Council is employing that same practice, has followed that routine in its CETA personnel practices.

Our position with respect to it, is that objectively it is met from the threshold; all persons who are employed or out-stationed at the Council are eligible to participate in the program.

The Council gets involved in a number of ways. Sometimes people will inquire as to the availability of an appointment. And like any other person, political or not, the availability or possibility of CETA certification may be one avenue to which a person may be referred. Whether or not that person is eventually employed or whether or not that person is eventually found eligible to participate are objective questions that are based on the terms of unemployment or underemployment as listed in the statute.

Senator LEAHY. But do they consider a reference from a member of the Council as equal to other references? If they had been suggested by a member of City Council, wouldn't they be the ones employed?

Mr. WEBB. I think, Mr. Chairman, that a member of the Council could in fact advise a person of the availability of the program. And the subsequent employment of the person would be based on whether or not that person is eligible, for one, certification as a CETA, two, has the requisite skills in order to perform in the position to which he would be assigned; if the two objective levels of criteria, are used in that fashion, then we don't see that there is a violation of the objective hiring practices.

Senator LEAHY. Are City Council members ever involved in the dismissal process of the CETA employees?

Mr. WEBB. Mr. Chairman, the City Council members individually are not. All personnel hired in the CETA program to the Council are stationed either with the committees of the Council or with the offices, certain staff offices, on the Council. This is to avoid the stationing of CETA participants with Council members.

CETA EMPLOYEES PERFORMING POLITICAL FUNCTIONS

Senator LEAHY. Have any CETA members ever performed political functions?

Mr. WEBB. To my knowledge, no.

Senator LEAHY. Would that be improper if they did?

Mr. WEBB. It would violate the Hatch Act, and all CETA employees as well as Council employees are limited in political activities by the Hatch Act.

TENURE OF CETA EMPLOYEES

Senator LEAHY. You talk about the 56 positions working for the City Council; how many of those have been employed by the City Council for more than 6 months?

Mr. WILLIAMS. Mr. Chairman, I don't know that figure offhand. I could supply it for the record.

Senator LEAHY. Would you please, and also how many have been there for more than 1 year.

Mr. WILLIAMS. We will, Mr. Chairman.

Mr. WEBB. Mr. Chairman, if I may, in regard to the question on longevity of certain participants, the persons who are certified by CETA have an expiration date; it generally terminates with the period of the grant. All positions under the CETA program are temporary in nature. Whether they are to be recertified, it is only certification again for a temporary period, generally for less than a year.

[CLERK'S NOTE.—The requested information follows:]

LETTER FROM ROBERT A. WILLIAMS, SECRETARY

COUNCIL OF THE DISTRICT OF COLUMBIA

OFFICE OF THE SECRETARY

May 26, 1978

The Honorable Patrick J. Leahy
Chairman, Senate Subcommittee on
Appropriations
Room S-146, Capitol Building
Washington, D. C. 20510

Dear Chairman Leahy:

At the hearing before your subcommittee on Tuesday, May 16, 1978 you requested that we provide the number of CETA employees of the Council who have served over (a) a six month period and (b) over a period of one year.

I am pleased to provide, for the record, the following information:

Number of CETA employees serving over a 6 month period - 22

Number of CETA employees serving over 12 months - 35

It should be noted that those employees serving six months are not included in the twelve month figure.

All persons currently assigned to the Council, under CETA, are funded through September 30, 1978. As additional funds are received from the Department of Labor (DOL) extending the various titles under the CETA program, the administering agency for the District, the Department of Manpower, will issue instructions to all District of Columbia agencies, including the Council, extending the current appointments, fixing the new termination dates and providing fund citations for the new actions. At that time, we prepare extension personnel actions for each of our CETA participants, as instructed by the Department of Manpower. This is the extent of involvement by the Council in the extension process.

I hope this information will clarify any questions you may have concerning the Council's participation.

Please find enclosed Chairman Tucker's written statement for inclusion in the record.

Sincerely yours,

Robert A. Williams

ROBERT A. WILLIAMS
Secretary to the Council

PERCENTAGE INCREASE OF BUDGET

Senator LEAHY. Now, the Council's request represents a 16 percent increase; again, the same question I asked the Mayor's office. If you talk about the overall budget growing at 7 percent, you are putting 16 percent in for the Council, is that over much?

Mr. WILLIAMS. Is that over much? Mr. Chairman, what we are doing this year——

Senator LEAHY. I could clean up my own syntax. Mr. Williams, is a 16 percent increase getting a little bit excessive, if you are talking about a basic 7 percent growth in the total budget?

Mr. WILLIAMS. Mr. Chairman, I don't believe so. I believe every increase, of course, should be justified. I believe there should be a need and service to be rendered by each of these employees. And to the extent that we measure their service, we know that there are costs attached to it.

CODIFICATION OF MUNICIPAL CODE

Generally, at least in the 4 years that I have been coming before this committee, our increases generally have been 5 or 6 percent. This year our request is for 15 percent, and as our request points out, this would add 15 positions to the Council, two of which are statutory. That is for the codification of the municipal code of the District of Columbia.

INCREASE FOR CONSTITUENT SERVICES

In addition, there would be 13 other positions which would be providing for the members of the Council a response to many requests for constituent services. This number has been increasing tremendously, Mr. Chairman, in the past 3 or 4 years, to the extent where the requests from the public for services are exceeding our ability to manage them. Considering this is a local government and it is a service to the people, we feel, at least I do, it is reasonable to ask the Congress to approve our request to provide one person to each member of the Council to be able to educate our people, to render services to them for constituent purposes. When you consider the overall ability of the District of Columbia, Mr. Chairman, I, personally, believe this is a reasonable expense which will provide services directly to the people who pay the taxes in this city.

Senator LEAHY. Mr. Williams, I have not considered the overrall city budget for a year now. But the CRS report we had done regarding per capita expenditure in the District of Columbia is a matter of concern to me. I think my feelings are known in city hall on that.

COMPARABLE SIZE WITH OTHER LEGISLATIVE BODIES

The District of Columbia City Council is much larger than the legislative bodies of surrounding jurisdictions. In fact, it is larger than the legislative bodies of a number of States. I am just wondering if we are sometimes increasing for the sake of increasing.

For example, you are proposing to establish a new constituent service as a new bureaucratic element of the City Council. Why

can't that be handled by the existing staff or even by the executive branch?

Mr. WILLIAMS. Well, Mr. Chairman, to compare the Council of the District of Columbia against the councils of nearby jurisdictions, I suspect is to look at a very different organizational structure.

Senator LEAHY. I understand. When I asked GAO to do this, I asked them to take into consideration the fact that the District of Columbia handles not only city functions, but also handles county and State functions, and we looked at it in that light.

Mr. WILLIAMS. Well, we haven't been privileged to the report which you indicated.

Senator LEAHY. I think then you ought to have something done at City Council because it went there last year.

Mr. WEBB. But that report dealt with capital expenditures as opposed to council staffing patterns. I understand your concern.

Senator LEAHY. It covered the entire fiscal breakdown of the city, but I would be happy to have them address it specifically for the City Council if it would be helpful.

UNIQUE RESPONSIBILITIES OF COUNCIL

Mr. WEBB. I think Mr. Williams' indication of the mixture of responsibilities that the Council has are similar to the response with respect to the consideration by GAO of the city's unique position is due a special consideration with respect to the Council. In the particular States, for example, the cost of the legislative body or legislative assembly, except for a few States, is small based on several factors, one is the term of meeting, two is the amount of pay, and three is the number of the members.

In the Council, the members serve year round, meet continuously, and fulfill not only the functions of the State legislature by adopting State laws, but also the functions of the county in adopting county regulations. Not only that, but the Council also functions as a city board or City Council. So you have three different levels of work for comparison sake being done by the Council of the District of Columbia.

When you compare those levels of legislative activity with the work of the Council, I think that is really an enormous responsibility, No. 1, and you can see the gargantuan size of the task before the Council in dealing with municipal regulations, county regulations, and also adopting comparable state laws.

IMPACT OF NOT FUNDING MUNICIPAL CODE PROGRAM

Senator LEAHY. You have asked to fund two new positions to codify the District of Columbia Code, and for these two positions you have requested $141,200. We have deferred funding of this activity in the past. What would be the impact of again not funding this item?

Mr. WILLIAMS. I will ask Mr. Webb to speak to that.

Senator LEAHY. Sure.

Mr. WEBB. Mr. Chairman, the requirement to codify the District of Columbia Code is imposed by the Congress.

Senator LEAHY. As part of Public Law 94-386, I believe.

Mr. WEBB. I am not sure of the law.

Mr. WILLIAMS. That is it.

Mr. WEBB. But it also indicates this function was previously handled by the legislative council attached to the Judiciary Committee.

In the absence of this appropriated resource, the District of Columbia Code, the fundmental law for the District of Columbia, would not be able to be codified. The desire here is to provide the city and the residents of the city and those who service the city with a readily available compilation of all the laws that are enacted by the Congress and also by the council. If this were not done, it would seriously hamper the ability of the average citizen wanting to know what the law is, and two, to be able to have a ready reference to the law for his own background and service where that may be necessary.

HOLDUP OF PARKING ENFORCEMENT PROGRAM LEGISLATION

Senator LEAHY. Well, I hear you saying you definitely should have codification. I think it would be helpful to the city. But I notice in an article in the Post that Councilman Clarke was holding up the legislation needed to implement this new parking enforcement program pending the codification of the District of Columbia Code. And this is of some concern to me, because last year I raised the point that not enough, apparently nowhere near enough was being done to collect delinquent parking ticket fines. Subsequently I think the city took a very energetic effort to collect parking tickets. So they found over $4 million came in as a result.

We have a fiscal year 1979 budget that is shown as being balanced, but it is based partly on the $14 million that will be raised from this parking enforcement program. Now, if we don't have the parking enforcement program, then we are out of balance by $14 million, which means we have to cut the $14 million out somewhere. I suspect the city, given the choice of cutting $14 million out of the budget or having the parking enforcement program would much prefer to keep the parking enforcement program going.

CODIFICATION OF THE DISTRICT OF COLUMBIA CODE

If the parking enforcement program can go only if they have the codification of the District of Columbia Code, because a member of the Council wants to hold it up until then, why not just reprogram those two positions? We were talking about over 36,000 positions we presently have in the overall budget for the city. Isn't it even possible to reprogram out of the 101 positions requested for the City Council? Isn't it possible to reprogram two to get this District of Columbia Codification moving, especially keeping in mind what the ultimate payoff would be; that is, the continuation of the parking enforcement program and 14 big ones?

Mr. WEBB. Well, Mr. Chairman, if I may, I believe Mr. Clarke's remarks were not concerned or not addressed to the request the Council has made with respect to the positions for codification of the District of Columbia Code. I believe his concern has to do with a longstanding and long overdue congressionally imposed requirement that the city compile a municipal code which is a compilation

of locally adopted regulations containing such things as traffic and other police regulations. Now, that requirement was imposed on the city I believe in 1974, 1973 or 1974. In response to many requests by Mr. Clarke to have the code submitted by the Mayor, to have the code approved by the Council, he has indicated that it would seem preferable to him prior to imposing a new traffic program to have in place a set of municipal regulations which would be readily available.

Now, in response to that I have noted that the Mayor has issued an order which names a person responsible for compilation of the municipal code, and with some expectation of a code coming into prominence very soon in that regard, I am not able to say what Mr. Clarke's position would be with respect to legislation.

I can say the suggestion you offer with respect to reprograming is an alternative which can be considered, but I don't think that would apply with respect to the District of Columbia Code.

Senator LEAHY. I am not suggesting in any way that we should interfere with the right of any member of the legislative body to slow down or hold up a program that he or she might disagree with. I have heard that is even done up here on Capitol Hill. So, I certainly wouldn't suggest any standard different for the city than some of us, present company excluded, have followed in the past. But I do want to suggest that we are cognizant of this, and I would hope steps are being taken to keep the parking enforcement program going. I think it has been extremely successful, and I compliment the city, as I did in earlier statements, on the way they have handled it.

COLLECTING OUTSTANDING PARKING TICKETS

I think that somebody found this great deal of money out there that can be collected simply by making the effort. I know after the initial crackdown, I believe the city found an awful lot of people voluntarily came forward and started paying tickets.

I know, personally, when we started the program, I went down and checked how many tickets I owed and sent a check in to pay the tickets I owed. I remember kind of groaning at it when I signed to pay the tickets. But it can be done. It is a lot of money.

I think we may have a couple other questions for the record. I know you have a further statement there which we will put in the record. But if either one of you want to add anything further, please feel free to do so.

Mr. WILLIAMS. We have nothing further to comment about.

PREPARED STATEMENT OF STERLING TUCKER

I would like to speak on behalf of the Chairman and his inability to be here. Circumstances arose which prevented his being here. I would like to put in the record the statement he had prepared in advance.

Senator LEAHY. Certainly, I would appreciate that. I will read it with interest. We always enjoy having Mr. Tucker here to testify. I also know he is an extraordinarily busy man, and I understand why he was not here today. I appreciate the amount of time and effort he has spent with the committee in the past on this and many other matters.

Mr. WILLIAMS. Thank you, Mr. Chairman.

[CLERK'S NOTE.—Mr. Tucker's prepared statement follows:]

PREPARED STATEMENT OF STERLING TUCKER

CHAIRMAN OF THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 16, 1978

Mr. Chairman and Members of the Subcommittee, I am pleased to appear before you today to review the Fiscal Year 1979 funding request of the Council of the District of Columbia. I am accompanied by Mr. Edward B. Webb, our General Counsel, and Mr. Robert A. Williams, Secretary to the Council.

Our request is for three million, seventeen thousand two hundred dollars ($3,017,200) and one hundred one (101) positions. This represents an increase of fifteen (15) positions and $393,200 over our 1978 request. Two of these positions, Mr. Chairman, are to establish an Office of Codification for carrying out a statutory function, and the remaining positions are to bring to the Council a new level of service for the ever increasing demands by our citizens for information and services, which I will comment on in more detail later in my testimony.

A total of $2,411,200 is needed to finance the personal services of the Council. This figure is an increase of $283,200 over the Fiscal Year 1978 budget request. It includes within-grade increases, fifteen (15) new positions, increased grant-funded salary adjustments, and other personnel benefits. Because the majority of the Council's employees are GS-9 and above with less than three (3) years of service, increases for yearly within grade costs are needed. To help reduce this cost, the Council is redirecting $23,300 from other operating expenses to the personal services category.

With this year's funding, we are proposing to establish the Office of the Codification Counsel to carry out the mandate of P.L. 94-386. The District of Columbia Code is the published compilation of statutes for the District of Columbia. Since 1947, the D. C. Code has been published, printed, and distributed under supervision of the Committee on the Judiciary of the House of Representatives. In 1973, those duties were delegated to the Law Revision Counsel of the House of Representatives. However, under provisions of P.L. 94-386, the duties of the Law Revision Counsel ended with the preparation of the manuscript copy for the fifth annual cumulative supplement for the 1973 edition of the D. C. Code, which contains all pertinent amendments and annotations up to December 31, 1977. Accordingly, as of January 1978, the District government assumed codification and publication responsibility.

In order to fulfill this mandate, the Council established the Advisory Commission on Codification (Res. 2-80); representatives of the local judiciary, bar associations, and concerned professionals have made recommendations with respect to the preparation and publication of the Code, as well as projected the budgetary resources required to perfrom this function.

1. The Commission has recommended that the Council should engage both personnel and a printer-publisher to produce, at competitive rates, a Sixth Non-Cumulative Supplement to the 1973 edition of the D. C. Code, to be published no later than one year after publication of the Fifth Cumulative Supplement. Printing and binding costs of a non-cumulative supplement would be approximately $20,000, rather than $230,000, a savings of approximately $200,000.

Moreover, production of a sixth supplement would afford additional time for the production of an improved, new edition of the D. C. Code in 1980.

2. The Advisory Commission also recommended the creation of a Codification Counsel within the Council of the District of Columbia. The Codification Counsel would be organizationally aligned with an expanded Office of the Legislative Counsel. Efficiency would be significantly increased and overhead costs lowered by combining the codification functions with the existing legislative drafting functions. The codification functions will be carried out by a staff of one attorney (GS-15) and one administrative assistant (GS-8).

In Fiscal Year 1979, a total funding of $141,200 is being requested for establishing the codification office: $54,700 for the staff and related benefits and $86,500 for the initial preparation for compiling the 1980 edition of the D. C. Code.

Mr. Chairman, I mentioned earlier the increasing demand of our citizens for city services. Since the first elected Council took office in 1975, each Councilmember has received hundreds of requests for assistance from constituents. The types of requests vary widely, with most calls requesting the Councilmember's intercession regarding routine city services. Each request requires the Councilmember's office to interrupt its legislative work to correspond with the constituent and appropriate agencies to identify the problem and solution. Complicated cases often take significant amount of staff and Councilmembers' time for appropriate solution.

The $205,700 requested for this function will provide each office with one non-partisan staff person (GS-6) to manage the constituent service responsibilities of each Councilmember

on a full-time bases; an allotment of $3,600 will cover additional operating expenses for each office.

I would like to note that no increases in personnel are requested to carry out our normal legislative functions.

For Fiscal Year 1979, the Council is requesting $14,000 for out-of-city travel. This sum continues the level of the Fiscal Year 1978 funding which provides an allocation to each Councilmember of $1,000; this allocation will also cover expenses incurred by committee staff in support of committee work. One-thousand dollars ($1,000) is also allocated to the Office of the Secretary for travel expenses of the Secretary to the Council, the General Counsel, and the Legislative Counsel and their staff.

The requested funds will provide each Councilmember's office with approximately two trips of medium distance, including transportations, per diem, and registration or conference fees for activities which are related to the work of the Council committees and legislative associations such as the National League of Cities, National Association of Regional Councils, and the like.

The $8,400 in local travel continues the maximum monthly allotment for each Councilmember of $50.00 and an allotment of $50.00 to the Office of the Secretary for use by the Offices of the Council. These allotments provide reimbursements to Councilmembers and their staff for transportation expenses incurred through the use of privately-owned vehicles or traveling in taxicabs for the performance of Council-related activities. When a privately-owned vehicle is used, reimbursement is based on actual miles traveled, at the approved rate of 13¢ per mile.

The $202,800 requested for rent, communication and utilities covers the cost of telephone, mobile, and telegraph services, and the lease of typewriters, computer

terminals, and reproduction machines. This $202,800 request is an increase of $46,900 over the Fiscal Year 1978 budget request and represents a sum to offset increases which are set by the suppliers of these services.

Of the $55,000 requested for printing and reproduction, $18,000 provides funds for printing of Councilmembers' stationery. The balance is allocated to the Office of the Secretary for duplicating, binding, and offset reproduction of reports, hearing notices and other publications. This $55,000 request represents a $5,000 increase over Fiscal Year 1978 to cover the cost of inflation.

In Other Services, this request of $65,000 provides funds for advertising, reporting services, repair and maintenance of equipment, employee training, and services by other District of Columbia agencies and represents a decrease of $64,600 from the Fiscal Year 1978 request.

Ninety-five thousand dollars ($95,000) is requested for supplies and materials for funds for GSA store purchases, copying supplies, recording tapes, computer supplies, subscriptions to newspapers and reference publications, imprest funds, and over-the-counter purchases.

To help offset the statutory costs of within-grade increases, and rent, communication and utilities, the Council is reducing this category by $12,100 from the Fiscal Year 1978 level.

In the area of equipment, the $25,000 request for equipment to be capitalized is for the purchase of tape recorders, the replacement of old equipment (typewriters, dictating/transcription units), and the purchase of file cabinets and bookcases for the Council library.

Nine-thousand dollars ($9,000) to cover the cost of books and materials for the Council library and for the Office of the Codification Counsel is also being requested.

The $2,500 is being requested for the Chairman's allotment. This represents no increase over the previous year's request.

In summary, Mr. Chairman, the Council's request for Fiscal Year 1979 is what we believe to be a modest fifteen percent (15%) increase over Fiscal Year 1978. We have significantly reduced funding in an attempt to hold-the-line in the categories of Other Services and Supplies and Materials. With the provision of staff to support the statutory requirement associated with the Codification of the D. C. Code, and the establishment of a constituent service capability for the citizens we are elected to serve, the Fiscal Year 1979 request will provide most of the resources to carry out our mission effectively.

Thank you.

Office of Public Affairs

STATEMENT OF SAM EASTMAN, DIRECTOR

NEWSLETTER AND 10-YEAR REPORT

Senator Leahy. The next item on our agenda is the Office of Public Affairs. Mr. Eastman, we are glad to have you here today.

Mr. Eastman, I noted in a recent newspaper story that the city government's D.C. Pipeline has been taken over by the Office of Public Affairs, that the circulation has quadrupled, and it has been changed from a monthly to a biweekly paper. Recent pieces in the D.C. Pipeline have highlighted the accomplishments of the Mayor.

There is another story about a slick new book that details the accomplishments of the administration from 10 years since the riots of 1968.

Now, both of these publications are being paid for out of taxpayers' money. Suggestions have been made that the publications are really associated with the Mayor's reelection effort. Any time when there is a publication, whether it is a congressional newsletter or municipal one, it can become self-serving. The question occurs at what point is it information and what part is it self-serving. I think there is a legitimate reason to have newsletters that are informative. But at what point are they simply a reelection tool? Of course, if they are, then they should be paid for by whoever the person might be, whether a Member of Congress or member of city government, by their reelection committee.

INCREASE REQUESTED

The Office of Public Affairs has requested $31,000 for printing and reproduction, which is an increase of 150 percent.

I would ask, Mr. Eastman, if you could address yourself to those matters. Are we dealing with legislative information for constituents or are we dealing with a reelection tool?

Mr. Eastman. There is no question in my mind, Mr. Chairman, that we are dealing with very useful informational material. First of all, as to the $31,000 increase in the budget, about $19,000 would go toward the printing of the revised informational booklet we have printed three times before. The balance of that $31,000 would be used for mandatory personnel increases and other miscellaneous expenses.

10-YEAR REPORT

As to the 10-year report, Mr. Chairman, my office had no direct role in the preparation of that report, but I think it is an excellent document. I think it not only is of immediate interest, but I think it will provide a very valuable reference document on the first 10 years of this administration in future years.

NEWSLETTER

As to the newsletter, I think it is a good use of the taxpayers' money. We took an existing newsletter, which was basically designed to provide in-house personnel information to city employees, and we revised the format to provide what I think is very useful, basic information to the community on services and programs of the executive branch of the government. Moreover, through some cost-cutting measures we were able to do this at no appreciable expense to the taxpayers.

"FOR YOUR INFORMATION" BOOKLET

Senator LEAHY. As I understand it, 75,000 of the booklets were printed in fiscal year 1977 and none are planned for printing in fiscal year 1978. So if only 30,000 or 40,000 of the booklets are used a year, why are we looking for funds to print 75,000 in fiscal year 1979? Is that for 2 years' worth?

Mr. EASTMAN. The original plan—for the "For Your Information" booklet—was to print a revised edition every year. We find we have no difficulty in making distribution to the community, but because of budget constraints my office has been unable to print it every year. We try to do it as often as possible. We printed that booklet in 1972, 1974, and 1976. We are hoping, as you said, to print and distribute 75,000.

FUNDING PUBLIC AFFAIRS ACTIVITIES

Senator LEAHY. Other than the Office of Public Affairs, which agencies of the city government fund public affairs activities?

Mr. EASTMAN. Well, among the departments and agencies that are under the Mayor's direct administrative control, the only agency that has its own public information office is the Metropolitan Police Department.

Senator LEAHY. Does the Department of Human Resources have a public affairs officer?

Mr. EASTMAN. No, Mr. Chairman.

Senator LEAHY. Thank you very much, Mr. Eastman. If you have anything else that you want to add, please feel free to do so.

Mr. EASTMAN. No, sir. Thank you very much.

Senator LEAHY. We will next hear from the Office of Budget and Management Systems.

Office of Budget and Management Systems

STATEMENT OF COMER S. COPPIE, DIRECTOR

WELCOMING MR. COPPIE

Senator Leahy. Mr. Coppie, as always, it is the pleasure of this committee to have you here, and I reiterate as I have in the past how much this committee appreciates the hard work you do and the way you have always been able to respond to the committee when we have asked you for information at times when I am sure it must be an overload. We appreciate your help and continued cooperation.

Mr. Coppie. Thank you, Mr. Chairman.

INCREASE IN THE FEDERAL PAYMENT

Senator Leahy. Mr. Coppie, the Budget Reform Act requires the authorizing legislation needed for appropriation bills to be reported out by the authorizing committees by May 15. That was yesterday. The pending bill would permit an increased authorization for the Federal payment. A bill has not been reported out and hearings have not been held.

What I would like to know really is three questions. What is the status of the bill; second, how can we balance the City Council's budget without the extra $17 in Federal payment; and where could we make adjustments? In other words, what is the status of the bill? How do we balance it if we don't have that extra $17 million? And if we don't, where do you propose for us to make the adjustments?

STATUS OF FEDERAL PAYMENT LEGISLATION

Mr. Coppie. Mr. Chairman, first with regard to the status of the bill, and by way of clarification, normally the process that we go through is the hearing in the Senate on authorizing legislation, such as Federal payments, following the hearing in the House and House action. The $317 million is recommended by the President, of course, in the January transmittal of the 1979 budget, and the legislation is currently pending in the House. Hearings have been held in the House, and the House District Committee has approved the $317 million. A final date for taking the legislation to the House floor has not been set, but it is my understanding it will be set. We continue to work with the assumption that there will be a public law authorizing the $317 million prior to the ultimate markup of the 1979 budget in the House and in the Senate.

ALTERNATIVES TO BALANCING BUDGET

In which case I am not authorized or prepared this morning to represent the city's position with regard to alternatives, and I think it would really be quite premature to start to.

Senator LEAHY. I understand. But it is something that we should give some consideration to, and I raise the question only because of my own concern if we don't have it authorized it won't be available. Of course, if we don't have it authorized, it becomes a moot point as far as appropriations are concerned. If we don't authorize it, at some point we are going to have to figure out where we go at this end.

REPAYMENT OF RFK STADIUM BONDS

On December 1, 1979, $19.8 million is due on the RFK Stadium bonds. We set up a sinking fund in fiscal year 1978 to help repay these funds. The city hasn't made any funding proposal in fiscal year 1979 to help pay these bonds that are due in the first quarter of fiscal year 1980. Do we need any authorizing legislation to appropriate money into the sinking fund for the bonds?

Mr. COPPIE. Mr. Chairman, that issue is now being further examined as a result of what appears to be a firm action on the fiscal year 1978 appropriation for the city.

Senator LEAHY. God, I hope it is a final action.

Mr. COPPIE. It is my understanding that the action to provide for half of that $20 million in the 1978 budget is without prejudice to the recommendation of the President's Task Force on the District of Columbia, which suggested a shared relationship between the city and the Federal Government. We are still working from the assumption that the balance of the $20 million will be paid for by the Federal Government in a special payment to the sinking fund to ultimately liquidate the $20 million debt. Whether that is going to require additional substantive legislation is now going to have to be reexamined as a result of what appears to be a final action on the 1978 budget.

Senator LEAHY. Will you let me know after that has been reexamined, what conclusion you reached?

Mr. COPPIE. I certainly will, Mr. Chairman. I would, of course, underscore what you have said, and that is we are running up now against a terminal date of December 1, 1979. The latest the final provision for this could be made would be in the 1980 budget.

Senator LEAHY. That is what concerns me on the final date. It is not so much a question at this point about whether RFK Stadium was a good deal or a bad deal; people argue that forever, and to some extent, it is a moot point. The one inescapable point is the bonds are going to have to be paid. I don't want to see us get into a bind at that time, like we had last year, and suddenly have us be up to the deadline with no provision made to pay the bonds. We all agree, I think, they are going to have to be paid. The question is how and in what manner, but that is a question that is going to have to be decided well before the due date. In that respect, we took particular steps last year in beginning the sinking fund for it.

CONTROL OF FEDERAL GRANTS

During hearings before this committee in 1972 the city made a commitment to create a system to strengthen the control of Federal grant funds received by the city. Now 5 years have passed, and according to a recent GAO report, in fact last month, the city still doesn't effectively control the receipt of Federal grant funds. According to the GAO report, the city still cannot provide accurate totals of grant funds received. The city's budget officer has issued instructions to agencies about compliance.

Mr. Coppie, are you familiar with that?

Mr. COPPIE. I am.

Senator LEAHY. What is your office doing to get the agencies to follow instructions on this matter?

Mr. COPPIE. Mr. Chairman, let me first clarify the process we are now in. I think it is fair to call it a report, but it was actually a letter to the city administrator, Mr. Dugas. Mr. Dugas has not responded to the letter. We are preparing and forwarding a report.

However, the letter itself is somewhat out of date in that prior to the actual submission of that letter to Mr. Dugas, but subsequent to the completion of the GAO research, we had issued a complete Federal grant instruction manual to the operating departments which addresses very specifically the requirement that they have to follow with regard to Federal grant processing and Federal grant monitoring. I think that is going to lead to substantial strengthening of the Federal grant processing in the city.

But in saying that I also want to be perfectly candid with you. There are problems. Perhaps in a public corporation of this size and this complexity there will always be some problems. More needs to be done, Mr. Chairman, and our commitment is to work with you and work with the process we are in to strengthen financial management of the city, and I think that work is being attempted.

Senator LEAHY. I would appreciate it if you keep me posted on that.

I was just wondering can we get an accurate total of the Federal grant funds received by the city in fiscal year 1978 today?

TABLE ON FEDERAL GRANTS-IN-AID

Mr. COPPIE. We can provide that for the record, Mr. Chairman. I will provide the annual Federal grant report for fiscal year 1979 which includes grant data for fiscal years 1977, 1978, and 1979.

Senator LEAHY. Thank you.

[The information follows:]

SUMMARY OF FEDERAL GRANTS-IN-AID TO THE DISTRICT OF COLUMBIA BY DISTRICT AGENCY

$ THOUSANDS

CODE	AGENCY	Past Year Obligations FY 1977	Current Year Obligations FY 1978	Budget Year Obligations FY 1979
	GENERAL OPERATING:			
AA	Office of the Mayor	216.8	....	....
BC	Office of Budget and Management Systems	11,362.1	95.3	....
BD	Municipal Planning Office	1,474.7	582.9	494.2
BE	Office of Personnel	69.8	90.0	90.0
BN	Office of Emergency Preparedness	242.7	315.2	265.6
BR	Office of Human Rights	108.4	99.6	99.6
CA	Department of Finance and Revenue	92.2	....	....
CB	Office of the Corporation Counsel	(130.0)	(52.5)	....
BD	Department of Economic Development	4.9	30.0	30.0
CE	Public Library	480.5	459.8	399.8
CF	Department of Manpower	54,235.8	54,235.8	54,235.8
DA	Office of Youth Advocacy	(180.0)	(269.2)	(286.8)
DB	Department of Housing and Community Development	86,292.8	97,447.9	59,226.9
DD	Board of Parole	38.1	38.1	38.1
DF	Minimum Wage and Industrial Safety Board	45.6	169.6	305.6
DH	Public Service Commission	34.1	40.1	45.6
E	Special Mission Activities	1,168.3	4,639.8	4,723.1
	TOTAL, GENERAL OPERATING	155,866.8	158,244.1	119,954.3
	PUBLIC SAFETY:			
FA	Metropolitan Police Department	68.9	44.1	....
FC,FM,FN	District of Columbia Courts	(169.5)	(227.1)	....
FE	Public Defender Service	198.0	180.5	....
FF	Bail Agency	18.0	....	....
FL	Department of Corrections	159.3	159.2	9.2
	TOTAL, PUBLIC SAFETY	444.2	383.8	9.2

CODE	AGENCY	Past Year Obligations FY 1977	Current Year Oblitations FY 1978	Budget Year Obligations FY 1979
	EDUCATION:			
GA	Public Schools	40,262.9	38,917.5	38,917.5
GE	University of the District of Columbia	9,883.4	8,578.0	8,721.7
	TOTAL, EDUCATION	50,146.3	47,495.5	47,639.2
	RECREATION:			
HA	Department of Recreation	1,354.5	1,362.0	1,365.3
HB	National Children's Island	960.0	220.0	....
	TOTAL, RECREATION	2,314.5	1,582.0	1,365.3
	HUMAN RESOURCES:			
JA	Department of Human Resources	102,757.0	101,118.4	94,343.2
	TOTAL, HUMAN RESOURCES	102,757.0	101,118.4	94,343.2
	TRANSPORTATION:			
KA	Department of Transportation	1,168.6	1,647.4	1,121.2
	TOTAL, TRANSPORTATION	1,168.6	1,647.4	1,121.2
	ENVIRONMENTAL SERVICES:			
LA	Department of Environmental Services	1,682.6	1,431.4	1,322.4
	TOTAL, ENVIRONMENTAL SERVICES	1,682.6	1,431.4	1,322.4
	GRAND TOTAL	314,380.0	311,902.6	265,754.1

FEDERAL ASSISTANCE/GRANTS TO THE DISTRICT OF COLUMBIA $ THOUSANDS

APPROPRIATION TITLE: General Operating Expense

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
Office of the Mayor				
1. National Endowment forthe Arts	National Foundation on the Arts and Humanities	212.0	....	....
2. Older Americans Act	Health, Education and Welfare	4.8	....	....
		216.8	....	....
Office of Budget and Management Systems				
1. CETA - Title VI	Department of Labor	....	(71.2)	(71.2)
2. CETA - Title VI	Department of Labor	....	(111.7)	(38.6)
3. CETA - Title II	Department of Labor	2,224.6	....	....
4. CETA - Title VI	Department of Labor	9,035.4	(110.0)	(110.0)
5. CETA - Title VI	Department of Labor	....	(120.8)	(120.8)
6. CETA - Title VI	Department of Labor	....	....	(73.1)
7. HUD Research Grant - Innovative Productivity Improvement Project	Department of HUD	102.1	95.3	....
		11,362.1	95.3	....
Municipal Planning Office				
1. HUD "701" Comprehensive Planning Assistance Program	Department of HUD	135.2	80.0	72.0
2. UMTA/COG Transit Station Access Study	Department of Transportation - UMTA/COG	89.0	....	....
3. UMTA/COG Transit Impact Study	Department of Transportation	141.3	120.0	108.0
4. Economic Development Act - FEA - Technical Planning Services	Department of Commerce/EDA and Federal Energy Administration	85.1	105.1	94.6
5. FEA - Energy Conservation Plan	Federal Energy Administration	23.6	....	....
6. FEA - State Energy Conservation Program	Federal Energy Administration	....	161.0	144.9
7. Economic Development Act - EDA - Washington Civic Center Study	Department of Commerce/EDA	115.9	....	....
8. National Endowment for the Arts - City Scale	National Foundation on the Arts and Humanities	23.0	22.0	....
9. UMTA/COG -DC - DOT Staggered Work Hour Study	Department of Transportation	24.0	....	....

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
Municipal Planning Office (contd.)				
10. FEA - Supply State Energy Conservation Program	Federal Energy Administration	....	83.0	74.7
11. Administrative Cost	Department of Justice	14.9	11.8	....
12. LEAA - Block Grants	Department of Justice/LEAA	310.9	....	....
13. LEAA - Discretionary Grants	Department of Justice/LEAA	269.3	....	....
14. LEAA - Planning Grant	Department of Justice/LEAA	242.5	....	....
		1,474.7	582.9	494.2
Office of Personnel				
1. Independent Personnel System	U.S. Civil Service Commission	57.2	81.1	81.1
2. Human Resources Development of Current Work Force	U.S. Civil Service Commission	12.6	8.9	8.9
		69.8	90.0	90.0
Office of Emergency Preparedness				
1. Personnel and Administrative	Defense Civil Preparedness Agency	158.4	160.4	191.5
2. Rent, Communications and Utilities	Defense Civil Preparedness Agency	5.0	4.7	5.1
3. Natural Disaster Planning Contract	Defense Civil Preparedness Agency	66.3	123.0	37.6
4. Nuclear Civil Protection Contract	Defense Civil Preparedness Agency	13.0	29.1	31.4
		242.7	315.2	265.6
Office of Human Rights				
1. Equal Employment Opportunity Commission	Equal Employment Opportunity Commission	108.4	99.6	99.6
		108.4	99.6	99.6
Department of Finance and Revenue				
1. HUD Block Grant	Department of HUD/DHCD	92.2	....	....
		92.2	....	....
Office of the Corporation Counsel				
1. Child Abuse - Child Safety	Department of Justice/OCJP&A	130.0	....	....
		130.0	....	....

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
Department of Economic Development				
1. Neighborhood Commercial Revitalization Program, N.E.	Department of Commerce/EDA	4.9	30.0	30.0
		4.9	30.0	30.0
Public Library				
1. Library Services and Construction Act, Title I (Services)	Health, Education and Welfare	355.7	355.7	355.7
2. Library Services and Construction Act, Title III (Interlibrary Cooperation)	Health, Education and Welfare	44.1	44.1	44.1
3. National Endowment for the Humanities (Cataloging and Preservation of Materials in Washingtoniana Division Collection)	National Endowment for Arts and Humanities	70.0	60.0	....
4. National Endowment for the Arts (City Options Program, Washington Commons Development--Streets for People)	National Endowment for Arts and Humanities	10.7	....	....
		480.5	459.8	399.8
Department of Manpower				
1. CETA Administration - Title I	Department of Labor	1,458.7	1,836.6	1,836.6
2. Labor Market Information (Section 106) CETA	Department of Labor	121.1	123.1	123.1
3. Veterans Assistance Center Program	Veterans Administration	15.6	....	....
4. ESAP Coordinator	Department of Labor	25.1	18.1	18.1
5. CETA Program - Title I	Department of Labor	12,089.2	9,456.7	9,456.7
6. WIN Administration and Program	Department of Labor	3,262.1	2,909.3	2,909.3
7. Grants to States - Trust Fund - Regular	Department of Labor	6,664.0	5,997.4	5,997.4
8. Grants to States - Trust Fund - Food Stamp	Department of Agriculture	120.0	120.0	120.0
9. CETA/NAB/JOBS-MDS-(MAN-MAN)	Department of Labor	46.0	46.0	46.0
10. WMA Council of Governments	Department of Labor	24.5	....	....
11. Senior Community Service	Department of Labor	341.0	509.3	509.3
12. Public Communications - Job Development	Department of Labor	45.0	45.0	45.0
13. CETA Title III	Department of Labor	7,000.0	7,000.0	7,000.0

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
Minimum Wage and Industrial Safety Board				
1. BLS, Injury and Illness Reporting System	Department of Labor/OSHA	44.8	33.6	33.5
2. BLS Quality Assurance Program	Department of Labor/OSHA	.8	....	....
3. D.C. OSHA State Plan	Department of Labor/OSHA	....	136.0	272.1
		45.6	169.6	305.6
Public Service Commission				
1. Pipeline Safety Program	Department of Transportation	34.1	40.1	45.6
		34.1	40.1	45.6
Special Mission Activities				
Manpower Services Planning Advisory Council				
1. Special Grant for Governors, CETA Title I	Department of Labor	(135.3)	(173.7)	173.7
D.C. Commission on the Arts and Humanities				
1. National Endowment for the Arts Basic State Grant	National Foundation on the Arts and Humanities	....	215.0	215.0
2. Artist in Schools Program	National Foundation on the Arts and Humanities	....	29.2	61.0
3. Artist in Schools Coordinator	National Foundation on the Arts and Humanities	....	15.0	....
4. Craft Arts: A Washington Exposition	National Foundation on the Arts and Humanities	....	13.4	....
		....	272.6	276.0
Office on Aging				
1. Older Americans Act - Title VII Nutrition	Health, Education and Welfare	....	1,237.5	1,237.5
2. Title V, Renovation of Senior Centers	Health, Education and Welfare	....	100.0	....
3. Day Care Program	Health, Education and Welfare	...	1,002.1	1,002.1
			2,339.6	2,239.6
Office of Business and Economic Development				
1. Community Development Block Grant	Department of HUD/DHCD	....	(300.0)	(366.0)

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
Department of Manpower (contd.)				
14. Disabled Veterans Outreach	Veterans Administration	48.1	96.3	96.3
15. CETA Title I Special Grant	Department of Labor	1,049.0	944.1	944.1
16. CETA Titles II & IV Transferred from ORMS	Department of Labor	25,133.9	25,133.9	25,133.9
		54,235.8	54,235.8	54,235.8
Department of Housing and Community Development				
1. Conventional Urban Renewal Programs	Department of HUD			
Southwest Urban Renewal Area C		1,014.1	2,900.0	2,000.0
Northeast Number One Urban Renewal Center		781.9	410.0	....
Northwest Number One Urban Renewal Center		830.7	2,818.5	....
Fort Lincoln New Town		2,350.0	4,000.0	6,000.0
Neighborhood Development Program		1,622.3	12,336.1	....
2. Historic Preservation	Department of HUD	300.0	421.0	310.0
3. Community Development Block Grant	Department of HUD			
Prior Year Carryover		14,506.0	7,882.0	....
Budget Year Entitlement		42,398.0	40,998.0	31,700.0
Budget Year Carryover		- 7,882.0	....	....
		49,022.0	48,880.0	31,700.0
4. Public Housing Programs	Department of HUD			
Title II Operations		16,715.6	15,077.1	15,077.1
Title II Modernization		7,052.9	3,728.6	....
Title II Development		1,500.0	300.0	1,900.0
Title IV Homeownership Development		1,465.9	....	....
Title V Project Rehab Development		2,000.0	1,000.0	....
Title VIII Knox Hill Development		....	3,336.8	....
Section 8 Housing Assistance		1,637.4	2,239.8	2,239.8
		86,292.8*	97,447.9*	59,226.9*
Board of Parole				
1. Development of OBTS/CCH	Department of Justice/LEAA	38.1	38.1	38.1
		38.1	38.1	38.1

*Figures have been revised from previous estimates shown in Executive Budget

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
Office of Criminal Justice Plans and Analysis				
1. LEAA Block Grants	Department of Justice/LEAA	463.3	496.2	612.5
2. LEAA Discretionary Grants	Department of Justice/LEAA	453.2	1,177.8	750.0
3. LEAA Planning Grants	Department of Justice/LEAA	251.8	353.6	305.3
		1,168.3	2,027.6	1,667.8
Total, Special Mission Activities		1,168.3	4,639.8	4,723.1
TOTAL, GENERAL OPERATING EXPENSES		155,866.8	158,244.1	119,954.3

FEDERAL ASSISTANCE/GRANTS TO THE DISTRICT OF COLUMBIA $ THOUSANDS

APPROPRIATION TITLE: Public Safety

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
Metropolitan Police				
1. Boating Safety Financial Assistance #155	U.S. Coast Guard	1.6	....	....
2. Boating Safety Financial Assistance #180	U.S. Coast Guard	1.7	....	....
3. Boating Safety Financial Assistance #195	U.S. Coast Guard	15.8	....	....
4. Boating Safety Financial Assistance #196	U.S. Coast Guard	14.8	....	....
5. Boating Safety Financial Assistance #197	U.S. Coast Guard	35.0	44.1	....
		68.9	44.1	....
District of Columbia Courts				
D.C. Court System				
1. Audio Visual Communications System for Prisoner Circulation Requirements (LEAA)	Department of Justice	(2.6)	(171.4)	....
2. First Phase Communications Equipment Installation from Select Areas of the New D.C. Court Facility (LEAA)	Department of Justice	(41.6)	(39.4)	....
Total, D.C. Court System		(44.2)	(227.1)	....
Superior Court				
1. Pilot Research Project on Community-Based Superior Court Social Services (OCJP&A)	Department of Justice	(40.3)	....	....
2. Management Information Systems Development (OCJP&A)	Department of Justice	(49.3)	(11.8)	....
3. Court Coordination Offices (OCJP&A)	Department of Justice	(9.8)	(4.5)	....
4. Continuation of Psychological and Other Support Services (OCJP&A)	Department of Justice	(5.7)	....	....
Total, Superior Court		(105.1)	(16.3)	....
D.C. Court of Appeals				
1. Technical Assistance and Screening for the D.C. Court of Appeals (OCJP&A)	Department of Justice	(20.2)	....	....
Total, Court of Appeals		(20.2)	....	....
Total, D.C. Courts		(169.5)	(227.1)	....

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
Public Defender Service				
1. Defense Attorneys' Training and Services Project	Department of Justice/LEAA	38.0	....	....
2. Post-Conviction Legal Services Project	Department of Justice/LEAA	80.0	....	....
3. Legal Services at John Howard Pavillion	Department of Justice/LEAA	36.8	30.0	....
4. Defense Investigative Services	Department of Justice/LEAA	12.6	....	....
5. Comprehensive Employment and Training Act	Department of Labor	30.6	150.5	....
		198.0	180.5	....
D.C. Bail Agency				
1. Automation of Bail Agency Records	Department of Justice/LEAA	18.0	....	....
		18.0	....	....
Department of Corrections				
1. Emergency Preparedness/Civil Defense	Department of Defense	9.0	9.2	9.2
2. Offender-Based Transaction System	Department of Justice	150.3	150.0	....
		159.3	159.2	9.2
TOTAL, PUBLIC SAFETY		444.2	383.8	9.2

FEDERAL ASSISTANCE/GRANTS TO THE DISTRICT OF COLUMBIA $ THOUSANDS

APPROPRIATION TITLE: Education

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
Public Schools				
1. Impact Aid	Health, Education and Welfare	5,523.9	4,020.0	4,020.0
2. Title I - Local Education Agency	Health, Education and Welfare	10,265.0	11,455.4	11,455.4
3. Title I - Neglected & Delinquent	Health, Education and Welfare	434.3	434.3	434.3
4. Title I - Handicapped	Health, Education and Welfare	1,644.6	1,820.2	1,820.2
5. Title I - State Administration	Health, Education and Welfare	150.0	150.0	150.0
6. Title I - Follow Through	Health, Education and Welfare	8.9	8.9	8.9
7. Title IV - Part B	Health, Education and Welfare	487.0	438.5	438.5
8. Title IV - Part C	Health, Education and Welfare	686.6	923.2	923.2
9. Title IV - Administration	Health, Education and Welfare	315.5	137.2	137.2
10. Extended Services - Blind and Partially Impaired	Health, Education and Welfare	30.0 1/	30.0 1/	30.0 1/
11. Title VII - Local Programs	Health, Education and Welfare	201.5	201.5	201.5
12. Title VII - State Education	Health, Education and Welfare	3.8	10.1	10.1
13. Title VI - State Administration	Health, Education and Welfare	565.4	668.8 1/	668.8 1/
14. Title VI - Deaf and Blind	Health, Education and Welfare	84.3	90.4 1/	90.4 1/
15. Title VI - Preschool Handicapped	Health, Education and Welfare	120.0	.... 2/	.... 2/
16. Title VI - P.L. 85-926 Teacher - Handicapped	Health, Education and Welfare	64.0	72.0	72.0
17. Title VI - Preschool Implementation	Health, Education and Welfare	100.0	108.0	108.0
18. Adult Basic Education	Health, Education and Welfare	560.9	408.6	408.6
19. ESAA - Basic Project	Health, Education and Welfare	2,003.1	1,990.5	1,990.5
20. ESAA - Pilot Project	Health, Education and Welfare	584.2	527.3	527.3
21. Special Project - Minority Entrepreneurship	Health, Education and Welfare	100.1	....2/	....2/
Other:				
22. Higher Education Act - 1965 Portal School	Health, Education and Welfare	105.2	75.9	75.9
23. EPDA - Part F	Health, Education and Welfare	....	81.4	81.4
24. Nichols Avenue Follow Through	Health, Education and Welfare	236.9	236.9	236.9
25. Model Preschool	Health, Education and Welfare	497.1	514.8	514.8
26. Anacostia Preschool	Health, Education and Welfare	532.4	511.8	511.8

1/ Estimated by the D.C. Public Schools grant officers because the grant authority for these programs from HEW and the District had not been received at that time.

2/ Will not be refunded in FY 1978.

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AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
Public Schools - continued				
27. Response to Educational Needs Project	Health, Education and Welfare	1,757.7	155.5	155.5
28. Child Abuse and Neglect	Health, Education and Welfare	35.0	.... 2/	.... 2/
29. State Plan - Career Education	Health, Education and Welfare	45.0	47.1	47.1
30. Reading Comprehensive Program	Health, Education and Welfare	27.2	.... 2/	.... 2/
31. Video Tape-Self Training Model	Health, Education and Welfare	17.6	.... 2/	.... 2/
32. Minority Entrepreneurship Program	Health, Education and Welfare	100.6	53.5 1/	53.5 1/
33. Quad Schools Reading Program	Health, Education and Welfare	22.0	.... 2/	.... 2/
34. Vocational Education Act of 1968	Health, Education and Welfare	1,330.8	1,726.9	1,726.9
35. VEA Part D Experienced Based	Health, Education and Welfare	108.6	108.6	108.6
36. Manpower Development and Training	Department of Labor	(535.2)	(481.7)	(481.7)
37. Work Experience Program	Department of Labor	(556.6)	(522.1)	(522.1)
38. Widening Horizons	Department of Labor	(56.4)	(56.0)	(56.0)
39. CETA - Skill Center	Department of Labor	(407.7)	(374.9)	(374.9)
40. CETA - Summer (Title III)	Department of Labor	642.8	700.0 1/	700.0 1/
41. Edmonds-Peabody Community Integration	Health, Education and Welfare	40.0	.... 2/	.... 2/
42. Right to Read State Plan	Health, Education and Welfare	47.5	91.0	91.0
43. Education Handicapped Act	Health, Education and Welfare	8.6	.... 2/	.... 2/
44. Education Training Program	Health, Education and Welfare	5.0	.... 2/	.... 2/
45. Food Services	Department of Agriculture	10,769.9	10,955.2	10,955.2
46. Project Read	Health, Education and Welfare	....	53.5	53.5
47. State Education for Community Education	Health, Education and Welfare	....	51.5	51.5
48. Drug Abuse	Health, Education and Welfare	....	50.7	50.7
49. Student Facilitators Program	Health, Education and Welfare	....	8.3	8.3
Total, Public Schools		40,262.9	38,917.5	38,917.5

1/ Estimated by the D.C. Public Schools grant officers because the grant authority for these programs from HEW and the District had not been received at that time.
2/ Will not be refunded in FY 1978.

Cash Revenue Received

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
University of the District of Columbia				
Georgia Avenue/Harvard Campus (DCTC)				
1. Title VI, Instructional Equipment	Health, Education and Welfare	....	2.3	2.3
2. One-Year Teacher Preparation Program for Severely Handicapped Children	Health, Education and Welfare	45.3	60.0	....
3. Nondestructive Verification of Insulation Integrity	National Aeronautics and Space Administration	39.0	43.5	
4. Methods for Testing High Voltage Connections	National Aeronautics and Space Administration	- 1.2	....	
5. Study of Piezoelectric Transformers	National Aernonautics and Space Administration	8.9	....	
6. Polar Nephelometer Study	National Aernonautics and Space Administration	5.9	....	
7. College Library Resources	Health, Education and Welfare	2.7	3.9	
8. National Direct Study Loan	Health, Education and Welfare	47.6	46.8	
9. College Work Study	Health, Education and Welfare	46.0	53.6	
10. Supplemental Educational Opportunity	Health, Education and Welfare	63.0	66.2	
11. Basic Educational Opportunity	Health, Education and Welfare	180.5	122.7	
12. Title III, Strengthening Developing Institutions	Health, Education and Welfare	355.6	....	
		793.1	399.0	
Mt. Vernon Campus (FCC)				
1. Training of Speech Audiologist	Health, Education and Welfare	....	5.0	
2. Upward Mobility College	Health, Education and Welfare	1,935.9	1,603.1	
3. Institute of Gerontology	Health, Education and Welfare	179.4	147.5	
4. Special Student Services Project	Health, Education and Welfare	122.4	125.5	
5. Region III Symposium in Aging	Health, Education and Welfare	- .3	....	
6. Project Start	Health, Education and Welfare	57.5	51.9	
7. Behavioral Science Training	Health, Education and Welfare	4.5	....	
8. Basic Skill Development for the College Student	Health, Education and Welfare	3.6	....	
9. Title VI, Instructional Equipment	Health, Education and Welfare	.5	4.7	
10. Training of Hearing and Speech Personnel	Health, Education and Welfare	4.3	31.0	

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
University of the District of Columbia - contd.				
Mt. Vernon Campus - continued				
11. Environmental Carcinogens - MBS	Health, Education and Welfare	96.1	122.4	
12. Characteristic Functions	National Aeronautics and Space Administration	.5	....	
13. Application of Alexeev's Theorum	NASA	.1	....	
14. Study of Relativistic Particles	NASA	9.9	....	
15. Research Program in Heavy Metals	NASA	29.5	30.0	
16. Fundamental and Analytical Investigations	NASA	.3	....	
17. Research on Orbit Determination	NASA	11.9	17.7	
18. Minority Institutions Science Improvement	National Science Foundation	104.1	131.6	
19. Collaborative Research on Organizing Life History	NASA	6.2	62.9	
20. Excitation Cross Section Measurement	NASA	.4	39.4	
21. D.C. Cooperative Extension Service	Department of Agriculture	404.9	412.8	
22. Bankhead-Jones	Health, Education and Welfare	125.2	77.8	
23. Experimental Seminar for WRAIR	Department of Defense	- 1.2	....	
24. New Careers - Project Stride	Health, Education and Welfare	40.7	52.7	
25. ANC - Citizen Support Project	Health, Education and Welfare	5.1	....	
26. Black Film Institute	National Endowment for the Arts and Humanities	19.9	20.0	
27. College Library Resources	Health, Education and Welfare	3.3	3.8	
28. Alcohol Abuse and Youth	Health, Education and Welfare	2.1	....	
29. Veterans Cost of Instruction	Veterans Administration	22.9	28.0	
30. Nursing Capitation	Health, Education and Welfare	12.1	14.3	
31. College Work Study	Health, Education and Welfare	425.8	320.2	
32. National Direct Student Loan	Health, Education and Welfare	79.4	78.7	
33. Supplemental Educational Opportunity Gr.	Health, Education and Welfare	407.8	411.1	
34. Basic Educational Opportunity Grant	Health, Education and Welfare	1,461.4	776.3	

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
University of the District of Columbia - contd.				
Mt. Vernon Campus - continued				
35. Loan Nursery Program	Health, Education and Welfare	35.5	25.1	
36. Graphic Design Project	Health, Education and Welfare	....	17.9	
37. Remodeling of Existing Library	Health, Education and Welfare	....	50.0	
38. Administration, Institutional Grants for Science	Health, Education and Welfare	4.8	....	
		5,616.8	4,661.4	
Van Ness Campus (WTI)				
1. Bankhead Jones Act	Health, Education and Welfare	83.5	77.5	
2. Nelson Amendment Act	Health, Education and Welfare	25.0	25.0	
3. AIDP	Health, Education and Welfare	309.9	436.9	
4. CETA	Department of Labor	622.5	699.9	
5. Nursing Capitation	Health, Education and Welfare	52.6	35.5	
6. Special Services Project	Health, Education and Welfare	3.8	72.7	
7. Veterans Special Project	Health, Education and Welfare	31.4	78.7	
8. NASA Research Project	National Aeronautics and Space Administration	5.3	4.5	
9. Agriculture Experiment Station	Department of Agriculture	103.0	90.0	
10. Water Resources Research Center	Department of Agriculture	31.0	40.0	
11. Forest Management	Department of Agriculture	14.9	36.0	
12. NUFET	Department of Agriculture	227.6	....	
13. Pesticides Training Program	Environmental Protection Agency	10.8	....	
14. Cooperative Extension Service	Department of Agriculture	327.1	412.8	
15. College Library Resources	Health, Education and Welfare	3.9	3.9	
16. Instructional Equipment Program	Health, Education and Welfare	15.3	7.5	
17. Veterans Cost of Instruction	Health, Education and Welfare	41.2	48.0	
18. Basic Educational Opportunity Grant	Health, Education and Welfare	678.0	680.0	
19. College Work Study Program	Health, Education and Welfare	282.8	236.6	
20. LEEP Grants	Department of Justice	3.9	2.0	
21. National Direct Student Loan	Health, Education and Welfare	146.1	163.3	

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
University of the District of Columbia - contd.				
Van Ness Campus - continued				
22. Nursing Grants	Health, Education and Welfare	9.4	12.7	
23. Nursing Loans	Health, Education and Welfare	37.4	33.0	
24. Supplemental Educational Opportunity Grant	Health, Education and Welfare	249.2	321.1	
		3,473.5	3,517.6	
General Academic Instruction				
1. Upward Mobility College	Health, Education and Welfare			1,603.1
2. Project Start	Health, Education and Welfare			51.9
3. Training of Speech and Hearing Personnel	Health, Education and Welfare			31.0
4. Instructional Equipment	Health, Education and Welfare			7.0
5. Bankhead-Jones Act	Health, Education and Welfare			77.8
6. School of Gerontology - Research	Health, Education and Welfare			147.5
Career Instruction				
1. Nelson Amendment Act	Health, Education and Welfare			25.0
2. Bankhead-Jones Act	Health, Education and Welfare			77.5
Organized Research				
1. Non-destructive Verification of Insulation Integrity	National Aeronautics and Space Administration			43.5
2. Environmental Carcenogens - MBS	Health, Education and Welfare			122.4
3. Research Program in Heavy Metals	NASA			30.0
4. Research in Orbit Determination	NASA			17.7
5. Minority Institutions Science Improvements	National Science Foundation			64.2
6. Excitation Cross Section Measurement	NASA			39.4

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
University of the District of Columbia - contd.				
Organized Research - continued				
7. Advanced Institutional Development Program	Health, Education and Welfare			156.9
8. CETA	Department of Labor			761.0
9. Veterans Special Project	Veterans Administration			82.7
10. NASA Research Project	NASA			4.5
11. Agriculture Exp. Station	Department of Agriculture			90.0
12. Water Resources Research Center	Department of Agriculture			40.0
Public Service				
1. Cooperative Extension Service	Department of Agriculture			825.6
2. New Careers - Project Start	Health, Education and Welfare			52.7
Academic Support				
1. College Library Resources	Health, Education and Welfare			11.6
2. Black Film Institute	National Endowment for Arts and Humanities			20.0
3. Instructional Equipment	Health, Education and Welfare			7.5
Student Support				
1. College Work Study	Health, Education and Welfare			610.4
2. National Direct Student Loan	Health, Education and Welfare			288.8
3. Basic Educational Opportunity	Health, Education and Welfare			2,199.0
4. Supplemental Educational Opportunity	Health, Education and Welfare			798.4
5. Nursing Program	Health, Education and Welfare			70.8
6. LEEP	Health, Education and Welfare			2.0
7. Veterans Cost of Instruction	Veterans Administration			87.7

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
University of the District of Columbia - contd.				
Student Support - continued				
8. Special Student Services	Health, Education and Welfare			201.8
9. Nursing Capitation	Health, Education and Welfare			72.3
Subtotal		9,883.4	8,578.0	8,721.7
TOTAL, EDUCATION		50,146.3	47,495.5	47,639.2

FEDERAL ASSISTANCE/GRANTS TO THE DISTRICT OF COLUMBIA $ THOUSANDS

APPROPRIATION TITLE: Recreation

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
Department of Recreation				
1. Comprehensive Outdoor Recreation Plan	Department of Interior/BOR	60.7	60.7	64.0
2. Recreation Support Program	Community Services Administration	188.0	188.0	188.0
3. SCORE - Social Creative Opportunities Reaching the Elderly	Health, Education and Welfare	21.3	21.3	21.3
4. Youth Conservation Corps	Department of Agriculture	84.5	92.0	92.0
5. Benning Stoddert Lighting	Department of Interior/BOR	(66.9)	(25.5)	....
6. Douglas Community Recreation Center	Department of Interior/BOR	(119.5)	....	....
7. Morgan-Happy Hollow	Department of Interior/BOR	(130.9)	(4.1)	....
8. Kenilworth Parkside, Phase II	Department of Interior/BOR	(416.6)	....	....
9. East Potomac Park Pool	Department of Interior/BOR	(211.8)	....	....
10. Outdoor Play Courts Rehabilitation	Department of Interior/BOR	(144.4)	(155.6)	....
11. Frances Swimming Pool	Department of Interior/BOR	(59.8)	(40.2)	....
12. Shapiro Tract	Department of Interior/BOR	....	(100.0)	(416.1)
13. Lafayette Recreation Center	Department of Interior/BOR	....	(40.0)	(60.0)
14. Various Outdoor Grounds Development	Department of Interior/BOR	....	....	(735.0)
15. United Planning Organization - Community Action Programs	Community Services Administration/UPO	1,000.0	1,000.0	1,000.0
		1,354.5	1,362.0	1,365.3
National Children's Island				
1. Department of Commerce Economic Development Assistance	Department of Commerce/EDA	700.0	....	....
2. Housing and Urban Development (Title 701)	Department of HUD	60.0	....	....
3. CETA	Department of Labor	150.0	50.0	....
4. National Endowment for the Humanities	National Foundation on the Arts and Humanities	....	20.0	....
5. Development Disabilities	Health, Education and Welfare	....	150.0	....
6. Dept. of Interior, Bureau of Outdoor Recreation	Department of Interior/BOR	50.0	....	....
		960.0	220.0	....
TOTAL, RECREATION		2,314.5	1,582.0	1,365.3

FEDERAL ASSISTANCE/GRANTS TO THE DISTRICT OF COLUMBIA $ THOUSANDS

APPROPRIATION TITLE: Human Resources

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
Department of Human Resources				
1. Assistance for the Medically Needed	Health, Education and Welfare	3,640.5	2,824.7	3,733.8
2. Paternity and Child Support Enforcement	Health, Education and Welfare	433.1	1,014.3	1,014.3
3. Developing Plans for a State Training System	Health, Education and Welfare	4.7	68.2	....
4. Planning Development Activities and Health Statistics in the Cooperative Health Statistic System	Health, Education and Welfare	1.4	32.7	....
5. Implementation of Integrated Drug Abuse Reporting Process	Health, Education and Welfare	100.3	75.3	....
6. Health Insurance Benefits Program, SSA	Health, Education and Welfare	25.7	79.9	79.9
7. Comprehensive Health Planning	Health, Education and Welfare	111.0	....	....
8. Developmental Disabilities	Health, Education and Welfare	147.1	150.0	150.0
9. Drug Abuse Planning Grant	Health, Education and Welfare	447.0	693.6	693.6
10. Medical Emergency Communication Coordination Assessment (MECCA)	Health, Education and Welfare	492.3	61.1	61.1
11. Health Planning & Resource Development Program	Health, Education and Welfare	4.9	530.4	594.9
12. Academic Facilities	Health, Education and Welfare	....	6.0	6.0
13. Post-Secondary Planning (Section 1202)	Health, Education and Welfare	33.8	35.3	35.3
14. Community Service (Title I)	Health, Education and Welfare	65.8	124.8	124.8
15. State Student Incentive Grant	Health, Education and Welfare	344.7	436.5	436.5
16. Assistance for the Medically Needy	Health, Education and Welfare	3,401.3	4,009.8	3,502.2
17. Medicaid Hospitals	Health, Education and Welfare	46,300.5	44,808.0	40,547.4
18. Medicaid Physicians	Health, Education and Welfare	14,998.1	13,984.2	12,634.5
19. Medicaid Pharmacies	Health, Education and Welfare	5,453.3	5,051.9	4,571.5
20. Supplemental Medical Insurance	Health, Education and Welfare	1,461.5	1,244.7	1,126.3
21. Para-Professional Services	Health, Education and Welfare	2,234.1	2,196.5	1,987.6
22. Other Medical Services	Health, Education and Welfare	6,761.8	5,930.4	5,366.6
23. Assistance for the Medically Needy	Health, Education and Welfare	188.5	163.9	173.7
24. Title I - ESEA - Maple Glen	Health, Education and Welfare	18.7	....	....

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
Department of Human Resources - contd.				
25. Title I - ESEA - Oak Hill	Health, Education and Welfare	46.9	63.3	63.3
26. Title I - ESEA - Cedar Knoll	Health, Education and Welfare	59.2	88.9	88.9
27. Title I - Office of the Coordinator	Health, Education and Welfare	98.1	97.6	97.6
28. Title I - ESEA - Receiving Home	Health, Education and Welfare	....	4.3	4.3
29. Senior Citizens Lounges	Health, Education and Welfare	56.7	....	....
30. In-Service Training	Health, Education and Welfare	18.6	19.3	19.3
31. Social Security Trust Fund	Health, Education and Welfare	91.3	300.5	300.5
32. WIN - Self Support Services	Health, Education and Welfare	268.1	368.7	368.7
33. Title XVI - Vocational Rehabilitation Services	Health, Education and Welfare	188.9	283.4	283.4
34. Cooperative Agreement	Health, Education and Welfare	716.6	576.7	576.7
35. SSI Drug Addicts and Alcoholics	Health, Education and Welfare	15.8	25.0	25.0
36. Innovation and Expansion Program	Health, Education and Welfare	17.3	56.4	56.4
37. Project Access - GWU	Health, Education and Welfare	85.9	4.0	....
38. Client Assistance Project	Health, Education and Welfare	29.1	52.5	....
39. Children's Bureau	Health, Education and Welfare	174.1	184.6	184.6
40. Disability Determination	Health, Education and Welfare	1,033.1	1,587.7	1,647.3
41. State Conference on Handicapped Indiv.	Health, Education and Welfare	12.9	12.9	....
42. Program for Socialization of Handicapped Children	Health, Education and Welfare	....	3.3	....
43. Outreach Project	Health, Education and Welfare	3.7	3.8	....
44. Use of Various Techniques to Teach Youngsters with Learning and Emotional Problems	Health, Education and Welfare	....	7.0	....
45. Supplemental Services for DHR Clients	Health, Education and Welfare	37.9	41.8	....
46. Assistance for the Medically Needy	Health, Education and Welfare	1,142.3	1,123.9	1,059.7
47. Supplement Funds for Emotionally Disturbed	Health, Education and Welfare	3.3	3.3	....
48. Mental Health	Health, Education and Welfare	76.2	77.2	77.2
49. Kalorama House - Staffing	Health, Education and Welfare	23.1	23.1	....
50. Community Mental Health Center	Health, Education and Welfare	102.0	108.1	108.1

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
Department of Human Resources - contd.				
51. Staffing Grant for Children's Services	Health, Education and Welfare	90.4	95.8	95.8
52. Direct Reeducation for Emotionally Disturbed Pupils	Health, Education and Welfare	9.8	10.4	10.4
53. Therapeutic Day School, Area B	Health, Education and Welfare	16.2	19.9	19.9
54. Area C Youth Services, Title I	Health, Education and Welfare	16.9	10.8	....
55. Therapeutic Day Nursery, Area C, Title I	Health, Education and Welfare	7.3	9.4	....
56. Area B, Therapeutic Nursery School	Health, Education and Welfare	1.4	4.7	....
57. Forest Haven - Title I	Health, Education and Welfare	60.5	149.5	149.5
58. Concentrated Employment and Training Agreement - Forest Haven	Health, Education and Welfare	9.5	20.0	20.0
59. Title I - Development Services Center - Area C	Health, Education and Welfare	38.3	26.5	....
60. State Plans for Comprehensive Alcoholism Program	Health, Education and Welfare	200.0	191.5	200.0
61. D.C. Veterans Home	Health, Education and Welfare	294.3	298.2	298.2
62. Alcoholic Prevention Program	Health, Education and Welfare	28.4	30.1	28.3
63. Implementation of Uniform Alcoholism and Intoxification Treatment Act	Health, Education and Welfare	120.0	126.5	126.5
64. Assistance for the Medically Needy	Health, Education and Welfare	3,332.7	3,626.2	3,818.0
65. Comprehensive Health Services	Health, Education and Welfare	431.6	431.6	431.6
66. Immunization Program	Health, Education and Welfare	43.8	62.3	....
67. Veneral Disease	Health, Education and Welfare	79.8	145.5	170.4
68. Plumbism Screening and Environmental Clean-up in D.C.	Health, Education and Welfare	189.4	301.4	301.4
69. Residency Program in Preventive Medicine	Health, Education and Welfare	....	....	....
70. National Influenza Immunization Program	Health, Education and Welfare	88.4	....	....
71. Development of Basic Living Skills for Severely Multi-handicapped	Health, Education and Welfare	4.1	4.2	....
72. Hypertension - 314D	Health, Education and Welfare	12.6	39.8	39.8
73. Maternal and Child Health "A"	Health, Education and Welfare	387.1	398.2	398.2
74. Maternal and Child Health "B"	Health, Education and Welfare	71.0	70.0	70.0
75. Crippled Children "A"	Health, Education and Welfare	178.3	198.2	198.2
76. Crippled Children "B"	Health, Education and Welfare	56.6	70.0	70.0

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
Department of Human Resources - contd.				
77. Developmental Evaluation Clinic	Health, Education and Welfare	88.0	145.5	145.6
78. MCH Program of Special Projects, 516	Health, Education and Welfare	4,446.1	4,446.1	4,446.1
79. Title I School Health Aides	Health, Education and Welfare	163.1	....	....
80. Communication Skills Development Center (Early Intervention for Handicapped Infants Ages 0-3)	Health, Education and Welfare	3.4	72.0	72.0
81. MIC Medicaid Reimbursements	Health, Education and Welfare	135.9	85.6	85.6
82. C&Y Medicaid Reimbursements	Health, Education and Welfare	206.3	169.4	169.4
83. Crippled Children Medicaid Reimbursement	Health, Education and Welfare	182.1	195.0	195.0
84. Assistance for the Medically Needy	Health, Education and Welfare	15.9	14.8	17.0
85. F.E.A.T.S.	Health, Education and Welfare	379.2	....	....
86. Drug Abuse Demonstration	Health, Education and Welfare	180.8	209.7	209.7
87. T.R.A.I.N. I (Pick-up), II (New)	Health, Education and Welfare	48.7	689.1	689.1
TOTAL, HUMAN RESOURCES		102,757.0	101,118.4	94,343.2

FEDERAL ASSISTANCE/GRANTS TO THE DISTRICT OF COLUMBIA
APPROPRIATION TITLE: Transportation

$ THOUSANDS

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
Department of Transportation				
1. Administrative Adjudication	U.S. Dept. of Transportation	8.1	191.7	....
2. Highway Safety Program Evaluation	U.S. Dept. of Transportation	2.2	12.0	6.0
3. High Accident Location	U.S. Dept. of Transportation	85.5	41.2	36.0
4. Design Standards	U.S. Dept. of Transportation	.9	55.3	29.7
5. Traffice Volume Data Systems	U.S. Dept. of Transportation	14.6	17.2	....
6. Sign Installation Truck	U.S. Dept. of Transportation	34.8	....	....
7. Communications	U.S. Dept. of Transportation	18.1	18.2	21.3
8. Safety Device Inventory	U.S. Dept. of Transportation	....	22.0	22.0
9. Mobile Traffic Engr. Laboratory	U.S. Dept. of Transportation	....	14.5	14.5
10. Annual Impact Attenuator	U.S. Dept. of Transportation	....	19.0	19.0
11. Transit Assistance to the Elderly and Handicapped	U.S. Dept. of Transportation	68.9	111.0	204.2
12. Planning and Administration	U.S. Dept. of Transportation	126.2	133.0	80.0
13. Alcohol Counter Measures	U.S. Dept. of Transportation	12.3	43.5	18.4
14. Pedestrian Safety	U.S. Dept. of Transportation	.6	83.3	60.3
15. Alcohol Problems Clinic	U.S. Dept. of Transportation	8.1	....	....
16. Highway Safety Block Grant	U.S. Dept. of Transportation	- 261.5	692.5	439.1
17. Pilot Diagnostic Inspection Demonstration Project	U.S. Dept. of Transportation	- 4.0	....	....
18. Motor Vehicle Diagnostic Inspection Demonstration	U.S. Dept. of Transportation	495.4	....	....
19. Driver Licensing - Automated Testing	U.S. Dept. of Transportation	....	44.0	42.8
20. Problem Drinker - Driver Identification Through Licensing	U.S. Dept. of Transportation	35.4	....	....
21. Truck and Bus Inspection Demonstration Project	U.S. Dept. of Transportation	....	149.0	....
22. Administrative Adjudication	U.S. Dept. of Transportation	....	127.9	127.9
TOTAL, TRANSPORTATION		1,168.6	1,647.4	1,121.2

FEDERAL ASSISTANCE/GRANTS TO THE DISTRICT OF COLUMBIA $ THOUSANDS

APPROPRIATION TITLE: Environmental Services

AGENCY AND GRANT PROGRAM	FUNDING SOURCE	PAST YEAR OBLIGATIONS FY 1977	CURRENT YEAR OBLIGATIONS FY 1978	BUDGET YEAR OBLIGATIONS FY 1979
Department of Environmental Services				
1. Water Resources Planning Grant	Environmental Protection Agency	41.2	83.3	81.2
2. Beautification Program	Environmental Protection Agency	95.6	....	....
3. General Liaison and Technical Assistance Program	Environmental Protection Agency	7.5	74.0	....
4. Automation of Advance Wastewater Treatment	Environmental Protection Agency	48.0	....	....
5. Evaluation of Alternate Dewatering Servs.	Environmental Protection Agency	92.0	12.0	....
6. Wastewater Treatment Plant Operator Training Facility Program	Environmental Protection Agency	110.7	137.1	....
7. Evaluation of Dewatering Devices	Environmental Protection Agency	42.8	....	....
8. Water Pollution Control Program	Environmental Protection Agency	94.9	103.5	139.2
9. Water Pollution Control Program	Environmental Protection Agency	129.3	135.0	162.4
10. War on Rats Program	Health, Education and Welfare	440.9	449.5	649.6
11. Hazardous Waste Studies	Environmental Protection Agency	30.4	....	....
12. Mercury Cadmium Input Studies	Environmental Protection Agency	60.5	....	....
13. Air Pollution Control Program	Environmental Protection Agency	180.6	240.0	290.0
14. Manpower Environmental Health Assistance	Environmental Protection Agency	.2	.1	....
15. Field Testing of Diagnostic X-Ray Equipment	Environmental Protection Agency	10.0	16.6	....
16. FDA Food Services Inspection Program for the Bicentennial	Department of Agriculture	165.2	175.5	....
17. Pesticide Enforcement Program	Environmental Protection Agency	62.3	37.0	....
18. Transfers - Non Add		(90.5)	(77.8)	(71.5)
TOTAL, ENVIRONMENTAL SERVICES		1,382.6	1,431.4	1,322.4
GRAND TOTAL, FEDERAL GRANTS		314,380.0	311,902.6	265,754.1

PROGRAM REDUCTIONS IN THE BUDGET

Senator LEAHY. Mr. Coppie, the testimony reflects $1,042,000 in reductions have been made to various areas of your budget. The result could be a loss in program effectiveness. Why don't you address that in any way you would like. I am particularly interested in knowing what the loss in program effectiveness might be. We have been talking about everybody's increases. Here is a reduction, and I would like to know how you react to that.

Mr. COPPIE. Mr. Chairman, the city, as you of course know, is implementing a program of retrenchment. In the 1979 budget, final action was taken by the city to make certain cuts in the Office of Budget and Management Systems, which, in our judgment, will jeopardize the program effectiveness in the 1979 budget if they are finally carried out.

Nevertheless, in saying that, I understand the retrenchment period we are in.

REDUCTION OF EXECUTIVE MANAGEMENT AND MUNICIPAL AUDIT STAFF

Two of the major adjustments that have been taken will be in part corrected by an amendment to the 1979 budget, which will hopefully be before the final markup. But right now this budget from my office envisions the phaseout entirely of what we call the executive management staff in the 1979 fiscal year. And then it envisions a reduction of about one-third of the Executive Office of Municipal Audit and Inspection. The amendment will restore this funding with the understanding they will phase out in 1980. In order to avoid a reduction in force in the 1979 year, the amendment would restore the funding with the understanding we phasedown and phaseout in a more normal pattern. In my judgment, this is going to represent a loss in program effectiveness for the city.

REDUCTION IN COMPUTER OPERATIONS

There is another adjustment in the area of computer operations that is more than $100,000; that is also going to be felt by us in terms of our ability to properly carry out the payroll and accounting work that relates back to computer services in this area. We are just simply going to have to look at the alternatives open to us.

I would underscore, Mr. Chairman, that we are in a period of retrenchment. I am prepared to live with my responsibility to see that some of that impacts on OBMS. In saying that, I feel I do have a responsibility to point out the program loss.

SHARED COST OF TEMPORARY COMMISSION ON FINANCIAL OVERSIGHT

Senator LEAHY. We are going to have the Temporary Commission on Financial Oversight of the District of Columbia here in a few days. What are their total obligations? What is the city's share of their obligation?

Mr. COPPIE. The authorization, Mr. Chairman, in the public law is $16 million, and the city's share of that is half, or $8 million. This budget for 1979 requests $3 million as our share of the total $6

million that is requested in 1979; that is $3 million in Federal funds, and $3 million in District funds.

Senator LEAHY. Mr. Coppie, I do share some of your concerns in the areas of reduction. I have a series of questions that with your consideration I would like to submit to you for answers for the record. They go into the area of reduction, reductions in audit activity, and so on. Because we are concerned, and I would be interested in hearing what the responses are.

Mr. COPPIE. Thank you.

INCREASE REQUESTED

I would like to just, with your permission, speak to one increase for 1979.

Senator LEAHY. Certainly.

Mr. COPPIE. We do request funding for 13 positions and approximately $285,000 for the Resource Management Improvement Division in my office. That is the division that is concerned with our multiyear planning and forecasting system and performance monitoring and productivity. Both of those responsibilities are authorized by the charter, and the Mayor is required on an annual basis to submit reports to the Congress with regard to those two areas. Indispensable to this is this requested increase for 1979.

Parenthetically, Mr. Chairman, and somewhat prematurely, I would like to bring to your attention that later today and later this week you will be learning more about national recognition that is coming to this city for the work that we have done in the multiyear forecasting. I am merely going to outline to you this morning that this request is critical in 1979.

Senator LEAHY. Thank you. I will look forward to that later in the week. I appreciate your bringing that to my attention. Thank you, Mr. Coppie.

SUBMITTED QUESTIONS

I do have some additional questions which I would like to have you answer for the record. Also if you would like to expand on any of the questions I have asked today, please feel free to do so.

Mr. COPPIE. I will be glad to provide the answers for the record and thanks for the opportunity to expand on the questions you asked this morning.

[The following questions were not asked at the hearing but were submitted to the Department for response subsequent to the hearing:]

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Questions Submitted by Senator Leahy

OFFICE OF BUDGET AND MANAGEMENT SYSTEMS

A. 33% Reduction in Audit Activity

QUESTION:
1. The budget request for the Office of Municipal Audit and Inspection provides for a reduction of 10 positions; this amounts to a reduction of one-third of the audit staff. The budget justification, however, does not support this reduction; the narrative emphasizes the need of more internal auditors to provide adequate coverage of District operations. The budget justification states that 82 man-years are necessary to provide acceptable standards of frequency for audits of District programs. According to the justification, it is impossible to perform audits on the basis of assigned standards of frequency, and that with a further reduction of one-third of the staff, audit frequency would be reduced to a dangerously low level. Why is there a reduction of 10 positions in this vital area?

ANSWER:
1. The reduction originated in the City Council's Committee on Government Operations. That Committee, following its review of the Fiscal Year 1979 budget requests, submitted a report to the Council's Committee of the Whole for its approval. That report included the following recommendation with regard to the Office of Municipal Audit and Inspection which was subsequently approved by the City Council along with other recommended changes in the City's 1979 budget.

> "The Committee recommends a fifty per cent reduction in the Office of the Municipal Auditor (OMA&I), increased by redirection from Account No. 400 in the amount of $142.6. This redirection will sustain the funding of five auditors and their related expenses and benefits. The Committee shows this figure as $130.4 in personal services; $12.2 in personnel benefits. The Committee is recommending this level of funding with the comment that OMA&I audit priorities should be in areas of financial management. Federal grant audits should receive a lower priority, unless funded as part of the grant itself. Programmatic audits should be the principal focus of the Auditor of the District of Columbia. All audit agencies, the OMA&I, D.C. Auditor, and GAO should closely coordinate their activities in this dollar scarce area."

When the proposed 1979 budget was submitted to the Mayor by the Council for approval of the Council's changes, one of the changes he disapproved was the reduction of staff of the Office of Municipal Audit and Inspection. His disapproval of this reduction was subsequently overridden by the Council.

QUESTION:
2. What are the actual cost savings resulting from the internal audit work? Are they sufficient to cover the cost of operating the Office of Municipal Audit and Inspection?

ANSWER:
2. Cost savings resulting from internal audit work over the years have been substantial and have far exceeded the cost of operating the

office. However, actual cost savings measured in terms of dollars, cannot be readily established as the sole basis for determining the accomplishments of the internal audit work performed. Many benefits that are difficult or virtually impossible to measure accrue to the City as a result of internal work. Some examples of these are the deterrent effect audits have on fraud and waste, the timeliness of information on problems which enables management to take remedial measures before the functioning of an organization is impaired, the identification of errors and error trends in financial and program information enabling management officials to obtain more reliable information for use in making decisions, improving the effectiveness of government operations and helping to maintain public confidence in government.

Listed below are the estimated cost savings resulting from internal audit work for fiscal years 1974 through 1977. Also shown are the operating expenses for OMAI paid from appropriated and grant funds for the same periods.

Fiscal Year	Estimated Cost Savings	Operating Expenses
1974	$17,860,189	$689,116
1975	6,869,711	767,749
1976	3,717,669	708,135
Transition Quarter July 1976 - Sept. 1976	238,292	174,654
1977	1,378,002	708,449

QUESTION:
3. What efforts have been made by the Office of Municipal Audit and Inspection to improve its audit coverage? For example, could some of the recurring annual audits be performed on a cycle basis, say every 3 years, thereby permitting reviews in other areas?

ANSWER:
3. The Office of Municipal Audit and Inspection has continually strived to improve its audit coverage despite increased audit workload and reduction of audit staff. One of the ways we have expanded our audit coverage and at the same time avoided duplication of audit effort is by coordinating our audits with other audit organizations such as the General Accounting Office and the District of Columbia Auditor. We furnish them with our proposed audit plan and they in turn notify us when they are planning to perform an audit or review in any District department or agency.

The only audits that are performed on a recurring annual basis are those that we are required by law or regulation to perform. This includes the D.C. Armory and Stadium, and the accounts of the D.C. Superior Court. Other audits are performed on the basis of urgent requests by management officials or on a cyclical basis of more than one year. In order to provide more effective audit coverage, audits are scheduled on a priority basis which is designed to place the less significant and less urgent audits on longer cycles, frequently in excess of three years.

QUESTION:
4. What percentage of the internal audit work is "financial" type work and what percent is "program" type work? Should the internal auditors perform more "program" type work?

ANSWER:
4. All audits by OMAI are performed in accordance with the Standards for Audit of Governmental Organizations, Programs, and Activities and Functions as set forth by the U.S. General Accounting Office. These standards provide for a scope of audit that includes not only financial and compliance auditing but also auditing for economy, efficiency, and achievement of desired results. The last element is defined by GAO as an audit of "program results" which "determines whether the desired results or benefits are being achieved, whether the objectives established by the legislature or other authorizing body are being met, and whether the agency has considered alternatives which might yield desired results at a lower cost."

During the past several years our audits have included the financial compliance, and economy and efficiency elements in most of our work depending on the nature of the assignment. However, we have not included reviews of program results simply because of the lack of staff. A review of program results or "program" audit is more comprehensive and consequently requires more audit time.

The Office of Municipal Audit and Inspection by virtue of its responsibilities to provide internal audits of the District Government's operations in accordance with the GAO standards should perform program audits. Realistically this responsibility can only be met with sufficient audit staff which will enable us to provide adequate audit coverage in all areas of District operations. We cannot devote our present staff to program audits at the risk of neglecting other critical audit needs and requirements.

Considerable effort is being made by the District Government to improve its financial management system as mandated by Congress under Public Law 94-399. An essential element of the management control system is the internal audit function. In order to assure that the new financial management system continues to function effectively will require continuous monitoring and evaluation by internal audit. This can only be done if sufficient internal audit staff is available to perform this function.

We therefore feel that we must direct our major audit efforts to reviewing the financial management systems. Until such time as we are authorized more staff to do program audits, we must of necessity give it a low priority.

QUESTION:
5. If the 10 positions are restored what type audits would they perform? Where? What would be the expected results?

ANSWER:
5. If the 10 positions are restored they will be utilized in attempting to provide adequate audit coverage for our existing highest priority workload, performing newly legislated annual audits,

assisting in the work required to enable an independent auditor to express an opinion on the financial position of the District, and most importantly meeting new requirements for audit coverage in rapidly developing and changing areas of financial management systems.

We have previously set forth the requirements for meeting the existing audit coverage needs of the District and stated that the proposed 10 position reduction will seriously restrict vital internal audit coverage. The GAO has on numerous occasions in the past two years recommended that the District provide additional internal audit coverage in areas which GAO believes significant savings can be realized. In six separate audit reports during FY 1976 and 1977 GAO recommended additional internal audits in the procurement and inventory control areas; however, with existing audit staff we cannot provide the recommended audit coverage.

Since the advent of Home Rule, the City Council has legislated that additional annual audits be performed of the D.C. General Hospital Commission and the Boxing and Wrestling Commission. A recent bill proposed by the Mayor includes provision for an annual audit of the financial assistance program for medical and dental students.

The cost of the annual independent audit required by P.L. 94-399 can be substantially reduced by the independent auditor being able to limit his work because of reliance on internal audit work. The restoration of 10 positions will enable OMAI to perform a significant amount of additional audit work which will assist the independent auditor and reduce the cost to the District of that annual examination.

In addition to the areas cited above, there are many areas which will require new or increased audit emphasis because of basic changes currently being implemented in the District's financial management system. The District, for example, is currently changing to the use of commercial depositories to handle cash deposit and check writing functions and the use of District staff to handle cash management and investment activities. With these vital and extremely vulnerable areas being no longer handled by the U.S. Treasury, we believe that increased audit review will be mandatory.

The District's financial management staff and the Temporary Commission on Financial Oversight are in the process of making major changes in the overall financial management system of the District. The Temporary Commission has already awarded contracts for the development of a District-wide financial management system and sub-system for water-sewer billings and hospital patient billings. The development of any new system without the capability of periodically monitoring and evaluating the performance of these new systems can only lead to a recurrence of problems which have long plagued the District.

Related to the new systems development is an increase in the complexity of computer hardware and software supporting new financial and program information systems. In current third-generation computers, especially in real-time systems, the complexity involved in adequately auditing the information produced requires extensive planning and training for audit staff. We have over the past several years been attempting to upgrade the capability of the District's internal audit staff in this vital area. Due to other audit work

requirements this effort can be continued only with the restoration of the 10 positions.

The results expected from the restoration of the 10 positions are difficult to quantify in terms of dollars. We believe we have documented the savings and related benefits which OMAI has produced in prior years both in terms of increased revenues and cost reductions. It is more difficult to measure the cost to the District Government of the loss of confidence of the residents of the City in their governmental and the loss of confidence of business and financial officials because of published reports of inept management and unreliable or misleading financial and programmatic information. We believe that an effective internal audit program will not only provide a return which far exceeds its cost but will substantially contribute to the maintenance of adequate financial and programmatic management systems. The restoration of the 10 positions will not provide sufficient staff for full audit coverage of the entire District government, but the restoration is essential to prevent that coverage from reaching a dangerously low level.

QUESTION:
6. The justification material (p. 69) noted that recommendations from 5 audit reports made during FY 1976, if implemented, could result in savings in excess of $3 million.
6a. What are these recommendations?
6b. Have they been implemented (If not, why not?)

ANSWER:
6. Audit and Review of Parking Meter Collections (Audit No. 500-54)

This report contained 17 recommendations addressed to the Department of Finance and Revenue and Department of Transportation. The recommendations concerned the need to strengthen controls over collections, security of equipment, maintenance of records and to coordinate the parking meter operation between the two departments involved. In our report we projected the maximum potential revenue which could be realized to be about $4.8 million annually. The maximum revenue would be obtained assuming all meters were in use during all available meter hours in the year and all fees were put into the meters and collected. During fiscal year 1974 the District realized $1.2 million from meter receipts or about 25 percent of the maximum potential.

As a result of our audit an interagency project team was established for the purpose of redesigning the parking meter operations. After a detailed study of the District's parking meter system, parking meter management practices of six major cities, and coin handling and collection procedures of several private companies, the project team made a series of additional recommendations all of which were implemented by September, 1977.

The implementation of the various recommendations has resulted in revenues of $2.8 million in FY 1977, an increase of $1.6 million over FY 1974. According to the District's Program Performance Report for Fiscal Year 1977, the parking meter revenues are expected to reach $3.8 million in Fiscal Year 1978 and further increases are expected in future years.

Review of Bookstore Operations (Audit No. 560-96)

Our audit of the bookstore operations disclosed that the Federal City College bookstore was being operated in an inefficient and uneconomical manner. Weaknesses noted in the procedures and records indicated a serious lack of control and accountability of bookstore assets. As a result, we were unable to determine the result of operations for any prior fiscal period. Moreover, an analysis of bookstore records disclosed an inventory shortage estimated to be in excess of $190,000.

Recommendations were made to strengthen the control over accounting records and procedures, accounts receivable and inventories. We also expressed the opinion that, in view of the current economic pressures being experienced by the College and the District Government as a whole, the College should consider allowing an independent contractor to operate their bookstore under a lease agreement. Such action could result in a substantial savings. Appropriated funds expended for bookstore operation in fiscal year 1975 amounted to $343,315. However, revenue from sales deposited with District Treasury for this period were only $234,728, or $108,587 less than operating costs. In addition the efforts of administrative and support services personnel of both the College and the District's central services can be redirected to other areas. Numerous colleges and universities have bookstores operated by private contractors. For example, Catholic University has had such an arrangement since 1971.

The President of the former Federal City College responded that action had been taken to comply with the recommendations. In regards tothe last recommendation to consider an independent contractor to operate the bookstore under a lease agreement, the President informed us that letters were sent to three potential bookstore operators to assess the desirability of a lease arrangement, and that replies have been received from two. However, the College felt that a decision on this matter should be delayed until the structure of the University of the District of Columbia was finalized.

As of June 8, 1978, the bookstore located at the Georgia Avenue Harvard Street Campus has been operated under a contract arrangement. We were informed that consideration is being given to operating the other bookstores under the same arrangement.

Review of Project Build, Inc., Cost of Supportive Services Training Furnished Under D.C. Formal Agreement No. HT 7408, Federal Aid Project 110-1 (Audit No. 643-50)

During our review of a contract between Project Build, Inc., and District of Columbia we disallowed $3,663.71 of billed costs. This amount was deducted from the balance due the contractor before final payment by the agency.

Audit of Contract between the District of Columbia and H. R. Simon, Inc. (Audit No. 642-30)

At the request of the Director, Department of General Services, we were requested to determine the accuracy of silver recovery credit provided for in the subject contract. The silver recovery credit

results from the sale of silver extracted from a solution (fixer) used in the developing of x-ray film by District facilities. At the conclusion of our audit we reported an additional $3,309.41 in silver credits and $100.95 in an overpayment of billed costs, due the District because of the contractors computation errors. An adjustment was made on subsequent billings to recover these amounts.

Review of the Financial Management of the Board of Elections and Ethics (Audit No. 602-5)

As a result of our audit of the Board of Elections and Ethics (BE), we recommended that recovery be made of $2,010 representing dual compensation paid to full-time employees of other District agencies for services performed for BE. This and other recommendations designed to improve the financial management system of BE were implemented.

The following is the listing of the above reports containing recommendations which would result in cost savings and additional revenues:

Elections and Ethics, Board of	
Review of the Financial Management of the Board of Elections and Ethics (Audit No. 602-5)	$ 2,010
Federal City College	
Review of Bookstore Operations (Audit No. 560-96)	108,587
Finance and Revenue, Department of	
Audit and Review of Parking Meter Collections (Audit No. 500-54)	3,600,000
General Services, Department of	
Audit of Contract No. 0078-AA-65-0-S-BM between the District of Columbia and H. R. Simon, Inc. (Audit No. 642-30)	3,410
Transportation, Department of	
Review of Project Build, Inc., Cost of Supportive Services Training Furnished Under D.C. Formal Agreement No. HT 7408, Federal Aid Project 110-1 (Audit No. 643-50)	3,662
Total	$3,717,669

QUESTION:

6c. What are the Division's accomplishments since FY 1976?

ANSWER:

6c. During the Transaction Quarter and Fiscal Year 1977, we submitted 64 reports to the Mayor, heads of District departments and agencies or other District officials. These reports contained audit findings, conclusions, and recommendations to department or agency heads for

corrective action. Total measurable savings as a result of our audits are estimated at nearly $1.6 million in cash collections or expenditure reductions. In addition, financial savings or other operational and program improvements which are not readily measurable in terms of dollars resulted from our audit work.

The following is the listing of the above reports containing the audit findings, conclusions, and recommendations for corrective action.

Budget and Management Systems	
Review of User Charges Assessed by the District of Columbia (Audit No. 510-90)	$1,000,000
Corrections	
* Audit of Procedures and Guidelines - Payments for District Offenders Incarcerated in Federal Institutions (Audit No. 602-37)	13,000
Criminal Justice Plans and Analysis	
* Review of 1973-1974 LEAA Grant Funds Awarded to Georgetown University (Audit No. 631-80)	8,970
Review of LEAA Funds Awarded National Council of Negro Women (Audit No. 631-89)	1,953
General Services	
Investigation of Trash Compactor (Vehicle) Fires at Lorton Landfill (Audit No. 752-81)	100,000
Human Resources	
Audit of Deaf-Blind Project Gallaudet College (Audit No. 732-27)	292
Municipal Planning Office	
* Review of Allegations Made Relative to the Financial Operations of the Black Women's Community Development Foundation (Audit No. 632-58)	62,620
Public Schools	
Dual Compensation (Audit No. 752-37)	479
Recreation	
Audit of Trust Fund (Audit No. 500-93)	1,603

* Audits performed during transition quarter.

Transportation

* Audit and Review of Records and Procedures for the Capital Outlay Program (Audit No. 400-11)	$ 63,702
Review of Costs Claimed for Highway Safety Projects Funded by the U.S. Department of Transportation for the Period July 1, 1974 to March 31, 1976 (Audit No. 600-83)	733
Review of the Afro-American Bicentennial Corp. - Cost of Consultant Services Furnished Under D.C. Formal Agreement No. HT 7305, Federal Aid Project No. I-295-2(42)5 (Audit No. 742-41)	30,900

University of the District of Columbia

Loss of Funds - School of Continuing Education (Audit No. 652-95)	2,225
Audit of DHEW Grant No. OEG-0-7-4212 - Special Services Project in Higher Education (Audit No. 732-20)	1,102
Audit of DHEW Grant No. J03-76-00168(482) Special Student Services Project in Higher Education (Audit No. 732-75)	420
Transition Quarter Total	$ 238,292
FY 1977 Total	1,378,002
Grand Total	1,616,294

*Audits performed during transition quarter.

B. Abolishing the Executive Management Division

QUESTION:
1. Why is the City proposing to abolish the Executive Management Division?

ANSWER:
1. This action, coupled with the one-third reduction in the Municipal Audit and Inspection Division, was an economy move initiated by the Council of the District of Columbia. The Council took this action without prejudice to the effectiveness of the Executive Management and Municipal Audit and Inspection Divisions.

In order to prepare for an orderly phase-out and phase-down of these Offices, restoration of these reductions is being requested in the FY 1979 Budget Amendment.

C. Reductions in Funding for Financial Operations

QUESTION:
1. The City is proposing a $645,800 reduction (p. 78) to funding for Financial Operations which is a 23% reduction from the FY 1978 level. All the program measures for this office (p. 59-60) show constant or expanded levels of activity for FY 1979 over the FY 1978 level.

1a. Is it realistic to assume that you can maintain and expand your activity level with a 23% reduction in funding?

1b. Please explain the nature of the efficiency improvements that are being proposed.

ANSWER:
1. Almost all the $645,800 reduction is a redirection because of a change in the budget structure. Funds for the City's staff that is working with the Temporary Commission on Financial Oversight of the District of Columbia will be shown in a separate budget structure in Fiscal Year 1979 (Financial Systems Development) instead of in Financial Operations as it is shown in Fiscal Year 1978.

Funds for this activity have been reduced in Fiscal Year 1979 by $316,000 below the 1978 level, however. Continuation of funding at the Fiscal Year 1978 level would have allowed the City to assign people to work on a full-time basis with the consultants in the development of new systems. This approach would have provided the consultants with better information about the City, and it would have enabled the District to anticipate and resolve problems in an early stage of the development effort.

There is also a $186,600 reduction for computer services necessary to support the City's financial management systems. An attempt will be made to secure reimbursements to recover at least part of the reduction. But at this time no resources have been identified. This reduction would result in a reduction in staff. While the staff provided in the Fiscal Year 1979 budget would be adequate to maintain current systems, it would not allow for the training necessary to enable the City to maintain the new systems being developed by the Temporary Commission on Financial Oversight of the District of Columbia. Staff would not have the time to work with the consultants in the development of the systems. The Fiscal Year 1978 level of funding would allow the City staff to do this and would result in the development of a nucleus of professionals intimately familiar with the new systems that the City will have the responsibility for maintaining beginning in Fiscal Year 1980.

D. Output of the Performance Monitoring System

QUESTION:
1. In 1976, the District instituted a Performance Monitoring System (PMS) to measure the productivity in city programs and services. What is the basic approach under the PMS?

ANSWER:
1. The Performance Monitoring System (PMS) is a mechanism for tracking program performance, identifying improvement opportunities, and

making improvements. Managers of the programs in the 14 agencies participating in PMS developed quantitative measures of performance in conjunction with analysts from the Office of Budget and Management (OBMS). Examples of performance measures are number of emergency building repair orders completed, tons per manhour of household refuse collected, and average waiting time for vehicle inspection. At the beginning of each Fiscal Year, managers establish target values for performance measures; the targets are for the quarter and for the year. Then each month these managers report actual performance values of measures on special forms developed by OBMS. Each quarter, as well as at the end of the year, actual performance is compared to target, also using a standard report form. Managers within the respective agencies review these reports and decide what actions are needed to keep performance on course. Where PMS reports or other sources of information reveal the need to study an operation for possible changes in service delivery methods, special productivity improvement projects are carried out by agencies and OBMS jointly. Through such projects, changes in program operations are designed and implemented in order to achieve productivity gains in the form of higher level of service, cost savings, or increased revenue collections.

The Resource Management Improvements Division (RMID) of the Office of Budget and Management Systems (OBMS) is responsible for coordinating PMS reporting and for assisting program managers with improvement efforts. RMID staff also provide briefings for the Mayor to inform him of improvements made through PMS and of issues requiring Mayoral action.

QUESTION:
2. What percentage of the District's budget is covered by the PMS?

ANSWER:
2. Approximately 46 percent of the District of Columbia appropriated operating budget under the Mayor's control is covered by the PMS.

QUESTION:
3. How are specific goals set, and who establishes them?

ANSWER:
3. Targets, or goals, for quantitative performance measures in the PMS are developed by operating program managers, who are provided technical assistance in this task by analysts from OBMS. Targets are reviewed by higher levels of agency management and approved by agency directors.

QUESTION:
4. Are the goals integrated with overall agency objectives?

ANSWER:
4. Targets, or goals, for quantitative measures in the PMS are integrated with overall agency objectives in two ways. First, targets are developed by operating program managers, who take into account the program objectives in the development process. Since PMS is organized on the basis of an agency's program structure, which in turn supports agency objectives, the foundation for congruence between targets and overall objectives is laid at the beginning of the process. Further-

more, agency head cognizance and approval of the targets, frequently backed up by agency top management staff analysis, insures that targets of the various programs mesh together to support overall agency objectives.

QUESTION:
5. What are the incentives for improved performance?

ANSWER:
5. Incentives for improved program performance in the District of Columbia Government include:

- the pressure exerted on agency budgets due to rising costs and increasing workloads. Additionally, there is Mayoral, citizen, Council, and Congressional pressure to maintain service levels despite budgets that are austere.

- the reward of public recognition for good performance. PMS staff increase the visibility of good performance through the annual Program Performance Report mandated by the City Charter.

- the provision of technical assistance to managers who are striving to improve their organization's effectiveness and efficiency. Such assistance makes management's job less burdensome and permits greater reliance on planned rather than "crisis" management.

- a greater chance of advancement for those managers who lead their workers to better performance.

QUESTION:
6. Are the PMS results used as a basis for determining funding levels?

ANSWER:
6. One initial emphasis of PMS was on improving program performance despite austere funding levels that were in fact already being implemented. For example, one early project in housing inspection was designed to maintain program performance in the face of a constant or declining funding level. Another early direction for PMS was on future cost avoidance, such as reducing the crew size in household refuse collection. Occasionally a PMS project would specify funding for a program operation which would repay itself many times over in increased revenue collection, such as in the District's parking meter operation, where revenues doubled in two years to $2.8 million in FY 1977. All of these efforts and others serve as a partial basis for determining funding levels in some District Government operations.

PMS progress to date lays the groundwork for increasing integration with the budget process. Measurement of program performance, research into the linkages between resource inputs and service delivery output, and specification and management of improvement activities are all elements of an ever greater involvement of PMS staff with resource allocation.

QUESTION:
7. What has been the history of agencies' productivity under the PMS?

ANSWER:
7. The history of agencies' productivity as measured by PMS has shown continual improvement. These improvements are detailed every year in the District's Program Performance Report, last issued in January, 1978. Highlights of productivity improvements include:

- Over 10,000 manhours per month have been saved in the Department of Environmental Services household refuse collection program as a result of reducing crew size from 4 to 3 men.

- Crew productivity, as measured in square yards swept per crew-day, has increased 22 percent as a result of new street cleaning procedures being tested in one residential area of the City and soon to be instituted citywide.

- A modernized parking meter coin collection and maintenance system, operated by the Department of Transportation, has yielded $1.5 million in additional revenues to the City. Out-of-order parking meters have been reduced to a tenth of the former level.

- To make more productive use of the Fire Department's Emergency Ambulance Service, ambulances have been redeployed to minimize the chance of no ambulance being available when needed.

- Due to methods improvements, housing inspectors from the Department of Housing and Community Development are finding 19 percent more previously unidentified code violations.

- A new schedule of business license expiration dates is being implemented to balance the workload and thus reduce the amount of time an applicant must wait to receive a new license.

- Costs per passenger-trip for employee shuttle bus transportation have been cut in half since the implementation of a new route system in April, 1977.

- Procedures have been implemented in the D.C. Treasury to more efficiently and rapidly recapture money owed to the City by people who submit bad checks.

- The Department of Human Resources has made significant improvements in following up on children suspected of having lead poisoning. In FY 1977, 92 percent of all children whose blood tests showed high levels of lead were brought to medical services within 10 days.

- The Metropolitan Police Department reduced the time officers spend in court-related activities, thereby returning the equivalent of 10 officers to patrol functions.

- Improved security measures contributed to there being no escapes from the Department of Corrections' minimum and maximum security facilities during FY 1977, culminating a four-year decline from the 29 escapes reported in FY 1973.

- All vendor payment checks are now mailed directly from D.C. Treasury Disbursing to private business which provide services to the District Government, a procedure instituted to improve accountability for funds.

- A new project has been started to reduce the error rate in the Aid to Families with Dependent Children (AFDC) program.

- A new project has been started to improve the maintenance of District recreation facilities.

- A new project has been started to improve the maintenance of D.C. Public Schools.

- A new project has been started to improve the annual registration of motor vehicles in Washington.

- A new project has been started to more quickly and effectively adjudicate parking violation cases.

- A new project has been started to increase the efficiency and effectiveness of the maintenance of the District's vehicle fleet.

E. BASE REDUCTION

QUESTION:

1. The Budget justification material (Vol. 1, P. 54) makes reference to a 1% City-wide reduction. Has this been applied uniformly to all City agencies? If exceptions were made, in what program areas were they permitted? Please discuss the analysis that lead the City to recommend the 1% base reduction?

ANSWER:

1. The guidance to City agencies on a one percent base reduction in its original form was not designed to apply uniformly to all City agencies. In addition, it was a planning tool which has gone through many iterations since it was introduced in early budget formulation planning.

The Mayor's policy guidance to City agencies for FY 1979 and his preliminary planning mark included certain assumptions as a framework for City agencies to formulate their FY 1980 budgets. These assumptions included a directive to absorb within grade increases, absorb all inflationary increases in goods and services and, absorp a one percent base reduction in those areas where no uncontrollable programs exist.

As the Mayor reached a final decision on his mark for FY 1979, he evaluated the program impact of all of his early assumptions and made appropriate adjustments to his planning mark where the resultant loss of program services was unacceptable.

Subsequently, two other factors impacted the Mayor's final mark. The City Council examined the budget and made certain specific changes in the budget. In some cases these changes resulted in removing some projected base reductions and carrying out mandated changes through redirection instead.

The last factor is that the Congress in acting on the FY 1978 budget reduced the City agencies by 1/2 of one percent. If this reduction is sustained in FY 1979, it means that 1/2 of the Mayor's early planning guidance will have been carried out even where the Mayor determined that the program effect was undesirable. It would also mean that base adjustments sustained by City Council action in lieu of base reductions would not be in lieu of, but in addition to those reductions.

The only program areas where the original planning guidance is still in tact are shown below. I would reiterate that the impact of the FY 1978 1/2 of 1 percent reduction, if sustained, reaches nearly all areas of the budget and reaches the programs listed below twice; once through Mayoral proposal and 1/2 again through Congressional action:

Department of Environmental Services
Office of Budget and Management Systems
Licenses, Investigations, and Inspections
Municipal Planning Office
D.C. Public Library
Department of Human Resources
D. C. General Hospital

F. REPROGRAMMINGS

QUESTION:
1. The justification material (P. 60) shows the Financial Operations Office reviewed 50 reprogrammings in FY 1977. The Committee received fewer than 12 reprogramming requests during FY 1977. Why didn't the Committee receive all 50?

ANSWER:
1. The Committee didn't receive anywhere near the 50 reprogramming requests because of the total for FY 1977, 44 were reprogramming requests that are under 25,000 and therefore within the Mayor's approval authority.

QUESTION:
2. The Committee noticed that you are expecting 85 reprogramming reviews in FY 1979 compared to 50 expected for FY 1978. What is the explanation for the anticipated increase in activity?

ANSWER:
2. The anticipated increase in this activity is the best estimate based on the increased complexity of district operations and the need to make adjustments during budget execution.

G. LONG-TERM DEBT

QUESTION:
1. The District's Fiscal Year 1979-83 Multi-Year Financial Plan (p. 48) states that the District can complete all capital projects underway or planned through 1983 without exceeding the statutory debt service limitation. The projections on which this statement is based assumes a constant 8 percent interest rate on 30-year Treasury loans. According to an Office of Budget and Management Systems official, however, this rate has been at 8 percent or lower in only one year (1977) since 1975, and currently is at 8 1/4 percent.

Assuming the Capital Improvements Program (CIP) were not revised and the interest rate were to exceed 8 percent, the District could very easily exceed the debt service limitation. To properly revise the CIP could prove difficult because the District currently has no system or criteria for assigning priorities and determining which projects are most needed by the City's residents.

Please provide the Committee with any updated debt service projections and comment on the process used to establish priorities and keep within the statutory debt limit.

ANSWER:
1. The projected 8 percent interest rate for District loans for capital outlay represents the District Government's best estimate of the average long-term Treasury interest rate over the next six year. Although the current rate is 8 1/4 percent, the District believes that over the next six years, the interest rate will average out at the projected 8 percent level. It should be pointed out that this estimate is conservative because it does not take into consideration the District's eventual shift to the municipal bond market where

G. LONG-TERM DEBT - continued

refinancing capital outlay debt can be accomplished at interest rates expected to be substantially less.

If interest rates were to exceed 8 percent throughout the six year period, the District Government would not require a substantial change in the CIP. It should be noted that the Six-Year Capital Improvements Program is a statement of needs as identified by District agencies. The budget year, which is the first year of the program, represents immediate priorities as determined through the District's budget process. That process takes into consideration questions such as need, financing, operating budget impact including debt service, community concerns, and alternatives. In developing the overall six year program, revenue availability in the out years is a major factor in addition to the factors above which are considered in the formulation process. Accordingly, the District would not propose projects in the Six-Year program which would exceed the debt limitation.

A revised debt service and revenue analysis is provided below. The analysis includes all projects in the 1979-1984 Capital Improvements Program and an additional expenditure requirement of approximately $155 million for the Metrorail which is not in the current program estimate.

Year	Debt Service ($ million)	Adjusted Revenue ($ million)	Debt Service to Adjusted Revenues ($ million)
1979	$ 111.7	$ 1,306.3	8.6%
1980	120.6	1,324.5	9.1%
1981	134.9	1,381.4	9.8%
1982	151.1	1,446.3	10.4%
1983	167.1	1,513.2	11.0%
1984	181.7	1,585.4	11.5%

H. PERSONNEL CEILING

Question:
1. Specifically what positions are in the city's personnel ceiling for FY 1979?

Answer:
1. The employment ceiling for the City is currently applicable to the full-time permanent authorized positions paid for from appropriated funds and detailed in the City's budget justifications. The funding for these positions is always included in personal services funding in the budget justifications. A separate ceiling is proposed for D.C. General Hospital and part-time and temporary positions.

Question:
2. How many positions in FY 1979 that would be paid for with appropriated funds made available through the D.C. Appropriation Bill are not in the FY 1979 personnel ceiling recommended by the City?

Answer:
2. In FY 1979 the best estimate of the number of such employees that would be paid from appropriated operating funds is 500. The appropriated operating fund employees are reimburseable positions. These positions are not paid for with personal services funding. Reimburseable positions are paid from funds that are approved in an agency's budget as "other operating" funds. The other operating funds are used to buy a service from another City agency, for example, printing or custodial services. The service being purchased is available on the open market; however, the City has through policy or other considerations decided to develop a capability to provide the service for the consuming agencies. In most cases, the agency could elect to buy the service from a private vendor.

Question:
3a. How many positions requested for FY 1979 are paid for through the Capital Improvement Program (or how many "Capital Outlay positions" are there in the FY 1979 request)?

Answer:
3a. There are 821 positions projected to be paid from capital outlay funding in FY 1979.

Question:
3b. Are these positions included in the personnel ceiling? Why not?

Answer:
3b. Capital outlay positions are outside the City's ceiling because they are distinctly a different class of positions. Funding for these positions is not appropriated as personal services on an annual basis; they are funded from Treasury borrowings.

These positions are subject to fluctuation in numbers depending on the size of the capital improvements budget. For example, in the last few years, the capital improvements budget for the City has been falling far below budgets of the late sixties and early seventies. As a result, the construction services capital outlay positions in the Department of General Services have been reduced

H. PERSONNEL CEILING - Answer 3b. (Continued)

from over 250 positions a few years ago to just over 100 projected for Fiscal Year 1979. This adjustment was necessary because the capital budget no longer required the existing level of effort. Some of the reductions had to be accomplished by reduction-in-force. Similar reductions have been made recently in the Department of Transportation. These actions point out that a self-adjusting procedure is in place and does not require the imposition of a ceiling.

Question:
4. How many authorized but unfunded positions are included in the FY 1979 budget? How many are included in the FY 1978 budget, how many in the FY 1977 budget? Are these positions included in the personnel ceiling for FY 1979?

Answer:
4. There were 3,906, 2,240, and 1,627 unfunded position equivalents in FY 1977, 1978, and 1979 respectively. The word equivalent is underscored because the term unfunded position as used by the City describes an unfunded unit of work or one "man-year" that is not funded. In general, the estimated number of unfunded man-years is not in the ceiling. Specifically, where an agency's employment is stable the ceiling would not reflect any projected unfunded man-years. However, where an agency is reducing in size or increasing in size the ceiling may be above the average funded employment, or man-year level and therefore include some unfunded man-year equivalents.

Question:
5. Please provide a listing and description of every authorized but unfunded position included in the FY 1979 budget.

Answer:
5. Unfunded positions cannot be listed because, as described above, they represent units of work or man-years. They do not represent actual positions. Unfunded position equivalents are determined by subtracting from the number of man months expected to be worked. The resulting number in this computation divided by twelve months will give you the unfunded position equivalents in the budget or what is commonly called the lapse. The number of positions within an agency which contributes to the lapse depends on the turnover rate within an agency, and many other factors.

Question:
6a. Authorized but unfunded positions are authorized for specific purposes. Is that correct?

Answer:
6a. As previously stated, unfunded position equivalents define the lapse rate for an agency. It is therefore incorrect to say that unfunded positions are authorized for a specific purpose.

Question:
6b. What is the "Central Pool"? What is the significance of this arrangement? How is it different from the way authorized but unfunded positions were maintained in the past?

H. PERSONNEL CEILING - Question 6b. - (Continued)

Answer:
6b. The Central Pool was a technique used to reduce the number of authorized but unfunded positions in the City's budget. The positions reduced as a result of this action were then transferred into those agencies where the addition of manpower resources was funded in the budget request. The total number of positions transferred to other agencies was 224, and the outright reduction was 580. These numbers assume no change in the status of D.C. General so that the comparison will be valid.

In making transfers to other agencies the City used the term, "central pool" to avoid the suggestion that specific positions were being transferred from one agency to another. In response to concern about the central pool concept expressed by some of the budget reviewers, the Fiscal Year 1980 budget call maintains the concept of reducing unneeded vacant unfunded positions, but implements that concept without the central pool technique. In Fiscal Year 1980, all requests for funding will be expressed as new positions in the budget increases.

Question:
7. Why does the City maintain authorized unfunded positions? How did they come into existence?

Answer:
7. I reiterate, unfunded position equivalents define the lapse rate. The existence of a lapse rate or unfunded position equivalents is an unavoidable phenomenon. The dynamics of having to operate with a finite number of positions encumbered by individuals who leave their positions for a variety of reasons and create vacant man months of effort, and the slowness of the recruitment process both for replacement slots and new slots will always create some lapse. Lapse therefore is "experienced", not "maintained".

It is true, however, that the specific rate of lapse may need to be adjusted from time to time. If a City agency finds itself in a situation where certain costs are being absorbed within existing resources, and the only way to meet these absorptions is through holding man months open, the lapse rate will increase. If these absorptions are permanent rather than one-time absorptions, the agency will soon have a surplus of authroized man months with no funding to cover them.

In Fiscal Year 1975 the City had 42,040 authorized positions. In Fiscal Year 1979 we are requesting 35,087. Even if an adjustment is made to reflect the moving of 2,424 D.C. General Hospital positions of the permanent authorized category to a special trust account, the numbers reflect a net reduction of more than 4,500 positions or nearly 11%. This position loss resulted from planned reductions made by the City in three types of positions, the vacant unfunded positions, vacant funded positions, and vacancies created by attrition. The first type was done in order to bring the authorized positions more in line with actual funding; the other two were done as cost saving measures.

H. PERSONNEL CEILING - Answer 7 (Continued)

The City-wide effect of these reductions is to reduce the lapse rate to 4.6%. In Fiscal Year 1975 before the prolonged drive by the City to reduce positions, the City-wide lapse rate averaged over 10%. Much of this lapse was planned in that no funding was available to fill vacant positions. The continued existence of the positions gave the appearance of a greater level of manpower deployment than could be possible within available funds.

Question:
8. Would the City object if the Committee abolished all authorized unfunded positions in FY 1979? If so, why would the City object? What is the purpose of maintaining these positions?

Answer:
8. The City would object if the Committee abolished all unfunded position equivalents in FY 1979. It is absolutely essential that some lapse be present. If there is no lapse approved then the Committee would in effect be cutting the program for an agency to the extent that the presence of some lapse is unavoidable. The City believes that a 5% level of unfunded positions is essential to providing an agency the flexibility needed for program effectiveness. Additionally funded positions do not give an indication of the number of persons an agency needs to employ. It is an indication of the number of units of work that may be performed within the available funding.

In order to carry out its planned program, it may be necessary for the employment level or authorized positions at any given point in time to be higher than the funded positions. This particularly is true when agencies have planned attrition programs or planned increases.

Question:
9. What should the personnel ceiling be for FY 1979 if the ceiling included all positions paid for out of D.C. Appropriated funds including those positions the City refers to as "Capital Outlay positions"?

Answer:
9. The personnel ceiling for FY 1979 would be as follows if all positions paid from appropriated funds were included:

Full-time permanent	33,741 [a]
Reimbursable	500
Capital Outlay	866
Total	35,107 [b]

a) D.C. General has been excluded because, like Metro, the employees are not formally D.C. employees. They are paid partially from appropriations and partly from other sources.

b) The number assumes that the ceiling language for temporary and part-time employees would not be changed. That language provides that during no month in the current fiscal year should the number exceed that of the same month in the previous year.

Department of Finance and Revenue

STATEMENT OF KENNETH BACK, DIRECTOR

Senator Leahy. Mr. Kenneth Back of the Department of Finance and Revenue is here this morning.

Mr. Back. Good morning, Mr. Chairman.

VARIOUS TAX REDUCTION PROPOSALS

Senator Leahy. I notice that here on Capitol Hill, being an election year for all Members of the House and a third of the Members of the Senate, we are talking about tax reductions. That may be a coincidence, but I have noticed a series of tax reduction proposals being made in the District of Columbia. Could you tell us what various tax reduction proposals have been implemented over the last year, those that are still pending, and what is the amount of revenue loss to the city by those proposals?

Mr. Back. Mr. Chairman, there are several proposed programs pending, and just how many and in exactly what form they will be enacted, we don't know. One proposal is in effect now—a $6,000 homeowner exemption for owner-occupied homes. A reduction of $6,000 in the assessed value is taken off before the building is done.

There are bills pending which would raise this $6,000 to $9,000. There is a bill pending which would levy a lower rate on owner-occupied residential properties than on all other properties. There are a couple of bills pending that would provide for tax deferrals. If taxes or the assessment go up more than a certain percentage, one may defer a part of the increase to later years to be paid.

So, as I say, there is quite a proliferation of bills pending. My view is we will have a $9,000 homeowner exemption, although it is not yet law, and that we will have a lower rate for owner-occupied, single-family residential properties.

CIRCUITBREAKER TAX RELIEF PROGRAM

There are proposals to increase and strengthen what we call a circuitbreaker property tax relief program which is administered through the income tax. This is a popular relief program around the country. This program simply allows for claiming on the income tax return, a refund of a portion of property taxes paid if property taxes exceed a certain percent of income. Income levels vary and the amount of property tax relief granted varies. The circuitbreaker program is a property tax relief measure administered through the income tax. We have had this relief program in place for several years.

Presently we have one formula for elderly, blind, and disabled, and the income level goes up to $20,000. In the formula for all other persons, the income level cuts off at $10,000. There is a proposal pending to bring that $10,000 up to $20,000.

MAYOR'S PROPOSED TAX RELIEF PLAN

The Mayor has submitted a tax reduction plan to the City Council. It included a $9,000 homeowner exemption, a reduction in the rate on single family owner-occupied residences, from $1.83 to $1.57. The other part of his proposal provides for a $10 income tax credit on incomes up to $10,000 adjusted gross income.

The Mayor's plan would cost about $13.5 million, in that vicinity, and some of the other plans would cost about the same thing.

I would like to emphasize that when we talk about property tax reduction, we are really talking about limiting the growth in tax burdens. You see, in the property tax area most of the pressure for relief comes in inflationary periods. In the District of Columbia with the assessments going with the market, and that is where they should go, the only way you can get any relief at all for a property owner is with the rate.

Senator LEAHY. I understand.

Mr. BACK. The rate determines the burden, and what is being proposed for the District of Columbia is to put a control on the growth of that burden for single-family residential properties.

UPDATING REVENUE ESTIMATES

Senator LEAHY. The financial plan for fiscal year 1979 was prepared 6 months ago. Can you forecast now more local revenues? I realize the appraisal will go up as property goes up. The tax rate may go down. The bottom line is how much money comes into the Treasury.

I saw a recent report of a whole number of new businesses moving into the District of Columbia. To some extent we are having a building boom. Virtually all of these new projects were announced in a time when there would be no convention center in the city. We have been told time and time again once we have a convention center, we will have another building boom on top of that. I guess we are going to have two booms. But this one we are sure of.

What are your forecasts now, and will these be revised again before August?

Mr. BACK. Yes, Mr. Chairman, they will be revised. Obviously, in order to make revenue estimates, you have to first estimate the economy.

Senator LEAHY. I understand.

Mr. BACK. We are constantly doing that, which is, of course, not an easy task—economic forecasting or revenue forecasting. We keep in close touch with what is going on in town and there is a boom going on.

We revise revenue estimates every 3 months. During the past year, almost every time we revised them we increased them. We are studying revenue estimates at this time. I don't know the exact date for finalizing them for another quarter, but it will be in the next 2 or 3 weeks.

The last time we revised estimates, we increased the overall estimates by about $15 million from all revenue sources.

There is quite a building boom going on in this town and we have to reflect what that will translate into in increased assessment values.

For example, the sales tax is a good economic indicator of the retail market. For the first 7 months of this fiscal year compared to the first 7 months of last fiscal year, sales tax collections are up 21 percent. Now, whether or not that will hold throughout the year is something we have to guess at.

Senator LEAHY. I would appreciate it as you get these new estimates if you can pass them on to us.

Mr. BACK. Yes, they are made public.

REDUCING REVENUE COLLECTION POSITIONS

Senator LEAHY. In your justification here you show the average number of employees in the finance and revenue collection area being reduced by approximately three positions to permit $52,000 to go directly for paying within-grade pay increases. Now, I understand that the average revenue staff person collects approximately $300,000. If we compare the $900,000 in collections against the $52,000 in pay raises aren't we being a little pennywise and pound foolish, or am I missing the point? Wouldn't we be better off to appropriate the additional money for pay raises than to do away with positions, especially if these positions are collecting $300,000 apiece?

Mr. BACK. Mr. Chairman, I am not sure where you are reading from.

Senator LEAHY. It is page 295 of volume 1, about two-thirds of the way down.

Mr. BACK. Let me say, Mr. Chairman, that we have had to abolish some positions in the past. We have also absorbed certain mandatory costs through a reduction in funded positions.

Senator LEAHY. But these positions are paying off at the rate of $300,000 in collections apiece. If we do away with three of them so we can give $52,000 in pay raises, are we at the point of giving up $900,000 in tax collections?

Mr. BACK. I will ask Mr. Holland to answer that.

Mr. HOLLAND. With the inability to pay for mandatory within-grade increases each year except through absorption, a decision has to be made as to what positions and how many will have to be held vacant. Two years ago we had a substantial increase in the revenue producing area for delinquent collections, but have not received increases for the clerical support function. Clerical support, of course, is necessary to back up and support the entire effort. At this point in time it is almost imperative that we look at both areas, because without adequate clerical support, it will simply necessitate further efforts on the revenue producing positions to perform the clerical work and their own support.

The distribution of burden of absorbing within grades is spread with consideration for priorities throughout the entire Department.

Senator LEAHY. Well, I think I would at least consider the request for either the support service funding for pay raise money rather than doing away with positions, if indeed they are paying off the way it is shown.

I believe we probably have some further questions. Our problem today is we have to end here at a quarter of 10. I realize that we have six more agencies to go. If there are other points you would like to make, please feel free to do so.

I also point out that the record will be kept open for additional materials, if you feel we haven't covered them or haven't covered them adequately. Feel free to submit additional information.

Mr. BACK. I would like to make a couple of points. One is, as you know, we are pursuing a very vigorous program of collecting delinquent taxes.

Senator LEAHY. Which I applaud.

STRENGTHENING ENFORCEMENT AND TAX COLLECTION PROGRAM

Mr. BACK. We have had some setbacks this year, but we hope to get back on schedule and produce the revenue that we promised we would.

In this particular budget, our request is 4.1 percent over the previous year, and includes 27 positions, 16 of which are revenue officers. We are attempting to further strengthen our enforcement and tax collection programs.

We are constantly trying to improve our computer program which is a big job within itself. You give me a revenue officer, and if he has to do his own clerical work, he is not able to be out in the field doing the collection job.

These are the points I wanted to make Mr. Chairman.

Senator LEAHY. Good, I appreciate that, and thank you very much for being here today.

SUBMITTED QUESTIONS

Next will be the Department of General Services and Mr. Starobin. However, before I hear Mr. Starobin, Mr. Back, I have some additional questions which I will submit to you to answer for the record.

Mr. BACK. Mr. Chairman, I will be more than glad than to provide the answers for the record.

[The following questions were not asked at the hearing but were submitted to the Department for response subsequent to the hearing:]

Questions Submitted by Senator Leahy

DEPARTMENT OF FINANCE AND REVENUE
ADDITIONAL REVENUE PRODUCTION

QUESTION:
1. The justification material (p. 269) indicates that an additional $3.4 million in revenue production can be realized if the request is approved. Specifically, which of the requested additional resources are needed to realize this additional revenue production?

ANSWER:
1. All of the following resources as an integrated inseparable package are required to realize the $3.4 million revenue commitment--

a. $19.2 is required for 2 data transcribers by the Office of Data Systems for the accelerated program to collect delinquent revenues.

b. $10.0 is needed to conduct audits of out-of-area corporations which are expected to result in the identification of audit deficiencies of at least $500,000.

c. $52.0 is needed to fund 4 additional positions to support the expanded delinquent collection effort.

d. $202.9 represents funding for 16 Revenue Officer positions, associated costs, and 2 vehicles necessary for expansion of tax delinquent inventories and could result in a $3 million increase in revenue production in FY 1979.

e. $20.3 required for 2 support positions in District Treasury.

f. $304.4 total additional resources.

In the event, the total resources requested are not approved, projected revenue will be revised downward.

QUESTION:
2. What portion of the requested increase of $233,000 for the administration is associated with this additional revenue production?

ANSWER:
2. All of the requested increase of $233,000 for the administration is associated with this revenue production.

DEPARTMENT OF FINANCE AND REVENUE
B. INCOME TAX REFUND OF MRS. JUAN

QUESTION:
1. Please respond to the points raised in the attached letter. (Attachment I).

ANSWER:
1. The specific points raised in Mrs. Juan's letter of April 25, 1978 are addressed below. It is important to point out that the Department is constantly looking for new ways to expedite the processing of refunds. Mrs. Juan's case was not a normal routine refund but still the delay was unacceptable. However, it would be misleading to generalize on the basis of one instance when the Department deals with more than 200,000 refunds annually.

In her letter, Mrs. Juan states that after one call "...3 or 4 people from the Finance and Revenue Department called back the same afternoon...". If true, this reflects the concern this Department has for helping people receive their refunds.

QUESTION:
2. On the average, how long does it take to process a refund application such as described by Mrs. Juan? Why did it take seven months in her case?

ANSWER:
2. It normally takes about sixteen (16) weeks to process an amended return. Due to enactment of retroactive legislation by the Federal Government concerning the sick pay exclusion for 1976, the District was inundated with literally thousands of amended returns of this type which resulted in an abnormal backlog.

QUESTION:
3. Why did Mrs. Juan receive two checks instead of the one that she was entitled to? How is it possible for two checks to go out for one refund? How often does this happen? What procedural controls have been implemented to prevent this from occurring in the future?

ANSWER:
3. Mrs. Juan's refund was authorized and sent to processing on January 3, 1978. On January 12, 1978, a tear gas explosion occurred at the Municipal Center causing the building to be closed for several days. When the building was reopened, most employees worked on a part-time basis at the instruction of public health officials and even then could not work at their normal duty stations for several weeks. File areas and cabinets were filled with lingering tear gas and working conditions were adverse to say the least. As a result, the processing of refunds fell considerably behind schedule.

ANSWER:
3. During this period, Mrs. Juan's case inadvertently came to the attention of another auditor. Because of the urgency of her case, the second auditor felt a duty and responsibility to issue a refund, even though Mrs. Juan's file was incomplete and one could not tell that a previous refund had been authorized. On January 30, 1978, a second refund was authorized for Mrs. Juan and sent to processing.

The Department feels that this case is quite unusual involving, as it did, the late enactment of retroactive sick pay legislation coupled with the tear gas incident. It should be noted that a computer check is made of all refunds issued by the Department to identify duplicate refunds when they occur. Thus, we see no necessity to change our procedural controls which we feel are normally quite adequate.

QUESTION:
4. Why were the amounts on the two refund checks different?

ANSWER:
4. The two refund amounts were slightly different because the file was incomplete when the second refund was authorized and the computation was made from the best information available.

LETTER FROM H. YOLANDA JUAN

3835 Davis Place, N.W.
Washington, D.C. 20007
April 25, 1978

The Honorable Patrick Leahy
Chairman of the Senate District Appropriations Subcommittee
United States Senate
Washington, D.C. 20510

Dear Sir:

In response to my letter of April 20, 1978, Mr. Hall of your office called me this morning asking me to write another letter stating more specifically about the problems which I would like to present to leaders in Congress. I will try my best to cooperate and will report to you here the facts as accurate as I know and also as concise as possible.

I am a disable retiree from a Federal Government job since the beginning of 1967. As I was allowed to take $5,200 deduction when I filed income tax returns from '67 to '76, I did not pay too much tax either to the Federal Government or to the D.C. Government during these years. So I had no experience with tax refund problems during this period of time. When Congress changed the law in 1976 and I was no longer qualified to use the $5,200 deduction, I paid my 1976 income taxes, both to Federal and to D.C. on April 11, 1977. I paid Federal Government $436.10 and D.C. Government $267.22. When Congress decided that we, disable retirees, should not be asked to pay tax retroactively for the year of 1976, I went to file the Amended Individual Income Tax returns, both at the Federal and at the D.C. government on July 26, '77. I was entitled to claim back $239.47 from D.C. Government. By the end of October, after more than 12-13 weeks of waiting, when I called back about my refund check, I was told that it would take another 6 weeks due to overload of work. After 6 weeks, I was told that my application for refund was approved but had no way to trace where my check was. I tried to talk to different people at the Finance and Revenue Department. One day, some one would assure me that I would get my check soon. Another week passed, I received a printed notice saying they could not locate my original return. I called back after I received this notice and gave them the number they marked on my cashed check. By now I began to feel that I should ask Mayor's office for help. I also could not help to become aware that this refund "system"--a term used by workers of the Finance and Revenue Department-- should be studied, if not investigated. After another call on Feb. 16, 1978 about my check, more than 3 or 4 people from the Finance and Revenue Department called back the same afternoon, asking me the same questions, such as name, address, social security number etc. I was quite fed up with the situation, but luckily I did manage to get an appointment with Mr. Warren Graves, Special Assistant to Mayor Washington on Feb. 21, 1978.

I gave to Mr. Graves all the information he needed to locate my refund check. Other than that, I actually spent most of the time at this appointment in pointing out to Mr. Graves why a study is needed on the income tax refund situation. I reminded him that according to a recent study by IRS that people who do get tax refunds are mostly low income group people. If everyone has to wait for so long to get his or her refund check, the D.C. Government is not honest and unfair to these tax-

payers, expecially when the government is aware these taxpayers belong to the low income group.

I did receive my 1976 refund on March 8, 1978, not one but two refund checks. Enclosed please find the photo copies of these two refund checks. After seven months of waiting and after so many calls to so many people at the Finance and Revenue Department, I consider the implication of receiving two refund checks, more than double than what I have asked for is rather serious. I certainly could not dismiss the matter as an unintentional error. I immediately called Mr. Graves' office and gave this information to his secretary.

Other leaders I tried to contact were Council members of D.C. I am sorry that I have not been successful in getting appointments with these leaders. The office of Council member, Marion Barry, assured me the Finance and Revenue Committee of D.C. Council will get in touch with me. So far I have not heard from them.

I did talk to Council member, Hilda Mason for about 15 minutes the other day (April 19, 1978) when I went in to support her tax reform proposal. I mentioned to her very briefly about my problem in getting my 1976 income tax refund check.

I thought it is my duty or the duty of any citizen to report to leaders in the government on matters like this so that improvement can be made and people of this city can enjoy better service in the future. Unfortunately, I was not able to get any response from these leaders. Mr. Hall's call this morning was the only response I have received and I want to thank you for that. I am willing to testify before the Senate District Appropriations Subcommittee if you find that it is necessary. Thank you again for your attention.

Very truly yours,

H. Yolanda Juan

(Mrs.) H. Yolanda Juan

DISTRICT OF COLUMBIA WASHINGTON, D.C. Check No. 03,059,154
SYMBOL 4859

DO NOT FOLD, SPINDLE OR MUTILATE
NOW YOUR ENDORSER -- REQUIRE IDENTIFICATION

THE TREASURER OF THE UNITED STATES 15-51 000

PAY TO THE
ORDER OF HSIEN JUAN

DOLLARS	CTS.
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TAX REFUND

DISTRICT OF COLUMBIA
Carolyn L. Smith
D.C. TREASURER

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DISTRICT OF COLUMBIA WASHINGTON, D.C. Check No. 03,056,761
SYMBOL 4859

DO NOT FOLD, SPINDLE OR MUTILATE
NOW YOUR ENDORSER -- REQUIRE IDENTIFICATION

THE TREASURER OF THE UNITED STATES 15-51 000

PAY TO THE
ORDER OF HSIEN F Y JUAN

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3835 DAVIS PL NW APT 4
12/76 WASHINGTON DC 20007 109264823 01885

TAX REFUND

DISTRICT OF COLUMBIA
Carolyn L. Smith
D.C. TREASURER

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Department of General Services

STATEMENT OF SAM STAROBIN, DIRECTOR

ADEQUACY OF SCHOOL MAINTENANCE BUDGET

Senator Leahy. We heard from you last year about the situation in the public schools, and we were told essentially that since 1970, public school space has expanded by approximately 40 percent and costs have increased by about 70 percent, but the maintenance budgets for public schools has remained at the $5.3 million level since 1970. I am concerned about this maintenance situation. In fact, I have been to a few schools around here and I have more of a firsthand knowledge on this subject.

Now, for fiscal year 1979, $5.3 million is requested for school maintenance; it is the exact same amount as last time. Do you feel this is an adequate amount?

Mr. Starobin. No, it is not, Mr. Chairman.

Senator Leahy. What would be an adequate amount, even a ball park figure?

Mr. Starobin. Several years ago we calculated that around $7 million would begin to approach adequacy. I have not come prepared with the figures, but the costs per square foot in the counties where they have newer school systems, where the average age of the school is perhaps 15, 20 years, it is about 40 cents a square foot. In the District of Columbia it is 25 cents a square foot and we have older schools, 40 to 50 years old on the average. Therefore, I feel about a 50-percent increase over what we are now asking of $5.3 million to $7 million or $7½ million would begin to be adequate. With $5.3 million, all we can do is stamp out fires.

Senator Leahy. Why isn't the full amount requested then?

Mr. Starobin. Well, I don't enter into the budgetmaking process of the schools, and I assume they have their trade-offs to make between maintenance of schools and teacher salaries, and teacher salaries come first.

Senator Leahy. That is probably more of a rhetorical question. And I am not one who feels we have to build grandiose schools. Sometimes I think we spend too much on the physical plant and not enough on quality teaching. But I am also well aware as you get into older and older schools that the condition of the physical plant can affect the quality of teaching. It is difficult to have youngsters take both pride in the school and pride in themselves if the school is falling down around your ears.

I want you to know in this committee you have sympathetic ears on the questions of school maintenance and school repairs. I pass that out for whatever it is worth. I know the other members of the committee have said a similar thing.

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REDUCTION IN LEASED SPACE

We notice also the city is presently leasing 300,000 square feet of office space in fiscal 1979, approximately 44,000 square feet less than leased in fiscal year 1978. Will the completion of the new courthouse facility permit the city to lease less space?

Mr. STAROBIN. Yes, it will. We have terminated a lease at 601 Indiana Avenue NW., which was used for court purposes. That released approximately 50,000 square feet of space. That was terminated as of January 31.

Further, as we go through our steppingstone replacement of court functions—court functions, for instance, have moved from the old court buildings to the new court building, then court administrative functions like social services and other administrative functions are going to move out of leased spaced at 613 G Street into the old court buildings as soon as renovation is completed. That renovation is already underway. That will permit us to move other people into 613 G Street. This won't be from leased space, however. This is from the building on Square 491, which has been sold to the Canadian Government, but those people have to go. They would have to go into leased space, if the space at 613 G Street were not made available. Further, we are giving up the Pension Building, which housed courts to GSA.

In essence, we are saving leasing costs. The sale of the District's building to the Canadian Government overlaps nicely with the availability of the court building. We can move people into space made available as a result of the new court building.

PROPER USE OF CITY LAND

Senator LEAHY. I noticed in a recent newspaper article PMI used city land for parking without paying for it. The estimated cost would have been $37,000 a year. I noticed in the same article that the Mayor asked you to review other city government land to make sure it is all being used properly. Have you had a chance to complete that review?

Mr. STAROBIN. Yes.

Senator LEAHY. Any more PMI's or anything similar to that, floating around there?

Mr. STAROBIN. There is one similar situation we found. We had a similar situation along the freeway. Land was purchased beyond the wall because the earlier design of the freeway called for the sides of the excavation of the freeway to be laid back on the slope rather than a retaining wall. So, we found one other parking lot that had a 12-foot strip of government land in use. We have since barricaded that off so they cannot make use of it.

Senator LEAHY. Will any attempt be made to collect retroactively whatever they should have been paying for the parking lot?

Mr. STAROBIN. PMI has been sent a letter informing them of their indebtedness of $37,000. They have not responded as yet. If we don't receive a response, we will turn the matter over to the Corporation Counsel.

Senator LEAHY. I hope it will be soon. It certainly helps in your capital costs if the city owns the land and you are not having to pay anything for it.

Mr. STAROBIN. It certainly does.

Senator LEAHY. In saying that, I don't want to suggest I have any objections at all to the city taking some of that property and leasing it to private companies for parking lots. If they can make money on it; they may or may not. That is certainly for the city to decide, whether to do it or not.

I have a number of other questions that, unfortunately because of time limitations, I will not ask this morning but will submit for the record. Do you have any additional comments you would like to make, or would you like to see what the questions are going to be first?

Mr. STAROBIN. We will, of course, be responsive to your questions as rapidly as possible.

BUDGET REQUEST

I just want to note our 1979 budget reflects primarily the cost of the new courthouse. It also reflects a base reduction of $325,000. The rest represents internal redirections of the money and is neither an increase nor decrease to the budget. Thank you.

Senator LEAHY. Thank you very much. Again, I apologize for the brevity of the hearing. I can assure you it is not reflective of the amount of time I will spend in going over the budget. Those who have worked with us in the past year and a half are aware of the fact that all members of this committee do actually spend time looking at the budgets that come up.

Mr. STAROBIN. I am aware of that. Thank you very much.

Senator LEAHY. We are going to have to have the Boxing and Wrestling Commission and Board of Equalization and Review, two new items, as a unit here this morning and ask them to come forward. I am going to have to take the Board of Elections and Ethics and the Advisory Neighborhood Commissions later. We will have to work them into another time, because I want to be able to go into more detail than we are going to have time for today. As the ANC knows, it was this committee that substantially restored their funds in last year's budget. Because of that, I do want to go into it in more detail.

As our last witnesses today, we will have the Boxing and Wrestling Commission and the Board of Equalization and Review.

SUBMITTED QUESTIONS

Mr. Starobin, one last thing before you leave. I have some additional questions which I would like for you to answer for the record. Also, if you want to expand on any of the questions I asked this morning, please feel free to do so.

Mr. STAROBIN. Mr. Chairman, I will be more than glad to answer them for the record.

[The following questions were not asked at the hearing but were submitted to the Department for response subsequent to the hearing:]

Questions Submitted by Senator Leahy

DEPARTMENT OF GENERAL SERVICES
A. EXCESS SPACE

QUESTION:
1. The justification material (p. 339) indicated that some agencies are being charged for their use of "Excess Space" apparently to encourage the agencies to turn back excess space. How do you define excess space?

ANSWER:
1. Excess space referred to in the budget is that space which exceeds the amount that can be funded from the base for leasing in the Department of General Services budget.

QUESTION:
2. How much excess space is there in the system?

ANSWER:
2. Reductions in the leasing budget have necessitated the further consolidation of functions and a corresponding reduction in the amount of space leased.

Space Utilization Reviews conducted during FY 1977 indicated excess space of less than 1% of the total leased space. Recommendations made as a result of these studies and the imposition of budget reductions have currently eliminated this condition.

B. USE OF EXCESS SCHOOL FACILITIES FOR OTHER CITY USES

QUESTION:
3. DCPS Superintendent Reed announced recently that 23 District Schools would be closed because of excess capacity. One of the buildings will be used for DCPS administrative offices, while the others will be turned over to the Department of General Services to be sold or demolished.

At the same time, the District is leasing over 3 million square feet of space at an annual cost of $12.4 million. It is thus important that every effort be made to use the excess school buildings as a means of reducing the amount of leased space required.

CATEGORY	SQUARE FOOTAGE
Offices	1,367,579
Clinics	154,559
Half-way Houses	117,728
Storage	137,052
Vehicular and Equipment Storage	156,573
Classroom space	472,625
Warehouse	207,025
Misc.	457,226
	3,070,367

Will the Department of General Services be able to find alternative city uses for these excess school facilities in order to

QUESTION:
3. reduce the need to lease space?

ANSWER:
3. The Board of Education proposes to retain 11 of these schools for its own use and to return 12 to the Department of General Services. These 12 buildings represent a total of about 435,000 square feet of space and are relatively small buildings ranging in total floor area from approximately 16,000 square feet to 62,000 square feet. All of these buildings, except one, were built prior to 1923 and of these, six were built prior to 1900.

Our policy is to evaluate all surplus buildings that become available to determine first whether they may be used economically in lieu of leased property. Experience indicates that generally these facilities are economically unfeasible for continued use due to excessively high alteration costs and operating costs. These facilities require modernization of plumbing, heating and air-conditioning systems and also must meet Occupational Safety Health Administration requirements and air quality standards.

C. Capital Improvement Programs for Various School Buildings

QUESTION:
4. The Department has also requested $4,500,000 for permanent improvements to various district buildings and $770,000 for various improvements to eliminate fire hazards in the District Building.

Please highlight for the Committee the several projects that are included in the permanent improvements category.

ANSWER:
4. The improvements proposed under the Permanent Improvements Program, Project No. 24-099, fall into two categories - (1) replacement or rehabilitation of major building systems and (2) alteration of a facility or parts of a facility to make it more functional for current program use. Under the first category, the FY 79 Program includes projects such as, Roof Replacements for five Agencies, Air Conditioning for two Agencies, Electrical Modernization for two Agencies and Security Systems for three Agencies. The second category includes projects such as Science Laboratory Modernizations and Library Modernizations for Public Schools; Swimming Pool Rehabilitations and Tennis Court Improvements for the Department of Recreation; Modernization of seclusion rooms for the Department of Human Resources; and Installation of automatic doors for D.C. General Hospital.

A complete listing of the individual project and the dollar amounts that are requested for this program are included on pages CC-CAP-3 and CC-CAP-4 of our FY 79 Budget submission.

Boxing and Wrestling Commission

STATEMENT OF YORK VAN NIXON, CHAIRMAN

Board of Equalization and Review

STATEMENT OF SAMUEL REYNOLDS, CHAIRMAN

ESTABLISHMENT OF INDEPENDENT AGENCIES

Senator Leahy. I am not sure, gentlemen, which one is which, but you both look like you could be wrestlers.

Mr. Reynolds. Mr. Chairman, I am Samuel Reynolds from the Board of Equalization and Review.

Mr. Van Nixon. I am York Van Nixon of the Boxing and Wrestling Commission.

Senator Leahy. We have basically got the same questions for both of you. You are both new; you are being proposed for fiscal year 1979. Why can't the things that you are doing be done by the city government without having to set up a new organization? I don't mean to be antagonistic, but it is a question that is going to be asked by other members of the committee.

ESTABLISHMENT OF BOARD OF EQUALIZATION AND REVIEW

Mr. Reynolds. Mr. Chairman, the Board of Equalization and Review was established by the Congress in 1974. At one time this function was part of the Department of Finance and Revenue. It is my understanding that it was felt at that time that the Department of Finance and Revenue should not make tax assessments and act as a Board to hear appeals from the assessments they had made. That is why this Board of Equalization and Review was established.

Senator Leahy. Why didn't we give it to the Board of Appeals?

Mr. Reynolds. It is equalization and review, Mr. Chairman. Our function is to see to it that all real property in the District is assessed at 100 percent of estimated market value.

Senator Leahy. Well, before as part of Finance and Revenue, it cost around $62,000; now as an independent office it will run $114,000. Does there need to be that much of a difference?

Mr. Reynolds. Yes, it does, Mr. Chairman. You will notice our base for fiscal year 1978 was in fact $62.2 thousand, which is the same amount as under the Department of Finance and Revenue. The City Council mandated for fiscal 1979 that the Board examine the assessment of the 20 highest assessed properties in the District, and they have allocated about $26,000 for Board members' compensation and $800 for supportive staff to carry out that particular duty.

In addition, in fiscal 1978 we conducted 1,352 appeals from property owners. We have 1,792 appeals for fiscal year 1979 we are in the process of conducting now on a 6-day-a-week basis.

Senator LEAHY. Maybe I will get back to you, after I ask Mr. Van Nixon a question.

BOXING AND WRESTLING COMMISSION

The Boxing and Wrestling Commission, I assume, would enforce certain regulations; is that correct?

Mr. VAN NIXON. That is correct.

Senator LEAHY. Have these regulations already been established?

Mr. VAN NIXON. They have.

Senator LEAHY. And why—again basically the same question—why would we need a separate Commission for this? Why couldn't this just be handled within one of the existing city agencies?

ESTABLISHMENT OF BOXING AND WRESTLING COMMISSION

Mr. VAN NIXON. Mr. Chairman, we were established in October 1975, and January 16, 1976, we became functional. At that time we became an independent agency, with no funds whatsoever to sustain ourself. With the recent rejuvenation of boxing throughout the metropolitan area, as a result of the 1976 Olympics, boxing has had an upsurge through the United States. Last year we licensed 25 boxers; this year we have licensed 347, of which 259 are amateur boxers. Last year we only had one promoted; this year we have three promoted. We hope that boxing can play a major function in the convention center.

BOXING AND WRESTLING ACTIVITY IN CITY

Senator LEAHY. Is there much boxing activity or wrestling activity in the city other than the people that you are licensing? Do we have weekly or monthly wrestling matches?

Mr. VAN NIXON. We do. Right now we have a tournament going on which is sponsored by Schlitz beer. The finals are this week. To my knowledge, there has been a contract signed for 12 additional professional series at the District of Columbia Armory. We hope to have the great Sugar Ray at the stadium this summer.

This hasn't happened in the past 10 years, to my knowledge, that we have had so much boxing. Professional wrestling, we haven't scratched the surface. Professional boxing, it is an upsurge. I am also pleased to see so many Members of Congress at the various fights.

Senator LEAHY. I know one of my favorite colleagues in the Senate goes to these quite often. He has a training camp and everything else. I know he enjoys it. He is of the size where I think if he were younger he could at least wrestle professionally and probably do very well.

I am glad to hear the upsurge of it. I am also glad to hear the necessary regulations have been established.

My only concern, of course, is that we keep talking about the Government consolidation, and yet every year we get requests for still new agencies. That is my only concern. Every new agency that

comes in, or every new board or commission that comes in would be getting precisely the same questions from the committee.

SUBMITTED QUESTIONS

Senator LEAHY. Mr. Reynolds and Mr. Van Nixon, I have some additional questions which I would like to submit to you to have you answer for the record.

Mr. REYNOLDS. I will be happy to provide the answers for the record.

Mr. VAN NIXON. I will provide the answers also, Mr. Chairman.

[The following questions were not asked at the hearing, but were submitted to the Commissions for response subsequent to the hearing:]

Questions Submitted by Senator Leahy

D.C. BOXING & WRESTLING COMMISSION

QUESTION:
1. What specifically is the need for the Boxing and Wrestling Commission?

ANSWER:
1. The Boxing & Wrestling Commission is designed specifically to protect the public, the participants and the promoters, thereby curtailing organized undesirable elements that are attracted by both boxing and wrestling.

QUESTION:
2. How are these functions being performed at the current time?

ANSWER:
2. Functions of the Commission are administered by the three appointed Commissioners, and assigned officials such as; Judges, Referees, Inspectors, and a fulltime Secretary.

QUESTION:
3. Why can't the city continue to perform these activities as it has in the past without setting up a new bureaucratic office?

ANSWER:
3. Due to the recent up-surge of boxing, stimulated by the United States Olympic boxers, the public demand for information and the increased activity of the promoters demand fulltime office operation.

QUESTION:
4. Do you envision any future increases in staffing for this commission?

ANSWER:
4. Assuming that the present interest in boxing will continue to amplify, staffing increase is inevitable.

QUESTIONS SUPMITTED BY SENATOR LEAHY

BOARD OF EQUALIZATION AND REVIEW

A. NEW ORGANIZATIONAL ELEMENT

QUESTION:

1. Why is it necessary to fund this activity at approximately twice the FY 1978 level when the number of appeals (Vol. 11, P. 383) in FY 1979 is expected to be at the same level as the number of appeals in FY 1978?

ANSWER:

1. The number of appeals for FY 1978 was 1352. The number of appeals conducted for FY 1979 was 1792. Additionally, the City Council mandated that the Board of Equalization and Review review the assessment of the twenty highest assessed properties. This would require approximately thirty days of thirteen Grade 15 and 1 Grade 4 secretary. Total--$26,500 board members compensation plus $800 secretary.

QUESTION:

2. Why couldn't this function be performed by the Board of Appeals and Reviews?

ANSWER:

2. Board members of the Board of Appeals and Review would not meet the requirements of the Reese Bill, Public Law 93-407, 93rd Congress, H.R. 15842--"Members of the Board shall be persons having knowledge of the valuation of property, real estate transactions, building costs, accounting, finance or statistics." Thirteen members of the Board are licensed real estate brokers or sales persons. Additionally, three members are qualified appraisers, members of professional appraisal institutes and societies.

QUESTION:

3. While there may be justification to remove the function from the Department of Finance and Revenue to prevent the situation of an agency being asked to review its own action, why must an entirely new organizational element be created?

ANSWER:

3. The Board of Equalization and Review is not a new organization, it was established pursuant to Public Law 93-407, 93rd Congress, H.R. 15842, September 3, 1974. The Board is an independent body, not part of the District of Columbia Government. The Board consists of 15 disinterested members who hear disputes between District of Columbia Government Department of Finance and Revenue and the general public on real estate assessments.

QUESTION:
4. Please include the appropriate sections of P. L. 93-407 that you feel require the creation of an entirely new organizational element.

ANSWER:
4. The Board of Equalization and Review is not a new organization, it was established pursuant to Public Law 93-407, 93rd Congress, H.R. 15842, September 3, 1974.

B. QUESTIONS RE WORKLOAD

QUESTION:
1. The budget justification indicates that the Board will receive 3,500 taxpayer appeals of property assessment, the same as received in FY 78.

ANSWER:
1. The total number of taxpayers appeals for FY 1978 was 1352; the total number of appeals conducted for FY 1979 was 1792. Additionally, the Board must, pursuant to City Council's mandate, review the assessments of the twenty highest assessed properties in the District of Columbia.

QUESTION:
1a. Are the bulk of taxpayer appeals falling into any definable categories? If so please describe them.

ANSWER:
1a. The bulk of taxpayers appeals are not falling into any definable categories; the breakdown for FY 1979 is not available yet as the Board completed the FY 1979 appeals May 31, 1978 and submitted the revised tax roll to the Mayor June 1, 1978, however, FY 1978 appeals were as follows: 874 residential appeals, 137 commercial, 189 condominiums, 137 apartments and 15 special purpose.

QUESTION:
1b. Has the Board successfully dealt with the 3,500 appeals from FY 78? Is there any backlog of cases awaiting action?

ANSWER:
1b. The Board has completed the 1352 appeals for FY 78 and the 1792 appeals for FY 79. We are required by law to complete the appeals by May 31st of each year and submit the revised tax roll to the Mayor June 1st.

QUESTION:
2. Will FY 79 cases all be handled during the year?

ANSWER:
2. All of the FY 79 appeals have been completed as of May 31, 1978.

QUESTION:
3. How often does the Board sit for cases? How many cases are usually done monthly?

ANSWER:
3. The Board meets daily during the appeal period. Usually March 1 to June 1 and September 1 to October 15th; the Board meets 6 days a week during May 1978. The Board usually conducts approximately 600 cases per month during the appeal period.

C. FUNDS REQUESTED FOR LEGAL ASSISTANCE

QUESTION:
1. There is a pending suit disputing the Board's jurisdiction in hearing and acting on appeals and $8,000 is needed by the Board to utilize an attorney on an as-needed basis.

ANSWER:
1. There is a pending suit disputing the Board's jurisdiction filed in the Superior Court of the District of Columbia, Tax Division entitled: District of Columbia Redevelopment Land Agency and L'Enfant Plaza Properties, Inc. v. District of Columbia and Samuel C. Reynolds, Chairman Board of Equalization and Review, et al., Docket No. 2460.

QUESTION:
1a. Why doesn't the Office of Corporation Council provide the needed attorney on an as-needed basis? Wouldn't such activity fall under this Office's responsibility?

ANSWER:
1a. The Corporation Counsel is the legal representative for the District of Columbia, the Board of Equalization and Review is an independent Board not affiliated with the District of Columbia Government. The legal dispute may be the result of a case being heard by the Board that may result in future litigation. The Corporation Counsel should not represent the District of Columbia and the independent appeal board at the same time. The Board's legal position may not be the same as the District of Columbia Government, Department of Finance and Revenue's; may well be a conflict of interest.

QUESTIONS SUBMITTED BY SENATOR LEAHY

Senator LEAHY. For those agencies in the governmental direction and support category which were not scheduled to appear, I will submit questions and ask that the written answers be provided for the record.

[The following questions were not asked at the hearing, but were submitted to the Agencies for response subsequent to the hearing:]

OFFICE OF THE SECRETARIAT

A. 20% INCREASE REQUESTED

QUESTION:
1. The FY 1979 request for the Office of the Secretariat is for $693,900 which represents a 20% increase over the FY 1978 level approved by the Senate. Why is such a large percentage increase necessary?

ANSWER:
1. The increase requested is necessary to meet inflationary printing costs and the increase in the volume of materials being printed in the D.C. Register under the Administrative Procedures Act. This increase is further necessary to offset the increase for regular printing of stationary, envelopes, memo paper, etc. for the Office of the Secretariat and other agencies under the Office of the Mayor.

B. FUNDS REQUESTED FOR CODIFICATION OF D.C. RULES AND REG.

QUESTION:
1. The Secretariat has requested a $50,700 increase for inflation for work necessary to codify the D.C. Rules and Regulations and Municipal Code. Does this request relate to the additional codification of D.C. Code work proposed by the City Council?

ANSWER:
1. The $50,700 requested increase for codification of the D.C. Rules and Regulations and Municipal Code does not relate to the D.C. Code Project proposed by the City Council. The D.C. Code and the D.C. Rules and Regulations and Municipal Code are two totally different and unrelated projects.

QUESTION:
2. If the funds requested by the City Council are denied for the codification of the D.C. Code will the $50,700 requested by the Office of the Secretariat still be needed ? What portion of it will still be needed? If all of it is still needed, please explain.

ANSWER:
2. Yes, if the request of the City Council for codification money is denied, the Office of the Secretariat will still need the $50,700 increase to codify the Municipal Code. The total amount of $50,700 increase is needed. Due to increase in printing costs this amount is being requested.

C. OFFICE DOES NOT SET PRIORITIES

QUESTION:
1. The budget justifications states that priorities have not been set among the various duties of the Office as they must be considered equally important and essential. Without a plan to set priorities of staff work, how can you be sure that you are providing the most needed assistance?

ANSWER:
1. The Office of the Secretariat is the primary staff support office for the Office of the Mayor and the Mayor. It provides essential staff service to his office, to the offices in the Executive Office of the Mayor and departments and agencies through out the government. This office deals extensively with the various heads of departments and agencies and their immediate staffs on a daily basis, and also with the general public. There are no low priority activities undertaken by any part of this office.

PERSONNEL OFFICE

A. SUPPLEMENTAL MAY BE NEEDED LATER

QUESTION:
1. The Home Rule Act requires the city to develop an Independent Merit System, that may be separate and different from the Federal personnel system that the city currently uses. The justification material (p. 173) indicates that "additional resources" may be needed later in FY 1979 for installation of the Independent Merit System.

How much in additional funding may be required? How likely is it that additional resources for this purpose will be needed in FY 1979?

ANSWER:
1. The draft personnel bill now being considered by the City Council contains a provision for centralization of most personnel resources. According to preliminary estimates by the Office of Budget and Management Systems, approximately $4.9 million in appropriated funds is currently being expended by other D.C. Agencies who conduct personnel programs. Centralization of these resources would provide capability to implement some new requirements of the independent system by elimination of some duplicate efforts, but exact resource requirements cannot be calculated until exact requirements of the Act are known. However, additional resources (whether redirected or new) will be required for assumption of the functions related to disability compensation which are currently performed by the U.S. Department of Labor without charge. Estimates by the Department of Labor indicate that approximately 18 additional positions and $400.0 thousand would be required to assume this function.

It is envisioned that final enactment of legislation establishing an Independent Merit System will not occur prior to calendar year 1979. The draft bill also provides for implementation of certain requirements immediately, whereas other requirements become effective in 90 days to 365 days after enactment. While additional resources will be required in the Office of Personnel in staged implementation of the Act, it is estimated that unexpended balances of funds and positions in other D.C. Agencies may be sufficient for FY 1979 and could preclude the need for a supplemental appropriation. However, since exact requirements of the new system are unknown, there could be financial impact in FY 1980 or succeeding years.

B. TO WHAT EXTENT WILL THE CITY CONTINUE WITH THE FEDERAL PERSONNEL SYSTEM

QUESTION:

1. The Home Rule Act permits the city to continue its participation in whole or part in the Federal system. To what extent does the city expect to continue to participate in the Federal system? To the extent that the city decides to continue to participate would there be cost benefits to the city?

ANSWER:

1. The draft personnel bill is still under consideration by the Committee on Government Operations. Many elements of the legislation are still unclear. Therefore it is impossible to predict with any certainty which programs will retain linkages to the Federal system. There is a strong likelihood however, that the District Government will continue to participate in the U.S. Civil Service retirement system, the health benefits program, and the group life insurance program. For those Federal programs in which the District Government continues to participate, there would be a cost benefit to the city. Even if the city must reimburse the Civil Service Commission for its continued participation in certain programs, the cost would almost surely be less because of the Commission's long experience in their operation and the unit cost reduction inherent in large-scale personnel operations, though there would be additional funding requirements for such reimbursable programs.

C. ADDITIONAL FUNDS REQUESTED FOR WORKLOAD

QUESTION:

1. An additional 3 positions and $58,400 is requested for additional workload. Based on the justification material (p. 181) the additional workload results from new Federal directives and guidelines. Is that correct?

ANSWER:

1. The workload cited in the justification material on page 181 is a combination of backlogged classification actions and appeals as well as requirements to implement provisions of Federal directives and guidelines.

QUESTION:

2. Why should the city expand its workforce to comply with the Federal governments employment practice, when the city is planning to very soon implement its own Independent Merit System?

ANSWER:

2. The District Government, for classification purposes, has already adopted the new U.S. Civil Service Commission Factor Evaluation System and is in the process now of implementing the several new standards already issued under the new FES system. This is the system, for the classification of GS positions, that will continue to be used under the Independent Merit System. Therefore, the need for these 2 positions is separate and apart from the Independent Merit System. Thus, with the current backlog of normal classification work and the need to accelerate the adjudication of classification appeals in combination with all the requirements under the Factor Evaluation System, a minimum of 2 new positions is required in the classification area.

Further, guidelines for revised employment practices issued by the Civil Service Commission for compliance with Equal Opportunity provisions of federal law require implementation of a new system for selection and appointment of new employees (see page 182 of the budget justification) to eliminate discrimination in hiring practices. Systems developed and implemented by state and local governments are also subject to federal government annual audit and approval for continued Federal Grant-in-Aid Funds. The Independent Merit System now under development is therefore expected to require all provisions of the Civil Service Commission Guidelines at a minimum, and will not alter the need for the one position requested.

D. POSITIONS TRANSFERRED FROM THE CENTRAL POOL

QUESTION:
1. The 3 requested positions are proposed to be transferred to the Office of Personnel from the Central pool.

Is there a corresponding funding reduction made for these 3 positions in another place in the city budget? If so, where is it?

ANSWER:
1. There is no corresponding line item reduction for the increases requested in the city budget as most positions in the Central Pool are unfunded positions.

Board of Appeals and Review

A. SIZE OF BACKLOG

QUESTION:
1. Last year the Committee was told (Part 1, p. 420) that the Board had a backlog of 120 cases waiting to be heard. How big is the backlog at the present time?

ANSWER:
1. Only 15 recently filed cases are pending which can be heard and a decision rendered within 21 working days.

B. WORKLOAD OVER LAST YEAR

QUESTION:
1. Since last May when the Board presented testimony to the Committee, how many appeals have been heard?

ANSWER:
1. 403 appeals were heard.

QUESTION:
2. How many of these appeals have been settled in favor of the citizen?

ANSWER:
2. 190 appeals were settled in favor of the citizens.

QUESTION:
3. The Board has 4 permanent employees and 24 Board Members who are intermittent employees. How often do Board Members sit on cases? What is the reimbursement rate given to Board Members?

ANSWER:
3. The Board Members sit on cases twice a month. They are paid $11.00 per hour when on duty.

C. COST OF REPORTING SERVICES

QUESTION:
1. The Budget notes the cost of court reporting services is $72.00 per hour. How does this cost compare with those experienced by the Superior Court and the Court of Appeals?

ANSWER:
1. The maximum cost for reporting services is $50.00 plus $3.08 per page for transcript testimony. Based on an 8 hour day, and if a reporter could produce 200 pages in an 8 hour day, the reporting service would be $83.00 per hour at current rates.

The Court of Appeals does not have reporting services.

The Superior Court employes its own court reporters. They are not paid $72.00 per hour. They are salaried at approximately $12.00 per hour at a GS-12 grade as reflected in Question C. Cases going to the Appeals Court, transcripts, and case records are submitted by this Board or the Superior Court.

BOARD OF ELECTIONS AND ETHICS

A. 22% INCREASE REQUESTED

QUESTION:
1. The FY 1979 request is for $1,905,000, which compares to $1,555,800 approved for the Board in FY 1978 by the Senate, or a 22% increase. What is the explanation for this large percentage increase?

ANSWER:
1. The 22% increase for the 1979 budget represents a "net" increase of $349,200 over the approved 1978 budget. The increase will cover costs for hiring one Community Relations Specialist in Elections Administrations, one Auditor and one Clerk in the Office of Campaign Finance, one Staff Attorney in the Office of the General Counsel, and one Operating Accountant in Administrative Support. The remainder

of the "net" increase coupled with additional funds made available from one-time FY 78 costs and the reduction of the number of elections in FY 79, will enable the Board of Elections and Ethics to purchase the gravely needed Ballot Counting Machines.

B. FUNDS REQUESTED FOR BALLOT COUNTING MACHINES

QUESTION:
1. The Board is requesting $650,000 to buy ballot counting machines. 1a. How many ballot counting machines will be purchased? 1b. Does the Board plan to buy additional ballot counting machines in FY 1980? 1c. Are there any additional costs associated with this initiative? 1d. Is $650,000 the exact total cost?

ANSWER:
1a. One hundred forty-seven (147) ballot counting machines will be purchased.

1b. If the entire $650,000 is approved this year, additional purchase in FY 1980 will not be necessary.

1c. Yes, maintenance training for a staff member(an ultimate saving over a present contract now let for each election).

1d. The $650,000 figure is as close as is possible without violating procurement regulations.

QUESTION:
2. How many vote counting machines does the city already have?

ANSWER:
2. We have 30 vote counting machines of a generation earlier than what is now on the market. These can be traded in toward new machines.

QUESTION:
3. How long has it taken to count the votes in the last several elections?

ANSWER:
3. Ballots are collected from the precincts at 2 p.m. and at 8 p.m.(closing time). Including both counts, approximately 12 hours are used. If machines can be purchased, the single ballot counting could be accomplished in 3 hours.

C. PAST PROBLEMS IN HANDLING ELECTIONS

QUESTION:
1. Each year the press reports about problems in the election process. For example, machines malfunction and ballots are misprinted. It is essential to D.C. residents that the Board ensures the integrity of

election results. What has the Board done to ensure that the election process minimizes problems? Please be specific.

ANSWER:
1. No machine has malfunctioned since 1974. The copy for the ballots which resulted in the reported misprints were supplied by the District of Columbia City Council.

To correct earlier problems the Agency was restructured for greater efficiency. In addition to administrative changes, long range election plans have been implemented.

We have refined the election and counting procedures to include:

a. greater security
b. closed trucks for collection of ballots
c. better trained personnel

D. QUESTIONS FOR THE RECORD

QUESTION:
1. The workload in the budget for Campaign Finance is shown in total for Auditor and Investigative positions. This presentation does not permit assessment of the requested positions. Please explain the difference between the duties of Auditors and Investigators.

ANSWER:
1. The audit duties within the Office of Campaign Finance are primarily to conduct highly technical financial desk and field audits of Campaign Finance Reports from both candidates and committees, Lobbyists, Financial Disclosure Statements, Constituent Services Reports and all other financial reports that may be filed within the office pursuant to Public Law 93-376, as amended.

The nature of these duties requires a thorough knowledge of principles of accounting, professional auditing techniques, standards for audit of government organizations, programs, activities and functions as established by GAO, laws and official interpretations affecting numerous individuals to be audited. Additionally, the auditor performs work pertaining to financial statements and cost analysis of candidates for office.

Presently, the Office of Campaign Finance has only one auditor. For this reason the office in this area has devoted most of its attention to desk audits and random selection of field audits. With respect to field audits and under the random selection method of auditing, the question is often asked, why me?

The investigative duties within the office are primarily to research, analyze, and to obtain data of a non-financial nature and to assist in the prosecution of all violations of PL 93-376, as amended.

The nature of these duties require a general and specific awareness of applicable provisions of the District of Columbia Code, Superior Court Rules and Regulations, various legal opinions, Executive Orders, and other appropriate laws which may affect the outcome of investigations pursuant to PL 93-376, as amended.

Additionally, the nature of these duties requires investigators to spend a significant amount of time in the field monitoring the activities of candidates, candidate personnel, political and Campaign Finance committees, Constituent Services activities, lobbying activities, etc. A significant amount of time should be spent locating and interviewing witnesses.

Presently the Office of Campaign Finance has only one investigator. Because the increased workload of the office and the absence of the Director, the investigator has been utilized in various other capacities.

QUESTION:
2. Please provide the Committee the number of cases received, completed, on hand and expected for each fiscal year 1977-79 and for each type position (Auditors - Investigators). Also provide the total man-years spent on the workload for each of these positions.

ANSWER:
2. Every document filed within the Office of Campaign Finance, pursuant to Public Law 93-376, as amended, is a potential case for audit and investigation. However, due to the volume of cases and the shortage of personnel only complaints have been investigated and every effort is made to conduct desk reviews of all financial statements. During election years a candidate alone may be required to file at least nine financial reports. Even this volume does not include registration statements which must be reviewed, or other reports such as lobbyist, constituent services reports, etc. Therefore, the number of audits and desk reviews depend upon the number of candidates running for office during any given year. For example, during the upcoming mayoral election, to date (June 8, 1978) this office must monitor at least 60 candidates and their committees. In FY 79 the number of uncompleted audits and investigations would be continued from FY 78 and added to the volume of potential cases in FY 79.

Presently, this office has one auditor and one investigator. The investigator was employed August 31, 1976 and was able to investigate by complaint only.

However, due to the increased volume of cases for the office overall and the temporary absence of the Director, the investigator was utilized in various other capacities. Therefore, we are unable to provide information regarding the total number of man-years for investigations.

QUESTION:
3. Please provide a listing of the positions by grade for each major organization.

ANSWER:
3. Administrative Support

Administrative Officer	13-1
Systems Analyst	12-4
Budget Analyst	9-4
Administrative Assistant	9-5
Programmer	9-1
Fiscal Assistant	7-3
Operating Accountant	7-1
Secretary	6-4
Supply Clerk	4-5
Computer Technician	4-5

Elections Administration

Elections Administrator	14-1
Deputy Elections Administrator	12-1
Chief Registrar	11-5
Voters Records Supervisor	9-5
Information Specialist	9-1
Community Relations Specialist	8-1
Voters Record Assistant	7-5
Program Assistant	7-4
Special Projects Assistant	5-5
Voter Registration Clerk	4-8
Voter Registration Clerk	4-8
Coding Clerk	4-8
Coding Clerk	4-4
Coding Clerk	4-6

Campaign Finance

Director	16-9
Deputy Director	14-2
Auditor	12-3
Investigator	11-3
Investigator	11-2
Investigator	11-2
Auditor	11-1
Administrative Assistant	9-4
Docket Manager	7-8
Secretary	7-5
Clerk-typist	5-2
Clerk-typist	5-1

General Counsel

General Counsel	16-9
Staff Attorney	11-1
Staff Attorney	11-1
Secretary	7-4

Board of Labor Relations

A. WORKLOAD REQUIREMENTS

QUESTION:
1. The Justification Material (Vol. II, p. 350) shows that the Board expects the number of "unfair labor practice" cases docketed in FY 1979 to increase over the level in FY 1978 and FY 1977. What is the explanation for this expected raise in workload?

ANSWER:
1. Rather than indicating a raise in workload for FY 1979 the justification material projects a shift in the type of dispute which the Board receives. Because most of the eligible employees have been organized by unions, it is anticipated that the number of cases associated with union organizing efforts (i.e. representation cases) will decline. At the same time, the number of cases associated with the continuing collective bargaining relationship between management and labor, including unfair labor practice complaints, are likely to increase.

QUESTION:
1. How many city agency/labor organization disputes has the Board of Labor Relations been called on to resolve in FY 1978 to date?

ANSWER:
1. From October 1, 1977 through June 7, 1978 the Board of Labor Relations docketed twenty-three new formal cases. These include sixteen representation matters, one election protest, four unfair labor practice complaints, and two grievability applications.

QUESTION:
2. What is the status of these cases now? How big is the Board's backlog of cases? How big was it in May, 1977?

ANSWER:
2. There are presently nineteen formal cases pending as of June 8, 1978. In each of three cases the Board needs to review the report and recommendations of a hearing examiner and then issue a decision. Two cases are under investigation by the Executive Director of the Board. In two other cases the Board will issue a decision after the filing of briefs by the parties. Hearings are scheduled for two cases. One case involves a representation election postponed until the fall. Three cases, which were consolidated into one proceeding, have been referred to the Mayor for enforcement. One case involves a retention of jurisdiction to insure compliance with a Board order.

The remaining five cases are at other procedural stages. Seventeen other matters, which have not become formal cases, are being monitered. The backlog on April 30, 1977 was thirteen formal cases.

QUESTION:
3. Please list the 16 city agencies that bargain with labor unions.

ANSWER:
3. Due to reorganizations of the District government the present number of agencies involved in collective bargaining is thirteen. They are: Armory Board, Department of Corrections, Board of Education, Department of Environmental Services, Fire Department, D.C. General Hospital Commission, Department of General Services, Department of Housing and Community Development, Department of Human Resources, Metropolitan Police Department, Public Library, Department of Recreation and University of the District of Columbia.

QUESTION:
4. This Board shows a variety of workload activities in FY 79 such as 28 cases to be docketed, 2 training and information programs, 14 informal cases to be resolved, and other activities for current cases. This is apparently done by the 2 permanent staff members.

ANSWER:
4a. The Board has one additional clerical position which is funded under the CETA program. The Board has utilized graduate students in industrial relations and law students during the summer and during the academic year. The students working during the academic year are not paid but receive educational credits. The budget includes funds for negotiated services contracts for labor neutrals (e.g. hearing examiners, mediators), court reporters, for the conduct of representation elections and for training. Some matters are heard directly by the full Board or a panel of three Board members, without the intervening use of a hearing examiner. Occasional assistance is provided by the Federal Mediation & Conciliation Service and the U.S. Department of Labor, on the same basis as aid to similar state agencies.

QUESTION:
4b. Is there any backlog of cases and other activities?

ANSWER:
4b. A considerable amount of staff time has been spent and will continue to be needed for the transition to the comprehensive merit personnel system mandated by Congress in the Home Rule Charter. Activity in this area, which includes important changes in labor-management relations, does impact on the Board's workload and accounts for part of the backlog.

Personal Services

QUESTION:
1. A total of $69,300,000 is requested to provide for an anticipated 5 1/2% cost of living increase in October, 1978 and to annualize the cost of living increase provided in October, 1977 (Vol.IV, p. 446). Is that correct?

ANSWER:
1. It is correct that $69.3 million is requested in FY 1979 for an anticipated 5 1/2% pay raise in October, 1978 and annualization of October 1977 pay raises. The projected amount for October 1978 is a net amount after absorptions.

An additional $7 million is also being requested for FY 1979 to cover the additional FY 1978 cost associated with the 7.05% October, 1977 pay raise. The City had projected a 5% increase for that year.

D.C. Obligations

QUESTION:
1. The request of $1,247,600 for FY 1979 is to help retire the capital debt that the city government assumed on behalf of several private hospitals in the late 1940s and early 1950s. Is that correct?

ANSWER:
1. The D.C. Obligations request is pursuant to the Act of August 7, 1946 (60 Stat. 896), the District of Columbia Hospital Center Act. Under this Act, the District pays a share of the capital construction costs for various private hospitals which is 50 percent of the net cost without interest at 3 percent a year, except Columbia and Georgetown Hospitals which is based on 30 percent of the net cost. The balance of $700,000 is for hospital construction costs at St. Elizabeth's Hospital.

QUESTION:
2. Included in the total request is $700,000 for St. Elizabeth's Hospital. Is this $700,000 for capital or operating costs? How much will the city pay St. Elizabeth's in FY 1979 for operating costs?

ANSWER:
2. The $700,000 request is for capital costs. The District is required by law to reimburse St. Elizabeth's Hospital for the District's share of capital construction costs. The District's share is calculated by developing an annual depreciation charge based on the cost of construction and the estimated life of the improvements. The ratio of District patients to other patients is the basis for calculating that part of the annual depreciation charge for which the District is liable. Based on the end of FY 1977 analysis of recent construction, the actual amount of the District's liability is $1,026,000, an increase of $326,000 over the original estimate. A request for the additional $326,000 is included in the FY 1979 Budget Amendment.

Approximately $20.9 million is included in the District's FY 1979 operating budget for reimbursements to St. Elizabeth's Hospital.

Repayment of Loans and Interest

A. FUNDS REQUESTED FOR INTEREST ON PRIVATE SECTOR BORROWING

QUESTION:
1. The city has requested $111,700,000 to repay loans and interest to the U. S. Treasury (Vol. IV, p. 448).

Included in this request is $1,200,000 to make interest payments on short-term notes issued during FY 1979. Does the city seriously propose going to the private bond market prior to having the work of the Temporary Financial Oversight Commission completed? If not, shouldn't the $1,200,000 in interest expenses be eliminated?

ANSWER:
1. We believe that there is an excellent chance that the city could market short-term notes during 1979 even though the work of the Temporary Commission on Financial Oversight of the District of Columbia is not completed. The size of the borrowing and the fact that the notes are short-term should enable the city to contact potential investors directly. It is important to note, though, that the city is proposing that it retain its authority to borrow from the U. S. Treasury in the event that it cannot market the short-term notes. Both the Office of Management and Budget and the U. S. Treasury have expressed a strong desire for the city to attempt to market its own notes.

B. FUNDS REQUESTED TO BEGIN REPAYMENT ON FY 1978 PROJECTS

QUESTION:
1. How much is included in this request to begin repayments on capital items requested in FY 1978?

ANSWER:
1. No money is requested in Fiscal Year 1979 to begin repayment of capital items in Fiscal Year 1978. The first payment on funds borrowed in Fiscal Year 1978 will be due in Fiscal Year 1980 under the terms of the acts authorizing the District to borrow from the U. S. Treasury.

Settlement of Claims and Suits

OFFICE OF THE CORPORATION COUNSEL
SETTLEMENT OF CLAIMS AND SUITS

QUESTION:
1. What settlements have been made to date?
1A. For each of these settlements, please provide the dollar amount originally requested and the dollar amount settled on.

ANSWER:
1. & 1A. Funds are appropriated, out of which the Office is authorized to settle and pay property damage claims that do not exceed $1,500, and personal injury claims that do not exceed $5,000. Settlements for amounts in excess of the foregoing, but less than

$10,000 (the maximum amount for which there is settlement authority) require special appropriations before they may be satisfied.

As of June 8, 1979, a total of 388 property damage and personal injury claims, within the authority of the Office for which funds for immediate payment are available, had been settled. The total demand figure was $8,083 thousand. The total settlement figure is $423 thousand.

QUESTION:
2. On an overall basis for claims settled this year, what is the settlement total as a percentage of the total amount originally requested?

ANSWER:
2. Approximately five (5) percent.

SUBCOMMITTEE RECESS

Senator LEAHY. With that, I will recess these hearings until Thursday at 8 o'clock.

[Whereupon, at 9:45 a.m., Tuesday, May 16, the subcommittee was recessed, to reconvene at 8 a.m., Thursday, May 18.]

DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 1979

THURSDAY, MAY 18, 1978

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

The subcommittee met at 8:07 a.m., in room 1114, Everett McKinley Dirksen Office Building, Hon. Patrick J. Leahy (chairman), presiding.

Present: Senator Leahy.

DISTRICT OF COLUMBIA

PUBLIC EDUCATION
PUBLIC SCHOOLS

STATEMENT OF VINCENT REED, SUPERINTENDENT OF SCHOOLS

ACCOMPANIED BY:

EDWARD G. WINNER, DEPUTY SUPERINTENDENT FOR MANAGEMENT SERVICES

ELIZABETH C. KANE, BOARD MEMBER, BOARD OF EDUCATION

SUBCOMMITTEE PROCEDURE

Senator LEAHY. Good morning. This morning we will receive testimony from the agencies in the public education category. The combined request for the agencies in these two mission budget categories is in excess of $308 million and represents approximately 24 percent of the total city request for operating funds in fiscal year 1979. We will try to cover as many of the agencies in these two mission budget categories this morning as we possibly can. Those agencies that are not covered this morning will receive questions from the committee to be answered for the record. We will then include in the record the questions and their answers and any additional statements or materials that the agencies would like to have included.

GAO REPORT ON BUILDING PROGRAM OF UNIVERSITY

The General Accounting Office report that I released last Tuesday morning related to the building program at the University of the District of Columbia. It raised several questions regarding the

university's enrollment projections and therefore questioned the need to build a second campus for the university at this time.

The conference report on the 1978 budget includes the provisions that construction of the Mount Vernon Square campus cannot proceed until the Appropriations Committees have received a new consolidated master plan from the university and also until that consolidated master plan has been approved by both the House and Senate Appropriations Committees.

This matter relates to the fiscal year 1978 budget and does not relate to the fiscal year 1979 budget that we have before us today. Today I would like to focus on the matter at hand, which is the fiscal year 1979 budget request.

When the university submits the new consolidated master plan, which will include both the university's specific academic goals and the facilities needed to support them, we will have extended discussions with the university.

I would suggest that we wait until we have that consolidated master plan and then set up a special time so that we can consider this important matter in a degree of detail that would not be permitted in the rush of the heavy schedule this morning.

CONVENTION CENTER

I was interested to see that the conference report on the fiscal year 1978 budget passed the House last Tuesday by only 16 votes. The one item that almost resulted in the entire report being sent back to conference was the convention center. Everyone should be aware by now, though in listening to some news accounts and some editorials, it is apparent that some people are not aware that the convention center is not popular. The convention center proposal is not popular in the House, it is not popular in the Senate, and it is not popular with the taxpayers and citizens of the District of Columbia. What the conferees have agreed to do is to give the city government and the business community another chance to prepare a convention center plan that would be more popular. I stated my own position a number of times that while in fact I feel that a convention center in the District of Columbia is sort of like carrying coals to Newcastle, that is a decision to be made by elected representatives under home rule, by the Mayor and City Council. If they want to have the thing, that is fine, they are the ones that make the decision for the city, and they have to decide whether that decision is following the wishes of the taxpayers of the city or whether it is a decision that flies in the face of the taxpayers and whether they want to make it anyway. But that is a decision for them.

Our concern in the Appropriations Committee is only to make sure that the taxpayers dollars, taxpayers in the District of Columbia and from around the country, are not wasted on this proposal and that we are not underwriting what would primarily benefit one segment of the community.

NEW PLAN FOR CONVENTION CENTER

Because of that, we have put together a suggestion for the city to follow whereby they will have to come up with a new convention

center plan that would insure that the taxpayers are not the ones that are going to have to pay for the convention center. The individual taxpayers of the city and around the country should not pay for this, but rather those who will benefit the most by it should pay for it.

I understand that the city is already consulting with the business community and the various labor unions regarding a new plan. I am sure that the city will also consult with the civic associations and other citizen groups on this matter.

The last convention center proposal was rushed through the City Council so fast that some City Council members later admitted that they did not know what they were voting on and many citizen groups complained that they were not permitted to testify. This time I am sure the city will not repeat this same mistake.

If the new convention center plan meets the criteria we have agreed to, I will recommend to the committee that we approve it. If the new plan does not meet the criteria that we have agreed to, I will recommend to the committee that we disapprove the plan.

I plan to conduct very thorough investigations with regard to a new plan when it is submitted to the committee. I certainly intend to have the various business people whose commitments will be critical if the plan is to be approved come before the committee and give testimony.

The fiscal year 1979 funding request for the convention center is before us this morning and is included in the capital budget request for the Municipal Planning Office. We will attach the same agreement to the fiscal year 1979 request that we have attached to the fiscal year 1978 request for convention center funding. Therefore, this morning I would also suggest that we postpone additional discussion of the convention center proposal until we have the new convention center plan in hand.

INTRODUCTION OF PUBLIC SCHOOL WITNESSES

This morning the first agency to give testimony to the committee is the public schools and we have the pleasure of having the superintendent of schools, Vincent Reed, here to be our principal witness on this matter.

Mr. Reed, could you please come forward and give the committee a 3- to 5-minute oral summary of the highlights of the fiscal year 1979 budget request for the District of Columbia for public schools?

Mr. REED. Thank you very much, Mr. Chairman. I would like for Mr. Winner, deputy superintendent for management services, to talk about the highlights of the budget that we are presenting.

First I would like to introduce Mrs. Betty Ann Kane, who is a board member, and sitting to my right is Edward Winner, deputy superintendent for management services.

BUDGET REQUEST

Mr. WINNER. The 1979 budget, as it has been presented to you, provides for several increases. The adjustments, first of all, are made to the fiscal year 1978 budget. There is a $500,000 adjustment intended to support the requirements of the public schools to pay additional funding to the teachers' retirement fund. There is also a

$6,000 increase for the Wilson swimming pool. Then in 1979 there are $61,300 of adjustments, negative adjustments to the base for nonrecurring expenditures and for transfer to the public libraries.

We are then requesting several increases. First, we are requesting $3,444,700 for within-grade increases for employees that are mandatory in nature and based on the Teachers Salary Act for the most part. We are also asking to annualize the additional cost for the construction at Wilson. We are then asking for $550,000 of staffing and maintenance costs for some of the additional construction provided.

We have statutory costs for health benefits rate increases and for degree differential increases, again, a portion of the Teachers Salary Act, $1,272,000. We are then asking for improved services, an increase of $186,600 for our research and planning staff, related primarily to facilities planning; and finally a statutory increase for special education.

Here, as you know, there is new Federal legislation governing the provision of special education services. For the most part, that new legislation parallels a court decree which was imposed on this city to provide services in a similar fashion.

For the provisions of those services for our own programs conducted jointly with the Department of Human Resources, we are requesting $1,240,000.

TEACHING STUDENTS TO READ AND WRITE

Senator LEAHY. Mr. Reed, the committee, as you know from statements we have made in the past, has a great deal of respect for the good job you have been doing and has a great deal of respect for the high level of commitment of the Board of Education to the city. Now, that doesn't mean, however, that the public school system here is trouble free, but it does mean that we should be honest about our problems and discuss where those problems are.

Now, you are aware, I know, of the series of articles that appeared recently in the Washington Post that were headlined "Inside Washington Schools." I read those with a great deal of interest but also with a certain amount of sadness and frustration to the extent they talked about young people who were going through school apparently not learning their way through the cycles. The waste of young minds that might be involved here is of concern to us all.

I think the thing that probably came through the most was the poor reading ability of many high school students. Reading is, of course, the most basic of all skills and one that everybody in an affluent society like ours should have.

It is noted that the Washington public school system as a whole scores far lower than the national average in standard reading tests. It is also well below the average for big city school systems. One particular study pointed out a student who couldn't read but who still passed every course he had taken.

Do District of Columbia high school students have such a poor ability to read and if so, why?

Mr. REED. We have some young people who have difficulty in reading. As you understand, our school system has for a period of

years engaged in what we call social promotion, that is, youngsters are promoted in some cases based on age and maturity rather than their accomplishments in the classroom. We have changed that. We have put a notice on the board that we are doing away with social promotion.

The Washington Post article has a thread of truth because we do have youngsters who cut classes who have difficulties in reading, but that article was completely out of proportion and completely out of focus. There was a lot of editorializing. I had a meeting with the top Washington Post officials to discuss this story and they admitted there was some journalism that was less than desirable.

CORRECTING READING AND WRITING DEFICIENCIES

We have moved to correct some of those deficiencies. We are dealing with the mastery of skills that will enable young people to read when they get to high school. The young man that seemed to be the focal point of that article had been engaged in special reading programs and decided to drop out. There has been some effort to do something about the reading problems in the city. We know we can't correct that overnight, and that is a realistic statement. But we are moving to put things in place so that in the next 4 or 5 years we are going to have youngsters coming out of our elementary schools who have mastered reading and communication.

I am not going to sit here and tell you we have 130,000 youngsters performing at the level desirable, whatever level they are on at this point. But we have moved vigorously in the last 2½ years to do something about those problems.

Senator LEAHY. We talk about what their abilities are and whether the newspaper articles have been subjective or have editorialized with their news. I don't think that even the strongest supporters of the news media in Washington, D.C., or actually most any place, would ever claim that the editorial page doesn't often creep into the news page, because it does, and it would be the height of hypocrisy for the news media to deny that.

PUBLICATION OF TEST SCORES

But on the other hand, this series was done as an overall analysis and I think to some extent some editorializing might have been justifiable. But let's look at more objective questions. Test statistics on the reading level of any high school in Washington have not been made public by the school superintendents or the Board of Education since the fall of 1968, 10 years ago.

According to the 1968 test results, on an average, Eastern students scored in the 30th percentile in reading. In other words, 70 percent of the students nationwide read better than Eastern students in the fall of 1968. First of all, I can't imagine why these test scores haven't been made public since 1968. I wish you would address yourself to that. I think it would be better to make the results known publicly, because if we have got a problem—and we brought this up last year, and I want to assure you again, that if there is a problem in these basic skills—reading, as I said, I am convinced is the most basic of them—if there is a problem, I would

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hope that nobody would think that by ignoring it, somehow it is going to go away, or by ignoring it, this committee would be more favorably inclined.

I can assure you, and I think I can speak for the majority of the members of the subcommittee, that if we have real problems and the city wants more money from us specifically to correct those basic problems, I for one would do everything possible to encourage the subcommittee and the committee to give such additional funds.

It is not a place where we are looking to cut money. It is a place we are looking to add money, and I say that just so that nobody will think that somehow there would be a more receptive audience from this committee by hiding the failures. There are failures. Failures especially of young people who will be marked by this, really shackled by this, for the rest of their lives, and if it is a case money can solve, and I realize that it is not always the case, then we will give you the money, or at least I will try to get it for you.

Mr. REED. I appreciate that and I appreciate hearing it, but it is not our intent, neither the administration nor the board, to hide any results from any test we have in our school system.

Senator LEAHY. Why haven't they been made public?

Mr. REED. I don't understand that article. I am going to ask Ms. Kane to express the board's statement. I don't understand that article or who wrote it.

Senator LEAHY. It comes from the Post and let me quote from it:

> Test statistics on the reading level of each high school in Washington have not been made public by the school superintendent or the board of education since autumn 1968.
>
> According to the 1968 test results, the average Eastern student scored in the 30th percentile in reading. That means 70 percent of students nationwide who took the same test scored higher. The average reading scored nationally was in the 50th percentile.

Is the Post inaccurate in that?

Mr. REED. Absolutely, sir. It is absolutely false.

[CLERKS NOTE.—The following letter was submitted by Superintendent Reed to clarify the record:]

LETTER FROM VINCENT E. REED
SUPERINTENDENT OF SCHOOLS

May 30, 1978

The Honorable Patrick Leahy
United States Senate
Russell Senate Building
Room 232
Washington, D.C. 20510

Dear Senator Leahy:

In reviewing our testimony in developing further information for a meeting with Mr. Hall, I find that my answer to your question concerning the release of test scores (at line 24, page 141 of the transcript) does not accurately or completely respond to your question. I believe the following would more completely respond, and would ask that you include this for your record.

Concurrent with the norm-referenced program involving standardized achievement testing over the past five years, we have been conducting criterion-referenced testing in reading and mathematics, grades 1-9, Fall and Spring of each year except for two years when it was necessary to delete Spring testing due to budgetary constraints.

Our criterion-referenced tests, The Prescriptive Reading and Mathematics Tests, Washington, D.C. Editions, were developed jointly by D.C.P.S. personnel and a commercial test publisher. These tests are based on the curriculum of D.C.P.S. and individual pupil results are reported in terms of mastery or non-mastery of those skills associated with each objective on the level of the test administered.

There has been no collection or publication of school-by-school data on criterion-referenced tests. However, school summaries which list the percentage of mastery of skills by grade and by test level are provided each school for each testing period.

Sincerely,

Vincent E. Reed

Vincent E. Reed
Superintendent of Schools

BOARD'S POSITION ON PUBLICATION OF TEST SCORES

Ms. KANE. I have been a member of the board of education since 1974 and every year I have received and my colleagues have received a report on all the test scores of all our grades from the kindergarten through 9th and 11th grades. This has been a 10-percent sample of all our students across the board, broken down in terms of city norms and national norms.

In addition, we have received for all our 10th graders reports on the everyday basic skills test reported on a school-by-school basis in terms of very specific skills, the percentage of children who score above average and below average level on each of these skills.

This has been a very thorough analysis which has been given, through the board, to the public. We do release this and I have given copies of that report to the Washington Post reporters. Why they don't know they exist, I am not sure.

The Board of Education is very committed to making information available on the achievement of our students both for accountability and for seeing where improvements are needed.

Let me add, what those test scores show is our children in lower grades do very well. They score slightly above or below the national norms. We have put a lot of money and emphasis into our early childhood and primary programs. When the students reach the upper grades, their achievement does start to fall off. That is a part of our school system where we have not had the extra money to put the extra kind of services that we need to maintain our students achievement and give them the kind of courses that challenge them.

We have an average class size of 27 in our high schools, and that sounds real good. That means if you are going to offer 4th-year French, calculus, advanced courses, in a small school there may be only eight or nine students taking them. All of our basic classes in English, history, and math, are very often 35 and 40 students in order to maintain that 27 average.

The Board of Education, speaking of money, has repeatedly asked the city and the Congress for additional funds to hire teachers so we can particularly reduce the class size at the high school level.

Senator LEAHY. I am delighted to hear that the Post was in error on that point, because you can imagine I would be concerned if these test scores were not being kept. I wonder if these are readily available, if we could have copies of the test scores for the past 5 years?

Mr. REED. We will see that you get a copy, sir.

Senator LEAHY. Because again, it is a matter of real concern to me, and I think it is to other members of the committee. We would darned sight rather spend some extra money at the age levels we are talking about than face all the myriad social and economic problems that we will face subsequently if that is not done.

We want the emphasis on the early grades. I think oftentimes in the school system, not enough emphasis is given at the early level. We are just beginning to become aware of how important it is.

[CLERKS NOTE.—The test scores are on file in the subcommittee's office.]

STUDENTS GRADUATING WITHOUT BASIC SKILLS

Mr. Reed, is it possible for a student to be in a situation where he can't read but still be able to pass all of his or her courses and eventually graduate from high school?

Mr. REED. It is possible for a student to pass through some grades because we have evidence of that, and move to the point of graduation without having to accomplish certain skills and still be declared a nonreader as far as the 11th grade reading is concerned. That is possible. That is something we spend sleepless nights about. That statement you made is true because we have some evidence of that.

Senator LEAHY. I admire your candor and frankness, and I share your concerns there. I don't want to inflict sleepless nights on anybody, but I am heartened by the fact it does cause you all concern. And again, I would be quite interested in knowing what steps are being taken as we go along to correct that and what kind of steps and encouragement we can get from this committee.

COMPETENCY-BASED CURRICULUM

Mr. REED. Let me take a minute to explain to you what we have put in place. We have put in place a competency-based curriculum. It is a skill mastery program dealing with mastery of five broad skills. We are talking about analytical skills, communications skills, social-political skills, producing consumer skills, the self-actualization skills. These transcend all discipline areas and we are attacking this in grades K through 5.

We are talking about doing away with the solid, rigid grade structure so we can move and get within a multiple grade level, make sure they are developing those skills before going on to the next task. It is a program we know will work. It has a lot of bugs in it, but we worked diligently in the last 2½ years to iron it out. The only way we are going to attack the problem of reading is at the elementary level. We are putting our plan through at the elementary level so when the youngsters reach the 7 through 12 grade, they will master those skills.

Education is a process that is not developed overnight. You can't wave a wand and everybody all of a sudden has the skills that are necessary. But we have put in place this program. The board is solidly behind it and the city is solidly behind it, and I know within 5 years we will have a program that lets our youngsters negotiate the present K through 12 continuum.

POSTPONEMENT OF COMPETENCY BASED CURRICULUM PROGRAM

Senator LEAHY. Am I correct in understanding that the competency-based curriculum will be postponed until September 1979?

Mr. REED. No, sir. You are not, in that particular instance. I know that was also a big fat headline in the Washington Post.

Senator LEAHY. I hope you realize the reason I am asking these questions is not in any way to be antagonistic but to give you a forum, if any of these articles are wrong, to let you answer them.

Mr. REED. I relish the fact I have a chance to dispute these things. I don't own a newspaper and I can't counter the Washington Post.

Senator LEAHY. Mr. Reed, if it is any consolation, I don't own one either, and I am not singling out any particular newspaper or radio or TV station, but I find that if I want to try to correct something I think was improper or inadequate, the only thing I can do is get on the Senate floor and give a speech. Such a speech is only listened to by visiting high school students from Mississippi or some other State, a bored Member, the Sergeant-at-Arms, a few other staff people and somebody who thought they were in the HEW building but turned left where they should have turned right. [Laughter.]

IMPLEMENTATION OF COMPETENCY-BASED CURRICULUM PROGRAM

Mr. REED. I was saying we are moving into all our schools in September. All our teachers will have the objectives and we are moving right along. We are into 50 schools as pilot prototype schools, validating curriculum to be sure that it is a curriculum that will lead us to those objectives.

We are moving into all our schools with the competency-based curriculum.

INCREASED FLOOR SPACE AND DECREASED SCHOOL POPULATION

Senator LEAHY. Mr. Reed, the District of Columbia public schools data says that the District school enrollment is going to continue to decline indefinitely and is declining even more rapidly than first expected. Apparently the school system has had to revise its enrollment projections downward each year.

Now, I suppose this will affect both facilities and staffing. But the 1979 to 1984 capital improvements program prepared by the city shows the school system could have an excess capacity of 32,000 seats by fiscal 1981. But even though the school system has reduced the number of schools and administrative buildings between fiscal years 1974 and 1978, the square footage of floor space increased from 16 million to 18 million square feet. In fiscal year 1979 the justification material shows that you reduced the number of permanent schools and temporary classroom units but the overall floor space has increased slightly. Are we increasing available space in light of a diminishing student population?

Mr. REED. I am going to start with that and I will let Mr. Winner tack on to that. We have been losing students and we project that we will lose maybe 4,500 before next year. We have recommended to our Board of Education the closing of 23 schools to compensate for that and some other kinds of problems we have along the line with budget and so forth.

But as far as the increase of floor space, the new schools are equipped with gymnasiums and some floor space that old schools are not.

Mr. WINNER. I think, sir, one of our concerns is that much of the excess space of which you have been speaking and which is under consideration is really totally inadequate space, by which I mean buildings that are in some cases 70 or 80 years old and they are these old brick classroom buildings that literally contain eight

classrooms and an office for the principal. Very often these buildings don't even have cafeterias, auditoriums, certainly don't have any gymnasium facilities.

We also had, at the time that report was generated, still in our possession a number of metal buildings thrown up in the early sixties in the face of rapidly increasing population. Those are put up on school grounds very often right in the middle of a playground in order to try to house those children.

Those buildings are being removed and the buildings very often that we are modernizing or replacing simply contain other facilities that do alter the square footage, there is no question about it. Square footage at Friendship, for example, is significantly different from the old building, but the old building was a metal temporary structure.

ADEQUATE FUNDS FOR SCHOOL MAINTENANCE BUDGET

Senator LEAHY. I see. One of the points, Mr. Reed, that I raised when we had our conference committee a week or so ago was on the question of school maintenance. We went into that question specifically at that time. The committee asked that additional resources be put in for maintenance of existing school facilities, as the amount earmarked for this has remained almost constant since 1970 and the amount of space on a square foot basis has increased 70 percent over the same period. We were told in a recent report prepared for us that because of stringent financial conditions the public schools continued the program at the same fixed amount for building maintenance budgeted in the past several years.

Why hasn't more money been requested for maintenance? How much is really needed to properly maintain the city's school facilities?

Mr. Winner. We have approximately $5 million budgeted for ongoing day-to-day repair to our buildings that is not of a capital nature, not permanent improvements. That money is clearly inadequate and it has been known to be inadequate for a number of years. The easiest and simplest answer is, there simply has not been the additional money available to us, primarily because of mandatory costs that have inflated our budget over the past several years, and therefore, we have attacked the problem in a number of other ways.

Frankly, the Board of Education has each year sent forward to the city a request for additional money for this purpose but the money has not been forthcoming.

In fact, most of the money that has been available to us has not even been adequate to cover the mandatory inflation of costs.

We feel that there is probably another $1.8 to $2 million required on an annual basis to simply keep up with the level of repair that would be required. There is also a significant problem of cumulative damage. These buildings that have gone unrepaired, unpainted for a number of years have now accumulated an even higher level of damage that is going to cost on a one-time basis a great deal more to restore.

Senator LEAHY. So you feel an adequate maintenance budget would be something in the area of $7 million.

Mr. WINNER. Correct. That is going to assume as we have been discussing with the Board, that we are able to remove a number of buildings from the inventory and therefore significantly lessen the area over which we have to spread that money, and also spread that money over more modern buildings that are not at the point of deterioration, as are some of the older buildings we are recommending for closing.

Ms. KANE. On the budget you have before you, which I assume is the $239 million budget, as Chairman of the School Finance Committee, I feel obligated to put on the record that this is the City Council and Mayor's request, that is not the School Board request. We submitted a $255 million budget, of which $234 million would be for operations and some $22 million for the teachers' retirement fund.

Senator LEAHY. If we were in some way able to increase maintenance, you wouldn't kick and scream about that?

Ms. KANE. We have a specific request for another $1.8 million. Among those $17 million unfunded requests is included $1.8 million for maintenance. This is additional funds, in addition to the $17 million.

REDUCING WINDOW BREAKAGE AND NIGHTTIME DAMAGE

Mr. REED. Could I add two more items to that? We have been able to cut our glazing bill down from $605,000 to $338,000, so we have put in an effort; we have cut our nighttime break-ins from 182 down to 93. We have put on night patrols and organized community and done other things to reduce that cost. A lot of the cost comes from window breakage and nighttime damage. We have been able to cut that almost 50 percent in the last 2 years.

Senator LEAHY. Glazing broken windows used to be $605,000?

Mr. REED. We have cut it down to $338,000.

PRIORITY CONSIDERATION TO SPECIAL EDUCATION

Senator LEAHY. In the area of special education, the city has requested an additional 95 positions, and, $1,566,500 for special education programs, for a total request of almost $16½ million in fiscal year 1979 for special education.

This means that this category would increase 11 percent when the overall school budget is only increasing at a 3-percent rate. Ms. Kane, I know you have been quite concerned about this area. Is the public school system giving priority consideration to special education programs?

Ms. KANE. Yes, we are. We are moving toward full implementation, in which services will be provided to all handicapped children, ages 3 to 21, probably a year before the federally imposed deadline. But I want to point out that among that $17 million of unfunded requests is an additional $3.4 million for special education. It is the City Council that accepted $1.2 million as an increase in special education, and the Board of Education feels very strongly there is a need for several million more in special education or we will simply not be able to meet the full needs of handicapped children as required by court order and the Federal law.

NUMBER OF CITY SWIMMING POOLS

Senator LEAHY. I know the Eastern High School modernization project request is for $11 million. It includes a request for a swimming pool. How many city swimming pools are there right now? Do you know offhand?

Mr. WINNER. There are two kinds of pools associated with our schools. Generally, the senior high schools have swimming pools constructed as a part of the educational program and they are considered to be school pools which are used during the summer and after hours by the Recreation Department and other departments of the city. There are other swimming pools in the city. For example, the one at Marie Reed is a city swimming pool, not part of the school program. It is a Recreation Department pool that is not considered to be part of our program. I don't know the numbers.

[The information follows:]

Public Schools of the District of Columbia

School Swimming Pools

Name of Location	Indoor
Cardozo	X
Dunbar	X
1/ Mamie D. Lee	X
1/ Sharpe Health	X
2/ Wilson Senior High	X
Woodson Senior High	X

Recreation Department Swimming Pools

Name of Location	Indoor	Outdoor
Anacostia	X	
Banneker	X	
Barry Farms	X	
Benning Park	X	
Douglass	X	
East Potomac	X	
Fort Dupont	X	
3/ Fort Lincoln	X	
Fort Stanton	X	
Francis	X	
Georgetown	X	
Junior Village	X	

Recreation Department Swimming Pools

Name of Location	Indoor	Outdoor
Kelly Miller		X
Kenilworth-Parkside		X
Langdon Park		X
McKinley		X
Randall		X
Reed	X	
Rosedale		X
Shaw Junior High	X	
Takoma		X
Upshur		X
Washington Highlands	X	
Capitol East Natatorium	X	X
1/ D.C. Center for Therapeutic Recreation	X	

1/ For Handicapped Only

2/ The Wilson Senior High School Pool is scheduled to be completed in FY 78. The facility is designed for both school and community use.

3/ The Ft. Lincoln School Pool is scheduled to be completed in FY 78. The pool was designed as a recreation facility.

Prepared by
Division of Buildings and Grounds
May 1978

SWIMMING POOL AT EASTERN HIGH SCHOOL

Senator LEAHY. How much of the $11 million at Eastern is for the swimming pool? Do you know offhand?

Mr. WINNER. There is a problem with that particular program. The scope that was originally developed for Eastern included a pool at Eastern. You remember a number of years ago we changed our pattern for budgeting capital outlay projects and we went into a joint venture with the city in which we would develop preliminary designs for schools and those preliminary designs were designed to produce a cost estimate which had previously been an educated guess; projects were being turned over subsequently to architects and designs were being developed from which a much more accurate projection could be made.

This original scope for Eastern included swimming pool, significant changes to the outdoor arena there, which is going to be made a citywide area, and significant changes inside. The cost estimate developed on the basis of that preliminary design ran to, as I recollect, $26 million, a staggering figure. The $11 million figure that you see represents the city's new estimate of what can be afforded at Eastern. If that figure is upheld and if that becomes the project total for Eastern, we will have to go back with the Department of General Services and completely reevaluate the preliminary design and remove a number of things. I personally would suppose the pool would be one of them that could not be funded within $11 million and still restructure that building into a modern senior high school.

RENOVATION OF ELLINGTON SCHOOL FOR THE PERFORMING ARTS

Senator LEAHY. One of your capital project requests for renovation of the old Western High School building into the Ellington School for Performing Arts totals $4,400,000. Questions come to mind as to why is such a school being funded at this time? One, there is no summer program; second, we have the reading problems that we have talked about before, and the school system is struggling to provide a basic education through a competency-based curriculum. Is this $4,400,000 really justified?

Mr. REED. Yes, the Ellington School of the Arts is a school we are developing for youngsters who are students who have the desire for academics plus have certain kinds of talents that I think we have an obligation and responsibility to help them develop. The money is needed for renovating Western High School. We are now using a gymnasium for dance studios and in some cases we have two studios with a partition in the middle with two classes trying to function and it is very difficult. We need to modernize that building so we can conduct the kind of program we want to conduct. I think it is the responsibility of this school system to deal with the needs of all of our young people as well as we deal with special education. These kids have special kinds of talents that can carry them in many directions and we feel we owe them that chance to develop those skills.

It is a regular high school where they meet all requirements by the Board of Education for academic education. They have a much longer school day. They leave there with a regular school diploma,

having met all requirements, and they also have a certificate in the arts.

It is not a high school that has forsaken the academics. It is a high school where youngsters are motivated to develop themselves mentally and physically.

STATUS OF CURRENT PROPOSAL TO CLOSE SCHOOL BUILDINGS

Senator LEAHY. The committee has urged that the schools eliminate any unneeded facilities from the school building inventory. Based on a report made recently to the committee, the Superintendent of Schools presented the Board of Education with a comprehensive report of consolidation, phasing out and immediate closing of a number of public school buildings now in operation. What is the current status of that proposal and what are the financial implications of the proposal?

Mr. REED. Since the administration has turned that over to the Board, I am going to let the Board answer that.

Ms. KANE. The Board has taken two steps there. We made a policy decision almost 2 years ago that all the old temporary buildings would be phased out, and that is almost completed. Last year we removed many and this year and next the rest of them will disappear from our inventory.

Last year the Board did vote to close 13 school buildings and this year we have before us 23 more that have been recommended, most of which are elementary schools. We have, as a matter of policy, lengthy consultation with the community about these recommendations. We have been holding hearings all over the city during the month of May, and we will be making decisions at the June Board meeting on which of these buildings to actually close this school year and which to phase out on a 1- or 2-year basis and which there is some concern that we might have to keep them. One of the difficulties we struggle with is the uncertainty of housing patterns, uncertainty of housing policy and the fact that so many of the new buildings that were planned 10 or 15 years ago, maybe 20 years ago, when the city was overcrowded, are just now being completed because of the process that we have to go through in getting buildings approved and letting the contracts, et cetera.

It sometimes takes 10 to 15 years from first conception of the building to the time when it is actually finished and we can move children into it. That is one of the things compounding our problem.

I noticed when I first came in you were talking about the convention center and I noticed in the paper, where I get some of my information from also, they were talking about having the convention center all built and ready to open in 3 years. I think it would be a cause of rejoicing if we ever saw that kind of commitment on the part of the city government to the public education system, where we could get them moving in 3 years.

Senator LEAHY. I think if a number of groups who have been lobbying in favor of the convention center, were lobbying even half as hard for the education system of this city, for the minds of young people of this city as they have for that, they could create a

memorial to themselves far more significant and far longer lasting. I think priorities get mixed up around here sometimes.

SUBMITTED QUESTIONS

Mr. Reed, did you want to add anything further? I have a number of questions I am going to submit for the record, if you don't mind. They are basically technical and go into various parts of the funding requests. But do you or either of the others have anything you would like to add?

Mr. REED. I don't have anything else.

[The following questions were not asked at the hearing but were submitted to the public schools for response subsequent to the hearing:]

PUBLIC SCHOOLS OF THE DISTRICT OF COLUMBIA

A. EASTERN HIGH SCHOOL

QUESTION:

1. The atmosphere at Eastern High School, according to the articles, does not appear to be conducive to good education. One article pointed out that there are large bands of students who never attend classes but only roam the halls causing general disturbances and attempting to lure their friends away from classes and school work. Mr. Reed, why can't we enforce better discipline in the high schools? Do you think that we are doing the students and their parents and the community a favor by being extremely lenient and permissive with our school children? Wouldn't we all be better off and wouldn't the many millions of appropriated dollars be better spent if we insisted that the teachers teach and the students learn?

ANSWER:

1. The entire thrust of my administration has been to create an environment in which teachers teach and students learn. The Competency Based Curriculum moves us in that direction.

The newspaper articles written about Eastern High School accentuated the negative aspects without doing justice to the many positive elements in operation within the school. Discipline in Eastern High School is not out of control. Large bands of students do not roam the halls looking for trouble or opportunities to lure students away. Obviously the school suffers the normal problems of any large high school in the country today; however, the school administrators are constantly striving to curtail these isolated incidents. Discipline is enforced.

B. SCHOOL CLOSINGS

QUESTION:

1A. A recent newspaper article (Post: 3/78) reported that Superintendent Reed, in responding to the drop in school enrollment and completion of a major building program, has proposed closing 23 D.C. Schools. These proposed closings would save an estimated $600,000 in FY 1979 and more after that. Is that $600,000 savings reflected in the schools budget?

ANSWER:

1A. The term "savings" does not accurately reflect the effect of closing 23 school buildings. The budget for D.C. Public Schools has been significantly reduced in the past three years in anticipation of these school closings. The funds originally budgeted and required for the opening of the new schools included in the major building program have been systematically excluded from our budget requests in 1976, 1977, and 1978. The costs incurred by this building program have been borne by spreading available resources still further to include these requirements, with serious loss of service to all schools throughout the system. Closing 23 schools will allow us to redistribute these resources to the remaining schools in the inventory. It will not result in direct savings, but will result in the better utilization of the resources remaining after the following unbudgeted increases have occurred:

Question No. B-1A - continued

UNFUNDED STAFFING REQUIREMENTS FOR NEW CONSTRUCTION

Fiscal Year	Positions	Dollars (in thousands)
1976	73	$ 543.5
1977	105	1,206.7
1978	28	291.9
TOTAL	206	$2,042.1

QUESTION:
1B. Would funds be realized by asset sales?

ANSWER:
1B. The costs incurred by D.C. Public Schools for the operation of school buildings are continuing and recurring costs for utilities, custodial and maintenance personnel, and associated services. The sale of assets would provide only a single, non-recurring increase in income. It is also not at all clear that such sales would result in additional income to Public Schools, but would apparently represent only an increase to the total resources of the City.

QUESTION:
2. What would be the reduction in operating expenses if the Superintendent's proposal was accepted?

ANSWER:
2. There would be no immediate reduction in current operating expenses, because of the absorption of staffing increases over the past three fiscal years, as noted above.

QUESTION:
3. The recently announced plans for additional school closings encountered some citizen opposition. How do you determine which schools should be closed? Do you have a specific, objective set of criteria that you apply? Do you have a plan which shows all buildings tentatively scheduled for closing, just as you have a capital construction plan? If so, why do you need an additional planning staff of 6 people? (Page GA-45) How have you been able to develop your facilities plans thus far without such a staff?

ANSWER:
3. The Board of Education has established in its Rules the criteria to be used by the Administration in studying schools for phasing and/or closing. These criteria, contained in Chapter 5, "Management and Operations" include: age; condition; capital improvements needed; maintenance; utility, and physical operation costs, including cost per student; required health and safety measures; building location, student residential patterns, and potential new housing; enrollment trends, actual and projected; auxillary facilities; student population related to capacity; role of the facility in the school system; role of the facility in the community; effectiveness of the facility to house the educational programs or other services; availability of space in other facilities to house the students, programs, and services, including the relative condition of such facilities; articulation with other schools; alternative educational and non-educational uses.

Question No. B-3 - continued

ANSWER:

The Division of Planning conducts the school closing study. The first study which involved twenty-four (24) schools was completed in March 1977, and eight (8) of those schools were recommended for closing. During the discussion and Board of Education action on these schools, it was obvious that applying the Board's criteria to only a selected number of schools is not wise because of the number of questions such a process raises; therefore, the Administration assumed the tremendous task of studying 23 schools in the D.C. Public Schools' inventory. This effort resulted in a "School Closing Study" in two volumes which was completed March, 1978. The study resulted in the Superintendent recommending to the Board of Education that: four schools be consolidated; three schools be phased and closed by 1980; twenty-three schools be closed by July, 1978, two schools be closed by July, 1979. These recommendations are scheduled to be voted upon by the Board of Education on June 15, 1978.

The two school closing studies have been accomplished by utilizing planning staff who are not on facilities planning positions; by using personnel detailed to the Division of Planning on a temporary basis from the Division of Buildings and Grounds; by using WAE personnel. It is impossible for the Division of Planning to design and implement a facilities planning process which involves much more than school closings.

The GAO Report: "Excess Classroom Space -- A Case for Better Planning", dated September 30, 1977, recommended the following:

"To obtain better planning the Board of Education should:

--Implement a facilities planning system that provides for the accumulation and reporting of essential data to assist in evaluating its school building needs. (See app. V.)

--Revise its planning policy to consider the schools' available pupil capacity in adjacent planning areas rather than only that of a specified area in determining its space needs.

--Codify its policy statements on capital improvements and formally submit them to the Superintendent of Schools.

--Develop and adopt a plan and timetable for implementing the planning system.

--Cancel its plans to build the Perry-Simmons replacement school."

Efforts are being made by the District of Columbia Public Schools to implement the above recommendations, but this will be impossible without adequate staffing of a facilities planning unit.

QUESTION:
4. Have you examined the possible implementation of a year-round school system (such as that used in nearby Prince William County, Virginia) as a means of reducing the number of required school facilities?

ANSWER:
4. In 1971, the Special Projects Division of the District of Columbia Public Schools developed a very comprehensive study -- "Approaches to Year-Round School." The study included: history of the extended school year, approaches to a rescheduled school year, implications for change, financial and legal consideration, course of action, and conclusion. The study noted that one of the successful programs, the Atlanta Year-round program, was not designed to save money and it called for voluntary student participation. Critics of the year-round concept argue that dollars and space savings cannot be made. Past programs have not always realized savings; however, only one entire school system during 1964-69 mandated student attendance. This school system, Polk County, Florida Department of Education, did save space and did save tax dollars. It would seem then that in order for year-round school to be cost-effective, student attendance must be mandatory. It should be noted that the District has not been able to conduct a full scale summer school program for several years because of insufficient funds.

QUESTION:
5. Is the phase-out program integrated with the District's space management and leasing program so that the possibilities of using this available space to meet the space needs of other agencies can be explored?

ANSWER:
5. The Administration has recommended to the Board of Education that the majority of the buildings recommended for closing be returned to the District Government so that they may be used by other agencies. In addition, the Director of the Department of General Services has been provided with a copy of the School Closing Study so that he may be aware of possible available space for use by other agencies.

QUESTION:
6. To what extent do other agencies make use of available space in school facilities?

ANSWER:
6. The agency that makes the greatest use of available school space is the Department of Recreation. In their program that ran from September 1977, through June 1978, they used spaces in the following schools:

Amidon
Anacostia H.S. (incl. stadium)
Backus Jr. H.S.
Ballou H.S. (incl. stadium)
Bancroft
Banneker Jr. H.S.
Barnard
Lee, Mamie D.
Lincoln Jr. H.S.
Ellington, Duke (incl. stadium)
Ludlow-Taylor
Malcolm X
Maury
McKinley H.S. (incl. stadium)

ANSWER:

Brent
Bruce Monroe
Bunker Hill (grounds only)
Burroughs (grounds only)
Congress Heights
Coolidge H.S. (incl. stadium)
Deal Jr. H.S.
Douglass Jr. H.S.
Dunbar H.S.
Eaton
Eliot Jr. H.S.
Evans Jr. H.S.
Fletcher-Johnson
Francis Jr. H.S.
Friendship
Garnet Patterson Jr. H.S.
Garrison
Goding
Gordon Jr. H.S.
Green
Hamilton Jr. H.S.
Hardy (grounds only)
Harris
Hart Jr. H.S.
Hayden Johnson Jr. H.S.
Hearst (grounds only)
Hine Jr. H.S.
Houston
Jefferson Jr. H.S.
Keene
Kelly Miller Jr. H.S.
Kramer Jr. H.S.
Langley Jr. H.S.
LaSalle
Lewis
Nalle
Orr
Oyster
Parkview
Payne
Peabody
Rabaut Jr. H.S.
Randall Jr. H.S.
Reed, Marie H. Learning Center
River Terrace
Roper Jr. H.S.
Rudolph
Savoy
Shadd (grounds only)
Sharpe Health
Shaw
Shepherd
Sousa Jr. H.S.
Spingarn H.S.
Stoddert (grounds only)
Taft Jr. H.S.
Takoma
Terrell Jr. H.S.
Terrell, Mary
Thomson
Tubman
Walker-Jones (grounds only)
Washington Highlands
Watkins-Buchanan
Webb
Wilkinson
Wilson H.S. (incl. stadium)
Wilson, J.O.
Woodridge
Woodson Jr. H.S.
Woodson Sr. H.S.

The Department of Human Resources (DHR) also has space designated for specific services in six buildings and a number of day care centers throughout the city. In those buildings where day care facilities were not specifically designed, classrooms are used on a request and space available basis. The other services provided by DHR in the six buildings are health and social related activities.

C. THE NUMBER OF FUNDED POSITIONS CONTINUE TO INCREASE WHILE ENROLLMENT CONTINUES TO DROP

QUESTION:

1. School enrollment is expected to decline by approximately 7,300 students during school years 1976-1977 and 1977-1978 but the school systems proposed number of funded positions in 1979 is greater than the number of funded positions in 1977. How do you explain this apparent inconsistency?

C. THE NUMBER OF FUNDED POSITIONS CONTINUE TO INCREASE WHILE ENROLLMENT CONTINUES TO DROP

QUESTION:

1. School enrollment is expected to decline by approximately 7,300 students during school years 1976-1977 and 1977-1978 but the school systems proposed number of funded positions in 1979 is greater than the number of funded positions in 1977. How do you explain this apparent inconsistency?

ANSWER:

1. On page GA-3 of our FY 1979 budget submission, we indicate that the total of authorized full-time positions in FY 1977 was 10,175, and as a result of the undesignated budget reduction in that fiscal year, the actual number of authorized positions in that fiscal year turned out to be 9,934. This level was maintained in FY 1978, but the employment ceiling was reduced from 9,813 to 9,675.

The increases that occurred in prior fiscal years, and which are proposed in FY 1979, sometimes offset in part these decreases in TSA-15 positions and other significant position reductions. They are attributable, however, almost exclusively to programmatic increases in Special Education or the provision of additional staffing for new facilities.

It would perhaps be more helpful to examine the change in TSA-15 positions over the past several years, which is a more accurate reflection of the effect of the population reduction. To do this, see the following chart on TSA-15 Positions:

TSA-15 Positions

Fiscal Year	1973	1974	1975	1976	1977	1978	1979
Authorized in Base	7,116	7,238	7,289	7,313	7,067	6,746	6,553
Add	122	56	24	4	28 1/	...	50 2/
Base Reductions/ Redirections	...	-5	...	-250	-349	-193	...
Total	7,238	7,289	7,313	7,067	6,746	6,553	6,603
Frozen	131	124	230	218	105	...	164
In Use	7,107	7,165	7,083	6,849	6,641	6,553	6,439

1/ Includes 18 positions for Schools for the Arts which were redirected to WAE in FY 1976 and 10 staffing positions which were cut as part of the 349 reductions of the Board of Education.

2/ Includes 51 new TSA-15 requested for Special Education and one position transferred to D.C. Public Libraries.

Budget Division
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D. WHAT IS THE INCREASE IN FUNDED POSITIONS IN FY 1979

QUESTION:
1. The justification material (Vol. III, p. 210) shows that 261 authorized but unfunded positions have been removed from the personnel totals for FY 1979 while at the same time there is only a 136 net drop in the personnel total. Does this mean that the schools are really funding an additional 125 positions (261 - 136 = 125) in FY 1979 over the number funded in FY 1978?

ANSWER:
1. Yes. The FY 1979 budget requests a net of 125 new positions.

QUESTION:
2. How many additional positions does the school system propose to fund in FY 1979 over the level funded in FY 1978?

ANSWER:
2. We are requesting 126 additional positions, less one position which will be transferred to Public Libraries, for a net increase of 125 positions.

Of these 126 new positions, thirteen are required for the staffing of new facilities, nine are requested for the establishment of a Facilities Planning Unit, nine are requested for the community facilities program at Fort Lincoln, Marie Reed, and Shaw Junior High School, and 95 positions are requested for Special Education.

Within Special Education, 65 positions are requested for programs to meet the needs of handicapped children as required by Public Law 94-142 and the Mills Decree. Thirty additional positions are requested for the provision of educational programs by the D.C. Public Schools to students now housed at Forest Haven as part of the deinstitutionalization program of the Department of Human Resources.

E. TOO MANY SCHOOL POSITIONS IN OVERHEAD ACTIVITIES

QUESTION:
1. The school system has requested funding for 9,798 positions. Of this total, only 5,592 or 57% are teachers and 3,173 or 32% are involved in administrative or overhead operations. Do you feel that a disproportionately small share of the total school system employees are teachers?

ANSWER:
1. In the first place, the figures cited do not reflect accurately the number of positions in use. The total number of positions, 9,798, includes 30 positions which are not funded,and which are therefore not in use in the Public School System. The number of teachers, 5,592, also includes these thirty unfunded positions, and does not include the large number of special subject and support teachers in our classrooms. This number reflects only the classroom teachers assigned to grade duties, and used for pupil-teacher ratio purposes.

The term "overhead" also does not reflect accurately the many personnel and staffing requirements in the operation of a public school system. The following schedule has been presented as part of our original budget request, and reflects the actual distribution of our positions among several significant categories. These categories are also defined.

Of these categories, we would consider only administrators, supervisors, and clerical staff to be truly "overhead", and this would account for a total of 1,115 positions or 11.4% of our total staff, and a ratio of 1 overhead position for every 5.8 TSA-15 positions in use in the system as the following chart entitled, Distribution of Authorized Positions shows:

Public Schools of the District of Columbia

Distribution of Authorized Positions

Classification	FY 1977	FY 1978	F Y 1979 Number	F Y 1979 Percentage of Total
Administration	500	455	464	4.7
Supervisor	97	101	105	1.1
Technician/Craftsman	642	598	601	6.2
Custodial/Transportation	1,140	1,009	1,029	10.5
Teacher	6,314	6,126	6,173	63.2
Specialist	618	601	609	6.2
Paraprofessional	242	215	240	2.5
Clerical	622	537	546	5.6
TOTAL	10,175	9,642	9,767	100.0

Prepared by
Budget Division
March 1978

CATEGORIES OF PERSONNEL

1. Administrators	-	Individuals responsible for directing a major organizational unit or the principal assistant to the director of such units. These individuals are assigned authority for functions or organizational units (Assistant Superintendent, Executive Assistant, Director). Normally in grades TSA 1-8 or GS-12-15.
2. Supervisory	-	Those employees, generally TSA 7-10 or GS-9 and above, who have supervision over a specialized subject area or technical speciality, but who function as staff rather than line officers (Supervising Directors, Assistant Directors).
3. Specialists	-	Those employees, generally TSA-15 or GS-9 and above, who provide professional services but do not have line authority, nor can they be classified as a supervisor (Psychologist, Educational Specialist, Counselor).
4. Teachers	-	Those employees who present classroom instruction in the schools. They may be assigned to a particular school (residential), or may present instruction in several schools (itinerant). Because of their instructional role, librarians are included.
5. Technicians/Craftsman	-	Those employees, generally GS-9 and above or Wage Grade, who provide either semi-professional, technical supportive services, or services as skilled craftsman (audio-visual technicians, accounting technicians, plumbers, carpenters).
6. Custodians/Transportation	-	Those employees, generally Wage Grade, who provide for the operation and maintenance of school facilities.
7. Para-Professionals	-	Those employees, generally GS-4 and below, who provide non-professional instructional assistance in the schools (teacher-aides, library aides and pupil personnel aides).
8. Clerical	-	Those employees, generally GS-9 and below, who provide secretarial and other administrative support (administrative aides, secretaries, clerks).

Budget Division
1978

QUESTION:
2. Why is it necessary to have one overhead position for every 1.8 teacher position? Do you feel that a disproportionately large share of the total school system employees are involved in overhead activities?

ANSWER:
2. We believe that the consideration of positions should include all TSA-15 positions in the system, since all of these positions provide direct educational service to children, the term "teacher" is both too vague and too restrictive to accurately describe the actual use of our positions in relation to children.

With reference to the several other categories of positions, we believe that the custodians, drivers, and technicians employed by the school system are essential to the maintenance of our school buildings and our bus fleet required for the transportation of handicapped children, and should be considered "support" positions rather than "overhead." The specialists and paraprofessionals identified within our work force, while not directly categorized as teachers, do in fact provide still further services to children, essential to educational success, and should also be excluded from any consideration of "overhead", and perhaps should be included in the broader definition of "teacher."

Referring again to the distribution of authorized positions above it could then be determined that 1,630 positions are used for support services, including building maintenance and transportation of handicapped children. One thousand one hundred fifteen positions are used for "overhead." Seven thousand twenty-two positions are used for direct services to children. In other words, 72% of our positions provide direct service to children, 11% provide administrative, supervisory, and clerical services, and 17% of our positions provide support services. Of the administrative, supervisory, and clerical positions, we employ one such "overhead" position for every 6.3 instructional positions.

We would also like to present the following schedule indicating the total number of TSA-15 positions currently in use, and also reflecting the change in the number of such positions since 1973.

TSA-15 Positions

Fiscal Year	1973	1974	1975	1976	1977	1978	1979
Authorized in Base	7,116	7,238	7,289	7,313	7,067	6,746	6,553
Add	122	56	24	4	28 1/	...	50 2/
Base Reductions/ Redirections	...	-5	...	-250	-349	-193	...
Total	7,238	7,289	7,313	7,067	6,746	6,553	6,603
Frozen	131	124	230	218	105	...	164
In Use	7,107	7,165	7,083	6,849	6,641	6,553	6,439

1/ Includes 18 positions for Schools for the Arts which were redirected to WAE in FY 1976 and 10 staffing positions which were cut as part of the 349 reductions of the Board of Education.

2/ Includes 51 new TSA-15 requested for Special Education and one position transferred to D.C. Public Libraries.

Budget Division
March 1978

F. COMPETENCY BASED CURRICULUM

QUESTION:

1. I understand (Post: 4/78) that the schools are now planning to postpone system-wide introduction of the Competency-Based Curriculum until September of 1979. The reason for the delay is the interest in testing the new curriculum to make sure it will have the hoped for results. Is that correct?

ANSWER:

1. The Washington Post article was not completely clear inasmuch as the only thing the school system is limiting is the distribution of the curriculum guides in some 50 or so schools. All of the aspects of the competency-based curriculum are going forward. Please see the report submitted to the Board of Education on May 17, 1978, entitled, Competency-Based Curriculum School Year 1978-79.

LETTER FROM VINCENT E. REED

SUPERINTENDENT OF SCHOOLS

May 17, 1978

To the Board of Education
of the District of Columbia

Ladies and Gentlemen:

SUBJECT: Competency-Based Curriculum -
School Year 1978-79

The Superintendent is submitting for the information of the Board of Education the plans for the development and implementation of the Competency-Based Curriculum during school year 1978-79.

With the opening of school year 1978-79 all schools will be involved with the development and/or implementation of the Competency-Based Curriculum. Objectives, written in behavioral terms, for the priority areas of reading, mathematics, language arts/English and science will be distributed to all schools. These curriculum materials, which will be compiled in notebook form, will be required for use by all teachers on the elementary level. Those teachers in the junior and senior high schools teaching in those designated disciplines will also be required to use these curriculum materials.

Those schools designated as pilot schools, Appendix A, will continue initial field testing and validation of newly prepared curriculum materials.

Prototype schools, Appendix B, will continue using validated curriculum guides.

The plan for dissemination of CBC materials for the 1978-79 school year is represented by the following chart:

	All* Schools	Pilot** Schools	Prototype*** Schools
1. Objectives, written in behavioral terms, for the four priority areas (Reading, Math., Lang. Arts/ English and Science)	X	X	X
2. A set of reference copies of curriculum guides being validated	X	X	X
3. Materials which were validated in 1977-78 year and revised summer '78		X	X
4. Newly developed materials, ready for validation		X	

* For junior and senior high schools, lists of objectives in the priority areas will be disseminated to those teachers in the designated disciplines.

** Pilot Schools are those schools that are conducting initial field test and validation of newly prepared curriculum material.

*** Prototype Schools are those where components of CBC are being implemented in regular instruction and where newly validated curriculum is used.

As the Board is aware, there has been on-going training in the instructional technology required for the use of the Competency-Based Curriculum (Appendix C). This training will continue as teachers begin using the objectives in September.

As teachers work with the objectives, they will be encouraged to document those activities which prove successful for use by curriculum writers in the CBC Center. Thus, all teachers will be sharing in the development and/or implementation of this major system thrust.

Respectfully submitted,

Vincent E. Reed

Vincent E. Reed
Superintendent of Schools

QUESTION:
2. What are the results to date of the tests made with the Competency-Based Curriculum?

ANSWER:
2. The results of tests pertaining to the competency-based curriculum are not available for this school year. We have elected to use a three year model to implement this comprehensive plan. The first year was a Year of Awareness, the present school year is the Year of Understanding and Commitment, and the third year will be the Year of Implementation, beginning September, 1978.

QUESTION:
3. What effect has it had on student achievement levels and dropout rates?

ANSWER:
3. Again, the competency-based curriculum has not been implemented. Consequently, it's impact on dropout rates is not known.

Behavioral Objective: After completing this instructional module, the participate will be able to define competency-based curriculum in operational terms.

Module II WRITING BEHAVIORAL OBJECTIVES

Part 1. Performance Skills in Behavioral Objectives: Using Action Verbs
Videotape 1/2 in. (Videocassete) black and white, 45 min. (Suggested time-block for presentation: at least 75 min.)
Instructor: Mrs. Dorothy Stephens

Behavioral Objective: After completing this instructional module, the participant will be able to name the four components of a behavioral objective...identify the operational definitions of nine selected action verbs...identify the operational definitions of nine selected action verbs that can be used in writing behavioral objectives.

Part 2. Identifying the Four Components of a Behavioral Objective
Slide/Tape, (80 Slides/Cassette Tape), color, 30 min. (Suggested time-block for presentation: at least 60 min.)
Instructor: Dr. Mary White

Behavioral Objective: After completing this instructional module, the participant will be able to identify the four components of a behavioral objective, given a statement of a behavioral objective.

MODULE III IDENTIFYING AND CONSTRUCTING APPROPRIATE LEARNING ACTIVITIES

Part 1. Identifying Instructional Activities in Performing Agreement with Behavioral Objectives
Videotape, (Videocassette) 1/2 in., black and white, ... min. (Suggested time-block for presentation: at least ... min.)
Instructor: Mrs. Nellie Lewis

Behavioral Objective: Upon completion of this instructional module, the participant will be able to identify learning activities in performance agreement with a given set of behavior objectives.

Part 2. Construction Learning Activities
Audiotape (cassette-tape), 53 min. (Suggested time-block for presentation: at least 75 min.)
Instructor: Mrs. Mary Harbeck

Behavioral Objective: Given an objective, the participant will construct two learning activities which are in performance agreement with the objective and offer at least two sensory approaches to learning.

ANSWER:
3. Again, the competency-based curriculum has not been implemented. Consequently, it's impact on dropout rates is not known.

QUESTION:
4. The justification material (Vol. III, p. 225, 226) listed some expected outcomes of the competency-based curriculum. The list included the production and/or selection of instructional materials and equipment which will meet the needs of students; and effective and efficient use of education and technology in the solution of instructional problems.

QUESTION:
4A. Please elaborate on the use of these teaching techniques. Do they promise to increase the productivity of teachers?

ANSWER:
4A. Characteristics of the CBC are:

1. The identification of needs, interests and abilities through a multi-faceted assessment program

2. The formulation of objectives in behavioral terms that specify the target population, the desired performance, the performance criterion, and the contingent factor

3. Instructional activities that employ many learning/teaching modes to develop each competency

4. Assessment criteria consistent with the identified objective

5. The dissemination of objectives and other student learning information with parents and the public

6. Learning that is sequential and individualized

Following is a list of training modules and 7 1/2 minute films:

Module I DEFINING COMPETENCY-BASED CURRICULUM: AN INTRODUCTION TO CBC

Part 1. A Competency-Based Plan (same content in two formats) Slide/Tape, color, 8 min. ALSO Film, 16mm, color, 12 min. (Suggested time-block for presentation: at least 30 min.)

Behavioral Objective: After viewing this (slide/tape) (film), the viewer will be able to name the focus of CBC, name the five categories of skills and state at least three characteristics of a competency-based curriculum.

Part 2. An Operational Definition of a Competency-Based Curriculum Film, 16mm, color, 40 min. (Suggested time-block for presentation: at least 60 min.)

MODULE IV CONSTRUCTING CRITERION-REFERENCED ASSESSMENT TASKS

Part 1. Constructing Assessment Tasks in Performance Agreement With Behavioral Objectives
Videotape (Videocassette) 1/2 in., black and white, ... min. (Suggested time-block for presentation: at least ... min.)
Instructor: Mr. Robert Farr

Behavioral Objective: At the conclusion of this module, each participant will be able to construct an assessment task that is in performance agreement with a given behavioral objective.

QUESTION:
4B. Do they promise to increase the quality of education outcomes? If so, how?

ANSWER:
4B. Yes, by making it very clear to both teachers and students what things they are expected to achieve.

QUESTION:
4C. Is this an investment which will help reduce the future requirements for additional school teachers?

ANSWER:
4C. No.

QUESTION:
4D. How much will these techniques cost as a part of the competency-based curriculum?

ANSWER:
4D. Inasmuch as the competency-based curriculum utilizes existing teaching personnel more efficiently there are no immediate additional costs. At some point in time the program may require a redirection of resources.

G. CONTINUING EDUCATION

QUESTION:
1. The schools have requested an additional 9 positions and an additional $200,000 to provide staffing and support for Fort Lincoln Community Facilities School, (Vol. III, p. 249). The justification material (Vol. III, p. 220) does not show an increase in projected enrollment in the Continuing Education Program. Why are additional positions needed for a program that shows no increase in enrollment?

ANSWER:
1. In development of the FY 1974 budget the staff of the D.C. Public Schools Community Schools Branch met with the Office of Budget and Fiscal Management. It was proposed that the agreed upon staff for community facilities schools be funded by the addition of necessary funds to the DCPS budget at the time that such facilities become available. The $200,000 is therefore requested to fund Fort Lincoln School, available 1978.

35-829 O - 73 - pt. 2 - 17

ANSWER:

The additional positions requested are needed to staff Fort Lincoln Community Facilities School for which no positions were funded. Also, the Division is at maximum operating level with staff and funds available. Expansion of program to meet needs as surveyed and waiting lists require additional staff and funds.

H. CAPITAL IMPROVEMENT PROJECTS
I. ELLINGTON SCHOOL FOR THE PERFORMING ARTS

QUESTION:

1. One of your capital project requests is the renovation of the Old Western High School Building for a new high school for the performing arts, with a total request of $4,400,000.

Exactly why should such a school be funded at this time, when

--There is no summer school program,
--It has been acknowledged that district students are far behind the national average in basic abilities such as reading (See Reed's statement, page 768 of fiscal year 1978 House Appropriation Hearings), and
--The School System is struggling to provide the basics of education through its competency-based curriculum?

ANSWER:

1. The Edward Kennedy "Duke" Ellington School of the Arts, housed in the former Western High School building, has been functioning for four years, offering professional level artistic skills training to students in grades 9 through 12 in dance, theatre, music, and visual arts. In addition to their artistic training, students accepted into the program at Ellington receive a full complement of academic subjects as part of their extended (8:30 a.m. to 4:30 p.m.) school day.

--The absence of a full summer school program should not be used as a justification for the elimination of successful, innovative programs currently operating during the regular academic year. Students at Ellington are highly motivated, having applied and auditioned for a place at the School, and exhibit a willingness to sacrifice their time and effort as they further their training. Students are monitored closely throughout the year and those failing to exhibit satisfactory progress, either artistically or academically, are recommended to transfer to a neighborhood comprehensive high school. Ellington represents an exciting model for other "magnet" schools which address the total spectrum of educational needs while offering specialized training in an area of particular interest and ability to its student population.

--The generally acknowledged fact that District students are below national averages in certain basic abilities does not preclude the need for special programs and facilities to meet the challenge presented by talented young people. Students at Ellington, selected through a carefully administered audition process which seeks to determine artistic potential, exhibit a wide range of reading and mathematics skills levels. The academic program at Ellington is designed to deal with these multiple skill levels, while the artistic

ANSWER:
program offers an environment of motivation and skills development which carries over into the students' academic work. The atmosphere of high quality training, which the above average artistic talent potential of these selected students makes possible, increases the likelihood that these students who may be deficient in other skills areas (such as reading) will be encouraged to strive for excellence in these areas as well.

--The program offerings at Ellington are perfectly compatible with the overall competency-based educational plan of the District's Schools. Both the academic and artistic portions of the Ellington program are concerned with the development and nurturance of competencies in the student population. The provision of advanced skills training in a particular arts area certainly does not inhibit the introduction of more fundamental competencies in academic areas; and, in fact, the atmosphere of success created in the arts areas will help support the development of more basic, supporting competencies in the academic realm.

QUESTION:
2. Aren't the activities mentioned (i.e., chorale, orchestra, etc.) items that usually are provided through the normal school structure?

ANSWER:
2. The artistic programs offered at Ellington are fundamentally different, both in concept and in scope, from the extra-curricular activities offered in selected arts areas in normal school structures. For example, the instrumental music program at Ellington includes ear training, music history, harmony, individual and "sectional" lessons, as well as a variety of ensembles. Unlike orchestra programs which function as extra-curricular offerings, the instrumental music program at Ellington is an integral part of the School's program encompassing approximately one-half of the student's time at the school. The portions of the Ellington program which correspond to other schools' programs are a small fraction of the total Ellington program, representing solely the performing units of the school which is essentially an institution for comprehensive skills training.

QUESTION:
3. How many other cities have high schools for the arts?

ANSWER:
3. There are fewer than a dozen public high schools for the arts in the country. The High School of Music and Art in New York City is the oldest and probably the most well established. A number of the other public arts high schools are, like Ellington, recent additions to the educational offerings of their cities.

QUESTION:
4. How many students will the building and staff accommodate upon completion?

ANSWER:
4. The anticipated student population of the Ellington School of the Arts is 650-700 students.

QUESTION:
5. Have you performed any survey to determine how many students would participate?

ANSWER:
5. To date, no formal survey has been conducted to determine the number of participants. Each year, the number of students applying for admission to the School has far exceeded the number of students who can be accommodated. Four hundred fifty applications have been received to date for September, 1978 admission from which approximately 150 will be accepted based on successful completion of the audition and interview process.

QUESTION:
6. Since the building is 80 years old with only limited improvements since initial construction, how long will it be before large scale structural repairs and improvements are needed?

ANSWER:
6. The renovation plans envisioned for the Western High School building are concerned principally with the unique needs of a school for the fine and performing arts. The preliminary design studies undertaken in the early phases of the project have found the building to be structurally sound and the engineering consultants involved did not suggest that major structural repairs were imminent.

H. CAPITAL IMPROVEMENT PROJECTS
II. HEALTH OCCUPATIONS CAREER CENTER

QUESTION:
1. The Career Center Project is funded by a reprogramming of funds previously appropriated for the Oxon Run Elementary and Junior High School. Why are surplus funds available from this project?

ANSWER:
1. Construction funds in the amount of $15,390,000 were appropriated in the FY 1973 budget to construct the Oxon Run Elementary and Junior High School. Upon completion of design, the project was advertised for construction bids. Due to the competition in bidding, (5 bidders) and the dollar size of the project (approximately $12,000,000 instead of the normal size of $1,000,000 to $5,000,000) very good bids were received. This resulted in a total construction cost to date of $12,505,000. This leaves a balance of $2,885,000 as a potential surplus in the project.

The proposed reprogramming of $1,639,000 for Project No. GA-535, Alterations to M. M. Washington will leave $1,246,000 in the project which is more than adequate to make any additional corrections which may be required.

I. QUESTIONS FOR THE RECORD

QUESTION:
1. Under Special Education on page GA-29, you have a request of $3.5 million for "other services." Exactly what does this consist of and why is the increase required?

ANSWER:
1. This request does not represent an increase. This amount is a continuing part of the base budget of D.C. Public Schools. Specifically, these funds are currently appropriated as follows:

OTHER SERVICES (CONTRACTUAL)

Fees, Professional Services	$ 1,820
Staff Development Tuition	58,680
Film Processing	500
Special and Miscellaneous Services	24,000
Tuition for Students in Private Institutions	3,346,537
Equipment Repair and Maintenance	4,680
Hearing Officer Services	68,218
	$3,504,435

QUESTION:
2. You also requested funding for six (6) bus drivers to carry Forest Haven youths to other locations. Where will they be bussed?

ANSWER:
2. Residents of Forest Haven whose individualized educational program indicates that he/she can benefit from the less restrictive environment of public school programming will be bussed to either the State operated schools (Mamie D. Lee, the Job Development and Evaluation Center, the Career Exploration Program) or to one of the regionally administered elementary classes for the trainable retarded. Approximately 90 students have been identified at Forest Haven as needing this deinstitutional-less restrictive programming.

QUESTION:
3. During the fiscal year 1978 appropriation hearings before the House Subcommittee (page 768), you said one of your goals is to "develop a systematic plan for the continuous assessment and evaluation of education needs and achievement." Has the plan been developed?

ANSWER:
3. A needs assessment was conducted during school year 1976-77. A new teaching program is being implemented over a three-year period to be completed in 1981 to evaluate achievement.

QUESTION:
4. During the same hearings (p. 767), Mr. Winner stated that school building security improvements were being made, with new alarm systems and added security coverage. How much did it cost and what was the effect on vandalism?

ANSWER:
4. The average cost for the equipment and installation of a school security system is $20,000.00. This figure represents all of the required building signal devices, the means of transmitting the signal to a central monitoring station, and the terminal receiving equipment.

The security systems notify the authorities in the central monitoring station that there is an intrusion into a building. With this notice, there is a relatively short period of time available to the vandals to do damage. As a result, there are three benefits. One, the damage done by vandals is less severe. Two, there is a greater chance to apprehend the vandals. Three, once it is known that the building is protected, it appears that there is a reduction in the number of break-ins. Last year, FY 1977, there were 63 cases of break-ins with the intent to vandalize the building. This year to date there were only 10 cases.

QUESTION:
5. On Page GA-11, one of your footnotes (Number 9) to the Special Education table states that "staff positions cut/frozen from the general appropriations were maintained through Federal Grant Dollars". What grants were used for that purpose? Doesn't this practice violate Federal Management Circular 74-4, which states that grant costs must not be a general expense required to carry out the overall responsibilities of state or local governments?

ANSWER:
5. During FY 76 and 77, reductions in city appropriations resulted in proportional position cuts and/or position freezes throughout city agencies. Special Education staff positions were reduced by 20 positions in FY 76 and 43 positions in FY 77 resulting in an overall reduction in staff of 63 positions. Simultaneously, results from Child Find activities mandated by P.L. 94-142 and the Mills Decree increased the pupil population to be served. The following sources of federal funding were used to address this dichotomy.

Title VI B, Education of the Handicapped Act funding was used to purchase staff for children identified as previously unserved by special education and to augment programs in which children were identified as programmatically underserved. These programs included services to the emotionally disturbed, multi-handicapped and preschool children.

School administrators, who prior to FY 76 had sought and received staff positions to supplement/enrich regular instructional services requested amendments to proposals under P.L. 89-313 to maintain these supplementary services in state operated schools. The majority of these positions were teacher aides, clerical and career development personnel.

QUESTION:
6. In 1976 the District established a Performance Monitoring System to measure the efficiency and effectiveness of most of the major agencies. Why doesn't the Public Schools System participate in this program? If you have your own system for measuring efficiency and effectiveness, please describe it.

ANSWER:

6. Since February 1978, the Public Schools have been participating in the District of Columbia's Performance Monitoring System. Analysts from the Office of Budget and Management Systems met with personnel from D.C. Schools, Division of Buildings and Grounds to develop specific areas where improvement opportunities could occur.

In March, five tasks were outlined as a starting point, with the intention of leaving the completion of the total effort open ended. The five tasks are as follows:

TASK 1 - Investigate Present Custodial Practices

A. Observe and document practices in sample schools

- Review new employees training procedures

B. Interview workers, supervisors, and principals

- Use standard interview sheet
- Focus on method and frequency of performing various jobs
- Focus on relationships of various actors

C. End result - Documentation of current practices, assessment of improvement potential, workplan for designing and implementing improvements (if necessary)

TASK 2 - Update Findings and Recommendations of Booz, Allen and Hamilton Study

A. Verify staffing formulas

- Review formulas with Public Schools' staff
- Check for new technology
- Compare formulas to standards used elsewhere
- Recalculate formulas where needed
- Consider effect of school location and programs

B. Update file on school facilities (e.g., number of rooms, area)

- Include new buildings
- Update records for modernized buildings
- Phase-in with automated data base

C. Recalculate staffing standards

D. Compare standard to actual on school-by-school basis

E. Analyze difference in performance for "understaffed" versus "overstaffed" facilities

F. Compare other Booz, Allen recommendations to current practice

ANSWER:

G. End Result - Documentation of current staffing patterns versus recommended, workplan for change (if necessary)

TASK 3 - Evaluate Supplies Inventory Control and Usage

A. Document current procedures

B. Perform a sample audit of inventory in stock

C. End Result - Documentation of procedures, assessment of improvement potential, recommendations and implementation schedules (if necessary)

TASK 4 - Analyze Repairs and Improvements Work

A. Document current process

B. Measure key time intervals (e.g., time between initiation and completion of work)

C. Analyze types of jobs done

D. End Result - Assessment of current practice, recommendations as to what types of work might best be done in-house or contracted out

TASK 5 - Investigate Energy Saving Possibilities

A. Analyze energy use by various school buildings

B. Develop energy saving checklist

C. Observe current practices

D. End Result - Checklist for use by custodial personnel, analysis of current energy use, identification of improvement possibilities

QUESTION:

7. Page GA-13 of your budget submission states that you had to curtail your summer school program. Does this mean that students failing classes during the regular school year can no longer receive remedial work to enable them to be promoted to the next grade in the fall?

ANSWER:

7. Unless there is an increase in funds it will be necessary to continue to curtail the summer school program. This does mean that students failing classes during the regular school year can no longer receive remedial work to enable them to be promoted to the next grade in the fall.

PREPARED STATEMENT OF MS. BETTY KANE

Ms. KANE. I have a prepared statement, but I will submit that for the record.

Senator LEAHY. Thank you very much.

[The statement follows:]

Statement of Betty Ann Kane
At-Large Member, D.C. Board of Education

May 18, 1978

The Board of Education's official request for fiscal year 1979 is $255,957,900. This includes $21,705,000 which was the city's estimate of the amount required for the Teachers' Retirement Fund and $234,252,900 in operating funds. This budget is presented on page 5.

The level recommended for the Public Schools in the act submitted by the Mayor and Council to the Congress provides only $217,229,000 in operating funds--a shortfall of some $17 million. Pages 6, 7, and 8 of the Board's budget book gives a comprehensive list of the services which will not be funded if a $217 million operating level is approved. Some of these are mandatory.

Most serious is perhaps the inability to meet the needs of handicapped children as required by P. L. 94-142. I am calling this to your attention because P. L. 94-142 is a congressionally passed mandate, applicable to all school systems, to provide a "free and appropriate public education" for all children, regardless of handicap. It is the policy of the Board of Education to move to full implementation of P. L. 94-142, not just because it is the law but also because it is right. As is pointed out in the attached memorandum, at the funding level recommended by the city "we cannot guarantee that all handicapped students will be afforded their due rights and that they receive an appropriate special education." The memo gives some detail about special education services that are unfunded.

At the funding level of $217.2 million, D. C. Public Schools will be spending $1,901 per pupil out of appropriated funds in fiscal 1979. When federal grants are included, the estimated per pupil expenditure will be $2,141.

I bring this to your attention because it was reported in the Washington Star that this Committee thought our per pupil costs for next year would be $2,545 and "the highest in the nation." This is not true. According to all surveys that have been done, D. C. Public Schools consis-

tently ranks in the middle of large city school systems in per pupil costs. Compared to Washington, D. C. area school systems, D. C. also ranks in the middle. Charts showing these comparisons are attached. These surveys compute per pupil costs using the standard nationwide formula approved by the U. S. Office of Education. These figures include the cost of special education for the handicapped, which is very expensive per pupil and which raises the cost for all pupils when averaged in. I am also submitting charts that show the class sizes and allocation of special subject teachers a $217.2 million funding level will provide.

The Board of Education is pleased that the City Council has legislatively separated the appropriation for the Teachers' Retirement Fund, from the appropriation for D. C. Public School operating funds, which are under Board control. In this regard we are submitting two corrected schedules which reflect this action of the Council. The Council act sets $21.7 million as the amount the city proposes to put into teachers retirement in fiscal 1979. We have repeatedly wondered whether this figure is too high and have raised specific questions, through a Freedom of Information Act request, about the status and needs of the fund. Also attached are figures showing a dramatic 400% increase in city demands for the retirement fund and the corresponding effect, in the years before the two separated out, of the fund as a drain on D. C. Public School programs. The Board's own estimate of retirement needs for FY '79 was $19.9 million. We would ask that if investigation shows $21.7 million is not needed for retirement, the excess be transferred to D. C. Public Schools operating appropriation for such uses as education of the handicapped.

The final fiscal matter I wish to comment on is the treatment of funds for salary increases. All of the pay raise money for all city employees in all agencies is carried in the budget as one lump sum. It is not distributed or broken down by agency. We are asking that the salary increases for D. C. Public School employees be treated in a manner consistent with the way D. C. Public School operating funds and capital funds are treated--as a separately identified object. In fiscal '78 this would mean identifying $9,220,300 of

the total salary increase category for D. C. Public Schools. It would also mean identifying an additional $4,220,300 in the FY '78 supplement for DCPS employees. In FY '79 it means identifying $14,236,500 (at an assumed increase of 7%). Language requiring the transfer of each full amount to DCPS would be extremely helpful in ensuring continued sound management and the ability to plan ahead by Superintendent Reed and his staff.

This year for example we are coming to realize that the amount we think will be transferred to DCPS for pay raises (which are already in effect) will be some $900,000 short of the actual expenditure. If the dollar amount were specified in the budget, as all other items are, we would not be faced in April with the knowledge persons may have to be riffed or other areas may have to be cut in order to make ends meet.

TG
4/12/78

ADDITIONAL SPECIAL EDUCATION SERVICES
REQUESTED BUT UNFUNDED

	Positions	Amount
Instruction: Mental Health	3	$ 55.4
Instruction: Mentally Retarded	1	18.5
Instruction: Summer School	W.A.E.	37.9
Additional Tuition Programs	----	334.7
Instruction: School-Based Consultation	20	369.3
Instructional Supervision	13	224.5
Placement Services	4	84.1
Classroom Support (aides & materials)	38	445.6
Pupil Assessment	24	467.2
Therapy	15	276.9
Student Transportation (drivers & attendants)	28	375.5
TOTAL	146	$2,689.6

LETTER FROM DR. DORIS A. WOODSON
ASSISTANT SUPERINTENDENT

April 12, 1978

Memorandum To: Mr. Edward Winner
Deputy Superintendent

Subject: F'79 Supplemental Budget, Justification Summary

Since August, 1972, the District of Columbia has been under the Mills Decree; since November, 1975, the District of Columbia has been bound by the requirements of P.L. 94-142. Both the Decree and P.L. 94-142 place very specific responsibilities on the Public Schools in its capacity as the State Education Agency, namely, to ensure that each eligible handicapped student is provided a free and appropriate special education.

To carry out that responsibility, handicapped students must be identified, assessed, evaluated and placed in accordance with the requirements of the law. The total process of identification, assessment and placement must be done in a manner which not only is non-discriminatory but also affords every student and parents with procedural safeguards to ensure their procedural and due process rights. In addition, we are required to ensure that every handicapped student receiving special education has an Individualized Educational Program (IEP) which is provided in the least restrictive environment. As the State Education Agency the Public Schools also has the responsibility for ensuring that students in other public programs and city-supported programs are also afforded these same rights.

The F'79 supplemental budget request reflects what we see as the minimal additional staff and materiel resources needed to enable the Division of Special Education to meet its SEA obligations. Without them we cannot guarantee all handicapped students will be afforded their due rights and that they receive an appropriate special education. Our currently depleted and reduced staff and resources are reflected in both decreased numbers of referrals and increased numbers of tuition cases.

Referrals for assessment have increased, far beyond capabilities of staff; in attempting to comply with the mandates of P.L. 94-142 school-based teachers, psychologists and social workers are spending greater amounts of time in gathering assessment data. The more time so spent decreases the total number of cases which can be processed, and thereby limits access to special education programs.

This year we have seen a 1000% increase in the number of due process hearings held; many more have been requested. These requests are indicative that our programs are stretched too thin; they must be strengthened and expanded if we are to provide the minimally required program components. If we fail to provide additional teachers, therapists and support personnel, hearings will continue to increase and our tuition rolls will swell.

Public Schools of the District of Columbia

COMPARISON OF ESTIMATED AVERAGE ANNUAL SALARIES FOR CLASSROOM TEACHERS, 1971-72 AND 1976-77

Fourteen Large Cities 1/	1971-1972 Average Salaries	Rank	1976-1977 Average Salaries	Rank	Five-Year Amount	Increase Percent	Rank (According to %)
Baltimore	$ 9,765	11	$13,489	11	$3,724	38.1	9
Boston	11,160	7	17,100	6	5,940	53.2	3
Chicago	11,340	6	17,302	4	5,962	52.6	4
Cleveland	9,900	10	14,588	9	4,688	47.4	7
Dallas	9,250	13	13,600	10	4,350	47.0	8
Houston	9,357	12	12,200	13	2,843	30.4	12
Los Angeles	11,425	4	17,399	3	5,974	52.3	5
Milwaukee	11,400	5	19,296	1	7,896	69.3	1
New Orleans	9,000	14	11,399	14	2,399	26.7	13
New York	11,600	3	19,000	2	7,400	63.8	2
Philadelphia	12,000	2	15,959	8	3,959	33.0	10
St. Louis	10,439	9	13,000	12	2,561	24.5	14
San Francisco	12,990	1	17,239	5	4,249	32.7	11
Washington, D. C.	11,022	8	16,460	7	5,438	49.3	6
Surrounding Jurisdictions, 2/							
Washington, D.C.							
Alexandria	N.A.	...	N.A.	...	...	...	...
Arlington County	11,753	1	18,036	1	6,283	53.4	2
Fairfax County	N.A.	...	16,296	2	...	...	...
Montgomery County	11,650	2	16,055	3	4,405	37.8	3
Prince George's County	11,068	3	15,400	4	4,332	71.8	1

Sources: 1/ Large Cities from USOE-NCES "Statistics of Public (Elementary and Secondary Day) Schools, Fall 1971" and data for 1976-77 from preliminary USOE-NCES 1976-77 report and Educational Research Service Report, 1976-77.
2/ Telephone survey for 1976-77 data.

Note: N.A. means data not available.

Prepared by
Division of Research and Evaluation
August 1977

Public Schools of the District of Columbia

COMPARISON OF ESTIMATED AVERAGE ANNUAL SALARIES
FOR CLASSROOM TEACHERS, 1977-78

Fourteen Large Cities:	Average Salaries 1977-78 (Estimated)
Baltimore	$14,000
Boston	17,275
Chicago	N.A.
Cleveland	14,873
Dallas	14,248
Houston	13,633
Los Angeles	17,672
Milwaukee	16,000
New Orleans	N.A.
New York	18,656
Philadelphia	15,933
St. Louis	12,750
San Francisco	18,600
Washington, D. C.	18,236
Suburban Washington, D.C. School Systems:	
Alexandria	16,955
Arlington County	18,688
Fairfax County	17,200
Montgomery County	17,471
Prince George's County	17,422

Source: Data obtained from Educational Research Service Report - 1977-78

Note: N.A. means data not available.

Prepared by
Division of Research and Evaluation
April 1978

Public Schools of the District of Columbia

A COMPARISON OF TOTAL SCHOOL SYSTEM EXPENDITURES PER PUPIL
FOR REGULAR BUDGET AND FEDERAL FUNDS
IN SELECTED URBAN AND LOCAL SCHOOL SYSTEMS, 1976-77

School Systems:	Estimated Expenditures Per Pupil
Atlanta	$1,369 1/
Baltimore	1,472
Boston	2,663
Cleveland	1,639
Milwaukee	2,084
San Francisco	2,342
St. Louis	N.A.
Washington, D.C.	1,897 2/
Surrounding areas:	
Alexandria	N.A.
Arlington County	2,233
Falls Church	2,549
Fairfax County	1,633
Montgomery County	1,875
Prince George's County	1,636

1/ Does not include Federal Funds

Note: N.A. means data not available

Source: Data (not adjusted) from USOE-NCES for large cities. Data for surrounding area school systems secured by mail and telephone surveys.

2/ $1,950 based on actual obligations - but this would not be comparable with estimated figures from other jurisdictions

Prepared by
Division of Research and Evaluation
March 1978

Public Schools of the District of Columbia

A COMPARISON OF TOTAL SCHOOL SYSTEM EXPENDITURES PER PUPIL
FOR REGULAR BUDGET AND FEDERAL FUNDS
IN SELECTED URBAN AND LOCAL SCHOOL SYSTEMS 1977-78

School Systems:	Estimated
Atlanta	$1,430 1/
Baltimore	1,556
Boston	2,289
Cleveland	2,276
Milwaukee	2,319
San Francisco	2,072
St. Louis	1,395
Washington, D. C.	2,033
Surrounding areas:	
Alexandria	2,431
Arlington County	2,520
Falls Church	2,395
Fairfax County	1,736
Montgomery County	2,048
Prince George's County	1,780

1/ Does not include Federal funds

Source: Data (not adjusted) from USOE-NCES for large cities. Data for surrounding area school systems secured by mail and telephone surveys.

Prepared by
Division of Research and Evaluation
April 1978

35-829 O - 79 - pt.2 - 18

Public Schools of the District of Columbia

COMPARISON OF PROFESSIONAL STAFF PER 1,000 PUPILS, BASED ON REGULAR APPROPRIATED FUNDS ONLY, AND FULL-TIME SINGLE DAY MEMBERSHIP FIGURES, IN EIGHT LARGE CITY SCHOOL SYSTEMS AND SUBURBAN WASHINGTON, D.C. SCHOOL SYSTEMS
FY 1974 THROUGH FY 1978

City School Systems	Professional Staff Per 1,000 Pupils				
	FY 1974	FY 1975	FY 1976	FY 1977	FY 1978 (Est.
Atlanta	65.9	63.0	55.9	60.0	55.2
Baltimore	54.5	59.3	62.1	61.0	59.2
Boston	60.0	67.5	N.A.	71.9	69.5
Cleveland	51.3	53.8	50.7	50.3	51.6
Milwaukee	55.1	55.7	55.9	58.1	58.3
St. Louis	47.7	48.5	53.3	51.4	52.3
San Francisco	66.3	67.3	69.1	71.1	73.4
Washington, D.C.	61.6	62.9	62.5	62.4	61.6
Suburban Washington, D.C. School Systems:					
Alexandria	72.8	73.4	74.7	72.1	74.5
Arlington County	67.4	68.8	69.4	63.3	68.3
Fairfax County	56.4	58.1	58.0	58.7	60.5
Montgomery County	60.9	61.9	61.0	62.3	62.8
Prince George's County	56.2	57.4	55.5	55.3	57.6

Source: Large cities from "A Study of Comparative Data in Eight Large City School Systems, FY 1974 and FY 1975, Public Schools of the District of Columbia." Surrounding areas from budget documents of respective jurisdiction; all data adjusted according to procedures used in "Large Cities School Systems" study.
Data for FY 1976 and FY 1977 secured from National Center for Education Statistics and Educational Research Services, Inc. (ERS).
Data for estimates for FY 1978 secured from surveys by the Division of Research and Evaluation and ERS.

Note: N.A. means data not available.

Prepared by
Division of Research and Evaluation
March 1978

EGW
4/12/78

FY 1979 INSTRUCTIONAL ALLOCATIONS

ELEMENTARY

Pre-kindergarten (half-day 15 each class)	30:1
Aides - 72 assigned to largest enrollments	
Kindergarten (full-day)	25:1
Grades 1-6	26:1
Special Subjects:	
Physical Education	512:1
Math/Science	640:1
Reading	640:1
Other (Art, FLES, Music, etc.)	301:1

SECONDARY

Academic Teachers	27:1
Shop Teachers	20:1

When one examines the relative proportion of the budget allocated to the Public Schools since 1968, the pattern emerges of a steadily declining percentage being alloted to public education:

Fiscal Year	School Budget	D.C. Budget	Percent
1968	101,186,900	371,269,747	27.3%
1969	115,931,930	435,474,907	26.6%
1970	134,123,000	528,960,521	25.4%
1971	139,985,200	591,262,769	23.7%
1972	142,358,000	641,466,600	22.2%
1973	154,769,800	718,091,300	21.6%
1974	168,919,200	777,764,647	21.7%
1975	188,673,500	845,616,600	22.3%
1976	202,660,500	1,037,538,900	19.5%
1977	205,761,800	1,083,520,700	18.99%
1978	222,062,000	1,199,733,000	18.5%
1979 Mayor's Mark	238,857,000	1,313,966,800	18.1%
1979 Committee Mark	234,550,300	1,313,966,800	17.8%

— From draft report of the Committee on Education, Recreation and Youth Affairs, D. C. City Council. Oct. 3, 1977

DISTRICT OF COLUMBIA GOVERNMENT | FY 79 | $ THOUSANDS

OPERATING FUNDS & EMPLOYMENT AGENCY SUMMARY

AGENCY PUBLIC SCHOOLS - GA

SCHEDULE 0 OPERATING BUDGET

	Description		Past Year Obligations (FY77)		Current Year Allotment (FY 78)		Budget Year (FY 79) Request		Budget Year (FY 79) Net Change	
OPERATING FUNDS	APPROPRIATED FUNDS		224,192.4		232,505.3		217,338.6 1/		-15,166.7	
	FEDERAL ASSISTANCE/GRANTS		40,262.9		38,917.5		38,917.5		.....	
	PRIVATE GRANTS, GIFTS, DONATIONS		140.1		17.4		.....		-17.4	
	REIMBURSEMENTS - NON DISTRICT		216.1		200.1		205.8		5.7	
	TOTAL RESOURCES		264,811.5		271,640.3		256,461.9		-15,178.4	
	REIMBURSEMENTS DISTRICT - ISSUED	(NON-ADD)	6,363.3		6,307.3		6,307.3		.....	
	REIMBURSEMENTS DISTRICT - RECEIVED	(NON-ADD)	394.4		178.0		74.0		-104.0	
	INDIRECT COST RECOVERIES	(NON-ADD)	1,156.4		1,223.5		1,223.5		.....	
	SPACE RENTAL	(NON-ADD)	.....		.....		.....		.....	
	DISTRICT OWNED/OCCUPIED SPACE	(NON-ADD)	.....		.....		.....		.....	
	APPROPRIATED FUNDS USED FOR GRANT MATCH (D.C. CASH)	(NON-ADD)	.....		.....		.....		.....	
	FEDERAL FUNDS MATCHED BY D. C. CASH	(NON-ADD)	.....		.....		.....		.....	
EMPLOYMENT SUMMARY	APPROPRIATED		Number	% Lapse	Number	% Lapse	Number	% Lapse	Number	% Lapse
	AUTHORIZED FULL TIME PERMANENT POSITIONS	(NON-ADD)	10,175.0 2/	5.2	9,934.0 3/	2.9	9,798.0 3/	.6	-136.0	
	PERMANENT POSITIONS, AVERAGE FULL-TIME EMPLOYMENT	(POSITIONS FUNDED)	9,643.0		9,643.0		9,736.8		93.8	
	EMPLOYMENT CEILING		9,813.0		9,675.0		9,704.0		29.0	
	ALL OTHER POSITIONS, AVERAGE FULL-TIME EMPLOYMENT 5/		987.0		1,016.0		1,016.0		...	
	NON APPROPRIATED: (AVERAGE EMPLOYMENT)									
	FEDERAL ASSISTANCE/GRANTS		1,628.0		1,354.0		1,354.0		...	
	PRIVATE FUNDS, REIMBURSEMENTS NON DISTRICT		9.0		8.0		8.0		...	
	TOTAL APPROPRIATED & NON-APPROPRIATED EMPLOYMENT		12,267.0		12,021.0		12,114.8		93.8	
D.C. FUNDS SUMMARY	GENERAL		223,980.4		232,293.3		217,126.6		-15,166.7	
	REVENUE SHARING		(5,179.8)		(7,722.8)		(7,722.8)		.....	
	HIGHWAY - REGULAR		212.0		212.0		212.0		.....	
	OTHER		.....		.....		.....		.....	
	WATER		.....		.....		.....		.....	
	SANITARY SEWAGE WORKS		.....		.....		.....		.....	
	TOTAL		224,192.4		232,505.3		217,338.6		-15,166.7	

1/ Reflects the transfer to the Mayor's Office of $21,705.0 for Government's contribution to the Teachers' Retirement Fund. This transfer is reflected in schedules at the agency level only.

2/ Based on FY 1977 Board of Education Financial Plan. Number of positions authorized by Congress is 9,934.

3/ The total authorized positions for FY 1978 is 9,934. Two hundred ninety-one unfunded positions are reflected in this figure but are not distributed by budget category.

GBMS 52.2A REV.7/77

4/ The total authorized positions for FY 1979 is 9,798. Thirty unfunded positions are reflected in this figure but are not distributed by budget category.

5/ Includes temporary and part-time permanent positions.

PAGE

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

AGENCY: PUBLIC SCHOOLS - GA
CATEGORY: AGENCY SUMMARY
SUB-CATEGORY:

SCHEDULE 2 OPERATING BUDGET

	Title	Schedule Expenditure Code (15-11)	D.C. Funds: Past Year Obligations (FY 77) (27 - 24)	D.C. Funds: Current Year Allotment (FY 78) (16 - 43)	D.C. Funds: Request (FY 79) (45 - 52)	D.C. Funds: Net Change	Other Funds (FY 79): Federal Grants	Other Funds (FY 79): Private Funds	Other Funds (FY 79): Non-District Reimbursements	Other Funds (FY 79): Total Resources
FTE'S	1A AUTHORIZED FULL TIME POSITIONS	01	10,175.0	9,934.0 2/	9,798.0 2/	-136.0	1,354.0	.....	8.0	11,160.0
FTE'S	1A EMPLOYMENT LEVEL O END OF FY (Permanent Funded)	02	9,750.0	9,643.0	9,768.0	125.0	1,354.0	.....	8.0	11,130.0
FTE'S	1A AVERAGE FULL TIME EMPLOYMENT	03	9,643.0	9,643.0	9,736.8	93.8	1,354.0	.....	8.0	11,098.8
FTE'S	1A AVERAGE EMPLOYMENT ALL OTHER 1/	04	987.0	1,016.0	1,016.0	.....	.....	.....	.....	1,016.0
FTE'S	1A ANNUAL SALARY REQUIRED (Year-End)	05	169,270.0	167,221.8	173,148.0	5,926.2	.....	.....	.....	.....
FTE'S	1A AVG SALARY-FULL TIME PERMANENT POS (Year-End)		16.6	17.3	17.7	.4	.....	.....	.....	.....
FTE'S	1A PERMANENT POSITIONS REGULAR PAY (Average)	10	167,883.0	167,221.8	172,658.1	5,436.3	.....	.....	.....	.....
AMOUNTS	REGULAR PAY-ALL OTHER POSITIONS	11	11,878.5	11,214.1	11,281.9	67.8	.....	.....	.....	.....
AMOUNTS	HOLIDAY PAY	12	.....	.....	.....	.....	.....	.....	.....	.....
AMOUNTS	OVERTIME PAY	13	725.6	257.5	257.5	.....	.....	.....	.....	.....
AMOUNTS	TERMINAL LEAVE	14	.....	.....	.....	.....	.....	.....	.....	.....
AMOUNTS	SUNDAY, NITE, STANDBY PAY	15	.....	.....	.....	.....	.....	.....	.....	.....
AMOUNTS	OTHER Extra Duty Pay	16	279.6	261.8	261.8	.....	.....	.....	.....	.....
	PERSONNEL COMPENSATION - TOTAL		175,766.7	178,955.2	184,459.3 3/	5,504.1	19,129.9	.....	183.0	203,772.2
	PERSONNEL BENEFITS	20	21,328.9	26,493.4	5,440.8 3/	-21,052.6	1,885.7	.....	15.9	7,342.6
	BENEFITS FOR FORMER PERSONNEL	21	.....	.....	.....	.....	.....	.....	.....	.....
	PERSONAL SERVICES - TOTAL		197,095.6	205,448.6	189,900.1	-15,548.5	21,015.6	.....	198.9	211,114.6
AMOUNTS	TRAVEL & TRANSPORTATION OF PERSONS (Out of City)	20	3.1	4.2	4.2	.....	.....	.....	.....	.....
AMOUNTS	TRAVEL & TRANSPORTATION OF PERSONS (Local)	21	39.4	94.2	94.2	.....	.....	.....	.....	.....
AMOUNTS	TRANSPORTATION OF THINGS	22	182.6	7.8	7.8	.....	.....	.....	.....	.....
AMOUNTS	RENT, COMMUNICATION & UTILITIES	23	7,314.9	6,746.5	6,770.7	24.2	.....	.....	.....	.....
AMOUNTS	PRINTING & REPRODUCTION	24	107.2	141.5	141.5	.....	.....	.....	.....	.....
AMOUNTS	OTHER SERVICES	25	11,169.7	11,158.4	11,159.6	1.2	.....	.....	.....	.....
AMOUNTS	SUPPLIES & MATERIALS	26	6,315.6	6,056.1	6,089.1	33.0	.....	.....	.....	.....
AMOUNTS	EQUIPMENT TO BE CAPITALIZED	27	.....	49.3	124.3	75.0	.....	.....	.....	.....
AMOUNTS	EQUIPMENT NOT TO BE CAPITALIZED	28	1,877.8	2,782.2	3,030.6	248.4	.....	.....	.....	.....
AMOUNTS	GRANTS & SUBSIDIES	29	86.5	19.5	16.2	.....	.....	.....	.....	.....
AMOUNTS	INSURANCE CLAIMS & INDEMNITIES	2A	.....	.....	.....	.....	.....	.....	.....	.....
AMOUNTS	REFUNDS	2C	.....	.....	.....	.....	.....	.....	.....	.....
AMOUNTS	OTHER:	2F	.....	.....	.....	.....	.....	.....	.....	.....
	OTHER OPERATING - TOTAL		27,096.8	27,056.7	27,438.5	381.8	17,901.9	.....	6.9	45,347.3
	OPERATING - TOTAL		224,192.4	232,505.3	217,338.6	-15,166.7	38,917.5 5/	.....	205.8	256,461.9

Form 342 (Rev. 7/77)

PAGE

1/ Includes temporary and part-time permanent positions.
2/ The total authorized positions for FY 1978 is 9,934. Two hundred ninety-one unfunded positions are reflected in this figure but are not distributed by budget category.
3/ The total authorized positions for FY 1979 is 9,798. Thirty unfunded positions are reflected in this figure but are not distributed by budget category.
4/ Reflects the transfer to the Mayor's Office of $21,705.0 for Government's contribution to the Teachers' Retirement Fund. This transfer is reflected in schedules at the agency level.
5/ This total figure is projected on the basis of estimated grant awards for FY 1978. Distribution by budget categories and selected main objects is estimated on the basis of FY 1978 allotments.

FY 1979 BUDGET SUMMARY

FY 1978 Estimated Funding Level		$222,062,000	
Additional Pay Raises (FY 1977)	$8,443,300		
FY 78 Supplemental (Retirement)	2,000,000 1/		
FY 1979 Base		232,505,300	
Increases			
Annualization	$ 6,000		
Degree Differential	822,000		
Within Grade Increase	3,344,700		
Health Benefits	450,000		
Staffing	350,000		
Community Facilities	200,000		
Special Education	1,240,300		
Facilities Planning	186,600		
Less Non-Recurring Costs	(61,300)		
Total Increases Funded by Mayor		6,538,300	
Total City Fund Level			$239,043,600
Less Transfer Out of Teachers' Retirement			(21,705,000)
Sub-Total, FY 1979 Budget (Congressional Submission)			$217,338,600
Unfunded Needs:			
Unfunded Compensation	$1,853,000		
Special Education	3,451,700		
Inflation of Utilities	1,303,000		
TSA Retirement	1,800,000		
New and Improved Services	8,506,600		
Total Additional Requirements Unfunded		16,914,300	
FY 1979 Board of Education Budget			$234,252,900

1/ This figure assumes the inclusion of this amount in FY 1979.

PAY INCREASES

(FY 1978)

Pay Plan	Compensation	5%	7.05% for TSA, GS 8.02% for WB
TSA-FT	$134,156.8	$6,707.8	$ 9,458.1
TSA-WAE	2,610.5	130.5	184.0
Total, TSA	$136,767.3	$6,838.3	$ 9,642.1
GS-FT	$ 13,179.5	$ 659.0	$ 929.2
GS-WAE	910.5	45.5	64.2
Total, GS	$ 14,090.0	$ 704.5	$ 993.4
WG-FT	$ 20,686.1	$1,034.3	$ 1,758.3
WG-WAE	193.0	9.7	16.4
WG (Cafeteria)	4,639.4	232.0	394.3
DGS	3,039.3	152.0	258.3
Total, WG	$ 28,557.8	$1,428.0	$ 2,427.3
Benefits			
DGS		$ 12.1	$ 20.7
Life		86.3	125.4
Retirement		134.8	215.7
FICA		16.3	16.0
Total, Benefits		$ 249.5	$ 377.8
GRAND TOTAL	$179,415.1	$9,220.3	$13,440.5

PAY INCREASES

FY 1979

Pay Plan	Comp. if FY 78 is 7.05% - 6.85%	5%	7%
TSA-FT	$147,942.2	$ 7,397.1	$10,356.0
TSA-WAE	2,850.3	142.5	199.5
Total, TSA	$150,792.5	$ 7,539.6	$10,555.5
GS-FT	$ 14,560.0	$ 728.0	$ 1,019.2
GS-WAE	974.7	48.7	68.2
Total, GS	$ 15,534.7	$ 776.7	$ 1,087.4
WG-FT	$ 22,851.2	$ 1,142.6	$ 1,599.6
WG-WAE	209.4	10.5	14.7
WG-CAFE	5,144.9	257.2	360.1
DGS	3,449.5	172.5	241.5
Total, WG	$ 31,655.0	$ 1,582.8	$ 2,215.9
Benefits			
Life		$ 95.2	$ 133.3
Retirement		148.9	208.5
FICA		18.0	16.6
DGS		13.8	19.3
Total, Benefits		$ 275.9	$ 377.7
GRAND TOTAL	$197,982.2	$10,175.0	$14,236.5

EGW 4/12/78

RETIREMENT FUND

1. What is the fund status at March 31, 1978?

   a. opening balance for FY 78

   b. cash on hand

   c. investment face value

   d. investment market value

   e. contributions from current employees to date

   f. projected contributions to 9/30/78

   g. investment earnings to date

   h. projected investment earnings to 9/30/78

   i. payments to annuitants to date

   j. projected payments to annuitants to 9/30/78

   k. projected closing balance (indicate method of calculating value of investments at closing)

2. What is City's official determination of value of investments for purpose of determining total fund balance? current market value? value at maturity? How was this determination arrived at? by whom? on what basis?

3. What proportion of annuitants currently paid from the fund are retired from D.C. Teachers College or any other institution not under the jurisdiction of the Board of Education?

UNIVERSITY OF THE DISTRICT OF COLUMBIA

STATEMENT OF LISLE C. CARTER, JR., PRESIDENT

ACCOMPANIED BY:

RONALD H. BROWN, CHAIRMAN OF THE BOARD OF TRUSTEES
MADELON STENT, ACTING VICE PRESIDENT FOR ACADEMIC AFFAIRS
ELVALEE BANKS, ACTING VICE PRESIDENT FOR STUDENT AFFAIRS
CLAUDE FORD, VICE PRESIDENT FOR INSTITUTIONAL ADVANCEMENT
THOMAS WATERS, ACTING DEPUTY BUDGET OFFICER

Senator LEAHY. I would ask President Lisle Carter, of the University of the District of Columbia, if he could join us here now with whomever he would like.

Do you or anybody else have any kind of opening statement that you would care to make before we start with questions?

OPENING REMARKS OF CHAIRMAN OF BOARD OF TRUSTEES

Mr. BROWN. Let me open for us. I am Ron Brown, Chairman of the Board of Trustees of the University. I have been before you previously and my primary role, other than to answer questions you might have, would be, as board chairman, to answer questions about the deliberations of the board and to really introduce to you our new president.

The board has been in office for approximately 2 years now and this is the first time we have been through a budget process with a president who is responsible for the entire university system.

I think it goes without saying that this gives the Board of Trustees great pleasure in that it removes administrative tasks that would not ordinarily fall on the board and turns them over to where they should rest, and that is with the chief executive officer of the university.

As you well know, the board has made a number of very important decisions regarding the development of the university over the past 2-year period.

None has been more important than our search for and selection of a president for the university. We are even more pleased today than we were when we first made the decision with both the process and with the conclusion of that process.

We have found an outstanding lawyer, educator, administrator, and policymaker who has a proven track record. That record did not end when he came to us on October 1. I think that was just a beginning of the outstanding nature of it.

I think what has been accomplished since he came to us on October 1 to provide leadership to the university has been exemplary. I think a number of things have been accomplished during that

period, including the first giant steps for full academic consolidation, which will be accomplished by the opening of the 1978–79 academic year in September.

So I want to present for the purposes of leading our discussion today the president of the university, Lisle C. Carter, Jr.

Senator LEAHY. We welcome you, Mr. Carter.

OPENING REMARKS OF NEW UNIVERSITY PRESIDENT

Mr. CARTER. Mr. Chairman, I am pleased to present for the committee's review the fiscal year 1979 budget request and resource requirements for the University of the District of Columbia.

I am accompanied today by Dr. Madelon Stent, Acting Vice President for Academic Affairs; Mr. Claude Ford, Vice President for Institutional Advancement; Dr. Elvalee Banks, Acting Vice President for Student Affairs, and Mr. Thomas Waters, Acting Deputy Budget Officer.

This is the first opportunity we have had to discuss our consolidation activities with you. In retrospect, this fiscal and academic calendar year has been active. The University began officially on August 1, 1977. I assumed office on October 1, 1977.

Top level staff in all nonacademic areas have been assembled to assist me in managing and proceeding with administrative consolidation.

We have brought together major nonacademic programs that are essential for efficiency in university operations. They include: accounting, personnel, administrative services, student affairs personnel and its operational components, student records, and library and media services.

We have eliminated much of the duplication of services that resulted from consolidation, thereby improving our use of physical space and the combined resources of the three predecessor institutions.

A comprehensive personnel system is being designed. This massive undertaking requires development of a consolidated personnel policy, a classification system, and extensive qualification standards which will realign organizational and staffing patterns in the university.

The process of writing position descriptions, personnel rules and procedures, with a reasonable employee benefits program, is underway with a goal of achieving consolidation of predecessor personnel systems by the beginning of the 1978-79 academic year.

We have now completed an academic consolidation plan. More than 42 committees, involving more than 300 faculty members and students, have been engaged in establishing academic standards, policies, and degree programs of the new university.

Student and faculty participation in academic planning for the five-college configuration approved by the board has been exemplary.

Recognizing the diverse educational needs of our students, we strive to build an institution in which 2-year, 4-year and professional degree programs are maintained in ways that protect the integrity of each while providing students with substantial mobility between them.

The creation of the university college will provide substantial support for students from all backgrounds to achieve their educational objectives.

BUDGET REQUEST

Mr. Chairman, in view of the tasks at hand and the current status of consolidation activities, our fiscal year 1979 request is modest. The total request of $43,855,000 and 1,529 positions represents an actual increase over last year of only $1,565,600, to meet mandatory and statutory expenditure items. It should be noted that this request does not reflect an increase in positions.

We have also requested $2.5 million in the fiscal year 1979 capital budget to equip facilities under construction at the Van Ness campus. These facilities will include 503,000 square feet of academic and support space for the colleges of life sciences; physical sciences and engineering technology; and education and human ecology.

This appropriation is needed to assure that all equipment items necessary for instruction are purchased and properly installed by the beginning of the academic year in the fall of 1980.

We are committed to meeting the higher education needs of District residents. But only through joint effort will it be possible for all of us to establish a quality institution of public higher education which District of Columbia residents are proud to attend and support.

UNIVERSITY STATEMENT REGARDING GAO REPORT

In closing, Mr. Chairman, let me say that I respect the limit which you have placed on discussion of the Mount Vernon campus today. I would hope, however, that it would be possible to make a presentation to you on this pressing matter earlier than indicated in your opening remarks.

I am issuing today a statement in reply to the GAO report, and by your leave I would like to send you a copy of that statement.

Senator LEAHY. I would be interested in seeing it. Obviously, your position and the GAO report itself will be a major item on our agenda when we have a hearing.

In a city report recently made available to our committee, you described the process underway to define the structure of existing and proposed academic programs. And part of this process includes a community needs assessment.

COMPLETION OF MASTER PLAN FOR ACADEMIC PROGRAMS

When do you expect the University to approve its master plan for academic goals and programs?

Mr. CARTER. Mr. Chairman, we have begun this process in effect, by our consolidation activity. The two go hand in hand. Our estimates are predicated on that integral relationship.

In the material which we submitted to you, we indicated that we would have our next iteration of a long-range plan in the spring of next year.

Senator LEAHY. As I understood the final approval of the academic structure was expected by this month.

Mr. CARTER. Yes, that is exactly correct. The academic consolidation plan, which is what we are basing our facilities estimate on, is now complete. The board will act on it before June 1.

In the material we submitted, the next iteration of our long-range plan, and as we indicated, assumes the development of the facilities request which we presently have before Congress. We would be looking beyond those facilities to the development of further academic programs and facilities. For example, would we have a law school, and move into additional academic programs? Those decisions would be for the future and are not included in our present academic plan nor in our facilities plan related to that academic plan.

Senator LEAHY. Many members of the committee feel it would be important to fully and adequately define what the academic goals are going to be before launching a building program, for obvious reasons.

Mr. CARTER. What I am trying to suggest, Mr. Chairman, is that we have defined our academic goals, but they are never defined once and for all in any planning situation, whether in higher education or business or anything else. This is a further iteration of our planning process we are referring to in response to the request which you made.

But we have an academic consolidation plan which has been completed, that runs to five volumes of work and which, in effect, is related to the facilities development we have before the Congress at this time.

NEED FOR ADDITIONAL PHYSICAL SPACE

Senator LEAHY. The university's report said that in addition to the building at Mount Vernon, additional physical space may be needed.

Does the university contemplate proposing a third campus?

Mr. CARTER. That would have to await the outcome of this next iteration. We have no present plans for any further facilities development.

Senator LEAHY. That gets to my question.

Mr. CARTER. Our present plans relate only to the existing facilities, the ones under development, and the ones pending before the Congress. After we have gone through the next iteration, which will be complete next spring, we would be in a position to answer the question of whether any additional facilities are required.

COMPETENCY LEVEL OF GRADUATES

Senator LEAHY. A city report to the committee stated that the university has a commitment to high standards. It wasn't discussed in the report, but a key area would be the skill and competency level of the students at the university.

As a university that has open admission policies, what steps do you take to make sure the students graduated by the university have a high skill and competency level?

Mr. CARTER. I am going to allow Dr. Stent to answer that in detail. But I would want to make the distinction between admissions and graduation. And that distinction is really made in the

relation between the number of students who come to us and the number of students who graduate.

We have a large graduating class, but, at the same time, out of an overall enrollment, for example, of 12,000 students, we graduated this year 1,200 students. The standards as applied by the faculty, I believe, are high standards.

This is shown in the job market response, because students, particularly those who are professionally trained or trained in particular competencies, have no difficulty in being placed following graduation.

STEPS TO STRENGTHEN ACADEMIC STANDARDS

We also have taken other steps and are planning to make it more likely—and this is really our task—for students who come to us to get through this process.

I want Dr. Stent to speak to that and related issues.

Dr. STENT. Senator Leahy, regarding the original question about academic standards, I think there has been one very positive action that indicates that the university is aware of the need to maintain the highest academic standard possible.

Every student within the university this spring semester was notified if he or she had a grade point average below 2.0. Each of these students was then put under a review status.

This review status requires each student to report to an academic adviser or a developmental counselor to have intensive individual guidance. With one-to-one guidance in looking at his program and mapping out where his weaknesses lie and where his strengths are, the university can then be very sure that he is on the right academic track and that he can be targeted early.

The second criterion that indicates that we are thinking of academic standards—and set one of our primary goals—is that there will be established a university college, and an important component of the university college will be guidance and counseling and career guidance.

There is also the possibility of thinking through an analytical transcript which differs from the usual college transcript and points out symbolically, in writing, exactly where this student is in his academic career, as well as those areas that relate to the affective domain—his living and his emotional growth as it relates to his final graduation.

The third question about admissions: There is open admissions, but, respectfully, this does not indicate that because the students are openly admitted that there is an automatic revolving door to exit. There is not an open exit. The students will have the time within the university college program to develop academically, to target their strengths and weaknesses. This gives them the opportunity.

Mr. CARTER. I will add to that, if I may, only two points. One, we have adopted basic general education standards that are going to be required of all entering students; different requirements, of course, for 2-year students and 4-year students, but requirements that cover, regardless of a concentration of a student, a wide range of subjects generally associated with the liberal arts. This is in

order to assure that every student who comes to us will leave the institution with a significant experience and, obviously, the showing of development in the wide range of areas.

We are, at present, proposing that there be some 46 hours of this kind of general education requirement met by our students for the 4-year program.

Quality also equally rests on the faculty, and we are, through awards of various kinds, promoting continued professional development among our faculty.

ACADEMIC PROBATION RULES

Senator LEAHY. Dr. Stent, to go back to what you were saying before, there was an article in the newspapers that referred to a memorandum of yours of January 18. This memorandum apparently said that the university was to drop all probation rules, allowing students to take a full load of courses in the spring term, regardless of how many courses they failed in the fall.

It says that you said that the new academic probation rules would be enforced throughout the University next fall. But dropping the old ones before the new ones came in drew a sharp response from faculty and this quotes a history professor as saying, "Of course we disapprove of it. It means academic standards are being lowered. That is not what we need now."

Does that end up lowering academic standards?

Dr. STENT. Absolutely not.

Senator LEAHY. Maybe I am missing the whole point of the thing. It seems to say that you allow students to take a full load of courses, regardless of how many courses they failed in the fall.

Why wouldn't that be lowering academic standards?

Dr. STENT. There was no memo that stated anything about students in academic difficulty taking a full load of courses, "regardless of how many courses were failed."

Senator LEAHY. If probation rules are dropped, would a student be allowed to take a full load of courses in the spring term even if they had failed a number of courses in the fall?

Dr. STENT. No.

Senator LEAHY. So the article is absolutely wrong?

Dr. STENT. Yes. Probation is just one category of academic standing. Academic standing also means referral; it means notice that one has a lower than acceptable academic average. Probation is just one of the categories.

ACCEPTABLE ACADEMIC LEVEL

Senator LEAHY. What is an acceptable level?

Dr. STENT. At one of the predecessor institutions, acceptable level was a 1.6. At another it was 1.8. At another it was 2.0.

In order to achieve academic consolidation, it was necessary to have one set of criteria that targeted each of the students for review.

Review status is another area of academic standing. Students who were below the good academic standing in each of the predecessor institutions also received guidance and counseling under the interim academic standing policy.

CURRENT ACADEMIC STANDARDS

Senator LEAHY. What is the standard now?

Dr. STENT. 2.0. A student placed in academic review status must meet with the adviser to plan the appropriate program of studies. And any student now who fails to obtain a term GPA of 2.0 will now go on probation for the future. That is a standing policy that has been adopted by the board.

Senator LEAHY. How long would they maintain 2.0 or less than 2.0 before they would be asked to leave?

Dr. STENT. I think that that depends on many circumstances. One thing that is done, initially, is that the student's credit load is lowered. In other words, if you were usually carrying 15 credit hours and your average is below 2.0 and you are a sophomore, it then means that you would be told you could only carry 9 credit hours.

So that usually there is a semester that the student is allowed to make up this time, because many of our students are older students who work full time and are carrying more credits than perhaps would be desirable with counseling.

PLACEMENT TESTS

Senator LEAHY. Now, as I understand, you are going to have placement tests, and some students would end up with remedial courses. Is that correct?

Dr. STENT. Not necessarily. It would depend on the population entering and what their base skills were.

These placement tests are given to each of the students that come in, and they don't just relate to English and math.

Senator LEAHY. But is every student who comes into UDC required to take a placement test?

Dr. STENT. In the future every student that comes in who does not present a high school average that would be rated between average and good, whatever high school he comes from would then be required to take a placement diagnostic test.

It would depend on the standard of the department that he wants to go into. The university college is still being defined, in terms of exactly what the requirements will be at the university college.

They will go through the new university college.

PERCENTAGE OF STUDENTS TAKING PLACEMENT TEST

Senator LEAHY. Let us say somehow a person coming in fits into the category of having to take a placement test. What percentage of those coming in do you expect to be taking placement tests?

Dr. STENT. I could not project accurately. I would say we could project there would be a good 80 to 85 percent.

Senator LEAHY. You are going to have to make some kind of projection at some point just to gear up to it.

Dr. STENT. Yes.

PERCENTAGE OF STUDENTS TAKING REMEDIAL COURSES

Senator LEAHY. So, if 80 to 85 percent of the students are taking a placement test, what percentage do you think would be taking the remedial courses?

Dr. STENT. I could not answer that for the reason that in the past, one of the predecessor institutions was a vocational technical institute and students were going into just vocational technical programs. We are attempting to give a strong base of mathematics and English so that students can then have upward mobility to 4-year programs should they so desire.

I would say that of those entering who may take the test, it would relate very much to which institution they would have gone to previously. And I would say of those entering, we might project 60 percent.

Mr. CARTER. I wonder if I might make a comment additionally on this point, Mr. Chairman, because I think it might help in clarifying a little bit. One of the assumptions about the open enrollment—and we think it has been justified in experience—is that we don't know in advance who talented people are. They come to us quite often with poor academic preparation, but it doesn't mean they are not talented.

So they may not have certain skills initially. But the more talented ones would pick those skills up very rapidly. And the whole notion, therefore, of the university college is to provide the kind of support both in developmental or, as you would say, remedial offerings and accounting and other support to make it possible for each person to achieve what is in him or her to do.

That really makes open enrollment take on genuine significance and not be a revolving door at the intake point of the institution.

So these numbers do not always mean what they seem. We would have to have a period of experience which, on the whole, we have not had in any institution with the kind of continuous study that we will have from now on in the university. We would expect varying kinds of performance by students as far as their moving on into their major programs.

Dr. STENT. I would like to also add one other thing. We know in research that there are different types of intelligence. There is the cognitive with those that relate well to mathematics; abstract thinking.

There are those who relate very well to the technical—manual intellectual skills—and those who relate to the creative. And all those are different components of intelligence; divergent thinking.

Those who would go into the communicative arts, performing arts need different instruments to test those particular kinds of skills.

SUBMITTED QUESTIONS

Senator LEAHY. We have a number of other questions and I will submit them to you for the record because we will be coming back to UDC once we have the consolidated master plan.

I anticipate the conference committee report may be able to make it through the Senate sometime in the next few days. So, Mr. Carter, if you don't have any objection, I will submit them to you

to be answered for the record and we will go into more detail in the next hearing we have.

Mr. Carter. We are pleased to come back whenever you wish.

[The following questions were not asked at the hearing, but were submitted to UDC for response subsequent to the hearing:]

UNIVERSITY OF THE DISTRICT OF COLUMBIA
A. WHY NOT LEASE INSTEAD OF BUILDING A NEW CAMPUS

QUESTION:
1. What consideration have you given to leasing facilities and existing owned facilities (D. C. Teachers buildings located near Howard University, and public schools) for undergraduate and graduate programs in lieu of constructing new buildings? This would seem prudent until you have completed the educational needs assessment and can reasonably project student enrollment.

ANSWER:
1. Both the Wilson and Miner buildings were constructed in 1913. Both buildings are currently in poor condition. The Miner building is structurally the better of the two facilities, but is in need of extensive restoration to operating systems including boiler repair, installation of a central air conditioning system, replacement of windows and extensive interior remodeling. It is estimated that on a per square foot basis the cost to renovate the Wilson building would approach or exceed the cost of building new facilities of comparable size.

Relative to the possiblity of using surplused D. C. Public School buildings for UDC educational programs, UDC currently occupies approximately 15 leased and temporary facilities scattered throughout the downtown D. C. area. The experience with this arrangement has been and continues to be unmanageable. These scattered facilities fragment the academic program by disrupting the planning of coherent programs, and the scheduling of classes. They impose a hardship on students, and are not conducive to university learning environment which requires up-to-date equipment and laboratories. Because of the varied locations of these facilities, communication and exchange among departments and faculty within departments is nearly non-existent. Students tend to schedule courses offered in a building where specific classes are offered rather than the supportive program method according to academic sequence.

The leased buildings occupied, because of their dispersed locations, are inefficient and do not lend themselves to effective use or scheduling. The acquisition of widely scattered and generally outdated D. C. Public School buildings would continue to foster, if not exacerbate, a fragmented operating structure with its built-in deficits. This would continue an inefficient and expensive delivery system for public higher education. More important, it would provide lower quality education to the residents of the District of Columbia than would facilities planned and built to house higher education programs.

B. TUITION RATES

QUESTION:
1. Last year the Committee was told (Part 2, P. 1914) that the University would receive approximately $1,000,000 in tuition, but you were in the process (Part 2, P. 1914) of making a decision on new tuition rates. How much does the University expect to receive in tuition in FY 1979? What tuition rates are being changed now?

ANSWER:
1. The University expects to receive approximately $1,900,000 in tuition in FY 1979.

Tuition rates currently in effect at the University are as follows (effective August 1, 1977):

I. Tuition Rates for Resident and Non-Resident Students

A. Tuition Rates for Undergraduate Resident Students

1. Full-time
$135.00 per year; $67.50 per term
(12 hours or more)

2. Part-time

1 - 3 hours	$17.00
4 - 11 hours	5.60 per credit hour

B. Tuition Rates for Undergraduate Non-Resident Students

1. Full-time
$1,157.00 per year; $578.50 per term
(12 hours or more)

2. Part-time

1 - 3 hours	$145.00
4 - 8 hours	48.20 per credit hour

C. Tuition Rates for Graduate Resident Students

1. Full-time
$486.00 per year; $243.00 per term
(9 hours or more)

2. Part-time

1 - 3 hours	$ 81.00
4 - 8 hours	27.00 per credit hour

D. Tuition Rates for Graduate Non-Resident Students

1. Full-time
$1,098 per year; $549.00 per term
(9 hours or more)

2. Part-time

1 - 3 hours	$183.00
4 - 8 hours	61.00 per credit hour

E. Special Programs

Students enrolled in special programs shall pay 100% of the cost of instruction.

ANSWER:

F. Tuition Relief

Tuition relief for University employees and their immediate families (spouse, children, legal dependent) shall be as follows:

1. Staff
   a. All staff who are granted release time to attend the University will pay resident tuition.

   b. Staff who are D. C. residents and attend the University after hours will pay no tuition.

   c. Staff who are non-residents and attend the University after working hours will pay resident rates.

2. The Immediate Family of Staff

   D. C. residents will pay 50% of resident tuition.

   Non-residents will pay 50% of non-resident tuition.

G. Graduate School

Any students admitted through the Graduate School shall be required to pay graduate rates, regardless of the level of the course which is taken.

H. Senior Citizens

1. Tuition is waived for non-matriculating D. C. residents 65 years or older admitted on space available basis.

2. D. C. residents 65 years or older will pay 50% of resident tuition if matriculating in a degree granting program.

QUESTION:
2. Recent newspaper articles (Post) have noted that tuition at area schools are expected to increase 6% over the next year. Does the University plan to increase its tuition?

ANSWER:
2. Yes, the University plans to increase tuition. A formula based on the relationship between ability to pay and tuition was reported to the Board of Trustees on March 7, 1977. At that time, it was anticipated that undergraduate tuition would increase by 28.6% for each of the next five years.

C. ELIMINATION OF DUPLICATION

QUESTION:
1. Last year the Committee asked (Part 2, P. 1917) a question

QUESTION:
regarding the efforts to remove duplicative programs and services that existed because of the consolidation of previously independent institutions. The Committee was told that a task force was underway working in those areas where there was duplication.

What is the status of this effort? What savings have resulted from these efforts?

ANSWER:
1. On August 1, a president was appointed to the University of the District of Columbia and on October 1, 1977, he assumed office.

In an effort to eliminate duplicative service activities, the physical and functional reorganizational, realignment and relocation of all elements of the non-academic administration programs of the University was completed by January 1, 1978 which included the functions of Accounting, Procurement, Computer Operations, Management and Information Services, Personnel, Administrative Services, Auxiliary Enterprises, Student Affairs, Institutional Advancement, Student Records and Library and Media Services.

Acting directors were appointed and support personnel have been reassigned to program activities. Plans are being developed to orient personnel to their new duties and enhance the overall operations of the University.

The major hinderance to complete consolidation of the University is the perpetuation of the predecessor Boards' personnel policies. While daily operations exist under previously established Board policy, development of a comprehensive personnel system will take at least four months. Inherent in the development of a Comprehensive Personnel System is a Classification System and Qualification Standards; a review of organizational structures and position descriptions of predecessor institutions; the development of position descriptions, organizational alignment and staffing patterns for 800 support positions within the University structure; promulgation of personnel rules and procedures; and a cost analysis of existing employee benefits programs. A Job Inventory Questionnaire has been sent to each non-academic employee to assist in this effort.

Of great importance in achieving integration and full consolidation within these activities was the physical relocation of human resources and common processes to form cohesive work entities: Consolidated computer facilities and computer hardware; consolidated budget operations; and development of the budget structure to represent the present operation. We have further eliminated duplication of service activities by refining our plans for use of new facilities based on submissions from extensive conferences and hearings with academic units. After reviewing faculty comments, we have promulgated an outline of planning procedures to eliminate duplication of activities by September 1978.

The effective elimination of duplication of services was evident in the spring and fall semester registrations and combined orientation. A single, consolidated registration was conducted

ANSWER:
concurrently on all campuses employing a single management control process supported by a single computerized on-line registration system. All actions related to this task were performed effectively.

In addition to the above indicators of quality, there is on-going cataloguing of media and library resources in order to maintain and support the quality of instruction at the University of the District of Columbia. Concommitant with the above, the quality of library holdings of the predecessor institutions is being assessed and utilization studies are being initiated. The library and media staffs are planning for future reemployment of library-media resources to achieve stated educational objectives, and, also, to stimulate students in the utilization of these resources.

A major criterion in judging an institution's quality is the astuteness with which it has defined its task. This is being done through a process of academic consolidation of all existing academic programs of the present University of the District of Columbia. This academic consolidation proceeds from an internal organization structure adopted by the Board of Trustees. The academic consolidation process has provided a wide variety of opportunities for more than half of the faculty to discuss, analyze and reconsider alternatives to program development.

Institutional self-study by each department is on-going. Developmental goals, task definitions and descriptive diagnostic steps for divisional and department growth will continue.

A comprehensive process for gathering reviewing, evaluating and analyzing faculty credentials to determine staff development and other professional in-service program needs has been initiated. Moreover, this process of systematically evaluating faculty strengths and weakness will buttress UDC's commitment to maintain high standards in all academic programs.

The ultimate effect of the consolidation to include the savings realized as a result of the consolidation will be determined after the consolidation is completed and operational for a reasonable period of time.

D. SUMMARY OF UDC REQUEST

QUESTION:
1. The FY 1979 request for operating funds for the University is $43,855,000 which is $2,731,800 more than provided for by the Senate in FY 1978. In addition to the funds requested in the D. C. Bill the University expects to receive $8,721,000 in Federal grants in FY 1979 for a total of $52,576,700 in operating funds.

The increases are for adjustments to existing salaries. The increased cost of social security benefits and the increased costs of rents, communications, and utilities. An additional nine positions and $154,400 is also requested to operate the new boiler coming on line at the Van Ness Campus.

QUESTION:

Does this fairly accurately summarize the University's request for FY 1979?

ANSWER:

1. The correct information is as follows: The final allowance provided by the Senate in FY 1978 is $41,123,200. This must now be adjusted to include the October 1976 pay adjustment of $1,399,600, making the adjusted funding for FY 1978 $42,522.800.

The FY 1979 request for operating funds for the University is $43,657,600 (the $43,855,000 shown in the request documents must be adjusted by the FY 1978 base reducation of $197,400) which is $1,134,800 more than provided in FY 1978. In addition to appropriated funds, the University expects to receive $9,916,900 on Federal and private grants, contracts and reimbursable programs for a total in FY 1979 of $53,574,500 on operating funds.

The increases requested are for mandatory, statutory, and inflationary increases including within grade increases, where merited, the increased cost of social security benefits and the increased cost of rents, communications and utilities. An additional $154,400 is requested to support nine unfunded positions to operate the new boiler plant coming on line at the Van Ness Campus.

E. ALLEGED REVERSE RACE DISCRIMINATION

QUESTION:

1. I noticed a recent newspaper story (Star: 1/13/78) regarding a white professor at the University who has charged the University with racial discrimination as the reason for promotions denied. Some of the facts of this case, according to the newspaper story, are that Dr. Iris Shapiro has quality educational credentials and consistently high evaluation reports by students.

The only other person in Dr. Shapiro's department with a Ph.D. makes $7,000 more than Dr. Shapiro.

What is the status of this case?

ANSWER:

1. This complaint was originally filed with the Equal Employment Opportunity Commission (EEOC) which, by law, deferred to the District of Columbia Office of Human Rights (OHR). At the request of the University administration, OHR referred the matter to the University for internal assessment of the allegations and an opportunity to resolve any of the outstanding issues. Since that time, an exhaustive investigation of personnel and records alleged to be related to the issues has occurred. We have met recently with Dr. Shapiro and her attorney to consider proposals to conclude the matter.

QUESTION:
2. The University of the District of Columbia is a public institution that is funded almost entirely with public funds and any sort of racial bias at the University would be contrary to Federal law.

How many departments are included in the University system? How many of the department heads are White?

ANSWER:
2. There are sixty-two departments. The University has not made a racial or ethnic survey of its interim departmental chairpersons. Without definitive data drawn from each individual as to the racial or ethnic identity, it is impossible to give an accurate account of which department heads are White, Black, native American, or Asian American. Nevertheless, from a visual survey, it is possible to state that the representation is culturally pluralistic and includes White ethnics, Black Americans, East Indians, Asian Americans, Chicanos, and Hispanic Americans. There are also West Indians, Jewish Americans, and a Lebanese.

F. RECENT FACULTY STRIKE AT UDC

QUESTION:
1. I noticed the news stories from February (Post: 2/9/78; Post: 2/12/78) regarding the faculty strike that disrupted classes for two days at the Van Ness Campus of the University.

As we understand it, the consolidation process will, in many cases, result in only one position being available where there had been three positions and, therefore, this process of consolidation is causing some tension.

What is the status of the consolidation process? Have the thirty-seven committees set up by Acting Vice President made their recommendations yet? When will the Board make its final decision on the consolidation plan?

ANSWER:
1. Academic consolidation has been completed as of May 30, 1978. The University has six colleges. Deans for each of the colleges will soon be named. Acting department chairpersons for almost all of the academic departments have been named. University-wide requirements for two-year and four-year programs have been established as policy by the Board of Trustees on the date stated above. This consolidation came about as a result of studies by forty-two committees established by the Acting Vice President for Academic Affairs. The Board made its final decision on May 30, 1978.

G. HIGH SALARIES AT UDC

QUESTION:
1. I noticed a recent newspaper story (Star: 3/13/78) that reported the findings of a study done by the American Association of University Professors that reported UDC salaries rank eleventh out of 51 major public universities surveyed throughout the country. It was also pointed out that average professors' salaries at UDC exceed those offered at the nation's "Big 10" schools by an average of more than $600 a year.

Do these high salary levels help the University recruit top-level talent?

ANSWER:
1. The salary levels at UDC is one of the many variables which help us to competitively recruit top-level talent.

A recent article in The Washington Star by Gloria Borger (Monday, March 13, 1978) concerned a review of salaries earned by faculty members at the University of the District of Columbia, local colleges and universities (both public and private) and other state institutions. Miss Borger's review of UDC's payscale consisted of matching an average of the average salaries by rank at each campus with salaries found at "comparable institutions". In her review, she referred to faculty salaries at the "Big Ten". She noted that wages paid to professors (including fringe benefits) at the University of the District of Columbia exceeded salaries reported to the American Association of University of Professors (AAUP) by the Big Ten institutions. The inference, of course, is that UDC's faculty are compensated at rates higher than those received by faculty at more prestigious public institutions.

Technical errors in computation of the average salaries paid at UDC (i.e., average of averages), notwithstanding, her approach was deficient in a number of more important respects. First and foremost, it is important to recognize where the University of the District of Columbia is located. Its campuses are found in the nation's capital where there is a relatively high standard of living. One should not overlook the possibility that wages paid may be highly correlated with the standard of living in a community. Without such consideration, one would be forced to assume that salary norms used to compare the University of the District of Columbia salary schedule, or any other salary for that matter, would reflect a standard of living comparable to that found within the metropolitan area of the District of Columbia. Most simply, applying national averages requires that the standard of living in the District of Columbia closely approximate the national norms. As the difference in the cost of living between the District of Columbia and the national average increased, the usefulness of normative comparisons would diminish.

H. ENROLLMENT PROJECTIONS FOR THE UNIVERSITY

QUESTION:
1. In July 1977, the University revised downward the student enrollment projections from about 20,000 full-time equivalent (FTE) to about 13,000 FTE by the Fall of 1985.

1A. Please explain how this came about and why you consider 13,000 FTE as achievable? Provide for the record computations, including the assumptions and rationale.

ANSWER:
1A. The enrollment projections totalling 20,000 FTE students that existed prior to July 1977 were projections of the former FCC, DCTC, and WTI. This total was established through independent enrollment projections by each institution. Following emergence of the University, a consolidated enrollment target was prepared which was based on a comprehensive University structure. This 13,000 FTE enrollment target reflected consolidated programmatic configurations and eliminated prior overlapping of program elements. The University Master Consolidation Plan data confirms the enrollment target. This plan includes assumptions and rationale used in developing the target.

QUESTION:
1B. How many FTE students do you have and how do you expect to achieve 13,000 FTE by the Fall of 1985?

ANSWER:
1B. The University enrolled 8,617 FTE students for Academic Year 1977-78. It is anticipated that an enrollment of 13,000 will occur by 1985 as a product of (a) providing added instructional and other support to students thereby curbing attrition and retaining a larger number in the University; (b) a concerted public awareness program to notify the public of program availability thereby increasing UDC's share of the local student market and (c) attracting a larger share of students who now migrate from the District of Columbia to other states for higher education opportunities.

Full detail will be included in the University's Consolidation Master Plan.

QUESTION:
2. Has a new enrollment forecast been prepared after the Fall of 1977 enrollment figures became available? If so, what effect will the new figures have on the proposed facility needs.

ANSWER:
2. A community needs survey containing updated enrollment targets was prepared taking into consideration the 1977 enrollment data. This information is included in the Master Consolidation Plan and validates the original conservative estimates.

QUESTION:
3. How do you expect to overcome the competition for District students by some 200 post secondary schools in the District?

ANSWER:
3. The University will not be in direct competition with the large number of expensive, proprietary, non-accredited post-secondary schools in the District of Columbia. The University programs are generally concentrated in areas where there is a recognized and established demand or an expressed need on the part of the residents of the District of Columbia.

QUESTION:
4. If student enrollment does not materialize as projected, where will UDC obtain its students?

ANSWER:
4. All data, including the needs assessment recently undertaken by the University, indicate that the University should reach or exceed the modest enrollment targets established. As is typical in higher education, we anticipate that a small percentage of non-resident students will enter the University of the District of Columbia.

QUESTION:
5. If the University's future enrollment includes more non-resident students than anticipated, will dormitories have to be constructed? Where and how much will it cost?

ANSWER:
5. The University does not plan to construct dormitories, but anticipates that its campuses will be accessible through rapid rail and other public and private conveyances. There is no projection at this time for construction of dormitories.

I. THE VAN NESS CAMPUS

QUESTION:
1. The budget material indicates that Phase II construction at the Van Ness Campus will be completed in January 1979.

What is the total cost of the Phase I and II projects as compared to the original estimate? Explain any increase over the original estimate.

ANSWER:
1. The current expected completion date for Phase II - Van Ness Campus is July 1980.

Phase I and II Construction Cost

	Original Appropriation	Added or Reduced Cost	Final Cost
Phase I	$13,370,000	$1,642,850	$15,012,850
Phase II	51,712,500	(164,500)	51,548,000
Total	$65,082,500	$1,478,350	$66,560,850

The original estimates for Phase I construction were prepared and presented in early 1970 for funding in FY 1972. Budget guidelines, at that time, imposed a mandatory planned inflation rate of 7.9% on all projects. Construction occurred during a period in which inflation escalated dramatically and at times reached 1% per month.

ANSWER:

The $1,642,850 (12.3%) increase on Phase I was considerably less than the increases experienced on other construction projects during that period.

Phase II construction costs are currently within funded limits. The facilities now under construction at Van Ness, including Phase I, must be altered to meet newly established University-wide facility requirements. It is anticipated that a supplementary request will be submitted to complete these mandatory changes consistent with the University's academic and facilities plan.

QUESTION:
2. How many students now in leased facilities will be moved to Van Ness? How many leased buildings will be eliminated and how many leased buildings will remain?

ANSWER:
2. The attached summary identifies the number of FTE students to be served at each campus by 1983. The Mt. Vernon Square Campus will house the schools of Business and Public Management and Liberal and Fine Arts. The schools of Education and Human Ecology, Physical Sciences, Engineering and Technology, and Life Sciences will be at the Van Ness Campus.

The occupancy of the following temporary facilities can be terminated when Phase II facilities at the Van Ness Campus become available in mid 1980:

. Wilson Bldg. - 11th & Harvard Sts., N.W.	72,863	GSF
. Miner Bldg. - 2565 Georgia Ave., N.W.	50,324	GSF
. T-3 - 1321 H St., N.W.	79,396	GSF
. Building 5, 4100 Conn. Ave., N.W.	50,759	GSF
. Building 7, 4100 Conn. Ave., N.W.	55,084	GSF
	308,426	

The remaining buildings currently included in our leased and temporary buildings inventory must remain in use by the University until Phase I of the Mt. Vernon Square Campus is completed. (See Chart A.) Funds for rents, communications and utilities have been requested in the FY 1979 budget. (See Chart B.)

Chart A

	Mt. Vernon		Van Ness	
	UG(1)	G(2)	UG(1)	G(2)
BUSINESS AND PUBLIC MANAGEMENT				
Accounting	265	17	-	-
Accounting Technology	133	-	-	-
Bus. Ed. & Office Admin.	125	75	-	-
Bus. Economics & Finance	195	55	-	-
Bus. Law, Procur'mt & Pub. Contr.	133	-	-	-
Bus. & Pub. Mgmt.	461	57	-	-
Management Technology	120	-	-	-
Computer and Info. Science	397	53	-	-
Marketing & Transportation	67	55	-	-
Secretarial Science	152	-	-	-
Sub-Total	2,048	312	-	-
LIBERAL & FINE ARTS				
Art (3)	150	18	-	-
Criminal Justice	120	-	-	-
Communicative & Performing Arts	275	-	-	-
Communication Science	54	30	-	-
Foreign Languages	130	-	130	-
Economics	190	-	-	-
English	555	-	1,674	-
History	200	14	100	-
Geography	60	-	-	-
Freshmen Social Studies	235	-	235	-
Music (4)	170	-	-	-
Philosophy	130	-	-	-
Political Science	100	-	-	-
Psychology	140	33	170	-
Sociology	110	-	-	-
Social Welfare	220	-	-	-
Urban Studies	60	-	-	-
Sub-Total	2,899	95	2,309	-

(1) Undergraduate Student
(2) Graduate Student
(3) Includes Art Education and Advertising Design
(4) Includes Music Education

	Mt. Vernon		Van Ness	
	UG(1)	G(2)	UG(1)	G(2)
EDUCATION & HUMAN ECOLOGY				
Community & Urban Planning	60	40	-	-
Adult Education	-	-	-	97
Educational & Psych. Foundations	-	-	140	20
Reading	-	-	40	-
Special Education	-	-	50	-
Early Childhood Education	-	-	50	-
Elementary Education	-	-	50	-
Administration & Supervision	-	-	-	15
Family Life Science	-	-	70	-
Human Ecol. Syst. & Serv. (HESS)	-	-	-	75
Technical Teacher Training	-	-	50	-
Library Science & Instructional Systems Technology	-	-	110	45
Phys. Educ., Health & Leisure Stud.	-	-	245	-
Sub-Total	60	40	805	252
CONTINUING EDUCATION (1) Sub-Total	430	90		
PYSICAL SCIENCES, ENGINEERING & TECHNOLOGY				
Architectural Technology	-	-	90	-
Chemistry	-	-	165	10
Chemical Technology	-	-	75	-
Civil & Mechnical Engineering	-	-	70	-
Civil Engineering Technology	-	-	45	-
Elect. Engineering & Comp. Science	-	-	85	25
Electrical Engineering Technology	-	-	220	-
Computer Science Technology	-	-	100	-
Engineering Graphics	-	-	70	-
Interdisciplinary Science	145	-	-	-
Mathematics	348	-	1,052	8
Mechanical Engineering Technology	-	-	25	-
Physics	-	-	235	10
Printing Technology	-	-	100	-
Aerospace Technology	-	-	40	-
Sub-Total	493	-	2,372	53

(1) All instruction either conducted in facilities located off campus or in campus facilities at non-scheduled times.

(2) Does not include Environmental Science of Food Science Technology.

(3) All instruction conducted in facilities located at Washington National Airport.

	Mt. Vernon		Van Ness	
	UG(1)	G(2)	UG(1)	G(2)
LIFE SCIENCES				
Veterinary Science Technology	-	-	30	-
Biology	50	-	375	15
Earth & Life Sciences	-	-	120	-
Environmental Science	-	-	70	-
Food Science	-	-	100	-
Mortuary Science	-	-	35	-
B.S.N. Nursing	-	-	100	-
A.A.S. Nursing	-	-	100	-
Radiological Technology	-	-	40	-
Respiratory Therapy	-	-	40	-
Sub-Total	50	-	1,010	15
TOTAL	5,980	537	6,496	320

Chart B

TEMPORARY FACILITIES REMAINING TO BE PHASED OUT AS MT. VERNON SQUARE CAMPUS COMES ON LINE

T-1	425 2nd St., N.W.	191,880 GSF
T-4	1331 H St., N.W.	64,973 GSF
T-7	733 8th St., N.W.	5,330 GSF
T-9	1225 Eye St., N.W.	17,102 GSF
T-10	916/918 G St., N.W.	65,552 GSF
T-13	724 9th St., N.W.	34,685 GSF
T-15	1420 New York Ave., N.W.	33,600 GSF
T-17	929 E St., N.W.	153,370 GSF
		566,492 GSF

QUESTION:
3. What is the total lease cost reduction and how has that been considered in developing your fiscal year 1979 funding estimates?

ANSWER:
3. No reductions have been made in our FY 1979 leased buildings budget. As stated in the responses to Question number 2, Phase II of the Van Ness Campus is projected for completion in July of 1980 with occupancy subsequent to that date.

J. ENROLLMENT TRENDS DROPPING OFF

QUESTION:
1. The current University plan to accommodate 13,000 full-time equivalent students which is approximately 45% more than the current enrollment. A recent newspaper story (Post: 3/4/78) noted that the University's enrollment has dropped 13% over the past two years.

Is it realistic to believe that enrollment will actually reach 13,000 full-time equivalent students at any time in the near future?

ANSWER:
1. Yes, UDC believes that the 13,000 FTE students derived from a comprehensive and conservative analysis of long-term trends in the D.C. area definitely reflects an achievable student population.

District of Columbia Public Library

STATEMENT OF HARDY R. FRANKLIN, DIRECTOR

ACCOMPANIED BY:

MALAN STRONG, VICE PRESIDENT, BOARD OF TRUSTEES
JOE Y. LEE, ASSOCIATE DIRECTOR
VIRGINIA S. PHILLIPS, ASSISTANT TO THE DIRECTOR
FRANCES W. SHIBLEY, HEAD, BUDGET AND FISCAL DEPARTMENT
CHARLES W. LOWERY, HEAD, BUILDINGS AND GROUNDS DEPARTMENT
LAWRENCE E. MOLUMBY, ASSISTANT DIRECTOR

CAPABILITY OF COMPLETE ANNUAL BOOK INVENTORY

Senator Leahy. Unfortunately, because of the time constraints, we are going to have just a few minutes for the rest of the people and for each one of the groups left.

And I realize each group, if it goes over its time, takes from the next witness. So I will try not to get us caught in a bind.

There was one question that, in the overall view of the budget, is a relatively minor issue but that has come up in our committee, and that is that the committee asked the library last year to develop the capability of making an annual book inventory.

We have been told that a computerized inventory control system was being implemented at the central and the four regional branches, but that full inventory coverage and control would not be available for "a few more years."

I would like to know when it will be fully in place and why it is proceeding so slowly.

Dr. Franklin. We are proceeding, Mr. Chairman, with grant funds and not from appropriated funds. Those are Library Services and Construction Act funds, which also support additional programs, and we have been using those funds to get the system into the library.

We started first, as we indicated, with the Martin Luther King Library. We now have it in four regional branches and we have terminals for three additional branches. We are proposing to request funds in the 1980 budget to implement it in the entire system.

REQUESTS FOR NEW BOOKS FOR DEANEWOOD BRANCH LIBRARY

Senator Leahy. But you are asking $110,000 for new books and yet you are not in a position where you really know what books you have.

Dr. Franklin. That is for the basic book collection for a new branch, Mr. Chairman, the Deanewood Library, which we got funds to construct in the 1976 budget. The $110,000 is a nonrecurring cost. We hope to have the groundbreaking for the construction by

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the fall of this year. We are also requesting funds for the basic equipment for the branch.

Senator LEAHY. Is that why the budget request has an increase of around 600 percent for equipment? Is it because of that new library?

Dr. FRANKLIN. Yes, sir. It is also a nonrecurring item.

SELECTING THE BEST INVENTORY SYSTEM

I would just like to speak for a second or so about our capability to make an inventory. It is true that the library has not conducted an inventory in recent years of its holdings. We are using a photocharge system which is no longer being manufactured, and so we had to make a decision as to whether we should change to a similar system or whether we should get a more sophisticated system that would provide us with resources to administer the library system more efficiently.

After a lot of deliberation and study we selected a computerized circulation control system (CLSI) that would give us inventory capability on a continuing basis.

ENTERING INFORMATION IN DATA BASE

One of the reasons it is going slowly is the fact we are entering information into the data base from the actual book, rather than going by the cards in the shelf list and putting all the 2.5 million items into the data base. In this way, we can be sure that we actually have the materials in the collection.

This system is providing us with various kinds of reports, and I have some examples here that I have brought along as illustrations. I will leave them for your information.

One of the things the system will do, once the information is in the data base, is print out a list of each item showing the number of copies owned and where they are. For instance, if we wanted to know about books in the arts, this system will generate that report. And not only will it tell us the title, it will also tell us the status of each copy of that book, whether it is on the shelf or out on loans.

If out on loan, it will list the name of the borrower. It will also list overdue books by title and the name of the delinquent borrower.

EVALUATION MATERIAL IN NEW SYSTEM

Now, that is the kind of information that we have not had on a continuing basis for the whole system. But it does not only do that—it helps us in the selection of materials because it tells us of the use that is being made by subject area. For instance, we know that of the 30,000 pieces of material taken out during the month of April, over 5,000 pieces were fiction taken out from the popular library. We know also that the residents of the District and those who are eligible to use the resources also read biographies and history material. This is very helpful in the selection of material.

We get almost instant evaluation of the use that is being made of the material that we buy. And one other thing—we have a breakdown by the wards. We know that persons in the second ward, in which the Martin Luther King Library is located, take out more material than those in the first, the fifth or eighth, for example.

And of those persons who are eligible to use material from the system who live outside the District, we can tell how many pieces of material were taken out by persons who live in Maryland, and Virginia.

LENGTH OF USE OF LIBRARY CARD

Senator LEAHY. I appreciate the information and I will look at the full report to save you the time breaking down all the statistics for us here. But how long is the library card valid for?

Dr. FRANKLIN. Three years.

COST OF COMPLETE INVENTORY SYSTEM

Senator LEAHY. How much would it cost to have a full inventory system put in within 1 year?

Dr. FRANKLIN. It's about $800,000, excluding the maintenance cost for the system, and most of that would be for a one-time purchase of the hardware.

PROPOSAL OF COST OF COMPLETE INVENTORY SYSTEM

Senator LEAHY. How difficult would it be for you to put together a breakdown of the actual costs in the form of a formal request? Could that be done?

Dr. FRANKLIN. We have that in the process with the company that is involved, and we would have to depend on them for the estimate, but I would hope that we can get it within a week or two, Mr. Chairman.

Senator LEAHY. Let me take a look at that. Maybe we might have a way out of this whole bind.

I thank you very much. I will have some other questions. I don't mean to be cutting us off so quickly but, unfortunately, they have also called a caucus this morning which I will have to leave for in a short while. But I will submit further questions for the record. I would be interested in seeing your proposal of how a full inventory system for this can be implemented, and I think we may want to chat some more about that.

Thank you very much. Thank you all for being here this morning.

Dr. FRANKLIN. Would you like this for the record?

Senator LEAHY. Yes, if we could have that and further statements or additions to that record, please pass them on to us and we will include them as part of the hearing record.

[The proposal submitted to Senator Leahy follows:]

LETTER FROM HARDY R. FRANKLIN, DIRECTOR, DISTRICT OF COLUMBIA PUBLIC LIBRARY

June 1, 1978

The Honorable Patrick J. Leahy
United States Senate
Dirksen Senate Office Building
Room 1203
Washington, D.C.

Dear Senator Leahy:

I wish to thank you for your interest in the District of Columbia Public Library and especially for its need for an up-to-date inventory of holdings. In response to your request for an estimate of the full cost of purchase of equipment necessary for the complete automation of the entire Public Library system, I am sending you the enclosed proposal from Computer Library Systems, Inc. (CLSI), which provides in detail the hardware, software, and maintenance costs needed to furnish us with a fully-integrated on-line system.

You will note that the proposal is divided into three parts:

1. Circulation Control System
2. Acquisitions and Accounting Control Systems
3. On-line Automated Catalog

1. Circulation Control System

The Public Library presently has the equipment for the Martin Luther King Memorial Library and eight branch libraries. The items listed in this section will equip the remaining branches with the hardware to bring them on line, provided the necessary expanded capability for the computer to handle the additional load, and also to cover the annual maintenance cost for the system. Only the maintenance cost would become an annual recurring item in our operating budget.

2. Acquisitions and Accounting Control System

While the Circulation Control System is the first step toward complete inventory, to have the full capability, the Acquisitions

and Accounting Control System is an inseparable component. Since inventory starts when a book is ordered this system can provide the full status of all items, indicating number of books ordered, when received, outstanding orders, price, funds committed. This system provides for a one-time entry into the data base at the time orders are placed so that there is accurate information provided from the outset. This information then stays with the item involved throughout its stay in the Library collection.

3. On-Line Automated Catalog

This is the final component to the system, which provides public access to information stored in the data base, including the current status, and location of material. It eliminates manual clerical work now necessary, and which, because of staff shortage, create backlogs that are becoming increasingly difficult to eliminate. It also prevents duplication of effort in several areas, particularly with regard to our reserve system. The separate treatment of establishing holdings records and availability of a given item is integrated into one system.

We selected the CLSI system, after over ten years of investigation of various automated systems, because it can provide us with an on-line self-contained, fully automated system, tailored specifically to our needs. The components we already own have fully justified this decision. With the completion of the system, we feel certain that we will have full capability for inventory and other important functions and services for the Library. All Library holdings will be brought under full control at all times and easy access by the public to all holdings will be provided by one master data base.

Again, may I express my appreciation for your consideration and for any help you may be able to give us in this matter of great importance for public library service in the District of Columbia.

Sincerely yours,

Hardy R. Franklin

Hardy R. Franklin, Ph.D.
Director

PROPOSAL: AUTOMATED CIRCULATION CONTROL SYSTEM FOR THE DISTRICT OF COLUMBIA PUBLIC LIBRARY

LIBRARIES ARE AUTOMATING

Libraries throughout the world are automating in order to give better service to their patrons and to contain rising costs. Library administrators, as they forecast their future costs, are searching for ways to reduce the rate of increase in their operating budgets. Caught in an inflationary spiral, they see that they will not be able to maintain their library's level of service if they cannot cope with rising costs.

Now, 70% of a typical library's budget goes into payroll. Two-thirds of this payroll budget pays for performing repetitive mechanical tasks. These tasks are the focus of library automation. Automation of these tasks allows displaced staff time and skills to be applied to other tasks which give better service to library patrons.

All libraries are seeking better ways to serve their patrons. Your library could use CLSI's product to continue its leadership role in the community, demonstrating the library's continuing interest in providing improved services at lower costs. We would like to discuss some of the many benefits that the LIBS 100 has to offer.

CLSI: THE UNDISPUTED LEADER IN THE FIELD OF LIBRARY AUTOMATION PRODUCTS

Serving the automation requirements of public, academic and small libraries is the only business of our company, CLSI. CLSI is well known to most librarians in the United States and Canada who have already been involved in library automation.

CLSI, which employs approximately 100 people, has its headquarters in Newtonville, Massachusettts, and 17 regional offices in major cities throughout the United States and Canada, including Chicago, San Francisco and Toronto. CLSI's staff is made up of librarians and computer professionals who uniquely combine understanding of library requirements with knowledge of data processing technology.

Our product is the LIBS 100, a total Library Information and Bibliographic System which is composed of modules for circulation control, materials booking, and payroll handling. Additional modules are now under development for acquisitions, acquisitions accounting, catalog services, and on-line catalog.

There are now over 75 LIBS 100's in operation in the United States and 2 in Canada. Many of these systems are shared by groups of libraries or are used by cooperative library systems serving several libraries. Approximately 500 circulation stations are presently installed at over a hundred circulation locations. These systems are being used for over 6,000,000 loans to patrons each month.

This experience with these operational systems has made CLSI the world's undisputed leader in the field of library automation products. Here are some of our latest operating statistics:

200+	Library buildings with terminals.
700+	Terminals installed.
7,000,000+	Circulation transactions per month.
200,000,000+	Items circulated.
6+	Years of experience with operating systems.

The LIBS 100 is a mature, reliable product unmatched by any other automated product in the library world.

THE LIBS 100 CIRCULATION CONTROL APPLICATION

In response to your request for a proposal on the Circulation Control Application, here is a more detailed discussion of the circulation system.

What The System Does

* *Rapidly checks books in and out of the library.*
* *Automatically traps items on reserve at checkin.*
* *Automatically calculates and attaches fines to patron records.*
* *Automatically produces overdue notices, shelf clearance reports, and invoices.*

* *Compiles detailed material and patron statistics.*

* *Stores and organizes reserve information.*

* *Specifies whether a book is in the library.*

* *Specifies the book's due date.*

* *Prints a notice ready for mailing to the next person on the list when an item on reserve is returned.*

* *Identifies delinquent patrons at checkout.*

* *Provides complete information on a book's current location.*

* *Records circulation statistics.*

* *Produces purchase alerts when there are a specified number of people waiting for a title.*

The LIBS 100 Circulation Control Application supports both local and remote stations. Remote stations are connected to the central unit by means of dedicated telephone lines, therefore, one system can be used to control circulation at a number of physical locations. For example, the LIBS 100 could be located at the main library with remote stations in the branches.

BENEFITS OF THE LIBS 100 CIRCULATION CONTROL APPLICATION

The number and degree of benefits that a LIBS 100 Circulation Control Application can offer to an individual library depend, of course, on the efficiency of the current circulation practices of the library. In the less efficient operations of the circulation system such as checkin and handling overdues, the improvements are enormous. We have found that the most dramatic benefits in all libraries are in

* *making the status of the collection and of the patron immediately available*

  The Circulation Control Application is an online inventory system which gives full bibliographic information about each item in a collection, whether it is on the shelf, missing, lost, at the bindery, or available in another library collection. If a book is reported to be on the shelf and cannot be found, then the library can report the book as lost and can take steps to search for or reorder the book.

The patron status is also continuously available online. The circulation staff will know immediately if a patron has overdue material or owes outstanding fines. This awareness has allowed some of our user libraries to greatly increase their fine revenues.

* *the elimination of paper files*

The files for circulation material, overdue material, fine calculation, delinquent patrons, reserve requests, search requests, statistical scratchpads and report sheets are eliminated. Eliminated also are many of the trips to the card catalog to check on the library's holdings, typing of book cards and pockets, and the production of patron cards.

* *the speed of checkin*

The CHECKIN process removes the connection between a patron and the item he has borrowed. CHECKIN calculates the overdue fine, if any, and adds the amount to the patron's fine balance. If the item is on reserve, CHECKIN performs the checkin transaction and automatically checks out the item to the reserve shelf. All these processes are performed dramatically faster than they can be done manually.

* *the production of purchase alerts for high demand titles*

One of the standard reports produced by the LIBS 100 is a purchase alert on titles that have had a high number of unfilled reserves placed on them.

* *the placement and detection of reserve requests*

Reserves are placed from a keyboard/display terminal or from the console. Before the reserve is placed, the patron's status is checked to see if he is delinquent. The clerk may enter a cancellation date for the reserve. Upon return of the item, the reserve request is automatically detected when the book is checked in. Once a day, notices ready for mailing to patrons or a list for telephoning patrons is produced.

* *the automatic maintenance of the delinquency file*

The delinquency status of the patron is updated throughout the day as a result of the loan transactions (checkin, checkout, fine payment) that he performs. The library establishes the terms of the delinquency, such as

- the number of overdue books
- fines not paid on books returned
- billed amounts for long overdue books

and the LIBS 100 does the rest. The system also allows an operator to manually set a patron delinquent to catch, for instance, a new address for the patron when notices sent to him have been returned to the library.

* *the automatic check of the delinquency file*

If your library now has an extremely efficient checkout procedure, the LIBS 100 may only equal or slightly increase the speed of checkout. However, this assumes that your present procedure includes a verification at every checkout transaction to see whether the patron's borrowing privileges are in good standing. If it does not and these verfication procedures are added to your present checkout routine, the LIBS 100 will then increase the checkout speed by 100 to 500 percent.

The LIBS 100 reports patrons with overdue books and/or outstanding fines by visual and audible messages at the lightpen terminal when the delinquent patron tries to check out a book. When an exception is signaled by the lightpen terminal, the operator may use the keyboard/display terminal to obtain explicit information regarding the exception.

* *the automatic compilation and reporting of statistics*

The system continuously updates statistical data while performing circulation transactions so that each report contains information which is current as of the moment of report generation. In particular, the LIBS 100 provides statistical reports on circulation by patron and item subject categories, daily checkouts, checkins, reserves placed, etc., and reciprocal borrowing transactions between any two libraries.

* *the automatic production of patron notices*

The Circulation Control Application produces both automatically and on demand the patron notices listed below. The production of reports is totally under the control of the library staff which may decide when and which of the following reports to produce:

First overdue notices
Second overdue notices
Third overdue notices
Shelf clerance report
Bills
Collection notices
Recall notices
Reserve notices
Reserve cancellations
Patron cards

By prompt notice to the patron of material that he has kept overdue, the library increases its chances of recovering the material and serves the patron by helping him keep his overdue fines low.

Since the online records are accurate up to the latest loan or fine payment transaction when the reports are produced, the library avoids sending notices to patrons who have already returned books or paid fines. This timeliness saves mailing costs and improves the public relations image of the library.

DISPLACEMENT OF ACTIVITIES PRESENTLY PERFORMED MANUALLY

Below is a list of manual tasks which the LIBS 100 performs automatically. The time saved by automation of these tasks can be used to calculate the potential savings to the library in displaced salaries, fringe benefits and supplies.

At REGISTRATION, the LIBS 100 displaces

Typing registration cards
Filing registration cards
Printing patron cards
Checking delinquency status
Updating delinquency file
Checking delinquency file for re-registration
Weeding the registration file
Compiling statistics on the number of new registrations

During PREPARATION OF MATERIALS, the LIBS 100 displaces

Affixing book pockets to books
Preparation of book cards

At CHECKOUT, the LIBS 100 displaces

Checking delinquency files
Pulling book cards from books
Stamping, sorting book cards
Filing book cards by call number or due-date
Preparing date due slips
Compiling statistics on number of checkouts

In HANDLING RESERVATIONS (HOLDS), the LIBS 100 displaces

Filing of reserve forms for each title
Searching due-date files
Cancellation of holds
Printing notices to patrons
Checking reserve files
Preparation of statistics

At CHECKIN, the LIBS 100 displaces

Searching due-date files
Recording overdues
Updating transaction lists
Checking and trapping reserves
Recording fines

In PREPARING LATE NOTICES, the LIBS 100 displaces

Checking the due-date files
Searching for patron statistics
Typing late notices
Filing in due-date files

In PRODUCING REPORTS, the LIBS 100 displaces

Counting statistics
Purchase alerts for titles with high circulation or high number of requests

In RECORDING FINE PAYMENT, the LIBS 100 displaces

Checking delinquency file
Updating delinquency file

Many libraries do not have exact measurements of times and costs of performing the circulation functions against which to compare the benefits of the LIBS 100 system. CLSI is prepared to assist an interested library in carrying out a cost/benefit analysis of its operations without charge to the library. Many analyses previously prepared for libraries are available for examination.

WHAT KIND OF SERVICE AND SUPPORT DOES CLSI GIVE?

CLSI's unique "Systems Support Group" staffed by computer professionals in Newtonville, is available via toll-free telephone lines to answer immediate and pressing questions by the library's LIBS 100 operator. Approximately 85-90% of all questions asked by our library users are resolved by a telephone call to the "Systems Support Group". For the remaining 10-15%, CLSI field service engineers are on call to service the equipment on-site. The modular design of the LIBS 100 equipment minimizes downtime since components are replaced rather than repaired at the library.

WHAT KIND OF TRAINING DOES CLSI PROVIDE?

Professional librarians on CLSI's staff give an on-site training course that lasts from 7 to 10 days, usually covered in three separate visits to the library. This program includes instruction for the

library administration, the head of circulation, the chief operator, the general circulation clerk, and general staff members. It utilizes a variety of teaching materials: manuals, study questions, and the LIBS 100 itself.

WHAT TYPES OF DATA LOADING ARE OFFERED?

The users of the LIBS 100 have devised many methods for transferring the information from their shelflist into the LIBS 100 title data file. Some libraries use their own staff to enter the information, some hire temporary staff, and some hire an outside service to microfilm the shelflist and enter it at the display station. Another method involves an agreement between an existing and a new LIBS 100 user to share a title data file. The data file of the existing user is copied, the holdings location information is removed, and the location information for holdings of the new library is entered.

DOES THE LIBS 100 ALLOW NETWORKING?

Networking is taking place in all the LIBS 100 systems where two or more libraries share the same title file. If a main library shares its collection with a branch library by means of reciprocal borrowing, these libraries are practicing networking. There are also libraries that practice inter-library loan networking between two or more LIBS 100 systems. The Illinois Library Network, ILLINET, is carrying out a project involving 16 autonomous libraries using 5 LIBS 100 systems in online ILL networking. The preliminary results show that the optimum time for delivering inter-library loan requests within one system has been reduced from 5 days using their old manual system to two days using the LIBS 100.

LIBS 100 USERS

Libraries with LIBS 100 systems have formed the CLSI Users' Group through which they share their experiences with one another and give group feedback to CLSI concerning features that they would like to see added to future releases of the LIBS 100. The Group meets at the American Library Association Summer and Midwinter Conventions and produces a newsletter to communicate among the membership between meetings. CLSI has a complete list of LIBS 100 users from which you may choose libraries to contact regarding their experience.

THE LIBS 100 IS MORE THAN A CIRCULATION SYSTEM

When a library acquires a LIBS 100 for circulation control it gets more than an automated circulation system that checks material in and out:

- The library gets a *library management information system;* a dynamic model that supplies statistical reports to the library administration, the circulation department, and the acquisitions department to be used in managing the library's collection.

- The library gets an *on-line reserve system* which places reserves, detects reserves at checkin, prepares notices for mailing to patrons or lists for telephoning them.

- The library gets an *accounting system* for calculating and recording payment of fines.

- The library gets the basis for an *on-line catalog,* which when expanded with another module, allows the library to eliminate the costly maintenance of its card catalog. If more than one library shares the same title file, the library will have an on-line union catalog.

- The library gets a *networking tool* which allows on-line inter-library loan networking.

- The library gets a tool which is compatible with suppliers of bibliographic data such as the BroDart IROS system to help *manage the information explosion.*

- The library gets the first module of a *total* Library Information and Bibliographic System, the LIBS 100.

CLSI'S RECOMMENDATION FOR THE DISTRICT OF COLUMBIA PUBLIC LIBRARY

CLSI recommends the following additions to the District of Columbia Public Library LIBS 100 System. These additions will add six satellite station controllers and upgrade from the current Model 40 to a Model 60. Included are the following:

Central processor; keyboard
2 medium-speed printers;
Circulation Control, On Line Automated Catalog, Acquisitions and Accounting
Storage Capacity for:

350,000 titles
320,000 patrons
1,920,000 items
1,600,000 annual circulations

5 local keyboard/display stations
14 remote composite stations
5 portable terminals
1 unloading station
18 local public access stations
37 remote public access stations

Hardware cost		$1,123,000.00
Software cost		
On Line Automated Catalog Module	(no charge)	
Acquisitions and Accounting Module	$ 92,000.00	
Conversion Service	$240,000.00	
Circulation Control Module	(no charge)	
Software Total		$ 332,000.00
Total Hardware & Software		$1,455,000.00

COST BREAKDOWN

Circulation Control

Storage capacity upgrade from Model 40 to Model 60 for expanded bibliographic records	$120,000.00	
Software	(no charge)	
Hardware		
6 satellite station controllers	$336,000.00	
14 composite stations	$132,000.00	
3 keyboard/display stations	$ 18,000.00	
Five (5) portable terminals and one (1) unloading port	$ 33,500.00	
Total Software & Hardware		$639,500.00

		Annual Maintenance	$ 67,872.00

Acquisitions and Accounting Module

Software			
Acquisitions and Accounting	$ 92,000.00		
Hardware			
2 local keyboard/display stations	$ 12,000.00		
Total Software & Hardware		$104,000.00	
		Annual Maintenance	$ 3,936.00

ON LINE Automated Catalog

Conversion service	$240,000.00		
Software	(no charge)		
Hardware			
18 local public access stations & 37 remote public access stations	$471,500.00		
Total Software, Hardware and Conversion Service		$711,500.00	
		Annual Maintenance	$ 45,000.00
Total Hardware, Software and Conversion Service		$1,455,000.00	
Grand Total Annual MAINTENANCE			$ 116,808.00
Annual Maintenance - existing stations (see next page)			$ 12,276.00
Grand Total all Maintenance			$ 129,084.00

Maintenance on existing stations:

1 remote keyboard/display station	$ 55.00
4 local keyboard/display stations	176.00
1 local composite station	66.00
7 remote composite stations	539.00
1 remote lightpen station	55.00
3 local lightpen stations	132.00
TOTAL	$ 12,276.00 annually

The anticipated increase to maintenance charges is 10% annually.

Supplies:

pairs of item labels at $.045.
remainder of collection 1,664,250 --- $74,891.25

pairs of patron labels at $.045.
remainder of patrons 240,420 --- $10,818.45

SUBMITTED QUESTIONS

Senator LEAHY. Dr. Franklin, I have some additional questions which I would like to have answered to be inserted in the hearing record. Also, if you feel that you want to go into more detail on the questions I asked this morning, please feel free to do so.

Dr. FRANKLIN. I will be glad to provide the answers for the record and I appreciate the opportunity to expand on the questions you asked this morning.

[The following questions were not asked at the hearing but were submitted to the Library for response subsequent to the hearing:]

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DEPARTMENT OF PUBLIC LIBRARY

A. MR. FRANKLIN'S USE OF LIBRARY EMPLOYEES TO WORK ON HIS HOME

QUESTION:
1. In a report that Mr. Franklin, Director of the Library, prepared for the Committee in response to charges made by the President of the Union, which represents the Library employees, I noticed that Mr. Franklin hires Library craftsmen to do work on his home. Even though these Library employees are paid for such work by Mr. Franklin, does such a practice contribute to the appearance of abusing the authority of the position of the Director?

ANSWER:
1. In regard to the concern expressed by Mr. Adel Khalatbari, President of Local 1808 of D. C. Council 20 of the American Federation of State, County and Municipal Employees (AFSCME), representing the nonsupervisory professional and clerical staff of the Library, this question was answered in my memorandum to Mr. Comer Coppie dated March 21, 1978. However, some further elaboration may be helpful.

Numerous members of our Buildings and Grounds staff have skills and trades which they pursue outside the Library on their own time (e.g., carpentry, painting, gardening, moving). Over the years members of the staff have employed these persons to do work for them at home--outside Library time on the part of everyone concerned, and at going rates of pay for the particular service involved. It is a distinct advantage to know the craftsman and the quality of the work he will produce. The paid services of these craftsmen are presumably available to any member of the Library staff who might need them, including the President of Local 1808. Under the circumstances, I cannot regard it, either in appearance or in substance, as an abuse of authority to place legitimate business in the hands of Library staff members working on their own time outside of Library working hours.

I should like to add that Local 1808 does not represent any of the Buildings and Grounds force. They have their own union (Local 877 of AFSCME) which to my knowledge has never objected in any way to the outside business pursuits of its members.

B. NUMBER OF COLLEGE-TRAINED LIBRARIANS ON THE LIBRARY STAFF

QUESTION:
1. The Library is requesting funding for 499 positions in FY 1979. How many of these positions are filled with people that have either college or graduate degrees in library science?

ANSWER:
1. As of June 9, 1978, the Library had a total of 166 college trained persons on the staff:

a. Librarians (1410 series) - 149
   One with a Ph.D. in Library Science
   113 with M.L.S. in Library Science
   One with Ph.D. in subject field (also has M.L.S.)
   Six with M.A. in subject field
   28 with B.A. or B.S.

Answer No. 2 - continued

b. Other professional employees with degrees: 4

c. Clerical employees with degrees: 13

According to Library policy as stated in the Merit Promotion Plan as approved by the Board of Library Trustees on September 14, 1977, only individuals with a Master's degree in Library Science will be hired for positions in the Librarian (1410) series after that date.

C. WHY DO THE NUMBER OF REGISTERED BORROWERS CONTINUE TO INCREASE WHILE THE POPULATION DECREASES?

QUESTION:
1. The justification material (Vol. II, p. 31) shows that the number of registered borrowers in the system is expected to be 316,000 in FY 1977 and has been growing at the rate of 4,000 new registered borrowers each year for the past several years.

For how long is a new library card valid?

ANSWER:
1. The Library has opened five new public service facilities since FY 1975: the Watha T. Daniel Branch, the Garnet C. Wilkinson Branch, and three kiosks. It should be noted that under its Organic Act the District of Columbia Public Library is also required to serve persons who live in adjacent counties of Maryland and Virginia but have regular business or employment or attend school in the District. Additionally, the Library continually seeks new borrowers in a variety of ways from all segments of the population.

A library card is valid for three years and can be renewed.

QUESTION:
2. How often do you purge the system?

ANSWER:
2. Patrons who allow their cards to expire without renewing at the end of the three-year period automatically purge themselves.

QUESTION:
3. Approximately what percentage of the registered borrowers actually use the system each year?

ANSWER:
3. With the present circulation system we are unable to determine how many registered borrowers actually use the system each year. But with the proposed new computerized circulation control system, we will have the capability of developing this information.

QUESTION:
4. What accounts for the fact that the population of the District has been declining in recent years, but the number of registered borrowers has been increasing?

Question No. 4 - continued

ANSWER:
4. As stated under #1 above, the Library has opened five new public service facilities since FY 1975: the Watha T. Daniel Branch, the Garnet C. Wilkinson Branch, and three kiosks. It should be noted that under its Organic Act the District of Columbia Public Library is also required to serve persons who live in adjacent counties of Maryland and Virginia but have regular business or employment or attend school in the District. Additionally, the Library continually seeks new borrowers in a variety of ways from all segments of the population.

D. DECLINING POPULATION IN D.C.

QUESTION:
1. Your budget submission states that the population served is 756,500 but recent estimates of the District's population show that it is declining and now stands at about 690,000.

Has the declining D.C. population been taken into consideration when determining the amount of library facilities required?

ANSWER:
1. For purposes of comparison with other cities, the District of Columbia Public Library states its population served in terms of the U.S. decennial census figures. However, planning for specific new facilities has always been based on a careful examination of a number of factors, including current population figures for the neighborhood under consideration.

COMMISSION ON THE ARTS

STATEMENT OF LARRY NEAL, DIRECTOR

BUDGET LEVEL OF OPERATIONS

Senator LEAHY. Our next witness is Larry Neal, Commission on the Arts and Humanities.

We are glad to have you back with us again. The Commission has been operating under the continuing resolution.

I am interested at what budget level you have been operating.

Mr. NEAL. We have been operating at the appropriated budget, about $59,000, I think it is; and we are requesting $100,000 in program funds. I have a breakdown and a briefing book that I will give to Mr. Hall later on with precise breakdown figures of how the funds will be used. I can give you an overview of the breakdown.

MATCHING FEDERAL GRANT FUNDS

Senator LEAHY. I think maybe in context with that, if you have in mind this question: In fiscal year 1978 we recommended here in the Senate that $100,000 of matching grant funds be disallowed. The recommendation was based in part on advice provided to the committee that it was not legal for federally appropriated funds to match other federally appropriated funds.

The city has again asked for $100,000 to be used as matching grants. What portion of these funds are planned to match other Federal grants?

Mr. NEAL. Of the $100,000, we are talking about approximately $18,000 of matching funds across all program areas.

I checked with the National Endowment for the Arts and got some good information on this. They said it was quite appropriate to use the District appropriations to match Federal funds. As a matter of fact, they encouraged us.

The District of Columbia Commission on Arts has State status, as you know. We receive a block grant from the National Endowment for the Arts. We are considered as a State in our relationship with them. We fall under what they call the Federal-State partnership. Currently, District of Columbia ranks 40th in the standing of States' appropriations for the arts.

We are not requesting our own program moneys in the budget. This has a lot to do with the history of the commission. It is a young commission and we are just beginning to develop our programs.

What we have done with the budget we submitted to you, essentially, is to back up the program moneys that we have from the National Endowment for the Arts.

This is support money which breaks down into special projects, obligations, special arts programs, artists in the schools and technical assistance, and we have itemized those dollar amounts in clear terms.

NUMBER OF ARTS AND HUMANITIES ORGANIZATIONS

Senator LEAHY. How many arts and humanities organizations exist in the District?

Mr. NEAL. We are funding right now 63 organizations.

Senator LEAHY. How many are there in all in the District?

Mr. NEAL. I can give you the dollar requests for funding requests. We received in the last fiscal year $1.2 million in requests for funds.

Senator LEAHY. How many arts and humanities organizations, just total number, are there?

Mr. NEAL. I would say there are probably about 125 in all.

Senator LEAHY. And how many of them receive grants through the Commission?

Mr. NEAL. We funded 63 arts organizations last year and serviced over 1,000 arts.

Senator LEAHY. Could these organizations go to the National Endowment without going through the Commission?

Mr. NEAL. The National Endowment encourages the applicant to apply to the State agency, which is us. And in certain areas of the program they can go directly to the National Endowment for the Arts. That is discouraged. They would rather them first go local and then national.

PERCENTAGE ADMINISTRATIVE EXPENSES ARE OF GRANT FUNDS

Senator LEAHY. Do you retain a portion of the grants for administrative expenses?

Mr. NEAL. A very small portion.

Senator LEAHY. What is it?

Mr. NEAL. Probably about 10 percent.

Senator LEAHY. Anything else you would like to add?

REPORT ON LONG-RANGE COMMISSION PLANS

Mr. NEAL. I would like to say we have a briefing book that breaks down clearly what we are talking about, gives you long-range plans.

The most important thing is that the District of Columbia has never had a program itself. And these funds would be the beginning of a major program from the District. This is clearly the issue here, the idea that we are not going to keep up with the other State agencies, not be able to develop programing unless we are able to support our programs with in-house moneys. We don't have those backup moneys.

The budget we are submitting backs up the program in pretty good detail. There is, as you know, Mr. Chairman, a crisis right now in the arts and it is reflected in Washington, D.C.

We are one of the crisis areas. We have a situation where some of the larger organizations, almost all of the larger private organizations, are in the red. We have a situation where small groups are daily falling apart from lack of technical assistance.

That is one of the reasons we built technical assistance into our budget to support the programs we are now funding. We have so many things we have to do. We have to monitor those programs to

be sure the Federal dollars are being spent wisely. This budget gives us, I think, that ability as well as the ability to again separate our own programs in-house.

Senator LEAHY. Thank you.

Mr. NEAL. I will make sure Mr. Hall gets all the pertinent information he needs.

Senator LEAHY. Like I said before, I apologize for the fact we are so cramped in time on these.

Mr. NEAL. I understand. We have such a small budget.

Senator LEAHY. Sometimes small budgets get discussed more than the large budgets, an anomaly I have never been able to understand.

CLARIFYING POSITION OF THE COMMISSION

Mr. NEAL. What we have tried to do after consultation with the National Endowment for the Arts and after consultation with our staff and Mr. Hall, is to make sure that this year we are saying in very clear and graphic terms what we are talking about. That is one of the things we didn't do last year.

We were remiss in making our case clear. We are trying to make it as clear as possible this year.

Senator LEAHY. In return, you want the hundred G's?

Mr. NEAL. Certainly.

EDUCATIONAL INSTITUTION LICENSURE COMMISSION

STATEMENT OF LACY STREETER, ACTING GENERAL ASSISTANT TO THE MAYOR

NEW ORGANIZATIONAL ELEMENT

Senator LEAHY. Next is the Educational Institution Licensure Commission.

Mr. Streeter?

This is a new organizational element that is being proposed for creation in fiscal 1979. Why is it necessary to set up a new organizational element to perform these functions? Why couldn't they be done otherwise?

It was formerly handled by UDC. Why do we need a separate organization?

PURPOSE OF THE COMMISSION

Mr. STREETER. Basically, the Educational Licensure Act of 1976 created this Commission, and the basic purpose of the Commission is to provide a kind of coordinated overview of the various responsibilities that have been carried out by the separate District of Columbia Government Agencies institutions before.

So I think if there is one key word, it is to provide a central and coordinated function here.

Senator LEAHY. How many license applications have to be processed each year?

Mr. STREETER. I don't have the figures for that question you raised, but I would be happy to supply them for you.

[CLERK'S NOTE.—The following information was subsequently supplied to the Committee.]

The Educational Institution Licensure Commission by District of Columbia Law 1-104 was given the responsibility for:

One, licensing degree granting private institutions.

Two, licensing non degree-granting private institutions.

Three, licensing elementary/secondary private institutions.

Four, State agency approval for veterans benefits.

In assuming the responsibility from the Board of Trustees, University of the District of Columbia, it was found that there were approximately 60 institutions under license by the Board of Higher Education/Board of Trustees and the Board of Education. These institutions are subject to inspection or renewal of their current license by the Licensure Commission in fiscal year 1979.

The Licensure Commission has received approximately 24 requests for initial licensure from institutions not previously operating or licensed in the District requiring licensing action by the Licensure Commission in fiscal year 1979.

It is estimated that a number of non-degree granting institutions may request degree granting status requiring licensing action by the Licensure Commission in fiscal year 1979.

Additionally, it is estimated that there may be a number of institutions that may seek license that have not done so to this time which will require licensure action by the Licensure Commission in fiscal year 1979.

Therefore, the projected figure for licensing activity relative to degree granting institutions in fiscal year 1979 is 100 in addition to the 100 proprietary schools and 120 elementary/secondary schools.

NUMBER OF POSTSECONDARY AND SECONDARY INSTITUTIONS

Senator LEAHY. I am wondering how many secondary schools are there in the District of Columbia?

Mr. STREETER. I think I have the figures for you here. We are addressing a number of concerns in that regard. There are approximately 100 postsecondary schools and we also have the responsibility for approximately 100 proprietary schools and approximately 117 private elementary and secondary institutions.

There is also a responsibility with the Commission that relates to approximately 20,000 District veterans who are pursuing educational programs in the District. And all of these responsibilities are the responsibility of this Commission pursuant to the City Council act.

COST-EFFECTIVENESS OF COMMISSION

Senator LEAHY. Is it cost-effective in transferring this to the Commission?

Mr. STREETER. We have two staff members who are on loan from other agencies. I think, quite frankly, we believe that it would be important to provide this responsibility in a comprehensive manner.

But in terms of our experience at this point, it is rather brief, and I don't think we would be prepared to say at this point based on the experience of the Commission.

Senator LEAHY. What you do is take the positions that are being on loan from somewhere else and make them permanent positions? Or would you make permanent positions in addition to the ones on loan?

Mr. STREETER. We now have the staff on loan. We are requesting the permanent funding of two positions. And we would leave the jurisdiction to the Commission as to whether they would select current staff members or select new staff members.

CORRECTION OF NUMBER OF INSTITUTIONS SERVED

I said there are currently 100; we propose to serve 100. There are currently 49. We will correct that figure.

CONGRATULATIONS TO MR. COPPIE ON RECEIVING AWARD

Senator LEAHY. Mr. Coppie, I understand is out of town receiving an award today. Please extend my congratulations to him when he comes back. I think it is well deserved. I am pleased he could be there to receive that.

Mr. STREETER. I talked to Mayor Washington today. You can be very sure he is pleased to receive the award. I will convey them to him again.

Economic Development and Regulation
Municipal Planning Office

STATEMENTS BY:

BEN GILBERT, DIRECTOR, MUNICIPAL PLANNING OFFICE
ANDREW OCKERHAUSEN, PRESIDENT, WASHINGTON AREA CONVENTION AND VISITORS ASSOCIATION
AUSTIN KENNY, VICE PRESIDENT, WASHINGTON AREA CONVENTION AND VISITORS ASSOCIATION

INTRODUCTION OF WITNESSES

Senator Leahy. I think it might be wise in putting together the next segment if we asked Municipal Planning Office, Washington Area Convention and Visitors Association and the Chamber of Commerce all to come up here together. A number of my questions are going to be somewhat overlapping anyway.

If you will give your names to the reporter, starting with Mr. Kenny.

Mr. Ockerhausen. I am Andrew Ockerhausen and I am vice president of WMAL of the American Broadcasting Co. and also the volunteer and unpaid president of Washington Visitors Association.

Mr. Kenny. Austin Kenny, Executive Vice President, Washington Area Convention and Visitors Association.

Mr. Gilbert. Ben W. Gilbert, Director of the Municipal Planning Office.

Senator Leahy. We are glad to have all three of you gentlemen here today.

CURRENT ECONOMIC BOOM

Mr. Gilbert, we have been reading the newspapers' information of the building boom that is currently underway in the city. The committee is pleased to see this, of course. It is extremely encouraging news. There is a very substantial building boom going on at a time when the convention center was effectively dead.

And so I would assume that, based on past testimony by a number of people, we will have even another building boom on top of the present one if the proposed civic center is built. But let us just take the present boom. And would you please outline for the subcommittee the nature and extent of the current economic boom or revitalization situation underway in the city?

Mr. Gilbert. Mr. Chairman, I am pleased to do so. I think we would prefer to characterize it as a mini-boom. We hope it is going to become the real boom that we have programed and planned for these many years.

Senator Leahy. Of course, I realize they go by different standards down here than in my own State, but I think $100 million for the new Press Club Building, discussions of the growth on Pennsylvania Avenue, Garfinckel's plans, Woodward & Lothrop's plans and

tens of millions of dollars worth of other plans represents a boom. Some of us country boys might call that a boom.

Mr. GILBERT. I think I would agree with you.

Senator LEAHY. There are a couple of country boys who must have slipped into the ranks of city officials because they are quoted as calling it a major boom.

And New York City, the largest city in the country right now, would love to have a similar boom in a city 15 to 20 times larger than the District of Columbia. So I am mentioning this just so you won't feel the need to be overly modest about what is going on downtown.

Mr. GILBERT. Mr. Chairman, if those events that you listed all come to pass as they have been projected, and we certainly hope that they will, I would agree with you that we would be in the process of a full-dress boom.

I think if I could take a minute to just put what is occurring in perspective, we have gone through a 10-year period which started as a major civic crisis, growing out of the disturbances that followed the death of Dr. King.

That was at a time when tensions in this city were at a high pitch even before the tragic assassination of Dr. King. And we had a crime problem in the city that had reached a dimension where it was getting into national Presidential campaigns and there was a feeling of depression and discouragement in this city.

POSITIVE ATMOSPHERE OF CITY

That was back 10 years ago. The atmosphere has changed quite remarkably, and we feel that we have finally brought the city to the point where the constructive and creative things that need to be done to make this a city that we will all be proud of both as a national capital and as a home for people who live here, that that atmosphere has now been created.

We have done remarkable things. You will be talking to the police department and the other law enforcement components. We feel that the turnaround that has occurred in the law enforcement area has been a very, very major element in this turnaround in the city.

We also feel that what has occurred with intergroup relations and race relations and relations among the people of this city—they may not be perfect, but they are very good. They are probably as good or better than any major city of the size of Washington, D.C. All of that has helped to create this positive atmosphere that we now have.

CURRENT ECONOMIC EXPANSION PLANS

Senator LEAHY. And with this positive atmosphere, what are the things that are being planned?

Mr. GILBERT. Of course, you have mentioned the Pennsylvania Avenue plan. I talked with you about that some months ago. That is finally moving into high gear and we are hoping that the $100 million Press Club Building will go forward and the Willard Hotel will be revived. The prospectus is out now for the Willard Hotel to restore it.

We expect that other blocks in the western sector of the Pennsylvania area will shortly go up for bid for development. At the other end of Pennsylvania Avenue we have the Canadian Embassy starting. We hope with activity at both ends of the avenue, that there will be a filling in between.

Senator LEAHY. I understand that because of the subway stop Woodward & Lothrop is spending about $6 million in refurbishing.

Mr. GILBERT. I think the Metro is a very, very important element in planning.

Senator LEAHY. Mr. Kenny has a question about that, whether they were going to or not. Should we discount the announcement?

Mr. GILBERT. I would hope that it occurs, but I would hope that more than just refurbishing occurs. That north block property that Woodward & Lothrop largely owns is an area where further development can occur beyond just the retail store.

We are looking for, as the Metro is completed, development at major Metro centers throughout the city. We think this is another important planning and development tool, in fact, perhaps our most significant planning development tool that is now on the books.

And we see things happening in the Friendship Heights area. We have completed a sectional development plan which is being released for the Tenley Circle area where we expect other development responsive to Metro.

EXPANSION IN HOTEL ROOMS

Senator LEAHY. I understand also, if I may quote Mr. Kenny in the paper, there seems to be a major expansion of hotel rooms going on. According to him, the total number of rooms has increased some 15 percent and we expect more in the near future.

So those are all good things, I would imagine.

MIXED-USE DEVELOPMENT

Mr. GILBERT. Those are good things. It is very interesting, Mr. Chairman. Three and four years ago a developer would come in to ask us to discuss with him the sites that might be available in the city for prospective development. And we would talk to him about various locations as a planning office; we proposed sites for mixed-use development as the wave of the future, a mixture of commercial and retail and hotels and residential uses.

And developers would look us in the eye and say that we must be out of our mind to think anybody would do anything like that in the city of Washington.

And today developers come in and say, "We would like your help in developing a mixed use project and we would like to see if it is feasible to put a hotel and office building and retail store together."

We learned a long time ago when people make announcements of this kind, we look to see if those announcements result in solid commitments.

CIVIC CENTER COMMITMENTS FROM BUSINESS COMMUNITY

We don't disagree with the approach of the committee asking that solid commitments be documented in connection with the civic center proposal, and we are about the business of securing that documentation.

Senator LEAHY. I think that is wise anyway. As you know, it barely squeaked by the House again. And the other evening when I was on WMAL's radio program, the station that has editoralized continuously in favor of the convention center—rather outrageously so at times—the switchboards were jammed with people calling in their opposition to the convention center.

No question—if it was put to referendum, it would probably lose. But we do want to show our commitment to home rule. If the city wants this thing, we will certainly give them every opportunity to get it.

But I think, as was pointed out even by the very strong supporters of the convention center over in the House, that they made very clear that they expect very solid commitments.

This is just about the most intensive lobbying effort I have seen since the time I have been in the Senate; the supporters were able to drag out only 25 votes in the Senate and where they had committee support in the House, they were barely able to squeak it by. So it behooves them to handle it along the lines of the compromise worked out between the House and the Senate. It is, by the way, the same compromise that I offered last year at about this time, so that it would be good to move along on it.

TOTAL WASHINGTON AREA CONVENTION AND VISITOR ASSOCIATION FUNDING

I just might ask a question of the Washington Area Convention and Visitors Association. How much total funding does the Association expect in fiscal year 1979?

Mr. OCKERHAUSEN. $439,000 is our present budget from the private sector.

Mr. KENNY. The District of Columbia budget, the amount approved by the City Council, was $100,000.

Senator LEAHY. And you get an extra $400,000 from the private sector.

Mr. KENNY. Yes, approximately $430,000.

Senator LEAHY. Now, the funds received from private sources, are these used for different purposes?

Mr. KENNY. No, sir; commingled in a single budget.

Senator LEAHY. So the appropriated dollars are not distinguished from the private dollars?

Mr. KENNY. We were made aware of it through the District of Columbia Budget Office and I am informed by Mr. Coppie—he was asked to pass along to us and did so.

LOBBYING FOR FUNDS BY THE ASSOCIATION

Senator LEAHY. Has the Association entered into any activity in the last year that could be described or could be considered to be lobbying for appropriated funds?

I only ask you the question because it could be illegal if you had. I was curious.

Mr. KENNY. We didn't start out as that kind of place, but we would be foolish to deny we were proponents of the convention center.

Senator LEAHY. Then the answer is yes.

Mr. KENNY. I didn't do any lobbying.

Mr. OCKERHAUSEN. Obviously, the answer has to be yes. We were after the funds.

Senator LEAHY. You don't have on one of those machines that sign signatures down at your shop, do you?

Mr. KENNY. No, sir. Mr. Ockerhausen signs letters.

Senator LEAHY. He is the one we should be looking at.

Mr. OCKERHAUSEN. I have the machine. [Laughter.]

Mr. KENNY. We were a proponent of the convention center certainly, sir.

Senator LEAHY. I think it is safe to say I gave the proponents of the convention center at least equal time, if not more than equal time, in hearings before this committee. I have also made it a point to pass on to the committee any information from proponents. I would point out, however, that it is against the law for appropriated funds to be used for the purpose of lobbying for additional appropriated funds, and I pass that on for whatever it is worth.

I am certainly not in any way trying to give any one of you gentlemen a hard time.

CHANGING METHOD OF BOOKKEEPING

Mr. OCKERHAUSEN. We just have to change our method of bookkeeping. We do receive substantial support from the business community at $430,000.

Senator LEAHY. It is something to consider, all right. I don't mean that this applies to just you on just this issue. We have it on numerous other groups and other issues. I intend to do nothing further than raise the issue here, but at some point you run the very serious risk of any taxpayer raising the issue or anybody else raising the issue.

I don't mean just in the city. It is the same with the Department of Defense, a group that at times can be outrageous in their violation of the lobbying law, the Departments of State, Justice, and other agencies.

I am well aware of some tremendously good things that your group does. I think you will find that you and I are in agreement far more often than we are in disagreement. I would hate to see you get caught short on this particular matter. That is one of the reasons why we asked Mr. Coppie to bring the United States Code to your attention.

Keeping in mind that we are going to have to come back for further hearings on this matter. Assuming that the Senate accepts the conference report, and after seeing the vote in the House, I am going to go back and do another nose count before that comes up, because it was so close in the House. I want to make sure if it is really possible for us to get it through the Senate, but assuming we

do, and I rather hope we do, and I intend to vote for it myself, we will have to come back in here to go into the subject in more detail.

But do any of you have anything you want to comment on?

BUILDING BOOM AND THE CONVENTION CENTER

Mr. KENNY. On the building boom, I think every feasibility study that has been done consumes some of our time in our office. We are a source of information that banks need, and without exception, the last 4 years there is not a project that I know of that didn't have some part of its roots in the prospective civic center. That is a piece, and that is all it will ever be in any of those projects. It is a piece of the whole.

Senator LEAHY. But I know that a number of projects that were announced right after the time when news stories reported and every indication existed that the convention center idea was dead, and we make a terrible mistake in this city to think that the only thing that can attract people here might be a convention center. Every study I have ever seen shows that Americans, if they are asked to list a city other than their own that they want to visit at some time, either at the top of the list or virtually at the top of the list is invariably Washington, D.C. Isn't that a fact?

Mr. OCKERHAUSEN. No question. I think it is a very reasonable approach the conference committee has come out with. It behooves the business community and the city to do as you suggest, submit plans back to you. I think that work is underway and I think you suggest you will proceed to do, you are going to look at it very carefully. That is a good idea. We have heard some talk. Now, let's see something committed.

Senator LEAHY. I am sure they will work very hard on it.

Mr. GILBERT. I would like to say we strongly support the compromise and are working hard to do what you asked us to do.

BUILDING BOOM AND EMPLOYMENT OPPORTUNITIES

I would like to make one additional point if I may about the business boom. We still have much too much unemployment in our midst, about 32,000 from 1977 or an unemployment rate of 9 percent. This has been particularly hard on one identified group, the black teenagers. The rate for them is several times higher than the 9-percent rate. The black youngsters in our midst who have not yet entered the job market, some of the same youngsters you were talking about earlier; are most affected.

Senator LEAHY. That is the whole point, and I share that concern, because part of it is the question within the education system itself and one of the reasons I think this committee is going to be very, very favorably inclined toward those requests in the educational budget that are related to improving basic skills of young people in the city.

I am well aware of the very, very high black teenage unemployment rate, and it is much too high, and none of us in good conscience can sit here and accept that. None of us in good conscience can take a position where we are not trying to improve that situation and dramatically cut down that kind of unemployment. But it is something that has to be approached from a whole host of

things. If you have jobs available, but if you have people who can't read the job applications or can't handle the basic skills necessary for that, they are still not going to be employed.

Mr. GILBERT. You are absolutely right, Senator. We think that job development is an important part of this program. Job development should provide a range of opportunities. Everyone can't be a lawyer or an accountant or even a government administrator. There has to be a range of jobs, and we do think the types of activities that are now promised in this city, the development along Pennsylvania Avenue, and if I may include the civic center as one of those, are going to contribute to the necessary job development.

Senator LEAHY. We have to cut off because I have a 10 o'clock caucus, and we still have the Office of Housing and Community Development.

PREPARED STATEMENT

Mr. OCKERHAUSEN. I would like to have my opening statement placed in the record.

Senator LEAHY. We will be glad to do that.

[The statement follows:]

STATEMENT OF JUSTIFICATION
DISTRICT OF COLUMBIA APPROPRIATIONS
TO THE WASHINGTON AREA CONVENTION AND VISITORS ASSOCIATION
BEFORE THE SENATE SUBCOMMITTEE ON APPROPRIATIONS
FOR THE DISTRICT OF COLUMBIA

FISCAL YEAR 1979

MR. CHAIRMAN, MY NAME IS ANDREW OCKERSHAUSEN AND I AM, BY PROFESSION, EXECUTIVE VICE PRESIDENT OF WMAL, INC. OF THE AMERICAN BROADCASTING COMPANY. I AM ALSO THE VOLUNTEER PRESIDENT OF THE WASHINGTON AREA CONVENTION AND VISITORS ASSOCIATION AND I HAVE WITH ME MR. AUSTIN KENNY, EXECUTIVE VICE PRESIDENT OF THE ASSOCIATION.

GENTLEMEN, LET ME OPEN MY REMARKS TODAY BY EXPRESSING OUR SINCERE THANKS FOR THE RECENT ACTIONS OF THE SENATE AND HOUSE CONFEREES IN APPROVING THE 1978 BUDGET WITH THE INCLUSION OF OUR MUCH NEEDED CIVIC CENTER. WE SINCERELY APPRECIATE THE MANY HOURS OF TIME YOU DEVOTED TO THIS VERY COMPLICATED SUBJECT AND LOOK FORWARD TO WORKING WITH YOU IN THE WEEKS AND MONTHS AHEAD IN DEVELOPING ALL OF THE NECESSARY DETAILS TO SEE THAT THIS PROJECT MOVES AHEAD QUICKLY. THERE IS NO QUESTION IN OUR MINDS THAT THE CENTER CAN BE A GREAT ECONOMIC GENERATOR IN TERMS OF THE CONVENTION DELEGATES THAT WILL BE ATTRACTED AND THE MANY OTHER SIDE BENEFITS THAT THE CENTER WILL PRODUCE.

AS YOU MAY KNOW, OUR ORGANIZATION HAS FUNCTIONED AS AN INDEPENDENT, NON-PROFIT ASSOCIATION FOR ONLY A LITTLE OVER A YEAR AND A HALF AND WE ARE VERY PLEASED WITH THE RESULTS THAT WE ARE ACCOMPLISHING IN ATTRACTING AS MANY CONVENTIONS AND VISITORS AS POSSIBLE TO THE NATION'S CAPITAL. THE PAST 25 YEARS HAVE SEEN THE NUMBER OF OVERNIGHT VISITORS TRIPLE AND WE FEEL THAT IS AN ENVIABLE RECORD FOR ANY ORGANIZATION. WE ARE ALSO PLEASED WITH THE FACT THAT, IN 1977, WE CONTINUED TO EXPERIENCE A GROWTH IN SPITE OF THE FACT THAT WE WERE COMPETING WITH THE OUTSTANDING 1976 BICENTENNIAL YEAR. THE RESULTS SO FAR THIS YEAR INDICATE THAT THE MARKET IS CONTINUING TO GROW. AS THE MARKET CONTINUES TO GROW; HOWEVER, SO DOES THE COMPETITION FOR THIS VITAL ECONOMIC FACTOR CONTINUE TO GROW. TWENTY-FIVE YEARS AGO, THERE WERE ONLY 43 CITIES ACTIVELY SOLICITING THE CONVENTION AND VISITOR TRADE. TODAY, THERE ARE OVER 110 CITIES THROUGHOUT THE UNITED STATES, CANADA, MEXICO AND THE REST OF THE WORLD PROGRESSIVELY SEEKING TO INCREASE THEIR ECONOMIC BASE WITH THE DOLLARS LEFT BEHIND BY CONVENTION DELEGATES AND TOURISTS. IN SPITE OF THIS FACT, WE ARE TESTIFYING HERE TODAY ON A 50 PERCENT REDUCTION IN THE AMOUNT OF SUPPORT WE RECEIVE FROM THE DISTRICT OF COLUMBIA GOVERNMENT. I HAVE INCLUDED WITH THIS STATEMENT A LIST OF A DOZEN CITIES AND THE SUPPORT THEY RECEIVE FROM THEIR MUNICIPALITIES SO THAT YOU HAVE SOME IDEA OF THE COMPETITION WE FACE.

35-829 O - 79 - pt. 2 - 22

CITY CONVENTION BUREAU FUNDING SURVEY
1977

	TOTAL BUDGET	LOCAL GOVERNMENT SUPPORT	LOCAL BUSINESS SUPPORT
LAS VEGAS	$5,060,000	$5,060,000	$ 0
SAN DIEGO	1,600,000	1,335,000	265,000
SAN FRANCISCO	1,450,000	1,130,000	320,000
MIAMI BEACH	1,400,000	1,400,000	0
CHICAGO	1,387,000	905,000	472,000
SAN ANTONIO	1,155,000	1,155,000	0
NEW YORK	1,000,000	300,000	700,000
NEW ORLEANS	978,000	678,000	300,000
ATLANTA	910,000	600,000	310,000
TORONTO	908,000	665,000	243,000
ST. LOUIS	905,000	850,000	55,000
DETROIT	800,000	530,000	270,000

Having a total budget rank of 23rd, Washington, D. C. is third in local business support.

Source: "1977 International Association of Convention & Visitor Bureaus Funding Survey".

WE HAVE, IN FACT, BEEN 23RD IN THE NATION WITH THE FORMER $200,000 LEVEL AND WE WILL BE WELL BELOW 50TH IN THE NATION WITH THE PROPOSED AMOUNT. THIS REDUCTION IS NOT ONLY GOING TO PUT A VERY SEVERE STRAIN ON WHAT WE ARE ABLE TO ACCOMPLISH FOR THE FUTURE BUT IT, VERY NATURALLY, IS HAVING A DAMPENING EFFECT ON OUR CURRENT EFFORTS SINCE WE KNOW THIS REDUCTION IS FACING US IN A VERY FEW MONTHS. WITH THE VERY SUBSTANTIAL TAX CONTRIBUTION THAT THE CONVENTION AND VISITOR INDUSTRY MAKES, AN EXCESS OF SOME $30 MILLION A YEAR, IT HARDLY APPEARS TO BE A WISE DECISION TO REDUCE THE PROMOTIONAL FUNDS THAT GENERATE THESE OUTSIDE INCOME DOLLARS.

AGAIN, WE APPRECIATE THE OPPORTUNITY TO APPEAR TODAY AND WOULD BE MOST PLEASED TO TRY AND ANSWER ANY QUESTIONS YOU MAY HAVE.

ABSENCE OF CHAMBER OF COMMERCE

Senator LEAHY. Since the chamber of commerce is not present this morning, I would like a statement from Mr. Denson, the executive vice president, to be inserted in the hearing record explaining why he was not here as requested.

[CLERK'S NOTE.—The following statement was submitted for the record:]

LETTER FROM THE DISTRICT OF COLUMBIA CHAMBER OF COMMERCE, INC.

May 22, 1978

The Honorable Patrick J. Leahy
Chairman, District of Columbia Subcommittee
United States Senate
Committee on Appropriations
Washington, D. C. 20510

Dear Senator Leahy:

Please accept my apology for not having appeared before you and your committee on Thursday, May 18, when scheduled.

Please know that my absence was not intentional, but an emergency situation occurred just prior to the time that I was to appear and it was too late to send another staff person on behalf of the D. C. Chamber of Commerce. I did arrive only minutes after the committee had recessed.

Please know that the Chamber's activities towards the enhancement and growth of the tourism industry is continuing and since our last appearance before you, our information services have excelled greatly. We are mailing several thousand information packages annually that address the special interest markets. I must point out that this service is not being provided by any other organization for minorities and other special interest markets.

If you have specific questions that we could respond to, we would welcome the opportunity to do so.

Your assistance and understanding in this matter is greatly appreciated.

Very truly yours,

James L. Denson

James L. Denson
Executive Vice President

SUBMITTED QUESTIONS

Senator LEAHY. I have some additional questions which I would like to have answered for the record. Mr. Gilbert and Mr. Kenny, I would appreciate your providing the answers for the record. In addition, if you want to provide more detail on the questions you were asked this morning, please do so.

Mr. GILBERT. Mr. Chairman I will be glad to provide the answers.

Mr. KENNY. Mr. Chairman, I will provide the answers for the record.

[The following questions were not asked at the hearing but were submitted for response subsequent to the hearing:]

MUNICIPAL PLANNING OFFICE

A. IDENTIFYING ALTERNATIVE USES FOR SURPLUS SCHOOL BUILDINGS

QUESTION:

1. The justification material (p.115) indicates that the Municipal Planning Office has responsibility for identifying alternative uses for surplus school buildings.

For how many surplus school buildings has an alternative use been found? What are the alternative uses?

ANSWER:

1. As the overall planning agency for the District of Columbia, the Municipal Planning Office has been given the opportunity to review and make recommendations on alternative uses for surplus school buildings and school sites. These recommendations were submitted to the Department of General Services which has the responsibility for their disposition.

Schools reviewed by the Municipal Planning Office included:

	MPO Recommendation/Remarks
B.B. French School 7th and G Streets, S.E.	Sell; retain structure for remodeling for private educational use or conversion to residential use.
Part of Van Buren School Site, 13th and V Streets, S.E.	This property should be retained for public use until the disposition of the Old Anacostia area is decided. This case is presently before the Zoning Commission for decision.
Sumner and Magruder Schools 17th and M Streets, N.W.	A creative approach would be to retain the historic Sumner School for a new adaptive use and removing the Magruder School for new development, to be undertaken through the PUD process.
Old Shaw Junior High School, 7th and Rhode Island Avenue, N.W.	The school should be demolished and the site developed for high density residential use, consistent with the Shaw Urban Renewal Plan. This property has been assigned to the Department of Housing and Community Development.
Old Benning School Minnesota Avenue and Grant Street, N.E.	This site should ultimately be developed as commercial (office/retail) use to capitalize on the Metro station adjacent to the site.

School	MPO Recommendation/Remarks
Gage School 2nd and Elm Streets, N.W.	The site is large enough to be sold and has a housing potential of 10-15 row houses. An alternative would be to sell or lease this property to Howard University.
Eckington School 1st and Quincy Place, N.E.	This property is very small and residential or local commercial uses could adversely impact on this neighborhood. The site is presently used for local recreation and should remain in this use.
Carberry School 420 -5th Street, N.E.	The site could be used for 12-18 row houses.

The Department of Housing and Community Development reviewed several schools with the idea of conversion of the buildings to public housing units. Those schools included: Mott Elementary, Dent Elementary, Morse Elementary, Carberry, Gage and Eckington Elementary Schools. A feasibility study on uses of the Old Shaw Junior High is in the process by the Department of Housing and Community Development.

Final disposition of the Carberry, Gage and Eckington Schools has not been made; however, there are interim disposition plans for the Mott (lease to Howard University); Dent (lease to Capitol Hill Day School); and Morse (lease to Building Community Art, Inc.).

The B.B. French School is under consideration by the Board of Zoning Adjustment (Case No. 12569). The Capitol Hill Arts Workshop wants to restore this facility for community fine arts such as dance instruction, drama instruction. The Municipal Planning Office's recommendation to the Board of Zoning Adjustment was that this use should be approved for the short term (about 3 years). Community opposition has postponed the decision.

The Municipal Planning Office stands ready to provide the planning context and background information for public hearings by the City Council and the National Capital Planning Commission.

MUNICIPAL PLANNING OFFICE
B. TRANSFER OUT OF CRIMINAL JUSTICE PLANNING UNIT

QUESTION:

1. The Criminal Justice Planning Unit that was funded at the level of $105,400 in FY 1978 is being transferred out of the Municipal Planning Office. Which agency is assuming this responsibility? Why is it being transferred out?

ANSWER:
1. The Office of Criminal Justice Plans and Analysis, which is the criminal justice planning unit referred to, was transferred into the Office of Planning and Management, the predecessor agency of the Municipal Planning Office in 1971 as an administrative convenience. That office effectively has functioned under the supervision of the Criminal Justice Coordinating Board under the chairmanship of the Corporation Counsel. Under the new arrangement, the Corporation Counsel is providing direct supervision of this office between meetings of the Criminal Justice Coordinating Board. The Office of Criminal Justice Plans and Analysis will remain within the Executive Office of the Mayor but subject to the direction of the Corporation Counsel. The purpose of the transfer is to enable the Corporation Counsel to provide day-to-day supervision of the Office of Criminal Justice Plans and Analysis.

LETTER FROM WASHINGTON AREA CONVENTION AND VISITORS ASSOCIATION

June 19, 1978

The Honorable Patrick J. Leahy
Chairman
Subcommittee on Appropriations
Committee on the District of Columbia
United States Senate
1203 New Senate Office Building
Washington, D. C. 20510

Dear Mr. Chairman:

The District of Columbia Office of Budget and Management Systems has forwarded to us your Subcommittee's questions and we are enclosing the answers to those questions sent to us. While we have some doubt as to whether U.S.C. Title 18 is applicable to our activities in that we have at no time used appropriated funds for the purpose of lobbying for additional funds for the use and benefit of this Association. To avoid any appearance of impropriety, we have already instituted procedures to segregate our funds. Hereafter, funds received from appropriations will be segregated from funds received from the business community to insure that none of these appropriated funds be used for any activities of this Association which could be considered as lobbying.

We appreciate the opportunity to submit these answers.

Sincerely,

AUSTIN G. KENNY
Executive Vice President

WASHINGTON AREA CONVENTION AND VISITORS ASSOCIATION

A. USE OF PUBLIC FUNDS FOR THE PURPOSE OF LOBBYING FOR MORE PUBLIC FUNDS (THE CONVENTION CENTER)

QUESTION:
1. How much total funding does the Association expect in FY 1979?

ANSWER:
1. $430,000.

QUESTION:
2. Are appropriated funds and the funds receivedby the Association from private sources used for different purposes?

ANSWER:
2. No, they are co-mingled in a single budget.

QUESTION:
3. Are all Association funds put into a general fund and co-mingled in such a way that an appropriated dollar is not distinguished from a private dollar?

ANSWER:
3. Yes.

QUESTION:
4. Is the Association aware of U.S.C. Title 18, that prohibits the use of appropriated funds for the purpose of lobbying for additional funds?

ANSWER:
4. The Association was not aware of it until approximately two months ago when Comer Coppie, Special Assistant to the Mayor, brought it to our attention at the request of the Subcommittee. However, the Association has not used appropriated funds to lobby for additional funds for the Association's purposes.

QUESTION:
5. Has the Association entered into any activities in the last year that could be described or could be considered to be lobbying for appropriated funds?

ANSWER:
5. The Association has been a strong proponent of the civic center from the very inception of the idea. Our direct contact with the Subcommittee consisted of our President, Andrew Ockershausen, being one of the signatories of a telegram requesting a meeting with the Subcommittee Chairman.

Office of Housing and Community Development

STATEMENT OF LORENZO JACOBS, DIRECTOR

HOME PURCHASE ASSISTANCE PROGRAM

Senator Leahy. Gentlemen, I appreciate your being here, and I recall your testimony last year. You requested an increase of a million dollars to initiate the new home purchase assistance program, a program that would provide loans to be used for downpayment for the purchase of homes; is that correct?

Mr. Jacobs. That is correct.

Senator Leahy. Could you tell me how this would work, and I am interested in certain things about the program. For example, it still would have liens on the property. Does that cut down their salability by prospective owners? Maybe you can tell me a little bit about the program.

Mr. Jacobs. Well, let me say we have a situation in the District of Columbia where there is a substantial amount of displacement occurring and one of the things we want to do is make it possible for people who are now living in rental housing to buy those units. There is a law on the books which requires an owner of a building that is being rented to first make the offer to the existing tenants to purchase the building if he does not want it for his own use, and this program will provide some capability for those persons to own buildings.

We find a lot of people, Mr. Chairman, who, if they could get the downpayment, could be successful homeowners. What this program would do is make available to those people up to $11,000 in deferred payment loans. They could use that money to purchase the building and would not have to pay the money back to the city on any particular schedule.

But if the property were ever transferred for any purpose whatsoever, then the city would recoup its investment in the property.

The money that is made available by the city would be secured by a lien against the property.

ADMINISTRATIVE COST OF PROGRAM

Senator Leahy. The average loans are going to be about $7,600, and administration costs for each loan will average close to $1,500. Are those administration costs kind of high?

Mr. Jacobs. That is about 16 percent, and we do not think it is high. I might indicate to you that based on experience we had in a similar program that we have carried on in the model cities area under the model cities program, we have found it necessary not only to accomplish all of the things necessary to make a person a homeowner, but to provide supportive counseling services for a period of time after that family becomes a homeowner. That is what we would be doing with some of this money.

VACANT PUBLIC HOUSING UNITS

Senator LEAHY. One of the concerns we have heard is that there is an acute housing shortage problem, as we all realize and accept that, especially for lower income citizens. And yet a 1975 HUD item showed that 249 public housing units in the city were vacant an average of 454 days.

What is being done about the vacancy rate? Are public housing units remaining vacant too long? Capital costs are going on all that time, just from a pure economical point of view and if they are vacant, that means somebody who needs housing isn't getting it, No. 1. No. 2, you run the very real risk of vandalism.

Mr. JACOBS. That is true, and I would like to point out that those units ought to be divided into two categories, I think. One would be a category in which we need to go in and do certain work when a unit is vacated; just to paint it up, clean it up, those kinds of things. That is a distinct category. In most of those cases, we can get those units reoccupied in approximately 30 days.

Now, there is the other category of units that, when the tenant leaves, the units are completely vandalized and they need extensive rehabilitation work. It takes us longer to do that kind of job than the former kind of job. I would agree with you that in both cases the period to reoccupancy is longer than we would like. That is a problem that we are particularly working on.

Senator LEAHY. You are working on it?

Mr. JACOBS. Yes.

PRIVATE REHABILITATION AND DISLOCATION OF LOW-INCOME RESIDENTS

Senator LEAHY. The newspapers have stated a number of times that private rehab activities are dislocating low-income residents in various parts of the District. I know you are trying to remedy that through such things as a tax—we have used this in Vermont for other purposes—and also the eviction moratorium. Could you tell us specifically what effect private rehab has on lower income people, where they move when they are forced out and what can we do to help them find suitable homes?

Mr. JACOBS. There is a very substantial problem there. As I indicated earlier, one way we are trying to deal with that is through the home purchase assistance program, and we think that will be very helpful. But there are times when there are private properties where the tenant either can't or does not wish to purchase and he is displaced.

Now, if that family is qualified for public housing and is eligible for public housing, then we try to place him in public housing.

In addition to that, we sponsor a great deal of renovation of existing buildings in the District of Columbia as well as a substantial amount of new construction. To the extent that we can, we try to accommodate those families in that housing also.

NUMBER OF PUBLIC HOUSES CONTRIBUTING NO RENT

Senator LEAHY. Last year, you managed 12,000 units of public housing, and last year you told us 329 of these units contributed no

rent during fiscal year 1976. Do you know offhand how many contributed no rent for 1977?

Mr. JACOBS. I don't have that figure, but I will supply it.

[The information follows:]

MAY 24, 1978.

Hon. PATRICK J. LEAHY,
Russell Senate Office Building,
Washington, D.C.

DEAR SENATOR LEAHY: As you know, on last Thursday morning, May 18, 1978, I testified before your Senate Subcommittee on Appropriations concerning our Fiscal Year 1979 D.C. Appropriated Budget request for the Department of Housing and Community Development.

At that Hearing, you inquired as to how many Low-Rent Housing tenants contributed no rent during Fiscal Year 1977; and you also wanted to know our estimates of same for Fiscal Years 1978 and 1979.

Our response to that inquiry is as follows:

Number of tenants not contributing rent

Fiscal year:	
1977 (actual)	26
1978 (estimate)	6
1979 (estimate)	6

It is hoped that the above provides the information desired, however, if I can be of any further assistance, please let me know.

Sincerely yours,

LORENZO W. JACOBS, Jr., *Director.*

SUBMITTED QUESTIONS

Senator LEAHY. Also, what do you expect the number to be in 1978 and 1979? I have a number of other questions I would like to have answered for the record. I consider your program and your department one of the most important ones of the city government because of the housing problems that we have. I am going to pass on some questions to you for the record. If you feel that they can't be adequately answered in that format and want to come back for a hearing, let Mr. Hall know and I will set aside time so it can be done.

Mr. JACOBS. Mr. Chairman, I will be happy to provide the answers for the record. Also, I will provide some more detail to the questions you asked this morning.

[The following questions were not asked at the hearing, but were submitted to the Department for response subsequent to the hearing:]

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
A. HISTORIC PRESERVATION

QUESTION:
1. The city currently participates with the U. S. Department of the Interior in the Historic Preservation Program. Is that correct? During Fiscal Year 1978 how much money has been made available to the city from the U.S. Department of the Interior for the Historic Preservation Program? What projects have been undertaken in Fiscal Year 1978 and for each project undertaken what organization has provided the required matching funds?

ANSWER:
1. Yes, it is correct that the city currently participates with the U.S. Department of the Interior in the Historic Preservation Program. $433,000 has been made available to the city from the U.S. Department of the Interior in matching grants-in-aid for the Historic Preservation Program in Fiscal Year 1978.

The survey and planning component of this grant program has been initiated. This component of the program, carried out on a city-wide basis, includes surveying, inventorying and nominating to the National Register of Historic Places privately-owned as well as publicly-owned properties of prehistoric, historic, architectural and cultural significance; carrying out environmental review activities pursuant to Section 106 of the National Historic Preservation Act of 1966, Executive Order 11593 and the National Environmental Policy Act of 1969; preparing a comprehensive state-wide historic preservation plan; providing public information on historic preservation in the city; reviewing applications for tax benefits for privately owned National Register properties pursuant to the Tax Reform Act of 1976; and developing exterior rehabilitation/restoration guidelines and a comprehensive planning strategy for several historic districts located within Community Development Areas. The District of Columbia Department of Housing and Community Development is providing the required matching funds for this component of the program.

No acquisition and development projects (i.e., grants for the acquisition and/or restoration of National Register properties) have been undertaken to date in 1978. Present scheduling calls for acquisition and development grants for Fiscal Year 1978 to be awarded in August of 1978 with private individuals and organizations providing the required matching funds.

QUESTION:
2. Until recently the city has only used the Historic Preservation Program for historic preservation projects that relate to city owned projects. Is that correct? Has the Corporation Counsel made a ruling that would permit the city to expand its Historic Preservation Program to privately owned property? When was that ruling made? When will this new program begin? Have the rules and procedures to govern this new program effort been issued?

ANSWER:
2. In the past the city has used the acquisition and development component of its historic preservation grant funds from the Department of the Interior only for city-owned properties. However, since the initiation of the program, the survey and planning components of the annual Interior Department grants have been used to carry out survey and planning activities of the type enumerated in Answer 1, above, and the focus of these activities has been on privately-owned properties in the city. For example, approximately 8,000 privately-owned properties have been listed in the National Register of Historic Places as a result of the city's nomination both of individual landmark buildings and of historic districts such as LeDroit Park, Logan Circle and Capitol Hill. Approximately 4,000 more privately-owned structures in the Anacostia, Dupont Circle and Sixteenth Street Historic Districts are presently being considered for National Register listing by the Interior Department following nomination by the State Historic Preservation Officer for the District of Columbia.

The Corporation Counsel has issued an opinion that would permit the city to expand the acquisition and development component of its historic preservation grant funds from the Department of the Interior to privately-owned properties. This opinion is dated March 4, 1977.

The grants-in-aid program for the acquisition and/or development of privately-owned properties listed in the National Register of Historic Places is now in existence. Proposed rules for the program were published in the District of Columbia Register on April 21, 1978, pursuant to the rulemaking requirements of the District of Columbia's Administrative Procedures Act. Following public comment, final rules and final program requirements were published in the D.C. Register on June 9, 1978. Applications have been available since June 12, 1978, with a first deadline for grant applications of June 21, 1978.

QUESTION:
3. In Fiscal Year 1979 how much money does the city expect to receive from the U.S. Department of the Interior for the Historic Preservation Program? How much of this money will be earmarked for use in relation to city owned properties? How much will be earmarked for use in relation to privately owned properties? How will the city advertise the availability of this program to the public that will be interested in historic preservation projects?

ANSWER:
3. The amount of money the city will receive from the U.S. Department of the Interior for the historic preservation program in Fiscal Year 1979 is contingent upon the amount which the U.S. Congress appropriates nationally for the Interior Department historic preservation program. Therefore, we do not have a valid estimate of the amount of money we may expect to receive from this program in Fiscal Year 1979.

At the present time, none of the anticipated Fiscal Year 1979 Interior Department grant funds are earmarked for city-owned properties. Current estimates are that all of the money included in the

acquisition and development component of the Fiscal Year 1979 Interior Department grant will be awarded to privately-owned National Register properties.

The State Historic Preservation Officer for the District of Columbia, who administers this program, will advertise its availability to the public by (1) publishing notice in the D.C. Register; (2) announcing the program to local newspapers; and (3) sending copies of the program to all Advisory Neighborhood Commissions, community associations, and neighborhood preservation groups.

QUESTION:
4. In Fiscal Year 1979 is the city planning to take full advantage of the available Federal funding for the Historic Preservation Program? If not, why not? Has the Department of the Interior permitted the city to use appropriated funds (i.e. funds made available to the city through the D.C. Appropriations Bill) for the purpose of matching other appropriated funds that come to the city from the U.S. Department of the Interior? The Committee has had the understanding that the matching funds required were to be private sector funds, but not other appropriated funds. Is this correct? If so, how has the city gotten around this provision up to now?

ANSWER:
4. Yes, the city is planning to take full advantage of the available federal funding for the historic preservation program in Fiscal Year 1979.

Yes, the city has used appropriated funds for the purpose of matching other appropriated funds that come to the city from the U.S. Department of the Interior. We have used such funds for two city-owned properties--Old City Hall and Eastern Market--and we have an approved grant for which funds have not yet been expended for the interior restoration of the Old Central Public Library. We believe that the permanent improvement budgets submitted to the Congress have specified that the use of matching grants for historic preservation purposes from the Department of the Interior was anticipated for these projects. To the best of our knowledge, there was no provision prohibiting the use of D.C. appropriated funds for such projects.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
B. PERSONNEL COSTS

QUESTION:

Do you believe that personnel costs represent a rather high portion of the Department's budget?

ANSWER:

Our personnel costs are not too high, in view of the nature of the programs, and have been declining because of our cost cutting.

A recent review of the Department's funding for the three years since its formation in July, 1975, shows an average ratio of personal service and overhead costs to total budget of 28%. The ratio for programs supported by Federal grants ranged from 2% (public housing modernization force account) to 60% (historic preservation). The average ratio for D.C. appropriations, which supports highly labor intensive regulatory programs, was 92%.

Since the Department was formed, the reduction of personal service costs has been a goal of the Director, who has personally (or through the Deputy Director only) approved each new hire or promotion. A cost allocation system has been established for all indirect costs chargeable to all programs, existing personnel have been reassigned to meet changing needs, and a series of ever more stringent limits on personnel actions have been imposed. The results of these and similar actions are shown by the following data:

	Full Time Permanent Employees		
On Board Staff	8/4/75	4/5/78	Differences
GS-12 and below	1,410	1,257	(-153) (-10.9%)
GS-13 and above	134	110	(-24) (-17.9%)
TOTAL	1,544	1,367	(-177) (-11.5%)

The annual salary rate for all employees on board when the Department was formed was $21.010 million. When adjusted for the 16.88% government-wide pay raises that have occurred since then, the annual salary rate for those employees today would be $24.556 million. The actual rate for permanent full time employees on board on April 5, 1978 was $23.400 million--1.116 million less.

Cuts in the personal service cost for the Community Development Block Grant (CDBG) program have been even deeper. During the first year (CD-1) we shifted approximately 550 people on the urban renewal and model cities categorical grant staffs to the CDBG. The CD-2 budget supported 457 full time equivalent positions, the CD-3 budget will support 376, and the CD-4 request would support 359. This is a reduction of about 35% since July, 1975.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
C. PUBLIC HOUSING UNITS REMAIN VACANT TOO LONG

QUESTION:
1. a. How many units of public housing are currently vacant?

ANSWER:
1. a. There are currently 207 routine turnover public housing units vacant in Washington, D.C. Of that figure, 108 units are considered as minor rehabilitation units and should be occupied in a relatively short time. The remaining 99 units require major rehabilitation and will take longer. The annual rate of turnover for public housing units consistently exceeds 1,000 units. The annual report for Fiscal Year 1977 shows that 1043 units were vacated during the year. Some units were vacant for a very short time period of 2 to 10 days.

In addition to those turnover units, there are 349 units which are pending disposition or determination as to their use. Of the 349 units: 236 units in Area 2, Arthur Capper, are awaiting final approval for conversion to an elderly facility; 54 units in Area 8, Deanwood Gardens, were evacuated and are awaiting a determination from HUD regarding rehabilitation or demolition; 28 units in Area 10, Fort DuPont Dwellings, were vacated because of severe settlement problems and are awaiting a HUD determination regarding proposed demolition. The remaining 31 units are located in Area 6, Williston, and are being rehabilitated for conversion to the Section 8 Program. Excluding Arthur Capper and Williston, the vacancy rate for PMA properties was 2.42 percent as of April 30, 1978.

QUESTION:
1. b. What is the average amount of time that public housing units remain vacant? Has the city reduced this time period?

ANSWER:
1. b. The average turn around time for placing a turnover unit back into occupancy is about 55 days. This period of time reflects our need to custom make certain items (e.g. windows, cabinets) no longer manufactured in the required sizes, the need to contract out certain work, the budget limits on the size of our maintenance staff, and similar conditions beyond our control. We continue to strive to return units to occupancy as soon as possible. However, the statistics vary, according to the number and condition of units vacated in a given month.

QUESTION:
2. To what extent are maintenance and repairs needed in FY 1979? How much will it cost? Is this function adequately funded based on the city's request?

ANSWER:
2. As can be seen from the answer to Question No. 1, above, maintenance and repair activities range from on-going maintenance of occupied units (which, when deferred, lead to major repairs later), though major repairs when units are vacated or when modernization is undertaken, to major renovation of structures (such as Arthur Capper and Williston).

The time required to reoccupy units that require significant repairs, but not major renovation, is affected by the operating budget and its constraints on the adequacy of our maintenance staff. The operating budget estimate for FY 79 is approximately $27 million, of which approximately $10 million will be for utility costs. As with a number of other large city housing authorities, we have experienced difficulty with HUD's subsidy system in recent years, one result of which has been the lack of funds for thorough and timely response to the need for maintenance and repairs of public housing units. Even though we have sought to obtain the maximum rents possible, within applicable laws and regulations and the constraints of our occupants' capacity to pay, we still need increased Federal subsidies. We are working with HUD to address this subsidy problem.

With respect to major repairs and renovations, we have engaged contractors to the maximum extent possible. Funds for such work are available from the public housing modernization grants from HUD, and from the local allocation of modernization funds from the Community Development Block Grant. Funds have been allocated in the FY 79 CDBG budget (now pending before HUD), and we expect to receive this summer a further increment in the modernization grant from HUD. Therefore, we expect to be adequately funded for major repairs for modernization during FY 79.

We estimate that our need for capital improvements in public housing will be approximately $80 million during the next 10 years. As the CDBG begins to step down from the hold harmless level, of $40 million this year, to the future entitlement level of approximately $20 million, funds from this source for public housing modernization will be scarce or unavailable--the FY 79 allocation is only $1.48 million. It is difficult to project the level of Federal modernization grant funds that will be provided. Accordingly, we will request consideration of public housing modernization funds in the capital improvements budget for the District of Columbia, beginning with FY 1980.

QUESTION:
3. How many housing units are vacant and awaiting maintenance and repair?

ANSWER:
3. See the Answer to Question No. 1, above.

QUESTION:
4. Have any units remained vacant because of insufficient funds to repair or rehabilitate the units? (b) Please provide details on the number of units vacant and the length of time that they have remained vacant.

ANSWER:
4. The number of vacant units, the extent of repairs needed, and the time required to reoccupy are discussed in the answer to Question No. 1, above. Insufficient funds have not been a serious delay in the undertaking of major repairs and renovations. In regard to minor

repairs and other work by maintenance staff, the time required could be decreased by increasing the subsidy for this purpose. However, the problem of turn-over time for units requiring repairs by staff is not yet a critical problem, because only 99 of the 207 turn-over units (referred to in Question No. 1, above), require repairs that will keep the units vacant for more than a short period of time. This number is less than 10% of the annual rate, and less than 1% of the units under management.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
D. DELINQUENT RENT FROM PUBLIC HOUSING

QUESTION:
1. We understand that, excluding rent strike cases, at the end of calendar years 1976 and 1977 delinquent rent totalled $2.25 million and $979,000 respectively. Unpaid rent of former tenants totalled $148,000 and $81,600 respectively, and collection losses totalled $320,800 and $231,600 respectively. Could you explain how these balances were allowed to grow to these levels? How does the Department insure the timely collection of rent?

ANSWER:
1. The delinquent rent figure for FY 1976 should be $1.25 million; the figures cited are the total accounts receivable, including delinquent current rents and rent strike cases dating back to 1969.

The rental balances grew to the cited levels for a variety of reasons including the rent strike, delays caused by the legal system and the legal process, court delays including trials, tenant requests for jury trials, court studies of casses over a period of time, and grievance hearings. In order to assure the timely collection of rent, we have taken a number of steps and initiated actions to assure prompt payment or immediate remedial action, the impact of which is shown by the figures in the question; those reductions are continuing.

We have added staff to our Legal Office, obtained contractor assistance in our eviction services, transferred the scheduling of evictions from the Legal Office to the Division of Management, and revised and streamlined the procedure for initiating legal action for nonpayment of rent to bring delinquent accounts into the legal process as quickly as possible. We have also assigned staff in the Division of Management to deal specifically with the accounts of former tenants on an on-going basis.

QUESTION:
2. Last year in May, the Committee was informed that there was $933,830 of delinquent rent owed to the city from the tenants of these public housing units. How much of that $934,000 was collected?

ANSWER:
2. It is impossible to determine how much of the $934,000 was collected, without an intensive analysis of each account delinquent as of May 1977, and the specific payment record of each account since then. Although our net outstanding delinquency has

been reduced in the past year by $65,604.56, a number of new delinquencies and removals of old delinquencies are absorbed in the transactions for the year. Reductions in the outstanding balance occurred as a result of (a) payment of delinquencies, (b) the vacation of the unit by the tenant and referral of the account for collection, (c) court judgments reducing the balance owed by the tenant, and (d) write-off as a result of death or bankruptcy. As of May, 1978 most of the accounts receivable ($530,225.44) was involved in some stage of legal action for collection.

QUESTION:
3. How much delinquent rent is owed to the city?

QUESTION:
4. What efforts are being made to collect it?

ANSWER:
3. & 4. As of May, 1978, our accounts show delinquent rent in the amount of $868,225.44 with $530,225.44 of that amount under legal action and/or the jurisdiction of the court.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
E. BACKLOG OF RENT DETERMINATION CASES

QUESTION:
1. We understand that the 6-month backlog in the annual reexamination of public housing tenants' income for rent determination has been cleared and that reexaminations are now on a current basis. Is this correct?

ANSWER:
1. Yes. Reexaminations are now on a current basis with no backlog.

QUESTION:
2. Would you explain how the backlog was cleared. Were additional personnel assigned to this function?

ANSWER:
2. The backlog was cleared by making a number of adjustments in the reexamination process and by adding staff to the function. Among the changes were the introduction of a new lease supplement combining the old lease supplement and the old summary of reexamination form; allowing for the completion of supplements in longhand; training private management staff to handle reexamination procedures; eliminating the processing of all interim increases; reexamining all elderly simultaneously; taking legal action for failure to submit reexamination forms, failure to submit forms in a timely manner, and for filing false reports; returning annual reexaminations to the Housing Managers in ample time to permit at least thirty days advance notice of increases in rents and still meet established rent change dates; assigning central office staff members to assist area offices in taking tenant reports; and preparing and issuing delinquent lists at two steps prior to the rent change date, one about fifteen days after respective deadlines for submittal of tenant reports and the other upon completion of summary report.

QUESTION:
3. a. How is the Department able to keep the reexaminations on a current basis?

ANSWER:
3. a. As a result of the actions cited under Question 2.

QUESTION:
3. b. Has productivity increased?

ANSWER:
3. b. Yes.

QUESTION:
4. a. We understand that the Department's system to insure rents do not exceed 25 percent of the tenant's income is not always effective in preventing excessive rental charges. Has the Department charged any tenants more than 25 percent of their income? How did this happen?

ANSWER:
4. a. From time to time the Department has discovered a tenant being charged more than 25 percent of income for rent, because the tenant has not reported a reduction in income as required in the Lease Agreement. Otherwise, we know of no such charges.

QUESTION:
4. b. What measures have been taken to insure that this does not happen in the future?

ANSWER:
4. b. Tenants are urged to report a change in income whenever it occurs, and tenants are furnished copies of all interim reports.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
F. NUMBER OF UNITS OF PUBLIC HOUSING WHICH PAY NO RENT

QUESTION:
The Department manages approximately 12,000 units of public housing. Last year the Committee was told that 329 of these units contributed no rent during FY 1976. How many units contributed no rent during FY 1977? What do you expect the number to be in FY 1978 and 1979?

ANSWER:
The report that 329 units paid no rent, submitted to the Committee last year, described what units were involved, which included the average number of vacant units, and units that were used by community groups and community service agencies. That number did not include a very few cases of tenant occupied units, where tenants were charged no rent or credit rents for some part of the year, in keeping with the stipulations of the Brooke Amendment. However, most of the vacant units were occupied at some time during the year, and returned rent. If only tenant occupied units are counted, there are no units carrying a zero rent for the entire year.

According to the most recent annual reexamination report, there were four families with zero rent during fiscal year 1978 and there were two families with credit rent. As stated above, these no rent situations would be for short periods and would not be an annual figure. We do not expect any units to contribute zero rent during FY 1978 and 1979.

Accordingly, our letter of May 24, 1978, which reported tenants not contributing rent, should be clarified to show that none of those tenants was, or is expected to remain in that status for the entire year.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
G. PRIVATE HOUSING REMAINS VACANT TOO LONG

QUESTION:

I noticed a recent newspaper story (Star: 3/28/78) reporting the results of a GAO report that indicated that the City does not have a program to rehabilitate or even identify vacant, abandoned houses. GAO identified 2,500 vacant houses that, if brought back on the market, could help ease the housing shortage.
What is the Department doing about this problem?

ANSWER:

While the problem of privately-owned vacant housing remains, it is being addressed on a continuing basis and much is being accomplished. Our multi-faceted program to stimulate the restoration of vacant houses includes the following elements:

(a) One survey of owners of vacant residential buildings has been completed and another is now taking place, in an effort to determine reasons why the buildings are vacant and what plans their owners may have for them.

(b) A third annual listing of vacant houses, with accompanying information concerning ownership, use, etc. is being prepared, in an effort to facilitate contact between owners of vacant houses and persons who may be interested in purchasing, rehabilitating, and restoring them to use.

(c) Numerous vacant houses have been or are being rehabilitated under the Department's Urban Homesteading Program. Sixty (60) additional vacant units are scheduled for disposition this year under this program, which involves the acquisition of groups of houses by the Department and resale to individuals at nominal prices in order to facilitate homeownership.

(d) The Department's Rehabilitation Loan Program is providing financing for the rehabilitation of numerous smaller multi-family buildings and single-family buildings. This program utilizes both Community Development Block Grant funds and HUD Section 312 funds.

(e) Funds have been requested in the D.C. Appropriations-funded budget for fiscal year 1979 and from the

U.S. Department of Housing and Urban Development under the Urban Development Action Grant Program to permit the continuation and very substantial expansion of the Home Purchase Assistance Program (HPAP). Under HPAP financial assistance is made available to purchasers in order to enable them to make the necessary down payments on houses, including vacant houses.

(f) The Department has started or completed the rehabilitation of many of the vacant units owned by the Redevelopment Land Agency and National Capital Housing Authority, and we fully anticipate having substantially all of the remainder of such vacant units under rehabilitation during this year. While the greater portion of vacant houses in the city is privately-owned, the rehabilitation of units under the control of the District Government should improve the neighborhoods in which they are located and stimulate other private rehabilitation, as well.

(g) The Board for the Condemnation of Insanitary Buildings, staff for which is provided by the Department, annually causes hundreds of vacant buildings to be rendered sanitary and the worst to be demolished.

(h) The Rehabilitation Property Acquisition Program is one by which the Department may acquire privately-owned vacant residential units, rehabilitate them, and resell them at prices affordable by lower and moderate-income families. We hope to be able to begin implementation of this program very soon.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
H. IS THE REPORTED RENTAL HOUSING MARKET SHORTAGE REAL?

QUESTION:
1. A recent newspaper article in a local paper said the City's two largest real estate organizations contend that Washington's rental housing shortage is exaggerated. The article cited a Council of Government survey showing an overall vacancy rate of 4.03 percent and a low-income vacancy rate of 4.73 percent. (During the 1977 appropriation hearings before the House Subcommittee on Appropriations, a District official said the rental housing vacancy rate was roughly 2 percent.)

Would you care to comment on these remarks? To what extent do you believe that the reported rental housing shortage is exaggerated?

QUESTION:
2. What are the current vacancy rates? Does this represent an increase over the past few years?

ANSWER:
The statistical report of the Washington area Council of Governments, discussed in the news reports, has been

the subject of a public hearing held by this Department, as a basis for an official determination of the vacancy rate. The results of the hearing, and of reviews by District staff are under consideration, and we have not yet determined the vacancy rate.

QUESTION:
3. What trends does the Department foresee? Will housing availability increase in the near future?

ANSWER:
3. The trend in recent years has been a decrease in the rental housing stock, because of a combination of limited new construction of un-subsidized rental units, condominium and cooperative conversions, and the revitalization of the home owner market for single family houses, many of which were formerly rented. As home ownership has begun to increase, rental units have decreased. One of the primary reasons for the lack of new private, unsubsidized rental housing construction given by apartment owners, developers, and some others, is the impact of current rent control regulations; which are said to not permit developers and apartment owners to realize sufficient rents to cover the cost of construction, debt service, maintenance, operation, and profit.

The prospect for this trend continuing in the future has caused a serious evaluation of these problems by the District Government. CDBG funds have supported studies by the Legislative Commission on Housing, the Tax Revision Commission and the Neighborhood Re-investment Commission. Legislative actions have included a new rent subsidy program, limits on property speculation and evictions, controls on condominium and cooperative conversions, and other measures. Numerous amendments to existing laws, such as the rent control law and demolition controls, have been introduced for consideration.

The City has also increased efforts to use to the maximum all available Federal assistance programs for lower income home owners and renters, including the Section 8 subsidies for both existing and new rental units, the CDBG rehabilitation loan program, the Section 312 loan program, the new Neighborhood Strategy Areas program, the HUD innovative grant program, and others.

This problem, and the continued intense response to it, will be a principal concern of the District Government and Community organizations for the foreseeable future.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
I. REDUCTION IN FEDERAL GRANT FUND EXPECTED

QUESTION:
1. I noticed in the justification material (Vol. II, P. 84) that you are expecting a $38 million reduction in Federal Government Community Development Block Grant in FY 1979. Why such a large reduction?

ANSWER:
1. The $38,221,000 change in Federal Grants is the change anticipated for FY 1979 in all Federal Grant Programs the Department administers. The change indicated in the justification material in Community Development Block Grant funding between FY 1978 and FY 1979 is $17,180,000. Of this amount $7,882,000 is a carry-over from the second CDBG year entitlement available in FY 1978. No carry-over is anticipated into FY 1979. The remaining reduction of $9,298,000 is the change in actual entitlement between FY 1978 and FY 1979. At the time justifications were prepared, final entitlement amounts for FY 1979 were not available from HUD as a result of the pending change in the national funding formula. We have since been informed that the actual change in entitlement will be a reduction of $8,423,000 from $40,998,000 to $32,575,000.

QUESTION:
2. What impact will this have on neighborhood preservation, housing rehabilitation, and other development programs?

ANSWER:
2. The actual reduction in FY 1979 entitlement of $8,423,000 (plus further reductions in FY 1980 and 1981) will reduce the amount available for all program activities. The District's highest priorities for the use of CD funds will continue to be neighborhood preservation, rehabilitation and development related activities; and it will be necessary to develop supplemental sources of funding where possible. For example, the District is actively developing a broader leveraged rehabilitation loan program with local lending institutions. This program will enable the District to sustain a relatively high level of loan fund availability with a reduced allocation of CD funds and an increased share from private lenders. In order to leverage the CD funds effectively, however, the average cost of loans to the borrower will tend to increase, compared to the District's present direct loan program. We have also initiated applications to HUD for urgent needs funds and Urban Development Action Grants to help with completion of urban renewal projects. Increasingly, alternative sources of funding for site improvements are being used, such as the District's Capital Improvement Program and EDA Programs when available. However, the sources of funding are neither as predictable nor as flexible as is often required to construct site improvements which must be coordinated with private development schedules.

The reduced availability of entitlement will slow the District's ability to complete certain development actions which have been started under the previous Urban Renewal Program. As can be seen from the discussion of the housing situation in Section H, this decrease in Federal funds also will further limit the District government's capacity to respond to the housing needs of low and moderate income households.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
J. WHAT RESULTS TO DATE FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

QUESTION:
1. The District has received millions of dollars from the Community Development Block Grants Program. What tangible benefits has the City received from this Program?

ANSWER:
1. Since the start of the CDBG program in July 1975, construction starts on city owned property have included 2,335 new residential units as of March 31, 1978, and three commercial projects involving $9.7 million development cost (one in NE and two in SW-C). The residential construction starts have included 1,732 units in community development areas, as follows:

HOUSING CONSTRUCTION STARTS
7/1/75 - 3/31/78

Area	No. Units
14th Street	590
Shaw	831
H Street	287
Trinidad (DCDC)	24
Sub-Total: CD Areas	1,732
Fort Lincoln	463
St. Mary's	140
Sub-Total: Other	603
TOTAL DEV. STARTS:	2,335

All these units are subsidized for low and moderate income households, except 95 units in Shaw and 275 units in Fort Lincoln, through a varity of Federal housing subsidies including the Section 236, Section 202 elderly, and Section 8 programs.

Property rehabilitation activity has included 97 rehabilitation loans accounting for 382 units. Before the end of CD-3 a significant increase in the number of rehabilitation loans are anticipated. Under the Direct Rehabilitation program 38 units have been completed, and construction is expected to begin on more than 300 units by the end of CD-3 or early CD-4. Approximately 320 units have been completed under sponsored rehabilitation, with construction starts expected on 420 units by the end of CD-3. More than 1100 units of public housing have been rehabilitated during the July 1975-March 1978 period. Three hundred fifty additional units of public housing rehabilitation will be completed before the end of CD-3. The Urban Homesteading Program has brought about the completion of 19 units, with an additional 91 units in various stages of development.

Social and economic development activities are also an integral part of the District's Community Development Program. Although the Housing and Community Development Acts of 1974 and 1977 limit the percent of CDBG funds that may be budgeted for social services, significant progress has occurred. The following list illustrates the accomplishments in this area.

-- Provision of legal and medical referral services and cultural and recreational programs to 300 senior citizens.

-- Provision of homemaking services to 32 senior citizens on a weekly basis.

-- Provision of 49 foster homes to senior citizens.

-- Provision of 310 hot meals per day to senior citizens.

-- Provision of day-care services to 1472 children.

-- Pick-up and storage of furniture and other house-hold belongings of 593 area residents who were evicted or moved under threat of eviction.

-- Technical and financial assistance to businesses located in or owned by residents of the general Model Neighborhood Area. Operation of a Minority Enterprise Small Business Investment Corporation (MESBIC) and a Local Development Corporation (LDC) also provide financing to minority businesses.

A recent program evaluation analysis of the CDBG, "Summary of Beneficiaries", listed all CDBG Programs and estimates of the number of households who have received actual benefits or who will receive benefits in the near future. This report shows that nearly 21,250 households benefited directly through the provision of services such as, housing units, day-care, summer employment, relocation, etc. In addition, many aspects of DHCD activities impact all households in the City and may be characterized as indirect beneficiaries. As many as 259,000 households fall into this category.

QUESTION:
2. Would you provide a summary of the amount of money received and spent?

QUESTION:
3. How much has been spent on physical improvements, housing rehabilitation, new housing units, etc.? Please be specific.

ANSWER:
2. & 3. Following is a summary of the budget and amount obligated, through March 31, 1978 for each of the principal programs financed with CDBG funds. Programs that are entirely physical development are shown as (*), those partially involving physical development are shown as (x).

STATUS OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
AS OF MARCH 31, 1978

BUDGET LINE ITEM	APPROVED BUDGET	CUMULATIVE OBLIGATIONS AS OF 3-31-78
LINE E-1 -- ACQUISITION OF REAL PROPERTY		
* Rehabilitation Property Acquisition Fund	$ 914,000	$ 2,100
* Real Estate Acquisition & Related Expenses	2,025,000	17,000
* Condemnation Reserve Fund	413,000	-0-
SUB-TOTAL LINE E-1	$ 3,352,000	$ 19,100
LINE E-2 -- PUBLIC WORKS, FACILITIES, SITE IMPROVEMENT		
* Site Improvement Construction	$ 4,462,000	$ 1,244,005
* Fairlawn Library Park	14,000	14,000
* Removal of Architectural Barriers	42,000	-0-
SUB-TOTAL LINE E-2	$ 4,518,000	$ 1,258,005
LINE E-3 -- CODE ENFORCEMENT		
x Building Repair Program	$ 950,000	$ 697,305
* Rehab. Program Management Expenses	100,000	-0-
SUB-TOTAL LINE E-3	$ 1,050,000	$ 697,305
LINE E-4 -- CLEARANCE, DEMOLITION, REHAB		
* Urban Homesteading Program	$ 2,050,000	$ 638,556
* Rehabilitation Construction Fund	4,224,000	3,412,337
* Site Preparation and Demolition	4,169,000	2,379,517
Neighborhood Housing Improvement Pilot Program	68,000	-0-
* Public Housing Modernization	13,636,000	6,643,118
* Rehabilitation Disposition Expense	391,000	31,405
SUB-TOTAL LINE E-4	$ 24,538,000	$13,104,933
LINE E-5 -- REHABILITATION LOANS AND GRANTS		
* Rehabilitation Loan Program	$ 5,841,000	$ 3,447,241
* Soil Erosion Program	300,000	150,000
* Sasha Bruce House	4,000	-0-
x Demonstration Program	1,296,000	-0-
x Housing and Business Loan Program Revolving Fund	1,690,000	1,618,534
SUB-TOTAL LINE E-5	$ 9,131,000	$ 5,215,775
LINE E-6 -- SPECIAL PROJECTS		-0-
LINE E-7 -- VACANT HOUSING RESERVE FUND		
Payment for Loss of Rental Income	$ 10,000	$ -0-

BUDGET LINE ITEM	APPROVED BUDGET	CUMULATIVE OBLIGATIONS AS OF 3-31-78
LINE E-8 -- DISPOSITION OF REAL PROPERTY		
* Disposition Expenses (Commercial and Economic Development)	$ 291,000	$ 213,474
x Routine Management and Contract Services	2,801,000	2,471,230
SUB-TOTAL LINE E-8	$ 3,092,000	$ 2,684,704
LINE E-9 -- PROVISION OF PUBLIC SERVICE		
Senior Citizens Program	$ 1,091,000	$ 1,085,827
Home Counseling Program	125,000	31,750
Storage Service Program	279,000	266,419
Arthur Capper Neighborhood Center	2,000	-0-
Housing & Business Loan Program Admin.	1,545,000	1,479,288
* Neighborhood Park Maintenance	15,000	-0-
Minority Contractor Assistance	120,000	-0-
Day-Care Program	2,035,000	2,035,000
SUB-TOTAL LINE E-9	$ 5,212,000	$ 4,898,284
LINE E-10 -- PAYMENT OF NON-FEDERAL SHARES		-0-
LINE E-11 -- COMPLETION OF URBAN RENEWAL/NDP PROJECTS		
* Development Site Writedown	$ 1,772,000	$ 879,245
Real Estate Taxes	3,606,000	2,397,010
x Conventional Urban Renewal	1,900,000	467,740
* Streets for People	150,000	150,000
Relocation Payments	3,275,000	1,690,545
x Interest Payments (Urban Renewal Notes)	2,294,000	2,293,259
SUB-TOTAL LINE E-11	$ 12,997,000	$ 7,877,799
LINE E-12 -- RELOCATION PAYMENTS & ASST.		
Relocation Expenses	$ 13,000	$ 4,053
LINE E-13 -- PLANNING & MGNT. DEV.		
x Historic Preservation	$ 248,000	$ 311,063
x Planning Contract Services	2,017,000	1,516,064
Mortgage Revision Study Commission	162,000	161,162
Tax Revision Study Commission	93,000	92,209
Legislative Commission on Housing	100,000	99,600
Citizen Participation	1,600,000	1,564,119
Business & Economic Development	353,000	352,500
Administrative & Management Contracts	635,000	279,184
SUB-TOTAL LINE E-13	$ 5,208,000	$ 4,375,901

BUDGET LINE ITEM	APPROVED BUDGET	CUMULATIVE OBLIGATIONS AS OF 3-31-78
LINE E-14 -- ADMINISTRATION		
x Salaries, Benefits & Overhead	$ 27,812,000	$21,367,918
Housing Early Warning System	45,000	-0-
Community Education Program	50,000	-0-
SUB-TOTAL LINE E-14	$ 27,907,000	$21,367,918
LINE E-15 -- MODEL CITIES ACTIVITIES		-0-
LINE E-16 -- (SUB-TOTAL LINE ONLY)		
LINE E-17 -- CONTINGENCIES AND/OR UNSPECIFIED LOCAL OPTION ACT	$ 2,966,000	$ -0-
LINE E-18 -- TOTAL PROGRAM ACTIVITY COST AND EXPENDITURES	$ 99,994,000	$61,503,777
xLINE F-2 -- HUD HOLDBACK	$ 16,678,000	$16,273,313
GRAND TOTAL	$116,672,000	$77,777,090

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
K. PROGRESS IN URBAN RENEWAL PROGRAM

QUESTION:
1. What is the current status of residential and commercial redevelopment in the 14th Street Urban Renewal Area?

ANSWER:
1. There are currently ten residential redevelopment parcels under construction totalling 590 housing units in the 14th Street Urban Renewal Area. One parcel (Parcel 9) is in the planning stage which will contain 175 units with construction scheduled to start in October of 1978. Three other parcels (Parcel 11, 12, 23) are proposed for offerring in the winter of 1978.

Prospectuses/offerring documents are scheduled to be issued this fall on five commercial sites (Parcels 14, 26, 28, 29, 27, known as the Major Community Service Center).

QUESTION:
2. How many properties remain undeveloped and what is the status of these properties?

ANSWER:
2. There are 104 redevelopment parcels totalling 6,748,244.2 square feet that remain (154.92 acres) undeveloped in our Urban Renewal Areas and of these sites 17 still have some lots remaining to be acquired by the Department. These parcels are located in the following areas:

Area	No. of Parcels	Square Feet
H Street	14	698,702.4
N.E. No. 1	14	751,410
14th Street	26	1,407,788.2
N.W. No. 1	9	1,095,969.6
Shaw	22	821,106
Downtown	6	585,882
Southwest C	13	1,387,386

The status of these properties is covered in the answer to question four.

QUESTION:
3. How much urban renewal property does the City still own?

ANSWER:
3. The City owns 112 parcels containing 7,088,954.4 square feet of land. As reported in the answer to question number 2, the Department has jurisdiction over 104 RLA owned redevelopment parcels not yet sold or leased to redevelopers. The RLA also holds title to the parcels under long term lease to redevelopers, and eight other parcels that have been developed (either for public use or by private redevelopers with long term leases pending). The Fort Lincoln Project, where development is proceeding, is not included in these figures, because the land is transferred from the Federal government to the RLA only when simultaneous disposal to the redeveloper is ready to occur.

In addition, the RLA still owns 296 buildings designated for rehabilitation, all of which are either committed to private sponsors or packaged for direct rehabilitation by the Department.

QUESTION:
4. Would you explain the redevelopment progress in the past 3 years including total properties acquired, sold, and the status of the remaining properties?

ANSWER:
4. In the past three years we have acquired 87 properties totalling 197,963.11 square feet of land and have sold 33 redevelopment parcels totalling 2,024,668.8 square feet of land. The status of the remaining properties are as follows:

(a) H Street Urban Renewal Area - There are eight commercial sites (Parcels 16, 17, 19, 20, 21, 22) to be marketed, several of which may be disposed of to local businessmen for expansion of existing businesses. Two other parcels (Parcels 14/23, 15) are to be offerred for negotiation.

(b) N.E. No. 1 Urban Renewal Area - There are four sites (28-32) to be sold to the U.S. Postal Service. Two improved warehouses and three development sites (Parcels 8a, 11, 39a) are to be disposed of. Anticipated time of disposal is 1980 or beyond.

(c) 14th Street Urban Renewal - There are five sites in the Major Community Service Center (Parcels 14, 26, 27, 28, 29) to be publicly offerred within the next few months.

(d) Shaw School Urban Renewal - Parcel 48 will be designated for commercial and residential use. This parcel will be offerred during 1979. Three commercial sites are to be marketed, (Parcels 13, 19, 44). The two parcels (Parcels 19, 44) are of such insufficient size that design/development approaches cannot be determined. New development approaches are currently being studied to market these remaining sites.

(e) N.W. No. 1 Urban Renewal Area - A developer has been selected and the project is in planning. This project is known as the Air-Rights which will contain 305 units of housing. (Parcels 36 and 38) Developer is awaiting funding.

(f) Downtown Urban Renewal - Parcel One, the first phase (300 units) of the proposed 1,000 unit housing project will start construction soon. Parcel 11 is also to be negotiated/offerred for development. A plan change necessary for development is in the process. Developers are currently being selected for the five retail core sites (Parcels 2, 3, 4, 5, 6).

(g) S.W. Project C Urban Renewal Area - One commercial site is being held for the Architect of the Capitol, Parcel 27, and the second will be marketed pending outcome of lawsuit (Parcel C3-b). Two other sites are being held for the Treasury Department (Parcels 47, 49). The Architect of the Capitol is also interested in two public use sites (Parcels 43, 36). Parcel 76, a housing site, has a developer selected. Development is being held up pending outcome of lawsuit.

(h) Fort Lincoln New Town - Total number of units planned for this project is 4,200. As of this date 792 of these units are completed or under construction. The development is on schedule.

Further information about development progress since the Department was formed in July, 1975, is contained in the section J, above.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
L. DOES THE CITY KEEP ACCURATE FEDERAL GRANT INFORMATION

QUESTION:

1. The city's FY 1977 Annual Financial Report excluded financial information on the Department's Redevelopment Land Agency activities. The Financial Report stated that information on the program was excluded because it was not practical to accumulate accurate Federal grant information for inclusion in the financial statements. Would you please explain this?

QUESTION:
2. Does the city's accounting system keep track of these Federal grants? If not, why not? If so, why was it not practical to accumulate accurate financial information? Please be specific.

ANSWER:
The activities of the Redevelopment Land Agency are those required to carry out Urban Renewal Plans and projects. The D.C. central accounting system does record all receipts and disbursements for these activities. However, that System does not record such balance sheet items as accounts receivable, accounts payable, outstanding loans, and other assets and liabilities.

There are several reasons for this. First, prior to July 1, 1974, RLA was an independent Federal Corporation whose obligations were secured by the full faith and credit of the United States, by virtue of Loan and Grant Contracts with HUD; they were not obligations of the District. Second, these data have continued to be maintained by RLA (now this Department) and are reported on monthly operating statements. Third, the necessary resources have not been available to put these data into the centralized system.

This matter is one of the items under consideration by the Temporary Commission on Financial Oversight of the District of Columbia. We expect that the new financial management system being designed by the Commission will include arrangements for such data.

QUESTION:
3. Exactly how much Federal Grant money was received for these activities in FY 1976?

ANSWER:
3. Grant payments received for urban renewal were as follows:

Southwest Urban Renewal Area C	$ 273,699
Northeast Number One Urban Renewal Area	153,983
Northwest Number One Urban Renewal Area	2,918,560
Fort Lincoln Urban Renewal Area	2,976,400
Neighborhood Development Program	15,765,814
TOTAL	$22,088,456

These figures do not include Community Development Block Grant funds. During FY 1976, $3.6 million of CDBG funds were received under our letter of credit. These funds were used for a combination of activities, including both new activities authorized under the CD program, some activities previously funded by categorical grants for urban renewal and model cities (which were shifted to the CDBG as the categorical grant funds were depleted). Among those were certain urban renewal activities in the Shaw, Downtown, H Street and 14th Street areas.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
M. QUESTIONS FOR THE RECORD

QUESTION:

The budget justification (P. 92) shows $36.7 million of other operating costs and $11.1 million of non-district reimbursements. Would you please explain these items and provide the details of each?

ANSWER:

Other operating costs are all costs other than pay and benefits that the Department anticipates incurring for all grant programs reported on the schedule. They include overhead expenses (such as rent, local travel, office equipment and supplies) and all other program expenses (such as the acquisition of real property, site clearance and demolition, site improvements, rehabilitation construction, property management and rehabilitation loans). These Federal Grant costs are not budgeted or accounted for by the standard appropriated fund main and sub-objects of cost, but rather are itemized as required by the grantors in the budget categories of expense for each of the grant contracts or funding agreements. A detailed illustration is shown in the response to question J(2)--all of the listed expenses of the Community Development Block Grant, except the personal services in Budget Line E-14, are reported as other operating costs in the appropriation request.

Non-district reimbursements are income sources, other than Federal Grants or appropriations, which include (1) proceeds from short term notes to finance conventional urban renewal program costs, and (2) rental income to offset program expenditures. Two million dollars of the total $11.1 million will be proceeds from the sale of short-term federally guaranteed private market loans to finance project and site improvement costs in the Southwest Urban Renewal Area. The remaining $9,091,100 is anticipated rental income from interim site occupants residing in properties acquired by the Redevelopment Land Agency, and from residents of public housing.

QUESTIONS SUBMITTED BY SENATOR LEAHY

Senator LEAHY. All the agencies in the Public Education category were present this morning. For those agencies in the Economic Development and Regulation category which were not scheduled to appear, I will submit questions and ask that the written answers be provided for the record.

[CLERK'S NOTE.—The following material was submitted in lieu of appearance by the agencies:]

35-829 O - 79 - pt. 2 - 24

CHAMBER OF COMMERCE

A. USE OF PUBLIC FUNDS TO LOBBY FOR MORE PUBLIC FUNDS

QUESTION:

1. Does the D. C. Chamber of Commerce receive funds from private sources in addition to those received from appropriated funds?

ANSWER:

1. Yes. The Chamber receives funds through membership fees.

QUESTION:

2. Are the appropriated funds used for different purposes than are the funds received from the private sector?

ANSWER:

2. Yes. The appropriated funds are used to perform a specific service--to promote tourism.

QUESTION:

3. Are the appropriated funds and the private sector source funds, once they become available to the D. C. Chamber of Commerce kept in separate accounts?

ANSWER:

3. No. They are deposited in a general operating account. However, disbursements are made through a voucher system.

QUESTION:

4. Is the D. C. Chamber of Commerce aware of U. S. C. Title 18, which prohibits the use of appropriated funds for the purpose of lobbying for additional appropriated funds?

ANSWER:

4. Yes. We are aware of U.S.C. Title 18.

QUESTION:

5. Has the Chamber of Commerce, over the last year, participated in activities that could be discribed as lobbying for appropriated funds?

ANSWER:

5. No. All activities relative to lobbying have been by staff support financed by means other than appropriated funds.

QUESTION:

6. The District makes an annual $52,000 contribution to the Chamber of Commerce. (a) How is the contribution amount determined? (b) What benefits are derived from this contribution? (c) Does the District receive an accounting as to how it is spent?

RECORDER OF DEEDS

A. FEES EXPECTED TO BE RAISED IN FY 1979

QUESTION:

1. The justification material (Vol. II, p. 192) indicates that you expect to raise $9,000,000 dollars in FY 1979 from filing and recording fees. This is up from the $6,600,000 that you estimated for collection in FY 1978.

1a. What explains this large increase in revenue collection?

1b. Is this the result of the building boom that is currently underway in D.C.?

ANSWER:

1. The estimation to raise $9,000,000 dollars in FY 1979, as an increase over $6,600,000 during FY 1978, is based on the projection of more revenue resulting from an increase in the deed recordation tax and from increased corporation fees. There is also some evidence of an increase in the number of property exchanges during FY 1979 over the same period for FY 1978.

B. ALTERNATIVE METHODS OF OPERATION

QUESTION:

1. The justification material states that alternative methods of operation will be tried and utilized that promise less manpower and more economy.

Could you provide us with some specific examples on how this is going to be achieved.

ANSWER:

1. In order to effect more economy we are making every effort to increase the use of microfilm, as one operational method, that will not only save time but also further conserve space. Modern training methods will be tried with the object of making employees more versatile and thereby more useable in various similar departments of the agency. We shall also use more form letters, wherever practicable, in order to reduce the time required for replies to much of our correspondence.

ANSWER:

6a. This contribution amount was recommended by the City Council based on legislative history of past contributions for the purpose of tourism development.

6b. Potential tourist are provided with information that they would not receive otherwise, thus enhancing the growth and business opportunities for businesses in the District of Columbia, who would not otherwise get the exposure, especially ethnic minorities.

6c. Periodic reports.

QUESTION:

7. What amount is contributed by the business sector?

ANSWER:

7. Fifty Thousand Dollars.

OFFICE OF THE SURVEYOR

A. ONE YEAR WORK BACKLOG

QUESTION:
1. The justification material (Vol. 11, p. 239) indicated that the Office of the Surveyor currently has a work backlog of approximately one year.

1a. What effects does this backlog have on the building boom that is currently underway?

ANSWER:
1a. The work backlog which we are experiencing is comprised of boundary surveys and surveys to locate improvements.

The possibility exists that this backlog has some effect on the building boom; however, we have been able to keep a reasonable pace with regard to wall examination surveys for new construction. If we were to amass a considerable backlog in wall examination surveys the effect on building would then be critical and far reaching.

QUESTION:
1b. Will this backlog become the critical bottleneck for all development in the District?

ANSWER:
1b. As stated in (1a) answer, a critical bottleneck in building would only occur if we were to become backlogged in wall examination surveys.

This could occur if we cannot increase our staff to a more viable work force and there is any drastic increase in the influx of wall examination requests.

B. IS THIS A GOVERNMENT ROLE?

QUESTION:
1. Why couldn't some of this necessary surveying work be obtained from the private sector?

ANSWER:
1. Because of our backlog, an increasing number of people have been using private surveyors to perform certain types of work.

There is a considerable risk to the people involved in this action, particularly when we arrive to perform a wall examination and find walls exceeding property lines because of improper land survey.

QUESTION:
2. Why is it necessary to have a government agency to provide surveying service?

ANSWER:
2. The District of Columbia was originally laid out with North-South numbered streets and East-West lettered streets interposed by angled avenues. With this arrangement, most squares were laid off as rectangles; however, over the years there has been an unintentional slippage of street and lot lines which throws the squares out of alignment. The condition arose because of encroachments of buildings, walls and fences which create a geometric figure other

than the original rectangle and results in fullnesses and shortages along the lines. Unlike other jurisdictions where survey control such as state plan gridding exists, there is no control in the District other than those survey points which have been set and reset by this office over the past 168 years. Since there is no control, all survey is generally done within individual squares. In order to survey from one square to another, angles and distances across streets must be computed mathematically from measurements. Among the many functions of this office is the retention of all of the survey field data and mathematical computations performed since its inception. Along with this retention of records is the qualification to interpret them and to make judgements for the adjustment of fullnesses and shortages in the squares. We are also required to assure that each lot in the square is compatible with its neighboring lots by actual measurement as well as by mathematical closures.

This office has the responsibility by law to make the necessary adjustment to lot lines to insure their compatibility without individual litigation. Were these tasks to be assigned to private surveyors there would be, in all likelyhood, more litigation than the courts could handle. Other functions which are the responsibilities of this office that could not be performed by the private sector are: Transfers of Jurisdiction, Street and Alley Closings, Establishment and Abandonment of Easements, Building Plats, Change of Highways Plan and Certified Copies of Record. It is clear, therefore, that since there are many functions that cannot be performed by private surveyors and the records of this office must repose under one roof; and since judgements for lot lines adjustments must of a necessity be assigned to one source, the disbandment of this office in favor of the private sector is highly infeasible.

C. STATUS OF DRAFT BILL TO INCREASE FEES

QUESTION:
1. The Committee noticed (Vol. II, p. 239) that a draft bill has been prepared that would bring your fees into more realistic lines with your costs.

1a. When will this bill be submitted to the City Council?

ANSWER:
1a. This office submitted a request for a new schedule of fees dated May 21, 1975, and included a complete back-up of the actual costs to perform our 17 primary functions along with a proposal for an equitable schedule. On April 29, 1976, there was a meeting with the User Charge Review Committee wherein the fee proposal was discussed and an additional additive for "Administrative Operational" was addended and an increase from $300.00 to $500.00 for public hearings was recommended. These increases were agreed to by the Committee. On June 24, 1976, a graph showing the relationship of actual revenues received in F.Y. 1975 vs. value of the same work produced using the proposed rate schedule was submitted in response to a request by the Office of Budget Management System.

On October 29, 1976, a "draft bill to raise the schedule of fees charged for service rendered by the D.C. Surveyor" was submitted to this office for review and was subsequently submitted by the Mayor to the Council by letter dated December 6, 1976. By letter

of December 16, 1976, to the Mayor, the Council requested certain other back-up information and this office responded on April 5, 1977, to a request for this information dated January 26, 1977 by the Office of Budget and Management Systems and a subsequent meeting on February 28, 1977, with representatives of the same office.

A request by the Office of Budget and Management Systems on April 25, 1977, to rework our proposed fee schedule to update the figures to the current date was performed and submitted on May 4, 1977, and the April 5, 1977 memorandum was revised and updated to May 9, 1977.

QUESTION:
1b. Will the proposed fees cover the cost of the office operations?

ANSWER:
1b. Because of continuing inflation, it does not appear that the proposed fees can completely cover the cost of office operations; however, when we are able to keep up with our work load, the proposed fees will cover our major expenditures.

QUESTION:
1c. What is the expected yearly revenue from the revised fees?

ANSWER:
1c. The expected yearly revenue from the revised fee is $400,000.00.

QUESTION:
1d. What is the status of the legislation?

ANSWER:
1d. The legislation was submitted to the Legislative Office for clearance on March 17, 1978. However, transmittal to the Coucil was delayed because of numerous changes recommended by the user charge committee. The bill is now before the Mayor for review and transmittal to the Council.

D. DELIVERY OF SERVICES TO BE DELAYED

QUESTION:
1. The budget justification also states that the delivery of services will not be met within a reasonable time. Please explain what services are delayed and how long they are delayed?

ANSWER:
1. The most glaring delays are boundary surveys and location of improvements surveys which are approximately one (1) year behind and in drafting which is backlogged for from 4 - 5 weeks. In both sections, the field section and the drafting section, the problem is the same; too few people to handle the workload.

MINORITY BUSINESS OPPORTUNITY COMMISSION

TOTAL LACK OF PROGRAM SUCCESS BY COMMISSION TO DATE

QUESTION:

1. According to a recent news story (Post: 3/12/78) the Minority Business Opportunity Commission which has been in existence for approximately one year and was set up to oversee the allocation of city contracts to minority entrepreneurs has not been successful in obtaining a committment for any of the $85 million in the city's contract money. Instead of focusing on their mission, the group apparently spent the year in disagreement and internal power plays.

Is there any better prospect for this group in FY 1979?

ANSWER:

1. The Post news story of 3/12/78 is not accurate in many respects. Although the Minority Business Opportunity Commission (MBOC) was created as of March 29, 1977 by Law 1-95, it had no authority to establish guidelines for goals or a sheltered market until 90 days later (June 29, 1977) and D. C. agencies were not required to implement the sheltered market process until 60 days after issuance of the guidelines. The guidelines were duly promulgated pursuant to the D. C. Administrative Procedure Act on October 21, 1977, and would therefore not become effective until December 21, 1977.

The Post article uses a figure of $85,000,000 to represent the contract money spent by the District Government each year for procurement ($50,000,000 for construction, $35,000,000 for goods and services). In fact, because the District's FY 1978 budget was not yet approved by the Congress, the District's expenditures have not nearly approached this figure.

There were indeed some strong differences of opinion among the seven commissioners originally appointed to the MBOC. What is characterized by the Post as personality conflicts or internal power plays could just as well be described as honest differences of opinion. These differences now appear to have been resolved and the MBOC is moving forward.

The MBOC is now chaired by Ms. Charlotte Chapman who commands unanimous support from the other commissioners and who has vigorously implemented the MBOC program. Staff detailed to MBOC now includes a Staff Director (GS-14), Deputy Staff Director (GS-12), Compliance Officer (GS-9) and five CETA employees.

The MBOC expects to show a marked improvement in the minority procurement picture for FY 1978, especially for the last six months of that period.

QUESTION:

2. The enabling legislation for this Commission which was passed in March 1977, mandated a 25 percent set aside for minority business on each type of city procurement--construction, goods, and services.

Is this mandate being met?

ANSWER:
2. The enabling legislation (Law 1-95) established a goal of 25% for minority businesses in each type of procurement by each agency of the District Government. The "sheltered market" set-aside program is only one of the techniques authorized for use in achieving this goal. Sheltered market set-asides are now being used for construction contracts and supply contracts. As can be seen from the answer to question No. 3 below, the need for set-asides varies from one type of procurement to another.

QUESTION:
3. How much of the procurements, by type, were awarded to minority enterprises?

ANSWER:
3. Data on present procurement achievement is incomplete. Preliminary data, however, shows that 18.5 percent ($8,705,379) of the money for all construction contracts over $10,000 (total $46,997,301) went to minority firms in the first five months of FY 1978. This compares with 12.8 percent in FY 1977.

Minority firms received only 2.7% of all supply contracts in FY 1977. Preliminary data indicates that this proportion will be greatly surpassed in FY 1978, but will continue to be a problem area.

Minority firms received 32.7% of all services contracts in FY 1977 and are expected to do as well or better in FY 1978.

OFFICE OF CONSUMER PROTECTION

A. INCREASE IN NUMBER OF COMPLAINTS RECEIVED

QUESTION:
1. The justification material (vol. 2, p. 243) shows that the number of complaints received by the Office in Fy 1979 is expected to increase to 10,800 as compared to 8,400 expected to be received in FY 1978. Part of the growth in complaints is a result of the Office accepting complaints over the telephone instead of the old system of mailing out complaint forms which were filled out and mailed back in. The old system resulted in only 27% of the complaints being returned. Has the Office considered returning to the old system? Didn't the old system help screen out the less serious cases? Didn't the old system help the Office focus its resources better on the more critical cases?

ANSWER:
1. The Office is continuing to accept complaints filed by personal appearance, mail, and telephone, for the following reasons: (1) telephone complaints have not proven to be less serious or critical, in terms of the nature or dollar value of the cases; (2) the complainants who would be lost by not accepting telephone complaints are most commonly those with infirmities or with difficulties in written expression; (3) the primary purpose of the Office's initial handling of complaints -- mediation -- would not be served because, by the time the consumer calls OCP, there already has been a breakdown in communication between the parties in most cases; (4) there are cases requiring immediate action by OCP which cannot wait for the mails. Section 6(a) of our enabling legislation (D. C. Code, 28 Appendix - 6(a) (Supp. IV, 1973 ed.)) was drafted to allow telephone intake.

In April, 1978, the Office revised the telephone procedure to aid the screening process. Instead of allowing the reception area to take telephone complaints, they are referred to the investigators on walk-in duty. Because of their knowledge of complaint-handling, they are better able to handle matters immediately on an advice basis, to insure that the consumer has tried to resolve the matter without OCP's help, to examine OCP's jurisdiction, and perform other screening functions. This revision has better focused the Office's resources.

B. ADDITIONAL FIVE POSITIONS REQUESTED

QUESTION:
1. The Office is requesting an additional five positions. How many of these positions would be needed if the number of complaints for FY 1978 dropped to the 6,000 to 8,000 level again?

ANSWER:
1. Since this budget was prepared, the OCP experienced continuous, uncontemplated difficulties which caused a reduction in the level of complaints received by the Office.

Beginning mid-November, 1977 until January 9, 1978, the Office was without heat, including several workdays recorded as the coldest during the winter. As a result of lack of heat and a flooding during which rodent carcasses surfaced, an unsanitary and unacceptable condition persisted. Consequently, the Office closed on several days, reduced staff on others and made an emergency move to temporary heated quarters. Our normal business activities were not restored until late March, 1978 when we moved to permanent quarters and installed 75% of the telephone system. We anticipate completion of the telephone installation on or before July 1, 1978. On balance, complaints received in FY 1978 are now expected to total approximately 5,000.

However, this level of complaints does require all five additional positions as requested for the following enumerated reasons:

(1) Present budgeted positions for complaint investigation totals 4. The additional investigative positions requested for FY '79 would raise the total to 6. Clearly, this number of investigators is inadequate for a caseload of 5,000 or more complaints per year. Currently, we receive assistance on complaint investigation with CETA personnel. While a number of the CETA staff are extremely capable, many exhibit substantial problems associated with the long term unemployed. To combat these problems, the Office has undertaken a training program to produce more effectiveness and efficiency. In the meanwhile, there is still a backlog of cases. Thus, the additional positions requested are very much needed.

(2) The Office is mandated to investigate, negotiate and conciliate consumer complaints. If a complaint cannot be resolved by this process, the Office may refer the matter to the Section of Hearings. At this time, the Office has no D. C. funded attorneys except the Acting Director. Approval of the FY '78 budget created two (2) funded positions for attorneys. The case-

load awaiting preparation for transmittal to the Section of Hearings exceeds 200. Even if both attorneys could devote full time and attention to reducing this backlog once they are hired (on or about July 10, 1978), it would be an impossible task. In addition, there are other duties to be performed by staff attorneys for the smooth operation of the Office. Thus, an additional attorney to work on cases, legislation and investigation is needed for FY '79 to attempt to eradicate the backlog and avoid a further buildup. The law clerk would perform a substantial amount of the legal research required by the Office, especially on cases. Therefore, the attorneys would have more time to concentrate on the preparation of cases and eradication of the backlog.

(3) In the Section of Education, there is one D. C. funded position, that of the Consumer Education and Information Officer. The task to educate consumers is both challenging and tremendous. As in the Section of Investigations, we receive some CETA assistance. Likewise, the need for the Consumer Education Specialist, as requested for in FY '79, is as great since this would raise the total to two funded positions.

C. ADDITIONAL QUESTIONS

QUESTION:
1. The budget submission (p. BT-1) states that the existing consumer legislation does not apply to "certain prevalent abuses." What are they?

ANSWER:
1. One persistent abuse is the failure of many business firms, especially in the home improvement field, to have bonds required by law for the financial protection of consumers. One reason that many firms do not have the bond is that insurance companies are reluctant to extend them. OCP is examining the feasibility of City Council legislation allowing conventional business liability insurance as an alternative to bonding. Several insurance companies have indicated they would sell such insurance.

Another abuse is in interest rates. Non-auto, non-bank or credit card, consumer retail credit is not subject to any limit in the District, because the amount of finance charge is protected by the "time-price doctrine." A usury limit for such loans should be introduced. At the same time, the basic 8% usury rate should be raised, so that consumers may find small loan companies in the District. Several Council Members are already examining this issue.

In addition, the Office is responsible for legislative comments on Council and Mayoral proposal, and to propose amendments to existing laws, and the enactment of new laws, as the needs of District consumers change.

QUESTION:
2. Page BT-3 states that the Office maintains liaison with other consumer groups both private and public. How many public groups exist in the District? Private? How are these efforts coordinated? What procedures are employed to avoid duplication of effort?

ANSWER:
2. According to a recent updating of our lists, there are approximately: 550 private groups (mostly religious and community organizations)
200 government-funded groups (UPO, ANCs), NPCs, etc.)
150 government agencies (mostly public schools and libraries)
The Office contacts these groups primarily for consumer education purposes. Their efforts are coordinated, and duplication is avoided, when various consumer education programs are planned. For instance, if a series of talks in different neighborhoods is planned on the subject of home improvement, the groups near each talk site are contacted. When OCP informs groups in the community about what its services are, they are able to use the services as needed and without duplication.

QUESTION:
3. The submission (p BT-3) also notes the number of consumers you expect to reach through publications and other means. Does this represent the District's total consumer population? If not, what plans do you have for reaching more people?

ANSWER:
3. The numbers of consumers reached does not represent the District's total consumer population. For that reason, the Office is emphasizing work with some of the principal organizations in the community, such as the schools, community organizations, and religious congregations, and more work through the media, when time and space can be obtained free. This new emphasis will hopefully result in more indepth consumer education, because instead of working to gather audiences, we are focussing on supplying our expertise to the memberships of the organizations we work with. The Consumer Bulletin remains an important plan of the Office.

QUESTION:
4. Page BT-5 of the submission shows that in Fiscal Year 1979, you expect to receive 2,400 more complaints and resolve 1,300 fewer complaints. Although this would seem to result in an additional backlog of 1,100, the submission indicates that the backlog will increase by only 600. How do you propose to do this?

ANSWER:
4. A subtraction of the number of cases resolved from the number of cases received, does not reveal the number of cases backlogged. There are at least 3 large groups of cases that should also be considered: (1) complaints that are invalid or out of jurisdiction, which are dismissed without resolution; (2) cases forwarded for legal action; (3) cases in process but not yet 105 days old and therefore not yet in backlog. Cases in the third category can rise in number but not add to the backlog if efficiency improves. If the legal section can handle more cases, fewer would be considered backlogged. Invalid and non-jurisdictional matters would likely rise in proportion to cases received.

QUESTION:
5. Because of the additional staff, you plan to obtain additional space which will more than double the cost of rent (p. BT-10). Where are your offices now located? Have you examined the possibility of using some of the unocupied public school space available in many parts of the city? It would seem appropriate to be out in the neighborhoods and more accessible to citizens.

ANSWER:
5. Most of the Office is located at 1424 K Street, N.W. The Law Judge is located at 613 G Street, N.W. The Office did not examine using unoccupied school space in the many neighborhoods of the city, because the proper location is one convenient for transportation from all sectors of the city, for consumers, business people, and employees. Downtown is the only area that meets that qualification.

The predecessor Office of Consumer Affairs had two satellite offices. Experience showed that, because of the necessarily small size of the satellite office staff, supervision and in-house training greatly suffered, and that only a minimum number of complaints were received there.

As mentioned in response to Question B-1, the Office has taken on a number of CETA employees in the past year. The additional space rented was also needed to provide work space for the CETAs.

RENTAL ACCOMMODATIONS OFFICE

A. More Than Half of Office Rulings Are Later Reversed

QUESTION:
1. I noticed a recent newspaper story (Post: 1/16/78) that reported that of the 159 appeals on which the Commission had ruled as of last October 31, 82 or 52% have resulted in reversals. Apparently the large number of reversals is due to errors made by inexperienced hearing examiners.

1a. What percentage of the cases that the Commission has ruled on since October 31 have been reversed?

1b. What is the Office doing to reduce the large number of errors made by the hearing examiners?

ANSWER:
1a. The appeal procedure under the present D.C. Rental Housing Law, as with its predecessor, is as follows:

> The Rental Accommodations Office adjudicates tenant and landlord petition requests for adjustments in rent. Every decision disposing of a landlord or tenant petition is appealable to the Commission. After the Commission rules, one may go to the D.C. Court of Appeals which has the authority to review decisions of District of Columbia agencies.
>
> There are three reasons for which cases may be appealed to the Commission. The first is denial of due process rights, such as the right to notice about the

filing of a petition that will affect you or notice of the hearing if one is held on that petition--rights which allow the petitioner to protect his/her interests. The second arises when the findings of fact are not supported by substantial evidence which was presented to the decision-maker. The third arises when the conclusions of law are contrary to what the law means--that is, the law is being applied incorrectly.

Under D.C. Law 1-33 (September 1975 - March 1978) only 12% of the total decisions were actually appealed to the Commission. Only half of those decisions were reversed, resulting in a 6% reversal rate. Since October 31, 1978, the Commission has had 90 cases appealed. 50% of these cases resulted in reversal or remand. However, as indicated above, the total percentage of cases resulted in reversal or remand. However, as indicated above, the total percentage of cases actually appealed is much smaller.

ANSWER:

1b. The Rental Accommodations Office constantly strives to upgrade the quality of its activities in all areas. Hearing Examiners, now upon beginning employment, are provided with an intensive training program. On March 1978, when the new Rental Housing Act went into effect, the examiners were provided again with comprehensive training. Additionally, there are weekly meetings of examiners during which particularly difficult legal questions are discussed. The Office has prepared A Codification of Rent Control Decisions Under D.C. Law 1-33. This publication is used as a compendium by hearing examiners which facilitates research and provides consistency in writing decisions. Finally, the Office is now completing plans for the development of standard operating procedures; monthly professional development meetings with featured experts in related areas; and a legal writing course.

B. Establishment of a New Bureaucrtic Element (Rental Accommodations Commission) Proposed

QUESTION:

1. The request (p. 261) proposed to redirect $48,700 out of the Rental Accommodations Office to establish a Rental Accommodations Commission.

1a. What function will the Rental Accommodations Commission perform that is different from the Rental Accommodations Office?

1b. How long has this Office been in place? How has it been funded in the past?

ANSWER:
1a. The function performed by the Rental Accommodations Commission is different from the Rental Accommodations Office in that:

> The Rental Accommodations Commission is an independent body which determines procedures for the administration of the Rental Housing Act of 1977. It develops regulations and hears appeals from decisions made by the Rental Accommodations Office.
>
> The Commission is composed of nine members who are appointed by the Mayor and approved by the City Council. Three members are chosen from eacn of three different groups: landlords, tenants, and homeowners or "public" members.
>
> The Rental Accommodations Office (RAO) has the day-to-day responsibility for administering the Rental Housing Act. It is headed by a Rent Administrator who is appointed by the Mayor.
>
> The Client Information Services Division of the RAO provides information, guidance and assistance to landlords, tenants and the general public in matters pertaining to rent control. The Adjudication Division of the RAO has the responsibility for deciding or ruling on cases pertaining to rent stabilization and eviction control.

1b. The redirection is not for the purpose of establishing a Rental Accommodations Commission, because the Rental Accommodations Commission has been in existence since September, 1975 as an entity of the Rental Accommodations Office. The redirection is only an administrative redirection to establish a separate budget structure for the Rental Accommodations Commission.

In prior years, the $48,700 for three positions have been funded in the Rental Accommodations Office budget, which for budget purposes it will remain, but with separate budget structures.

C. Improvements Made in Processing Backlogs

QUESTION:
1. Serious case backlogs developed early in the rent control program. We understand that the Rental

Accommodations Office has made significant improvements in processing cases and has been able to reduce the number of backlogged cases.

Would you explain the improvements made to reduce the case backlog? Has the average processing time been reduced over the past 3 years?

QUESTION:
2. Would you explain the purposes of the tracking system used for all cases? Has the system helped you to identify bottlenecks and other problems? Please explain.

ANSWER:
1. From the outset, the Rental Accommodations Office was plagued with an increasing number of backlogged cases. This problem resulted from the lack of adequate resources including a dearth of experienced personnel. In April of 1977, the Office had on hand 311 backlogged cases. Presently the total number of such cases is less than 50. It is estimated that by June 30, 1978, the number of backlogged cases will be less than 10.

2. The Office's Adjudication Division was reorganized in June 1977 into three district sections: Eviction, Examiner, and Audit. This reorganization was accompanied by the following managerial changes: (1) Establishment of minimum production standards for examiners and typists; (2) Standardization of decision writing formats; (3) Addition of part-time temporary hearing examiners; and (4) Improved working conditions.

The average processing time for decisions from the Rental Accommodations Office has been reduced by more than 50% over the past three years. Under D.C. Law 2-54, the processing time will be reduced even further.

The primary purpose of the tracking system is to provide the Office with a readily available accountability system for determining the current status of all Rental Accommodations Office cases. The system has been instrumental in our efforts to improve the administrative operations of the Office by (1) providing up-to-date information concerning pending actions, (2) providing data which can easily be interpreted for purposes of statisitical analysis, (3) identifying potential problem areas in the work-flow system, and (4) providing an informational base, which simplifies the scheduling of cases.

D. More Favorable Treatment Given to Landlords

QUESTION:
1. According to a recent newspaper story (Post: 4/1/78) landlords going before the Rental Accommodations Office with a petition to raise rents are twice as successful as tenants going before the same board trying to block rent raises. The explanation given for this fact is

that landlords were represented by lawyers 41 percent of the time while tenants had counsel only 16% of the time.

QUESTION:
1a. What is your reaction to this story?

1b. Are the law and the regulations so complicated that tenants who cannot afford representation are at a disadvantage?

ANSWER:
1. According to Section 209 of the Rental Accommodations Act of 1975, landlords who were receiving a rate of return of less than eight (8) percent rate of return were eligible to petition the Rent Administrator for a rent adjustment which would yield an eight (8) percent rate of return. Due to the provisions of this section, all of the Landlord Petitions for Adjustment filed with the Rental Accommodations Office during the last two and a half years share a preliminary rate of return calculation of less than eight percent.

At the Rental Accommodations Office hearings on the Landlord Petitions for Adjustment, the issues under discussion revolved around two primary issues. The first was whether or not the expenses claimed by the landlord in calculating this Net Operating Income, the first step in the rate of return calculation, were legitimate. The second issue was the presence of major housing code violations, which would eliminate any rent increase regardless of the rate of return.

The success of a landlord in presenting and defending his/her hardship petition is more dependent on the quality of the landlord's bookkeeping records than it is on the presence or absence of legal counsel representing the challenging tenant/s. The larger percentage of legal representation for landlords (41%) as compared to tenants (15%) is, in our review of the situation, a less signifcant factor than the fact that all of the hardship petitions filed met the initial test of a rate of return of eight (8) percent or less.

The patterns of decisions in Landlord Petitions for Adjustment filed under the new law, the Rental Housing Act of 1977, D.C. Law 2-54, are expected to replicate those of the previous acts. With the exception of changes in the calculations of the depreciation factor, the rate of return formulas are basically the same. It is interesting to note, however, that as tenants and tenant groups gain more experience with the District's rental housing laws, they are increasingly turning to accountants as well as attorneys in their efforts to challenge Landlord Petitions for Adjustment. The ultimate impact of this development has yet to be seen.

DEPARTMENT OF LICENSES, INSPECTIONS AND INVESTIGATIONS
OFFICE OF LICENSES AND PERMITS

A. NEED FOR NEW COMMISSION TO PERFORM PART OF THE DEPARTMENT'S CURRENT RESPONSIBILITY

QUESTION:
1. Currently, the Department is responsible for occupational and professional licensing for 23 professions. In FY 1979, the Department will license 22 professions as the City has proposed the creation of a new agency called the Commission on Licensure to Practice the Healing Art for the Medical Profession.

1a. Why is a new independent agency being created for this old profession?

2b. Has the Department of Licenses, Investigations, and Inspections been unable to perform this function adequately?

ANSWER:
1a. The Department is unable to answer this question, since the Executive Branch of the District Government neither initiated the legislation nor approved the legislation which created the new independent Commission. It is our understanding that the legislation was initiated by the Medical Society of the District of Columbia. It was approved by the Council of the District of Columbia, vetoed by the Mayor, and enacted into Law by the Council over the Mayor's veto.

1b. In the Departments opinion, the function was performed by the former Commission, as serviced by the Department, as adequately as available funds and staff permitted.

B. WHY ARE NUMBER OF NEW LICENSE REQUESTS EXPECTED TO DROP OFF?

QUESTION:
1. The Department of Licenses, Investigations, and Inspections is responsible for issuing business and professional licenses. The justification material (vol. II, p. 5) shows that the expected number of new applications and requests for new licenses is expected to drop off in FY 1979 below the FY 1978 and FY 1977 level.

What is the explanation for this expected drop off in activity?

2. We have been reading a great deal about the construction and building boom that is underway in the City. Don't you expect that the current building boom will also generate additional business and professional licensing activity for the Department?

ANSWER:
1. Any projected decrease in license issuance for the Occupational and Professional Licensing Division is solely the result of eliminating these figures for the Commission on Licensure to Practice the Healing Art which is scheduled to function under its own appropriation as an independent agency as of FY'79. The projected decrease in business licensing is a result of a statistical reporting change.

For example, an applicant for a large number of food vending machines, instead of being issued a license for each machine, will be issued one license with tabs to be affixed to each machine. Workload statistics for the Occupational and Professional Licensing Division reflect a gradual increase over the years. We anticipate that this steady increase will continue over the foreseeable future. Business License and Permit issuance and revenues should remain fairly consistant for the foreseeable future.

ANSWER:
2. Perhaps the adjective that best describes the current construction activity is "brisk" rather than "boom." In any event the emphasis over the past 5-6 months has been on construction and rehabilitation of dwellings as opposed to office buildings or other commercial uses. While this kind of building activity may generate increased licensure in selected professional and business areas, the overall effect will probably be minimal.

C. LEGAL MANBATE NOT NOW MET

QUESTION:
1. Your submission indicates that budgetary constraints have prevented you from carrying out all of your legislatively-mandated functions.

1a. Exactly what are the functions you are unable to execute?

1b. What are the effects of failing to carry out these functions?

ANSWER:
1a. There are three D.C. Laws involving occupational and/or professional licensing for which this Department either has been or is expected to be given the responsibility to administer. These three are: (1) D.C. Law 2-130, effective March 16, 1978, District of Columbia Public Accountancy Act of 1977, (2) D.C. Law 2-67, effective April 6, 1978, the District of Columbia Occupational Therapy Practice Act of 1977, and (3) Bill 2-101, Real Property Transfer Tax of 1978, which becomes effective within the next few weeks. These laws cannot be implemented without additional funds, staff and space.

In the Business License sector the legislative functions not being fully carried out are: (1) Licensing of Pesticide Operations D.C. Regulation 72-25, (2) Air Quality Control, D.C. Regulation 72-12, (3) Standards for Certification and Employment for Security Officers - DCRR - 5JJ, (4) Records audit and retention of security deposits on rental units D.C. Law 1-48, and (5) District of Columbia Public Rental Act - P.L. 90-596 and (5) Retail Service Station Act of 1976 - D.C. Law 1-123.

1b. Some of the effects in not carrying out these functions would be: (1) a reduction in the detection and prevention of unethical

or unfair business practices, (2) the possibility of economic loss or hardship for consumers and businesses which operate within the law, (3) the possibility of licensing unqualified applicants, and (4) the failure to reasonably regulate operations which might have an adverse effect on the lives, health, safety, comfort, and peace of the residents and visitors to the city.

QUESTION:
2. Could additional revenues be generated with additional staff?

ANSWER:
2. While some additional revenues would be generated by additional staff, much of the activity for which increased staffing is needed, relates to non-revenue producing regulatory functions. A classic example would be the processing, audit and storage of security deposit records for nearly 190,000 rental units.

QUESTION:
3. Would the additional revenues offset the cost of additional staff?

ANSWER:
3. It is not anticipated that additional revenues would offset the cost of increased staff in the area of occupational and professional licensing. However, it is projected that increased revenues would approximate the cost of staff in the Business Licenses and Permits Division.

DEPARTMENT OF LICENSES, INVESTIGATIONS AND INSPECTIONS
OFFICE OF ALCOHOLIC BEVERAGE CONTROL
C. LEGAL MANDATE NOT NOW MET

QUESTION:
1. Your submission indicates that budgetary constraints have prevented you from carrying out all of your legislatively-mandated functions.

QUESTION:
1a. Exactly what are the functions you are unable to execute?

ANSWER:
1a. Due to limited investigative and adjudicatory manpower this office maintains minimal control over the ABC Industry.

Our number one priority has been the issuance of licenses to insure continued intake of revenue from license fees. Approximately 16,300 applications for twelve (12) classes of licenses, manager permits, and import permits are processed each year. Total revenue from license fees is approximately $1,200,000.00 annually.

This workload and our present staff limitations restricts field operation of the enforcement division whose primary responsibility is to investigate serious kinds of complaints, inspect licensed premises, and investigate licensed establishments known to be in violation of the law. (Investigators annually investigate character and background of approximately 4,300 applicants for licenses and permits.)

QUESTION:
1b. What are the effects of failing to carry out these functions?

ANSWER:
1b. A decrease in sales and gross receipts. It is our opinion that the lack of control over importation of alcoholic beverages is a contributive factor to the decline in revenue generated by the alcoholic beverage industry.

It is mainly through field operation that investigators provide this office the detailed documentation of investigations leading to possible Board action through adjudicatory process.

QUESTION:
2. Could additional revenues be generated with additional staff?

ANSWER:
2. An increase in staff would provide the needed control over the importation of alcoholic beverages into the District of Columbia which would provide additional revenue. The decrease in sales and gross receipts is a major concern. Records from October 1977 - April 1978 show a decline in revenue of $276,831.16 as compared with the same period for October 1976 - April 1977.

QUESTION:
3. Would additional revenues offset the cost of additional staff?

ANSWER:
3. It is our opinion that additional revenue would more than offset additional staff as indicated in the loss of revenue suffered. This increase in field investigations and inspections would result in greater compliance with laws and regulations and, thus, would greatly reduce administration and adjudication costs.

D. NEED FOR MORE SPACE

QUESTION:

1. Your submission indicates that an additional $110,000 is needed for rent, communications, and utilities because the City Council space expansion is forcing various components of the Department out of the District Building.

Have you examined the possibility of using some of the many unoccupied or partially occupied school buildings available in the city as an alternative to renting?

ANSWER:

1. We explored the possibility of using vacated school buildings on several occasions and did not find it feasible to do so.

DEPARTMENT OF INSURANCE

A. INCREASED WORKLOAD

QUESTION:
1. Your budget submission indicates that the workload is expected to increase, yet no staff increases or overtime pay are requested.

1a. How do you expect to handle the increased workload without additional staff?

ANSWER:
1a. The Insurance Department needs additional manpower but can only receive a budget allocation similar to other departments. We will, as necessary, rearrange priorities and give thought to computerization of certain workload items which will, however, require "seed" funds.

QUESTION:
1b. Do you anticipate a supplemental request for overtime?

ANSWER:
1b. No.

B. STATUS OF EFFORTS TO INCREASE FILING AND LICENSE FEES

QUESTION:
1. The Department of Insurance charges filing and license fees which have not been adjusted for some time. Last year Mr. Wallach told the Committee (Part 1, p. 1,044) that the Department of Insurance was preparing a bill for submission to the City Council to permit an increase in these fees.

What is the status of your efforts to get an adjustment in the filing and license fees?

ANSWER:
In order to avoid retaliation which may be costly to District of Columbia citizens, I developed a bill which would increase the revenues without increasing the fees themselves; namely, by eliminating the provision of prorating. These provisions were part of a bill changing the mode of payment of premium taxes but since a proper hearing- was not conducted on this portion at that time, it was eliminated.

On June 7, 1977, I prepared a new bill for fees only which would accomplish this purpose and followed regular legislative procedures.

MINIMUM WAGE AND INDUSTRIAL SAFETY BOARD

A. MINIMUM WAGE ADJUSTMENTS EXPECTED IN FY 1979

QUESTION:
1. The justification material (Vol. II, p. 181) shows that the Board expects to issue two orders under the Wage Revision Program in FY 1979.

1a. What occupational categories and how many people will be affected by these orders?

1b. Specifically what is contemplated with regard to these two wage orders?

ANSWER:
1a. Private household workers - approximately 9,000 workers, and Manufacturing, wholesale trade, and printing and publishing occupations - 40,408 employees.

1b. The minimum wage currently provided in the two wage orders, $2.50 and $2.46 an hour respectively, will be increased in line with increases in the cost-of-living in the Washington area.

B. STATE PLAN APPROVED OR NOT

QUESTION:

1. Last year the Board informed the Committee (Part 1, p. 1075) that the Federal Occupational Safety and Health Administration had not approved the D.C. State Plan. Has the State Plan been approved yet?

ANSWER:

1. The State Plan has not been approved. The enabling legislation, which has OSHA's approval and is the critical part of the Plan, is now before the City Council.

C. NUMBER OF HAZARDS ELIMINATED

QUESTION:

1. The justification material for the Industrial Safety Division (Vol. II, p. 182) shows that 2,800 hazards in the work place will be removed from the work place in FY 1979.

What impact do you expect this to have on the number of injuries reported and the number of disability claims put forward in FY 1979?

2. The justification material for workman's compensation (Vol. I, p. 203) shows the number of new injuries reported increasing in FY 1979 over the FY 1978 level.

What explanation do you have for this?

ANSWER:

1. The 2,800 hazards eliminated is an estimate based on D.C. having a State Plan in FY 1979. Any hazards eliminated potentially will reduce the number of injuries that occur reported or unreported.

2. The estimates made for new injuries reported in Vol. I, p. 203 are estimates made by the office of D.C. Personnel. We have no knowledge of the basis for such estimates unless they reflect the trend, which is related to employment, that has been evident since 1972. This trend is likely to continue if the D.C. State Plan is not implemented.

D. MINIMUM WAGE PROGRAM SUFFERS FROM LACK OF STAFF

QUESTION:

1. The budget submission (page DF-1) states that the minimum wage compliance program, which attempts to assure that employees receive the wages due them, has suffered because of staff reductions. However, the exact effect of these reductions is not clear. The annual restorations of back wages to employees generated by the program is estimated to drop to $400,000 in one part of the submission (page DF-1) and $245,000 in another (page DF-9).

1a. Please explain this discrepancy and provide the correct figure.

1b. How many additional positions are needed to provide adequate coverage for the wage compliance program?

1c. If more staff were added, what would be the effect on restored wages?

ANSWER:
1a. There is no discrepancy in the figures. The total amount of back wages collected is expected to drop to $400,000. The projection of $245,000 shown on DF-9 refers to minimum wage and overtime wages which will be collected under the District of Columbia Minimum Wage Act. An additional $160,000 is expected to be collected under the District of Columbia Wage Payment and Wage Collection Law (see DF-3) for a total of $405,000.

1b. Eight additional compliance positions are needed to provide adequate coverage for the wage-hour compliance program.

1c. Restored wages would increase to approximately $735,000.

E. OFFICE NOT MEETING FEDERAL STANDARDS

QUESTION:
1. The submission (page DF-1) also states that budget restraints will impair your ability to meet Occupational Safety and Health Act (OSHA) requirements, which in turn will reduce Federal matching funds. Page DF-11, however, shows that OSHA funds are expected to double between fiscal years 1978 and 1979.

1a. Please explain how you are losing Federal funds when the budget indicates they are increasing.

1b. Exactly what OSHA requirements will you be unable to meet?

1c. Aside from losing Federal funding, what are the other consequences of your failure to meet the requirements?

ANSWER:
1. The OSHA funds ($169.0) represented on page DF-11 represent the funds ($33.6) received from the 50/50 Bureau of Labor Statistics injury and illness reporting grant and the 90/10 OSHA 7(c)(1) consultation agreement ($136.0) in FY 1978. The $305.6 figure for FY 1979 represents what would be received from OSHA when a State Plan is funded on a 50/50 basis. The monies now being received will end with the implementation of the State Plan. The $305.6 figure would be matched by $305.6 in our budget, thus funding the proposed D.C. State Plan.

1a. Based on the explanation above, it is hoped that it is understood that for every dollar lost in our budget there will be a corresponding dollar lost in Federal funds.

1b. The OSHA requirements for the State Plan requires a specific number of personnel, specific types and kinds of equipment, administrative procedures, etc. The submitted D.C. State Plan contained all of these requirements. Reductions in the budget will require the adjustment of the D.C. State Plan in all categories. The Plan was submitted in 1972, and revised in 1975. Inflation and the reduction of appropriated positions from 16 to 15 with funding for only 13 affects the Plan seriously. Further reduction can prevent us from meeting the basic OSHA requirements of competent personnel, laboratory facilities and training capabilities. From 1972 to 1975 the Plan staff has decreased from 37 to 31 positions. Any further cuts will further reduce positions.

1c. The loss of Federal funding would not be of great consequence if such a loss would not affect the implementation and funding of a D.C. OSHA State Plan. An occupational safety and health activity is sorely needed in the City. Over 300,000 workers are not presently being adequately covered under OSHA. Standards that have been applicable to D.C. since 1942 are not being enforced. The City has no input into local OSHA activities. WMATA and public employees will not be covered unless a D.C. State Plan is implemented. All of these issues were weighed when the Mayor decided to submit a State Plan that would provide a responsible method of meeting the occupational safety and health needs of the community.

Public Service Commission

A. CITY HAS NOT PAID ITS ELECTRICITY BILL FOR STREET LIGHTING

1. As you know, there is a 2¢ per kilowatt-hour limitation included in the D.C. Appropriation Bill on what the city can pay for electricity for street lighting. The limitation has been there for decades and until 1973 it caused no problem because the cost of electricity was below the limitation. Since 1973 the cost of electricity has gone over the 2¢ per kilowatt-hour limitation and Pepco is trying to collect $2.6 million in overdue street lighting bills.

I noticed in a recent newspaper story (POST: 4/14/78) that the D.C. Superior Court has ruled that the city should pay the bill. The same story has reported that the House supports the 2¢ limitation arguing that it "is extremely fair."

QUESTION:
1a. What is the Commission's position on this matter?

ANSWER:
1a. The Commission's position on this matter is very straightforward:

Congress is creating the Public Service Commission in 1913, granted the Commission exclusive jurisdiction to set rates governing the sale of, inter alia, electricity. At no place in that enabling statute (D.C. Code 843-101 et seq) is there any limitation on that authority other than the mandate that such rates be just, reasonable, and nondiscriminatory. On the other hand, the 2¢ per KWH limitation on the amount to be paid by the District for street lighting, contained for years in the District's Appropriations Acts, limits the extent to which Congressionally appropriated funds may be used to pay for this service. In sum, Congress has not removed from this Commission's jurisdiction the setting of just, reasonable, and nondiscriminatory rates for street lighting. Such a limitation on the Commission's otherwise plenary authority would have to be explicitly stated as such.

The Commission has not taken, and does not now take a position on the issue of whether Congress can set a maximum rate for streetlighting; it has merely been the Commission's view that this has not been done.

QUESTION:
1b. Should the Congress remove the limitation and provide the money to pay Pepco or not?

ANSWER:
1b. Whether Congress should remove the limitation is, in all respects, for Congress to decide. What looms large in this entire question is the case pending before the District of Columbia Court of Appeals which we are reluctant to discuss at this time. This Commission would rather await the decision of that Court before offering an opinion on the matter. Moreover, the Commission is not in a position to render a legal opinion on what Congress may do in this area. Review of a few legislative options reveals some of the latent legalities.

1b. The issue decided by the District of Columbia Superior Court was whether Congress intended, by the 2¢ per KWH limitation provision, to limit the rate which could be charged for street lighting or whether the provision set the maximum amount of Congressionally appropriated funds which could be used to pay for street lighting. The Court held the latter. If this decision is upheld on appeal, Congress could:

1. Enact legislation specifically setting a 2¢ per KWH limit on the rate to be charged for street lighting, with this ceiling rate being in lieu of a direct payment for exlusive franchise rights. (As suggested by Congressman Natcher). In this regard, it should be noted that there is some question as to whether authority to enact legislation pertaining to the Commission now resides with the District of Columbia Council. There may also be Constitutional issues involved in this approach.

2. Remove the limitation provision and appropriate funds sufficient to pay for street lighting at rates found to be just, reasonable, and nondiscriminatory by the Commission;

3. Do nothing, in which case the District would be unable to pay for the street lighting rate in excess of 2¢ per KWH.

Of course, if the District of Columbia Court of Appeals reverses the trial court, all of the above would not pertain.

B. ACTIVITIES OF THE PEOPLE'S COUNSEL

1. The People's Counsel is an independent office within the Public Service Commission charged with the responsibility to represent the public in rate case proceedings.

Pepco has requested a 15.9% rate increase in D.C. and the People's Counsel has argued for a 7% reduction in the rates in D.C. (STAR: 2/22/78). The People's Counsel also has the authority to bill Pepco to pay for experts testifying against Pepco's request.

QUESTION:
1a. What is the status of this rate increase proposal?

ANSWER:
1a. Formal Case No. 685 Pepco was closed on June 6, 1978, Briefs were due by May 26, 1978 and reply briefs were due by Juen 6, 1978. The next step in this proceeding is the deliberation and an order by the Commission with it's opinion and decision.

QUESTION:
1b. How much funding has the People's Counsel requested of Pepco in this case? Has Pepco refused to pay?

ANSWER:
1b. The Office of People's Counsel has billed the company for a total $410,000 thus far in this case. Approximately $300,500 has been paid.

QUESTION:
1c. How much has Pepco spent in the defense of its own position in this case?

ANSWER:
1c. Listed are the last three rate cases for Pepco and the total amount of the case.

Pepco Expenditures	Assessments by PSC	Assessments by People's Counsel	Total Cost to Company
CASE 630 Filed December 20, 1974, Final Order November 12, 1975			
$274,324	$ 87,598	$ 25,567	$387,489
CASE 651 Filed December 29, 1975 Final Order December 16, 1976			
$208,818	$ 30,421	$ 52,098	$291,337
CASE 685 Filed July 26, 1977, Pending Expenditures through 4/30/78*			
$352,296	$159,000	$410,000**	$921,296

* Total Pepco expenditures for this case cannot be determined until all bills have been received. Additional legal and Witness fees yet to be paid.
** Does not include pending request from People's Counsel for $99,500.

NOTE: The above charges are "out-of-pocket" rate case costs, principally for witnesses, outside counsel and, in the case of the PSC assessments, the cost of court reporters and record transcripts for all parties. They do not include salary and related costs of employees of Pepco, the Public Service Commission or the Office of People's Counsel.

C. WORKLOAD FACTORS

1. The Public Service Commission's primary role is to regulate the utilities in the District to help insure adequate service at reasonable rates.

QUESTION:
1. Please highlight for the Committee the Commission's significant accomplishments over the last year.

ANSWER:
1. Since May 1977 to date the Commission has involved itself in 66 formal cases as follows:

ANSWER:
1. Forty-three (43) involved C & P

Thirty-nine (39) were telephone tariffs and have been completed; three (3) involved investigation and jurisdiction as to the scope of the Commission's authority where damages against the utility is sought -- they have been completed.

A significant matter with respect to C & P remains under consideration before the Commission. This is a matter dealing with the telephone company's authority to interrupt calls or in fact interfere in any way with the service on a customer's line in the event of a hostage takeover.

Another significant matter remains before the Commission for consideration of a proposed charge for Directory Assistance by C & P.

Ten (10) actions have involved the Pepco. Seven (7) have been completed.

Significant among the uncompleted cases is a major rate case for an increase in the retail rates of energy. Final hearing has been completed on this case and we are now in the final state of reviewing briefs and reply briefs.

Research and investigation has been completed in the Peak Load Pricing Case. A generic hearing has been scheduled in this matter. Investigation into the preferential credit and collection practices of Pepco. This matter has been completed.

Six (6) actions involved the WGLCo. Three (3) have been completed and three (3) remain under consideration. Significant among the completed cases are the investigation into the preferential credit and collection practices and the authority to add new customers to the utility's service. Significant among the uncompleted cases is a major rate case. Hearing has been completed in this case.

There were four (4) cases involving the taxicab industry, all of which have been completed but one (1) and the most significant one. This case involves the requests by the drivers to (1) modify the rule as to the type of vehicle that may be used for a taxi such as station wagons, compact cars, step vans and others, (2) the use of CB radios in cabs.

There were three (3) cases involving Western Union Telegraph Company. All have been completed but one (1).

In many of the above cases the Commission has had to Notice the case, hold Pre-hearing Conferences, rule on Motions, issue Orders and act on other ongoing matters before the Commission. In the Pepco rate case alone there must have been approximately 25 Motions to be ruled on. It is truly a full time job.

QUESTION:
2. How many rate increase cases did the Commission consider over the last year?

ANSWER:
2. There were three cases filed with Commission during the last year, application were filed by Potomac Electric Power Company, Washington Gas Light Company, and The Chesapeake and Potomac Telephone Company for authority to implement a charge for directory assistance.

QUESTION:
3. What was the outcome of these cases?

ANSWER:
3. Pepco rate closed on June 6, 1978, with filing of brief by all parties and next step in this proceeding is the issuing of order of opinion and decision by the Commission.

Washington Gas Light Company brief are due in this case by all parties on June 29, 1978 and this case will be closed as of that date, then the next step will be issuing of an order of decision and opinion by this Commission.

The Chesapeake and Potomac Telephone Company directory assistance case also is before the Commission for an order of opinion and decision.

D. NUMBER OF CONSUMER COMPLAINTS INCREASING

1. The justification material (Vol. II, p. 200) shows the number of consumer complaints increasing from an estimated 1,500 in FY 1978 to an estimated 1,975 in FY 1979.

QUESTION:
1. What is the explanation for this expected increase in the number of consumer complaints?

ANSWER:
1. Since the establishment of the Office of People's Counsel in 1975 the number of consumer complaints have been on the increase. The utility companies have also sent mail inserts in the customer's bill which contained information about the Commission's operation. The general public have become more money conscious with the increased cost of service and goods.

QUESTION:
2. In FY 1977 there were 1,213 consumer complaints. What portion of these cases were resolved in the consumer's favor?

ANSWER:
2. The number of consumer utility complaints

UTILITY	YEAR 1977	1978 TO DATE
The Chesapeake and Potomac Telephone Company	122	82
Potomac Electric Power Company	261	87
Washington Gas Light Company	445	166
	828	335

ANSWER:
2. The above is a tabulation of the number of consumer complaints processed by the Commission during 1977 and 1978 to date.

Of the above complaints in 1977 approximately 80-85% involve billing, credit and deposits, and the remaining 15% involve service and miscellaneous complaints.

Out of the total 1,213 complaints 910 of them resolved in favor of the consumer (A total of 75% resolved in the consumer's favor).

E. BUS LINE MILEAGE TAX

1. Your budget submission states that the Commission is responsible for collecting, among other things, a bus line mileage tax.

QUESTION:
1a. How is this tax determined and collected?

ANSWER:
1a. The tax is determined by the actual mileage operated within the District of Columbia by certain bus companies. This is arrived at by the estimated mileage to be operated sent to the Commission at the beginning of the license year plus the difference between this mileage and the actual mileage operated based on monthly reports. Tax payments are forwarded by the Commission to the Department of Licenses, Investegations, and Inspections.

QUESTION:
1b. What reveneues have been generated from this tax?

ANSWER:
1b. FY 1976-77 $13,303.83 + excess yet to be determined.

F Y 1977-78 estimated mileage to be operated not yet determined.

QUESTION:
1c. Would additional personnel enable you to generate other revenue in addition to the bus line tax? If so, what would be the return on investment for these personnel?

ANSWER:
1c. The revenues that the Commission collects are set by statute. However, in view of the recent Home Rule Act there is every reason to believe that the statute needs to be reviewed with additional personnel such could be accomplished with a view to generate additional revenues.

F. RENT, COMMUNICATION, AND UTILITIES UP 145%

1. Rent, communciation, and utilities contains a requested increase of more than 145 percent to $31,200 which is supposedly due to renovated facilites (Page DH-10)

QUESTION:
1a. Please explain this increase.

ANSWER:
1a. When our lease expired last year and the cost of space rental was increased, we then leased the space that was adjacent to the Commission on the second floor. We reorganized the Commission to save money on space rental and for better utilization of personnel. We had one division that was located on the third floor of this building which was moved to the second floor during this reorganization period. We have less space after this reorganization. In effect, these new facilities are not and should not be considered as renovated spaces. The leaseholder renovated this space on the second floor that has been vacated for some time upon our agreement to occupy the space. There was no cost to this agency or the District Government for renovation.

The 145% increase tends to look substantial but it excludes the fact that this is the first time rental monies were allowed this agency. We have been paying cost by attrition but we no longer can pay for the rent in the same manner because of the size of the agency, and turnover in small agency is much lower than a larger agency.

The increase of $18,500 in rent, communication and utilities is made up of the reimbursement amount of $14,518 for space in addition to a 5% management fee (Mayor's Memo 77-157, dated 9/15/77, effective 10/1/77) of $725.90 for a total cost to this agency of $15,243.90. Our responsibility and agency structure does not allow for internal resources to generate funding for space. The cost for within grades, incentive awards, and other personnel benefits are assumed in this manner by attrition, but this the extent of our ability to internally pay for additional cost not included within our budget.

The remainder ($18,500 minus rental costs of $15,243.90) of $3,256.10 will be used toward rental for the postage machine, the Xerox copier and telephone service.

QUESTION:
1b. Did the District finance any portion of the renovation? If so, what was the cost?

ANSWER:
1b. The District did not finance any portion of the renovation.

OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT

A. FEDERAL GRANT FUNDING

QUESTION:
1. The justification material (VOL. II, P. 416) shows that the office is not requesting appropriated funds in FY 1979. Is this correct?

ANSWER:
1. This is correct.

QUESTION:
2. What Federal agency is expected to provide grant funding for this office?

ANSWER:
2. The Department of Housing and Urban Development through a grant to the District of Columbia Department of Housing and Community Development in the form of a Community Development Block Grant.

B. BUILDING AND DEVELOPMENT BOOM

QUESTION:
1. A Building and Development Boom is currently underway in the city. Describe for the Committee the expected size and duration of the current boom.

ANSWER:
1. Instead of "a building and development boom," the present situation could be better described as a period of sustained growth to accommodate the increasing number of trade and professional associations and professional offices moving to the Nation's Capital. This rate of office development is expected to continue for another two years barring an unforeseen downturn in the national economy. A considerable amount of additional development of all kinds is in various stages of planning but there is no assurance that all of these will proceed unless some further economic stimulus develops.

QUESTION:
1a. How many construction jobs will be created?
1b. How many permanent jobs will be created?
1c. What kinds of permanent jobs will be created?

ANSWER:
1a, 1b, 1c, Despite a commercial building underway in downtown Washington, construction employment is short of employment a year ago -- apparently a result mainly of reduced Metro construction, which has moved largely to the suburbs and is tapering off overall. Unless some special economic stimulus steps up the pace of building activity, the number of construction jobs may decline even further. An economic study by Gladstone Associates projects 2,000 construction jobs from development of the Civic Center and related construction and 4,000 permanent jobs related to hotel and convention related business with jobs at all levels, including a substantial number of low skilled and unskilled jobs for District residents.

B. A BLUEPRINT FOR ACTION

QUESTION:
1. Please discuss the highlights and expected benefits of the program, and the implications that it has for the city's budget, now and in the future.

ANSWER:
1. In the Action agenda for Economic Development the two year program objectives are to:
. Help District businesses stay and grow and attract new businesses and investment.

- Cut red tape and expedite public decisions.
- Help minority businesses and local small business get started and grow.
- Market the city.
- revitalize the original downtown.
- Stabilize and build employment areas and commercial areas.
- Open jobs to District residents.
- Continue economic planning.

The Federal payment in theory has been predicated on loss of tax revenues related to the Federal presence and the extra local services required because this is the Nation's Capital. Such increased economic viability should not be used as a reason for reducing the Federal payment but should be used by the District government to reduce some of its financial indebtedness due to its comprehensive public works program over the past decade.

QUESTION:
2. What Kinds of industry is the city trying to attract? What kinds of jobs will be available as a result of economic development?

ANSWER:
2. Instead of attempting to attract industries, the City primarily wishes to continue to attract trade and industry associations and professional offices including attorneys and consultants. However, an effort is being launched to attract some light manufacturing, service and warehouse facilities so as to provide employment for unskilled and low skilled residents of the city. Examples include a package manufacturing company, a dental health clinic that would also manufacture dentures and oral devices, and an automotive and truck service center. In addition, an effort has begun to increase the vitality of small neighborhood business centers to serve the improving housing in the surrounding areas. This emphasis is intended to be primarily on business retention.

The employment created in the first category will be predominently white collar though the employment cited in the other examples and neighborhoods will be a mixture with blue collar predominating.

QUESTION:
3. How will the city's program be coordinated with groups such as the D. C. Chamber and Board of Trade?

ANSWER:
3. There will be a continuing and close relationship with the Metropolitan Washington Board of Trade and the D. C. Chamber of Commerce as well as several non-profit corporations involved in economic development and civic betterment.

SUBCOMMITTEE RECESS

Senator LEAHY. With that, we will recess until 2 p.m. Monday, when the Committee will receive testimony from the agencies in the Public Safety and Justice category.

[Whereupon, at 10:20 a.m., Thursday, May 18, the subcommittee was recessed, to reconvene at 2 p.m., Monday, May 21.]

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DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 1979

MONDAY, MAY 22, 1978

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

The subcommittee met at 2 p.m., in room 1114, Everett McKinley Dirksen Office Building, Hon. Patrick J. Leahy (chairman) presiding.

Present: Senator Leahy.

DISTRICT OF COLUMBIA

PUBLIC SAFETY AND JUSTICE

METROPOLITAN POLICE DEPARTMENT

STATEMENT OF BURTELL JEFFERSON, CHIEF, METROPOLITAN POLICE DEPARTMENT

PUBLIC SAFETY AND JUSTICE CATEGORY

Senator LEAHY. The subcommittee will come to order.

Good afternoon. This afternoon we will hear testimony from the agencies in the "Public safety and justice" category.

The total funding request for this category of agencies is $275.7 million for fiscal year 1979 and therefore represents 21 percent of the total funding request for fiscal year 1979.

Included in this category are the Police Department, the Fire Department, the court system, the Department of Corrections, and several other related agencies.

The committee, however, has rescheduled the Superior Court, the Court of Appeals, the District Court System, and the Public Defender System until later this week to permit the heads of these agencies to attend the Judicial Conference of District in Williamsburg, Va. The subcommittee has therefore agreed to hear their testimony first thing on Wednesday of this week.

ALTERNATIVES TO INCARCERATION

In December of 1976, the city requested to reprogram $700,000 for the purpose of beginning design work for a new wing to the District jail.

As the city officials will recall, I raised a number of issues at that time with regard to the need to expand incarceration facilities

in the city. The city argued, however, that expansion of the District jail would permit the closing of the old District jail and old Women's Detention Center buildings and would result in annual operation savings of $3 million.

Therefore, the city argued that by spending more money to expand the new District jail facility the city would in the long run be saving money. The subcommittee approved the city's reprogramming request to expand the District jail but requested that the city explore alternatives to incarceration including the resources needed to fund those alternatives and present these proposals to us in the fiscal year 1979 budget.

No such proposals are included in the fiscal year 1979 budget. In a recent report prepared for the subcommittee, the city indicated that the study was not undertaken because of its great complexity and because of the need for additional resources to make the study.

Therefore, the committee request in this regard has not been met. The report to the committee indicated that the Office of Criminal Justice Plans and Analysis would study the issue but no additional funds have been requested for this purpose.

When we make a bargain with the city, I expect the city to live up to its share of the bargain. That has apparently not happened in this case. We will be discussing this matter with the Department of Corrections and the Office of Criminal Justice Plans and Analysis this afternoon.

POLICE AND FIRE DISABILITY RETIREMENT

Also this afternoon, we will be discussing with the Fire Department, the Police Department, and the Police and Fire Retirement Board the abuses that continue under the current disability retirement program.

The House District Committee has reported out a bill that would help remedy this problem, as has Senator Eagleton's subcommittee in the Senate. We, however, are not going to wait for this legislation and rely entirely on the promised legislation to correct the abuses that exist.

It is my belief that the program can be improved through administrative action and I intend this afternoon to discuss with the Police Department, the Fire Department, and the Police and Fire Retirement Board the possibilities for improving the program through administrative action.

POLICE DEPARTMENT

I would like to call Chief Jefferson to the witness table and, Chief, I wonder if you could probably just give us a few minutes of oral summary of the highlights of your budget and the formal statement will be put in the record.

[The statement follows:]

PREPARED STATEMENT OF BURTELL JEFFERSON, CHIEF
METROPOLITAN POLICE DEPARTMENT

DISTINGUISHED MEMBERS OF THE SUBCOMMITTEE:

IT GIVES ME GREAT PLEASURE TO HAVE THIS OPPORTUNITY TO APPEAR BEFORE YOU TO PRESENT OUR FISCAL YEAR 1979 BUDGET REQUEST, TO STATE SOME OF OUR GOALS FOR THE FUTURE, AND TO REPORT ON SOME OF OUR PAST ACCOMPLISHMENTS. I FEEL A LITTLE UNFORTUNATE IN THAT, ON MY FIRST APPEARANCE BEFORE THIS SUBCOMMITTEE I AM CALLED UPON TO PRESENT A BUDGET WHICH IS SUBJECT TO SOME UNUSUAL COMPLICATIONS.

AS YOU KNOW, MR. CHAIRMAN, THE DISTRICT'S FISCAL YEAR 1978 BUDGET HAS NOT YET BEEN APPROVED. LIKE OTHER DISTRICT AGENCIES, THE METROPOLITAN POLICE DEPARTMENT IS OPERATING UNDER THE PROVISIONS OF A CONTINUING RESOLUTION. THIS ENTAILS DIFFERENT FUNDING AND MANPOWER LEVELS FROM THOSE SPECIFIED IN THE FISCAL YEAR 1978 BUDGET REQUEST. UNFORTUNATELY, OUR FISCAL YEAR 1979 BUDGET WAS PREPARED AND SUBMITTED TO THE CITY COUNCIL BEFORE WE BECAME AWARE OF THE FACT THAT WE WOULD OPERATE FOR AT LEAST A SUBSTANTIAL PORTION OF THE CURRENT FISCAL YEAR UNDER A CONTINUING RESOLUTION. THE DEPARTMENT IS CURRENTLY RECRUITING UNIFORMED MEN IN AN EFFORT TO MAINTAIN THE FISCAL YEAR 1977 MANPOWER LEVEL, AND IS, OF COURSE, OBLIGATING FUNDS AT A RATE HIGHER THAN WAS ANTICIPATED IN THE FISCAL YEAR 1978 BUDGET. THE CURRENT YEAR DATA IN THE BUDGET REQUEST BEFORE YOU DOES NOT REFLECT THE MANPOWER AND FUNDING LEVELS ACTUALLY IN EFFECT AT THE PRESENT TIME.

WHEN THIS BUDGET WAS PREPARED, OUR PROJECTED STRENGTH AT THE BEGINNING OF FISCAL YEAR 1979 WAS A TOTAL OF 4,593 POSITIONS, - 3,970 UNIFORMED AND 623 CIVILIAN. WITH THE FUNDING AND MANPOWER LEVELS PROVIDED UNDER THE CONTINUING RESOLUTION, WE WILL BEGIN FISCAL YEAR 1979 WITH AN ESTIMATED ON BOARD STRENGTH OF 4,764 POSITIONS - 4,141 UNIFORMED AND 623 CIVILIAN. THIS IS 171 POSITIONS ABOVE THE LEVEL AROUND WHICH THE FISCAL YEAR 1979 BUDGET WAS FORMULATED, AND THE FUNDING REQUESTED IN THE DOCUMENT BEFORE YOU WILL BE DEFICIENT BY 171 MAN YEARS OF FUNDING - $2,396,400. IT IS MY UNDERSTANDING THAT AN AMENDMENT REQUESTING THIS AMOUNT WILL BE CONSIDERED

SEPARATELY. I WILL THEREFORE BASE THE REMAINDER OF MY DISCUSSION TODAY ON THE BUDGET AS SUBMITTED.

SINCE I HAVE ALREADY DEVOTED SOME TIME TO A DISCUSSION OF CERTAIN ASPECTS OF MANPOWER, IT IS PERHAPS APPROPRIATE TO COMPLETE OUR CONSIDERATION OF THAT SUBJECT AT THIS POINT.

MR. CHAIRMAN, FOR FOUR CONSECUTIVE YEARS THE METROPOLITAN POLICE DEPARTMENT'S BUDGETS HAVE BEEN FORMULATED AROUND MAJOR MANPOWER REDUCTIONS. OUR UNIFORMED MANPOWER HAS SHRUNK FROM 5,100 IN 1971 TO 4,089 AT THE PRESENT TIME. WE HAVE LOST VERY NEARLY A THOUSAND SWORN PERSONNEL OR 19% OF OUR PEAK STRENGTH. THE FISCAL YEAR 1979 BUDGET, AS SUBMITTED, WOULD REDUCE THAT LEVEL BY AN ADDITIONAL 164 MEN. OUR SWORN STRENGTH AT THE END OF THE YEAR WOULD BE 3,806, 25.4% BELOW THE PEAK MANPOWER LEVEL. THESE RELATIONSHIPS ARE ILLUSTRATED ON CHART #1.

DURING THIS SAME PERIOD, OUR ASSIGNED CIVILIAN MANPOWER HAS BEEN REDUCED FROM 880 TO 583, A REDUCTION OF MORE THAN 33%. THIS BUDGET DOES, HOWEVER, PROVIDE SUFFICIENT FUNDING TO PERMIT THE REPLACEMENT OF EACH OFFICER WHO LEAVES WITH AN ADDITIONAL CIVILIAN EMPLOYEE. THIS WOULD RAISE OUR CIVILIAN AUTHORIZATION TO 787 - STILL 27% BELOW THE 1,080 CIVILIAN POSITIONS AUTHORIZED IN FISCAL YEAR 1972.

WHILE THIS CIVILIANIZATION PROGRAM DOES PROVIDE A MEASURE OF RELIEF FROM THE ABSOLUTE AUSTERITY OF THE ATTRITION BUDGETS UNDER WHICH WE HAVE OPERATED IN PAST YEARS, IT WILL NEVERTHELESS RESULT IN REDUCING OUR UNIFORMED MANPOWER TO A NEW LOW.

THESE MANPOWER REDUCTIONS HAVE NECESSITATED CONTINUOUS ADJUSTMENTS IN THE ASSIGNMENT OF PERSONNEL. IN ALL OF THESE ADJUSTMENTS, ONE OBJECTIVE TOOK PRECEDENCE OVER ALL OTHERS - TO MAINTAIN AS MUCH STRENGTH AS POSSIBLE IN THE PATROL DIVISION. HOW WELL WE SUCCEEDED IN THAT IS APPARENT ON CHART #2. AS YOU CAN SEE, THE PATROL DIVISION'S STRENGTH FLUCTUATED SLIGHTLY, BUT THE OVERALL TREND WAS LEVEL AND IT WAS NOT PERMITTED TO DIP BELOW THE 2,900 LEVEL UNTIL NOVEMBER 1977. WITH THE ADDITION OF THE MEN NOW BEING RECRUITED TO THE PATROL DIVISION AS THEY COMPLETE THEIR

TRAINING, IT SHOULD BE POSSIBLE TO MAINTAIN AN AVERAGE STRENGTH OF CLOSE TO 2,900 FOR THE CURRENT FISCAL YEAR. OBVIOUSLY, IT HAS BEEN POSSIBLE TO ACHIEVE THIS GOAL ONLY BY MAKING CORRESPONDING REDUCTIONS IN THE UNIFORMED STRENGTH OF THE VARIOUS ADMINISTRATIVE AND SUPPORT DIVISIONS, AND THIS, IN TURN, HAS NECESSITATED A CURTAILMENT IN SOME OF THEIR ACTIVITIES. WE HAVE, UNFORTUNATELY, PASSED THE POINT WHERE SUCH REASSIGNMENTS OF PERSONNEL CAN CONTINUE AND ANY FUTURE MANPOWER REDUCTIONS WILL UNAVOIDABLY AFFECT THE PATROL DIVISION. THE ADDITIONAL CIVILIAN POSITIONS PROVIDED IN THE FISCAL YEAR 1979 BUDGET WILL HALT, AT LEAST TEMPORARILY, THIS REDUCTION IN THE SIZE OF THE PATROL DIVISION, ALTHOUGH SOME REDUCTION IN PRODUCTIVITY MAY RESULT FROM THE TIME LAPSE INVOLVED IN THE RECRUITING AND TRAINING OF CIVILIAN REPLACEMENTS FOR THOSE POSITIONS INVOLVED IN THE PROGRAM.

CHART #2 ALSO SHOWS ANOTHER INTERESTING COMPARISON - THE TREND OF MAJOR CRIME IN THE DISTRICT HAS TENDED TO CORRELATE WITH THE LEVEL OF PATROL DIVISION STRENGTH RATHER THAN TO THE STRENGTH OF THE DEPARTMENT AS A WHOLE. AS SHOWN ON CHART #5, WE WERE FORTUNATE IN BEING ABLE TO RECORD TWENTY-TWO CONSECUTIVE MONTHS OF CRIME REDUCTION BEGINNING IN THE THIRD QUARTER OF FISCAL YEAR 1975 AND ENDING WITH THE MONTH OF JANUARY 1977. EACH OF THE NEXT FOUR QUARTERS SHOWED A SLIGHT INCREASE IN MAJOR CRIME, AND THIS HAS BEEN A CAUSE OF SOME CONCERN. I AM HAPPY TO BE ABLE TO REPORT, HOWEVER, THAT IN THE FIRST QUARTER OF CALENDAR YEAR 1978, WE WERE ONCE AGAIN ABLE TO ACHIEVE A 5% REDUCTION IN CRIME INDEX OFFENSES.

REGARDLESS OF WHETHER OR NOT THIS LATEST REVERSAL PROVES TO BE THE BEGINNING OF A NEW TREND, I FEEL THE DEPARTMENT CAN STILL CONSIDER WITH PRIDE THE STATISTICS SHOWN ON CHART #4. THESE FIGURES SHOW AN OVERALL REDUCTION OF 44.2% IN MAJOR CRIME FROM FISCAL YEAR 1970 TO FISCAL YEAR 1977. THIS OVERALL REDUCTION IS NOT LIMITED TO ONE OR TWO CATEGORIES OF CRIME, BUT CONSISTS OF SIGNIFICANT REDUCTIONS IN EVERY CATEGORY - 31% IN HOMICIDES, 14% IN RAPES, 49% IN ROBBERIES, 33% IN AGGRAVATED ASSAULTS, 52% IN BURGLARIES, 27% IN LARCENIES, AND 82% IN AUTO THEFTS.

MR. CHAIRMAN, WE ARE OFTEN TAKEN TO TASK FOR BEING AN EXPENSIVE POLICE DEPARTMENT. IT IS RELATIVELY EASY TO LOOK AT A BUDGET AND SEE HOW MUCH

IT HAS COST TO OPERATE THE DEPARTMENT. I ONLY WISH I KNEW OF SOME WAY TO CALCULATE THE MONETARY VALUE TO THE DISTRICT OF COLUMBIA REPRESENTED BY THESE REDUCTIONS IN CRIME.

IF WE WISH TO COMPARE THE DISTRICT'S STATUS AS FAR AS CRIME IS CONCERNED WITH OTHER CITIES OF COMPARABLE SIZE, THERE IS NO CAUSE FOR EMBARRASSMENT. THE DATA FOR SUCH A COMPARISON IS SHOWN ON CHART #5. DISPLAYED HERE ARE THE CRIME INDEX OFFENSES FOR THE TWENTY-SIX CITIES WHICH HAD MORE THAN HALF A MILLION POPULATION IN 1970 WHEN WASHINGTON, D.C. RANKED FIRST AMONG THEM IN TERMS OF PER CAPITA CRIME. SINCE THAT TIME FOUR OF THESE CITIES HAVE ACTUALLY DROPPED BELOW 500,000 IN POPULATION, BUT SINCE WE ARE DEALING WITH PER CAPITA CRIME, THE COMPARISONS ARE STILL VALID. WE SEE THAT FROM FIRST PLACE, IN 1970, WE HAVE DROPPED TO EIGHTEENTH PLACE IN FISCAL YEAR 1977 IN SPITE OF THE 19% REDUCTION IN MANPOWER NOTED EARLIER. WE HAVE LOST THREE PLACES IN OUR RANKING SINCE FISCAL YEAR 1976, DUE PROBABLY TO THE SLIGHT INCREASE IN CRIME EXPERIENCED DURING THE LAST THREE QUARTERS OF FISCAL YEAR 1977. THESE FIGURES ARE TAKEN FROM THE FBI UNIFORM CRIME REPORTS, AND REPRESENT THE CRIME REPORTED TO THE POLICE DEPARTMENTS. IT IS GENERALLY AGREED THAT SUCH FIGURES REPRESENT ONLY PART OF THE TOTAL CRIME PICTURE. FOR VARIOUS REASONS, A SUBSTANTIAL AMOUNT OF CRIME IS NOT REPORTED TO THE POLICE AND CONSEQUENTLY DOES NOT FIND ITS WAY INTO THE FBI STATISTICS.

UNTIL RECENTLY WE COULD DO NO MORE THAN GUESS AT THE AMOUNT OF UNREPORTED CRIME. HOWEVER, UNDER THE AUSPICES OF THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, THE BUREAU OF THE CENSUS CONDUCTED VICTIMIZATION STUDIES IN A TOTAL OF TWENTY-SIX LARGE AMERICAN CITIES. SOME INFORMATION DERIVED FROM REPORTS ON THESE SURVEYS IS SHOWN ON CHARTS #6 AND #7. UNFORTUNATELY, THE TWENTY-SIX CITIES SURVEYED WERE NOT THE SAME AS THE TWENTY-SIX SHOWN ON THE PREVIOUS CHART, BUT, SINCE THE TWO CHARTS DO HAVE EIGHTEEN CITIES IN COMMON, THE DATA CAN BE COMPARED. THE INFORMATION CONTAINED IN THESE SURVEYS WAS NOT OBTAINED FROM POLICE DEPARTMENTS, BUT WAS ACQUIRED THROUGH INTERVIEWS WITH LARGE NUMBERS OF PEOPLE AND A CAREFUL ANALYSIS OF THE RESULTS OF THESE INTERVIEWS. AS YOU CAN SEE, IN TERMS OF BOTH

THE TOTAL CRIMES PER 1,000 POPULATION AND CRIMES OF PERSONAL VIOLENCE, ONLY ONE CITY, MIAMI, FLORIDA, SHOWED A BETTER RECORD THAT THE DISTRICT OF COLUMBIA. ONLY TWO CITIES HAD A GREATER PERCENTAGE OF CRIME REPORTED TO POLICE THAN THE DISTRICT. THESE SURVEYS THUS CONFIRM BOTH THE ACCURACY OF THIS DEPARTMENT'S REPORTED FIGURES AND ITS EFFECTIVENESS IN REDUCING CRIME.

MANY OF THE PEOPLE WHO COMMENT ON OUR BUDGET HAVE A TENDENCY TO EQUATE "CRIME" WITH "WORKLOAD". IF CRIME HAS BEEN REDUCED, THEY SAY, WORKLOAD HAS BEEN REDUCED, AND MANPOWER LEVELS SHOULD BE ADJUSTED ACCORDINGLY. IT IS TRUE THAT CRIME IS AN IMPORTANT ELEMENT IN THE POLICE WORKLOAD, BUT IS FAR FROM BEING THE ONLY ONE. SOME OF THESE OTHER ELEMENTS ARE ALMOST IMPOSSIBLE TO MEASURE, BUT THERE ARE OTHERS WHICH CAN BE QUANTIFIED. A QUICK LOOK AT A FEW OF THESE GIVES A MORE ACCURATE PICTURE OF THE DEPARTMENT'S WORKLOAD. IF WORKLOAD STATISTICS FROM FISCAL YEAR 1972 ARE COMPARED WITH THOSE FROM FISCAL YEAR 1977, WE FIND THAT MOST OF THEM HAVE SHOWN AN INCREASE. IN FISCAL YEAR 1972, WE ISSUED APPROXIMATELY 1,400,000 TRAFFIC VIOLATION CITATIONS, AND THAT FIGURE HAS REMAINED FAIRLY CONSTANT. IN ATTEMPTING TO ENFORCE THOSE CITATIONS, THE DEPARTMENT USES THE SO-CALLED "DENVER BOOT" TO IMMOBILIZE VEHICLES WHICH HAVE ACCUMULATED MULTIPLE VIOLATION NOTICES. IN FISCAL YEAR 1972 1,925 VEHICLES WERE IMMOBILIZED BY THE USE OF THIS DEVICE. IN FISCAL YEAR 1977 THIS NUMBER ROSE TO 13,893, AN INCREASE OF 600%. IN FY 1972 THE DEPARTMENT RECEIVED 881,235 EMERGENCY TELEPHONE CALLS. BY FY 1977 THE NUMBER HAD INCREASED TO 1,023,208, A 16% INCREASE. IN FY 1972 561,000 SCOUT CAR RUNS WERE DISPATCHED THROUGH OUR COMMUNICATIONS DIVISION. IN FY 1977 THIS NUMBER INCREASED TO 610,131. THE NUMBER OF TRANSACTIONS PROCESSED THROUGH THE DATA BANKS OF THE WASHINGTON AREA LAW ENFORCEMENT SYSTEM INCREASED BY 272% FROM 1,560,000 IN FY 1972 TO 5,800,000 IN FY 1977. I COULD GO ON FOR SOME TIME WITH SIMILAR EXAMPLES, BUT IT WOULD SERVE NO USEFUL PURPOSE.

MR. CHAIRMAN, I DO NOT KNOW OF ANY NEAT LITTLE FORMULA WHICH CAN EXPRESS A RELATIONSHIP BETWEEN POLICE MANPOWER AND AMOUNT OF CRIME. I AM

CONVINCED THAT NO SUCH FORMULA EXISTS, BUT EVEN IF IT DID, I THINK IT WOULD STILL BE DIFFICULT TO DECIDE WHAT LEVEL OF CRIME IS TOLERABLE. IT WOULD BE EQUALLY DIFFICULT TO DISCONTINUE OR DRASTICALLY CURTAIL OTHER POLICE SERVICES TO WHICH THE PUBLIC HAS GROWN ACCUSTOMED. YET, CONTINUED MANPOWER REDUCTIONS IN THE FACE OF A WORKLOAD WHICH, FOR THE MOST PART, IS INCREASING MUST NECESSARILY RESULT IN SOME DECREASE IN SERVICE DELIVERY, AND MAY EVENTUALLY CAUSE AN INCREASE IN THE AMOUNT OF CRIME.

I AM CERTAIN THAT THE CONDITIONS EXISTING TODAY WILL CHANGE. THE NATURE OF THE SITUATIONS WHICH WE WILL FACE IN THE FUTURE AND THE PROBLEMS WE WILL BE CALLED UPON TO SOLVE WILL REQUIRE THE DEVELOPMENT OF NEW METHODS AND TECHNIQUES. IN THE SIXTIES WE WENT THROUGH AN ERA OF MASS DEMONSTRATIONS, AND WE WERE FORCED TO DEVELOP METHODS FOR CONTROLLING LARGE GROUPS OF INDIVIDUALS. AT THE PRESENT TIME THERE SEEMS TO BE A TENDENCY TOWARDS BOMBINGS, KIDNAPPINGS, HOSTAGE SITUATIONS, AND OTHER ACTS OF TERRORISM CARRIED OUT BY RELATIVELY SMALL GROUPS OF INDIVIDUALS.

I DO NOT KNOW WHAT THE NEXT DEVELOPMENT WILL BE, BUT IT IS OBVIOUS THAT WE MUST RETAIN THE RESOURCES AND THE FLEXIBILITY TO DEAL WITH WHATEVER DEVELOPMENTS MAY OCCUR. I TAKE PRIDE IN WHAT THE DEPARTMENT HAS ACCOMPLISHED IN THE PAST. I AM CONFIDENT THAT WITH THE RESOURCES REQUESTED IN THIS BUDGET WE WILL BE ABLE TO PREVENT ANY INCREASE IN CRIME, AND THAT WE WILL BE ABLE TO PROVIDE OUR CITIZENS AND VISITORS THE PROTECTION AND SERVICE THEY HAVE A RIGHT TO EXPECT.

SUPPORT OF INCREASE POLICE OFFICERS IN FISCAL YEAR 1978 BUDGET

Senator LEAHY. I have heard once, I forget where I heard it, but I heard someone in the city suggest that this subcommittee at times has been less than generous to city departments.

Obviously, it was someone who was probably just passing through or was on loan to one of our news media, but, Chief, you should be aware of the fact and I am sure you are of our generosity toward the police. I am sure you know that the Senate which originally had given the Police Department its full request, then unanimously agreed to give the Department the additional, slightly over $1 million, that the House had put into the budget.

That conference committee report has passed the House, I understand, and I intend to bring the conference committee report up to the Senate, I would hope, tomorrow morning.

We will also fight to get the same amount through the Senate. I have been doing some nose counting and I always hate to predict how a vote will come out. I am pretty sure that that request will go through.

I pass it on so you won't ever be taken in by these rumors that float through the city.

Chief JEFFERSON. Thank you very much. We are well aware of the generosity of your subcommittee.

COMMENDATION OF POLICE DEPARTMENT

Senator LEAHY. It is not our generosity, Chief. It is the taxpayers of the city and of the country. I might say, though, as I have said many, many times here and in Vermont and other parts of the country, I am extremely impressed with the work the District Police Department has done.

I was, as you probably know, prosecutor for nearly a decade. During that time, I was here for a number of different law enforcement meetings in the District of Columbia. I met with various predecessors to you as Police Chief here in the District of Columbia. I worked with LEAA and others who were involved with the question of law enforcement programs in the District of Columbia.

I have watched a number of those programs now for almost 15 years. I am absolutely and totally impressed with the caliber of your Department, with the job you are doing, and I think that all Americans, not just people in the District of Columbia, but all Americans who visit this city, would be justifiably proud with the law enforcement steps that have been taken in this city.

I think that it certainly has to be one of the safest cities in the country and this is important, especially because we have so many tourists who come here from everywhere, from rural America, like my own State, and from other metropolitan areas.

They can come to Washington, D.C., and can enjoy their stay with a great feeling of safety. These visitors can share the same pride that those of us who are less temporary residents have in your Department and in the caliber of law enforcement in the Nation's Capital.

Chief JEFFERSON. Thank you, Mr. Chairman. I thank you for those compliments.

Senator LEAHY. If you would like to summarize what you have there, I would be happy to hear it.

OPENING REMARKS OF POLICE CHIEF

Chief JEFFERSON. Thank you very much. I would like to say it gives me great pleasure to have this opportunity to appear before you to present our fiscal year 1979 budget request, to state some of our goals for the future, and to report on some of our past accomplishments.

I feel a little unfortunate in that, on my first appearance before this subcommittee I am called upon to present a budget which is subject to some unusual complications.

As you know, Mr. Chairman, the District's fiscal year 1978 budget has not yet been approved. Like other District agencies, the Metropolitan Police Department is operating under the provisions of a continuing resolution.

Senator LEAHY. I think I can guarantee that by the end of the week it will not only be approved but it will be down to the President for signature.

Chief JEFFERSON. Thank you very much.

This, however, entails different funding and manpower levels from those specified in the fiscal year 1978 budget request. Unfortunately, our fiscal year 1979 budget was prepared and submitted to the City Council before we became aware of the fact that we would operate for at least a substantial portion of the current fiscal year under a continuing resolution.

The Department is currently recruiting uniformed men in an effort to maintain the fiscal year 1977 manpower level, and is, of course, obligating funds at a rate higher than was anticipated in the fiscal year 1978 budget. The current year data in the budget request before you does not reflect the manpower and funding levels actually in effect at the present time.

When this budget was prepared, our projected strength at the beginning of fiscal year 1979 was a total of 4,593 positions: 3,970 uniformed and 623 civilian. With the funding and manpower levels provided under the continuing resolution, we will begin fiscal year 1979 with an estimated on-board strength of 4,764 positions: 4,141 uniformed and 623 civilian.

This is 171 positions above the level around which the fiscal year 1979 budget was formulated, and the funding requested in the document before you will be deficient by 171 man-years of funding—$2,396,400.

It is my understanding that an amendment requesting this amount will be considered separately. I will therefore base the remainder of my discussion today on the budget as submitted.

Since I have already devoted some time to a discussion of certain aspects of manpower, it is perhaps appropriate to complete our consideration of that subject at this point.

REDUCTION IN POLICE MANPOWER

Mr. Chairman, for 4 consecutive years the Metropolitan Police Department's budgets have been formulated around major man-

power reductions. Our uniformed manpower has shrunk from 5,100 in 1971 to 4,089 at the present time.

We have lost very nearly a thousand sworn personnel, or 19 percent of our peak strength. The fiscal year 1979 budget, as submitted, would reduce that level by an additional 164 men.

Our sworn strength at the end of the year would be 3,806, 25.4 percent below the peak manpower level. These relationships are illustrated on chart No. 1.

During this same period, our assigned civilian manpower has been reduced from 880 to 588, a reduction of more than 33 percent. This budget does, however, provide sufficient funding to permit the replacement of each officer who leaves with an additional civilian employee.

This would raise our civilian authorization to 787, still 37 percent below the 1,080 civilian positions authorized in fiscal year 1972.

While this civilianization does provide a measure of relief from the absolute austerity of the attrition budgets under which we have operated in past years, it will nevertheless result in reducing our uniformed manpower to a new low.

MAINTAINING STRENGTH IN PATROL DIVISION

These manpower reductions have necessitated continuous adjustments in the assignment of personnel. In all of these adjustments, one objective took precedence over all others—to maintain as much strength as possible in the Patrol Division.

How well we succeeded in that is apparent on chart No. 2. As you can see, the Patrol Division's strength fluctuated slightly, but the overall trend was level and it was not permitted to dip below the 2,900 level until November 1977.

With the addition of the men now being recruited to the Patrol Division as they complete their training, it should be possible to maintain an average strength of close to 2,900 for the current fiscal year.

Obviously, it has been possible to achieve this goal only by making corresponding reductions in the uniformed strength of the various administrative and support divisions and this, in turn, has necessitated a curtailment in some of their activities.

We have, unfortunately, passed the point where such reassignments of personnel can continue, and any future manpower reductions will unavoidably affect the Patrol Division.

The additional civilian positions provided in the fiscal year 1979 budget will halt, at least temporarily, this reduction in the size of the Patrol Division, although some reduction in productivity may result from the time lapse involved in the recruiting and training of civilian replacements for those positions involved in the program.

CORRELATION BETWEEN MAJOR CRIMES AND PATROL DIVISION STRENGTH

Chart No. 2 also shows another interesting comparison: The trend of major crime in the District has tended to correlate with the level of Patrol Division strength rather than to the strength of the Department as a whole.

As shown on chart No. 3, we were fortunate in being able to record 22 consecutive months of crime reduction beginning in the third quarter of fiscal year 1975 and ending with the month of January 1977.

Each of the next four quarters showed a slight increase in major crime, and this has been a cause of some concern. I am happy to be able to report, however, that in the first quarter of calendar year 1978, we were once again able to achieve a 5-percent reduction in crime index offenses.

Regardless of whether or not this latest reversal proves to be the beginning of a new trend, I feel the Department can still consider with pride the statistics shown on chart No. 4.

OVERALL REDUCTION IN MAJOR CRIMES

These figures show an overall reduction of 44.2 percent in major crime from fiscal year 1970 to fiscal year 1977. This overall reduction is not limited to one or two categories of crime but consists of significant reductions in every category: 31 percent in homicides, 44 percent in rapes, 49 percent in robberies, 33 percent in aggravated assaults, 52 percent in burglaries, 27 percent in larcenies, and 82 percent in auto thefts.

Senator LEAHY. Just as a matter of curiosity, the enormous drop in auto thefts, is part of that because of the new steps that are being taken in ignitions and ignition locks, and so forth, in cars?

Chief JEFFERSON. That, I think, has some bearing on it, but we would like to take a little pride in the efforts that we have put forth to educate the public on some of the safety tips that they, themselves, can utilize to help prevent the theft of autos.

Senator LEAHY. Thank you.

Chief JEFFERSON. Mr. Chairman, we are often taken to task for being an expensive police department. It is relatively easy to look at a budget and see how much it has cost to operate the Department.

COMPARABLE CRIME STATISTICS WITH LARGE METROPOLITAN CITIES

I only wish I knew of some way to calculate the monetary value to the District of Columbia represented by these reductions in crime.

If we wish to compare the District's status as far as crime is concerned with other cities of comparable size, there is no cause for embarrassment. The data for such a comparison is shown on chart No. 5.

Displayed here are the crime index offenses for the 26 cities which had more than half a million population in 1970 when Washington, D.C. ranked first among them in terms of per capita crime.

Since that time, four of these cities have actually dropped below 500,000 in population, but since we are dealing with per capita crime, the comparisons are still valid.

We see that from first place, in 1970, we have dropped to 18th place in fiscal year 1977 in spite of the 19-percent reduction in manpower noted earlier. We have lost three places in our ranking

since fiscal year 1976, due probably to the slight increase in crime experienced during the last three quarters of fiscal year 1977.

These figures are taken from the FBI Uniform Crime Reports and represent the crime reported to the police departments. It is generally agreed that such figures represent only part of the total crime picture.

For various reasons, a substantial amount of crime is not reported to the police and consequently does not find its way into the FBI statistics.

Senator LEAHY. We see for a 22-month period, ending with January 1977, the crime rate in the District went down each month, if you compare it with the same month of the preceding year.

In fiscal year 1969, D.C. ranked first in total per capita crime, but by calendar year 1975, it dropped down to around 20 among the largest cities. As I mentioned earlier, I think it is one of the most significant accomplishments of any large city in the country.

RECENT INCREASE IN CRIME RATE

Your material shows that since February of 1977 the crime rate went up 1.7 percent. Is that a significant increase?

I am wondering if there has been an increase of the crime rate in February 1977, compared with the same month of the previous year. Is that statistically very significant, that 1.7 increase?

Chief JEFFERSON. We were a little concerned because we had been so successful in reducing the crime each month over the previous year. When we saw that increase coming, we felt that perhaps the trend was changing, that we were going to have some significant increases in the crime picture.

Fortunately, through the work of the men and women in our Department, the programs that we have implemented, plus the community support, we have been able to get back on the track and, as I said earlier, we are happy to announce that we have once again started the crime trend going downward again.

USE OF OVERTIME IN REMODELING OFFICES

Senator LEAHY. I noticed another thing recently in a newspaper article that said higher ranking police officials have authorized thousands of dollars in overtime pay to have their offices and working areas repainted, paneled with wood, scrubbed cleaned by police officers and other Department employees.

My understanding is that overtime pay is intended to pay for police protection on holidays and on special events.

Is there any justification for using overtime pay for remodeling offices?

Chief JEFFERSON. Mr. Chairman, we have found over the years—I have been a member of this Department for almost 30 years—that in trying to maintain the facilities in such a state that we have adequate working conditions for the men, and in order to protect the thousands and thousands of dollars that the citizens have invested in these facilities, and that because of the tremendous workload that is imposed on the Department of General Services, that sometimes in order for us to get our facilities repaired we have to wait as long as a year to a year and a half.

We have, over the years, gone into a program where we allow some of our police officers to do some of this work. Some of it has been done on their own time. They volunteered to do it.

Some of the men have been compensated through compensatory time. Some of it has been given back in the form of monetary consideration. But we have found it has been cost effective to do it that way.

Senator LEAHY. How many hours were authorized for this kind of overtime pay or as compensatory time? Do you have any idea?

Chief JEFFERSON. We don't have those figures available, but it was not that many hours that was authorized.

OVERTIME AMOUNT SPENT FOR REMODELING OFFICES

Senator LEAHY. For example, you have requested $1.9 million for overtime pay and $668,000 for holiday pay in fiscal year 1979.

For this kind of work, how much of that in effect $2.5 million would be apt to be used for remodeling, maintenance, or things of that nature?

Chief JEFFERSON. Less than $2,000.

Senator LEAHY. It is really a minimal amount.

Chief JEFFERSON. A very minimal amount, sir.

NUMBER OF OFFICERS ON EXTENDED SICK LEAVE

Senator LEAHY. I also noticed in a newspaper article headlined, "Police get strict on sick leave and they fire four for malingering."

The case related to four young officers who had been on sick leave for more than 3 months and apparently were headed for disability retirement. The same story reported that an estimated 75 men in the Department had been on sick leave for more than 3 months.

What is the current situation? Are there still 75 men out on extended sick leave?

Chief JEFFERSON. No, sir. We have been able to reduce the number of men down to, I think it is at, 60 at the present time.

Senator LEAHY. If you had 60 men on extended sick leave, would they be all potential disability retirement cases?

Chief JEFFERSON. There is a possibility, yes, sir. We cannot say that they will or will not be because, in some instances, they will go before our Retirement Board and the Retirement Board will not grant them retirement.

DISMISSALS FOR MALINGERING

Senator LEAHY. This article said that you fired four for malingering. Are there other dismissal cases pending or anticipated for malingering or is that anything you would want to answer in open session?

Chief JEFFERSON. If you will recall, Mr. Chairman, I think during my previous appearance before you, I submitted a confidential document that dealt with the Special Investigative Unit that was handling these cases. I can assure you that that particular unit is still active and we still have cases investigated.

Senator LEAHY. Is the situation, as outlined in that document, still basically the situation today?

Chief JEFFERSON. That is correct.
Senator LEAHY. Thank you.

COMPARISON OF UNREPORTED CRIMES

Chief JEFFERSON. If I may continue, I would like to point out that until recently we could do no more than guess at the amount of unreported crime. However, under the auspices of the Law Enforcement Assistance Administration, the Bureau of the Census conducted victimization studies in a total of 26 large American cities.

Some information derived from reports on these surveys is shown on charts Nos. 6 and 7. Unfortunately, the 26 cities surveyed were not the same as the 26 shown on the previous chart but, since the 2 charts do have 18 cities in common, the data can be compared.

The information contained in these surveys was not obtained from police departments but was acquired through interviews with large numbers of people and a careful analysis of the results of these interviews.

As you can see, in terms of both the total crimes per 1,000 population and crimes of personal violence, only 1 city, Miami, Fla., showed a better record than the District of Columbia.

Only two cities had a greater percentage of crime reported to police than the District. These surveys thus confirm both the accuracy of this Department's reported figures and its effectiveness in reducing crime.

EQUATING CRIME WITH WORKLOAD

Many of the people who comment on our budget have a tendency to equate "crime" with "workload." If crime has been reduced, they say, workload has been reduced and manpower levels should be adjusted accordingly.

It is true that crime is an important element in the police workload, but is far from being the only one. Some of these other elements are almost impossible to measure, but there are others which can be quantified.

A quick look at a few of these gives a more accurate picture of the Department's workload. If workload statistics from fiscal year 1972 are compared with those from fiscal year 1977, we find that most of them have shown an increase.

In fiscal year 1972, we issued approximately 1,400,000 traffic violation citations, and that figure has remained fairly constant. In attempting to enforce those citations, the Department uses the so-called "Denver Boot" to immobilize vehicles which have accumulated multiple violation notices. In fiscal year 1972, 1,925 vehicles were immobilized by the use of this device. In fiscal year 1977 this number rose to 13,893, an increase of 600 percent.

In fiscal year 1972, the Department received 881,235 emergency telephone calls. By fiscal year 1977, the number had increased to 1,023,268, a 16-percent increase.

In fiscal year 1972, 561,000 scout car runs were dispatched through our Communications Division. In fiscal year 1977, this number increased to 610,131.

The number of transactions processed through the data banks of the Washington Area Law Enforcement System increased by 272

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percent from 1,560,000 in fiscal year 1972 to 5,800,000 in fiscal year 1977. I could go on for some time with similar examples, but it would serve no useful purpose.

RELATIONSHIP OF MANPOWER WITH AMOUNT OF CRIME

Mr. Chairman, I do not know of any neat little formula which can express a relationship between police manpower and amount of crime. I am convinced that no such formula exists, but even if it did, I think it would still be difficult to decide what level of crime is tolerable.

It would be equally difficult to discontinue or drastically curtail other police services to which the public has grown accustomed. Yet, continued manpower reductions in the face of a workload which, for the most part, is increasing must necessarily result in some decrease in service delivery, and may eventually cause an increase in the amount of crime.

I am certain that the conditions existing today will change. The nature of the situations which we will face in the future and the problems we will be called upon to solve will require the development of new methods and techniques.

In the sixties we went through an era of mass demonstrations, and we were forced to develop methods for controlling large groups of individuals. At the present time there seems to be a tendency toward bombings, kidnapings, hostage situations, and other acts of terrorism carried out by relatively small groups of individuals.

I do not know what the next development will be, but it is obvious that we must retain the resources and the flexibility to deal with whatever developments may occur. I take pride in what the Department has accomplished in the past.

I am confident that with the resources requested in this budget we will be able to prevent any increase in crime, and that we will be able to provide our citizens and visitors the protection and service they have a right to expect.

DISABILITY RETIREMENT OF ASSISTANT CHIEF O'BRYANT

Senator LEAHY. In January, Chief Cullinane retired on a 100-percent-disability retirement because of a bad knee. In February, Assistant Police Chief O'Bryant retired also on 100 percent disability.

After Chief Cullinane retired, it is my understanding that Mr. O'Bryant was under consideration for either the No. 1 or No. 2 spot on the police force. Is that correct?

Chief JEFFERSON. Yes, sir. He was one of the individuals being considered for the Chief's job.

Senator LEAHY. I wonder how it is that Mr. O'Bryant's health was considered good enough for him to be considered for promotion to high office in January and then in February high blood pressure was considered reason enough for a 100-percent tax-free-disability retirement.

Is there a coincidence there, or what? Did he get high blood pressure in late January?

Chief JEFFERSON. It is my understanding that he had been receiving medication over the past several years because of that condition.

Senator LEAHY. Why would he be healthy enough in January to be considered for either the first or second spot in the Department, and be out on a 100-percent disability in February?

Chief JEFFERSON. I am afraid I can't answer that, Mr. Chairman.

Senator LEAHY. You know, Chief, I can't think of any matter since I was drafted to be chairman of this subcommittee and there have been various issues the subcommittee has been involved in, that people stop me and speak to me about it, than this disability situation.

We had something to do with a convention center downtown, and a few other items that people had mentioned. I tell you right now there is not one single item that even begins to receive the number of questions that the disability issue brings in.

CHALLENGING RETIREMENT APPLICATIONS

I can't go anywhere without somebody mentioning it. I am sure the same thing has happened to Congressman Natcher, Senator Eagleton, and others. People talk to me about it here, in Vermont, in other States where I go. Are the police and fire clinic physicians, the Retirement Board, sufficiently challenging the applicants who apply for disability retirement?

Chief JEFFERSON. Yes, sir. I think they are.

Senator LEAHY. We must have some awfully unhealthy people.

Chief JEFFERSON. I think that you will find because of the way the law is written that there are a number of instances where the Retirement Board has been challenged in certain decisions that it has made and that these decisions have been overturned. The courts really construe the Retirement Act very liberally.

As a matter of fact, the legislation was intended to be very liberal and when we have been challenged by some of the officers who have been refused disability retirement, they have taken the cases to court, and they have beaten us every time.

Senator LEAHY. I am concerned about the legality of it, but as we mentioned, in January healthy, and a 100-percent disability in February looks strong. Something has gone awry. Either we are not looking for somebody to be in physically good enough shape for Chief or else we are being a little bit lax on disability.

PHYSICAL CONDITION OF CURRENT POLICE CHIEF

How is your health, Chief?

Chief JEFFERSON. I hope mine is in good shape, but Mr. Chairman, I think that you are well aware of the fact that the Retirement Board is not under the control of the Police Department.

Senator LEAHY. I understand.

Chief JEFFERSON. And how it is composed.

Senator LEAHY. Unfortunately, the amount of money that has got to be spent in this whole retirement area does come through the city. That really concerns us because at some point, it obviously starts taking money away or will be taking money away from other

areas, whether it is in the Police Department, Fire Department, or anything else.

PROJECTED NUMBER OF RETIREMENTS

For example, how many retirements do you expect this year? How many of those would be 100-percent-disability retirements?

Chief JEFFERSON. We probably have a projection of roughly about 120 to 125.

PROJECTED NUMBER OF DISABILITY RETIREMENTS

Senator LEAHY. How many of those will be disability retirements?

Chief JEFFERSON. Looking at calendar year 1977, we had a total of 124 retirements, 64 or 52 percent were disability retirements and 60 or 48 percent were optional retirements.

REDUCTION IN DISABILITY RETIREMENTS

We are hoping that the disability figures will be lower this year.

Senator LEAHY. I think historically it has been up around 80 percent.

Chief JEFFERSON. Starting back in calendar year 1969 it was as high as 97 percent, but we have seen a gradual decrease and are hoping that some of the changes that we have instituted within the Department and hopefully some of the recommendations that the Retirement Board has made, that this will reflect an even lower amount of disability retirement.

Senator LEAHY. Because there are some who are wondering whether we have a case of the walking wounded. I know that is not so. Maybe they are pretty healthy police officers.

AMOUNT OF DISABILITY RETIREMENT PENSION PAYMENTS

This year the Department is requesting authority to pay about $46 million in pension and beneficiary benefits in fiscal year 1979 alone. Out of that $46 million what portion of it is attributable to payment to retirees on disability pensions?

Chief JEFFERSON. $38 million.

Senator LEAHY. Pretty substantial part of it. The class of employment summary shows decreases in all categories, except for benefits for former personnel, and that shows an increase of $1.5 million.

INCREASE IN PENSION PAYMENTS

Why that large increase in pension payments? Is it because of disability?

Chief JEFFERSON. No, sir. As the pay raises that the police officers receive, the retirees also benefit by those increases.

AGGRAVATION OF OFF-DUTY INJURIES

Senator LEAHY. If you have an off-duty injury, does that justify for disability retirement?

Chief JEFFERSON. It can in some instances, if the officer returns back to full duty and somehow claims that his off-duty injury is

aggravated by his police performance. That is one of the areas that is being seriously considered in the pieces of legislation that are now before the House and the Senate. That is the aggravation clause.

Senator LEAHY. How many officers retire on that?

Chief JEFFERSON. I don't have any figures on the number of officers that retire on that. But we have quite a few officers that have retired because of aggravation of off-duty injuries through police performance.

TAXPAYERS REVOLT AGAINST DISABILITY RETIREMENT

Senator LEAHY. As I stated before, you understand my own high regards for the Police Department and what it has accomplished. But I think, and I am sure you are well aware, you are in the city every day and different parts of the city. You are aware of the fact that there is, as part of the taxpayers' revolt, a reaction against this whole disability question.

I am sure if it continues, it could have an adverse effect on the members of the City Council, and others, to the extent that the way would be to start cutting back on requests of both the Fire and Police Departments, which I think would be very shortsighted in the long run.

I think the concern the taxpayers have which are extremely legitimate, and I realize that is getting into a matter out of your control.

I mention it here and I mention it because I know that Mr. Natcher, Senator Eagleton, and others, are looking for ways to tighten up on this. I think it is long overdue.

Chief JEFFERSON. Yes, sir. I am very much aware of it because the newspapers did a series of articles on our disability retirements and quite a bit of the criticism was directed to my office. I don't think there are too many people who are aware of the fact that the Police Department does not control the actions of the Retirement Board.

I think some of that criticism directed toward my office was not justified because of that fact.

PURCHASE OF COMPACTS OF VANS

Senator LEAHY. The Department told us that 60 compacts were ordered for police operation in the 1978 hearings. Were they received and are they suitable for your police operations?

Chief JEFFERSON. We will be receiving the new cars in about 10 days, Mr. Chairman. We will utilize the remaining months of this year to evaluate them. We have not received any of the new cars yet.

SUBMITTED QUESTIONS

Senator LEAHY. Chief, I have got some other questions, but I am going to submit them for the record, if I could. I would appreciate it if you could get the answers back at your earliest convenience.

Chief JEFFERSON. Yes, sir, we would be happy to, Mr. Chairman.

[The following questions were not asked at the hearing but were submitted to the Department for response subsequent to the hearing:]

QUESTIONS SUBMITTED BY SENATOR LEAHY

METROPOLITAN POLICE DEPARTMENT
A. USE OF POLICEMEN FOR OVERTIME REPAIR WORK

QUESTION:
1. Who authorized the overtime work that we read about?

ANSWER:
1. All overtime worked in the Metropolitan Police Department, other than court overtime, is authorized by the Office of Finance and Management.

QUESTION:
2. How many hours were authorized and how much money was involved?

ANSWER:
2. Approximately four (4) ten-hour days were utilized in painting the Office of Finance and Management. If this work had been accomplished during regular duty hours, the normal operations of four sections of the office would have been disrupted, each for a ten-hour period. The total cost of such disruption in terms of lost man-hours of work is calculated at $3,249.24. In addition to this lost time, the cost at the Department of General Services rate of $14.17 per hour would have been $1,572.87. Thus, the total cost to the Department would have been $4,822.11. The task was accomplished without disturbing normal operations through the authorization of a total of 121.5 hours of overtime at a total cost of $1,711.62 -- less than one-half the cost if the office had been painted during regular hours by the Department of General Services. Further, D.G.S. paints only during regular duty hours at the rate of $14.17 per hour. If the work had been scheduled for non-duty hours in order to avoid the interruption of office functions, the rate would have been $21.25 for an estimated total cost of $2,358.75, an increase of $647.13 over the cost of the overtime expended.

QUESTION:
3. Why didn't the Department of General Services do the work?

ANSWER:
3. Recent renovations to the lighting, heating, and air-conditioning systems of the building had left nearly all of the offices in the building in a deplorable state. Even under normal conditions, D.G.S. has such a large backlog of painting jobs that it is difficult to get such work done in a timely manner.

QUESTION:
4. How many other maintenance projects are performed by police officers? Doesn't this take police officers away from their normal police duties?

ANSWER:
4. Maintenance and repair schedules are developed primarily for facilities in use eight hours a day and five days a week. Such schedules are not adequate to prevent deterioration of facilities under intensive use twenty-four hours a day and seven days a week, which is the case with most police facilities. It has therefore been a traditional practice for police to perform minor upkeep chores

Question No. 4 - continued

on their own facilities to augment the regularly scheduled maintenance activities. This practice does take police officers away from their normal duties, but it is always carefully scheduled to take place during periods of minimal workload. It has never been permitted to interfere with the Department's primary mission -- to control crime.

Police facilities in the District of Columbia represent an investment in excess of $20 million of taxpayer's money. The protection of this investment from deterioration due to inadequate maintenance is one of the responsibilities which the Department cannot neglect.

B. RETIREMENT PROCEDURES AND OFF-DUTY INJURIES

QUESTION:
1. What are the procedures to report injuries sustained on and off duty by the Department's uniformed personnel?

ANSWER:
1. The procedures for reporting illnesses and injuries sustained both on and off duty are stipulated in detail in the Department's General Order 1001.1. Briefly summarized, the order provides that all injuries whether sustained on or off duty shall be reported to the member's commanding officer and shall then submit PD Form 42, completed in detail, giving the names and addresses of all witnesses, if any, within twenty-four hours of the time the injury occurred. He is further required, if physically able, to report to the Police and Fire Clinic on the same day on which he reports himself injured. If unable to report to the clinic and in need of medical care at home, he is required to call the clinic doctor assigned to his medical, surgical, or psychiatric division and comply with that doctor's instructions.

QUESTION:
2. Can injuries sustained while an officer is off duty justify disability?

ANSWER:
2. D. C. Code 4-526 provides that an officer who has completed five years of service and has become disabled due to injury received or disease contracted other than in the performance of duty, --- shall be retired on an annuity computed at the rate of 2 per centum of his basic salary for each year or portion thereof of his service. This section of the code also establishes maximum and minimum annuities at 70% and 40% of his basic salary respectively.

D. C. Code 4-527 provides that whenever an illness or injury contracted or sustained off duty is aggravated by the performance of duty to the point where he is disabled for the performance of duty he shall upon retirement for such disability receive an annuity computed at the rate of 2 per centum of his basic salary at the time of retirement for each year or portion thereof of his service. This section of the code also establishes maximum and minimum annuities of 70% and 66-2/3% of his basic salary respectively.

QUESTION:
3. How many officers retired on disability because of injuries sustained while off duty?

ANSWER:
3. During the period from Calendar Year 1973 through Calendar Year 1977 the number of officers who retired on disability because of off-duty injuries was:

Year	Retired Because of Aggravation of Off-Duty Injury	Retired Because of Disabling Off-Duty Injury	Total
1973	41	-	41
1974	17	1	18
1975	21	10	31
1976	14	14	28
1977	17	6	23
Total	110	31	141

QUESTION:
4. How does this compare with the surrounding metropolitan area forces?

ANSWER:
4. Comparable information on surrounding area forces is not available to the Department.

C. MANPOWER LEVELS FOR THE DEPARTMENT

QUESTION:
1. The city has proposed to maintain the police manpower level projected for the end of FY 1978. The requested manpower level still gives the city higher per capita police protection than any other city. Is the Police Department satisfied with this manning level?

ANSWER:
1. As a result of operating under a continuing resolution for the first eight months of Fiscal Year 1978, we are now projecting an end-of-year strength of 4,141 uniformed personnel. The FY 1978 budget as passed by the Congress contains funding for this level of manpower. An amendment to the FY 1979 budget has already been submitted to provide funding for the additional manpower which these conditions will project into the FY 1979 budget. It is the Department's position that the 4,141 man level is adequate for the city under current conditions. However, the budget, as submitted, would attrit this strength to 3,977 uniformed positions by the end of the fiscal year, replacing each uniformed position lost by an additional civilian position.

QUESTION:
2a. The Metropolitan Police Department is requesting an average of 3,970 uniformed personnel in fiscal year 1979. How did MPD determine that 3,970 uniformed personnel were needed to provide police services to the community?

Question No. 2a - continued

ANSWER:
2a. As explained in the answer to the previous question, the net result of the budget and amendment as submitted would be a strength of 4,141 at the beginning of the year, and 3,977 at the end of the year. The average uniformed strength, therefore, would be 4,059 rather than 3,970. Basically, this figure was arrived at by monitoring crime trends and other workload factors as the reductions in the size of the force took place. The downward trend of crime continued until January 1977. At that point there was a slight increase in crime followed by a period of leveling off. Under these conditions it was felt that further reductions would entail the risk of an escalation in the crime rate. Consequently, it was recommended that no further reductions in the size of the force should take place until evidence was available to indicate that control over the amount of crime had not been lost. It should be noted that all other readily measurable elements of the police workload have either remained constant or shown an increase.

QUESTION:
2b. Has the Department implemented quantitative procedures to determine staff levels as recommended by Arthur Anderson? If not, why? If so, please provide the Subcommittee with documentation to support the need for 3,970 uniformed personnel in fiscal year 1979.

ANSWER:
2b. The Arthur Andersen Report stated "We recommend that the Police Department explore the feasibility of implementing an ongoing program of planning and evaluating unit's functions and staffing based on a desired service level, the estimated units of service to be provided, and the estimated manpower which each unit of service requires. The Department will probably need additional resources and expertise to accomplish this project." Since the resources and expertise required for this project are not available within the Department, inquiries were made regarding the possible availability of grant funds for a research project of this nature. Thus far, the indications are that no funds will be available in the immediate future for this purpose. No other sources for the necessary manpower and expertise have been located. There is no assurance that such a system could be developed. The Arthur Andersen report recognized this fact when it suggested that the Department "explore the feasibility" of developing such a system.

QUESTION:
3. How many positions will become vacant through retirement and / or other separation in fiscal year 1979? What are the duties of the personnel in such positions? How many of these positions could be filled with civilians and what savings could be expected?

ANSWER:
3. It is estimated that 164 uniformed men will leave the force through retirement, resignation, or other causes during fiscal year 1979. While it is possible to predict the amount of attrition to be expected, it is not possible to predict which specific positions will be vacated. It will be possible, by transferring officers from

Question No. 3 - continued

positions which do not require police authority or expertise to positions vacated in other areas, to replace each officer who leaves by a civilian. The savings associated with the civilianization of 164 uniformed positions has been calculated at $590,800 which has been removed from the FY-79 budget.

QUESTION:
4. The Field Operations Division (Vol. III.P.22) has requested an increase of $446,100 "to allow average uniform employment to remain at the FY 1978 level" (Vol.III,P.32). As cost of living increases are budgeted centrally, why is an increase of $446,100 needed to maintain a constant level of employment?

ANSWER:
4. The increase is required to pay for within-grade increases, and increases in longevity pay.

D. DECREASE IN TRAINING ACTIVITIES

QUESTION:
1a. Several of the "program measures" in the justification material (Vol.III,P.8&9) show a decrease in the level of training provided to D. C. police officials. The number of Department officials estimated to be trained in FY 1979 represents a 40% decrease from the number estimated to be trained in FY 1978. What is the explanation for this decrease in training?

ANSWER:
1a. The item refers to the training of newly promoted sergeants and lieutenants. Since the force is decreasing in size and the total attrition is also decreasing, the number of promotions will be smaller than it has been in past years.

QUESTION:
1b. Is this an economy measure or does the Department believe that less training is actually required in FY 1979?

ANSWER:
1b. The decreased requirement is based upon an anticipated decrease in the number of promotions to sergeant and lieutenant.

E. HELICOPTERS USED BY DEPARTMENT

QUESTION:
1a. The justification material (Vol. III,P.7) shows that the estimated number of calls for helicopter assistance in FY 1979 will increase to 26,000 from the estimated level of 24,000 in FY 1978. How many helicopters does the city police Department have?

ANSWER:
1a. The Department has a total of four helicopters.

QUESTION:
1b. How are the helicopters used?

Question No. 1b - continued

ANSWER:
1b. The helicopters are used in a variety of ways. In FY 1977 for example, they were dispatched in response to a total of 4,569 reported incidents where it was felt they could be of assistance; they assisted the Harbor Branch by performing 3,054 waterway checks; they were utilized in 1,550 traffic incidents, missing person cases, and other non-criminal activities; they conducted 1,443 searches of inaccessible areas (rooftops, confined areas, woods, etc.); and they were used to provide illumination in 2,683 incidents. This is only a partial list of helicopter utilization.

QUESTION:
1c. Why is the level of use increasing?

ANSWER:
1c. There has been a steadily increasing recognition by the patrol forces of the value of helicopter assistance, and a steady improvement in the effectiveness of helicopter utilization.

F. PROBLEMS WITH OUTDOOR FIRING RANGE

QUESTION:
1. Last year, the Subcommittee was told that the outdoor firing range at the Training Academy was unsafe and $275,000 was needed to make the range safe and operable.

What is the status of the range?

ANSWER:
1. A contract was awarded on April 24, 1978, for the required improvements on one-half of the range. The amount of the contract is $102,275, with completion scheduled within 90 days. When the contract is completed, the range will be evaluated in use, and if no problems are encountered, a similar contract will be negotiated for the remaining portion of the range.

G. PROBLEMS WITH INDOOR FIRING RANGE

QUESTION:
1a. Also, the indoor range at the Training Academy was not in full operation because of ventilation problems.

Have the proper fans been installed?

ANSWER:
1a. Yes, all fans are installed and are in operation.

QUESTION:
1b. Is the range currently in full operation?

ANSWER:
1b. Yes.

QUESTION:
2. What type of firearms training is being conducted at the range?

Question No. 2 - continued

Are the officers using the range for the required semi-annual qualifications?

ANSWER:
2. The range is currently in use for basic firearms training for recruits as well as for semi-annual qualification by all members of the force. These activities constitute full-time utilization of the facility.

H. EXCESSIVE INVENTORY OF RUBBER BOOTS

QUESTION:
1a. During the fiscal year 1978 hearings, the Subcommittee was told that MPD had 1,296 firearms and 1,166 pairs of rubber boots in its inventory but that efforts were being made to reduce these inventories. How many firearms and boots are now in the inventory?

ANSWER:
1a. The surplus of handguns has been reduced to 966, and of boots to 325 pairs.

QUESTION:
1b. If inventory was reduced, how were weapons and boots disposed of?

ANSWER:
1b. A relatively small number of each was surveyed or issued as replacement for surveyed items. The majority of the equipment was turned over to the surplus property disposal officer in the Department of General Services.

QUESTION:
1c. If sold, does the budget reflect this revenue?

ANSWER:
1c. Proceeds from the sale of surplus property are returned to the General Fund and consequently would not be reflected in the Department's budget.

I. CAPITAL REQUEST - POLICE

QUESTION:
1. The Police Department has also requested $3,717,200 for a 36,500 square foot addition to the First District Station at 415 4th Street. How many square feet are in the current facility?

ANSWER:
1. The present facility contains 11,675 square feet.

QUESTION:
2. The justification material (Vol. III,P.54) indicated that the addition would permit the city to "receive maximum benefits from centralized operations." How can the expansion of a district facility be argued to present greater centralization?

Question No. 2 - continued

ANSWER:
2. Because of the inadequate size of the existing facility, the manpower of the First District is currently housed in two widely separated facilities, the First District Stationhouse at 415 4th Street, S.W., and the Substation at 5th and E Streets, S.E. The addition will consolidate the entire First District force in one facility, eliminating the necessity for duplicating station personnel in two locations, and in general providing far more effective and efficient operations.

Fire Department

STATEMENT OF JEFFERSON LEWIS, CHIEF

DISABILITY RETIREMENT OF FIREMEN

Senator Leahy. Chief Lewis, if you could join us up here, with whoever you like from your Department. Chief Lewis, so that Chief Jefferson won't feel like the Lone Ranger in discussions of retirement matters here, why don't I bring up the point with you? I am sure you noticed comments by Senator Eagleton, who has looked at this a lot longer than I have. He has worked on the District of Columbia Committee. He called the disability retirement program as "by far and away the premier rip-off pension system in the United States, second to none."

I would call that an unequivocal statement and one that leaves little doubt about how he feels. The Chief of Police, the last Chief of Police, retired on 100-percent disability in January. The Chief of the Fire Department, your predecessor, retired in February on 100-percent disability with a bad back. In fact, every Fire Chief since World War II has retired on disability.

Chief, I am a little bit concerned. I wonder how your health is?

Chief Lewis. Very good. I hope.

Senator Leahy. You look fine to me. You don't have a bad knee or bad back or anything like that you are aware of?

Chief Lewis. We deteriorate with age.

CHALLENGING DISABILITY RETIREMENT APPLICANTS

Senator Leahy. That is happening to all of us. Let me tell you. Do you think the police, fire clinic physicians and the Retirement Board sufficiently challenge the applicants for disability retirements?

Chief Lewis. I think under the existing law they put forth every effort to challenge these retirements.

PROJECTED NUMBER OF RETIREMENTS

Senator Leahy. Let me ask you this: How many retirements are you expecting this year and how many of those are going to be disability retirements?

Chief Lewis. We anticipate about 40.

PROJECTED NUMBER OF DISABILITY RETIREMENTS

Senator Leahy. How many of those are going to be disability? All of them?

Chief Lewis. About one-half.

Senator Leahy. Of those who are disability, how many would be 100-percent disability, all of them?

Chief LEWIS. The law, if you retire on disability, is automatically 66⅔ percent.

Senator LEAHY. Would you bring the mike a little bit closer? I am having a little bit of trouble hearing you, Chief. I think maybe some of the others might also.

CONCERNS ABOUT DISABILITY RETIREMENTS

I understand that the law on disability retirement is not set up by you and it is not set up by Chief Jefferson. I don't mean to suggest otherwise, but again, as I told the Police Chief, it is a matter of great concern to the taxpayers here and throughout the country. I mentioned that because I think this committee is at least as supportive of your two Departments as any committees you will find, but we are also aware of the concern being expressed throughout.

I think if the retirement system is not controlled, it is going to hurt both your Departments. It is going to hurt the budget request and I have certainly heard rumblings in City Hall that the Departments might get hurt there. If we look at the number of dollars being spent in the retirement and pension funds, people are aware of the fact that at some point we are going to be looking at the overall picture: How much for the Fire Department, including retirement, and how much for the Police Department, including retirement. As the retirement dollars go up, the other things are going to go down.

I know this committee will work very much with Senator Eagleton and Congressman Natcher's committee to try to find some way out of the morass because I just quite frankly can't believe that we have such a high percentage of 100-percent disabled personnel in those two Departments.

If we do, then we are in pretty bad shape, no pun intended.

EMERGENCY AMBULANCE USER FEE

Last year, the Department told this committee that from 40 to 60 percent of ambulance calls answered by the service did not meet the criteria established by the service. We were told that users' fees were being considered for the ambulance service to help reduce the number of nonessential calls.

The material which you gave us estimates the number of ambulance responses at 79,000 in fiscal year 1977, the same level estimated for fiscal year 1978. We put the ambulance user charge in in fiscal year 1978 to discourage abusive use of the ambulance service. After putting that user charge in, did the number of routine transports decrease with fiscal year 1977 and fiscal year 1978?

Chief LEWIS. Mr. Chairman, we put it into effect partially in January and we really haven't had enough experience.

Senator LEAHY. As you get material and have a chance to get some idea whether it is working, could that be sent up here to the committee?

Chief LEWIS. We will be glad to.

INCREASED NUMBER OF AMBULANCES

Senator LEAHY. Incidentally, we are also told that the average response time last year for ambulances was 8 to 9 minutes. Now, we have 12 full-time ambulances in service. Do you know offhand what the response time is now?

Chief LEWIS. Mr. Chairman, the extra two ambulances that you refer to, to make it two more, would be in the 1978 budget. We haven't put them in service yet.

RESPONSIBILITY FOR BILLING FOR AMBULANCE USER FEES

Senator LEAHY. Incidentally, with the ambulance user charges, who is going to bill for the services for moneys due?

Chief LEWIS. The Fire Department.

REVENUES EXPECTED FROM AMBULANCE USER FEES

Senator LEAHY. Any idea how much money is expected to be received from the emergency ambulance service?

Chief LEWIS. We estimate about $300,000.

DECISION TO ANSWER AMBULANCE CALLS

Senator LEAHY. When you get ambulance calls, most of them are answered, but some aren't. For example, you estimate fiscal year 1979 to have 81,000 ambulance calls and 79,000 having ambulance response. Who decides whether a call would be answered? Do you answer them all if you have ambulances available? What is the determination?

Chief LEWIS. The dispatcher, based on the information available during the call, has to make that decision. In the vast majority of cases we will respond if there is an ambulance available.

IMPACT OF NEW HEIGHT LIMITATION ON EQUIPMENT NEEDS

Senator LEAHY. There is a legislative proposal in the House committee to increase the maximum height limitation of the buildings in the city to 160 feet. Do you have equipment that can reach 160 feet?

Chief LEWIS. No, Mr. Chairman. We have equipment to reach the eighth story.

Senator LEAHY. Would you need new equipment if they start increasing maximum height limit of buildings?

Chief LEWIS. We don't anticipate any new equipment. We anticipate taking care of that in the code for construction of the building.

Senator LEAHY. Your techniques would probably change?

Chief LEWIS. Yes, sir.

LEGISLATIVE REQUIREMENT OF SMOKE DETECTORS

Senator LEAHY. What about the legislative proposal to require smoke detectors in all dwellings? Do you have any feelings about that? How is that going to work out?

Chief LEWIS. I anticipate that the installation of the smoke detector will save a number of lives.

[Discussion off the record.]

Senator LEAHY. We can go back on the record. Will the code in the District require a fallback battery system or anything?

Chief LEWIS. In existing dwellings, the code permits battery-operated smoke detectors. In new or substantially rehabilitated dwellings, including hotels and property owned by the District, they are required to be hooked up to electrical systems, yes.

Senator LEAHY. What if the electrical system fails? Do they have any kind of a fallback or does the electrical system never fail?

Chief LEWIS. It fails. Under the Smoke Detector Act, no backup is required.

Senator LEAHY. I think the idea of having the smoke detectors in the building code is a very good one. I don't think I would ever want a home without a smoke detector in it. I hope we are not getting ourselves in the bind of putting the smoke detectors at the time when they are most apt to be necessary, that is when the fire also takes the wiring out, that they are not going to work. But I am sure you and the others would be addressing yourselves to that. I don't mean to get off the side.

NUMBER OF FIRES AND PROPERTY LOSS

The justification material said that there are between 9,000 and 10,000 fires each year and annual property loss of approximately $9.6 million.

The average amount of loss from a fire really doesn't appear to be very much and that is good, of course. We have, say, 10,000 fires and a $9 million loss. Does that mean we have an awful lot of small fires each year? Does it show you are pretty effective in putting those fires out?

Chief LEWIS. I like the latter, Senator. We have been very effective in putting them out. It, however, does reflect a lot of small fires.

NUMBER OF FIRE DEATHS

Senator LEAHY. What about deaths in fires in the District? How many do we have a year?

Chief LEWIS. This year we have—it averages about 32 a year, but this fiscal year to date we have 41.

Senator LEAHY. So it is going up. Are those mostly smoke inhalation?

Chief LEWIS. Most of them, yes, sir. It fluctuates. Some years it goes up, other years it is down.

Senator LEAHY. I have a number of other questions for you, but they are mostly technical on equipment and what not. I would like to put them into the record because I see by the clock we have gone far over time. If it is OK with you, I would appreciate just putting them in the record and getting your response back on them.

Chief LEWIS. We would be glad to, Mr. Chairman.

STATEMENT OF FIRE CHIEF

Senator LEAHY. Of course your own statement will be put in the record.

[The statement follows:]

PREPARED STATEMENT OF JEFFERSON W. LEWIS, CHIEF
D. C. FIRE DEPARTMENT

MR. CHAIRMAN, I HAVE IN MY POLICY STATEMENT OUTLINED THE STEPS THE FIRE DEPARTMENT HAS TAKEN TO MAINTAIN EFFECTIVE AND EFFICIENT FIRE AND AMBULANCE PROTECTION WITHIN THE FINANCIAL LIMITATIONS OF THE CITY. THESE POLICIES ARE DIRECTED TOWARD THE IMMEDIATE PROBLEMS OF FISCAL 1979, AND THE ESTABLISHMENT OF A FIRM BASIS FOR FUTURE YEARS.

I, AS A FORMER ASSISTANT FIRE CHIEF AND NOW THE FIRE CHIEF, HAVE BEEN INVOLVED IN THE DEVELOPMENT OF THESE POLICIES AND ENDORSE THEM.

I LOOK TO A RESURGENCE IN THE CITY AND I THINK WE ARE ENTERING A PERIOD OF GROWTH RATHER THAN CONTINUING THE CONTRACTION THAT HAS BEEN OUR RECENT EXPERIENCE. THEREFORE, THIS BUDGET RE-ESTABLISHES ONE OF THE RESCUE SQUADS THAT WAS ABOLISHED IN 1976, AND I LOOK FORWARD TO RETURNING ANOTHER UNIT WHEN CITY REVENUES PERMIT.

THE FIRE DEPARTMENT'S MISSION IS TO ENSURE THE SAFETY OF D.C. CITIZENS AND VISITORS BY PROVIDING THE MAXIMUM PROTECTION OF LIFE AND PROPERTY IN THE COMMUNITY THROUGH THE PREVENTION OF FIRES BEFORE THEY OCCUR AND THROUGH THE EXPEDITIOUS EXTINGUISHING OF FIRES AFTER THEY OCCUR. IN ADDITION, THE FIRE DEPARTMENT IS RESPONSIBLE FOR PROVIDING AN EMERGENCY AMBULANCE SERVICE.

THE DEPARTMENT PRESENTLY IS OPERATING WITH A FIRE SUPPRESSION FORCE CONSISTING OF 32 ENGINE COMPANIES, 17 TRUCK COMPANIES, 1 RESCUE SQUAD, AND 1 FIREBOAT. THIS 51 COMPANY LEVEL IS 2 LESS THAN OUR 1975 AUTHORIZED FORCE. THE FY-79 BUDGET CONTAINS AUTHORIZATION TO RESTORE 1 OF THESE COMPANIES.

THE FIRE PREVENTION PROGRAM, UNDER THE DIRECTION OF THE FIRE MARSHAL, HAS BEEN SUCCESSFUL IN INTRODUCING LEGISLATION THAT WILL ENABLE US TO BETTER PROTECT THE COMMUNITY FROM THE DANGERS OF FIRE.

A SMOKE DETECTOR ACT, WHICH WILL REQUIRE THE INSTALLATION OF SMOKE DETECTORS IN ALL DWELLINGS THROUGHOUT THE CITY, IS NOW BEFORE THE CONGRESS FOR THE REQUIRED 30-DAY REVIEW.

AN ACT, AUTHORIZING THE FIRE CHIEF TO CLOSE PLACES OF PUBLIC ASSEMBLY, WHEN THERE IS A LIFE THREATENING FACTOR DUE TO FIRE SAFETY, IS NOW BEFORE THE MAYOR.

AN ACT, AUTHORIZING THE FIRE CHIEF TO ESTABLISH FIRE LANES, WHICH WILL ENSURE ACCESS BY FIRE APPARATUS ON PRIVATE PROPERTY, IS BEFORE THE CITY COUNCIL.

THE DEPARTMENT HAS ALSO RECEIVED AUTHORIZATION TO ISSUE CITATIONS, REQUIRING COMPLIANCE OR POSTING OF COLLATERIAL, WHEN VIOLATIONS OF THE FIRE CODE ARE OBSERVED AND NOT CORRECTED.

WITH THESE NEW TOOLS, I BELIEVE THAT WE WILL BE PROVIDING A MUCH SAFER ENVIRONMENT FROM A FIRE SAFETY POINT OF VIEW, AND I ANTICIPATE THAT A NUMBER OF LIVES WILL BE SAVED THAT WOULD OTHERWISE BE LOST WITHOUT THESE NEW LAWS.

THE EMERGENCY AMBULANCE SERVICE OF THE FIRE DEPARTMENT IS CURRENTLY OPERATING WITH TEN AMBULANCES. TWO OF THESE AMBULANCES ARE PARA-MEDIC UNITS AND CONTAIN MEDICAL EQUIPMENT SUCH AS DEFIBRILLATORS, SPECIAL DRUG KITS, AND INTRAVENOUS SOLUTIONS. RADIO EQUIPMENT IS OPERATIONAL WHICH LINKS THE AMBULANCES TO HOSPITAL EMERGENCY ROOMS. USING THESE RADIOS, AMBULANCE TECHNICIANS CAN RELAY ELECTROCARDIOGRAM RESULTS TO THE HOSPITALS AND RECEIVE MEDICAL INSTRUCTIONS FROM THE DOCTORS.

Concurrent with these advances in the quality and sophistication of emergency care provided by the Emergency Ambulance Service, there has been a tremendous increase in workload (over 60% in the past 9 years). It is currently at a level of 76,000 responses per year and is anticipated to be 79,000 in FY-79. Two more ambulances have been authorized in FY-78 and they will be placed in service in July 1978. This will decrease the workload some but still will require over 6,500 ambulance responses per ambulance per year. In subsequent budget submissions we will have to seek additional ambulances if this workload continues.

The Fire Department's FY-79 Budget request is for $52,032,200 and 1,566 positions, highlighted as follows:

POSITION REDIRECTION

Seven positions have been redirected to staff various administrative programs that have been placed on the Department and codify details that have existed for many years. One Battalion Chief to direct the Ambulance Service and three positions to serve at the Clinic. Three other positions will fulfill increased management requirement in the areas of casualty investigations, disciplinary actions, planning and capital construction.

OTHER OBJECTS

A request is being made to redirect $256,000 from apparatus and equipment to other objects. A program of purchasing hose that does not require drying has reduced the inventory that was formerly required. This program has resulted in savings of $16,000 per year which we are requesting to redirect. Assuming approval of capital funding for fire fighting vehicles, it is requested that the $240,000 that was provided in the operating budget for vehicles also be redirected.

Of the $256,000 redirected within other objects, $119,690 is for inflationary cost increases, $56,000 is for the purchase of two ambulance vehicles, that were authorized but not funded in FY-78, $30,000 is to provide for maintenance of the Computer Aided Dispatch System, and $50,310 has been reprogrammed for maintenance of firehouses which have suffered extensive damage due to the limited funding of the last several years.

PENSION PAYMENTS

Based on our analysis, additional funding of $225,700 is requested to meet the mandatory pensioner and beneficiary cost in FY-79.

CAPITAL OUTLAY

The Department is continuing its annual Apparatus Replacement Program in the Capital Budget, cost $530,000. This amount will replace 5 pumpers and 1 aerial truck.

CONCLUSION

In these remarks I have briefly outlined the program development detailed in the FY-79 Budget.

My attitude as the new Fire Chief is that I look to a new period of growth in the City and our FY-79 Plan is designed to lay a firm foundation to meet the needs of that period while at the same time, meeting the needs of 1979.

I will be happy to answer any questions.

COMMENDATION OF FIRE DEPARTMENT

Senator LEAHY. I want, as I did with the Police Chief, to compliment you and your Department on the fine job you have done. I specifically wanted to mention the very small amount of property loss for the number of fires involved. I think that that is, in many instances, a reflection of the kind of work your Department does.

Chief LEWIS. Thank you, Mr. Chairman. I know your interest. The Department is still in the No. 1 position.

Senator LEAHY. We will make sure we keep you in a good No. 1 position.

Chief LEWIS. Thank you, sir.

SUBMITTED QUESTIONS

Senator LEAHY. Chief Lewis, I have some additional questions which I would like to have answered for the record. Also, if you want to go into more detail on the questions that you were asked this morning, please feel free to do so.

Chief LEWIS. Mr. Chairman, I will be glad to provide the answers for the record. I appreciate the opportunity to expand on the questions asked this morning.

[The following questions were not asked at the hearing but were submitted to the Department for response subsequent to the hearing:]

QUESTIONS SUBMITTED BY SENATOR LEAHY

DISTRICT OF COLUMBIA FIRE DEPARTMENT
A. DISABILITY RETIREMENT OF FIREMEN

QUESTION:
1. Chief, do you feel that the Police and Fire Clinic physician and the Retirement Board sufficiently challenge the applicants for disability retirement?

ANSWER:
1. I feel the doctors and members of the board challenge disability retirements as much as they can under the present law and court decisions.

QUESTION:
2. How many retirements do you expect this year? How many of these will be 100% disability retirements?

ANSWER:
2. We anticipate between 55 and 65 retirements this year and based on the experience of 51 who had already retired by June 1st, about 50% of all the retirements will be because of disability.

Under present law, a person is either disabled or they are not. There is no degree of disability. A member retired because of disability may draw a maximum of 70% of their average salary during the last 12 months of service.

B. EMERGENCY AMBULANCE SERVICE

1. Based on data provided, each ambulance would respond to an average of 18 calls over a 24-hour period or about 1-3 calls per hour. Obviously, the calls do not come in a pattern that would provide for this specific breakdown.

QUESTION:
1a. Would you tell us what the breakdown is, by shift, of calls responded to?

ANSWER:
1a. A sampling from an average month where there were 7,173 calls resulting in 6,448 dispatches shows the following breakdown by shifts:

Shift	No. of Dispatches	Percent
12 midnight to 8:AM	1,291	20%
8:AM to 4:PM	2,459	38%
4:PM to 12 midnight	2,698	42%
	6,448	100%

QUESTION:
1b. How long, on the average, is an ambulance tied up on a call?

ANSWER:
1b. An ambulance is tied up on a call an average of 31.6 minutes.

Question No. 1 - continued

QUESTION:
1c. Where are the ambulances headquartered? Is there a logical geographical disbursement?

ANSWER:
1c. Ambulances are located; (1) to cover all sections of the City in a minimum amount of time; and, (2) in areas where we receive the largest number of calls.

Their locations are as follows:

Location of Unit	Hours of Operation
2531 Sherman Avenue, N.W.	
Mobile Intensive Care Unit 25	24 hours a day
1763 Lanier Place, N.W.	
Ambulance No. 2	24 hours a day
2425 Irving Street, S.E.	
Ambulance No. 3	24 hours a day
Ambulance No. 13	4:PM to 12 midnight
4801 North Capitol Street	
Ambulance No. 4	24 hours a day
Ambulance No. 14	4:PM to 12 midnight
1300 New Jersey Avenue, N.W.	
Ambulance No. 5	24 hours a day
Ambulance No. 15	4:PM to 12 midnight
2225 M Street, N.W.	
Ambulance No. 6	24 hours a day
439 New Jersey Avenue, N.W.	
Ambulance No. 7	24 hours a day
4300 Wisconsin Avenue, N.W.	
Ambulance No. 8	8:AM to 12 midnight
1520 C Street, S.E.	
Mobile Intensive Care Unit 9	24 hours a day
50 49th Street, N.E.	
Ambulance No. 10	24 hours a day
450 6th Street, N.E.	
Ambulance No. 11	8:AM to 12 midnight
2813 Pennsylvania Avenue, S.E.	
Ambulance No. 12	8:AM to 12 midnight

2. According to the budget justification, the Fire Department's Emergency Ambulance Service annually receives almost 80,000 requests for its services. The total seems rather high -- an average of about 200 calls for service each day.

QUESTION:
2a. Can you explain how this level of service is sustained?

ANSWER:
2a. This level of service is sustained because the D.C. Fire Department Emergency Ambulance Service is augmented at times by the Fire Department's heavy duty rescue squads, engine companies and truck companies.

Heavy duty rescue squads respond when no ambulance is available, (they are capable of transporting) and in cases of multiple injuries or where extrication of patients is needed. They respond to about 1% of all ambulance calls and transport in about 35% of these cases.

Engine companies and truck companies are equipped to render first aid and their personnel are trained to provide sufficient assistance when an ambulance is not immediately available. They are also used to provide assistance when more manpower is required.

QUESTION:
2b. How many ambulances are in operation at any one time; how many people?

ANSWER:
2b. The staffing pattern that existed just prior to implementing the FY 1978 budget authority for two additional units on June 4, 1978 is shown in the chart below as well as the staffing pattern currently used with the authority.

Before June 4, 1978:

Shift	No. of Ambulance	No. of people (Crew of 2 in each unit)
0001-0800	2 Mobile Intensive Care Units (MICU)	4
	6 Regular Ambulances	12
	8	16
0800-1600	2 MICU	4
	9 Regular Ambulances	18
	11	22
1600-2400	2 MICU	4
	9 Regular Ambulances	18
	11	22

Answer 2b. - continued

After June 4, 1978:

Shift	No. of Ambulance	No. of people (Crew of 2 in each unit)
0001-0800	2 MICU	4
	7 Regular Ambulances	14
	9	18
0800-1600	2 MICU	4
	10 Regular Ambulances	20
	12	24
1600-2400	2 MICU	4
	13 Regular Ambulances	26
	15	30

QUESTION:
3. Is the Department responding to non-emergency requests? Please provide the Subcommittee with a breakdown of emergency and non-emgerency responses by type of request for service.

ANSWER:
3. Seventy two percent of the dispatches made resulted in the patients being transported to the hospital. The remaining 28 percent were either determined to be non-emergency, refused transportation, or were transported by other means.

C. NEW RESCUE SQUAD REQUESTED

QUESTION:
1. The FY 1979 request provides the necessary increases co maintain the FY 1978 level and to provide 22 additional positions for one additional rescue squad. What is the justification for the additional rescue squad?

ANSWER:
1. Rescue squads perform specialized extrication and similar life saving functions at emergencies other than fire, such as auto accidents, stuck elevators, and explosions. They function as ambulances when none are available. They also give the fire fighting officer, in addition to its specialized rescue and first aid equipment, the capability to send a specially trained company with long duration mask into the fire scene unencumbered and exhausted by placing hose lines or ladders. This company can conduct rescue operations and/or relieve an engine company to complete the fire attack. This capability has become increasingly more important with the opening of 12 additional miles of subway tunnels and with the proposal to increase the maximum height of buildings in the City to 160 feet. The upper floors of higher buildings and the far reaches of the subway tunnels will be beyond the reach of conventional fire fighting forces; therefore, the need for specialists capable of penetrating these areas is becoming more acute.

Answer No. 1 - continued

The three combined engine and rescue companies formed after two rescue squads were abolished in 1976 can only partially meet the need for this capability. They can only perform one of their assigned task at a time. They still leave either the engine or rescue apparatus in their station and await the arrival of more distant companies with equipment and manpower to perform the other task.

D. CAN EXISTING EQUIPMENT REACH NEW PROPOSED HEIGHT LIMITATIONS?

QUESTION:
1. There is a legislative proposal in the committee in the house to increase the maximum height limitation of buildings in the City to 160 feet. Does the Fire Department have equipment that will reach to 160 feet?

ANSWER:
1. The maximum length of the Department's aerial ladders is 100 feet.

E. MANDATORY SMOKE DETECTORS

QUESTION:
1. What is the status of the legislative proposal to require smoke detectors in all dwellings?

ANSWER:
1. The Smoke Detector Law of 1978, Act 2-178, was passed by the City Council, signed by the Mayor and is presently before the Congress for review. The thirty day review period ends on June 16, 1978, or no later that June 19, 1978.

F. LARGE NUMBER OF SMALL FIRES

QUESTION:
1. The justification material (Vol. 111, P. 58) indicates that there are between 9,000 to 10,000 fires each year and annual property loss of approximately $9.6 million. This seems to indicate that the City has a large number of small fires each year. Is this correct? Does this further indicate that the Department is very effective in putting out fires?

ANSWER:
1. Of the 9,064 fires for Fiscal Year 1977, 3,105 involved buildings and contents. Of these 3,105 building fires, 283 sustained loss of $5,000.00 or more. This does indicate a large number of small fires each year, and, that the Fire Department is effective in keeping these fires to a minimum. (Motor vehicles accounted for 1,412 fires with a loss of $722,300).

G. FIRE DEATHS

QUESTION:
1. How many fire deaths do we have each year in D. C.?

Question No. 1 - continued

ANSWER:
1. The fire death experience over the past five and 3/4 years is shown in the following chart:

Fiscal Year	Deaths
1973	37
1974	52
1975	29
1976	32
1977	38
Fiscal Year 1978 (October 1 thru June 7, 1978)	41

QUESTION:
2. What is the trend with regard to fire deaths?

ANSWER:
2. The trend with regard to fire deaths in the District of Columbia varies. Even on a national level this fluctuation is evident. Our goal is always to reduce fire deaths and property loss by an inspection and education program.

H. FIRE HAZARD IN D.C. BARS

QUESTION:
1. Recently, a local TV station documented examples of fire hazards in several D.C. bars. The newscast showed overcrowding at the bars and fire exits that were locked or blocked.

1a. How many inspectors does the Department have to check public places for fire hazards?

ANSWER:
1a. At present there are four fire inspectors and a sergeant (supervisor) assigned to the Public Assembly Section of the Fire Prevention Division. They are responsible for checking over 1,400 places of Public Assembly.

QUESTION:
1b. What is the inspection procedure?

ANSWER:
1b. The City is divided into "Inspection Districts" and each inspector assigned a district. Where an annual license is required and access to the occupancy is available during normal working hours the inspection is made during this period. If the occupancy is only open during the evening, then these inspections are scheduled during this time. Buildings which do not require an annual license are inspected as the workload permits; i.e., churches, some restaurants, funeral parlors, etc.

QUESTION:
1c. How often are restaurants, bars, etc. inspected?

ANSWER:
1c. In addition to the license inspection, bars, restaurants, night clubs, etc. are inspected weekly depending on the popularity of the occupancy or special feature.

QUESTION:
1d. Are the inspector's visits announced or unannounced? Why?

ANSWER:
1d. For most license inspections, an appointment is made for an inspection of the occupancy. Unannounced night inspections are made of bars, restaurants, night clubs, etc.

These unannounced inspections are not complete building inspections, but a check to insure all life safety requirements are complied with; i.e., exits open, exit lights operating, no overcrowding, etc.

QUESTION:
1e. Are inspections conducted at night - the time when bars are likely to be overcrowded?

ANSWER:
1e. Inspections are conducted at night of places indicated in 1c. above.

QUESTION:
2. What happens when hazards are found? How long does the owner have to remedy the situation? What recourse does the City have against the owner?

ANSWER:
2. When a hazard is found the owner/operator is informed of the violation. Some violations can be handled by a verbal notice to correct. Generally, a written notice to correct is issued.

Overcrowding, locked exits, accumulations of trash, etc. requires forthwith compliance. Violations requiring contracts or scheduling are given a compliance time in accordance with the nature of the violation; i.e., 30 days is usually given for painting a fire escape, while 24 hours would be given to repair a railing or step.

The City has recourse through the Judicial process. A summons and hearing before the Corporation Counsel or "papered" to the courts for trial.

I. CHARACTER INVESTIGATIONS

1. The Department (Vol. III, P. 65) makes reference to "Character Investigations."

QUESTION:
1a. What are character investigations?

Question No. 1 - continued

ANSWER:
1a. Inquires of former employers, neighbors, and other sources to determine an applicant's suitability for employment in the D.C. Fire Department. Suitability determination is a requirement by the Department's Rules and Regulations to investigate the character, reputation and fitness of the person under employment consideration.

QUESTION:
1b. Why are character investigations conducted?

ANSWER:
1b. Character investigations are promulgated by Article XII, Part A, Section 1 of the District of Columbia Fire Department Rules and Regulations.

QUESTION:
1c. Who conducts the investigations?

ANSWER:
1c. These investigations are conducted by officers of the D.C. Fire Department with assistance by U.S. Secret Service, FBI and the Metropolitan Police Department.

QUESTION:
1d. Who is investigated?

ANSWER:
1d. All firefighter and emergency ambulance service technician applicants are investigated.

J. CAPITAL IMPROVEMENTS

1. The Fire Department has requested $530,000 to continue the replacement program for pumping engines and aerial ladder trucks so that pumping engines will be replaced every 15 to 16 years and aerial ladder trucks will be replaced every 22 years.

QUESTION:
1a. What is the average age of the City's current inventory of pumping engines?

ANSWER:
1a. At present the average age of pumping engines is 11.21 years with 14 of 75 vehicles over the 16 year maximum service life criteria. During the next three years, 11 pumpers will be received from the purchasing authority of three fiscal years and seven pumpers will have aged beyond the 16 year criteria.

QUESTION:
1b. What is the average age of the City's current inventory of aerial ladder trucks?

ANSWER:
1b. The average age of aerial ladder trucks is 13.6 years with three over the 22 year replacement criteria. Four trucks will be replaced in the next three years from Fiscal 1977, 78 and 79 authority; however, seven will age beyond the 22 year replacement criteria during the same period.

Police and Fire Retirement Board

STATEMENT OF PERCY BATTLE, CHAIRMAN

CONCERNS REGARDING LARGE NUMBER OF DISABILITY RETIREMENTS

Senator Leahy. I call the Police and Fire Retirement Board. I think Mr. Battle is here.

Mr. Battle, I appreciate having you here. We are concerned, and other members of the committee have expressed their concern, about what can be done to eliminate the problem of high disability retirements in both the Police and Fire Departments. You have heard my questions today of the two Chiefs.

We began hearings back in February. I asked at that time for a full briefing on what could be done administratively to correct this problem, even before we could get any legislation on the book.

Currently 82 percent of the city's 2,200 retired police officers have retired at 100-percent disability. That is a lot of difference in percentages in other major cities. For example, Los Angeles has four regular permanently disabled retirement, about a 25-percent rate compared to our 82 percent; Detroit, the ratio is 7 to 1; in New York it is 13 to 1, and even now we are still talking about firemen and policemen retiring on disability running around 70 percent.

Senator Eagleton, of course, sponsored the pension reform bill we discussed. But what can be done right now administratively to reduce this unacceptable number of policemen and firemen who go out on disability retirement?

Mr. Battle. Mr. Chairman, this is my first appearance before your subcommittee and I know perhaps there has been some misunderstanding with some people as to whose authority the Retirement Board comes under. Since we have never appeared before you, I would like to read an opening statement for the record so you get an idea specifically of what the Retirement Board functions are.

Senator Leahy. I appreciate the suggestion that there may be some confusion between which committees have jurisdiction. I commented at the beginning of this, that I have become cognizant of the difference between the authorizing committees and the appropriating committees. I do understand the differences in jurisdiction there.

As I stated, I am looking forward to the legislation that will come out of Senator Eagleton's committee. Other committees are involved. Like Congressman Natcher in the House, who is the Chairman of the D.C. Appropriations Subcommittee. I am sure you remember that he asked you for a report on the same subject. I share the same concern he has because no matter what comes out of an authorizing committee, the money is going to have to be appropriated by this one. But please go ahead and give your statement. I think it would be worthwhile to us and to the press.

OPENING REMARKS OF CHAIRMAN OF RETIREMENT BOARD

Mr. BATTLE. Thank you, Mr. Chairman. I am pleased to appear before your committee to respond to any concerns you may have regarding the activities of the Police and Firemen's Retirement and Relief Board.

The District of Columbia Police and Firemen's Retirement and Relief Board was created by an act of Congress many years ago to consider the retirement and relief of members of the Police and Fire Departments of the District of Columbia. In 1940, the act was amended—Public Law 847—to include members of the U.S. Park Police Force, the White House Police—now the U.S. Secret Service, uniform division—and certain other members of the U.S. Secret Service under the District's Police and Firemen's Retirement Act.

I would like to point out, although these Federal protective members are covered under our retirement system, the costs incurred by these members, as a result of their inclusion, are reimbursed to the District. The Board has been reconstituted from time to time with additional duties and responsibilities. The present Police and Firemen's Retirement and Relief Board was created by an act of Congress—Public Law 93-407, approved Sept. 3, 1974—and established pursuant thereto by Organization Order No. 48, Commissioner Order 74-199, dated September 25, 1974.

PURPOSE OF RETIREMENT BOARD

The Board's purpose is to insure that fair and equitable policies and practices are established and applied in connection with the retirement and relief of members covered under the Police and Firemen's Retirement and Disability Act.

MEETINGS OF RETIREMENT BOARD

Hearings before the Board are usually held every Thursday in the Conference Room of the Police and Fire Clinic, No. 1 D.C. Village Lane SW., unless otherwise determined.

MAKEUP OF MEMBERSHIP OF RETIREMENT BOARD

The Board is composed of members and alternates appointed by the Mayor, from among persons who are employees of the District of Columbia, one member and alternate each from the District of Columbia Personnel Office, the Office of the Corporation Counsel, the Department of Human Resources, the Metropolitan Police Department and the Fire Department of the District of Columbia; and two members, one of whom shall be a physician, appointed by the Mayor, from among persons who are not employees of the District of Columbia. The two members appointed from among persons who are not employees of the District of Columbia receive compensation for each day they are actually engaged in carrying out duties vested in the Board in the same manner as persons employed intermittently under section 3109 of title V of the U.S. Code.

The public members are currently receiving $119 and $102 respectively for each day they are engaged in Retirement Board activities.

NAMES OF BOARD MEMBERS

The names and addresses of the Board memers are:

Percy M. Battle, Chairman, D.C. Personnel Office, 499 Pennsylvania Avenue NW., Washington, D.C. 20001.

Ms. Serena Davis, Assistant Corporation Counsel, Office of the Corporation Counsel, 14th and E Streets NW., Washington, D.C. 20004.

Harry Sacks, M.D., Department of Human Resources, 300 Indiana Avenue NW., Room 4116, Washington, D.C. 20001.

Albert Ferguson, Inspector, Metropolitan Police Department, 300 Indiana Avenue NW., room 5059, Washington, D.C. 20001.

Harry O. Burks, Battalion Chief, D.C. Fire Department, 1103 Half Street SW., Washington, D.C. 20004.

Charles Pate, M.D., public member, 3335 Tennyson Street NW., Washington, D.C. 20015.

Mr. Almore Dale, public member, 1395 Morris Road SE., Washington, D.C. 20020.

FUNCTIONS OF RETIREMENT BOARD

The Board's functions are:

Consider all cases for the retirement and relief of members of the protective agencies covered under the Retirement Act;

Consider all cases of retirees who are seeking an increase in the pension relief allowance;

Consider all cases of disabled retirees who are required to undergo periodic medical examination to determine the current status of the disability;

Consider all applications for the lump-sum payment benefit provided in cases of performance of duty death;

Consider all applications for the relief of widows, widowers, and eligible children;

Consider all cases of retirees who are required to submit yearly reports of income in connection with determining whether an earning capacity has been restored;

Consider all cases involving total disability to determine the eligibility for the payment of medical expenses after retirement;

Approve, or disapprove all such cases, and fix the amount of pension relief in each instance, as provided by law, except that proposed actions in connection with the relief or the retirement of the Police Chief and the Fire Chief shall be submitted to the Mayor for approval or disapproval. Any action taken by the Board, or the Mayor in the case of the Police Chief and the Fire Chief constitutes final administrative action in the District of Columbia government;

Develop overall policies to insure fair and equitable treatment in the retirement and relief of individuals coming within the purview of the Police and Firemen's Retirement and Relief Board, and serve in an advisory capacity to the Mayor and heads of departments and offices in all matters pertaining to the retirement and the relief of such individuals; and

Perfect and adopt rules of procedures for the conduct and guidance of the Board.

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CONFIDENTIALITY OF HEARINGS

Because of the confidentiality of medical reports and/or the emotional condition of individuals appearing before the Retirement Board, hearings are not opened to the public, unless an applicant specifically requests a public hearing. Hearings are recorded but transcripts of these hearings are also not available to the public, except upon a request by an applicant for a transcript of his/her disability retirement hearing.

The original order reflecting the Board's decision is retained by the District's Director of Personnel, as the official record of the Board's action.

Thank you, Mr. Chairman, for the opportunity to appear before your committee. As I indicated earlier, I will be pleased to answer any further questions the committee may have.

CONSTRAINTS OF THE RETIREMENT BOARD

Before I begin answering any questions, I would like to point out certain constraints we feel the Board has. That is based on certain decisions handed down by the courts through the years. The courts have indicated that the Retirement Act should be construed liberally in favor of the member seeking retirement. In one such case, the requisite findings must be enough to indicate that consideration was given to any claim of fact put forth by an officer in the case where those claims have at least some appearance of reasonableness and substantiality.

Evidence of the officer's retirement case must be viewed in light more favorable to the applicant seeking relief than in the usual type of civil action in consideration of the humane purpose of the retirement law, *Hyde* v. *Tobiner.* Also, in *Lynch* v. *Tobiner,* public policy requires that the disability pension provisions of the District of Columbia Code be construed liberally. In *Bloom* v. *Tobiner,* policemen must of necessity engage in hazardous work as part of their regular duties and Congress has amply manifested a distaste for the resolution of doubts against them in the administration of laws passed for their protection.

NUMBER OF CASES APPEALED TO THE COURTS

Senator LEAHY. Mr. Battle, you said in your statement that the actions taken by the Retirement Board, or in the case of the Police and Fire Chief action taken by the Mayor, is the final administrative action of the District of Columbia government. So at that point any additional steps taken would be taken by the court. What percent of your actions, say, in the last 3 years, have been appealed to the courts by either the city or the person seeking to retire?

Mr. BATTLE. I have a listing of all of the cases that have been appealed to the courts in the last 3 years. I may point out that the Retirement Board has been overturned, I think two times.

Senator LEAHY. Overturned in favor of the person seeking to retire?

REASON FOR LARGE NUMBER OF DISABILITY RETIREMENTS

Mr. BATTLE. That is correct. I only point that out to illustrate to you—I think you indicated earlier—that the abuse of the system is continuing. I don't share your view that the abuse is continuing.

Senator LEAHY. I am thinking, for example, of one article in one particular newspaper here, where a person was being retired because of a disk operation. The story reported the reaction of a Board member who read a newspaper report quoting an orthopedic specialist saying a disk operation on a particular basketball player wasn't serious. The same orthopedic specialists, at least as reported in the paper, had told the Retirement Board that the same kind of injury is permanently disabling.

One Board member says, "How can we retire people on disability when basketball or football players have the same injuries and wind up playing again?"

Let's take for a moment that your statement is correct that there aren't abuses. Then why do we have such a significantly higher number of disability retirements than just about any other major city? Do we have unhealthy conditions here in D.C. that they don't have in Los Angeles or New York?

Mr. BATTLE. I don't think that is the case, Mr. Chairman. I think the case is the law, as we indicated, and the interpretation of those laws by the courts, that the law must be construed liberally in favor of the member.

RETIREMENT BOARD'S RECOMMENDED CHANGES IN THE LAW

Senator LEAHY. What changes would you make in the law, if any?

Mr. BATTLE. We mentioned to the House, and I would like to submit, there were three changes that we indicated we felt could have a significant impact on the number of people seeking disability retirement.

Senator LEAHY. This is in your report to Mr. Natcher?

Mr. BATTLE. This is in the report to Mr. Natcher.

Senator LEAHY. What are those?

CONCEPT OF PARTIAL DISABILITY RETIREMENT SCALE

Mr. BATTLE. One was the partial disability concept. The disabled employee would receive an annuity based on the degree of disability instead of the automatic 66⅔ percent of final pay for duty related disability, which is the minimum guaranteed under our present law. This is perhaps the single most important change since it directly addresses the benefit area, least defensible. I cannot defend how we can award an individual who is permanently disabled under the law 100 percent disability pay for perhaps 10 percent disability, when we have another individual who is 100 percent disabled, truly 100 percent, and they get the exact same disability pay. I can't defend that.

Senator LEAHY. What are the other two?

LIMITATION OF OUTSIDE INCOME

Mr. BATTLE. One of the other two is the limitation of outside income of disabled employees. There are many instances where a disabled employee becomes employed after retirement from the system, and as long as they do not receive 80 percent of the current rate of pay they retired at, for 2 consecutive years, they continue on the disability roll. I think the two pieces of legislation that are now being considered limits this to 1 year and also provides for a reduction in the annuity payments based on the amount of money earned after retirement.

I think that would also reduce the number of people seeking disability retirement.

ELIMINATION OF AGGRAVATION PROVISION

The other is elimination of the aggravation provision, which treats a non-duty-related disability as a performance of duty disability if it is aggravated at some point after returning to duty by performance of duty. That person must be retired as if he incurred the original injury in the performance of duty.

REPORT TO REPRESENTATIVE NATCHER

Senator LEAHY. Could you give us the report that you submitted to Mr. Natcher's committee?

[CLERK'S NOTE.—The report follows:]

Report on Disability Retirement and Suggested Remedies

In recent years, the Police and Firemen's Retirement System has been the subject of increasing public scrutiny, primarily because of the large number of individuals retiring under the disability provisions of the Retirement Act. The Board feels that this is due to the liberal interpretation of the law by the Courts and the comparatively generous benefits a disabled annuitant receives. Administration of the disability retirement provisions of the Policemen and Firemen's Retirement and Disability Act is greatly influenced by the Courts. Several precedent-setting judgments have been handed down over the years in connection with appeals from decisions of the Retirement Board.

The Board's purpose is to insure that fair and equitable policies and practices are applied in connection with the retirement and relief of members under the Retirement Act. In this regard, the Board interprets the law within the context of precedents established by the Courts.

It is important to note that in all but a few disability cases submitted to the Retirement Board, the burden of proof rests solely with the Board to show that the disabling condition:

(a) is not in fact disabling and permanent,

(b) was not incurred in the performance of duty, or

(c) is not aggravated by the performance of duty

Under current disability provisions of the law, it is extremely difficult to clearly relate the cause or aggravation to performance of duty in cases involving chronic back strain, heart disease, diabetes, hypertension, arthritis, severe depressive reaction or paranoia for instance; yet it is equally difficult to support a contrary judgment with substantial and persuasive medical evidence. In such cases, the Courts have consistently mandated a decision favorable to the policeman or fireman.

Listed below are several administrative changes the Retirement Board intends

to pursue. However, we cannot guarantee that these changes will substantially reduce the number of disability retirements to a level acceptable to city officials, the Congress and the citizens.

- The Retirement Board will recommend that independent medical, surgical or psychiatric consultations be made by referrals to a larger and broader base of medical consultants in the Washington Metropolitan Area.

- The Retirement Board will amend its rules to allow the Board on its own motion to refer cases to specialists of its own selection.

- The Retirement Board may require consultants to personally appear at the hearing to give testimony relative to their examinations.

- The Retirement Board will require that all medical reports from private physicians be submitted to the Board at least 10 days prior to the hearing.

- The clinic physician or medical manager for the respective member, where possible, will be required to testify in cases involving members under their care and they must certify that they have personally examined the members within 30 days of the submission of their report.

- The Retirement Board will require, in cases of aggravation, specific answers from medical consultants and clinic physicians relative to the effect of the natural progression of an injury or illness on the member's present condition, and in cases of a pre-existing condition prior to employment, that substantial medical proof be required as to the degree of disability over and above the degree of disability existing at the time of entrance on duty.

- The Retirement Board may require disclosure of all previous medical reports or documentation relating to the member seeking retirement.

- The Board will require that certain medical standards be met in cases where the evidence is basically subjective and that the medical manager or consultant submit findings concerning the specific functions the member can and cannot perform.

- The Retirement Board will publish each month in the D. C. Register, the name, birthdate, appointment date and provision under which each individual is retired.

- The Board will secure transcripts of all hearings.

- The Police and Fire Departments should be encouraged to aggressively pursue a policy of finding placement for a member who has some degree of disability but can perform useful and efficient service in the grade or class of position last occupied and that this function be carried out prior to presentation to the Retirement Board.

- The Police and Fire Departments should be encouraged to assign members who become temporarily disabled and cannot perform or be exposed to the rigors of everyday type police or fire work to less demanding duty assignments longer than the current six months limitation. Such assignments should be made only in cases where it can reasonably be determined that the member could eventually return to his regular assignment.

When these administrative changes, which may require additional budgetary authorizations, are instituted, there is no assurance that such measures would be

totally effective in counteracting the retirement trends produced by a Retirement Act with very generous benefits and employee protection.

Under the present Retirement Act, the Board will still be constrained by: (a) the burden of proof, (b) the aggravation provision and (c) the possibility of court reversals.

To get at these more basic issues, legislative reforms are necessary. We are fairly certain that if the legislative changes, approved by the House and now pending in the Senate (e.g., partial disability concept, elimination of the aggravation provision and the limitation on outside income of disability retirees) become law, there would be a measurable decline in the number of person retiring under the disability provisions of the Retirement Act.

TAX FREE DISABILITY RETIREMENTS

Mr. BATTLE. I would like to point out the percentage of people retiring, the last 4 years, retiring on disability, on performance of duty disability where you get the tax break, I think we have lumped together all disability retirements and some people feel that all of these retirees are getting tax-free disability pensions. That is not the case.

Senator LEAHY. I didn't have that understanding. It is conceivable some might.

DECLINE IN DISABILITY RETIREMENTS

Mr. BATTLE. In 1974, the rate of disability retirement was 52 percent. In 1975, the rate of disability retirement was 62 percent. In 1976, it was 60 percent. And in 1977, it was 55 percent.

Mr. Chairman, that represents a significant decrease from the high 90 percent that you have been speaking of for some time, back in the late sixties, in the first years of the seventies. I would like to point that out for the committee.

COURT UPHOLDING RETIREMENT BOARD DECISIONS

I think the Board is challenging sufficiently the individuals who appear before us for consideration of disability retirement. I think that these figures reflect that the Board is doing more than a credible job in not retiring and certainly in the higher percentages that they were prior to that; also the fact that the courts have upheld the Board in nearly all of our cases that have been appealed to them in the last 3 years would indicate to me that the Board certainly does their homework, ask very pertinent medical questions, prepare good findings and therefore the court has no recourse but to sustain the Board.

ABUSES IN THE LAW AND NOT THE ACTIONS OF THE BOARD

Senator LEAHY. Do you feel if there are abuses, the problem lies with the law as written, not with the actions of the Board?

Mr. BATTLE. I think that if there are abuses, it is because the law, the interpretations that the courts have placed on those laws—the Board must act within the guidelines of the law and the court interpretation. We certainly are human beings. We sit there, listen to the cases, we believe some people, we don't believe some people, but we must act on the evidence presented.

Senator LEAHY. Thank you very much, Mr. Battle. I appreciate your attendance here today. I know it is also of concern to you and I would hope that when the committee has finished their work, we may see some basic changes in the law.

Mr. BATTLE. I certainly hope so. If there are any other questions you would submit, I would be happy to answer them.

Senator LEAHY. Thank you, we will submit them, if there are any.

Bail Agency

STATEMENT OF BRUCE BEAUDIN, DIRECTOR

TRACING PERSONS ON RELEASE

Senator Leahy. I understand the next agency is the Bail Agency, Bruce Beaudin. Mr. Beaudin, if you would come to the table, it is good to see you again.

Mr. Beaudin. It is good to see you again, Senator.

Senator Leahy. Mr. Beaudin, last year we were told that the Bail Agency could trace 95 percent of the people on release within 2 days. Do you still have that capacity?

Mr. Beaudin. I would say we could shorten it and say we could do that within a day now, Senator. Our ability to continue may be hampered by whether or not we can continue our automated system or not.

UNFUNDED BUDGET REQUIREMENTS

Senator Leahy. In fact, this is in your justification material, in fact in a number of places, that the bail agency could not meet all the requirements of the law at the requested funding level. What requirements would be unmet at this requested funding level? What is being left out of the funding level?

Mr. Beaudin. There are two general areas. Well, there is really one general area and it concerns what happens after the defendant appears in court the first time. The kind of supervision that that defendant receives while he is awaiting trial and whether or not he, in fact, is released into the community or is detained in jail, both of those areas are treated in our statute. The level of supervision or the level of services that the Senate and the Congress would like to see us implement would determine the level of resources we need.

LEGISLATIVE REQUIREMENTS OF REPORTS

Specifically, one section of the law says that the agency shall submit to the courts a biweekly list of everyone held in detention for more than 10 days. As you probably can see, the purpose for that list would be to check on why the jail has in it the x number of people who are awaiting trial and why those cases haven't come to trial.

The statute was amended in 1971. Prior to that time, Federal law had required that the U.S. attorney produce such a list. That list was never produced by the U.S. attorney in this district. The present U.S. attorney, who was then writing the Court Reform and Criminal Procedure Act of 1970, decided it was the logical job for the Bail Agency. Thus the responsibility was shifted to the Bail Agency to develop such a list.

In the era of computers, there is no reason that we shouldn't be able to produce a list that is generated from the Department of Corrections, match it against the court lists, isolate the names of the people that are awaiting trial, those who have been in jail longer than 10 days, supply a reason why the case has not come to trial, and forward that list to the courts.

The fact that this kind of monitoring doesn't exist in the system leads to things like a high pretrial detention rate in the jail, a need for the Department of Corrections to move prisoners back and forth when some of them are only detained theoretically for pretrial, et cetera.

That monitoring can't be done and the agency cannot comply with that part of the law right now unless we had two people plus our computer to do it.

Senator LEAHY. So you are talking about two positions and how much in additional funds?

Mr. BEAUDIN. The two positions would be averaged at $15,000 each. Those aren't included in the budget because with all the other decisions that had to be made, the request was disallowed early on in the process.

TOTAL FUNDING NEEDS

Senator LEAHY. I am interested to meet all of the provisions of law, what do you need in additional funding and what do you need in additional positions? Do you need two additional positions, and additional funding besides that?

Mr. BEAUDIN. The increase represented over 1978 is three positions and $90,000. That doesn't take into account what I have just described. If we had what I just described——

Senator LEAHY. Does not take into account what?

Mr. BEAUDIN. What I have just described. It doesn't take into account those things that you just inquired about. If our automated system is authorized at the level that it will require, and it is not borrowed from Police Department funds, we know that that system will cost about $140,000 a year to operate. There is only $90,000 give or take available, so there is $50,000 in moneys that aren't represented in this budget that supposedly will come from redirections from police or something else. It is beyond my ability to do anything about it.

Positionwise, we are talking about another three to four positions beyond what is listed in our request here.

VIOLATIONS OF CONDITIONS OF RELEASE

Senator LEAHY. I saw an article in one of the newspapers that said that a third of those in the D.C. Superior Court who were free on personal recognizance last year while awaiting trial violated the conditions of their release.

The headline reads, "D.C. Judges Don't Punish Most Violators of Bail Law." How serious a problem is this? A third is kind of a frightening statistic. What kind of cases are we talking about and how much of a problem is it? Are the courts being diligent enough in this case?

Mr. BEAUDIN. I will try to make this short because I know of the time constraints we are all facing. There are conditions, Senator, and there are conditions. Every defendant who is released in the District of Columbia has at a minimum the conditions to appear when required, the condition to call the Bail Agency, if there is a change in address or changes in employment. In addition we have just a plethora of other kinds of conditions; undergo narcotics testing and treatment, maintain a job, get a job, call the agency once a week, report in person once a week, stay away from the complaining witness in a case where there is relationship that exists between the defendant and the complaining witness, etc. Those are the kinds of conditions in general that are imposed.

DETERMINING IMPORTANT RELEASE CONDITIONS

We know that about 50 percent of the defendants on release are violating some condition. But the condition that they are not violating is the condition to reappear. During the last 6 years, as the courts, the prosecutor and the Bail Agency have worked together to determine which conditions are the ones that are really important, and which aren't, we have kind of narrowed it down. The three conditions for which hearings are set and sanctions are imposed include: stayaway from the complaining witness; undergo narcotics surveillance; and obey the rules of the custodian if you are placed in custody.

You can see that these conditions are designed to protect the community. Other conditions present a different problem. If the defendant doesn't call the Bail Agency, for example, we have an obligation to report that violation because the law requires it. In the beginning when we reported the violations, and hearings were set the courts would say, when the defendant showed up for that hearing, you are here, the purpose of these conditions is to have you appear, so go away and sin no more.

Thus, you can readily see that there are conditions that are violated constantly that really don't mean very much as far as community safety is concerned.

Senator LEAHY. The ones that do mean something, what steps are being taken?

Mr. BEAUDIN. On the ones that do mean something——

Senator LEAHY. Say somebody is in the position where they are threatening a complaining witness.

PENALTIES OF VIOLATING RELEASE CONDITIONS

Mr. BEAUDIN. In that kind of case, the prosecutor, will act. There is a judge that the courts have specially designated as a judge to hear bail violations. The judge, the prosecutor, and the Bail Agency will set up a hearing within a matter, sometimes of hours, but more likely within days. A number of things may happen at the hearing. Sometimes the court will sentence the defendant on the spot for contempt for violation of the court order. Sometimes it will revoke the bond and commit the defendant to jail. Other times it will impose additional conditions and rerelease the defendant.

FUNDING REQUIREMENTS TO COMPLY WITH LEGISLATION

Senator LEAHY. Could you give us, provide for the record, a short statement of specifically what you would need in dollars and positions so you could fully comply with the law?

Mr. BEAUDIN. I couldn't do that right now.

Senator LEAHY. I mean sometime in the next few days.

Mr. BEAUDIN. Yes, I could do that, I would say, by the end of the week.

Senator LEAHY. Thank you. That takes care of all my questions. Any statement you have will be made a part of the record.

[The information follows:]

LETTER FROM BRUCE D. BEAUDIN

D.C. BAIL AGENCY

May 25, 1978

The Honorable Patrick Leahy
United States Senate
Committee on Appropriations
Subcommittee on the District of Columbia
Washington, D. C.

Dear Senator Leahy:

In response to your final question to me during the hearings on the Bail Agency budget I respectfully submit the attached.

While I had hoped to be able to "boil things down" to an easily understandable and readable document, because of the work that I put into the design of this measurement in preparation of the Fiscal '78 Budget I thought that you should have the benefit of that work.

In order to sustain our automated capacity (and this system is being used by all members of the Criminal Justice System) we need a staff of three at a cost of about $64,000 and equipment and attendant supplies at a cost of about $138,400. The total: $202,400. The budget submission for 1979 covers one position and $25,200 worth of equipment for a total of $51,200. Total deficit: $151,200.

The other area of need which transcends the Fiscal '79 Budget request is for three positions at a cost of about $50,000 to provide the reports required by D.C. Code 23-1303(h)(6) which I discussed with you in my testimony.

Thus, in my judgment and that of the Executive Committee of the D. C. Bail Agency, in addition to the $1,017,100 and 57 positions requested in the Fiscal '79 Budget we would need three positions and $201,200. The above figures do not reflect the $100,000 that is sought for third party custodial services. Because that amount was suggested in the '79 budget request and is probably a part of the '78 authorization the Agency's actual funding level is reduced by that amount. Therefore, instead of a reduction from Agency resources to fund that $100,000 that sum should be supplemental to the Agency's budget. A bottom line dollar amount would therefore be $301,200.

If you or Mr. Hall have any questions please do not hesitate to contact me.

Yours truly,

Bruce D. Beaudin

Bruce D. Beaudin

FISCAL 1978 BUDGET DATA (PROGRAM COMPARISONS)

Special Schedule 3A

The attached budget indicates the level of staffing necessary to comply with the statutory directives specified in D.C. Code §23-1301 through 1308. This schedule identifies the budget components as they relate to each of the listed statutory directives. Each program area is matched to the section of the code describing it.

A decision not to fund a particular program or to fund it in part will affect adversely the Agency's ability to comply with the law. In the case or cases where this occurs then the law must be amended or there must be a recognition by appropriate authorities that the law cannot be complied with.

The Executive Committee does not believe that it is a proper role for the Agency to decide which mandated statutory programs will be implemented and which will not. To do so would be to "second guess" the lawmakers (here the United States Congress) which enacted those laws.

At the same time the Committee recognizes that funding necessary to accomplish all the functions outlined may not be forthcoming. If that happens then the Committee believes it is proper to advise appropriate officials of its own priority determinations. These priorities are indicated in the attached schedule.

Finally, the Committee respectfully urges full funding because it believes that the statute was carefully drafted to reflect concern for the safety of the community and for the rights of individual pretrial accused. This delicate balance may be upset by the amendment of the statute to eliminate a program area that bears on one or the other of these elements. The attached listing of priorities is intended only to guide City and Congressional Officials in allocating scarce resources.

A funding level of $737,900 would permit the Agency to accomplish priorities 1, 2, 3 and a portion of priority #4. Cost - $739,750. All statutory programs and final computer implementation would be eliminated. Note that the category captioned Operational was reduced by $80,000 to compute the following:

Request		$1,224,400
less	$138,400 (Computer)	
	80,000 (Operating)	
	31,280 (Priority #6)	
	36,870 (Priority #5)	
	29,200 (Priority #4c)	
	112,635 (Priority #4b)	
	43,890 (Priority 4c- 4 old positions)	
	12,375 (Priority 4b - 1 old position)	
	$484,650	
Total		$ 739,750

Statutory Citation	Program Description	Direct Costs (Personnel & Benefits	
23-1303 (a)	"The agency shall ... interview any person detained pursuant to law .... any person charged with intoxication or a traffic offense when requested by a judicial officer .... seek independent verification of information obtained .... secure prior criminal records ... prepare a written report .... include a recommendation .... provide copies to the U.S. Attorney, or the Corporation Counsel, and to the defense attorney."	Superior Court-13 positions benefits of 9% District Court - 1 position benefits of 9% Total 14 positions	$155,013.00 13,951.17 $168,964.17 16,306.00 1,467.54 $17,773.54 $186,737.71
23-1303 (b)	"... review its report, seek information .... and modify its report .... (for) persons seeking review under sub-chapter II..."	This function will be carried out as a result of the detention monitoring and the work of the interviewing teams.	
23-1303 (c)	"... furnish a report as provided in subsection (a) when requested by any appellate court..."	NONE	
23-1303 (d)	"Any information in the agency's files ... may be used in condition violation proceedings, ... impeachment at trial ... failure to appear proceedings (including trials) ... penalties for offenses committed during release.."	10* positions benefits of 9% Total 10 positions	$104,753.00 9,427.77 $114,180.77
23-1303 (e)	"The agency ... shall furnish ... a report as provided in subsection (a) .... (to police officers issuing citations)..."	Citation Unit - 6 positions benefits of 9% Total 6 positions	$61,985.00 5,578.65 $67,563.65
23-1303 (f)	"The ... submission ... of the report ... shall be accomplished at the earliest practicable opportunity."	NONE	
23-1303 (g)	"A judicial officer ... shall consider the agency's reports..."	Reflected in Priority #1	

* See page 5

Program Measures	Priority	Effect of No Funding	Priority
13,000 Interviews and Verifications in Superior Court 2,000 Interviews and Verifications in U.S. District Court 15,000 Reports submitted in quadruplicate to the Court, Prosecutors, Defense Attorney, and Bail Agency. Each interview, verification and report requires an average of one hour.	1.a	Judges must have adequate information on which to base release decisions says the Supreme Court and the law. This information comes from the investigation conducted by the Agency. Without this information the Courts would act "in the dark"	1.a
Potential for review requests is about 2,400 per year. Actual number received was 1,000 in 1975.	----	If priority #1 is not fully funded this will be the first level of reduction. The jail population will increase.	----
Fewer than 50 requests in 10 years.	----		
During calendar 1975 agency personnel appeared in over 500 proceedings (in addition to the initial bail setting.) These appearances averaged an hour apiece and required accurate, adequate records for support.	2 *	NONE	----
11,000 Interviews, Verifications, and reports. Average time per unit - one hour.	1.b	The Agency's files must be accurate both for proper release decisions and for subsequent proceedings. Without proper support the records would be legally insufficient.	2 *
Citation reports submitted immediately. Court Reports must be submitted within 4 hours of interview.	1.c	(See note of 23-1303(a) above)	1.b
External Pressure of Courts	----	(See note of 23-1303(a) above)	1.c
		Not applicable	----

Statutory Citation	Program Description	Direct Costs (Personnel & Benefits)	
23-1303 (h)	"The agency shall ...."	7 positions	$ 79,472.00
		benefits of 9%	7,152.48
			$ 86,624.48
(1)	..supervise all persons released on nonsurety release. ..."	9 new positions	$103,335.00
		benefits of 9%	9,300.15
23-1303 (h) (1)			$112,635.15
		Total 16 positions	$199,259.63
(2)	"... make reasonable effort to give notice of each required court appearance to each person released by the court."	1 position	$ 11,938.00
		benefits of 9%	1,074.42
		Total 1 position	$ 13,012.42
23-1303(h) (2)			
(3)	"... serve as coordinator for ... custodians ... and advise the judicial officer as to eligibility, availability and capacity of such agencies and organizations.."	1 new position	$ 11,046.00
		benefits of 9%	994.14
		Total 1 new position	$ 12,932.14
23-1303(h) (3)			
(4)	".... assist persons released .... in securing employment or necessary medical or social services."	1 position	$ 13,931.00
		benefits of 9%	1,253.79
			15,184.79
		2 new positions	19,892.00
23-1303(h) (4)		benefits of 9%	1,790.28
			$ 21,682.28
		Total 3 new positions	$ 36,867.07
(5)	"... inform the judicial officer and the United States Attorney... of any failure to comply with pretrial release conditions...."	4 positions	$ 40,262.00
		benefits of 9%	3,623.58
			$ 43,885.58
23-1303(h) (5)		3 new positions	$ 26,775.00
			2,409.75
			$ 29,184.75
		Subtotal 7 positions	$ 73,070.33

Program Measures	Priority	Effect of No Funding	Priority
Supervision of releasees has many levels of interpretation. There are 3,000 to 3,500 persons released at any given time. Each has an average of 3 conditions which must be monitored. Recordation of Releasee initiated information and reports to the Court on compliance and non compliance are minimum levels. Checks by Agency personnel in the community rather than by phone, represents a second level of supervision.	4b	The effectiveness of the release is measured in part by rearrest rates. The more supervision the less likely a releasee is to be rearrested. Intensity of supervision is a decision to be left to the City. The more intense the contact the less likely the releasee is to be rearrested.	4b
Over 35,000 notification letters were sent and more than 1,000 personal phone calls or community visits to notify releasees of court dates were made in 1975.	3	The effectiveness of the release provisions of the bail laws is measured principally by the rate of return to court. The most crucial part of this rate is notice to releasees. Notice is the statutory responsibility of the Bail Agency	3
As part of regular "supervision" duties the Agency has carried out this function informally. More than 10 community organizations and more than 200 individual custodians must be evaluated annually.	6	Without this service the courts will be ignorant of the capabilities and existence of custodial groups. In addition there would be no "filtering" process for the vital work of these groups.	6
Releasees requested services in more than 2,000 separate instances. Because of a lack of resources one person handles all requests on a most ineffective referral basis. A volunteer program is presently under way but two positions are required for effective treatment.	5	The Executive Committee believes that the programs for "correcting" deficiencies of releasees must exist in the community - thus the referral nature of our services. People are necessary however to screen the needs and resources available to meet those needs and to match them up.	5
Failure to comply is determined in two ways - from information initiated by persons outside the agency and discovered on review and by agency-initiated checks. Better than 60% of the releasees violate conditions. Resources permit reporting of fewer than 15%.	4c	Judges who have released defendants will be unaware of condition violations and therefore unable to revoke the release of violators or to use the information at the time of sentencing.	4c

Statutory Citation		Program Description	Direct Costs (Personnel & Benefits)	
	(5)	... or the arrest of persons released ..."	1 position	$ 9,521.00
			benefits of 9%	856.89
			Subtotal 1 position	$ 10,377.89
			Total 8 positions	$ 83,448.22
	(6)	"... prepare ... such pretrial detention reports as are required by Rule 46(h) of the Federal Rules of Criminal Procedure... (a daily list of persons detained longer than ten days and the reasons) for that detention ..."	3 new positions	$ 28,696.00
			benefits of 9%	2,582.64
			Total 3 positions	$ 31,278.64
23-1306		"The Director, subject to the approval of the Executive Committee, shall employ ... such assisting and clerical staff .... as may be necessary properly to conduct the business of the Agency." The positions listed here are those that are required administratively to support the specific Agency programs. The costs are divided evenly between Interviewing and Supervision (Follow up) Services.	1 Director	$ 37,549.00
			1 Deputy Director	32,231.00
			1 Chief of Operations	24,434.00
			1 Chief of Planning	22,616.00
			1 Administrative Assistant	19,270.00
			1 Administrative Aide	17,788.00
			1 Receptionist	13,254.00
			1 Messenger	7,576.00
			8 positions	$ 174,718.00
			benefits of 9%	15,724.62
			8 positions	$ 190,442.62
23-1307		"The Director ... shall submit ... a report as to the agency's administration of its responsibilities... to the Congress .... to the Commissioner ... (and) shall include ... a statement of financial condition .... for (that) .. period."	See 23-1306	
23-1308		"Budget estimates ... shall be subject to the approval of the executive committee..."	See 23-1306	

Program Measures	Priority	Effect of No Funding	Priority
30 of every 100 persons arrested are on probation, parole or release. Notices are sent in all cases to Judges and other proper authorities.	4a	Judges who have released defendants will be unaware of rearrests of those releasees as will parole and probation authorities.	4a
Rule 46 h requires that the Chief Judge (of the U.S. District Court) be notified of all persons detained in excess of 10 days and the reasons therefor. A local rule of Court requires the same report for Superior Court. Implementation of computer operations may permit such reports in the future. Presently with 25 of every 100 persons processed through the courts committed to pretrial detention by one means or another, the reports cannot be prepared without the resources requested.	6	The federal and local court rules will continue to go unenforced. This means that there will be no regular monitoring of the jail pretrial detention population and no regular attempts to "force" the system to reduce that explosive overpopulation	6
Effective management of resources requires the "support" positions listed. This general support is evenly distributed throughout the entire Agency, which is located in 3 physically separate places.	----	The smooth coordination of the varied tasks assigned by law and the atmosphere necessary for the conduct of those tasks would be missing.	----
Reports (2) both Calendar and statutory are prepared in compliance with the statute.	----	----	----
The Executive Committee reviews all budget requests and program planning with the Director and sets parameters of operation required by the statute.	----	----	----

Statutory Citation	Program Description	Direct Costs (Personnel & Benefits		Program Measures	Priority
Other	The Automated Bail Agency Data Base System (ABA DABA). When fully implemented the system will print all reports required above including the reports for citations, court rearrests, condition compliance, and will also print all notification letters. In addition it will link U.S. District Court, Superior Court, Police, Corrections, Parole, and the U.S. Attorney systems.	Equipment Rental	$ 32,000.00	Final implementation should eliminate 8 to 10 positions and redirect 4 or 5 more. It will enhance accuracy and speed up report writing time considerably.	2
		Line Costs	4,000.00		
		C.P.U. time	100,000.00		
		Equipment Maintenance	400.00		
		Supplies	2,000.00		
			$138,400.00		

Effect of No Funding	Priority
Statistical data gathering, information gathering, report writing, and information sharing among criminal justice agencies will be thwarted. Demographic data unavailable otherwise will be available under this system	2*

* An effective record system is one which is both timely and legally sufficient. To provide notices of court appearance, accurate appraisal of pretrial release condition compliance, rearrest notices, evidence that forms the basis of legal proceedings following violations, lying, failures to appear etc., the Agency must keep track of all case dispositions in both courts, of all arrests, of all interviews etc., and must have this information recorded accurately in a form easily retrievable. At present, this is accomplished manually. With the implementation of an automated system, the design of which has been accomplished with LEAA funds ($170,000), the tasks will be accomplished more quickly, more accurately, and in greater detail.

Total Personnel Services and benefits	70 positions	$ 935,722.87
Total Operational (excluding Computer) (including moving)		150,277.13
Total Computer		138,400.00
TOTAL		1,224,400.00

SUBMITTED QUESTIONS

Senator LEAHY. In addition to a statement on your needs, I have some additional questions which I would like to have you answer for the record.

Mr. BEAUDIN. I will be happy to provide the answers for the record.

[The following questions were not asked at the hearing but were submitted to the Agency for response subsequent to the hearing:]

QUESTIONS SUBMITTED BY SENATOR LEAHY

BAIL AGENCY

A. EFFECT OF REDUCTION OF EMPLOYEES ENGAGED IN SUPERVISION OF THOSE ON PRETRIAL RELEASE

QUESTION:
1. The justification material (Vol. III, P. 137) indicated that over the last two years the number of Bail Agency employees engaged in supervision of pretrial releasees was reduced from 20 to 4. Specifically, What has been the program effect of the reduction of staff in this area?

ANSWER:
1. Simply stated the reduction of staff has resulted in an inability to report violations of conditions to the Court in all cases; to provide information on those defendants who have failed to appear; to provide testimony at hearings on violations of conditions which we have been able to report; and inability to provide Judges at sentencing time with summary reports of compliance with conditions by those who have been at liberty on pretrial release.

It is difficult to measure by number those things which have gone unattended. Based on our experience we know that of the 4,500 at liberty on pretrial release 3,500 have at least 3 or 4 conditions with which they must comply and the other 1,000 have at least 2. We know that 50% of the conditions set are not being complied with and thus we can safely say that we have been unable to provide reports about condition violations in approximately 3,000 cases.

In prior years when defendants or their families called to report that defendants would be unable to appear in Court as required we were able to investigate and confirm or deny the reasons given. We were then able to notify the Court and obtain continuances so that the Court Calendar would not be disrupted. In addition, we were able in many cases to convince defendants who had missed court dates and for whom bench warrants had been issued to return voluntarily to Court. This procedure precluded the need for police to arrest and eliminated the chaos that results in the Court's schedule. In our prior experiments with this procedure we had reduced the number of failures to appear by 40% to 50%. That work has gone unattended for the past 3 years.

With respect to testimony at hearings since there have been fewer hearings we have been able to appear but in so doing whatever time is spent in hearings is therefore unavailable for additional supervisory functions thus compounding the problem.

Finally, in prior years we had been able to provide the presentence writers and the Courts with information on each defendant who has been released so that the presentence report could be prepared more accurately and in a shorter period of time than had been true before. Without staff we are unable to provide these reports and significant facts -- how a defendant has performed during a period when he has been under Court control -- are unavailable.

Attached for your consideration is a study about supervision that was completed and printed after our testimony this year. I believe that it will enlighten understanding about supervision (Copy is on file in the Subcommittee's Office).

B. DATA PROBLEMS IN TRACKING DEFENDANTS

QUESTION:
1. According to your budget policy statement (Vol. III, P. 129) the Automated Bail Agency Data Base (ABADABA) is the only system in the District of Columbia which identifies all persons arrested and processed through both the Federal and Local Court Systems. However, the Metropolitan Police Department, the U. S. Attorney's Office, Superior Court, District Court and the Department of Corrections maintain criminal information.

1a. What problems has the Bail Agency encountered because information about a defendant is in so many places?

ANSWER:
1a. The Bail Agency has had to work with the various sources described since its inception and therefore has itself experienced no difficulty in working with the various systems of data. The significant fact, however, is that the Bail Agency is the only common link among these separate subsystems. Thus, once the Agency has gathered its information and printed its report the Courts, both Federal and Local, the Police, the United States Attorney's Office, and the Department of Corrections have been able to look at every defendant who is passing throughout the Local or Federal System despite the fact that each Agency has its own subsystem. The true significance of the Agency's automated system is that demographic information heretofore unavailable in most part to the system can be analyzed not only by

the Bail Agency but by the Courts setting bail, by the Police making arrests, by the Corrections Department in diagnosing and classifying inmates and by the United States Attorney in the papering of his cases.

QUESTION:
2. To what extent will the planned Offender Based Transaction System improve this situation?

ANSWER:
2. The Offender Based Transaction System, the means by which the Bail Agency obtained LEAA funds to develop its automated system as a component of OBTS, will improve the system by eliminating the duplication of information gathering that exists among the several agencies and by permitting each agency to access and/or update information concerning specific defendants. At the same time, the subtle change from treating "cases" to treating "defendants" will permit an evaluation of the whole person and not a scattergun approach to separate cases. By this I mean simply that the present system analyzes each case no matter who the defendant. Under the enhanced OBTS system every defendant with or without multiple cases will be analyzed in a more representative manner.

DEPARTMENT OF CORRECTIONS

STATEMENT OF DELBERT JACKSON

NEW JAIL

Senator LEAHY. The next witness is Delbert Jackson, from the Department of Corrections.

Mr. Jackson, if you would join us, please.

Mr. Jackson, we are glad to have you here. Let me just ask a couple of questions on the new jail. Is it in full operation?

Mr. JACKSON. Yes; it is, Mr. Chairman.

USE OF OLD JAIL

Senator LEAHY. Is the old jail still being used?

Mr. JACKSON. We are still using two cell blocks and two dormitories in the old jail; cell blocks 3 and 4.

Senator LEAHY. The rest has been closed down?

Mr. JACKSON. Cell blocks 1 and 2 have been demolished.

Senator LEAHY. What about the ones that are being used? How long will they be used?

Mr. JACKSON. That is contingent upon, I guess, first: The population of the Detention Services and, second: The additional two modules with a capacity of 400 cells.

Senator LEAHY. I don't think I follow that.

Mr. JACKSON. If the population remains as it is today, with the addition of the two new modules to the Central Detention Facility, cell blocks 3 and 4 at the old jail can be closed.

WOMEN'S DETENTION CENTER

Senator LEAHY. What about the Women's Detention Center? Is that still in operation?

Mr. JACKSON. The Women's Detention Center was closed last year.

SAVINGS IN OPERATING COSTS

Senator LEAHY. We were told that we would get about $3 million in annual operating savings if we built a new wing to the new jail. When will we start receiving those operating savings?

Mr. JACKSON. I would anticipate upon completion of the two modules.

COMPLETION DATE OF NEW MODULES

Senator LEAHY. The completion date is what on those two modules?

Mr. JACKSON. On the two modules, I believe last week we were advised that bids have been received, and the lowest bid was $9 million-plus. We are anticipating the awarding of the bids, which should be shortly.

The apparent low bid was $9 million. I am not prepared to say exactly when it will be awarded by the Department of General Services.

Senator LEAHY. What is the ball park figure for completion?

Mr. JACKSON. I would say about 2 years from the award of the bid.

Senator LEAHY. The committee asked for analysis and a report regarding alternatives to incarceration. What is the status of our request for such an analysis?

Mr. JACKSON. If I recollect, Mr. Chairman, I think that was turned over to OCJPA, Office of Criminal Justice, Plans and Analysis, and the Department of Corrections has two members represented on a task force.

I don't think any action has been taken as of this date.

Senator LEAHY. I think they are going to be the last witness we are going to be able to have this afternoon because actually our time ran out at 3:30. We will hold over to hear them because we want to hear about what they are doing in response to the committee request. I do have a question on that.

DISCREPANCY IN NUMBER OF PAROLEES ARRESTED

According to the Department of Corrections' estimate, about 650 parolees will be arrested in fiscal year 1979. But the D.C. Bail Agency data says that approximately 1,000 parolees will be arrested while on parole in fiscal year 1979.

Do you have any feelings why there is the discrepancy about the 350 people? That would obviously affect your operating budget.

Mr. JACKSON. Most certainly. I don't have the answer to that. We will research it and supply it for the record.

[The information follows:]

COMPARISON OF D.C. CORRECTIONS AND D.C. BAIL AGENCY DATA ON PAROLEE ARRESTS

The Department has recomputed its projection of parole warrants to be issued in fiscal year 1979 and found them to be correct. So far, in fiscal year 1978, 349 warrants have been issued by the D.C. Parole Board for our parolees. Projected over the entire year, this will result in approximately 600 total warrants issued for fiscal year 1978. We anticipate a 5-10 percent rise in the parole population—the population at risk—for fiscal year 1979. This then translates into a projected increase in warrants issued to 649.

The apparent discrepancy between our figure and that provided by the D.C. Bail Agency represents a difference in what is being counted. We are reporting parole warrant issuances. The Bail Agency is reporting parolees arrested and processed by that agency. The Bail Agency does process parolees for whom no warrants are issued. These would include arrests on charges which are quickly dropped, as well as some very minor misdemeanor charges.

STATUS OF THE OFFENDER BASE TRANSACTION SYSTEM FUNDS

Senator LEAHY. According to the justification material, in fiscal year 1978 the Department of Corrections received $150,000 to implement an offender-based transaction system.

The current budget says that no funds will be received for OMTS in fiscal year 1979. What is the status of that?

Mr. JACKSON. Mr. Chairman, we have two different grants that we are looking at there. One is OBSCIS, Offender Based State Corrections Information System, and one is the Offender Based

Transaction System (OBTS). OBSCIS is a grant mechanism for coordinating data available to the States.

Both of these are being worked in conjunction, one with the other, and under the auspices of the coordinating efforts of the Office of Criminal Justice Plans and Analysis.

We will be receiving OBSCIS funds this year and relying more heavily on them. However, at the time this particular budget was prepared, it was not certain we would get those, and hence they have not been included. But we will be getting them. Minimally, we are relying on the OBTS funds.

Senator LEAHY. I have some other questions which I will submit for the record.

INFLATIONARY INCREASE IN COST OF FOOD

Senator LEAHY. In the justification material it shows an increase in projected number of meals to be served in fiscal year 1979. It goes up to 1,756,000 from 1,200,000 or one-half million more meals.

Is the inmate population of the jail projected to increase in fiscal year 1979?

Mr. JACKSON. Mr. Chairman, we are experiencing a rather unusual phenomenon in the criminal justice process, here and around the rest of the country, in that we seem to have a stabilizing population.

We are glad to see that, of course. Our population has remained quite stable, incarcerated population as well as pretrial detention.

There is a stabilizing trend at this point. How long it will last, I don't know.

Senator LEAHY. In the justification material, it says the major policy assumption used in the preparation of this budget is the incarcerated population will be 3,700 in 1979 as compared to 4,000 in fiscal year 1978.

It is going down around 10 percent. If the budget request is approved, it is going up a little over 1 percent, but the food budget is going up approximately 37 percent on the per capita basis. Why is that?

Mr. JACKSON. The only answer that I could give to that would be, not perhaps the number of meals that are served, but perhaps the inflationary escalation of costs.

Senator LEAHY. Could it be that some of the food budget is increased to permit the absorption of cost increases in other areas?

In other words, are there any other areas that are being accommodated by the increase in the food budget?

Mr. JACKSON. Not to my knowledge. Occasionally, what we find in some of these increases is that we get unduly behind in other years, and the increase hits you all at once.

So it looks like you are getting some huge increase when in fact it is intended to make up for some of the past deficiencies.

Senator LEAHY. Thank you.

SUBMITTED QUESTIONS

I will have a couple of other questions for the record.

I would appreciate with your help if you could answer them for the record and, of course, any statement you have will be made part of the record.

I appreciate your being here today.

If you, as a result of any of these questions, want to add anything further or if you think there are some areas that I have overlooked, which often happens, please don't hesitate to include that for the record also.

Mr. JACKSON. Thank you.

[The following questions were not asked at the hearing but were submitted to the Board for response subsequent to the hearing:]

QUESTIONS SUBMITTED BY SENATOR LEAHY

DEPARTMENT OF CORRECTIONS
A. HOW DO MEALS SERVED INCREASE AT THE SAME TIME PRISON POPULATION IS DROPPING

QUESTION:
1. The justification material (Vol. III, P. 158) shows an increase in the projected number of meals to be served in FY 1979 to a total of 1,756,000 which increases from 1,200,000 in FY 1978. Is the inmate population at the Jail projected to increase in FY 1979? If yes, is it logical to assume that the inmate population for the system as a whole will come down? If so, why are the number of meals projected to go up?

ANSWER:
1. The program measures shown in the FY 1979 budget were inadvertently picked-up from an earlier budget submission and reflect the average daily population of the Jail Annex prior to the demolition of two cell blocks.

The FY 1979 budget program measures should read as follows:

	1977	1978	1979
Number of Meals Served	595,680	635,100	599,500

The food budget was based on this projected decrease in meals served, and not on the erroneous work measures. At a projected per meal cost of $.98, the total Annex food budget comes to $588.4.

B. FOOD BUDGET UP 37%

QUESTION:
1. One major assumption behind the budget request is that prison population will decline to 3,700 in FY 1979 from 4,000 in FY 1978 and therefore the number of meals served will go down in FY 1979. While the inmate population is expected to go down approximately 10% the budget requested for food is projected to go up by over 20%. Why is the food budget going up by approximately 37% on a per capita basis in one year?

ANSWER:
1. On a per capita basis the cost of food is projected to increase 5.7% between FY 1978 and FY 1979, from $2.81 per day to $2.97 per day. However, this is the first year in which full funding is being requested for food by the Department of Corrections. In FY 1978, for example, the total cost of food is estimated to be $3,722.0 whereas the Department only requested funding at $3,0140.0. The difference has, in the past, been made up out of part of reimbursement payments from the Federal Bureau of Prisons. These payments have been decreasing and are no longer a stable source. Their use has therefore been limited to other inmate needs (clothing, utilities, etc.).

It should also be pointed out that the Department does not budget to feed all of its wards. Employed halfway house residents, for example, pay for their own meals.

ANSWER:
1. In FY 1978 the Department anticipates feeding 3,624 inmates at an average per capita daily cost of $2.81 (= $3,722.0). In FY 1979 the anticipated number is 3,502 (-3.4%) at an average per capita daily cost of $2.97 (+5.7%) (= $3,800.0). However, since Congress was not approached for full funding in prior years, the appearance is of a 26.1% rise in the food budget (from $3,014.0 to $3,800.0).

The Department is requesting that full funding be provided by reprogramming $439.6 from personal services, plus an increase of $350.0.

The Policy Statement describes an 18.3% increase in the actual per capita food costs over a five year period (75-79), not one year. The one year increase is 5.7%, as stated above.

QUESTION:
B. 2. The justification material (Vol. III, P. 181) seemed to indicate that the food budget was being increased to permit the absorption of cost increases in other areas. Specifically, what other areas are being accommodated by the increase in the food budget?

ANSWER:
B. 2. The Department has been relying on reimbursements from the Federal Bureau of Prisons to supplement the food budget, as well as to meet other inmate needs. These reimbursements are anticipated to decrease in FY 1979, while the cost of other inmate needs is rising. Therefore the Department has requested full funding of food costs, not to absorb cost increases in other areas, but to adequately meet the true food cost.

C. OFFENDER BASED TRANSACTION SYSTEM

QUESTION:
1. According to (Vol. III, P. 171), in Fiscal Year 1978, the Department of Corrections received $150,000 to implement an offender based transaction system (OBTS). The current budget indicates that no funds will be received for OBTS in Fiscal Year 1979.

What is the status of OBTS?

ANSWER:
C. 1. While $150,000 was the anticipated amount to be received in FY 78 under OBTS, the amount finally received was $65,000 (3/78). This was part of an overall cut, in excess of 50%, received by all District Criminal Justice Agencies. Further cuts to District OBTS funding are anticipated for FY 1979, and the Department of Corrections cannot make any secure statement about anticipated funds. Whatever funding is received, next year will be the final year funded.

QUESTION:
C. 2. As a result of this grant, please explain whether or not the computer systems of all the D.C. Criminal Justice Agencies will be consolidated?

ANSWER:
C.2. There are no plans to consolidate, as a result of OBTS, the computer systems presently serving D.C. Criminal Justice Agencies. There will be limited access linkages between the Metropolitan Police Department, the D.C. Bail Agency, the U.S. Attorney's Office and the D. C. Department of Corrections. Full consolidation would violate privacy and security concerns, besides being unwieldy and prohibitively expensive.

QUESTION:
C.3. According to the justification material (Vol. III, P. 145), OBTS is supposed to be a joint effort of all the operating agencies of the District's Criminal Justice System. However, we understand that the Courts won't be on OBTS. Why aren't the Courts participating in OBTS? How will this affect the quality of the information in the Criminal Justice System?

ANSWER:
C.3. The D.C. Superior Court has its own computer system, and there are no plans to establish any linkages under OBTS. However, this should not negate the utility of the overall OBTS information system. The information available from the other agencies overlaps with what the Courts might have supplied. Most of the processing kinds of information sought under OBTS will be captured from the other agencies.

D. DATA DISCREPANCY

QUESTION:
D.1. According to Department of Corrections estimates (Vol. III, P. 160) about 650 parolees will be arrested in Fiscal Year 1979. However, D.C. Bail Agency data (Vol. III, P. 133) approximates that 1,000 parolees will be arrested while on parole in Fiscal Year 1979.

Explain the discrepancy.

ANSWER:
D.1. The Department has recomputed its projection of parole warrants to be issued in FY 79 and found them to be correct. So far, in FY 78, 349 warrants have been issued by the D.C. Parole Board for our parolees. Projected over the entire year, this will result in approximately 600 total warrants issued for FY 78. We anticipate a 5-10% rise in the parole population - the population at risk - for FY 79. This then translates into a projected increase in warrants issued to 649.

The apparent variance between our figure and that provided by the D.C. Bail Agency may represent a difference in what is being counted. We are reporting parole warrant issuances. The Bail Agency is reporting parolees arrested and processed by that Agency. The Bail Agency does process parolees for whom no warrants are issued. These would include arrests on charges which are quickly dropped (within hours), as well as some very minor misdemeanor charges.

QUESTION:
D.2. How many Parole Officers are there? What is the average caseload? Are parolees adequately supervised to make sure that all the conditions of parole are followed?

ANSWER:
D.2. As of June 1, 1978 there were 38 parole officers to supervise 2,288 active parolees, for an average caseload size of 60.2. There were an additional 552 "inactive" parolees - persons who have demonstrated a good community adjustment over an extended period of time. These cases do, however, represent some minimal amount of work for the Parole Officers.

The level of supervision provided is at least adequate. Supervision to ensure conformance with the conditions of parole presently being imposed by the D.C. Parole Board is not the more difficult task. Parole Officers also serve as community resource coordinators. What are the parolee's needs? What are his or her family's needs? How can they be met? These problems are the more demanding.

One way of summarizing the adequacy of the supervision being provided is to compare police figures on rearrests of community-based Corrections wards with those of probationers (supposedly a low risk group) and pre-trial Bail Agency cases. In 1976, according to police figures, 5% of parolees and halfway house residents were rearrested for serious offenses, compared to 8% of probationers and 15% of pre-trial releases. More recent figures are not available to the Department of Corrections.

Office of Criminal Justice Plans and Analysis

STATEMENT OF ELIZABETH REVEAL

ACCOMPANIED BY COMER S. COPPIE

ESTABLISHMENT OF INDEPENDENT OFFICE

Senator Leahy. Our last witness this afternoon will be the Office of Criminal Justice Plans and Analysis, and we have Elizabeth Reveal.

This office I understand used to be in Mr. Gilbert's office. Is that correct?

Ms. Reveal. That is correct.

Senator Leahy. Why do you need a new bureaucratic organization?

Ms. Reveal. Perhaps an improved one. The Office of Criminal Justice Plans and Analysis was part of the Municipal Planning Office, as I understand it, for a number of years.

Last spring the Law Enforcement Assistance Administration denied the District's 1977 comprehensive plan at a loss of approximately $1 million of Federal funding to the District.

At that time, the Coordinating Board was reconstituted and the agency was moved under the direct administrative authority of the Corporation Counsel and the Executive Secretary.

REPORT ON ALTERNATIVES TO INCARCERATION

Senator Leahy. If it is an improved organization, why wouldn't it ride herd on that report that the Correction Department says should be coming out of the Office of the Criminal Justice Plans and Analysis?

Ms. Reveal. I received a request approximately 2 months ago, from the Office of Budget and Management Systems to undertake an analysis of pretrial detention services. Since that time, I have appointed——

Senator Leahy. When is it?

Ms. Reveal. It was approximately 2 months ago that I was contacted. I have only been in my position about 2 months; I am not sure what happened prior to that time.

Senator Leahy. I mentioned this only—I am not critical of you—but I just pointed out that the letter I sent to them was June 6, 1977. I know the mails are slow but 8 months is a bit much.

Ms. Reveal. I am told that some contact has been received in the office, but I am not sure what its status was up until a few months ago.

Senator Leahy. I am concerned because the committee has bent over backward to enable that reprograming of $700,000 and we did it conditioned on the clear understanding of this study being done. Now we are just about a year later and find that you just learned

that you are going to be the agency to be involved with it and that only 2 months ago you were given the assignment.

We moved at a fair degree of speed on that. I understand it was an urgent request of the city. I am concerned this thing has been revolving around for 10 months and nothing is happening.

Am I being too harsh in saying that?

Ms. REVEAL. I really can't answer that. I think you have to address that to Mr. Coppie. My guess is there have been discussions with the agency prior to this spring.

PROPOSED DATE OF RECOMMENDATIONS

Fortunately, this is one area where the District has far more and far better data than we have about most other aspects of criminal justice. I am hopeful that no later than the end of the summer or early next fall we will have a comprehensive set of recommendations, not only about pretrial services but pretrial detention as well.

Senator LEAHY. I would hope so, too. It is a case where I don't want to encourage you just to pass up a shopping list, just a case of additional resources needed, but please let us know the results of your analysis.

Ms. REVEAL. I would like to comment. The Law Enforcement Assistance Administration has just announced a new discretionary program on pretrial services and overcrowding of jails.

We have submitted a concept paper for that to support the work of the task force that I have appointed on this subject. I hope we will receive a favorable response.

Senator LEAHY. I wonder if Mr. Coppie wants to add anything to the question.

Mr. COPPIE. I think we now have our priorities in place and the agency——

Senator LEAHY. The attention has been focused?

Mr. COPPIE. And the staff person who can do it is represented here this afternoon.

SUBMITTED QUESTIONS

Senator LEAHY. The committee does want to help contrary to the misunderstandings in some quarters notwithstanding.

I don't mean to be cutting you off if there is something else you would like to add, but I do have some additional questions that I would like for you to answer and provide for the record.

Ms. REVEAL. Mr. Chairman, I would be happy to provide them for the record. I would also like to expand on some of the answers I gave this morning Mr. Chairman.

Senator LEAHY. You may do so, Ms. Reveal.

[The following questions were not asked at the hearing but were submitted to the Office for response subsequent to the hearing:]

QUESTIONS SUBMITTED BY SENATOR LEAHY

OFFICE OF CRIMINAL JUSTICE PLANS AND ANALYSIS
A. PROPOSED NEW BUREAUCRATIC ELEMENT

QUESTION:
1. This Office currently is a part of the Municipal Planning Office. Why is the city proposing to create a new bureaucratic and organizational element?

ANSWER:
1. The Office of Criminal Justice Plans and Analysis is not currently a part of the Municipal Planning Office. It has been an independent agency in the Executive Office of the Mayor since May of 1977 when the Mayor issued a new organization order (Mayor's Order 77-52, as amended). Because the agency, as part of the Municipal Planning Office, had not been able to meet its obligations either to the Federal Government (as indicated by the rejection of the 1977 Comprehensive Plan) or to the district criminal justice agencies and organizations (again as illustrated by the loss of federal funding to the district,) it was determined that administrative efficiency, and productivity would increase if the office were independent and the criminal justice planning function no longer merged with multi-purpose general planning activities. The total amount of funding requested from appropriated sources for the agency has remained the same as it was when OCJPA was a part of the Municipal Planning Office. Since May of 1977 the agency has been able to develop an acceptable Comprehensive Plan and provide extensive technical assistance to operating agencies.

QUESTION:
2. Why not include this office as a part of the courts of the Police Department?

ANSWER:
2. A basic premise of the Omnibus Crime Control and Safe Streets Act is that criminal justice planning (research, evaluation, technical assistance, program development, etc.) is, and should be, a separate function from operating criminal justice agencies. Because the purpose of criminal justice planning is to examine critically the interagency linkages, and any resulting duplication of effort, expense, or conflicting goals and objectives, it would be inappropriate for the planning function to be in any single operating agency. Only by being an independent agency can the criminal justice planning function maintain objectivity in examining budget allocations, policy decisions, administrative practices, and the relationship between public criminal justice agencies, the private sector and individual citizens.

QUESTION:
3. As soon as a new independent office is established pressure is developed to add all the overhead items that lead to additional budget growth.

ANSWER:
3. It is true that once a new agency is established overhead costs, administrative costs, and personnel may tend to burgeon. I would note that the current reorganization and reduction-in-force which is occurring in the District's Office of Criminal Justice Plans and Analysis (since its removal from Municipal Planning) will reduce its annual operating cost from approximately $740,000 (the level of expenditure when in the Municipal Planning Office), to approximately $450,000 - $500,000 per year. Every effort has been made to ensure that overhead and administrative expenditures are minimized, and that the staffing pattern reflects the most efficient professional planning, research and evaluation skills possible within realistic budget levels.

OFFICE OF CRIMINAL JUSTICE PLANS AND ANALYSIS

B. OTHER QUESTIONS

QUESTION:
1. Please explain the effectiveness measure "research accepted".

ANSWER:
1. "Research accepted" would include the degree to which recommendations or conclusions (resulting from research efforts undertaken by the Office) were considered by the Criminal Justice Coordinating Board, incorporated in the annual criminal justice plans, or considered by any other appropriate bodies for whom the research was requested. For example, a measure of our effectiveness would be the extent to which the "research" undertaken on behalf of the District's Task Force on Pretrial Services and Detainees, was considered adequate by the Task Force, adequate by the District's Office of Management and Budget Systems, and adequate by the Senate Appropriations Committee from whence the original request was received. We would consider it a measure of our success if recommendations, (based upon the research, and developed by the Task Force,) were submitted to participating agencies and implemented.

QUESTION:
2. What criteria is used to determine which agency will receive grant funds for their projects?

ANSWER:
2. Each year a Comprehensive Criminal Justice Plan is developed by the Criminal Justice Coordinating Board. The Plan establishes a) priorities for that year's fund allocation (in addition to non-funded activities and tasks which need to be undertaken), b) eligible applicants, c) the maximum amount of funding available, and d) the criteria which will be used to determine adequacy of application. A planning committee of the Criminal Justice Coordinating Board is responsible for developing this plan, and its membership is made up of

both agency representatives and citizen representatives. Within the priorities of each annual plan, then, an operating criminal justice agency may apply for those program areas for which the applicant has been deemed eligible, and must compete against other public agencies (if any,) or other private agencies also eligible for the same program area. Determinations about actual recipients are based upon consistency with the plan's priorities, adequacy of the individual application, "track record" of the public agency making the request, and the likelihood that the program to be funded (if successful) will be assumed by the public agency at the end of grant funding.

QUESTION:
3. According to program description (EBQ-2), in FY 78 four clients will request OCJPA technical assistance. Please describe what types of assistance OCJPA has provided to date.

ANSWER:
3. The figures shown on page EBQ-2 are incorrect. The FY 78 figure for clients requesting technical assistance should read 25; the expected FY 79 requests should read 100.

Technical assistance requests may include a variety of activities. Examples include requests for assistance in grant development, requests for assistance in research or evaluation, requests for assistance in reviewing or developing administrative regulations, or assistance in examining any other aspects of agency operations deemed necessary by the initiating agency. In FY 1978 the Office received over 50 requests, considerably more than were expected at the time of original budget development. These have included requests from the City Council, requests from the Office of Management and Budget Systems, requests from the Police Department, the Department of Corrections, the Judicial Planning Committee, the Corporation Counsel's Office, and numerous private organizations and neighborhood groups interested in developing community crime prevention or related programs. To date the Office has worked intensively with more than 93 community groups in the Ward I area to develop national applications for community anti-crime funds; is currently working with four neighborhood-based groups to develop criminal justice programs to be funded with OCJPA funds; has provided, and is completing a short term research project on truancy in the District of Columbia on behalf of the D. C. City Council Committee on Education, Recreation and Youth Affairs; is providing extensive assistance to the Metropolitan Police Department to aid them in obtaining national funds for the support of a training program on the problems of juvenile prostitution; and is assisting the Department of Human Resources and the newly organized D. C.

Coalition on Youth in conducting an inventory of private youth serving agencies in the District of Columbia, and the adequacy of service delivery to status offense youth.

The 1978 Criminal Justice Plan, which was approved by the Law Enforcement Assistance Administration, calls for over 75 separate tasks and activities to be undertaken by the Criminal Justice Coordinating Board and the Office of Criminal Justice Plans and Analysis. More than 60% of these tasks involve some form of technical assistance either directly from the Office of Criminal Justice Plans and Analysis to operating agencies and groups, or through the Office of Criminal Justice Plans and Analysis to these same agencies. Again, the adequacy of technical assistance efforts can only be measured by the extent to which recommendations and/or results are implemented by the agencies and organizations for which the assistance was provided. To date, in FY 78 technical assistance provided by this office has resulted in a number of products adopted by requesting agencies and gr groups.

It is hoped that in the future this will continue to be the case and that the Office of Criminal Justice Plans and Analysis can continue to play an increasing role in providing management, research, evaluation, and program planning support to the District's public criminal justice agencies as well as private organizations and groups attempting to contribute to Washington's criminal justice process.

QUESTIONS SUBMITTED BY SENATOR LEAHY

Senator LEAHY. For those agencies in the Public Safety and Justice category which were not scheduled to appear, I will submit questions and ask that the written answers be provided for the record.

[CLERK'S NOTE.—The following material was submitted in lieu of appearances by the agencies:]

National Guard

A. WHEN IS THE GUARD CALLED

QUESTION:
1. Under what circumstances is the Guard called up t the Capital Park and City Police?

ANSWER:
1. The Guard is called up to support civil authorities careful analysis of a pending threat of disorder reveals the civ en- forcement agencies would require reinforcement or at su s as the civil law enforcement agencies are unable to con ituation. The Mayor of the District of Columbia may re n of the Guard to support the Metropolitan Police Depart US Marshal may request the callup of the Guard to su tal Police or other federal law enforcement agencies.

QUESTION:
2. What chains of command must the Guard go through to provide assistance to the Capital Park and City Police?

ANSWER:
2. Under existing law, the President is the Commander in Chief of the D.C. National Guard (39-112 DC Code) and as such is responsible for the administration of the D.C. National Guard affairs. The President has, since 1949, delegated the administration of the D.C. National Guard to the Department of Defense by Executive Order, the most recent and currently applicable Executive Order No. 11485, is dated October 1, 1949. Under authority of paragraph 4, of the Executive Order, the Secretary of Defense has further delegated to the Secretary of the Army to act for him in matters pertaining to the Army National Guard and to the Secretary of the Air Force to act for him in matters pertaining to the Air National Guard.

As an exception to the above delegations the Secretary of Defense has delegated to the Secretary of the Army authority to command, through the Commanding General of the National Guard, all operations of the Army and Air National Guard when it is used in military status to aid civil authorities. The Secretary of the Army, after coordination with the Secretary of Defense and subject to the direction of the President as Commander in Chief, may order out the National Guard under title 39 of the District of Columbia Code to aid the civil authorities of the District of Columbia. This letter of authority has further been delegated to the Under Secretary of the Army.

QUESTION:
3. When was such assistance provided and how many Guardsmen were used and at what cost?

ANSWER:
3. Guardsmen were employed 101.434 mandays in support of civil authorities in the District of Columbia. During the period 21 Oct 1967 until the present this was provided at no cost to the District of Columbia. The following is a listing of such support:

RECORD OF MILITARY SUPPORT TO CIVIL AUTHORITIES BY D. C. NATIONAL GUARD

DATE	ACTIVITY	STRENGTH USED	DUTY DAYS
21-22 Oct 67	ANTI-VIETNAM DEMONSTRATION PROTEST MARCH	1648	2
5-16 Apr 68	WASHINGTON, D. C. CIVIL DISTURBANCE	1854	12
6 Jun 68	FUNERAL - SENATOR ROBERT F. KENNEDY	1390	1
19 Jun 68	NATIONAL SOLIDARITY DAY MASS MARCH	1555	1
23-26 Jun 68	SUPPORT OF DCMPD DURING THE CLOSING OF RESURRECTION CITY	1582	4
9 Oct 68	SHOOTING INCIDENT: MALE CITIZEN SHOT BY POLICEMAN	49	1
2-3 Nov 68	SHOOTING INCIDENT: FEMALE CITIZEN SHOT BY POLICEMAN	723	2
18-19 Jan 69	PRE-INAUGURAL ACTIVITIES	1694	2
20 Jan 69	SUPPORT OF DCMPD DURING INAUGURATION	1694	1
4-6 Apr 69	SUPPORT OF DCMPD AND OTHER AGENCIES IN PRESERVATION OF LAW AND ORDER	1576	3
9 May 69	HOWARD UNIVERSITY DISORDERS	835	1
15 Oct 69	WAR MORATORIUM DEMONSTRATIONS	578	1
14-16 Nov 69	MORATORIUM AND ANTI-WAR DEMONSTRATIONS	2260	3
4-5 Apr 70	VICTORY MARCH	2329	2
8-10 May 70	ANTI-WAR PROTEST	1786	3
24 May 70	LORTON REFORMATORY DISTURBANCE	8	1
4 Jul 70	HONOR AMERICA DAY CELEBRATION	1367	1
2-4 Oct 70	DR. McINTYRE MARCH FOR VICTORY	1776	3
23-25 Apr 71	NATIONAL PEACE ACTION COALITION	1558	3
2-6 May 71	MAY-DAY ANTI-WAR DEMONSTRATION	1919	5
8 May 71	DR. McINTYRE MARCH FOR VICTORY	904	1
25-26 Oct 71	PEOPLES COALITION FOR PEACE AND JUSTICE	2145	1
20-21 May 72	ANTI-WAR ACTIVITIES	1153	2
19-20 Jan 73	SUPPORT OF INAUGURAL ACTIVITIES	2344	2
1 Jun 74	SEARCH FOR MISSING MALE CHILD		1
26-27 Sep 75	LORTON CORRECTION CENTER	7	1
3-4 Jul 76	BICENTENNIAL SUPPORT (4th of JULY)	1055	3
21 Jan 77	PRESIDENTIAL INAUGURAL	1458	2

B. FEDERAL PROPERTY INVENTORY

1. THE BUDGET STATES THAT THE GUARD'S FEDERAL PROPERTY INVENTORY IS IN EXCESS OF $140 MILLION FOR FISCAL YEAR 1979.

QUESTION:
1A. Please provide the Subcommittee a breakdown between real and personal property.

ANSWER:
1A. Federal personal and real property in the current (FY 1978) inventory of the District of Columbia National Guard follows:

PERSONAL PROPERTY	(MILLIONS)	
Army National Guard	16.8	
Air National Guard	74.5	
Sub-total		91.3

REAL PROPERTY		
Army National Guard	19.0	
Air National Guard	15.0	
Sub-total		34.0
TOTAL		125.3

QUESTION:
1B. Is the value of the property based on the original acquisition cost or after a provision for depreciation?

ANSWER:
1B. The value of the personal property is based on the original acquisition cost. Real property located in the District of Columbia is based on current official District of Columbia assessments, and the value of real property located outside of the District of Columbia (i.e., Andrews Air Force Base, Maryland, and Davison Army Air Field, Virginia) reflects initial acquisition cost in 1978 dollars.

QUESTION:
1C. Where is the personal property stored? Is there adequate security and safeguards to prevent theft? Explain.

ANSWER:
1C. Personal property is stored at the following District of Columbia National Guard facilities: The D. C. Armory; Camp Simms, 1515 Alabama Avenue S. E., Washington, D. C.; the D. C. Armed Forces Reserve Complex, Anacostia Naval Air Station, Washington, D. C.; Andrews Air Force Base, Maryland; and Davison Army Air Field, Virginia.

In all cases this property is secured at these facilities in supply rooms, arms rooms, warehouses, aircraft hangars, vehicle storage facilities, and individual equipment lockers protected with necessary physical safeguards in accordance with federal security standards.

QUESTION:
2. When was the last physical inventory performed? Was it necessary to adjust the perpetual inventory records after the physical count? If so, how much? Why?

ANSWER:
2. Physical inventories are conducted annually and when there is a change of command, in accordance with applicable regulations. Inventory adjustments are made routinely after each inventory.

C. 1 ADDITIONAL POSITION REQUESTED

QUESTION:
1. The FY 1979 funding proposal includes a request for one additional position over the FY 1978 level. Specifically, why is this additional position needed?

ANSWER:
1. It has been necessary in FY 1978 for the duties of the Budget and Accounting Clerk to be performed by other than District employees at no cost to the District Government. Federal auditors have recom-

mended that Federal employees be relieved of the responsibility for administering District funds to alleviate problems in our Federal fiscal operations. Those duties include compiling detailed statistical data, reports required by budget regulations, procurement and accounting duties, maintaining records of obligations and expenditures and preparing purchase orders and voucher documents. It is imperative that these tasks be performed for the District of Columbia National Guard by a District employee as outlined in Chapter 8, Title 39, District of Columbia Code.

D. WHAT HAS THE GUARD DONE

QUESTION:

1. Has the Guard been called up to assist the D.C. Metropolitan Police since the 1977 Inauguration?

ANSWER:

1. Fortunately conditions in the District of Columbia have not warranted call-up of the District of Columbia National Guard since the 1977 Inauguration. It should be emphasized that the 3700 men and women of the District of Columbia National Guard were prepared to provide support if called. This support would have been by units trained in Civil disturbance control operations or in many other areas such as transportation, land and air; medical, including air evacuation; communications, both radio and wire and man other support type details. The unmeasurable factor is the deterent provided by the knowledge this force stood ready to support the Metropolitan Police with minimum notice.

E. DEFINITION OF STATE VS. FEDERAL RESPONSIBILITIES FOR GUARD

QUESTION:

1. What is the D. C. "State" responsibility with regard to the National Guard as opposed to the Federal responsibility?

ANSWER:

1. The funding responsibility of the "State" is basically in two major areas: (1) to provide adequate security and protection of all federal equipment issued to the National Guard of the District of Columbia, and (2) for the administrative structure of the various National Guard units. Within the latter category is the operation and support of the State Headquarters, including the very vital responsibility for maintenance of National Guard service records for each individual appointed or enlisted in the District of Columbia National Guard. These records of service are valuable documents extremely important in vital statistics and are not duplicated elsewhere. This volume of records dates back to 1882. Also, as a part of the administrative support responsibility is that of providing adequate commercial communications. The military, i.e., federal furnishes only limited commercial communication facilities. For this reason it has become necessary to establish the current communications system at the Armory and Camp Simms with District funding support. There are varied additional expenses such as stationery supplies, office furniture, etc., which are necessary to support this function.

The following is quoted from D.C. Code 39-802:

"There shall be allowed for the general expenses of the militia such sums as may be necessary for the rental and furnishing of offices for headquarters, stationery, postage, printing and issuing orders, advertising orders, providing necessary blanks for the use of the militia, the cost of storing, caring for, and issuing all public property, and such other contingent expenses, not herein specially provided for, as may be estimated and appropriated for; the accounts of which shall be certified to by the officer receiving the service or property charged for, approved by the commanding general, and paid in the manner provided in section 39-901."

OFFICE OF EMERGENCY PREPAREDNESS

A. EMERGENCY SHELTER PROGRAM

QUESTION:

1. The justification material (p. 209) indicated that the Office of Emergency Preparedness maintains a network of protective buildings and supplies adequate to provide emergency shelter to 6,000,000 persons. What is the FY 1979 cost associated with this activity?

ANSWER:

1. Costs to maintain the shelter network for FY 1979 will be approximately $17,600. This figure represents the salary for the Shelter Officer and other personnel, and the costs of the vehicle used in the inspection and destocking operations. Shelter personnel are used for general emergency operations and other assignments in addition to shelter maintenance within the Office of Emergency Preparedness so that the cost stated above is not based on full-time shelter operations.

QUESTION:

2. As the population of D.C. is now about 700,000 and the population of D.C. at peak periods according to your office data (p. 211) is 1,650,000 why are so many emergency shelter spaces maintained?

ANSWER:

2. We do not physically maintain the entire inventory of existing shelters spaces in the city. The 6,000,000 spaces shown merely represents the total number of spaces that have been surveyed in all buildings in the District by the Defense Civil Preparedness Agency Engineer teams. This office is actively maintaining only those buildings which are licensed, and posted as fallout shelters. Of the 7,078 eligible buildings in the city, 1,674 have been licensed for use as shelters, and 906 are stocked with survival supplies. Our attention is therefore directed only to the licensed and stocked buildings at this time, which contain adequate space for the peak population of the District.

GENERAL QUESTIONS

QUESTION:

1. According to the policy statement on BN-1, the Office of Emergency Preparedness answers all calls into the D.C. Government Switchboard during the hours of 2300 to 0700 daily and from 1630 Saturday to 0700 Monday. Why does your office perform this function?

ANSWER:

1. This activity was initiated one year ago for the purpose of assisting the city to maintain a 24 hour telephone monitoring capability for the general public. The reason for this action was the direct result of a shortage of funds to support telephone operator positions on a 24 hour basis by the Telecommunications Management Division of the Department of General Services. On March 12, 1978, the services provided by this office was discontinued because of restoration of funds for the 24 hour capability

ANSWER:

1. in the Telecommunications Management Division of the Department of General Services.

At any future date this office would be capable of assuming this task should it again be necessary.

QUESTION:

2. On BN-8 the office states that it maintains stocked emergency shelters. How many OEP personnel are available to inspect supplies in the shelters? Are there old food supplies at the Emergency Shelters that should have been disposed of many years ago?

ANSWER:

2. There are two staff members who are available to inspect stocked shelters. One of the brands of biscuits stocked in the shelters (Southern Biscuit Company) is developing a disagreeable taste. We are removing this brand upon request by the building owner and making the supplies available to any private citizen farmer for animal feed. Any food that is not donated in this manner is disposed of at the sanitary landfill at Lorton, Virginia.

QUESTION:

3. Why will the number of fallout shelters increase by 200 in Fiscal Year 1979?

ANSWER:

3. The surge in new building construction in the District in the past few years will add approximately 200 new buildings to our total inventory of fallout shelters by the end of FY 1979. These include office buildings downtown as well as new apartment complexes on 6th, 7th and 14th Streets, N.W., and new structures on the Capitol Hill area.

QUESTION:
4. If a disaster occurs in the District on a weekday, would there be enough emergency shelters to accommodate all the people who work in the city?

ANSWER:
4. Yes. There is more than enough space to accommodate the peak daytime population, which includes workers, tourists, and residents. Assuming we could have a 30 minute warning lead time, this would be sufficient to allow people to move to the nearest shelter facility.

BOARD OF PAROLE

A. BOARD'S RULINGS IN DISCRETIONARY CASES

QUESTION:

1. The Justification Material (Vol. II, p. 160) indicated that in those cases where the Courts impose only a maximum sentence, the issue of parole eligibility is left to the discretion of the Parole Board. In these discretionary cases, at what point does the Board hold a parole hearing? Do you generally wait until the individual has served 1/3 of term? How do you handle these cases?

ANSWER:
1. Where the Court does not fix a minimum sentence, it may fix the maximum sentence of imprisonment to be served or may specify that the prisoner may become eligible for parole at such time the Board of Parole may determine. (18 U.S.C. 4208(a)(2), 18 U.S.C. 922, 924 or 26 U.S.C. 5821).

Those sentenced under 18, U.S.C. 4208(a)(2) will receive an initial hearing after receipt by the Board of a classification and evaluation report (usually prepared within 60 days).

At that hearing, the Board will establish a parole eligibility date and may

(a) grant parole on or after the established date
(b) deny parole
(c) continue the case to the established eligibility date.

The eligibility date will not be established beyond one-third of the maximum.

Those sentenced to a maximum term under provisions other than the National Firearms Act or 18, U.S.C. 4208(a)(2) will be given a parole hearing on or before the expiration of one-third of the maximum sentence imposed and shall be handled as any other parole hearing.

B. 53% RELEASES AS SOON AS THEY ARE ELIGIBLE

1. Last year the Committee was told (Part 1, p. 857) that approximately 53% of all adult offenders in the District's prison system were being released as soon as they became eligible for parole.

QUESTION :

1(a) What has been the rate over the last year?

ANSWER:

1(a) The rate of releases for adults released as soon as they became eligible for parole declined 8.5% over the previous year to 44.5%.

QUESTION:

1(b). How does this percentage compare with other local jurisdictions?

ANSWER:

1(b). This rate of 44.5% would appear to be about the same as the release rate for Virginia and Maryland. However, it must be pointed out that the time actually served by D.C. parolees is much greater than the time actually served by Virginia and Maryland parolees.

C. PAROLEES CHARGED WITH NEW OFFENSES

QUESTION:
1. Also last year, the Committee was told (Part 1, p. 856) that approximately 20 percent of your revocation hearings are conducted because the parolee is charged with a new offense while out on parole. What has been your experience over the last year? What percentage of your revocation hearings were initiated because the parolee was charged with a new offense?

ANSWER:
1. Last year revocation hearings conducted because parolees were charged with a new offense increased by 16.6% (36.6%).

It is believed that this increase was due to an unusually high number of individuals, charged with a new offense, but remaining in the community on bail or third party custody awaiting trial, were convicted, sentenced and returned to the system during the past year.

Revocation hearings for parolees returned to the system after conviction for a new offense must be held, thus, accounting for the increased revocation rate.

D. 35% OF REVOCATION HEARINGS

QUESTION:
1. The Justification Material (p. 164) shows that you expect to have 1,541 cases under your supervision in FY-1979 and that you expect to hold 540 revocation hearings. This same approximate ratio of roughly 1/3 of your parolees being called back for revocation hearings has held true for several years now. Do you feel that this ratio can or should be reduced?

ANSWER:
1. One thousand six hundred eighty-seven (1,687) individuals were under parole supervision during the past year. Four hundred and fifteen (415) or 24.6% revocation hearings were conducted during this same period. The percentage rate was reduced by 10.4%, thus strongly indicating that the ratio can be reduced.

COMMISSION ON JUDICIAL DISABILITIES AND TENURE

A. ALLEGED MISCONDUCT OF JUDGE CAMPBELL

QUESTION:
1. I noticed a recent article in the Post regarding the alleged judicial misconduct of Judge Robert A. Campbell. The allegation is that the Judge shows favoritism to several firms that amass thousands of dollars' worth of traffic tickets on their fleets of vehicles and then are fined substantially less or nothing at all by the judge.

The story concerned me on two counts. First, the Committee has been urging the city to enforce its parking regulations and collect delinquent fines to help improve the flow of traffic, but also to raise the associated revenue. If the court only forgives huge blocks of tickets the integrity of the system breaks down. Secondly, the possible misconduct of a sitting judge is a serious matter in itself.

What is the status of case?

ANSWER:
1. The statute creating the Commission prohibits disclosure of the status of any disciplinary matters which the Commission is investigating. However, generally the Commission has made an investigation of the operation of the Traffic Court and Commission Counsel, Robert Bennett, Esquire and the undersigned have reached some tentative conclusions.

First, there were no instances revealed where major traffic violators were fined nothing at all. There were several instances, however, where a mass of tickets were satisfied on a proportionate basis substantially less than the fines levied on individual citizens.

The justification given for this treatment was varied:

(a) The goverment was able to collect a large amount of revenue without the time and expense involved with bringing each and every case to court.

(b) Many of the tickets involved leased vehicles whereby the actual traffic violator was no longer working for the company although the car is titled to the company.

(c) The prosecutor (D.C.) requested the disposition.

The companies involved (primarily cab companies and auto leasing firms) claim that they have no control over the drivers who violate the law since the companies are not aware of the tickets until the vehicle is booted or it becomes time to reregister the vehicle. It has been suggested that if companies were required to make drivers leasing vehicles post a bond or security for traffic violations, that the company would not be able to compete in the market.

I have concluded that this rationale is false and that the companies who lease vehicles are best able to police the legal operation of those vehicles. Characteristically, some persons lease cabs and operate them for short periods of time and then leave the jurisdiction, some returning to foreign countries. The District of Columbia never collects on tickets which those individual drivers receive. If the company were to post bond or require the drivers to post bond, or both, in amounts sufficient to protect the District of Columbia, I am confident that steps would be taken toinsure that vehilces were oper ated by drivers who will obey the law and who will pay tickets when they are issued.

At this stage no complaint has been filed against any individual judge with respect to matters in the Traffic Branch although our overall investigation is continuing.

B. INCREASES IN THE NUMBER OF COMPLAINTS EXPECTED.

QUESTION:

1. The justification material (Vol. II, p. 342) shows that the Commission expects to receive an increase in the number of Complaints in FY 1979 over the level received in FY 1977 and anticipated for FY 1978. What is the explanation for the expected increase in complaints?

2. The Commission reviewed 32 complaints in FY 1977. How were these cases decided? Did any of these cases result in a Notice of Formal Proceeding being served on a judge?

ANSWER:

1. The Commission expects to receive an increase in the number of complaints because as each year passes the public and the bar become more aware of the Commission activities. This has been our experience historically. As opinions and decisions of the Commission are published along with our annual reports there

is not only increased awareness of the Commission but an increase in the willingness of parties to report incidents to the Commission for investigation.

2. All cases brought before the Commission are reviewed preliminarily by our Administrative Assistant. The complaints are summarized along with the original material and an initial vote is taken by the Commission at its regular monthly meeting whether to pursue the complaint with further investigation or whether it should be disposed of without further action on the Commission's part. In fiscal year 1977 no cases resulted in a Notice of Formal Proceeding being served on a judge.

C. 32 COMPLAINTS REVIEWED IN FY 1977.

1. According to the program description (EDQ-2), the Commission reveiws all complaints which are brought to its attention. In fiscal year 1977, 32 complaints were reviewed by the Commission.

1a. What is the nature of these complaints?

1b. Please provide the Subcommittee a breakdown of the disposition of the 32 complaints reviewed during fiscal year 1977.

2. Please explain the complaint review process.

3. What is the average length of time from receipt to disposition of a complaint?

ANSWER:

1a. The complaints fell roughly into two categories: those complaining of a bad result or error of law correctable on appeal; and those alleging judicial intemperance.

1b. The disposition of the 32 complaints in fiscal year 1977 was as follows:

Frivolous	6
No Jurisdiction	22
Complaints Investigated	4
Formal Complaints Filed	0

(Several investigations are presently on-going.)

2. As referred to previously the complaint review process results in an initial investigation by our Administrative Assistant which may include a personal interview with the complainant or the ordering of a transcript after consultation with the Chairman.

The Commission reviews the complaint and if it is decided to proceed will order a further investigation. This may include the ordering of transcripts or assigning investigation of the incident to the Commission's Special Counsel or a private investigator.

When the preliminary investigation has been completed the Commission will then decide whether to issue a Notice of Formal

Hearing or whether to permit informal consultation with the judge without the requirement of a formal hearing. If the former, the proceedings are subject to the published Rules and Regulations of the Commission.

If the Commission proceeds upon request of the judge for an informal review, it may result in an exchange of correspondence between the judge and the Commission, or a meeting with the judge, or both. At any stage the judge may be represented or accompanied by counsel.

3. The length of time from receipt to disposition of a complaint may be as little as the time it takes the Commission to determine there is no jurisdiction, usually at one of its regular monthly meetings, or may take between two months and a year depending upon the number of witnesses to be interviewed; documents reviewed during the course of investigation; the length of time required for the conduct of a formal hearing, including accompanying requests of the judge's counsel.

JUDICIAL NOMINATION COMMISSION

A. COMMISSION'S BEING COMPENSATED FOR NO APPARENT WORK

QUESTION:

1. The Justification Material (Vol. II, P. 365) shows that in FY 1978 the Commission has no judicial vacancies to fill, no background investigations to make and will submit no names to the President in FY 1978.

In view of this lack of activity in FY 1978 the budget shows $12,500 being provided for Commission member compensation or approximately $1,800 for each Commission member.

On what basis are Commission members compensated? Are they paid for days of service as is typical with other commissions or are they given a flat rate?

ANSWER:

1. Pursuant to P.L. 93-198, Dec. 24, 1973, Sec. 434(b)(5), Commission members (except the judicial member) are compensated at daily equivalent rate of a GS-18 for each meeting attended. Shortly after its creation, Commission members suggested to the District of Columbia Budget Office that they be compensated on an hourly basis; it was ruled however, that the daily rate for each meeting attended was the appropriate method of compensation under the Statute.

QUESTION:

2. How many Commission meetings have there been in FY 1978 to date? How many more will there be for the balance of FY 1978? What was the purpose of these meetings?

ANSWER:

2. Eleven (11) meetings have been held in FY 1978 to date (6/22/78). It is anticipated that five (5) additional meetings will be held in FY 1978.

Ten (10) of the eleven (11) meetings held thus far in FY 1978 were for the purpose of interviewing candidates and deliberations with respect to the designation of Chief Judge of the District of Columbia Superior Court (occasioned by the appointment of Chief Judge Harold H. Greene to the United States District Court for the District of Columbia), pursuant to P.L. 93-198 (Dec. 24, 1973) Sec. 431(b).

B. 100% INCREASE IN FUNDING PROPOSED

QUESTION:
1. The FY 1979 budget request is almost twice the level of the FY 1978 budget ($17.5 vs. $32.2). What is the explanation for this almost 100% increase in funding?

ANSWER:
1. The almost 100% increase in funding was based on experience with Commission activity from its inception in April, 1975. The initial funding request was an estimate only and the current request was based on Commission experience to date (47 meetings, recommendations with respect to eleven (11) judicial vacancies and designation of three (3) Chief Judges).

C. USE OF OUTSIDE INVESTIGATORS

QUESTION:
1. According to the program description (Page EDV2), five background investigations of potential judicial nominees will be conducted in FY 1979. Last year this subcommittee was told that three outside investigators are employed to conduct the background checks.

Are outside investigators still employed to conduct the background checks? If so, are there any D. C. agencies which could conduct the background investigations for judicial nominees rather than employing the services of outside investigators?

ANSWER:
1. Outside investigators are still employed to conduct background checks. The only D. C. agency known to the Commission which could conduct background investigations is the District of Columbia Police Department. The Commission decided in or about April 1975, that the integrity of the investigations and selection process would be enhanced by the use of outside, independent investigators rather than by members of the D. C. Police Department. The investigations conducted are very similar to FBI background investigations and the outside investigators employed are retired FBI Special Agents who are experienced in conducting field investigations. They are compensated pursuant to a negotiated services contract with the District of Columbia.

D. OTHER QUESTIONS

QUESTION:
1. Do you keep onhand a list of potential judicial nominees in the event that an incumbent resigns unexpectedly or dies? If not, why not? Wouldn't such a list insure that the vacancy is filled without delay?

ANSWER:
1. A list of potential judicial nominees is kept on hand in anticipation of unexpected vacancies and, indeed, several individuals have been recommended to the President for appointment with respect to two or more vacancies. Basically, the Commission works from a list of candidates who have submitted detailed questionnaires and have been investigated and interviewed. Particular individuals on such list at a

given time subsequently may become unavailable for recommendation for judicial appointment for a variety of professional and personal reasons and it is necessary continually to supplement that list. With respect to an existing vacancy on the Superior Court occasioned by Chief Judge Greene's resignation on June 21, 1978, the Commission has available to it a pool of eight (8) candidates who have gone through the investigationinterview process. The Commission is supplementing that list by instituting new investigations with respect to five (5) additional individuals.

QUESTION:
2. What criteria are used to select potential judicial nominees?

ANSWER:
1. The criteria used to select potential new judicial nominees are: age; number of years admitted to the bar; experience, including trial experience; ability; integrity and stature at the bar; reputation among professional peers, including judges; judicial temperament and knowledge of the law; individual character and personal traits, including health; and such other criteria as may appear to be relevant with respect to a particular candidate. These criteria are in addition to the qualifications required by statute.

Law Revision Commission

A. PROGRESS OF COMMISSION

1. THE COMMISSION WAS CREATED TO REVIEW THE CRIMINAL AND CIVIL CODE AND PROPOSE ANY NECESSARY CHANGES PRIOR TO A TERMINATION DATE FOR THE COMMISSION OF DECEMBER 31, 1980. WILL THE COMMISSION WORK BE COMPLETED BY DECEMBER 31, 1980?

ANSWER:

1. The Commission is charged with the duty of examining the common law and statutes relating to the District of Columbia and all relevant judicial decisions for the purpose of discovering defects and anachronisms in the law and recommending needed reforms. This is, of course, an ongoing process. Given the termination date of December 31, 1980, the Commission agreed shortly after it was funded to establish a timetable which would allow it to consider those areas of the law specifically enumerated in the enabling legislation. Public Law 93-379 states "In carrying out its duties under this act, the Commission shall give special consideration to the examination of the common law and statutes relating to the criminal law of the District of Columbia, and ... make a study of the District of Columbia Administrative Procedure Act for the purpose of preparing a manual, including relevant legislative history and legal precedents, for the guidance of the respective administrative agencies."

The Commission presented a draft proposal for a revised basic criminal code for the District in March, 1978. The Commission intends to conclude its work on the criminal code by mid-1979. It will then begin its review of the Administrative Procedure Act and selected areas of civil law. There will undoubtedly be some areas of civil law which the Commission will not consider due to time limitations.

2. LAST YEAR THE COMMISSION TOLD THE COMMITTEE (PART 1, p. 824) THAT MOST STATES NEED AT LEAST 3 YEARS TO COMPLETE THEIR CRIMINAL CODE REVISIONS AND THAT MARYLAND SO FAR HAS SPENT 8 YEARS AND HAS NOT YET COMPLETED ITS CODE REVISION. REALISTICALLY, HOW LONG DOES THE COMMISSION EXPECT IT (SIC) TO COMPLETE THE ASSIGNED TASK?

ANSWER:

2. The Commission intends, and fully believes, that it will complete its recommendations concerning the criminal law by mid-1979. As indicated above, the Commission has decided to focus its attention on those areas of law which are specifically emphasized in the enabling legislation.

B. 5 NEW STAFF POSITIONS

1. THE JUSTIFICATION MATERIAL (VOL. II, p. 372) REQUESTS 5 NEW STAFF POSITIONS TO ADD TO THE CURRENT STAFF OF 3. IF THE COMMISSION IS ACTUALLY PLANNING TO GO OUT OF EXISTENCE BY DECEMBER 31, 1980, IS SUCH A STAFF BUILDUP APPROPRIATE AT THIS TIME?

ANSWER:

1. In February, 1977, the Judiciary Subcommittee of the House District of Columbia Committee expressed its strong desire that the Commission present its proposals on a basic criminal code by early 1978. As a result, the Commission adopted an accelerated meeting schedule which placed heavy reliance upon consultants from the area law schools and the establishment of two special task forces which would deal with related criminal law areas simultaneously. Each Task Force meets weekly to consider its assigned topic and make recommendations to the full Commission. In order to provide adequate staff support for each Task Force as well as the Commission as a whole, the additional staff (3 attorneys and 2 secretaries) is deemed absolutely essential.

The Commission has recently voted to retain the Task Force format in order to move as expeditiously as possible on the remaining portions of the criminal code and then immediately into administrative and civil law areas. This will result in approximately ten days of Commission meetings per month. Each Commission meeting results in careful analysis of consultants' reports, current codification efforts in other states, the recommendation for a new federal criminal code recently passed by the Senate, and the latest developments in the District of Columbia courts. So long as this accelerated schedule is in effect, the additional staff positions are absolutely necessary.

C. SELECTION OF COMMISSIONERS

1. HOW MANY COMMISSIONERS ARE THERE? HOW WERE THEY SELECTED AND WHAT ARE THEIR BACKGROUNDS?

ANSWER:

1. Public Law 93-379 establishes the size of the Law Revision Commission at 15 members to be appointed as follows: (1) two members shall be appointed by the President of the United States; (2) one member shall be appointed by the Speaker of the House of Representatives; (3) one member shall be appointed by the President Pro Tempore of the Senate; (4) one member shall be appointed by the Minority Leader of the House of Representatives; (5) one member shall be appointed by the Minority Leader of the Senate; (6) three members shall be appointed by the Commissioner of the District of Columbia, one of whom shall be a non-lawyer, and one of whom shall be a member of the law faculty of a law school in the District of Columbia; (7) one member shall be appointed by the Chairman of the District of Columbia Council; (8) two members shall be appointed by the Joint Committee on Judicial Administration in the District of Columbia; (9) one member shall be appointed by the District of Columbia Corporation Counsel; (10) two members shall be appointed by the Board of Governors of the District of Columbia Unified Bar.

D.C. Law 1-29 amended Public Law 93-379 by increasing the Law Revision's membership from 15 to 19. The new members to be appointed as follows: (1) three members appointed by the Council of the District of Columbia, one of whom shall be a non-lawyer, and one of whom shall be a member of the law faculty of a law school in the District of Columbia provided that, any appointment made by the Chairman of the District of Columbia Council which fits the foregoing criteria shall remain in effect and shall count as one of the three appointments; (2) one member to be appointed by the Director of the District of Columbia Public Defender Service; (3) three members to be appointed by the Joint Committee on Judicial Administration in the District of Columbia provided that, any appointment or appointments made by the Joint Committee before July 15, 1975 to remain in effect and to count as one or more of the appointments provided for by this amendment.

Sixteen of the nineteen members of the Commission are attorneys. They include the current United States Attorney for the District of Columbia, one current and one former Corporation Counsel for the District of Columbia, an attorney from the Public Defender Service, the Executive Director of the D.C. Chapter of the American Civil Liberties Union, two current and one former full-time faculty member from District of Columbia Law Schools.

Sixteen of the nineteen Commissioners are residents of the District of Columbia, two reside in Virginia and one in Maryland.

D. COMPENSATION OF COMMISSIONERS

1. ARE THE COMMISSIONERS COMPENSATED? ARE THEY COMPENSATED AT A DAILY RATE OR IN A FLAT YEARLY AMOUNT?

ANSWER:

1. Public Law 93-379 provides: "Members and the Chairman of the Commission shall be entitled to receive $100.00 for each day

(including travel time) during which they are engaged in actual performance of duties vested in the Commission, except no member or chairman shall receive more than $5,000.00 for the performance of such duties during any twelve month period".

Those Commissioners who are entitled to compensation (i.e. not government employees) are compensated quarterly based on their attendance at Commission meetings.

2. HOW MANY DAYS DID THE COMMISSIONERS MEET IN FY 1978? HOW MANY DAYS WILL THE COMMISSION MEET IN FY 1979?

ANSWER:

1. The Law Revision Commission met a total of 51 days in FY 1978. Approximately 72 meetings are scheduled for FY '79. This is an average of six (6) days per month per Commissioner. However, because of the dual Task Force format (see p. 2, supra) approximately 10 days per month are devoted to Commission meetings.

E. OTHER QUESTIONS

1. LAST YEAR THIS SUBCOMMITTEE WAS TOLD THAT THE COMMISSION PLANNED TO REVISE THE CIVIL CODE AS WELL AS THE CRIMINAL CODE BUT AS OF THAT DATE, CIVIL CODE REVISIONS HAD NOT YET BEGUN. HAS THE PROCESS BEEN STARTED SINCE THAT TIME?

ANSWER:

1. Since receiving its initial funding in 1976 the Commission has devoted its full time and attention to recommendations concerning a basic criminal code. Initially the Commission did establish Task Forces with primary responsibility for civil, administrative and criminal law. As previously stated, the Commission's decision to focus exclusively on the criminal law came at the behest of the Judiciary Subcommittee of the House District of Columbia Committee in February, 1977.

2. WILL THERE BE ANY MAJOR CHANGES IN THE D.C. CRIMINAL JUSTICE SYSTEM PROCEDURES AS A RESULT OF THE COMMISSION'S WORK?

ANSWER:

2. Thus far the only anticipated change in the D.C. Criminal Justice System procedures as a result of the Commission's recommendations will occur in the area of sentencing. The Commission proposals anticipate a somewhat more formal sentencing hearing at the trial level than is currently the case, and a limited right to appeal sentences which do not fall within the Commission's "guidelines" to the District of Columbia Court of Appeals.

QUESTION:

3. ACCORDING TO AN ARTICLE IN THE WASHINGTON POST IN DECEMBER, 1977, THE COMMISSION HAD RELEASED A PRELIMINARY DRAFT REPORT ON CRIMINAL CODE REVISIONS. WHAT COMMENTS HAVE YOU RECEIVED TO THE DRAFT FROM THE D.C. CRIMINAL JUSTICE AGENCIES?

ANSWER:

Since the December, 1977 article the Commission has released its final recommendations on a basic criminal code for the District of Columbia. Below are brief summaries of comments received from various D.C. criminal justice agencies:

D.C. Department of Corrections

George E. Holland, Superintendent, D.C. Department of Corrections testified before the Subcommittee on Judiciary, House District of Columbia Committee on April 27, 1978. He stated, "The sentences now proposed [by the Commission] are a great improvement over the hodge-podge that resulted from ancient laws, some dating back to 1901. The result should be that, after enactment, there will be rational and fair sentencing. This should go a long way towards reducing the anger of many inmates who feel they were victims of discriminating judges. Further, the three levels of review and/or appeal should also enhance the application of fairness in sentencing. I wholeheartedly endorse this concept."

He also indicated that, in his opinion, the Commission's proposals would greatly increase the incarcerated population of the District of Columbia which already has one of the highest incarceration rates in the country. As a result, the proposals would very likely require new prison construction to house the increased population. He went on to state that the impact on the population of female D.C. convicted felons would be even greater, since the current practice is to impose lighter penalties on females than men convicted of the same offenses.

Mr. Holland questioned the Commission's proposal to greatly reduce the authority and discretionary powers of the Parole Board. The Commission proposes to reside those powers in the sentencing judge. Mr. Holland stated, "Parole supervision properly belongs under the jurisdiction of the Department of Corrections."

On May 4, 1978 Delbert C. Jackson, Director, D.C. Department of Corrections testified before the Senate

Subcommittee on Governmental Efficiency and the District of Columbia on the Law Revision Commission's Proposed Basic Criminal Code. Mr. Jackson's comments were essentially the same as those presented by Mr. Holland in the House of Representatives.

Metropolitan Police Department

On May 4, 1978, Bertell M. Jefferson, Chief, Metropolitan Police Department testified before the Senate Subcommittee on Governmental Efficiency in the District of Columbia to the effect that the Metropolitan Police Department supported the Minority Report of the United States Attorney, who is also a member of the Commission. The only points of departure were that Chief Jefferson would "not support any reduction in the age of consent" for the crime of Unlawful Sexual Act of a Younger Child, and has some reservations concerning the general language and low grading of the offense of terrorizing proposed by the Commission.

United States Attorney for the District of Columbia

Earl J. Silbert, United States Attorney for the District of Columbia testified both in the House and Senate Subcommittees on the Commission's Proposed Basic Criminal Code. His testimony was quite lengthy and cannot be easily summarized here. His major points of concern were (1) the Commission's decision to revise only part of the criminal law rather than all of the offenses currently existing in Title 22, D.C. Code; and (2) in his opinion many of the substantive changes proposed by the Commission are generally adverse to effective law enforcement.

District of Columbia Court of Appeals

Theodore R. Newman, Jr., Chief Judge of the District of Columbia Court of Appeals, testified on June 20, 1978 before the Senate Subcommittee on Governmental Efficiency and the District of Columbia. Chief Judge Newman commended the Commission for its effort and stated that in many respects the Commission was successful in fulfilling its charge to codify and define offenses and develop guidelines for sentencing. His comments covered three areas of concern (1) the effect of the Commission's proposed revisions on the workload of the D.C. Courts. He suggested that passage of a partial code would create delay and adversely affect the efficient operation of the trial and appellate courts. In addition, he was concerned that appellate review of sentences would have the potential of dramatically increasing the caseload in the Court of Appeals. While he supports the policy of review of sentences, he believes it is more appropriately done at the trial court level. (2) Another area of concern was that several provisions of the Commission's chapter on sentencing were vague and could lead to increased appellate

litigation to clarify their meaning.

(3) Additionally, the Chief Judge pointed out several sections of the Commission's proposal which would modify existing law. He did not offer any opinion as to the wisdom of these changes but merely pointed out the variance between the Commission's proposals and decisions of the D.C. Court of Appeals.

District of Columbia Superior Court

Chief Judge Harold Greene testified before the Senate Subcommittee on June 20, 1978. His remarks dealt primarily with the Commission's sentencing proposals. Chief Judge Greene agreed with the Commission's decision to tie its presumptive or "guideline" sentences to the actual sentences currently imposed for particular offenses, and to reduce the current disparity in sentences by reducing the range of judicial discretion.

In his view, the range of the guideline sentences are too narrow and should be broadened. In addition, he suggested limiting the requirement of detailed findings of fact at sentencing to cases where the sentence imposed is outside of the guidelines and requiring only a general summary statement of reasons for a sentence in cases where the sentence is within the approved sentencing range.

In addition to sentencing, Chief Judge Greene commented on several other areas of the Code. He stated that in his view the fact that the Commission's proposal does not deal with all offenses (but only "basic" offenses) is not a good reason for rejecting what the Commission has produced so far. He suggested that the Commission might consider applying the new sentencing scheme contained in its proposed Chapter 20 to unrevised D.C. offenses. The Commission has already begun work on this recommendation.

With respect to substantive provisions, Chief Judge Greene concurred with the Commission's decisions to: eliminate common law offenses; define uniform states of mind; change the definition of the crime of criminal conspiracy; reduce the maximum prison term for most misdemeanors from 1 year to 6 months; provide for the "sealing" of records of arrest and conviction for certain first offenders; and consolidate the numerous thefts and sexual assault provisions which currently exist in D.C. law.

Chief Judge Greene disagreed with the Commission's recommendations to: define the terms felony and misdemeanor on the basis of grading sections of the Code; grade criminal conspiracy and criminal solicitation below the level of criminal attempts; create a "presumption against incarceration"; and provide an affirmative defense to the crime of felony murder.

SUBCOMMITTEE RECESS

We will stand in recess until 8 a.m. tomorrow morning when we will receive testimony from the agencies in the Human Support Services category.

Thank you very much for all of you being here this afternoon.

[Whereupon, at 3:45 p.m., Monday, May 22, the subcommittee was recessed, to reconvene at 8 a.m., Tuesday, May 23.]

DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 1979

TUESDAY, MAY 23, 1978

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

The subcommittee met at 8 a.m., in room 1114, Everett McKinley Dirksen Office Building, Hon. Patrick J. Leahy (chairman) presiding.

Present: Senator Leahy.

DISTRICT OF COLUMBIA

DEPARTMENT OF RECREATION

STATEMENT OF WILLIAM RUMSEY, DIRECTOR

HUMAN SUPPORT CATEGORY

Senator LEAHY. Good morning.

Today we will have testimony from the agencies in the human support category. Over the last year the Department of Human Resources has tried hard to project a better image than it has had over the last several years prior to that time. Mr. Russo is the new Director of the Department of Human Resources, and has worked hard. We have admiration for his fine efforts.

Is Mr. Russo here yet?

[CLERK'S NOTE.—Mr. Russo was not in the hearing room.]

Senator LEAHY. Why don't we go, then, to the D.C. General Hospital?

[CLERK'S NOTE.—Mr. Hahn was not in the hearing room.]

Senator LEAHY. The Department of Recreation?

Are any of the witnesses here today?

DEPARTMENT OF RECREATION—ROVING LEADER PROGRAM

Why don't we start, then, with the Department of Recreation.

I wonder if you could tell us about the roving leader program?

Mr. RUMSEY. The roving leader program consists of 51 persons and has the responsibility of moving out into the community, to the schools, as well as out to the streets to contact individuals who often display antisocial behavior and through recreation they may divert them into the mainstream of improved behavior, hopefully, by employment, and investigating their educational exposure.

Senator LEAHY. How has this worked so far?

Mr. RUMSEY. Exceptionally well, sir. We are getting requests from other cities. And we are being asked to participate and duplicate our efforts through filming the experiences of our roving leaders.

Senator LEAHY. What is the total budget for that program?

Mr. RUMSEY. Approximately $600,000.

Senator LEAHY. How are these leaders chosen?

Mr. RUMSEY. Through competitive and through formal training as well as experience in the field; and through the regular District of Columbia process of selecting and promoting through the merit promotion plan.

Senator LEAHY. So, you are in a position where you can usually take people right from within the community?

Mr. RUMSEY. Yes, sir. If they qualify in other areas.

Senator LEAHY. You talked about the roving leaders' scholarships. What kind of scholarship is involved?

Mr. RUMSEY. Often through one program in particular, we have one of our female roving leaders take the lead. They identify youngsters that are in the schools, on the playground, in the streets who have postsecondary educational capability.

Of course, they negotiate the system to get them often into colleges and universities, often using their athletic skills along with their ability and education to get into postsecondary education, whether it is a college or some form of training that leads to employment.

Senator LEAHY. How many scholarships are there in all?

Mr. RUMSEY. These scholarships that we speak of are as a result of going through government availability. That is, the guaranteed student loan program and whatnot, but we do not have any cash programs that we have on hand. Often they do money raising activities through the community, churches, and what have you, to assist the youngster financially in postsecondary efforts.

Senator LEAHY. Do you find frequent response to that?

Mr. RUMSEY. We do very much so.

MAINTENANCE OF PARKS TRANSFERRED FROM HOUSING

Senator LEAHY. The increase of $104,000 was requested for the funds necessary to maintain 15 parks transferred to the Department of Recreation from the Department of Housing and Community Development.

Why aren't funds also transferred to Recreation from Housing and Community Development?

Mr. RUMSEY. The request is made there to maintain these parks because they have a passive recreation structure. Often they are tot lots or just relaxed areas that we will from time to time use our mobile recreation to move in and out of.

And we maintain those areas for the purpose of giving some form of recreation to many of the residents that will be in that particular housing area.

Senator LEAHY. I have a couple of other questions more for the record. But I would rather hear what you would like to highlight in your program.

You have an extremely varied and highly interesting program. Are there any points you would like to highlight for us?

PROGRAM FOR THE PHYSICALLY HANDICAPPED AND MENTALLY RETARDED

Mr. RUMSEY. Well, I would like to stress the breadth of programs that we are involved in to include particularly the physically handicapped and mentally retarded. We have just recently opened a therapeutic center for the physically handicapped and retarded.

Senator LEAHY. Where is that, sir?

Mr. RUMSEY. 3030 G Street, Southeast. And we can handle approximately 130 clients, and we operate 5 days a week, 13 hours a day. On Saturday, 6 hours. And then, upon request, on Sundays.

It is equipped with every modern type of availability. The program is extremely valuable to the physically handicapped and mentally retarded. It serves from the preschool years to the senior citizen. And also it includes the swimming pool with a ramp allowed for wheelchairs as well as the special covered floors for the wheelchair individuals. And it includes all ethnic groups, and we are very proud of that program.

Senator LEAHY. Do you find you don't have a problem finding people to partake in that?

Mr. RUMSEY. No, sir. Even the surrounding jurisdictions, the outdoor wheelchair golf courses are a very popular activity on that facility.

Senator LEAHY. That is 3030 G Street?

Mr. RUMSEY. Yes, sir. Southeast.

Senator LEAHY. I periodically try to find places in the city, given time in the Senate schedule, to drop by. That sounds like a very interesting one.

I am amazed that you are getting interest from other jurisdictions. I think it is very few places that are becoming aware of the fact of the need for such a facility, and I compliment you highly in recognizing the need here. I compliment you not only for recognizing the need but for doing something about it.

Mr. RUMSEY. Thank you.

Senator LEAHY. Any other points that you would like to talk about?

AQUATICS PROGRAM

Mr. RUMSEY. Well, we have an increase in our aquatic availability. We will be opening the 49th aquatics area for the summer this year.

Senator LEAHY. Swimming pools?

Mr. RUMSEY. Yes, sir. They vary from the deep swimming pools, to the walk-to-learn-to-swim pools where the water does not exceed 3 feet.

Senator LEAHY. Last year you opened a number of pools early because we had such hot weather. But then, as I recall, you had to close some of them back down because of maintenance problems.

Do you have enough money for maintenance this year?

Mr. RUMSEY. No, we do not, sir. However, we are working within our capability. We realize that we have some pools that are very

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old, pools that we do not know that we are going to have problems with as we start rolling. Pumps for these pools run 24 hours a day for 90 straight days, and often conditions come up, temporary in nature, that require immediate maintenance.

Often, we may have to close for short periods of time for whatever time it takes to correct the problem and then we get back into service and serve over 1 million people in a calendar year in the aquatics program. We will be attempting to keep these areas up to safe standards for the community and at the same time available for as many hours as possible.

USER FEES

Senator LEAHY. What about user fees? Should that be considered? I remember we discussed it a little bit last year.

Mr. RUMSEY. We are completing a study in that area, as promised last year. However, in answering your question at this time, Mr. Senator, I would not particularly make a recommendation for user fees in the District of Columbia. I hope to support the strength and weaknesses of such after we complete our study of comparative areas and other conditions demographically in the District of Columbia.

Senator LEAHY. I will look forward to that.

Thank you. Thank you very much. I appreciate you gentlemen coming here today. I appreciate your coming on as our first witnesses.

Mr. RUMSEY. Thank you.

SUBMITTED QUESTIONS

Senator LEAHY. Mr. Rumsey we have some additional questions we would like answered for the record. Would you please submit them so that we may include them in the record.

Mr. RUMSEY. Mr. Chairman, I will be glad to provide the answers for the record.

[The following questions were not asked at the hearing but were submitted to the Department for response subsequent to the hearing:]

DEPARTMENT OF RECREATION
A. WILSON POOL

QUESTION:
1. When do you expect the Wilson Pool to be finished?

ANSWER:
1. The Construction Services Section of the Department of General Services reports that an anticipated date of completion for beneficial occupancy is August 1, 1978.

QUESTION:
2. When will it be open?

ANSWER:
2. The opening date will be determined by the acceptance of the facility by the Board of Education and the consent of the school for operation. Additionally, it will be necessary for this Department to locate funds and sufficient staffing for operation of the pool after school hours.

QUESTION:
3. Who is in charge of summer operations for the pool? Who is in charge of maintenance during the summer months?

ANSWER:
3. D. C. Department of Recreation's Unit Operations Division, Aquatic's Program is in charge of summer operation of the pools. Schools are in charge of maintenance.

QUESTION:
4. How many can the pool accommodate at one time? How many potential users?

ANSWER:
4. The pool can accommodate 528 at one time, and its potential users are 30,000 residents living within the boundaries of Ward III.

QUESTION:
5. How many staff will be needed during the summer to accommodate potential users?

ANSWER:
5. The number of staff needed will be 23.

QUESTION:
6. What is the breakdown of this staff? Does it include Life Guards, Locker Aides, Custodial personnel?

ANSWER:
6. The breakdown is as follows:

1 GS-10	Manager	$7.99 per hour	$ 3,196
1 GS- 9	Assistant Manager	7.25 per hour	2,900
1 GS- 8	Assistant Manager	6.57 per hour	2,628
10 BR-1/3	Lifeguards	3.81 per hour	15,240
6 BR- 1	Locker Aides	2.99 per hour	7,176

ANSWER:

	Sub-total	$31,140
4 Custodial personnel (engineer from school)		9,600
	Total	$40,740

QUESTION:
7. What would be the costs of operation, say from July through Labor Day?

ANSWER:
7. The cost for July through August is $40,740 as broken down in question number 6 above.

QUESTION:
8. Is Recreation planning now for staff for summer 1978? Have they been identified?

ANSWER:
8. Staffing was requested for the operation of the Wilson Pool in Fiscal Year 1976, but was denied. If the pool were to open at this time we could only operate it with staff from other locations and reduce the hours in those places and Wilson.

QUESTION:
9. Has a program for use been planned for this summer? Has the community been involved?

ANSWER:
9. Yes, tentative plans have been made to operate this pool on a seven day basis fashioned after Capitol East Natatorium.

The following community organizations have been and are involved in the planning:

Lafayette Modernization Committee
Task Force on Wilson Pool with Colonel Haley and Barbara Luchs
Chevy Chase Citizens Association
All Area School PTA's

QUESTION:
10. If money is not available in the Recreation budget to open the pool in the summer 1978, have users fees been considered as a possibility? What rates would the traffic bear? Would $.25/child, $.50/adult, be enough to carry summer operational costs? Would $.50/child, $1.00/adult be too much? To accommodate those who could not pay users fees, could some free time for use be set aside, say, early morning or afternoon?

ANSWER:
10. We have not considered the possibility of having users fees in one pool and not the others throughout the city. At any rate, if they were to be used it would be determined by the financial struc-

ANSWER:
ture of the users, the hours of operation, and the geographical coverage. We do not feel that we should set aside free time based only on inability to pay users fees. We should not have double standards regardless of the location of the pool.

B. NEW PARKS TRANSFERRED TO RECREATION

QUESTION:
1. An increase of $104,000 is requested in FY 1979 for the funds necessary to maintain 15 parks transferred to the Department of Recreation from the Department of Housing and Community Development. Why aren't funds also transferred to recreation from the Department of Housing and Community Development?

ANSWER:
1. There were no funds available in the budget of Housing and Community Development for maintenance of these parks.

C. FOLLOW UP ON GAO RECOMMENDATION FOR PREVENTATIVE MAINTENANCE

QUESTION:
1. On July 25, 1977, GAO issued a report to the Director recommending that the Recreation Department develop a Management Information System. The report specifically mentioned the need for such a system in order for you to develop a Comprehensive Preventative Maintenance System for Recreation.

Have you done anything in regards to this recommendation? If so, please give us details. If not, why not?

ANSWER:
1. Yes.

FOLLOW UP ON GAO RECOMMENDATION FOR PREVENTATIVE MAINTANANCE

In order to comply with the GAO Report issued on July 25, 1977 to the Director of D. C. Department of Recreation, recommending the Department develop a Management Information System, we have proceeded in an orderly fashion to develop this program. In January, 1978 a decision was made to reorganize the Maintenance Division into two functional branches. One Branch would be responsible for Building and Grounds Maintenance and one Branch would be responsible for Facilities and Crafts. In March, 1978, this change was implemented by moving personnel and equipment and setting up a Production Control Section. The Production Control Section also includes personnel who would be part of the Preventative Maintenance Section.

On March 2, 1978 the Department of Recreation and the Office of Budget and Management Systems organized a joint project for the purpose of improving Recreation Maintenance in Washington, D. C. The objectives of this project are: to provide routine maintenance for all recreation facilities; to provide adequate response to repair needs; to improve productivity of maintenance work force through better deployment, and to introduce a monitoring system.

Project Tasks

Task I - Investigate Present Recreation Maintenance Practices

	Status
A. Interview workers, supervisors, managers	
-Use standard interview sheet	complete
-Focus on methods and procedures	complete
-Discuss improvement opportunities	complete
B. Document Present Procedures	
-Organization (Present and Proposed)	complete
-Resources	complete

Task II -Obtain and Study Information from Similar Operations

A. Other Cities	
-San Diego	complete
-City of Wilmington	complete
-City of Honolulu	complete
-City of Hartford	complete
B. Department of Defense	
-Work Standards	complete
-Army/Navy Maintenance Management Systems	complete

Task III-Complete Inventory of Recreation Facilities

A. Swimming pools	Forms complete
B. Playgrounds	" "
C. Parks	" "
D. Open Space	" "
E. Other	" "

Task IV -Analyze Historical Data

A. Determine workload distribution and seasonal trends	under study
B. Determine percentage of routine, non-routine and emergency work	complete

Task V - Develop Scheduling Procedures

A. Non-routine work	
-Develop new forms and work orders	under study
-Develop standards to be used to determine crew size, material requirements, and equipment needs	incomplete
-Develop a maintenance schedule or plan	incomplete
-Develop standard operating procedures for Production Control	under study
B. Emergency Work	
-Develop forms and work orders	under study

-Develop a system to respond to complaints quickly — incomplete
-Develop standard operating procedures for Production Control — incomplete

D. OTHER SERVICES

QUESTION:
1. The Office of Administration has requested a $123,600 increase for "other services" (Vol. III, p. 438).

What is the justification for this requested increase?

ANSWER:
1. The increase of $123,600 represents funds to be used in the Administration of National Children's Island and is a part of the total $196,600 requested. A detail of these costs follows:

Personal Services	66,500	
Benefits	6,500	
Sub-total		73,000
Other Costs		
Transportation of Things	600	
Travel	2,000	
Rent, Communication & Utilities	19,800	
Printing	2,000	
Contractural Services (misc. and Transfer to other agencies for services performed	46,500	
Supplies	11,600	
Equipment	1,600	
Other Salary costs		
CETA supplemental requirements	13,000	
Salary adjustments	12,000	
Benefits	14,500	
Sub-total		123,600
Total Cost		$196,600

DEPARTMENT OF HUMAN RESOURCES

STATEMENT OF ALBERT P. RUSSO, DIRECTOR

ACCOMPANIED BY:

POLLY SHACKLETON, COUNCIL MEMBER, COUNCIL OF THE DISTRICT OF COLUMBIA
BERTRELL HALLUM, ACTING ADMINISTRATOR, PAYMENTS ASSISTANCE ADMINISTRATION

COMPLIMENTING THE DIRECTOR

Senator LEAHY. I see Mr. Russo is here. Mr. Russo, if you would like to join us at the table.

I started earlier in mentioning Mr. Russo and the hard work that he has done for the Department of Human Resources, and the fact that members of this subcommittee have expressed their confidence for his work.

First, there are a number of problems that face DHR that are just as persistent as Mr. Russo is in trying to get rid of the problems. One of the concerns that we have had is the error rate in welfare programs, and desire to have that lowered because the errors cost in excess of $30 million a year. I know there has been concern expressed by Mr. Russo and Council Member Shackleton but the error rate doesn't seem to come down.

Mr. Russo, I want to compliment you on your practice of spending weekends touring DHR facilities. You don't announce your schedule and you travel alone. I think that can be extremely worthwhile. I tried the same thing since becoming chairman of this subcommittee, but nowhere near the regularity that you do. I am reminded by some back home that I also have a constituency 500 miles north of here, and I try to visit them at least once a week.

But I think you are doing a great thing in getting around. It is bound to improve the situation because the work of serving the public is serious business, and you demonstrated that.

CHAIRMAN'S VISIT TO DHR RECERTIFICATION OFFICE

I made a few unannounced visits to DHR facilities myself. In fact, I visited the AFDC Recertification Division one morning along with Mike Hall and a local reporter just to meet the people in the organization. These are two people that were supposed to be getting the error rate down in the welfare program.

I met the section chiefs and tried to get information on a first-hand basis as to why the error rate wouldn't come down.

Following that visit, the Washington Star ran a story on worker productivity, and it was reported to be low in the division that I visited. In fact, according to their story, 75 percent of the workers in the division are not meeting DHR minimum standards. There are two other factors that help to explain the high error rate and

the inability in the recertification division to bring the error rate down.

The second problem here is the reviewers choose up to 20 percent of the cases from the easy end of the scale. That is the cases most likely not to have errors. You have a new computer program to help determine which cases are most likely to be in error. Notwithstanding that, reviewers still take a large percentage of the easy cases to work on.

PRODUCTIVITY IN RECERTIFICATION SECTIONS

The Star reported the productivity recertification by section. Some adequate, some low, and some very low. And the committee has been recently informed that all the section chiefs of the group with the lowest productivity and doing substandard work are still in place as section chiefs.

Now, I would like to talk about some of these things today. We have unproductive workers and we ought to get rid of them and put productive workers in there because all of us as taxpayers get the tab for $30 million a year in errors.

Now, you can put full statements, of course, in the record. But, Mr. Russo, if you were to make only two points with the committee, what would be those two points?

ESTABLISHING WORK PRODUCTIVITY STANDARDS IN JOB DESCRIPTIONS

Mr. RUSSO. I can answer without much hesitation, Mr. Chairman. The subject you are addressing, which is so sensitive and crucially important, is the matter of work productivity. I would want this committee to remember, Mr. Chairman, that we are attacking this issue. As a matter of fact, I have just approved the incorporation for the first time, as part of the job descriptions of GS-5, GS-7, and GS-9 social service representatives who review and process applications, an attachment which establishes work productivity standards which are quantifiable.

I am quite willing, Mr. Chairman, to share these recommended performance standards, which are in quantifiable terms, with your committee, if you so desire.

Senator LEAHY. I would like to get a copy of that, if I could, for the record, Mr. Russo.

Mr. RUSSO. I know of your keen interest, Mr. Chairman, and I want to emphasize that this document represents our recommendations which are now under consideration by the personnel staff.

I have every confidence that both the Department of Human Resources and District of Columbia government personnel, as well as the Civil Service Commission; will approve these work performance standards as part of the job descriptions of GS-5, GS-7, and GS-9 social service representatives in the Payment Assistance Administration, particularly those working exclusively on processing AFDC and GPA applications and those working specifically on reviews.

[CLERK'S NOTE.—The worker performance standards referred to by Mr. Russo follow:]

Memorandum • Government of the District of Columbia

TO: See Distribution

Department, Agency, Office: Human Resources Payments Assistance Administration

FROM: Bertrell L. Hallum
Administrator

Date: MAY 18 1978

SUBJECT: Productivity Standards

During a conference with the Director on May 17, 1978, it was recommended that the performance standards listed below for eligibility determination workers assigned to intake and recertification activities be implemented. These standards will be implemented on an interim basis until such time as the manual is completed and workers have received training.

The performance standards are as follows:

Intake

GS-5 SSR - 15 completed dispositions on applications per month
GS-7 SSR - 20 completed dispositions on applications per month
GS-9 SSR - 30 completed dispositions on applications per month

Recertification

GS-5 SSR - 15 completed recertifications per month
GS-7 SSR - 20 completed recertifications per month
GS-9 SSR - 30 completed recertifications per month

The performance standards that were previously submitted on May 15, 1978, have been revised to reflect the above standards (see attached).

Attachments

DISTRIBUTION:

Albert P. Russo
William H. Whitehurst, Jr.
Bernard E. Phifer
Jacqueline E. Johnson
Ulysses J. Banks
Floyd Patterson
Malone B. Broome
William J. Gray
Ronald Lewis

MONTHLY PERFORMANCE EVALUATION

EMPLOYEE'S NAME: GRADE:

EVALUATION PERIOD: DATE COMPLETED: SUPERVISOR:

EVALUATION ELEMENTS	LEVEL OF PERFORMANCE (CHECK (√) APPROPRIATE BOX)	
1) Technical Knowledge (Job know-how and skills required to do the job; supervision required)	☐ Unsatisfactory ☐ Meets Requirements Comments:	☐ Marginally Satisfactory ☐ Exceeds Requirements ☐ Outstanding
2) Quality of Work (Accuracy, neatness, thoroughness of finished work, soundness of judgement)	☐ Unsatisfactory ☐ Meets Requirements Comments:	☐ Marginally Satisfactory ☐ Exceeds Requirements ☐ Outstanding
3) Quantity of Work (Amount of satisfactory work completed, speed in meeting deadlines)	☐ Unsatisfactory ☐ Meets Requirements Comments:	☐ Marginally Satisfactory ☐ Exceeds Requirements ☐ Outstanding
4) Working Relationships (Cooperation, working harmoniously with others)	☐ Unsatisfactory ☐ Meets Requirements Comments:	☐ Marginally Satisfactory ☐ Exceeds Requirements ☐ Outstanding
5) Communications (Oral and written - expression of ideas clearly)	☐ Unsatisfactory ☐ Meets Requirements Comments:	☐ Marginally Satisfactory ☐ Exceeds Requirements ☐ Outstanding
6) Work Conduct and Attitude (Attendance, punctuality, courtesy to public and co-workers)	☐ Unsatisfactory ☐ Meets Requirements Comments:	☐ Marginally Satisfactory ☐ Exceeds Requirements ☐ Outstanding

COMPLETION OF MONTHLY PERFORMANCE EVALUATION FORM

Purpose:

1. To help improve communcations between supervisors and employees concerning job requirements and the progress of the employee in meeting those requirements.

2. To give employees timely information relative to their performance and conduct, and employment data essential to their planning for continued employment and career development.

3. To provide a basic record to aid in determining if an employee merits promotion or within-grade step increase.

Completion of Form:

This form is to be completed by the supervisor once a month, preferably at the time of the regular worker/supervisor monthly conference. Supervisors must determine the performance level that most nearly describes the employee's performance during the evaluation period. If an employee is evaluated as unsatisfactory, marginally satisfactory or outstanding, the supervisor must indicate the reason under comments. Supervisors should document all pertinent items concerning the employee's evaluation. However, the employee should be aware that, as an ongoing record of performance, the Monthly Performance Evaluation Form will be used as a supervisory tool in completing the annual performance rating.

Distribution:

This form should be completed in duplicate (original to the employee and a copy for the supervisor).

PERFORMANCE STANDARDS

GS-5 SOCIAL SERVICE REPRESENTATIVE - INTAKE

In order to maintain accountability and establish the tighest controls possible over the income maintenance programs, the following work measurement standards are established.

Eligibility determination workers at the GS-5 level who are assigned to Intake are expected to complete a minimum of 15 dispositions (i.e., approvals or rejections) per month on applications. This minimum standard may be

either Aid to Families with Dependent Children (AFDC) applications or General Public Assistance (GPA) applications, or a combination of the two. The minimum standard is expected to be reached after a person has had 6 months experience in this program activity.

In addition to productivity the GS-5 worker is expected to maintain an acceptable level of quality. Quality is used here to infer proper application of case management, correct application of policy and procedure, sound judgement in decision making, use of valid verification mechanisms, and proper documentation.

Quality is measured by the amount of acceptable work produced; at this grade level the acceptable standard consists of no more than 7 errors per month only 3 of which may be payment errors.

To assure that quality and quantity are maintained on a continuing basis, all dispositions (minimum of 15) will be reviewed by the supervisor. The GS-5 eligibility worker will work with maximum supervision. Workers will be notified in writing of their level of performance each month. The attached form will be used for this purpose. Conferences will be scheduled when deemed necessary by the supervisor or at the worker's request, but not less than once a month.

PERFORMANCE STANDARDS

GS-7 SOCIAL SERVICE REPRESENTATIVE - INTAKE

In order to maintain accountability and establish the tighest possible controls over the income maintenance

programs, the following work measurement standards are established.

Eligibility determination workers at the GS-7 level who are assigned to Intake are expected to complete a minimum of 20 dispositions (i.e., approvals or rejections) per month on applications. This minimum standard may be either Aid to Families with Dependent Children (AFDC) applications or General Public Assistance (GPA) applications, or a combination of the two. The minimum standard is expected to be reached after a person has had 6 months experience in this program activity.

In addition to productivity the GS-7 worker is expected to maintain an acceptable level of quality. Quality is used her to infer proper application of case management, correct application of policy and procedure, sound judgement in decision making, use of valid verification mechanisms, and proper documentation.

Quality is measured by the amount of acceptable work produced; at this grade level the acceptable standard consists of no more than 6 errors per month, only 2 of which may be payment errors.

To assure that quality and quantity are maintained on a continuing basis, all dispositions (minimum of 20) will be reviewed by the supervisor. The GS-7 eligibility worker will work under the general guidance of the supervisor. Workers will be notified in writing of their level of performance each month. The attached form will be used for this purpose. Conferences will be scheduled when deemed necessary by the supervisor or at the worker's request, but not less than once a month.

PERFORMANCE STANDARDS

GS-9 SOCIAL SERVICE REPRESENTATIVE - INTAKE

In order to maintain accountability and establish the tighest controls possible over the income maintenance programs, the following work measurement standards are established.

Eligibility determination workers at the GS-9 level who are assigned to Intake are expected to complete a minimum of 30 dispositions (i.e., approvals or rejections) per month on applications. This minimum standard may be either Aid to Families with Dependent Children (AFDC) applications or General Public Assistance (GPA) applications, or a combination of the two. The minimum standard is expected to be reached after a person has had 6 months experience in this program activity.

In addition to productivity the GS-9 worker is expected to maintain an acceptable level of quality. Quality is used here to infer proper application of case management, correct application of policy and procedure, sound judgement in decision making, use of valid verification mechanisms, and proper documentation.

Quality is measured by the amount of acceptable work produced; at this grade level the acceptable standard consists of no more than 5 errors per month, only 2 of which may be payment errors.

To assure that quality and quantity are maintained on a continuing basis, all dispositions (minimum of 30) will be received by the supervisor. The GS-9 eligibility worker will work with minimum supervision. Workers will

be notified in writing of their level of performance each month. The attached form will be used for this purpose. Conferences will be scheduled when deemed necessary by the supervisor or at the worker's request, but not less than once a month.

PERFORMANCE STANDARDS

GS-5 SOCIAL SERVICE REPRESENTATIVE - RECERTIFICATION

In order to maintain accountability and establish the tighest possible controls over the income maintenance programs, the following work measurement standards are established.

Eligibility determination workers at the GS-5 level who are assigned to the Aid to Families with Dependent Children (AFDC) recertification process are expected to complete a minimum of 15 reviews each month. This standard applies to reviews completed on AFDC - regular cases, AFDC supplementation cases, AFDC-UF cases or any combination of the three. The minimum standard is expected to be reached after a person has had six months experience in this program activitiy.

In addition to productivity the GS-5 worker is expected to maintain an acceptable level of quality. Quality is used here to infer proper application of case management, correct application of policy and procedure, sound judgement in decision making, use of valid verification mechanisms, and proper documentation.

Quality is measured by the amount of acceptable work produced; at this grade level the acceptable standard

consists of no more than 7 errors per month only 3 of which may be payment errors.

To assure that quality and quantity are maintained on a continuing basis all completed recertifications (minimum of 15) must be reviewed by the supervisor. The GS-5 eligibility worker will work with maximum supervision. Workers will be notified in writing of their level of performance each month. The attached form will be used for this purpose. Conferences will be scheduled when deemed necessary by the supervisor or at the worker's request, but not less than once a month.

PERFORMANCE STANDARDS

GS-7 SOCIAL SERVICE REPRESENTATIVE - RECERTIFICATION

In order to maintain accountability and establish the tighest possible controls over the income maintenance programs, the following work measurement standards are established.

Eligibility determination workers at the GS-7 level who are assigned to the Aid to Families with Dependent Children (AFDC) recertification process are expected to complete a minimum of 20 reviews each month. This standard applies to reviews completed on AFDC - regular cases, AFDC supplementation cases, AFDC-UF cases or any combination of the three. The minimum standard is expected to be reached after a person has had six months experience in this program activitiy.

In addition to productivity the GS-7 worker is expected to maintain an acceptable level of quality.

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Quality is used here to infer proper application of case management, correct application of policy and procedure, sound judgement in decision making, use of valid verification mechanisms, and proper documentation.

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PERFORMANCE STANDARDS

GS-9 SOCIAL SERVICE REPRESENTATIVE - RECERTIFICATION

In order to maintain accountability and establish the tighest possible controls over the income maintenance programs, the following work measurement standards are established.

Eligibility determination workers at the GS-9 level who are assigned to the Aid to Families with Dependent Children (AFDC) recertification process are expected to complete a minimum of 30 reviews each month. This

standard applies to reviews that are completed on AFDC - regular cases, AFDC supplementation cases, AFDC-UF cases or any combination of the three. The minimum standard is expected to be reached after a person has had 6 months experience in this program activity.

In addition to productivity the GS-9 worker is expected to maintain an acceptable level of quality. Quality is used here to infer proper application of case management, correct application of policy and procedure, sound judgement in decision making, use of valid verification mechanisms, and proper documentation.

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IMPROVED SERVICES TO DHR CLIENTS

Mr. RUSSO. I would also want this committee to remember, Mr. Chairman, to return to your question, the commitment and the effort that DHR is attempting to make in order to improve the level of services being rendered to the nearly 200,000 citizens of our city who rely upon DHR for provision of services. I would want the committee to remember that all levels of the DHR staff, beginning with the administration heads, are showing a greater sense of commitment and purpose and dedication in providing improved services to the clients.

IMPROVEMENTS AT DETOXIFICATION CENTER

I would like to cite several services as examples. Our male detoxification center has shown vast improvement in services, in my opinion, during the past months. It provides primary care to the citizens who are in acute stages of intoxication. I am speaking not only of the physical improvement in the male detoxification center, Mr. Chairman, but also of improved services in terms of professionals providing the services.

IMPROVEMENTS AT FOREST HAVEN

I should also cite another example in an attempt to explain renewed commitment and dedication to improving services, that which is happening at Forest Haven, Mr. Chairman. Because I am aware of the committee's concern particularly for the quality of care and services being provided to the citizens who are residents of Forest Haven, I want to assure this committee on behalf of Mrs. Shackleton and my colleagues here with me this morning, that vast, significant improvements have occurred at Forest Haven. Improvements not only in terms of environmental improvement, but in terms of the improvement in the quality of care provided to residents there.

These improvements in environmental conditions and quality of services to residents in an effort to improve their quality of life, will be continued.

There are many, many deficiencies which continue to exist at Forest Haven; indeed, Mr. Chairman, as is the case at many of our other programs and facilities. We are aware of these deficiencies. And, with your cooperation—and I know we have it and that of the Congress, and the Mayor and the City Council, we are going to address these deficiencies.

But we are moving ahead at Forest Haven, Mr. Chairman. These are several examples of significant happenings that I would want your committee to remember.

REMARKS OF COUNCIL MEMBER SHACKLETON

Senator LEAHY. Mrs. Shackleton, is there anything you would like to add?

Ms. SHACKLETON. Thank you, Senator.

I recall that last year you were particularly interested in the Child Abuse Act that has been enacted. And I thought it would be

interesting, and I have some figures that Mr. Russo prepared for me as a result of the new law.

The caseload has gone way up because of the required reporting. It is up in families from October 1977. The act actually went into effect in September 1977. There were 156 families, and in April there was—March, it was 195 families that were reported in the protective register.

And as of September 1976, there were 1,665 children in the childrens' workload, and in April 1978, there were 2,381.

So, I think that the law is effective, and the required reporting is having an effect.

KEENER INTEREST NEEDED IN CHILD ABUSE

Senator LEAHY. It is interesting to see that large increase in the caseload because of tightening up the reporting process. And I am not surprised by it at all. And I am sure neither you or Mr. Russo are.

But it is sad in a way to see that we have to tighten up reporting requirements before the authorities actually find out what is going on. I think some of the people in the medical society and in medical associations around the country should spend the same amount of time in cleaning up their own house with regard to reporting child abuse cases as they have in mounting public relations efforts to respond to President Carter's criticism.

If they spent anywhere near as much time working on matters of child abuse, this country would be a lot better off. I know in Vermont, I remember the dichotomy between the time spent by those in the medical schools explaining and studying the intricacies of malpractice insurance, tax shelters, and things of that nature as compared to those who really spent time looking at such problems as child abuse.

Fortunately, we had an awful lot of people who looked at matters of child abuse. And I think there are an awful lot of individuals within medical circles who are concerned about child abuse or about spouse abuse. There are a number of them in that.

But I compliment you in pushing through the Child Abuse Act, because I think you realize, as I do, that for all those within the medical profession who have a real, very real concern about this, there are a number of others who, for reasons I could never explain, seem to close their eyes to child abuse.

CASE OF CHILD ABUSE

I remember one of the most distressing cases I ever saw as a prosecutor. I got a call from a pathologist who just performed an autopsy on a 2-year-old child. The child had literally 80 percent of the bones on one side of its body broken. The child had been in the hospital four times in the year before.

Had this situation been reported to anybody, it would have signaled a child abuse case. The child finally died. The father took the child by the arm, after breaking several bones and swung the child around and threw it against the wall and the child was killed.

And this is not an untypical situation. And I think that this country today, with the social and economic pressures that we face,

really has an epidemic of child abuse matters. Invariably, these are the people who have no means of defense. They can't tell, what is happening to them, and many times they can't even speak. And really, those of us who have any authority in the Government, there can be no greater responsibility than protecting these children who are totally defenseless by themselves.

I compliment you, Mrs. Shackleton, very much, and you, Mr. Russo, and everybody else in the District of Columbia government connected with this effort to put in law, these reporting requirements. And I compliment those members of the medical profession who are willing to support such a tough law.

But I hope that the others who had not before reported these abuses will at least take cognizance of the law. Certainly there should be concern in the area of child abuse. It is a matter of some concern.

And I am glad to hear that the reports are coming in. But anybody that thinks that child abuse does not exist at all social levels and at all economic levels, is not correct. It exists at all social, economic, and educational levels, and none of these groups has a monopoly on the problem. You will find those problems in the most affluent regions of this area down to the poorest.

FISCAL YEAR 1979 BUDGET—A BASIC NEEDS BUDGET

I notice that appropriated funds in the amount of $266,938,000 are requested in fiscal year 1979 to operate the Department of Human Resources. Your justification material reports that it falls short in meeting the needs for health and social services.

Would you tell us what the major areas are where you feel that your budget falls short, and discuss the adverse consequences of each?

Mr. Russo. I think we attempted to say in the policy statement, Mr. Chairman, that in preparing the 1979 budget we subjected the process to a rigorous ZBB effort.

As a result, we certainly stayed within the budget available to us for fiscal year 1979, but it is a minimal-needs budget. To be more responsive to your question, Mr. Chairman, in virtually all areas in DHR, in terms of services and programs, there is no fat at all.

MAINTAINING FISCAL YEAR 1978 LEVEL OF SERVICES

We are going to be able to maintain services essentially at the same level as we are doing this year, in fiscal year 1978. The relatively few increases that are being reflected in our 1979 budget in the amount of $13,875,200 are all mandatory, Mr. Chairman, for our service program areas, particularly in the Social Rehabilitation Adminstration, to name one.

We will just be able to provide services to clients receiving AFDC on demand because our staffing realities do not permit the degree of concentrated services that we would very much like to achieve.

Also in our Social Rehabilitation Administration, in terms of services to children who are institutionalized for delinquency, and particularly at Cedar Knoll and Oak Hill, our 1979 budget still will not enable us to eliminate an excessive amount of overtime that we must pay staff in order to assure the minimum number of covered

posts required to provide appropriate custody of the children assigned to those two juvenile institutions.

In short, Mr. Chairman, the 1979 budget has very little fat in it. It will not amount to any reduction of services below the level that is being provided in fiscal year 1978, but it certainly will not permit us to go beyond the level of service being provided in fiscal year 1978.

INCREASED MEDICAID REIMBURSEMENTS

Senator LEAHY. Would the situation be improved if you got accreditation of the various facilities and then began receiving medicaid reimbursement?

Mr. RUSSO. Not in terms of the areas that we cite as examples, Mr. Chairman. Certainly if we regain full restoration of medicaid certification for the remaining uncertified beds at D.C. Village—and this is one of our main objectives this fiscal year—this would result in a positive factor with regard to our ability to strengthen our medicaid program. Our medicaid earnings, as they increase, are essentially pumped into our medicaid trust fund.

In that respect, Mr. Chairman, the restoration of lost medicaid certification will enable a more effective and adequate financing of our medicaid trust fund. But it would have very little impact upon removing any weaknesses or filling any vacuums that might exist.

DHR TASK FORCE REPORT

Senator LEAHY. I noticed an article in the paper this February. Let me just read the first couple of sentences. It says that DHR has been unable to administer youth programs because poor management practices have resulted in an inefficient use of the Department funds and staff.

Are you aware of that report? That was from the 15-member task force study made by private citizens and government workers of DHR last March

Mr. RUSSO. Yes, indeed, I am aware of that report.

Senator LEAHY. Have you responded to it at all? Have you made reports back to the task force in response?

Mr. RUSSO. Yes. Shortly after the DHR task force report was released—and I believe it was in March—Mayor Washington asked me to submit a report to him in which I was to give the Mayor my assessment and analysis, and recommended action with respect to the District of Columbia task force report.

He had asked me, Mr. Chairman, to do the same thing with the report that was promulgated by the Mayor's own DHR study panel which reported out last July. I submitted my report to the Mayor.

Senator LEAHY. Could you send us a copy of that?

Mr. RUSSO. I would be glad to, Mr. Chairman.

[The material follows:]

DEPARTMENT OF HUMAN RESOURCES
RESPONSES TO THE FINDINGS AND RECOMMENDATIONS OF THE
D.C. COUNCIL TASK FORCE REPORT ON THE
REORGANIZATION OF THE DEPARTMENT OF HUMAN RESOURCES

Major Recommendation

1. The city government should assure that a comprehensive assessment of the human service needs of the District's population is conducted by a well-qualified research organization as soon as possible.

Response

This recommendation is predicated on the premise that a thorough and current needs assessment, presumably involving the nearly 200 programs administered by DHR, "is basic to any serious analysis of DHR service delivery capability and the need for organizational realignment."

DHR has two problems with this premise. First and foremost, considerable data are available within the Department on the critically important matter of human service needs. There are at least four basic documents which address the assessment of human services needs relating to DHR programs. The four basic documents are: the Title XX Annual Social Services Plan; the DHR Annual Program Inventory; the DHR Annual Budget Document; and the DHR Comprehensive Child care Plan. Additionally, there are other documents which allow the Department to avail itself of Federal Financial Participation (FFP) which inherently address needs assessment along categorical lines. Examples of other documents generating FFP are: the Medicaid/Medicare State Plan; the Public Assistance State Plan; and the Food Stamp State Plan.

These documents show that a major requirement for receipt of funds, whether Federal or District appropriation, is a needs assessment of either the total District population, the population in need, or both. A careful review of this and other pertinent data indicate that there is an ongoing effort to assess the dimensions of need for DHR services for the District population.

Secondly, an inordinate and disproportionate amount of emphasis has been placed on attempting to relate a human services needs assessment of the District population to the matter of reorganizing or realigning DHR. A needs assessment, it seems to DHR, should not, in and of itself, determine whether a particular organization should be reorganized or realigned. From the crucial perspective of both sound management priniciples and responsiveness to client needs, there is a basic and logical rationale for clustering services under a specific organizational entity, notwithstanding the dimensions of need which may exist for a given specific service, i.e., organizationally aligning all income maintenance programs within a single administrative structure; all health services within another, etc.

Major Recommendation

2. The Department of Human Resources should remedy serious weaknesses found in the following areas: access to social services; negotiating, awarding and monitoring contracts; gathering and compiling accurate and complete data; and developing a social services plan; assistance from outside experts with successful experience in remedying management problems in social service agencies should be secured for this purpose. Implementation of Task Force recommendations should not, however, be delayed pending the procurement of such assistance.

Response

DHR recognizes that certain specified areas require improvement. Recently, it completed the development and implementation of a contract monitoring system, which includes an evaluative process for monitoring and comparing the vendor's performance with the actual contract. DHR contract administrators are responsible for continuously monitoring contracts and reporting their findings quarterly. Reports will address vendor performance, deficiencies, the need for contract modification and/or termination. The first reporting date is May 31, 1978.

DHR concurs in the recommendation to secure outside management expertise.

A similar recommendation was made in May 1977 in the Mayor's Panel "Report to the Mayor on Human Resources Organization and Management in the District of Columbia."

On February 1, 1978, the Director announced the appointment of an Executive Director and an Assistant Executive Director for Management Improvement, Dr. Thomas E. White and Mr. Ronald Sendak, respectively.

Dr. White and Mr. Sendak have extensive and impressive backgrounds in the managerial and administrative areas germane to the department. They have major responsibilities for recommending modifications and refinements to the existing departmental management systems, administrative procedures, employee and supervisory training, and executive development. In addition, they are expected to develop remedies and measurements to improve DHR's internal inspection and performance monitoring.

Major Recommendation

3. Staff training of public assistance staff should assure that new workers receive adequate training before beginning work, that relevant continuing training is provided for all workers, and that training is confined to matters of direct, demonstrable benefit to the worker in performing his or her job.

Response

DHR recognizes that it has had shortcomings regarding staff training in its public assistance programs. This awareness has been the basis for our efforts toward improved and expanded training actions. To determine the specific nature and dimensions of staff development problems, the Department initiated a study by appropriate DHR and DHEW personnel. This group's task includes addressing pre-job training for

new workers. Concurrent with this effort and prior to its initiation DHR standard procedure has always been to provide staff with on-the-job training. Additionally, mandated classes directly related to performance areas are scheduled for staff and some electives are also provided. Subsequent to initial training, workers are rescheduled for additional appropriate training either at their own request or on the basis of supervisory recommendations. Training modules, for example, are jointly developed for Payments Assistance workers by the Payments Assistance Administration (PAA) and the EDS Personnel and Training Division. The rate at which new PAA workers are brought on board usually by twos and threes, has rendered impractical formalized training classes at the outset because a group of at least 20 would be more cost effective. Therefore, a system of utilizing unit supervisors as trainers was developed and has proved to be highly beneficial to PAA.

Other specialized training for new workers includes the special program developed and implemented for Social Rehabilitation Administration's Bureau of Youth Services (BYS) staff, as a part of the deinstitutionalization process. All BYS staff transferred to youth group homes received the benefit of this program.

DHR efforts toward improving and expanding staff training are furthered through the Training Advisory Committee. The Committee, comprised of Departmental Deputy Administrators, is charged with determining training appropriate to all components of DHR, and with reviewing all planned and ongoing training to insure its relevance to DHR components.

Major Recommendation

4. DHR should institute an improved system promulgation and issuance of policy decisions. Priority should be given to the revision of the statutes defining the purpose, nature and scope of the programs

administered by DHR and to clarification by the D.C. Council of the Department's rule-making authority under the Public Assistance Act of 1962.

Response

DHR differs with the Council Task Force recommendation that policy promulgation and issuance should be decentralized to the operating administrations. In the opinion of DHR, there must be a single issuance system at the executive level which incorporates all instructions to staff. Improvements in the system can be made within this single issuance framework. Development of separate systems in each Administration would, in DHR's view, create confusion.

The D.C. Council, in its February 6, 1978 letter to the Mayor, addressed that portion of the recommendation relating to rule-making authority. The letter informed the Mayor that the Council would take prompt action to revise the D.C. statutes defining programs administered by DHR and to clarify DHR°s rule-making authority.

Major Recommendation

5. The budget justification for the Department should include schedules which describe the total operating budget of the Department, showing funds from all sources, on a program rather than a line item basis to help the Council, community, and Congress evaluate the cost of such programs.

Response

The Department concurs with the reasonableness of this recommendation and assures the City Council that the requested information is documented and available as the suggested format.

In 1974, this Department adopted the Zero Base Budgeting (ZBB) method for formulating its internal fiscal year budget request. A review of the ZBB submissions for the Fiscal Years 1977 to 1979, clearly indicates that the Department has, and continues to be, aware of the utility of evaluating available and

requested funding, Federal as well as local, by program category. The internal document is converted into the mandated line item budget prior to submission to OBMS. However, both the internal ZBB document and the line item budget are available in the Department for review.

Major Recommendation

6. Overall policy direction and management of the Department should be strengthened by creating a limited number of new positions, all reporting directly to the Director, as follows:

- a person responsible for management planning and direction, including performance monitoring;
- a person responsible for overall planning and general direction of coordinated and decentralized service delivery;
- a small unit responsible for planning, developing and direction of coordinated and decentralized service delivery;
- a person responsible for planning and managing contracts for program evaluation.

The persons filling these positions should be highly skilled in the areas in which they will work, and should serve at the pleasure of the Director.

These actions should be accompanied by assigning to the program administrators responsibility for: policy formulation and issuance, program planning and development, standard setting, monitoring and licensing (except for health facilities), staff training, and federal-state relationships. These functions are presently assigned to EDS. These changes, along with some realignments at the EDS level, would effectively dissolve the Office of Planning and Evaluation and the Office of State Agency Affairs.

The EDS component of DHR should have no responsibility for the direct operation of programs.

Response

The Department has two concerns with the organizational revisions proposed.

First, the recommendation appears to create a two-tiered organization. The Directorate level would be assigned long range concerns. The Administrations would be responsible for operations and short range planning. They would be delegated functions relating to monitoring, licensing, training, Federal/state relations, program planning, policy formulation and issuance, which are presently centralized at the executive level. These functions would be replicated and duplicated for each administration. Further, there is no provision by integration or coordination between the Directorate and the Administrations with respect to these or other functions.

DHR believes that the resultant organization would:

(a) lack, at the Director's level, a policy formulation and issuance responsibility and capability.

(b) lack, at the Director's level, a Federal/state responsibility;

(c) lack a built-in mechanism for overall integration and coordination, and a resulting inability to proceed in complementary directions with respect to departmental thrusts;

(d) create a competitive situation between the proposed advisors to the Director and the administrations in the decision making process;

(e) render null and void a departmental capability for the development of service integration strategies;

(f) result in a loss of centralized capability for establishment and coordination of a program budget review and objective program evaluations.

The positions recommended by the Council Task Force at the Departmental level are too limited in number to accomplish

the broad scope of functions assigned. Further, some functions would duplicate and overlap those functions currently assigned to Office of Information Systems, Human Resources Management Information System, Office of Controller, Office of Inspection and Office of Administration.

The second concern is that the Task Force, in recommending the abolishment of OSAA and OPE, did not understand the separate but complementary responsibilities of these two offices. The Office of State Agency Affairs is designed primarily to develop Federally sponsored state plans and coordinate with Federal agencies in order to ensure that the Department avails itself to the maximum of Federal resources available to eligible programs both within and outside the Department. Every state in the nation has similar state offices. The District, however, is unique because of the number of related programs which can be coordinated through one office.

The Office of Planning and Evaluation fulfills the Human Resource planning function mandated by the City Charter.

Both offices are proposed to be abolished, in the recommendation section of the report, while in other sections, the "weakness" of current planning efforts and the necessity for a stronger planning capability are stressed.

DHR's conclusion is that over the years and often to its own detriment, support staff and planning efforts have been underfunded in favor of operating programs, when a more balanced approach would have served both needs better. It is clear that an agency which spends hundreds of millions of dollars annually and limits planning, evaluation and support staff to 6 percent, by the Task Force's reckoning, is proceeding too modestly.
It is the Department's view that both offices, rather than being abolished, should be strengthened.

Major Recommendation

7. The Department of Human Resources and the Department of Manpower should establish an inter-agency body to examine potential job resources in the public and private sectors and administrative or structural realignments necessary to implement proposed federal welfare reforms.

Response

The Department concurs with the intent of this recommendation and does, as a practical management recourse, maintain liaison with DOM with regard to the job market.

The CETA and WIN programs have certainly established the precedent for inter-agency communication. Officials from the Department have contacted several DOM senior officials for the primary purpose of soliciting written impact statements concerning the President's Welfare Reform proposals. The impact of the President's Welfare Reform plan continues to be the focal point of continued dialogue between the two agencies.

Major Recommendation

8. All juveniles detained pending trial, including those ordered detained in maximum security facilities, should be removed from the Children's Center. Juveniles should be placed in suitable living environments, secured as necessary, within the District of Columbia.

Response

We agree with these recommendations. The construction of the new Receiving Home would greatly reduce the currently identifiable problems of detained youth presently housed at the Institutional Care Services Division's facilities.

Major Recommendation

9. Community-based programs and facilities should be expanded and diversified as the preferred alternative to institutionalization of youth.

Response

The present diversification of community-based programs is as follows:

a. There are six (6) group homes for detained youths.
b. There are three homes (3) for delinquent youths.
c. There are three (3) dependent group homes
d. There are four PINS (Persons in Need of Supervision) homes - three of which are operated by private groups on a contractual basis.

We are currently studying the possibilities of submitting additional request for proposals to meet the needs of Bureau of Youth Services' youths.

Major Recommendation

10. A legal office, operated by the Public Defender Service, should be established to operate on the grounds of the Children's Center to assist residents with problems relating to their institutionalization and pending court proceedings.

Response

We support the principle of legal representation on site of the institutions in serious cases, such as child abuse or corporal punishment of juveniles by employees. In no other case is on-site legal representation necessary or indicated. Since there are relatively few cases that would qualify under these circumstances, it would not be necessary to establish a full time legal office on-site. Legal representation should be available for on-site location in case the circumstances described above were evident.

Philosophically, the presence of attorneys on-site at a juvenile rehabilitation institution is clearly contra-indicated since the care of children is the responsibility of professionals in the field of rehabilitation, such as counselors, social workers, teachers, psychologists, and recreational leaders.

Major Recommendation

11. A Youth Planning and Monitoring Committee should be established, composed of both DHR and public representatives, to plan, monitor, and evaluate DHR programs for detained and adjudicated youths. The priority concerns of the Committee should be to promote the development of individualized rehabilitative service plans, effective educational programs, and adequate social services.

Response

There appears to be an overlap of proposed responsibilities between this recommended Planning Committee and the recommended commission to study DHR/court interrelationships on Juvenile matters, as well as constituting a duplication of current managerial responsibilities within SRA. If, as recommended, the committee were comprised of an equal number of DHR/non-Governmental representatives, delineation of the role of the committee as it relates to decision making, authority, prioritization of youth needs, as compared to other departmental priorities, would be difficult at most and could in effect further erode or diffuse implementation of improvement efforts. Additionally, many of the cited objectives and activities represent needed improvement in youth service programs which the Department has recognized for years. However, financial and personnel constraints have essentially rendered discussions and planning moot in many of these areas.

Major Recommendation

12. The Mayor and the Chief Judge of the Superior Court should appoint a Commission to study the interrelationship of the Court and DHR in juvenile matters, including detention, dispositional alternatives and monitoring of youths' progress following commitment.

Response

This is a noteworthy recommendation because the Superior Court and the Department of Human Resources share significant responsibility for juvenile matters. The establishment of

such a commission could have the following benefits:

1. The juvenile justice system would be significantly improved through the expansion of judicial resources.
2. It would encourage judicial cooperation in permitting the differential detention screening team to make all decisions regarding levels of detentions in which youth are placed.
3. It would improve communication and rapid transmittal of client information and records between the Court and the Department of Human Resources

Major Recommendation

13. The District of Columbia government should not itself be a direct provider of health services, and should adopt a policy that will, over time, allow the government to divest itself of this responsibility. This recommendation is consistent with recommendations made by the Nelson Commission in 1972, and reiterated in the March 1977 D.C. Municipal Research Bureau report on meeting the needs for long-term care.

Response

DHR agrees with the recommendation in concept. However, it is important to examine the reasons the District Government became a direct health service provider. Historically, public clinics, hospitals, and other institutions evolved in this city, as well as other major cities, as a result of the failure of the private sector to provide health services to indigent persons.

In recent years, many medically indigent residents have been able to obtain services in the private sector under the Medicare or Medicaid programs, which were established under Federal legislation to pay the cost of medical care for those meeting eligibility requirements. However, medically indigent residents who are ineligible for Medicare or Medicaid, still rely on DHR as their only source of care.

The D.C. Government, therefore, in the view of DHR, has the three following options:

1. It can contract to pay the private sector for the care of medically indigent persons who are ineligible for Medicare or Medicaid,
2. It can continue D.C. Government direct services to care for the medically indigent who are ineligible for Medicare or Medicaid, or
3. It can discontinue D.C. Government direct health services altogether without any provision for the care of those with no other source of services.

The high cost of health care in the private sector would appear to make the contract option infeasible. Realistically, therefore, since the D.C. Government is unable to pay the private sector, continuance of direct public health services appears to be the appropriate option.

Short of enactment of a National Health Insurance program, there appears to be no means by which D.C. Government can divest itself of its role as a direct provider of health care.

Major Recommendation

14. The Council should develop legislation as promptly as possible establishing an independent commission to be responsible for rate review, quality assurance, and long-range planning for health. The Task Force specifically suggests that the Council look at the model offered by the Connecticut State Commission on Hospitals and Health Care.

Response

DHR, while concurring in the recommendatior that the D.C. Council should develop legislation for a rate commission, believes that the functions of the commission should be limited, at least at the outset, solely to rate review. The Task Force offered a meager rationale for its far-reaching recommendation that not only rate review but health planning and quality assurance be included

as functions of the commission. Even the limited rationale offered raises serious questions as to the suitability of the combination of functions proposed. For example, the Task Force notes that in some states where health planning and rate setting are in different agencies, the rate setting agency has denied the necessary rate structure for a service or facility which was granted a certificate of need by the health planning agency. Does this rationale not suggest that the rate setting function in the rcommended commission would be subordinate to its planning/ certificate of need functions? Does this possibility not suggest the incompatability of the recommended functional responsibilities of the commission?

The report asserts, again with miminal rationale, that there is a conflict inherent in a single department having both regulatory and direct service delivery functions. Yet there is no indication that direct services have been compromised or otherwise tainted by coexisting and collaborating in the same Department with health planning and quality assurance. Indeed the report indicates that DHR has performed well its responsibilities for licensing and certifying its own health services.

DHR believes that the issue of potential conflict can be addressed and resolved through refinement of established mechanisms such as advisory councils and public comment on state plans rather than through the avenue proposed by the Task Force.

DHR has the further concern that the proposed transfer of health planning and quality assurance to the Commission would retard progress toward program accomplishments and would further fragment major health program initiatives and weaken operational linkages.

CONTINUED HIGH ERROR RATES

Senator LEAHY. In fiscal year 1979 the District estimates there will be about 30,000 welfare cases on the District welfare rolls each month. The total estimated cost of the program is over $92 million. And the District and Federal Government share equally in the cost.

The District estimates, also, 4,000 general public assistance cases each month, at a cost of about $8 million. These are all paid by the District.

The percentage of cases in error in 1971 was 34.6 percent. In 1977, 6 years later, the percentage of cases in error increased to 44.7 percent. The breakdown I have here is that for the error category "ineligible" the error rate was 6.8 percent in 1971 and climbed to 13.6 in 1977. The error category "overpaid" was 17.9 percent in 1971 and that climbed to 24.2 percent in 1977. The error category "underpaid" was 9.9 percent in 1971 and that dropped to 4.9 percent in 1977.

It appears that the only error rates that dropped during those 6 years were in the percentage of those that were underpaid. Now, quality control also estimates the amount of money erroneously paid to AFDC cases for the period June 1977, the amount was $15.7 million. So as I say, it would amount to about $30 million a year.

Now, the issues appear to be not reviewing each case every 6 months, no corrective action on problems found by reviews, low productivity, and a lack of the deterrent to minimize the totally ineligible individual from getting on the rolls.

Now, are these really the problems? If not, what are the problems, and if so, what is being done to correct the situation? Because I know with discussions with fellow members of the committee last year and this year, that this is an area of concern. While the committee will change somewhat, basically the same people will be here. We have tried to figure out how to balance the budget and the first thing that comes up is what about all that ineligible assistance being given out by DHR.

QUALITY CONTROL REPORT

Mr. RUSSO. Mr. Chairman, the reasons that you cite are completely valid as explanations of the continuing high error rate, particularly in the AFDC program. However, I want to clarify for the record the figures you stated in the quality control report.

[The statement follows:]

AFDC QUALITY CONTROL REPORT

The AFDC quality control report for the period January–June, 1977, shows the estimated projected average monthly cost of ineligibles and overpayments to be $1,307,846. The estimated projected annual cost is $15,694,152 rather than the $30 million mentioned throughout the hearings. It must be clearly understood that this projected annual cost is based on the projection throughout the entire AFDC caseload (approx. 32,000 cases) of the error rates (ineligible cases and overpayment cases) found in the quality control program review of approximately 850 AFDC cases during this 6-month period.

We can readily understand that a reader might conclude that the annual costs were twice the overpayment costs mentioned in this report since the report covers quality control findings for a 6-month period, January 1–June 30, 1977.

STATISTICAL ANALYSIS: AFDC QUALITY CONTROL FOR PERIOD OF JANUARY-JUNE 1977

Scope of problem

A sample of 844 AFDC cases was reviewed during the period January-June 1977. Of these, 360 cases were found to be in error. The percentage error rate increased in two of three categories from the preceding reporting period (see table A). The combined percentage error rate for the three kinds of errors increased from 41.8 percent for July-December 1976 to 42.6 percent this period.

TABLE A.—*Trends in error cases*

Category	January-June 1977	July-December 1976	January-June 1976	July-December 1975	January-June 1975
Cases reviewed	844	805	812	833	839
Ineligible:					
Number	102	108	119	112	107
Percent	12.1	13.4	14.7	13.5	12.8
Money payment	9.3	11.8	13.7	11.1	11.2
Overpaid:					
Number	207	184	212	203	215
Percent	24.5	22.9	26.1	24.4	25.6
Percent of money	7.7	7.2	10.0	8.5	7.4
Underpaid:					
Number	51	44	41	55	48
Percent	6.0	5.5	5.0	6.6	5.7

The results of application of the January-June 1977 sample error rates to the entire AFDC average monthly caseload. The estimated average monthly cost of ineligibles and overpayments is $1,307,846, a decrease of $70,375 from the previous period. The estimated annual cost is $15,694,152, a decrease of $844,500 from the previous sample period.

COMMITMENT TO REDUCING ERROR RATE

Mr. RUSSO. Mr. Chairman, I know that when we appeared before you last year in making our presentation on our 1978 budget request, we did make a commitment to your committee. I want to assure you, now that the 1978 budget will soon be finalized, that we will move with every measure of urgency in filling those positions that your committee and the House have authorized us to establish to do more effective determinations of eligibility with regard to applications.

This will be done, not only to assure that we will be in full compliance, but to assure that only eligibles will be approved for public assistance. We will do everything we can to fill the 50 positions, just as we will expend every effort, Mr. Chairman, to fill the review positions that have been approved in our 1978 budget. I am convinced, Mr. Chairman, that we will make a substantial reduction in our error rate, if we do our reviews, as we must and should, and if we do them by using the successful error prone client profile that has been developed in the District in cooperation between GAO and DHR.

Mr. Chairman, we haven't simply sat back on our hands doing nothing and waiting for the 1978 budget to be approved. On the contrary, we have undertaken a number of initiatives.

NEW INITIATIVES IN REDUCING ERROR RATE

I should like to address several because I know you will be interested in them. With the full cooperation of the Department of Health, Education, and Welfare, we have been working in what is called an urban technical assistance program. I have with me here Mr. Whitehurst, the Deputy Director of the Department, and Mr. Hallum, who have worked closely with the HEW in development of the urban technical assistance program.

In essence, this program enables us to have a considerable expertise to attack the seven major error elements with respect to the error rates in AFDC. There will be, under this program, specialized training that will be given to all review staff.

A week ago last Monday, Mr. Chairman, a special unit of experienced payment assistance workers were assigned to the urban technical assistance project. This project will run 8 months. During that 8-month period, we expect to employ specialized staff above and beyond the ongoing review effort.

Under this specialized project, which is the major thrust in the urban technical assistance program in the District, this special staff will review an additional 1,200 AFDC cases a month. But they will review these cases on the basis of a very unique and radical new methodology devised through the technical assistance program.

Under this methodology, they will continue to use the results of the GAO–DHR error prone client profile from which to draw the cases that are going to be reviewed.

INEQUITIES IN REVIEWING NUMBER OF CASES

Senator LEAHY. But, you know, even no matter what kind of a system we use or how well it is set up, it still goes down to how productive the workers will be in doing that. For example, I dropped in a couple of months ago into one of your offices and talked to one of the section chiefs. It was the day after St. Patrick's Day. And his section reviewed 1,706 cases in the last half of 1977, while other sections completed 986 cases in the same period. I assume we have got roughly the same type of review process going on in each of the sections.

Why is one able to review slightly over half of what the other did? Do we have a case where we should start reassigning some of these unproductive workers and some supervisors?

ESTABLISHMENT OF WORKER PERFORMANCE STANDARDS

Mr. RUSSO. I think it is going to have to go considerably beyond that, Mr. Chairman. Based on the documents which I provided to you, we will establish worker performance standards. We expect that the journeyman social service representative at the GS–9 grade will have to produce a certain minimum. If she is assigned to the intake process, she would have to produce a minimum of 30 completed applications a month, or if she is assigned to the review process, she would have to do a minimum of 30 reviews per month. Her supervisor would be required to complete a monthly worker performance evaluation form on each worker.

PRODUCTIVITY OF THE WORKERS

Senator LEAHY. I will look through what you have given me. But you take such things as the error prone profile, that is not going to work if workers still take cases on the bottom, lift out the easiest ones to handle, and those are least likely to be in error.

Again, and I am sure we both agree, regardless of how good a system we set up, if one is not going after the cases that really count the system won't work. I don't intend to look at productivity solely on the number of cases somebody handles because you could take the easiest cases and whip on through them and we still haven't accomplished anything.

But it is looking at difficult cases, and it is getting rid of workers that do not do the work well and keeping those who are productive in doing it.

And that means in those cases where people aren't keeping up to the standards, that they have either got to be demoted, reassigned, or given jobs that they can carry out. Because nobody in government owns the job that they are in. None of us, whether myself or anybody else. We don't own the job and nobody owes it to us. We are there to do the best possible job we can and that factor I want to look at as much as anything else.

I do appreciate the fact you are moving ahead, notwithstanding the fact that the city has been under a continuing resolution. I think there have been some agencies within the city that have used the continuing resolution as a rather easy excuse for not doing their work.

I point out that if we finish this hearing by 10 o'clock today, I expect to have the conference report on the floor shortly after 10, and we might be able to get it through today.

Mr. Russo, I apologize for breaking in on that but as you know there is a filibuster that is presently going on. The committee report, however, is a privileged matter. We were trying to check on when we could get the matter up. A couple of Senators have some concerns about the District and the policies of the District that they want to raise on the floor this morning. When we do have this discussion, I am hoping that this means that they are not going to ask for full and complete debate on the conference report. Hopefully, we will get it passed this morning.

I mentioned that for any members of the press who might have a passing interest in seeing it through.

COMBINATION OF EFFORTS TO REDUCE ERROR RATES

The data that we have for the 6-month period ending December 31, 1977, shows that 43 percent of the AFDC cases were in error, and in the prior 6-month period about the same percentage were in error. Now, we have a quality control program that dates back to 1970 where errors keep occurring. With the new program that DHR is talking about, are we going to be able to pinpoint on a fairly frequent, ongoing way? No. 1, what our rates are? And No. 2, such things as productivity? And No. 3, what methods are working and what methods aren't working?

Mr. RUSSO. Yes, we will be able to do this, Mr. Chairman. We will be able to get a very clear reading on exactly the basic reasons

for continuing high error rates. We will be able to get an accurate reading on the impact, through the continuing quality control program, as a result of: (1) tighter work performance standards; (2) more reviews being done as we fill these additional positions; (3) the continued use of the error prone client profiles; and (4) the new methodologies that we are going to be using under the urban technical assistance program doing reviews beyond the error prone client profile.

I mean new methodologies involving sorts of production line techniques. As a result of these initiatives and efforts, Mr. Chairman, we will be able to know exactly what is going on, what is happening, why it is happening, and what the results of our efforts to reduce the error rates actually will be.

Senator LEAHY. Because I think this committee is going to be sympathetic toward a request for, say, additional funding that might be required to reduce error rates. Because we are looking at $30 million out there that is being wasted. And I hope the city has the same attitude.

CITY'S COMMITMENT TO REDUCING ERROR RATE

Have you had reaction from anybody in Government, either on the Hill or downtown, that any element of Government doesn't want to correct these problems?

Mr. RUSSO. Absolutely not. I think there is universal feeling and desire that the error rate be reduced. Mr. Chairman, this has come to me from the Mayor, from Mrs. Shackleton, and in my conversations, for example, with Comer Coppie, who continues to be distressed about continuing high error rates. We are all determined to attack it and bring it down. We have asked for the tools; you have given them to us. Now, we have to put our money where our mouth is.

Senator LEAHY. I have seen they have been able to cut down the amount of underpayment. If we can show the same kind of progress in cutting down the amount of overpayment, I suspect everybody would be happy. I am not suggesting by any means that the committee takes any pleasure in seeing a large percentage of underpayment, because obviously people are eligible for welfare and they should be receiving it. I realize that there have been a lot of these things that come from mistakes on the part of welfare recipients. Mistakes that are not caught by a caseworker either because of inattention or lack of training or whatever.

PROSECUTING FRAUDULENT PUBLIC ASSISTANCE CASES

But there has to be a fairly large number in here of willfull misrepresentations. I just can't believe that this large a number of mistakes comes just from welfare clients making mistakes. If we have willfull misrepresentation, I would be curious how much you found.

I would also be interested in knowing what the prosecution policy is on those.

Mr. RUSSO. I can state to you categorically, Mr. Chairman, that under the leadership of Mr. Alprin, who is Deputy Corporation Counsel in charge of the Criminal Division, there has been a very

significant increase in activity on the part of the Corporation Counsel's Office. They have been referring, either through the U.S. District Attorney's office for the District of Columbia or directly through the District of Columbia Superior Court, civil action cases of alleged fraud in public assistance.

I would be more than happy, Mr. Chairman, to send you a complete report on this subject which would indicate the number of cases of alleged fraud that DHR has referred to the Corporation Counsel and how many have actually gone to the U.S. District Attorney, and how many have gone forward for civil action in the D.C. Superior Court.

Senator LEAHY. I would be very interested in seeing that. I think there are prosecutions on those who willingly misrepresent it, and I should think it would have a deterrent effect.

[The information follows:]

ALLEGED PUBLIC ASSISTANCE FRAUD CASES

Welfare fraud referrals

Number of cases referred to corporation counsel, fiscal year 1977—150.
Number of cases referred to corporation counsel, fiscal year 1978—103.
Number of cases where court action was taken, fiscal year 1977—13.
Number of cases where criminal action was completed, fiscal year 1977—4.
Number of cases where civil action was completed, fiscal year 1977—6.
Number of cases where U.S. attorney action was completed, fiscal year 1977—3.
Number of cases where court action was taken, fiscal year 1977—8.
Number of cases where criminal action was completed, fiscal year 1978—5.
Number of cases where civil action was completed, fiscal year 1978—2.
Number of cases where U.S. district court action was completed, fiscal year 1978—1.

Project match cases: HEW employees

Number of cases referred to U.S. attorney—139.
Number of cases returned by U.S. attorney—117.
Number of cases pending grand jury action—22.
Number of cases referred to corporation counsel and pending action—68.

Project match cases: Double jurisdiction

Voluntary agreements in lieu of prosecution—4.
Returned no merit—2.
Unable to locate defendants—2.
Pending action by corporation counsel—25.
Number of cases referred to U.S. attorney by corporation counsel, fiscal year 1977—7.
Number of cases referred to U.S. attorney by corporation counsel, fiscal year 1978—3.

PROJECT MATCH

Senator LEAHY. Now, last summer you began a program called Project Match which identified 1,295 cases of individuals who were on the city payroll and also, apparently, receiving AFDC payments. Now, what is the status of that situation? Did you find cases of fraud there?

Mr. RUSSO. Yes, Mr. Chairman. Project Match really has two aspects to it. First, the Project Match effort was established as a result of an HEW initiative through the Office of the Inspector General in the Office of the Secretary of HEW.

It first involved HEW employees who were living in the District of Columbia, who were found to be receiving AFDC benefits while working full time at HEW. That is not overstartling, because, as

you know, a mother who is deprived of support even though working full time may be eligible for AFDC payment.

Senator LEAHY. Some of the people who are apparently in HEW, and I suspect in other Government agencies, who received student loans are being paid high salaries and not paying back student loans.

Mr. RUSSO. We are attacking that problem in the District.

Senator LEAHY. That is one of the most outrageous scandals we have seen here. And I can't believe that. Especially since some of these people earn $20,000, $25,000, and $30,000. I can't believe they are not fired if they are not going to pay back loans.

Please go ahead and continue.

Mr. RUSSO. The first phase of Project Match involved 142 new employees.

Mr. Chairman, we reviewed every one of those 142 cases, working very closely with the HEW authorities, and the results were announced at one of our weekly news conferences not long ago. Approximately 60 percent of those 142 AFDC Project Match cases were either ineligible or receiving payments in higher amounts than which they were entitled.

SECOND PHASE OF PROJECT MATCH

Those 142 HEW cases were the first phase of Project Match. Now we are into the second phase which involves approximately 1,100 or 1,200 Federal non-HEW employees who are living in the District of Columbia and who are, according to the payroll tapes under Project Match, receiving AFDC payments.

We are into about 250 of those 1,100 or 1,200 phase 2 cases and I must say that the results that we have seen so far are about the same as the results experienced with regard to the 142 HEW or phase 1 Project Match cases.

Mr. Chairman, we have to review every single public assistance case, and we have to review them as rigidly and as strenuously as possible.

I believe in the error prone client profile. I believe in doing the highest risk cases first as we do in the error prone profile, however, I am convinced in my mind that every single case must be reviewed, there are 6,000 of them each month that must be reviewed. Every single one of them has to be reviewed because what we are seeing in Project Match, whether phase 1, phase 2, or phase 17, are gross examples of cases that haven't been touched for several years.

Senator LEAHY. Well, I agree with your intentions. You have $9,579,700 requested primarily for cost-of-living adjustment and other adjustments for the welfare programs. This is roughly $10 million.

But we are talking about error rates, overpayment rates which may be costing us $30 million a year in the AFDC program alone. At some point, there is going to be very much a feeling here not only regarding the District of Columbia but feeling nationwide that instead of adding on those additional funds, that we take it out of the funds lost because of the error rate. There is a very substantial zero-based budget sentiment afloat.

PROGRESS OF QUALITY CONTROL PROGRAMS

I think you are seeing that everywhere in the country. It is not a bottomless pit where the money comes from. And I really would like to know, if you could keep me posted as we go along, on how these quality control programs are working because I suspect to be more and more pressured in getting additional funds out of the amount that is now being spent in error.

Mr. RUSSO. We would be more than happy to keep you and your staff, Mr. Chairman, closely apprised of the progress we are making and the results of our efforts.

I do want to, Mr. Chairman, if I may, make the point—as I indicated, the Administrator of the Payments Assistance Administration is here. He reports to Mr. Whitehurst, who is of course the Deputy Director, is at the front table with me.

I do want to make the point, Mr. Chairman, that the Administrator of PAA has the administrative responsibility for all aspects of management of the PAA program whether it is a matter of reducing error rates, whether it is a matter of worker performance, or whatever.

We are going to give him all of the support that we can through the Deputy Director and through my own efforts. We will give him the tools that he needs to do the job. I am confident that Mr. Hallum is going to be able to cut the mustard for us.

Senator LEAHY. Mr. Hallum, we had a chat one morning when I walked over to the PAA building, and I enjoyed that chat. Why don't you tell me how you view the problem.

Mr. HALLUM. Mr. Chairman, first of all, I did appreciate the visit you made to our facility. I think that some of the things described earlier in terms of the problems are quite factual.

TURNAROUND IN METHODS OF OPERATION

I think the basic things that we have looked at in the last year or so are methods of operation that we have just determined must be turned around. What I mean by that is moving toward a categorical approach or a specialized approach in the income maintenance field. We feel that in order to get a handle or a very tight control, we have to change our method of operation.

So I feel that that is a first step in the process. Another step is one that we have talked about, and is the dedicated assignment of staff to given functions, and a third is to put in performance standards. That is only a part of it, however. You must be able to monitor those standards on an ongoing basis. A part of that monitoring process, I feel, must be automated so that we not only are able to pinpoint the errors but we are able to pinpoint who is making those errors, to determine whether or not additional training is necessary, or exactly what the problem is.

TRANSFERRING SECTION CHIEFS

I have no problem in transferring people. I have no problem in taking other actions, but I certainly want to be sure that we have provided that staff with the training and with the tools to do the job. And once we have done that, I think that we have an obliga-

tion to take appropriate action against unproductive workers at every level.

Senator LEAHY. Have any unproductive section chiefs been demoted or reassigned?

LETTERS OF REPRIMAND

Mr. HALLUM. Several received letters of reprimand and warning. And if they continue in not being productive more severe steps will be taken. This has been done recently.

Senator LEAHY. Well, we still look at the $30 million lost because of the high error rate. And I would hope that at some point if this is not improving, I would hope that they are going to end up with more than letters of reprimand.

How many letters of reprimand went out?

Mr. HALLUM. I don't know offhand, sir, but I could get that information. I do know one of the things we are focusing on more now, particularly in the application area, is that staff, including supervisory staff, who are not insuring that Federal regulations are being followed, are receiving letters of reprimand. We send two or three such letters every month.

Senator LEAHY. Why don't you give me the number sent so far this year. And I would like to see what type of letters were sent.

Mr. HALLUM. I would be happy to, Senator.

[CLERK'S NOTE.—The following letters were submitted to the committee on May 24, 1978.]

Memorandum • Government of the District of Columbia

TO: Bernard E. Phifer
Associate Director
Office of Planning and Evaluation

Department, Agency, Office: Human Resources
Payments Assistance Administration

FROM: Bertrell L. Hallum
Administrator

Date: MAY 23 1978

SUBJECT: Memoranda Requested by Senator Patrick Leahy

In accordance with your telephone request this afternoon, I am submitting the attached memoranda of reprimand to PAA staff requested by Senator Leahy at the D. C. Appropriations Senate Subcommittee Hearings this morning.

Attachments (17)

Memorandum • Government of the District of Columbia

TO: Margaret Terry, Section Chief
Northeast Service Center

Department, Agency, Office: Human Resources
Bureau of Eligibili
Determination

FROM: Malone B. Broome, Chief
Bureau Eligibility Determination

Date: MAY 12 1977

SUBJECT: AFDC Application Pending In Excess Of Forty-five (45) Days Re: C326-809.0

Please be advised of the facts regarding the application of C326-809.0 Chandler Ella L. and take the appropriate action.

The AFDC application worker, Ms. Arizona Downey, accepted the application on March 2, 1977. The client was given forms DHR-1400 and DHR-1356, "Verification Check List For Public Assistance," on the date of application.

On April 6, 1977, the worker sent Ms. Chandler the ten (10) day notice advising the client of her failure to provide the information necessary to establish eligibility for financial assistance. The worker received a telephone call from Ms. Chandler on April 28, 1977 informing the worker that she no longer desired to continue her application for financial assistance.

Ms. Downey followed through with this data; rejected the application at this time; and submitted the case record to the supervisor, Ms. Annie D. Pitt, on the same day, Thursday, April 28, 1977 according to documentation in files.

DHR-571 date of action field was not signed by Ms. Annie D. Pitt until Tuesday, May 3, 1977.

As a result of the delay caused by Ms. Annie D. Pitt, C326-809.0 Chandler Ella L. is and will be shown pending fifty-nine (59) days on the current Motley report. The Motley report will not show this application having a disposition until June.

You are advised to have Ms. Pitt, Ms. Downey or any other involved staff, submit written explanations justifying the reason this application was not disposed of within the prescribed time frame.

Written justification must be in my office no later than close of business Friday, May 13, 1977.

Department, Human Resources
Agency, Office: Payments Assistance Administration

TO: (Mr.) Malone Broome, Chief
Bureau of Eligibility Determination

THRU: (Mrs.) Margaret Terry, Chief
Northeast Services Center

FROM: Annie D. Pitt, Acting Supr.
Intake Application Unit

Date: May 13, 1977

SUBJECT: AFDC Application Pending in Excess of (45) Days

re: CHANDLER, Ella L.
C 326-809.0

The above application was not disposed of within the prescribed time frame due to an oversight on the worker and supervisor's part.

We are aware of the procedures involving the ten (10) day appointment letter, followed by the 1127 after thirty (30) days and the 1024 after fifteen (15) days. Due to a human element, an error did occur in the processing of this application. However, I am unclear as to why this application was shown pending fifty-nine (59) days, as I was not aware of the computerization of this Program.

Hopefully this error will not occur in the future.

Memorandum ● Government of the District of Columbia

Department, Human Resources
Agency, Office: Bureau of Eligibility Determination

TO: Robert Rinfrow, SSR
Anacostia Southeast Service Center

FROM: Malone B. Broome, Chief
BED

Date: OCT 13 1977

SUBJECT: AFDC Applications Pending
In Excess of 30 Days

A review of your performance in processing applications for the month of September, reveals that you failed to perform your assigned

duties according to current procedures and standards. I am making direct reference to the following application: Brown, June, date of application 08-09-77.

Memorandum dated October 11, 1977 from Lillian K. Beverly, Application Intake Supervisor, indicates that you received all the necessary data to process this application within thirty (30) days.

Your failure to take appropriate and timely action is a serious violation of our application procedures. If you are not able to perform up to standard, we will have to take other appropriate action. This level of performance can no longer be tolerated and must be improved upon immediately.

Human Resources
Bureau of Eligibility
Determination

Mrs. Loretta Hull, SSR
Anacostia Southeast Service
Center

OCT 13 1977

Malone B. Broome, Chief
BED

AFDC Applications Pending
In Excess of 30 Days

A review of your performance in processing applications for the month of September, reveals that you failed to perform your assigned duties according to current procedures and standards. I am making direct reference to the following applications:

Johnson Herchel Roginia,	date of application 08-26-77
Joyner Willie Barbara,	date of application 08-17-77
Tucker Fannie,	date of application 08-29-77
Nolan Henri Helen,	date of application 08-30-77

Memorandum dated October 11, 1977 from Lillian K. Beverly, Application Intake Supervisor, indicates that you received all the necessary data to process these applications within thirty (30) days.

Your failure to take appropriate and timely action is a serious violation of our application procedures. If you are not able to perform up to standard, we will have to take other appropriate action. This level of performance can no longer be tolerated and must be improved upon immediately.

Human Resources
Bureau of Eligibility
Determination

Ms. Louise Stewart, SER
Congress Heights Service
Center

Malone B. Bruce, Chief
BED

AFDC Applications Pending
In Excess of 30 Days

Re: Diggs, Preston Lee
C265-429.o
Date of Application 08-15-77

This is to inform you that your failure to process the above application within the prescribed time frames

and according to established procedures is a very serious matter. It is imperative that all applications be processed under the established procedures and within the established time frames. Your failure to meet this requirement must not be continued.

This is to notify you that if you are unable to perform up to standard, it will be necessary for us to take other appropriate actions.

cc: Oliver Downs
Ada Harrison

Human Resources

Mrs. Janet Parry-Hill
Supervisor, Intake Unit IV

Mrs. Willia G. Knighton
Section Chief, Section IV

Dec. 9, 1977

Motley:

This is to remind you of the necessity to comply with Judge Robinson's decree.

All applications must have a disposition decision made within the specified timeframe. All applications will be disposed of either by rejection or approval within a thirty-day period, except when it is in the abandonment stage, then no later than forty-five days.

This memorandum is to serve as the intent to take more drastic disciplinary action if the above actions are not adhered to as required by law.

cc: Mr. Malone Broome
Mr. Ronald Lewis

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HUMAN RESOURCES
PAYMENTS ASSISTANCE ADMINISTRATION
WASHINGTON, D. C.

M E M O R A N D U M

December 12, 1977

TO : Ms. Ethel D. Smith, SSR
Anacostia Southeast Service Center
THRU : Walter A. McKinney, Section Chief
FROM : Malone B. Broome, Chief, BED

SUBJECT: AFDC Applications Pending In
Excess of Thirty (30) Days
RE: Wolfe, Linda C 282-756.0 Date of Application: 10-13-77

A review of your performance in processing applications for the month of November, reveals that you failed to perform your assigned duties according to current procedures and standards. I am making direct reference to the above named application.

Memorandum dated December 9, 1977 from Walter A. McKinney,

Section Chief, indicates that you received all the necessary data to process this application on the forty-fifth day but failed to do so.

It is imperative that all applications be processed according to the established procedures and within the established time frames. Your failure to take appropriate and timely action is a serious violation of our application procedures. This level of performance cannot be tolerated and must be improved upon immediately.

Memorandum • Government of the District of Columbia

Department, Agency, Office: PAA/BED

TO: Alice Thomas, SSR
Intake Section IV

THRU: Willia Knighton, Section Chief

FROM: Malone B. Broome, Chief
BED

Date: March 13, 1978

SUBJECT: AFDC Application Pending In Excess of Thirty (30) Days
RE: Watts, Jerry and Rose C 95-925.0
Date of Application: 01-04-78

A review of your performance in processing applications for the month of February reveals that you failed to send a DHR form 1398 (10 day letter) on the above named application.

Your failure to follow established procedures is a serious violation of our application guidelines. It is imperative that all applications be processed according to the established procedures and within the established time frames.

This memorandum is the first official warning to you that your level of performance cannot be tolerated, and must be improved upon immediately.

cc: Janet Parry-Hill

Memorandum • Government of the District of Columbia

Department, Agency, Office: PAA/BED

TO: Emma Monteiro
Supervisor, Intake Section II

THRU: Margaret Terry
Chief, Section II

FROM: Malone B. Broome, Chief
Eligibility Determination

Date: March 14, 1978

SUBJECT: Applications Pending In Excess Of Thirty (30) Days
RE: Major, Jonathan Demetreis C61-917.T
Horton, Sharon C339-013.0

A review of the above named applications reveals that the established procedures for processing applications were not followed.

This memorandum is to officially remind you of your

responsibility to maintain and monitor application controls and to insure that the proper application follow-up forms are sent on a timely basis and according to established procedures.

Your failure to perform responsiblv as supervisor will result in adverse action.

Memorandum ● Government of the District of Columbia

TO: Margaret Terry, Chief
Section II

Department, Agency, Office: PAA/BED

FROM: Malone B. Broome, Chief
Eligibility Determination

Date: March 14, 1978

SUBJECT: Applications Pending In Excess of Thirty (30) Days
RE: Major Jonathan Demetreis C61-917.T
Horton Sharon C339-013.0

This memorandum is to officially remind you of your responsibility as section cheif to monitor application controls and to insure that established procedures for processing applications are followed.

As section chief, I must hold you responsible for the actions of your staff. You must monitor the application controls of the staff in your section and insure that situations as indicated in the above named applications do not occur.

Your failure to follow the instructions contained in this memorandum will necessitate a reappraisal of your ability to function effectively as section chief.

Memorandum ● Government of the District of Columbia

TO: Marsha Hartwell, SSR
Edgewood Service Center

Department, Agency, Office: PAA/BED

THRU: Dorothy Mitchell, PAA
Coordinator, Edgewood Service Center

FROM: Malone B. Broome, Chief
Eligibility Determination

Date: March 14, 1978

SUBJECT: Applications Pending In Excess Of Thirty (30) Days
RE: Bullock Moria C338-838.0
Date of Application: 1/26/78

Coles James Cendonia C271-886.0
Date of Application: 1/17/78

Douglas Joyce A C339-084.0
Date of Application: 1/26/78

Goins Jerome Wanda C339-117.0
Date of Application: 1/24/78

A review of your performance in processing applications for the month of February reveals that you failed to follow the established guidelines for processing the above named applications. It is imperative that all applications be processed according to the established procedures without exception.

Based on your supervisor's evaluation, you have recently been recommended for promotion. However, your current level of performance may seriously jeopardize further advancement.

This memorandum is the first official warning to you that your level of performance cannot be tolerated, and must be improved upon immediately.

Memorandum ● Government of the District of Columbia

TO: Janet Parry-Hill
Supervisor, Intake Section IV
Department, Agency, Office: PAA/BED

THRU: Willia G. Knighton
Chief, Section IV

FROM: Malone B. Broome, Chief
BED

Date: March 14, 1978

SUBJECT: Applications Pending In Excess of Thirty (30) Days
RE: Watts Jerry Rose C95-925.0

A review of the above named application reveals that DHR form 1398 (10 day notice) was not sent.

This memorandum is to officially remind you of your responsibility to maintain and monitor application controls and to insure that the proper application follow-up forms are sent on a timely basis and according to established procedures.

Your failure to perform responsibly as supervisor will result in adverse action.

Memorandum ● Government of the District of Columbia

TO: E. Drew Wiley, Acting Supervisor
Edgewood Service Center
Department, Agency, Office: PAA/BED

THRU: Dorothy Mitchell, PAA
Coordinator, Edgewood Service Center

FROM: Malone B. Broome, Chief
Eligibility Determination

Date: March 14, 1978

SUBJECT: AFDC Applications Pending In Excess Of Thirty (30) Days

RE: Bullock Moria C338-838.0
Date of Application: 1/26/78

Coles James Cendonia C271-886.0
Date of Application: 1/17/78

Douglas Joyce A. C339-084.0
Date of Application: 1/26/78

Goins Jerome Wanda C339-117.0
Date of Application: 1/24/78

This memorandum is to officially remind you of your responsibility as acting supervisor to insure that all applications are processed according to established guidelines within the proper time frame. You are responsible for maintaining and monitoring application controls.

There is no acceptable justification for failing to carry out your responsibilities.

The proper processing of all applications is our highest priority.

Your current level of performance in processing applications can no longer be tolerated, and must be improved upon immediately.

Memorandum ● Government of the District of Columbia

TO: Dorothy Mitchell, PAA Coordinator
Edgewood Service Center

Department,
Agency, Office: PAA/BED

FROM: Malone B. Broome, Chief
Eligibility Determination

Date: March 14, 1978

SUBJECT: Applications Pending In Excess Of Thirty (30) Days
RE: Bullock Moria C338-838.0
Date of Application: 1/26/78

Coles James Cendonia C271-886.0
Date of Application: 1/17/78

Douglas Joyce A. C339-084.0
Date of Application: 1/17/78

Goins Jerome Wanda C339-117.0
Date of Application: 1/24/78

This memorandum is to officially remind you that it is your responsiblitv as section cheif to insure that all applications are processed within thirty (30) days according to established guidelines. You were previously advised verbally that your highest priority must be the proper and timely processing of applications.

You were also notified to reassign whatever staff was needed to process applications even if such action has a negative impact upon other delegated PAA functions.

Under no circumstances will you be able to use the rationale that lack of approved overtime or compensatory time prevents you and your staff from processing applications according to proper procedure until you have utilized all available manpower for this purpose.

I must reiterate that the proper processing of applications is your highest priority.

Your failure to follow the instructions contained in this memorandum will necessitate a reappraisal of your ability to function effectively as section chief.

Memorandum ● Government of the District of Columbia

TO: Bernice Webster, SSR
Intake Section II

Department,
Agency, Office: PAA/BED

THRU: Margaret Terry, Chief
Section II

FROM: Malone B. Broome
Chief, BED

Date: March 14, 1978

SUBJECT: Applications Pending In Excess Of Thirty (30) Days
RE: Major Jonathan Demetreis C61-917.T
Date of Application: 1-17-78

RE: Horton Sharon C339-913.0
Date of Application: 1-27-78

A review of your performance in processing the above named applications reveals that you failed to perform your assigned duties according to established procedures and standards.

As an experienced intake worker, you are responsible for maintaining application controls. Your memorandum dated March 10, 1978 indicating your reason for not processing the application regarding Major Jonathan Demetreis within thirty (30) days is unacceptable.

The memorandum dated March 10, 1978 regarding Horton Sharon indicates that you failed to follow established procedures by not sending the DHR forms 1398 (10 day letter) and 1127 (30 day letter) within the proper time frame. Your explanation indicating that the applicant promised to provide the necessary data for establishing eligibility is irrelevant.

This memorandum is the first official warning to you that your level of performance cannot be tolerated and must be improved upon immediately.

cc: Emma Monteiro

Mr. Samuel Jeremiah
Social Service Representative

Payments Assistance Administration

Ms. Amy I. Richardson
PAA Coordinator

April 4, 1978

Compliance with Motley Court Order

This is to confirm my discussion with you regarding the DHR 1127.

In accordance with section 721.4e the DHR 1127 is to be sent on the 30th day if the applicant has failed to provide the requested information. The only exception to the 30 day letter requirement is when the 30th day falls on a weekend or holiday. The DHR 1127 is then sent on the next workday.

Today I asked about the status of two applications, taken on March 6, 1978, Dixon, Mary and Washington, Johnnie. You responded the 30 days were not up until April 6, 1978. You futher refused to recheck your dates and responded "I am not going to do it today".

As of today you have six (6) AFDC applications and twelve (12) GPA applications pending. On March 22, 1978 I discussed workload management with you. I informed you I would make arrangements for you to catch up on any paperwork if you are developing a backload whenever you discuss the specific problems with me.

I trust this clarifies our joint responsibilities to comply with the handbook and the court oder.

cc Raymond Bady
Malone Broome
Ronald Lewis
Lewis Young

Memorandum • Government of the District of Columbia

TO: Oliver Downs, PAA Coordinator
Congress Heights Service Center

Department, Agency, Office: PAA/BED

FROM: Malone B. Broome, Chief
Eligibility Determination

Date: April 14, 1978

SUBJECT: Applications Pending In Excess Of Thirty Days

Re: Green, Audrey J. C296-852.0
Date of Application: 2-28-78

Re: Calloway, Louise C230-095.0
Date of Application: 2-23-78

This memorandum is to officially remind you that it is your responsibility as section chief to insure that all applications are processed within thirty (30) days according to established guidelines. You have been advised verbally on numerous occasions that your highest priority must be the proper and timely processing of all applications.

I personally discussed with you the proper format for submitting memoranda of explanation for applications pending in excess of thirty days. The two memoranda that you submitted to me on April 12, 1978 regarding the above named application did not contain the factual data needed to give a clear explanation of your inability to properly follow established procedures. Your memoranda were identical in content, and failed to address the relevant issues.

Under no circumstances will you or your staff be able to use the rationale that an increase in the workload prevented the processing of applications within the proper time frame.

I must reiterate that your failure to follow the instructions contained in this memorandum will necessitate a reappraisal of your ability to function effectively as section chief.

Memorandum • Government of the District of Columbia

TO: WilHa G. Knighton, Section Chief - Section IV

Department, Agency, Office: PAA/BED

FROM: Malone B. Broome, Chief
Eligibility Determination

Date: April 14, 1978

SUBJECT: Applications Pending In Excess Of Thirty Days

Re: Foster - John D - Homzell C340-856.0
Date of Application: 2-17-78

Re: Jones (McArthur) Sabrina C283-903.0
Date of Application: 2-28-78

After reading the two (2) memoranda dated April 12, 1978 from Janet Parry-Hill, Supervisor, Intake, Section IV, it is evident that Mrs. Parry-Hill cannot function as a supervisor in an intake unit.

This office has required several memoranda of explanation for applications pending in excess of thirty days from Mrs. Parry-Hill in recent months. Mrs. Parry-Hill has been advised by written memorandum dated 3-14-78 that failure to follow established procedures related to processing applications would result in adverse action.

At this time, I am recommending that you consider reassignment of Mrs. Parry-Hill from the intake unit. If Mrs. Parry-Hill cannot function in another area of your section, appropriate action will be taken.

cc: Janet Parry-Hill

Memorandum • **Government of the District of Columbia**

Department, Agency, Office: Human Resources

TO: Mr. Malone Broome, Chief Eligibility Determination

THRU: Ron Lewis, Chief Operations

FROM: Mrs. Willia G. Knighton, Section Chief - Section IV

Date: April 20, 1978

SUBJECT: Adverse Action Re: Janet Parry-Hill Supervisor, Intake Section IV

Prior to submission of the two memoranda from Mrs. Janet Parry-Hill, Supervisor Intake Sect. IV, Mrs. Parry-Hill was called in for a conference. Due to the lateness of the hour her memoranda was accepted, however, it was fully discussed that their content was not acceptable.

Mrs. Parry-Hill was advised that she should put in writing the difficulty she encountered in getting the Worker to process the two records under discussion.

Mrs. Parry-Hill has shown marked improvement in meeting her dead-lines. She continues to meet resistence from her staff and frequently under goes open verbal abuse from them. I have had the entire staff in meetings on several occasions and their open stubborness has abated some what.

It is my candid opinion that the removal of the one Worker, who seemingly cannot work within the structured frame-work of an Intake Unit, would eliminate the backlog or the potential of backlog in the unit.

If Mrs. Parry-Hill is relieved, I would prefer that she replace Mrs. Kelly and Mrs. Kelly be assigned elsewhere.

CC: Mr. William Gray
Mr. Ronald Lewis

Memorandum • Government of the District of Columbia

Department, Human Resources
Agency, Office: PAA/BED

TO: Alice B. Thomas, SSR
Intake Section IV

THRU: Willia G. Knighton, Chief
Section IV

FROM: Malone B. Broome, Chief
Eligibility Determination

Date: May 11, 1978

SUBJECT: Application Pending In Excess Of Thirty (30) Days

Re: Robertson Wilson Jesse M. C 161-494.9
Date of Application: 3-21-78

A review of your performance in processing the above named application reveals that you failed to follow established procedures. The DHR-1398 (ten day letter) was not mailed to the applicant until the twentieth day from the date of application. Although the DHR-1127 (30 day letter) was sent on a timely basis, and the application was in the abandonment posture, you failed to make a disposition on the application when you did not receive the data from the applicant necessary to establish eligibility.

This memorandum represents the second official reprimand you have received from me. Your failure to perform responsibly and to follow the established guidelines for processing applications, will necessitate your removal from intake to another assignment. You will be notified in the near future of your change in assignment.

As an experienced worker at the GS-9 level, you are expected to perform effectively and responsibly. If you are unable to function in your new assignment according to established guidelines, further disciplinary action will be taken.

cc: Janet Parry-Hill

Alice Thomas
Social Service Representative

Human Resources
Payments Assistance
Administration

Ronald C. Lewis, Chief
Operations Division

May 15, 1978

Change in Assignment

Effective May 29, 1978, your new work site will be

508 Kennedy Street, N.W. You will report at 8:15 A.M.

on the above date to Mrs. Portia Dixon, Section Chief,

508 Kennedy Street, N.W.

cc: Malone B. Broome
William J. Gray
Gary Tighe
Myles Hughes
Willia Knighton
Portia Dixon
Janet Parry-Hill

Memorandum • Government of the District of Columbia

Department, Agency, Office: Human Resources PAA/BED

TO: Ronald Hall, QC Examiner
Congress Heights Service Center

THRU: Oliver T. Downs, PAA Coordinator
Congress Heights Service Center

FROM: Malone B. Broome, Chief MBB
Eligibility Determination

Date: May 11, 1978

SUBJECT: Applications Pending In Excess Of Thirty (30) Days

Re: Bishop Regina C 336-003.0
Date of Application: 3-30-78

Re: Felder Shalome C 341-617.0
Date of Application: 3-29-78

A review of your performance in processing the above named applications reveals that you failed to make a disposition within thirty (30) days. I have been informed that the client, in both cases, responded to the DHR-1398 (ten day letter) and provided all the data necessary to establish eligibility.

Your failure to perform responsibly and follow the guidelines for processing applications, necessitated your removal from intake to another assignment.

If you are unable to function effectively in your new setting, further disciplinary action will be taken.

[Clerk's Note.--The following letters were not submitted to the Committee until June 19, 1978 and were not known to the Committee until that date.]

Human Resources
Payments Assistance
Administration

Bernard E. Phifer
Associate Director
Office of Planning and Evaluation

Bertrell L. Hallum
Bertrell L. Hallum
Administrator

MAI 24 1978

Memoranda Requested by Senator Patrick Leahy

Reference my memorandum to you, subject as above, dated May 23, 1978.

Attached are ten additional letters of reprimand given to recertification workers.

Attachment

cc: William Whitehurst
Bertrell Hallum - Desk Copy
Malone Broome - w/o attachment

Human Resources
BED/PAA

Mrs. Olivia Smith,
Social Service Rep.,

Mr. Robert L. Nelson,
Supervisor

November 11, 1977

Production

The quality of work completed has been very good, however, the amount has been below the normal level.

Therefore please make more appointments and complete cases within a 30 day period whenever possible.

If we cannot establish a person's eligibility don't allow the case to hang open in please, make a disposition. If there is a hearing together we will face that.

The weekly Conference will resume on and after Nov. 14, 1977. We will review whatever your plan of action is at that time. Actions completed for the month of October 7.

Human Resources
BED/PAA

Mr. Frederick Wilkes,
Social Worker

Mr. Robert L. Nelson,
Supervisor

November 11, 1977

Production

The Units' production has been below average and this is due in large to the production of my key employees.

The committee involvement and Union work has reduced your working hours to half those of the average employee. However, you are not the average worker. Therefore being a key and experienced worker I am expecting a higher level of production.

The last month total was (5) five completed cases.

The weekly conference will resume the week of November 10, 1977.

Human Resources
BED/PAA

Mrs. Yvonne Handon
Social Service Rep.,

Mr. Robert L. Nelson,
Supervisor

November 11, 1977

Production

The production for the month of October was 12 cases completed. This must be improved. Therefore I am requesting that you make more office appointments. If you know you will be out on that day make the appointment with me, however, advisedde of those appointments.

The weekly conference will resume the week of November 14, 1977.

Human Resources
BED/PAA

Mr. Charles Dowd,
Social Service Rep.,

Mr. Robert L. Nelson,
Supervisor

November 11, 1977

Production

The Units' production has been below average but based upon man hours worked the production is above average.

Improvement is needed in your narratives. It is suggested that you follow the outline in the Review form or set up your outline.

The weekly conference will resume the week of November 14, 1977.

Total production for October was 13.

Memorandum ● Government of the District of Columbia

TO: All Staff
Error Prone Recertification Section

Department, Human Resources
Agency, Office: Payment Assistance Administration

FROM: Elizabeth P. Montgomery
Acting Chief

Date: October 26, 1977

SUBJECT: Production

During the month of September, a low vacation month, we fell far below our quota of at least 20 reviews per month; having completed only 856 reviews. However, during the month of August when we had many persons we completed 1201 reviews.

All persons who consistently have not met the quota for the period ending November 4th, 1977 will be given a deficiency notice.

If you have problems that are hampering your production, have you discussed same with your supervisor?

Are you scheduling appointments on a daily basis? We cannot complete cases until we interview clients. Since this may be one of the reasons that we are not completing cases, I am asking that each person turn in at the end of the day the name of persons scheduled and whether the appointment was kept. One copy for my office and one to kept by the supervisor. We must determine the reason for such low productivity.

Are you sure that you are putting in a full eight hour day, with no visitors who take up 15 or 20 minutes at a stretch; thereby stealing time that might have been used to complete one of your reviews? Are you spending an inordinate amount of time conversing with your neighbor?

Are you keeping control of 570s that have been sent so that you follow up in a timely manner? Are you making your 570s clear so that the primary reason for ineligibility is understood by the client? This eliminates the need to send a second 570 because you failed to make the first one valid.

You may be able to think of other areas where you could make changes in order to increase your productivity. If so, please share them with me. Maybe we can help each other.

Memorandum ● **Government of the District of Columbia**

TO: Mr. Harold Mitnick
Social Service Rep
Error Prone Profile Review

Department, Agency, Office: Human Resources
Bureau of Eligibility Determination

FROM: Mr. Robert Nelson
Supervisor

Date: December 12, 1977

SUBJECT: Conduct

On November 10, 1977, a notice was given to you about your conduct with the clients you serve. Since that time there have been daily complaints from clients. The complaints ranged from the threat that assistance would be terminated, having to sign a form without the purpose explained for the form to out and out abusive loud vocal attacks in front of other clients and workers.

In my opinion there should not be any more direct or indirect contact with clients until some consultation in the area of sensitivity is completed. There was a dramatic decrease in Your production for this month.

Clients are our reason for being here in DHR and we should provide service and assistance in the most efficient and business like manner. If a person is ineligible we must close his or her case, however, there is a proper manner in doing this.

An appointment has been made for colsultation at 9:00 A.M. on December 13, 1977 at 1625 Conn Ave, N.W. Room 101, telephone 629-4941. Administrative leave is granted for this first visit.

We will meet with Mrs. Montgomery, EPP Chief, and Mr. William Gray, Deputy Chief after your consultation with Trouble Employees.

cc: E. Montgomery
W. Gray

Mr. Wilbert H. Casy
Social Service Representative

Human Resources
Error Prone Unit 072
500 First St. N.W.

Vivian D. Clark
Supervisor, Unit 072

January 31, 1978

Case Action (Boyd James Harris
C 226-660.9)

During our recent conference on January 26, 1978, regarding case (Boyd James Harris - C 226-660.9), it was determined that the appropriate policies and procedures for redetermining eligibility as provided by the Department were not followed.

As of January 31, 1978 All case actions will be monitored and conferences will be scheduled daily between 1-2.

With these conferences it is hoped you will be able to make logical application of agency's regulations and procedures.

cc: Mrs. Elizabeth Montgomery

MEMORANDUM

December 14, 1977

TO : Mrs. Mattie Nichols
Social Service Representative

THRU : Mrs. Elizabeth P. Montgomery
Chief, Error Prone

FROM : (Mrs) Gloria Jones, Acting
Supervisor, Error Prone

SUBJECT: Job Performance

I find it necessary at this time to formally advise you to make the necessary positive change as discussed with you previously, regarding the quality and quantity of your work. Your work is below the expectation of a Social Service Representative of your grade level.

In the future, you will be expected to make more appointments and complete cases within a 30 day period whenever possible. If you cannot establish a person's eligibility, do not allow the case to remain in the file cabinet, make a disposition or if you cannot make a decision advise me immediately.

Robert L. Nelson
Supervisor, Unit 73

Human Resources
PAA/BED

Elizabeth P. Montgomery
Acting Chief, EPP

May 9, 1978

Unit Production
4/10/78 to 5/5/78

Your statistical report for the above period indicates that while most of your staff appears to be making an effort to meet the minimum quota, some persons appear to be making very little effort to meet the requirements.

I will be doing a random sampling of cases from your unit during the month of May in order to determine, if I can, where the problem lies.

It could be that not enough appointments are being scheduled or that too much time is elasping between the interview and the write-up. If you have any suggestions, please bring them to my attention. Whatever the problem, we must try to correct it.

Mr. Glenard Buchanan, Chief
Employee Relations Branch
Personnell and Training Division

Human Resources
Payments Assistance
Administration

Loren Holmwood, Chief
CPA Recertification Section

May 18, 1978

Request for Suspension
CARCES, VENITA
SSR, GS-187 9/2

I have been advised to send the attached directly to you and request a fourteen day suspension.
A copy of the Court Order (Campbell vs Russo) is not available in my office, but can be obtained from Mr. Lewis or Mr. Broome if necessary. I am attaching a copy of the DHR Handbook section 758 (Instruction 700.43), Item 5 which reflect the Court Order.
Also attached is a copy of my memorandum of March 2, 1978, reminding employees of their responsibility under the Court Order. This was handed to Mrs. Carces on that date and I discussed it with her at the time.
If necessary, the client, Mrs. Fredterlea Johnson, will testify that this incident took place and that she was refused the services of this agency.

Attachments:

1) Memorandum of March 2, 1978
2) Handbook section 758, Item 5
3) Memorandum of May 16, 1978

Loren Holmwood, Chief
CPA Recertification Section

March 2, 1978

Campbell vs. Russo

Yesterday I heard several Workers tell Clients that they must wait a certain amount of time before action can be taken on a missing check.

I must again remind you that you are individually under Court Order to process a stop payment the day it is reported to you if the check was mailed to the correct address.

Your supervisor nor your chief can be of assistance to you if you are found in contempt of court for not following this order.

Please re-read Handbook Section 758 for your own protection.

No.: 750
Date: January 1, 1978

758 Lost, Stolen, Destroyed Checks

(2) Complete DHR-505 "Assistance Payment Authorization" to change address.

(3) Call Cashier's Office at 500 First Street, N.W. on the eighth day if the name does not appear on any of the "Return" check lists.

(4) If the case does not appear on a "Return" check list by the eighth calendar day after issuance of the check, contact the payee and ask him to come to the office immediately to complete DHR-1073 "Request For Stop Payment" and DHR-1025, "Receipt For Check."

f. Assist the payee in completing DHR-1073 and DHR-1025.

g. Handcarry upon completion copies of DHR-1073 and DHR-1025 to the Accounting Technician in the facility. Retain copies for the case record.

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h. Explain to the payee that if he receives or locates the original check, he is not to cash the check, but must bring or mail it immediately to:

Office of Inspection
Room 710
122 C Street, N.W.

5. If a check was authorized and mailed to the proper address or the payee reported his check was received but was stolen or destroyed:

a. Ask the payee to initiate stop payment action on the day he gives notice of a lost, stolen or destroyed check.

b. Assist the payee in completing DHR-1073, "Request For Stop Payment."

c. Complete items on DHR-1025, "Receipt For Check" through seven digit telephone number of Worker.

d. Handcarry upon completion copies of DHR-1073 and DHR-1025 to the Accounting Technician in the facility. Retain copies for the case record.

6. Explain to the payee that if he receives or locates the original check, he is not to cash the check, but must bring it immediately to the:

Office of Inspection
Room 710
122 C Street, N.W.

7. Explain that when the payment is lost or stolen after the check has been cashed, the money cannot be replaced by the Department. The client should be advised to report the loss or theft to the Metropolitan Police Department and obtain the Case Report Number. This number is needed for food stamps and emergency assistance.

8. Refer the client to the Food Stamp Office at 122 C Street, N.W. in accordance with established procedures if an emergency exists.

9. Authorize emergency assistance (EAS) if there is an emergency, the client requests EAS and is eligible for a payment.

Memorandum • Government of the District of Columbia

Department, Agency, Office: Human Resources Payments Assistance Administration

TO: Ronald C. Lewis, Chief
Operations Division

FROM: Loren Holmwood, Chief
CPA Recertification Section

Date: May 16, 1978

SUBJECT: Request for five day suspension
GARCES, VENITA
S.S.R., GS-187 9/2

This is to request a five day suspension of the above named employee as a disciplinary measure for insubordination.

On May 16, 1978, at 10:00 a.m., Mrs. Garces refused a direct order to interview a client and have a stop payment completed on a May 1, 1978, public assistance check which was mailed to the correct address and not received.

Background of the incident is as follows:

According to the client she did not receive her May check, Food Stamps, nor Medical Assistance pass. She has not moved and received all of the above at that address in April 1978. On 5-2-78 she tried to report this to Mrs. Garces and was informed she was not in and asked to call back the next day. On 5-4-78 she called again and was told Mrs. Garces was not in and to call back the next day. On 5-5-78 she reached Mrs. Garces and was told she must wait until 5-8-78 before she could sign a stop payment. On 5-8-78 she called again and was told by Mrs. Garces that she must wait until 5-12-78 before she could sign a stop payment. On 5-11-78 she called Mrs. Garces again who hung the telephone up on her. Later in the day she called Mrs. Garces again who informed her that it was not her job to look and see if the check had returned and that she should call again on 5-15-78 for an appointment to sign the stop payment. On 5-12-78 she called me but as I was out of the building she spoke with Mrs. Andrews, the Acting Chief. Mrs. Andrews asked her to call Mrs. Garces back and request an appointment, and if she did not have satisfaction to call me directly. Mrs. Garces then told her not to come in that day as she was ill and getting ready to go home. At that time Mrs. Garces gave her an appointment for 5-16-78 at 9:00 a.m.

On 5-15-78 the client called me. I requested she come in on 5-16-78 and that if Mrs. Garces refused to see her she should call me from the waiting room. On 5-16-78 the client called me and reported that Mrs. Garces refused to see her. I told her to have a seat in the Waiting Room and went to see Mrs. Garces at 10:00 a.m.

Mrs. Garces told me that she would not see the client because she did not have an appointment. I told Mrs. Garces that she evidently failed to understand we are under Court Order to have the stop payment signed. She said she did not care and since I asked the client to come in "you go and see her, I am not." I told her I was giving her a direct order to see the client and have the stop payment signed. She said she was not in the army and

that I did not have the right to order her to do anything. She asked for a leave slip and said she was going home. I said that I would not approve such leave and since she was refusing to do her assigned duties and leaving without approved leave she would be placed on AWOL. I then gave her a written notice that she would be placed on AWOL effective 10:15 a.m. May 16, 1978.

Mrs. Garces is well aware of the stop payment procedure as outlined in handbook section 758. She was given a copy of this release when it was issued, and it has been discussed in unit meetings by her supervisor.

On March 1, 1978, I overheard Mrs. Garces tell a client they must wait ten days before signing a stop payment. This prompted my memorandum of 3-2-78 to all staff (see attached). I personally handed this memorandum to Mrs. Garces on 3-2-78 and we discussed it at that time. She stated that she understood the procedure.

In my personal opinion Mrs. Garces is not equiped, either intellectually nor emotionally, to be a S.S.R. and should be removed from dealing with the public. She is second lowest in production of all fifteen S.S.R.'s. She is disrespectful of her supervisors, coworkers, and her clients. She has before refused direct orders and her loud arguments with her clients can often be heard all over the floor. I have tried to counsel her but she does not seem to understand that she is hired to service clients, all of whom are ill. Her attitude is best summed up by a remark I once heard her say to a client: "You don't pay my salary, you don't tell me what to do."

The client involved in this incident was JOHNSON, FRANK-FREDTERLEA, GU 309-197.1 Mrs. Garces supervisor, Mrs. Lovell, has been on leave since May 8, 1978.

cc: Mr. Hallum
Mr. Broome
Mr. Gray
Mrs. Lovell
Mrs. Garces

GAO REPORT ON PROPERTY ACCOUNTING AND CONTROL SYSTEM

Senator LEAHY. We have a GAO study that says DHR can't accurately determine how much property it owns, where the property is located or whether it is being effectively used. It can't determine how much property is lost, stolen, or destroyed.

Wouldn't that create a problem in the agency trying to determine what its needs are if it is as bad off as GAO says?

Mr. RUSSO. Yes, sir, it would, Mr. Chairman.

With respect to that particular audit, I had a conference in my office with the GAO staff and appropriate DHR staff to review the draft report before it was made final.

There is no doubt about the fact that we are deficient in our recordkeeping procedures. We have submitted our comments on the draft report to GAO, Mr. Chairman. I should be more than glad, if this is your wish, to share it with you and your committee.

[The letter follows:]

FRANK MEDICO,
Assistant Director, U.S. General Accounting Office,
Washington, D.C.

DEAR MR. MEDICO: Thank you for the opportunity of responding to the draft of your Report on DHR's Property Accounting and Control System prior to its final submission.

Basically, your report addresses three (3) major problem areas:

1. Lack of reliable property data (acquisitions of accountable property are not always recorded in the Equipment Report Master List (ERML) at time of receipt);
2. Failure to accomplish annual physical inventories; and
3. Need for use of a third party to verify property records and data.

The following actions have been taken in relation to the above:

1. Procedures have been established whereby partial deliveries made to the Departmental Warehouse are reported immediately to the Supply Management Branch for posting to the Equipment Report Master List (ERML).
2. Copies of every requisition are being reviewed to determine if direct shipment should be made. Where direct delivery to the requestor is involved, copies of purchase orders are being sent to the Supply Management Branch for suspense to insure follow-up in obtaining delivery information needed for immediate posting to the ERML.
3. The Supply Management Branch has instituted procedures to insure that any movement of property is promptly reported to the Supply Management Branch.
4. A physical inventory of all accountable property is in progress.
5. A special inventory was made to locate the 16 missing property items of the 84 checked during the course of your audit. Five (5) of these items were located as indicated on the ERML; six (6) were located at new locations; five (5) could not be located.

In order to strengthen the accountability process, the following additional measures have been, or will be, taken:

The Accountable Property Officer, Supply Management Branch has drafted a new Policies and Procedures Issuance for Property Management to be published in the near future.

The Director will be regularly informed on the progress of the physical inventory.

We appreciate the recommendations and assistance provided by you and your staff. We feel DHR now has improved equipment accountability procedures which will eliminate many of our previous shortfalls.

Sincerely yours,

ALBERT P. RUSSO, *Director.*

IMPROVED RECORDKEEPING PROCEDURES

Mr. RUSSO. We have already established procedures for improved records and controls on all accountable property to include annual inventories.

Mr. Chairman, with regard to that report, I cannot resist the opportunity to criticize my friends in GAO.

Senator LEAHY. Everybody does. You might as well feel free.

Mr. RUSSO. They are not infallible. Mr. Chairman, it is important to me that you know that this study involved GAO officers looking at what the facts were at three of our mental health centers. What they found there was quite serious in terms of lack of recordkeeping. They thought they found a substantial amount of accountable property that seemed either to be lost, stolen, or destroyed.

After a thorough search, most of that property was located, but it wasn't there when they were there doing the audit. But what I have concern over is the findings cited based on three mental health centers. Those findings were presumed to also exist throughout the entire Department of Human Resources.

And that, I submit, is quite unfair. This business of projections causes me a great deal of difficulty. If a situation is wrong here, it doesn't necessarily mean that it is wrong there. It is not necessarily so.

I want to assure the chairman that we have acted on the findings in this report, and will be glad to send you a copy of our final reply.

Senator LEAHY. I appreciate that.

I have a number of questions here, Mr. Russo, that could go the rest of the day. I am sure you have enough items that you could chat with us the rest of the day also. I will send you those questions for the record. Certainly, if either you or Mrs. Shackleton want to add anything further for the record feel free to.

I think I established well enough for the committee that I actually do read such things when they come in. And we will cut if off at that point. I am going to try to get the Commission on Healing Arts Licensure in prior to the hospital coming in at 9:30 so that I can meet with the majority leader before the Senate goes into session at 10, and try finally to get this conference report up and, hopefully, get it passed this morning. All of which we have to do before, I would guess, before 10:15 or so if we are going to get it through.

PRIORITY IN FILLING PAA POSITIONS

Incidentally, if we get the conference report passed today, how soon can you get those 180 recertification positions onboard?

Mr. RUSSO. Mr. Chairman, a minimum period of 3 months.

Senator LEAHY. That would be a priority item?

Mr. RUSSO. Yes, indeed. We intend to set up a special structure in our Personnel Division to give exclusive priority to the filling of these positions.

Senator LEAHY. That is fair enough. That sounds to me like a pretty good timetable.

Mr. RUSSO. Thank you.

Senator LEAHY. Thank you all very much.

Mr. RUSSO. Thank you very much, Mr. Chairman.

Ms. SHACKLETON. I wish you luck, Mr. Chairman, in your endeavor this morning. I think there has been a lot of improvement, but there is a long way to go.

Senator LEAHY. Thank you. Keep up your work on the child abuse program. If you ever need help from this subcommittee, you have a great deal of sympathy on both sides of the political aisle. I know that I can speak for the other members of the committee, both parties. We feel very strongly.

Ms. SHACKLETON. Thank you very much, Senator.

SUBMITTED QUESTIONS

Senator LEAHY. Mr. Russo we have a number of additional questions which we would like to have answered for the record.

Mr. RUSSO. Mr. Chairman, I would be happy to answer them.

[The following questions were not asked at the hearing but were submitted to the Department for response subsequent to the hearing:]

DEPARTMENT OF HUMAN RESOURCES
A. LOW PRODUCTIVITY OF WORKERS
(LEAHY VISITS DHR OFFICE)

Last year Mr. Russo told the committee that he would bring the welfare program error rates down. And, in spite of the effort made, the error rate has gone up again. Payments to ineligible D.C. recipients in the federal aid to families with dependent children program rose from 12 to 15 percent during the second 6 months of 1977 (Star: 3/12/78)

The explanation the committee keeps hearing for this problem is that DHR already with a staff of 12,000 needs more staff to do the job. However, in a special story by Diane Brockett of the Star (3/19/78) it was reported that the productivity of the 54 workers assigned full time to review the AFDC caseload "have dropped dramatically below accepted standards." In fact, three-fourths of the 54 special reviewers--said to be the city's best--are reviewing less than the minimum standard of one case a day. Some workers have spent approximately 6 months and reviewed 22, 45 and 51 cases respectively, when they should have reviewed at least 180 cases.

QUESTION:
Ala. Mr. Russo, why is the productivity of these workers so low?

ANSWER:
Ala. The statement that workers should have reviewed 180 cases in a 6 month period is incorrect. The work standard for the AFDC Recertification Process is one review per worker per day based on 20 work days in a month. This equates to 120 reviews that should have been completed in the 6 month period in question.

The Payments Assistance Administration (PAA) recently completed an analysis of the AFDC Recertification Process. Although no single element could be isolated as the cause of low production, the following factors, which impact on overall productivity, were identified.

Training for staff, particularly new workers, in the Recertification Process has not been adequate. Formal training time was not identified because of the urgency in getting the Recertification Section in place and the need to complete as many reviews as possible with available staff. The analysis also indicated that the worker/supervisor ratio is too high (10-12 workers per supervisor). Because of their overwhelming workload, supervisors have little time for training, counseling and other managerial responsibilities. The intangible element of motivation must always be considered in determining the causes of low productivity. It should be noted that three (3) units (28 workers) are currently dedicated to recertifying the 6000 AFDC cases due for review each month. On February 6, 1978, the most productive of the five (5) recertification units was assigned to review federal Project Match cases exclusively. On May 1, 1978, the second most productive unit was assigned to review Project Match cases for District employees. It is felt that the assignment of these two units to Project Match would reap the most benefits in terms of correcting error payments. Two workers have also been assigned to the DHEW Demonstration Project as of May 1, 1978. Although this staff is assigned to Project Match and the DHEW Deomonstration Project,

production by the remaining three (3) units has increased significantly in the past two (2) months.

QUESTION:
A1b. What are you doing to improve this productivity?

ANSWER:
A1b. For those problem areas identified in PAA's analysis of the AFDC Recertification Process, corrective actions were developed and are being implemented. For example, the problems associated with the high worker supervisor ratio will be resolved when the staff that PAA requested in the FY 1978 budget is brought on board. DHEW staff is currently providing technical assistance to DHR in developing a more effective manual for eligibility staff. PAA is coordinating with DHR training staff in order to identify training needs to develop courses and train eligibility staff.

QUESTION:
A2. As you know, Mr. Russo, I dropped in to visit this unit unannounced last month and had Mr. Chromicz, one of the section chiefs showed me around. Mr. Chromicz's section reviewed 1,706 cases in the last half of 1977 while another section only completed 986 case reviews in the same period. Mr. Russo, have you reassigned any of these unproductive workers and supervisors?

ANSWER:
A2. The unproductive workers have not been reassigned. We believe reassignment will be counter-productive because all the income maintenance functions in PAA, that is, applications, case maintenance, food stamps and medicaid are critical operations. Reassignment could also be construed as a means of getting out of a disliked job simply by being unproductive.

B. THE ERROR PRONE PROFILE

A contributing factor to this high error rate is that cases are not being reviewed every 6 months, as required by HEW, to determine whether the recipient's eligibility has changed and that the payment is being made in the correct amount. As a result of a joint effort by GAO and the Department of Human Resources, the Department significantly changed the method by which AFDC reviews are being accomplished.

It is our understanding that reviews are being done on the basis of a sophisticated error prone client profile. The system identifies those cases which are due for review and which appear to be the most likely to be in error, i.e. ineligible, overpaid, or underpaid. We understand that this system was implemented May 1, 1977.

QUESTION:
B1. How effective has the system been in identifying error cases?

ANSWER:
B1. The system appears to be effective in identifying errors. The

average higher scores obtained for error categories for the first 10 months of operation were:

Categories	Average Score
Correct Cases	215
Overpaid Cases	257
Underpaid Cases	241
Closed Cases	254

These average scores indicate the ability of the error prone profile to select high risk error cases since the lowest score obtained was for the correct cases.

QUESTION:
B2. Has there been any reduction in the ineligibility, overpayment, and underpayment error rates?

ANSWER:
B2. There was no reduction in the ineligibility rate according to the last completed Quality Control Sample (July-December 1977). In fact, the ineligibility rate increased from 12.1% in the January-June 1977 sample to 15.2% in the July-December 1977 sample. The major error elements for the ineligible cases were:

· Living with specified relatives	3.6%	(Client error 2.7%)
· "New" earned income	2.8%	(" " 2.4%)
· Increased earned income	1.5%	(" " 1.1%)
· Father not absent	1.4%	(" " 1.3%)
TOTAL	9.3%	(" " 7.5%)

Of the four major error elements which contributed 9.3% of the total ineligibility rate of 15.2%, 7.5% were due to clients not reporting their circumstances correctly.

There was a reduction in overpayment cases from 24.5% in the January-June 1977 sample to 23.9% in the July-December 1977 sample. There was also a reduction in underpaid cases from 6.0% to 3.9% during the same sample periods.

QUESTION:
B3. What is the expected reduction in the error rate?

ANSWER:
B3. According to a statistical analysis, reduction in the error rate will only begin to occur when at least 20% of the cases due for review each month are recertified. As the percentage of the reviews completed increase, the error rates are expected to diminish.

The following estimates of error rate reduction are based on the assumption that the number of cases on AFDC, the probability of detecting an error case and the rate of correct cases changing into

error cases will remain unchanged over a one year period. If major deviations from the assumption are experienced, the validity of the following estimates would be questionable.

If the yearly review rate is 20%, 40% or 60% of the cases due for review, the estimated error rates for the AFDC payroll by type of error will be:

	Level of Review		
Type of Error	20%	40%	60%
Ineligible cases	12.4	9.6	7.6
Overpaid cases	22.0	16.1	11.8
Underpaid cases	5.0	3.9	3.5
TOTAL	39.4	29.6	22.9

QUESTION:
B4. What are the results--number of errors, and savings in welfare costs--from the use of this case error identification system?

ANSWER:
B4. During the first ten months of operation, a total of 8,576 AFDC cases were reviewed. Of these, 4,428 or 51.7% were found to be in error and were corrected. The net savings on these cases, based on the expected caseload life of an AFDC case, are projected to be $2.9 million. However, during the same ten month period (May 1, 1977 thru February 28, 1978), a net of 369 AFDC cases were approved for assistance reducing the projection to approximately $2.5 million.

B5. Will you continue to use this system?

ANSWER:
B5. The Department will continue to use the Error Prone Profile scoring system. It is currently being revised and updated to assure a timely and accurate selection system for the future. A case selection system, such as Error Prone Profile, will be necessary as long as the number of reviews completed is not near 100%, since it facilitates a concentrated effort on high risk cases.

C. OVERALL ERROR RATE WENT UP IN SECOND HALF OF 1977

According to data for the 6-month period ending December 31, 1977, 43.0 percent of the AFDC cases were in error. For the prior 6-month period 42.6 of the cases were in error.

Cases	January-June 1977	June-December 1977
Ineligible	12.1	15.2
Overpaid	24.5	23.9
Underpaid	6.0	3.9
	42.6	43.0

QUESTION:
C1. In May 1977 as a result of a joint effort by GAO and the Department of Human Resources, a new system was implemented that

identifies those cases due for review which appear to be the most likely to be in error, i.e. ineligible, overpaid, or underpaid. If the system is designed to pinpoint error, why has the error rate gone up? Please explain why ineligibles have increased.

ANSWER:
C1. The use of the error prone profile system by a centralized, specialized recertification section did not take place until May 1977. The impact of this new method of operation could not be seen in the AFDC Quality Control sample period July-December 1977, because only 60 cases (7%) recertified by this system fell into the Quality Control sample of 844 cases. Consequently, the effect of the Error Prone Profile will be seen more fully in the next Quality Control sample.

The greatest increase in ineligibility was in the "new" earned income error. This means that QC found AFDC caretaker relatives who were employed but who failed to report the employment to their PAA worker.

QUESTION:
C2. The current Quality Control program dates back to 1970, yet errors keep on occurring. Does Quality Control make recommendations to improve or correct a situation causing the errors. If so, what has the Department done to implement them? How effective are they in reducing errors? Be specific.

ANSWER:
C2. The Chief of Quality Control meets monthly as a participant with the DHR Executive Corrective Action Panel, which is chaired by the Deputy Director, DHR. The other members are top management staff, i.e. Administrators, Office Heads and representatives from GAO. QC presents an analysis of findings, by error elements.

The group, planning together, developed an action plan calculated to impact upon the specific error elements. Major corrective action tasks required were: the return to the verifications method for determining and redetermining eligibility; provide task oriented staff training; the issuance of updated policy and procedures; the exchange of information with neighboring jurisdictions; implementation of the Bendex systems; use of UCB clearance; and use of computer generated information related to the WIN requirements.

Implementation of the foregoing measures, and others did not impact significantly on the error rates. As a result of the experience of the QC examiners it became obvious that the backlog of overdue reviews was the major problem. Consequently, the Panel initiated a special AFDC Recertification Project designed to review and purify the entire AFDC caseload. The Project, consisting of PAA staff, and staff borrowed from other Administrations and Offices within DHR, operated for approximately one (1) year, November 1975 to December 1976 and a brief decline in the error rates was an outcome.

The GAO error prone system is an outgrowth of the Corrective Action Panel. Using this method, staff is finding consistently that of the cases reviewed 22% are ineligible and 25% are overpaid.

The HEW Urban Technical Assistance Task Force activity emanated from the Corrective Action Panel. This group initiated a Demonstration Review Project in May 1978. This project will last from six to eight months. Experienced staff from another component of DHR will use an innovative system for reviewing AFDC cases. It is anticipated that this staff will review a significant number of cases per month over and above those reviewed by the established AFDC Recertification Section. Both groups will review cases selected by the Error Prone Profile system.

C3. As we understand, the Department established a special group of review cases using the new system for identifying error cases. This group is made up of supposedly your best case review workers.

QUESTION:
C3. How many cases have these caseworkers reviewed? How many cases have been reviewed each month?

ANSWER:
C3. The supposition that the "best case review workers" were assigned to the AFDC Recertification Section is not an accurate representation nor a determining factor in management's approach to the review process. The eligibility staff, some of whom were totally new to the income maintenance programs have varying degrees of proficiency. Centralization of the AFDC recertification process and implementation of an error prone profile are the key approaches to increasing reviews and eventually reducing errors. The following is a breakdown of the number of reviews completed for the past 12 months:

Reporting Period	Reviews Completed
5/1/77-6/4/77	462
6/6/77-7/8/77	678
7/9/77-8/5/77	753
8/6/77-9/11/77	1201
9/12/77-10/7/77	899
10/8/77-11/4/77	991
11/5/77-12/9/77	1309
12/12/77-1/11/78	738
1/12/78-2/10/78	750
2/11/78-3/10/78	795
3/11/78-4/10/78	1097
4/11/78-5/5/78	1097
TOTAL	10,770

QUESTION:
C4. Provide a schedule showing the number of cases reviewed each month by each caseworker. How many cases should a caseworker review each month? Please explain, for each caseworker, any instance when a caseworker has not achieved the standard. What is being done to improve productivity when the standard is not being met?

ANSWER:
C4. The current work standards for workers assigned to the AFDC Recertification Process is one review per worker per day or 20 reviews per month based on 20 work days in a month. Those workers who have been assigned to the Recertification Process since May 1,

1977, should have completed 240 reviews based on the current work standards. For detailed information on the productivity of each worker/unit, see Schedule 1 attached. The foot notes on Schedule 1 indicate those workers who because of extenuating circumstances or because they were new to the income maintenance programs, did not meet the required standard. As for the remainder of workers who have not completed 240 reviews, we cannot identify any specific reasons why the standard was not met other than the problem areas cited in answer A1a.

Efforts to improve the productivity of individual workers include counseling and regular conferences with the immediate supervisor. If there is no noticeable improvement, letters of warning are issued. To date, eight (8) such letters have been issued.

The following tables reflect the number of cases reviewed by each case worker in each of the recertification units:

SCHEDULE 1
QUESTION C 4

UNIT SUPERVISOR: Robert Nelson

NAME OF WORKER	NUMBER OF REVIEWS COMPLETED BY REPORTING PERIOD												TOTAL REVIEWS COMPLETED
	5/1/77 to 6/4/77	6/6/77 to 7/8/77	7/9/77 to 8/5/77	8/6/77 to 9/11/77	9/12/77 to 10/7/77	10/8/77 to 11/4/77	11/5/77 to 12/9/77	12/12/77 to 1/11/78	1/12/78 to 2/10/78	2/11/78 to 3/10/78	3/11/78 to 4/10/78	4/11/78 to 5/5/78	
Tayloria Cook*	12	4	11	13	9	27	13	16	18	10	44	23	200
Edward Day (Reassigned)	4	13	4	2	-	-	-	-	-	-	-	-	23
Charles Dowds*	12	4	8	14	16	19	19	14	9	6	33	9	163
Vivian Fields	8	6	14	22	9	22	17	9	20	7	42	14	190
Yvonne Handon 1/	4	4	3	2	3	13	8	8	18	12	29	11	115
Carolyn Lowns*	17	8	18	19	13	24	14	11	20	5	44	27	220
Harold Metnick (Reassigned)	5	12	17	32	10	34	4	12	2	1	-	-	129
Willette Redding*	16	6	10	11	20	29	12	22	-	3	34	31	194
Patricia Robinson*	3	2	6	9	7	11	15	7	5	13	14	24	116

*Workers who have been in Recertification since May 1977

1/ Workers who have had extenuating circumstances such as maternity leave, extended sick leave, etc.

NIT SUPERVISOR: Robert Nelson

NAME OF WORKER	NUMBER OF REVIEWS COMPLETED BY REPORTING PERIOD												TOTAL REVIEWS COMPLETED
	5/1/77 to 6/4/77	6/6/77 to 7/8/77	7/9/77 to 8/5/77	8/6/77 to 9/11/77	9/12/77 to 10/7/77	10/8/77 to 11/4/77	11/5/77 to 12/9/77	12/12/77 to 1/11/78	1/12/78 to 2/10/78	2/11/78 to 3/10/78	3/11/78 to 4/10/78	4/11/78 to 5/5/78	
Olivia Smith*	6	3	9	7	2	8	11	5	7	2	17	36	113
Frederick Wilkes	-	-	-	6	13	10	24	10	6	7	28	21	125
Walter Maher 2/ Resigned	-	-	-	2	10	12	11	15	18	1	36	31	136
	87	62	100	139	112	209	148	129	123	67	321	227	1724

*Workers who have been in Recertification since May 1977

2/ New employees who had no experience in the AFDC programs

UNIT SUPERVISOR: Gloria Jones

NAME OF WORKER	NUMBER OF REVIEWS COMPLETED BY REPORTING PERIOD												TOTAL REVIEWS COMPLETED
	5/1/77 to 6/4/77	6/6/77 to 7/8/77	7/9/77 to 8/5/77	8/6/77 to 9/11/77	9/12/77 to 10/7/77	10/8/77 to 11/4/77	11/5/77 to 12/9/77	12/12/77 to 1/11/78	1/12/78 to 2/10/78	2/11/78 to 3/10/78	3/11/78 to 4/10/78	4/11/78 to 5/5/78	
Lillian Beverly (Reassigned)	8	9	9	-	-	-	-	-	-	-	-	-	26
Beverly Bonham *	4	23	11	22	14	20	26	19	6	28	23	26	222
Ogner Daniel (Reassigned)	8	15	4	-	-	-	-	-	-	-	-	-	27
Gwendolyn Gillespie *	11	12	21	31	16	19	22	12	10	30	20	27	231
Gloria Jones (Reassigned to Supervisor of Unit)	6	7	7	-	-	-	-	-	-	-	-	-	20
Brenda Kelly (Reassigned)	3	15	10	22	2	-	1	-	-	-	-	-	53
Donald Mitchell *	14	19	32	37	25	25	42	25	17	22	15	26	299
Alex Phillips (Retired)	7	11	12	26	7	3	-	-	-	-	-	-	66
Marian Shelton *	4	15	8	26	11	21	19	3	9	23	9	23	171
James Van Epps *	1	19	28	36	26	19	42	17	14	16	19	24	261
Mattie Nichols	-	-	6	25	10	9	15	10	12	16	12	19	133

UNIT SUPERVISOR: Gloria Jones

NAME OF WORKER	NUMBER OF REVIEWS COMPLETED BY REPORTING PERIOD												TOTAL REVIEWS COMPLETED
	5/1/77 to 6/4/77	6/6/77 to 7/8/77	7/9/77 to 8/5/77	8/6/77 to 9/11/77	9/12/77 to 10/7/77	10/8/77 to 11/4/77	11/5/77 to 12/9/77	12/12/77 to 1/11/78	1/12/78 to 2/10/78	2/11/78 to 3/10/78	3/11/78 to 4/10/78	4/11/78 to 5/5/78	
Carolyn Stevenson 1/	-	-	7	28	13	20	29	7	22	31	22	25	204
Kay Stewart	-	-	11	21	8	7	18	3	11	31	12	32	154
Mike Cunningham 2/	-	-	-	4	5	13	27	14	11	21	33	17	145
Charles Kuhman 2/	-	-	-	-	-	12	12	10	14	17	29	22	116
	66	145	166	278	137	167	253	120	126	235	194	241	2,128

* Workers who have been in Recertification since May 1977

1/ Workers who have had extenuating circumstances such as maternity leave, extended sick leave, etc.

2/ New employees who had no experience in the AFDC programs

UNIT SUPERVISOR: Vivian Clark

NAME OF WORKER	NUMBER OF REVIEWS COMPLETED BY REPORTING PERIOD												TOTAL REVIEWS COMPLETED
	5/1/77 to 6/4/77	6/6/77 to 7/8/77	7/9/77 to 8/5/77	8/6/77 to 9/11/77	9/12/77 to 10/7/77	10/8/77 to 11/4/77	11/5/77 to 12/9/77	12/12/77 to 1/11/78	1/12/78 to 2/10/78	2/11/78 to 3/10/78	3/11/78 to 4/10/78	4/11/78 to 5/5/78	
Jerome Bettis (Reassigned)	4	16	11	39	23	13	8	-	-	-	-	-	114
Yvonne Dancy*	-	11	1	17	16	6	14	5	3	4	25	22	124
Wilbert Gray*	8	21	24	29	18	19	24	24	3	9	37	18	234
Lucy Holmes*	12	21	15	28	18	34	17	16	24	2	29	27	243
Mary McBride*	13	20	22	23	19	14	19	29	11	23	27	23	243
Geraldine Scott*	9	12	12	27	25	23	21	16	17	5	34	30	231
Joyce Ross	7	12	14	29	16	14	24	18	18	8	23	16	199
Robert Stidham*	6	12	17	25	22	23	20	2	-	4	25	19	175
Diane Thomas*	7	6	19	21	15	21	26	6	19	6	38	23	207
Ida Thomas*	7	20	7	39	20	17	26	12	16	15	32	22	233

*Workers who have been in Recertification since May 1977

UNIT SUPERVISOR: Vivian Clark

NAME OF WORKER	NUMBER OF REVIEWS COMPLETED BY REPORTING PERIOD												TOTAL REVIEWS COMPLETED
	5/1/77 to 6/4/77	6/6/77 to 7/8/77	7/9/77 to 8/5/77	8/6/77 to 9/11/77	9/12/77 to 10/7/77	10/8/77 to 11/4/77	11/5/77 to 12/9/77	12/12/77 to 1/11/78	1/12/78 to 2/10/78	2/11/78 to 3/10/78	3/11/78 to 4/10/78	4/11/78 to 5/5/78	
Susan Robey 2/	-	-	-	3	14	19	21	31	8	17	38	25	176
	73	151	142	280	206	203	220	159	119	93	308	225	2,179

2/ New employees who had no experience in the AFDC programs.

UNIT SUPERVISOR: Louise Green - Unit assigned to Project Match since May 1, 1970

NAME OF WORKER	NUMBER OF REVIEWS COMPLETED BY REPORTING PERIOD												TOTAL REVIEWS COMPLETED
	5/1/77 to 6/4/77	6/6/77 to 7/8/77	7/9/77 to 8/5/77	8/6/77 to 9/11/77	9/12/77 to 10/7/77	10/8/77 to 11/4/77	11/5/77 to 12/9/77	12/12/77 to 1/11/78	1/12/78 to 2/10/78	2/11/78 to 3/10/78	3/11/78 to 4/10/78	4/11/78 to 5/5/78	
Audrey Allen *	6	4	-	-	-	5	10	3	7	16	11	13	83
Nancy Bailey *	10	9	14	39	21	21	22	2	22	21	28	25	234
Thomas Bythewood *	24	22	29	34	44	29	43	23	24	19	38	42	371
Billie Crawford *	9	20	17	41	13	10	22	1	10	11	25	30	209
Fawn Gaines *	7	30	22	45	24	22	29	11	21	24	20	27	282
Dollie Tolbert *	9	19	23	26	17	18	31	13	23	33	14	43	269
Helen Ivy *	13	3	4	28	18	21	20	4	17	12	20	22	182
Bernard Johnson *	5	13	3	19	14	18	12	10	14	11	15	18	152
Maxine LeGrande *	10	22	14	29	34	23	40	8	29	39	20	25	293
Rosa Smith *	-	23	16	23	27	20	34	13	17	25	20	37	255
Arthur Dawkins	-	-	-	5	16	18	34	19	26	42	29	39	228

UNIT SUPERVISOR: Louise Green - continued

NAME OF WORKER	NUMBER OF REVIEWS COMPLETED BY REPORTING PERIOD												TOTAL REVIEWS COMPLETED
	5/1/77 to 6/4/77	6/6/77 to 7/8/77	7/9/77 to 8/5/77	8/6/77 to 9/11/77	9/12/77 to 10/7/77	10/8/77 to 11/4/77	11/5/77 to 12/9/77	12/12/77 to 1/11/78	1/12/78 to 2/10/78	2/11/78 to 3/10/78	3/11/78 to 4/10/78	4/11/78 to 5/5/78	
Robert Davis 2/	-	-	-	-	1	3	12	4	2	24	7	16	69
	93	165	142	289	229	208	317	111	212	277	247	337	2,627

* Workers who have been in Recertification since May 1977.

1/ Workers who have had extenuating circumstances such as maternity leave, extended sick leave, etc.

2/ New employees who had no experience in the AFDC programs.

UNIT SUPERVISOR: William Chromicz - Unit Assigned to Project Match Since February 6, 1978

NAME OF WORKER	NUMBER OF REVIEWS COMPLETED BY REPORTING PERIOD												TOTAL REVIEWS COMPLETED
	5/1/77 to 6/4/77	6/6/77 to 7/8/77	7/9/77 to 8/5/77	8/6/77 to 9/11/77	9/12/77 to 10/7/77	10/8/77 to 11/4/77	11/5/77 to 12/9/77	12/12/77 to 1/11/78	1/12/78 to 2/10/78	2/11/78 to 3/10/78	3/11/78 to 4/10/78	4/11/78 to 5/5/78	
Marian Bullock *	17	14	26	23	17	26	33	17	25	4	0	5	207
Ethel Brown *	14	21	21	20	24	20	39	20	23	2	0	5	209
Ann Fennessey *	12	15	25	20	16	17	31	20	15	18	4	10	203
James Fulton (Reassigned)	12	13	2	11	1	-	-	-	-	-	0	9	40
Myrtis Hawkins *	10	14	21	24	22	21	34	24	15	7	0	6	198
Beatrice Jackson *	20	23	29	11	20	15	45	18	18	6	0	7	212
Mary Robbins *	20	18	21	18	39	30	25	37	17	5	4	6	240
Susan Robinson *	14	8	14	21	14	12	26	14	6	11	3	4	147
Frances Taft *	9	12	18	14	15	17	23	10	13	18	8	0	157
Doris Flowe * 1/	13	15	16	24	10	2	-	-	2	13	0	6	101
Carolyn Wellington 1/	-	-	6	17	18	17	30	21	13	-	1	0	123

UNIT SUPERVISOR: William Chromicz - continued

NAME OF WORKER	NUMBER OF REVIEWS COMPLETED BY REPORTING PERIOD												TOTAL REVIEWS COMPLETED
	5/1/77 to 6/4/77	6/6/77 to 7/8/77	7/9/77 to 8/5/77	8/6/77 to 9/11/77	9/12/77 to 10/7/77	10/8/77 to 11/4/77	11/5/77 to 12/9/77	12/12/77 to 1/11/78	1/12/78 to 2/10/78	2/11/78 to 3/10/78	3/11/78 to 4/10/78	4/11/78 to 5/5/78	
Scott Sarratt 2/	-	-	-	2	13	13	48	22	13	16	1	7	135
Miriam Mitchell 2/ (Reassigned)	-	-	-	-	5	14	37	16	10	23	6	2	113
	141	153	199	205	214	204	371	219	170	123	28	67	2,092

* Workers who have been in Recertification since May 1977.

1/ Workers who have had extenuating circumstances such as maternity leave, extended sick, etc.

2/ New employees who had no experience in the AFDC programs.

UNIT SUPERVISOR: SPECIALS													
Delores Smith	2	2	1	3	1	-	-	-	-	-	-	-	9
Marvella Wilson	1	-	3	7	-	-	-	-	-	-	-	-	11
	3	2	4	10	1	-	-	-	-	-	-	-	20

QUESTION:
C5. Are any analyses being made of the results of the reviews, i.e., does the Department analyze the errors, their causes, and then prescribe some corrective action. Give some examples and the results.

ANSWER:
C5. The recertification staff does not currently analyze the errors that result during the process of review. What the unit does, however, is to concentrate on the error elements developed by Quality Control as a focal point for their approach to the redeterminations.

D. DO CLIENTS WILLFULLY MISREPRESENT THE FACTS

According to a GAO report issued in December 1976, quality control finds that many cases are in error because the recipients willfully misrepresent the facts concerning their eligibility for welfare.

QUESTION:
D1. How many such cases has quality control found in their reviews during 1977? How many such cases have the special recertification group found in their reviews?

ANSWER:
D1. During the sample period January-June 1977, QC staff determined that 74 cases out of 360 had errors because recipients misrepresented the facts concerning their eligibility. During the July-December 1977 sample, 88 cases out of 363 error cases were determined by QC staff to have willfully misrepresented the facts.

The AFDC Recertification Section does not keep this particular data. However, in accordance with established procedures, recertification workers forward all fraud alleged client error cases to the DHR Office of Inspection for further review and referral to the D.C. Corporation Counsel if appropriate.

QUESTION:
D2. What are the Department's procedures in handling willful misrepresentation cases? Are they referred to the Corporation Counsel for prosecution? If not, why not? If the cases are referred, how many have been referred in 1977? What action has been taken on them?

ANSWER:
D2. The Department of Human Resources and the Office of Corporation Counsel have a joint procedure established, in which all cases of public assistance fraud are, after review by the Office of Inspection of the Department of Human Resources, referred to the Office of the Corporation Counsel at a monthly meeting. Decisions on the course of action to be taken in each case referred, are made at this meeting.

The Department of Human Resources referred one hundred and fifty (150) cases of alleged fraud in receipt of public assistance in the "Fiscal Year 77". The Office of the U.S. Attorney, successfully prosecuted two (2) cases and arranged for restitution in lieu of prosecution in two (2) others. The Office of the Corporation Counsel, obtained four (4) judgements, and arranged for restitution in lieu of prosecution in seven (7) cases.

QUESTION:
D3. It seems to us that if willful misrepresentation cases are prosecuted, it would have a deterrent effect on keeping other such cases off the rolls. What are your views on this?

ANSWER:
D3. It also seems to us that prosecution of welfare fraud cases would have a deterrent effect on keeping other such cases off the rolls.

E. WHY ARE THE NUMBER OF AFDC CASES CONTINUING TO GROW?

The Multi-Year Financial Plan for FY 1979-83 (p. 23) states that benefits under the AFDC program will increase by about $25 million by 1983; and that the number of persons receiving AFDC benefits will increase about 12 percent by 1983 or about 3,700 cases.

QUESTION:
E1. Why do you expect an increase in recipients and costs?

ANSWER:
E1. Aid to Families with Dependent Children (AFDC) cases are paid in accordance with an accepted payment level or cost of living index. The FY 79 budget requests that the payment level be set at 72.5 percent of the February 1977 poverty index. This means that a family of four (4) would receive monthly assistance of $348.73; a family of seven (7) would receive monthly assistance of $543.03. The Multi-Year Financial Plan reflects a seven (7) percent increase in the payment level each year, attempting to adjust the payment level in accordance with inflationary trends and to maintain an equitable level of payment in relationship to the current cost of living index.

Each time the payment level is increased, additional families become eligible for financial assistance who were marginally ineligible prior to the increase. For example, a family of four (4) with resources of $350 per month would not be eligible for assistance in FY 79. With the projected increase of seven percent in the payment level for FY 80, a family of four (4) would now be eligible for $373.14 per month. Therefore, this same family would now be eligible for assistance. Based upon historical trends, nine hundred (900) such cases per year would therefore be added to the AFDC rolls.

QUESTION:
E2. To what extent does the increase in the number of recipients and/or amount of payments reflect case reduction due to removal from the rolls persons who are found to be ineligible or overpaid?

ANSWER:
E2. The Multi-Year Financial Plan projections are based upon maintaining a base AFDC caseload. Increases in caseload resulting from a change in demographic conditions, unemployment or the financial instability of the economy have been offset by removing from the rolls persons who are found to be ineligible or overpaid.

QUESTION:
E3. Please explain the basis for the $25 million increase in costs.

ANSWER:
E3. The increase in cost of the AFDC program is directly attributable to increasing the public assistance payment level by seven (7) percent per year.

F. ARE AFDC CASES BEING PROCESSED IN 45 DAYS?

QUESTION:
F1. The Payments Assistance Administration is operating under a court order that requires AFDC applications to be processed within 45 days. What percentage of the caseload is currently being processed in 45 days?

ANSWER:
F1. Currently, 90% of the AFDC applications are being processed within 45 days. The remaining 10% are not processed in the 45 days because of the "abandonment" procedures approved by the court which require notice to the applicant 30 days after the date of application if the applicant has not provided all the verification needed to establish eligibility. The applicant then has 15 more days to provide the verification. This brings the time period to 45 days before the worker can take any action. Hence, there will always be a percentage of applications which legitimately exceed the 45 day time frame.

G. 1,295 D.C. EMPLOYEES RECEIVING WELFARE PAYMENTS

QUESTION:
G1. Last summer (August 1977) the city began to participate in "Project Match." It identified 1,295 cases of individuals who are on the city's payroll and are also "apparently receiving AFDC" payments. What is the status of the situation?

ANSWER:
G1. The actual reviewing of the D.C. Project Match cases began on May 1, 1978. Prior to this time, earnings data was being collected on each of the matched cases. A staff of 15 eligibility workers are assigned to work on these cases exclusively.

QUESTION:
G2. How many of the 1,295 cases have been positively identified as being individuals on the city's payroll and also on the AFDC payroll?

ANSWER:
G2. It is too early to state categorically how many individuals are actually on the city's payroll and also on the AFDC payroll. This will be determined by the case by case review. Previous experience with the HEW Employees Match showed that often Social Security numbers were incorrect on one or the other roll, therefore, the match was incorrect.

Further, the Subcommittee should be aware that to be on both the D.C. Government payroll and the AFDC payroll can be a perfectly legitimate situation. There is an AFDC Supplementation program for a working parent whose income, after legal disregards, is less than the standard for AFDC. That is why each case must be reviewed on its own merits before any conclusion can be drawn about its ineligibility.

QUESTION:
G3. What action has been taken in this regard?

ANSWER:
G3. As indicated in answer G-1, the case by case review of these cases began on May 1,1978.

QUESTION:
G4. Have any of these cases been referred to the Corporation Counsel's office for possible fraud investigation?

ANSWER:
G4. None of these cases have been referred as yet to the Corporation Counsel's office for possible fraud prosecution. As the cases are completed, those cases found to be ineligible or overpaid will be referred to the DHR Office of Inspection for referral to the Corporation Counsel's office in accordance with established procedures.

QUESTION:
G5. Describe for the subcommittee the effort DHR has underway to reduce the error rate in the welfare program.

ANSWER:
G5. The Department has a number of initiatives currently in operation, activities specifically designed to help reduce the error rate in the AFDC program. These are:

1. The continuing deliberation of the DHR Executive Corrective Action Panel and the recommendations that flow from that body.

2. The activity of the Recertification Section using the GAO Error Prone Profile as a basis for selecting reviews.

3. The efforts in Project Match (District and Federal Government employees).

4. The Urban Technical Assistance Demonstration Project which is geared to accelerate the review process and increase the reviews completed, concentrating in seven (7) major error elements developed through QC findings.

5. The operation of a Title IV-D Requirements Project, designed to review the entire AFDC caseload, taking action needed to bring the Department into compliance relative to these requirements.

6. The utilization of special monthly mailings to all recipients with children approaching age 16, and also to those with the youngest child reaching age 6. This is in response to the WIN requirements.

7. The distribution and monitoring of computer generated printouts to assure school attendance of 18 year olds, and the removal of 21 year olds from the payment.

8. The continued use of the corrective measures listed in C-2 above.
9. The expeditious filling of the positions granted in the FY-78 budget for the AFDC Recertification Section.

H. ALMOST $10 MILLION REQUESTED FOR MORE WELFARE PAYMENTS

QUESTION:
H1. $9,579.7 thousand is requested for a 5% cost of living adjustment to the welfare program payments and "additional funds to meet the projected cost of the AFDC and GPA program". (Vol. IV, p. 47). In addition to the cost of living adjustment, what is the need for additional funds for welfare payments?

ANSWER:
H1. Fiscal Year 1979 increases for the Payments Assistance Administration total $9,579.7 thousand. Of this amount $781.6 thousand is to annualize the cost of positions granted in the FY-78 budget for the application and recertification process; $2,834.3 thousand to meet the inflationary costs of the Medical Vendor Services program associated with hospital care; and $5,963.8 thousand for the Financial Aid Program.

Of the $5,963.8 thousand requested for the Financial Aid Program, $906.7 thousand is for the full year's cost of the payment level increase to welfare recipients that was to be effective January 1, 1978; $1,512.6 thousand to improve the payment level by 5% to 72.5% of the February 1977 cost of living standard effective April 1, 1979, and $3,544.5 thousand to maintain an estimated caseload of 25,887 AFDC regular cases and an estimated caseload of 3,960 GPA cases. Final action on the FY 1977 and FY 1978 budgets reduced the financial aid base by $14,984.6 thousand or $7,492.3 thousand in appropriated D.C. funds. The resulting base funds would only support 24,000 AFDC regular cases and 3,200 GPA cases. These caseload estimates and the available base funds were unrealistic in view of the actual public assistance caseloads and economic conditions at the time the FY 1979 budget was prepared. It was therefore anticipated that funds were required to support an additional 1,887 AFDC regular cases and 760 GPA cases. These caseload estimates were based on favorable and prompt action on a group of fiscal year 1978 budget requests for additional personnel for Eligibility Determination. The delay in obtaining these critical positions impacted negatively on our efforts to maintain the base caseload.

QUESTION:
H2. Why can't these "additional needs" be met by reducing the error rate and the overpayment rate which wastes an estimated $30 million each year in the AFDC program alone?

ANSWER:
H2. Potential dollar savings and a reduction in caseloads resulting from the removal of ineligible cases from the public assistance rolls have been offset by eligible new cases and the dollar requirement to pay for these new cases coming on the rolls. For example, during the first 10 months of the special AFDC recertification section, a total of 8,576 AFDC cases were reviewed. Of these, 4,428 or 51.7% were found to be in error and were corrected. The annualized savings on these cases are projected to be $2.9 million. However, during the same 10 month period (May 1, 1977 through February 28, 1978, 5,574 AFDC cases were approved for assistance. Therefore, the "savings" resulting from removal of eligible cases or the reduction of overpaid cases were, in fact, used up by the accretion of new eligible cases.

DEPARTMENT OF HUMAN RESOURCES

I. INADEQUATE YOUTH SERVICES

QUESTION:
1. A report prepared by the Task Force on the Reorganization of the Department of Human Resources and reported in the local news (Post: 2/23/78) charged that DHR has been unable to administer youth programs "because poor management practices have resulted in an inefficient use of the Department's funds and staff."

In spite of this fact, the budget of the Bureau of Youth Services has grown from $10 million to over $13 million over the last several years, one city official was quoted as saying "we run the risk of a state of neglect of children." What is the situation here, Mr.Russo?

ANSWER:
1. The Bureau of Youth Services is responsible for all Social Rehabilitation services for social, personal care, security, custody, and rehabilitation services programs for youth who have been adjudicated delinquent, PINS, or those whose behavior is sufficiently destructive to warrant official intervention to prevent them from becoming delinquent or institutionalized.

In order to deliver services to these youth, the Bureau in FY'78 utilizes 593 authorized positions and an appropriation of $14,095.8. In FY '79 the Bureau will utilize (as currently requested) 590 authorized positions and $13,611.4 in appropriated dollars. In fiscal year 1974, BYS' local allocation was $9,854.8 and 812 positions. The FY '79 request represents over a five year period a net gain of $3,756.6 and a loss of 222 positions.

The situation that causes us to possibly run the risk of a state of neglect results from - 1) the severe loss of 222 positions which have been abolished, redirected, and realigned due to the personnel ceiling, departmental mandates and new and expanded programs within the Social Rehabilitation Administration and the Department, 2) increased overtime costs which have produced 01 and 02 deficits because of inadequate staff, 3) spiraling inflationary 03 costs for shelter and basic custodial care in the institutions and youth group home facilities, 4) the closing of Maple Glen and the loss of the funds to operate that facility and fund the fifty-six (56) redirected positions, and 5) the constant deterioration of our institutional and community-based residential facilities compounded with the inflationary component attached to maintaining such facilities within established environmental standards.

What is needed is $3,360.0 to provide minimal level services or at least aid us in meeting our many court ordered demands and legal requirements.

QUESTION:
2. What do we need to improve the situation?

ANSWER:
2. As previously stated, $3,360.0 would bring the Bureau of Youth Services to the level of providing minimal services without facing non-compliance court orders. To provide a full compliment of service delivery as well as meet constant demands for new legally mandated

program requirements, the Bureau's Institutional Care Services Division, Aftercare Services Division, Community Care Services Division and Specialized Services for Status Offenders unit require the following funds and positions:

Institutional Care Services Division

Receiving Home for Children (Detention Services) - To provide residential care, custody, security and supervision, food, clothing, screening and first-aid for a maximum daily population of 45 clients, to collect statistical data and provide security programs with 1:10 ratio, and professional social services staff to meet minimal national standards, this institution needs seventeen (17) new positions: 5 GS-5 Institutional Counselors, 1 GS-9 Social Worker, 2 GS-5 Secretaries, 1 GS-8 Supvy. Institutional Counselor, 1 GS-10 Supvy. Institutional Officer, 1 GS-4 Guard-Driver, 1 WG-3 Grounds Maintenance Worker, 1 WG-3 Housekeeper, 1 Supvy. Social Service Representative, GS-9, 2 GS-7 Social Service Representatives, and 1 GS-4 Clerk. The cost of providing these services totals $211.0.

Oak Hill Youth Center critically needs a professionally supervised social services staff with a ratio of one worker to thirty (30) clients; a professionally supervised psychology staff with one psychologist to sixty (60) clients; a minimum average of 2 hours per day planned recreation provision for each client with a ratio of one recreation staff person to fifty (50) clients; to provide an educational program with a special learning class ratio of one teacher to five students; to provide a supervised and coordinated volunteer program - to accomplish the above, eight (8) new positions are needed consisting of 1 GS-12 Clinical Psychologist, 1 GS-12 Supvy. Social Worker, 2 GS-7 Special Education Teachers, 1 GS-9 Volunteer Director, 1 GS-7 Recreation Specialist, and 2 GS-5 Institutional Counselors at a cost of $133.0 (including $6.0 in other costs). The staff and funds provided at this level are necessary to meet minimal national standards as set by the Department of Health, Education and Welfare, as well as current court orders to be implemented.

Cedar Knoll School is in dire need of twenty-seven (27) new positions to provide programs meeting minimal national standards and court ordered requirements in cottage life (regular 1:15; Psychology 1:60; Recreation 1:50), Education (maximum ratio 1:15; Special Learning Problems 1:5), Housekeeping services for the cottages and more staff training. Four GS-11 Psychologists, 3 Recreation Specialists, GS-7, 3 WG-3 Housekeeping Aides, 3 GS-9 Special Education Teachers, 14 GS-5 Institutional Counselors are needed to provide these services. The cost of these positions, including $100.0 in other costs, totals $446.8.

Office of the Chief, Institutional Care Services Division, in serving as the management organ, desires to incorporate four (4) new positions which would a) provide professional expertise in the development of effective rehabilitation programs for delinquent youth, b) provide police services for DHR property, staff and clients in residential institutional facilities at Laurel, Maryland, c) provide monitoring and coordination of program increases which have been ordered as a result of a number of "right to treatment" class action suits to assure that the Division maintains compliance with the

various court orders, and d) maintain the necessary factual and statistical data for periodic reports to the Court. One Special Assistant, GS-10, 1 GS-5 Clerk, 1 GS-12 Program Specialist, 1 GS-5 Secretary (Typing), would provide these services at a cost of $64.0. An additional $95.0 would be needed in other costs to provide contractual services for bus transportation to facilitate parental visiting with detained youth as court ordered and contractual services for special police surveillance as mentioned above. The total cost to fully complement the Office of the Chief, ICSD totals $159.0.

AFTERCARE SERVICES DIVISION

Youth Group Homes Branch - The Bureau of Youth Services operates youth group homes for delinquent and PINS youth as mandated by the D.C. Superior Court. There exists, however, a shortage of resources to adequately staff the homes, acquire, maintain and equip them. As a result, the Youth Group Homes Branch of this Division is in need of $765.0 to adequately provide habilitation and rehabilitation services and at an acceptable level of care.

The Aftercare Services Branch provides supervision to approximately 450 delinquents and PINS youth residing in the eight wards of the city (200 AFDC families), and more specifically in their homes or youth group homes. This branch is decentralized throughout the city and must meet mandates of the Court including Saturday and Holiday Court coverage. Two GS-5 Clerk-Typists are desparately needed to provide increased support services (in lieu of using overtime) for the branch's legally mandated services. These positions (without 03 costs) total $21.8.

COMMUNITY CARE SERVICES DIVISION

In order to divert youth from the Juvenile Justice System and to provide better delinquency prevention and/or remediation services to deprived and delinquency-prone youth and their families, the Bureau of Youth Services should continue to provide prevention services and protection to the youth of this city. Fiscal shortages in other BYS areas have forced us to deplete what meager prevention capabilities we had in diverting first offenders from the Juvenile Justice System, but if the Community Care Services Division continues to function according to its FY'78 staffing pattern, the total cost of providing services through 1 GS-13 Social Services Officer, 8 GS-12 Community Youth Program Specialists, 1 GS-12 Program Analyst, 17 GS-11 Community Youth Counselors, 4 GS-5 Clerks (Typing), 2 GS-3 Clerks (Typing), 2 GS-9 Community Youth Counselors, and 1 GS-4 Clerk (Typing), the cost totals $730.0. The FY'78 staffing pattern does not meet, however, the delinquency prevention needs of the entire city. In order to meet the needs of the entire eight (8) wards of the District of Columbia, it is clearly necessary to return to the staffing pattern of FY'76 minus the Medical Officer when there were a total of 70 positions as follows: 1 GS-13 Social Services Officer, 1 GS-12 Program Analyst, 1 GS-12 Education and Employment Coordinator, 8 GS-12 Community Youth Program Specialists, 17 GS-11 Community Youth Counselors, 15 GS-9 Community Youth Counselors, 7 GS-7 Community Youth Counselors, 1 GS-7 Administrative Assistant, 8 GS-5 Clerks (Typing), 8 GS-4 Clerks (Typing), 3 GS-3 Social Service Aides, at a cost of $1,300.0 for personnel services plus $23.4 for other costs for a total of $1,323.4. This expenditure would be justified in that this

program is designed to reduce significantly the need for rehabilitation programs.

SPECIALIZED SERVICES FOR STATUS OFFENDERS

As a spin-off of the deinstitutionalization of PINS from the Maple Glen School, the Bureau established a program designed to initially divert youth prior to PINS status from the Juvenile Justice System. Through a short-term co-educational residential component and an outreach team component, the Specialized Services for Status Offenders serves approximately 200 youth and their families throughout the city. Continued programming requires funds for 1 GS-13 Program Administrator, 1 GS-12 Mental Health Specialist, 3 GS-11 Mental Health Specialists, 4 GS-7 Group Leaders, 1 GS-6 Secretary, 1 GS-5 Clerk, 2 WG-8 Cook/Housekeepers, transportation for clients and staff, food supplies for residents, and rent and utility costs totalling $300.0. With the continuing of this BYS unit, the primary prevention to post institutional care realm of services is complete. This program was partially funded by the Law Enforcement Assistance Administration in FY'78, but will now need to be fully funded through the District of Columbia budget.

DEPARTMENT OF HUMAN RESOURCES
J. FOSTER CARE PROGRAM

QUESTION:
1. Describe for the Subcommittee the Foster Care Program that operates in the City? What is the total funding and the total number of positions for this program in Fiscal Year 1979?

ANSWER:
1. The Department of Human Resources Foster Care Program has the responsibility to provide placements and supervision of children legally taken into care and to assure their maximum adjustment, and to work with natural parents toward the child's return to his home or toward termination of parental rights and adoption planning. As many children come into care in their teenage years, planning for them is through appropriate programs that lead to independence.

The Foster Care Worker is responsible to:

A. Develop a plan for placement, including determination of social, education, health and psychological needs of the child and selection of an appropriate facility to meet the needs of the child.

B. Counsel the child and natural family before placement.

C. Place the child, including arrangement for pre-placement visits and arrange for clothing purchases.

D. Arrange for services from and consultation with other community resources for the child, including special education.

E. Counsel the child after placement.

F. Supervise the child and monitor the child's progress.

G. Evaluate the placement through conferences with the care provider (foster home family or appropriate facility workers) and others

including school personnel, to assess the appropriateness of the placement and the need for continuation of care and/or modification of treatment plan.

H. Counsel foster home families.

I. Counsel natural family during placement.

J. Arrange other services for natural family.

K. Arrange frequent visits by the natural family with the child.

L. Arrange health examination for the child.

M. Prepare reports required by courts, including at least an annual evaluation, and recommendations for continuation or change in status for each case.

N. Evaluate the home after return of the child to natural home.

The total funding for the Foster Care Program is $1,372.0 and 66 positions. Included in this is a request in Fiscal Year 1979 budget for $96.5 to cover an eight month funding for eight redirected positions.

A breakdown of the 66 positions is as follows:

38 Caseworkers (including 7 vacancies)
13 Substitute Home Finding - positions used to recruit, study and approve homes for foster care, day care and adult care
3 Child Placement Coordination
9 Supervisory
3 Clerical
66 Total

The 8 redirects will be used as 2 clerical and 6 caseworkers.

QUESTION:
2. How many children are cared for by the program?

ANSWER:
2. There are 2495 children presently in the Foster Care Program. There is an additional thirty-five to forty children monthly that need our service on an emergency basis that are not reflected in the figure of 2495. Annually we provide care to 2900 children.

QUESTION:
3. How many of these children are in city institutions?

ANSWER:
3. The Department of Human Resources does not have an institution for the care of neglected and abused children,however, it does have neglected and abused children in some specialized institutions that are operated by or for the city.

Currently we have children in the following institutions:

A. Mental Health Administration - Area C
8 Children

B. Glenn Dale Hospital
12 Children

C. Forest Haven
1 Child

D. Children's Center - Cedar Knoll
12 Children (Court ordered awaiting hearing on law violation complaints)

E. Adolescent Program - Saint Elizabeth's Hospital
6 Children

Total: 39 Children

QUESTION:
4. How many are in private institutions?

ANSWER:
4. The following number of children are in private institutions:

A. American Institute for Mental Studies - Vineland, New Jersey
1 Child

B. Auberle Home for Boys - McKeesport, Pennsylvania
3 Children

C. Bancroft School - Haddonfield, New Jersey
1 Child

D. Christ Child Society, Inc. - Rockville, Maryland
6 Children

E. Florence Crittenton Home - Washington, D. C.
Barrett Program
4 Children
Maternity Program
2 Children

F. Devereux Foundation - Devon, Pennsylvania
3 Children

G. Hospital for Sick Children - Washington, D. C.
18 Children

H. German Children's Home - Catonsville, Maryland
1 Child

I. Hillcrest Children's Center - Washington, D. C.
9 Children

J. Hoffman Home - Gettysburg, Pennsylvania
3 Children

K. House of Good Shepherd - Baltimore, Maryland
3 Children

L. National Children's Center - Washington, D. C.
9 Children

M. Overbrook School for the Blind - Philadelphia, Pennsylvania
1 Child

N. Royer Graves School for the Blind - Paoli, Pennsylvania
1 Child

O. Saint Ann's Infant Home - Hyattsville, Maryland
66 Children

P. Saint Ann's Maternity Program - Hyattsville, Maryland
2 Children

Q. Ionia Whipper WHY Program - Washington, D. C.
15 Children

R. Talbot Hall - Jamestown, Pennsylvania
1 Child

S. Youth Rehabilitation Centers
5 Children - Edgemeade,Maryland
15 Children - Edgemeade, Ohio

T. Abbott House - Irvington-on-the-Hudson, New York
1 Child

U. Methodist Board of Child Care - Residential Facility
8 Children Baltimore, Maryland

V. Wilderness School - Front Royal, Virginia
3 Children

Total: 181 Children

QUESTION:
5. How many are in private homes?

ANSWER:
5. The following children are placed in private homes:

A. In Foster Homes
2013 Children

B. In Peer Group Homes
78 Children

C. In Therapeutic Group Homes
28 Children

D. In Emergency Care Group Homes
49 Children

E. Children in their own homes or relative homes under foster care supervision
68 Children

F. Independent living awaiting court discharge
30 Children

G. In Abscondence
9 Children

Total: 2275 Children

D.C. DEPARTMENT OF HUMAN RESOURCES
K. DHR PROPERTY MANAGEMENT

QUESTION:
1. According to a recent GAO study (p. 5; 3/29/78), DHR cannot accurately determine how much property it owns,where the property is located, or whether it is being effectively used. Also DHR cannot determine how much of its property has been lost, stolen, or destroyed. What is DHR doing to correct this situation?

ANSWER:
1. The above was a tentative finding which was contained in the draft GAO report. Subsequent developments show that the above conclusion was not completely warranted; however, it was recognized that improvements in property control were required. DHR has acted to correct the major deficiencies by reinstating the requirement for annual inventories and enforcing procedures governing the movement of property. Also, new reporting procedures relative to the loss of property through theft or destruction have been developed.

QUESTION:
2. How can DHR determine what its needs are if the agency cannot accurately determine what property is owned by the Agency?

ANSWER:
2. In May 1978, the Department completed its first physical inventory of its accountable property under the newly adopted procedures. Reconciliation of all records is now in process. Upon completion of this phase of the inventory, an updated printout of the equipment listing will be furnished each Administrator and Office Head to facilitate management decisions relative to equipment needs. Some of the information to be furnished is the description, location, age, life expectancy, and unit cost.

QUESTION:
3. Why isn't DHR property managed by the Department of General Services like the property of other city agencies?

ANSWER:
3. DHR's property is managed under the procedures established by the Department of General Services.

DEPARTMENT OF HUMAN RESOURCES
L. ESCALATING MEDICAL VENDOR SERVICES COSTS vs. NEED

1. Medical vendor services funds pay for services provided by community medical practitioners and medical facilities for residents of the District of Columbia who are eligible for Medicaid. The District's medicaid program provides services to two groups of persons; categorically needy (recipients of public assistance, SSI, and children in the custody of DHR - estimated at about 140,000 for 1978) and the medically needy (persons not receiving assistance but categorically related - about 40,000 individuals in 1978).

For Fiscal Year 1978 the estimated amount of Medical Vendor Services expenditures totaled about $104 million; for 1979, the amount of such expenditures is estimated about $121 million. HEW reimburses the District for part of the cost. The 1979 HEW reimbursements is estimated about $69 million.

QUESTION:
L1. What has been the expenditures for medical vendor services in the District for each of the past 5 fiscal years?

QUESTION:
L2. What has been the number of people receiving Medicaid Services (Public Assistance and Medically Needy) for the same 5 years?

ANSWER:

	Number of People Served	Cost of Vendor Services (thousands)	Cost of DHR Services (thousands)
FY 1973	143,331	$44,802.3	$18,585.6
FY 1974	145,282	52,014.5	18,566.2
FY 1975	149,817	66,227.4	27,873.4
FY 1976	155,103	74,562.4	31,151.1
FY 1977	158,365	75,936.0	43,588.1

QUESTION:
L3. Explain the trend in expenditures and recipients during this time?

ANSWER:
L3. As can be seen by reviewing the above table, the increase in the number of recipients served was increased by barely 15,000 individuals while the cost of services nearly doubled.

The escalating trend in expenditures is primarily the result of increases in uncontrollable costs, such as inpatient and outpatient hospital care and a lack of skilled and intermediate care facilities which accept Medicaid patients.

On February 22, 1978, there were 128 Medicaid patients in acute care facilities which needed a lessor level of care. Another reason for expenditures escalation was increased services which took several years to reach their peak: In March of 1974 and June of 1974 Medicaid took over payment for Personal Care Services and Dental Services to individuals under 21 years of age, respectively.

DEPARTMENT OF HUMAN RESOURCES
M. HEALTH PLANNING

The National Health Planning and Resources Development Act of 1974 (P.L. 93-641) established a national network of local and State Health Planning Agencies whose primary functions will be to develop health plans that, when implemented, will assure that quality health services are available and accessible in a manner which assures continuity of care at a reasonable cost. It is our understanding that the District has until March 1979 to develop a comprehensive health plan for the District, hold public hearings, and have it approved by HEW.

QUESTION:
M1. What progress has been made in developing the District's comprehensive health plan? Will you meet the March 1979 deadline?

ANSWER:
M1. First, the District being a State Agency as well as local agency, has an automatic 3 year conditional status. Since our conditional designation occurred in March of 1977, we have until March of 1980 to comply with the conditions for full designation. However, we are planning on applying for full designation in July of 1979, if possible. Under that circumstance, we will need a complete State Health Plan by March 1, 1979 to be sent to HEW for their approval. Currently we have a draft socio-economic and demographic section of the State Health Plan.

The Plan Development and Implementation Connittee of the Statewide Health Coordinating Council has selected five health status priorities for the District. These are subject to the approval of the full Council. The draft health status section including goals and objectives should be ready by July 31, 1978.

The definitional framework for health services and health settings will be in place by June 30, 1978.

Because the D.C. State Health Planning and Development Agency is using a participatory process in the development of the State Health Plan, the March 1979 deadline cannot be assured. However, every effort will be made to have a final acceptable Plan at that time to be forwarded to HEW.

QUESTION:
M2. What funds are being used to operate the District's health planning agency? - Federal or District - How much? If Federal funds are involved are there any time constraints in using the funds and do your plans for completing the health plan concide with these constraints? Are all funds being fully utilized - i.e. are all authorized positions filled?

ANSWER:
M2. Both Federal and District funds are being used to operate the District's health planning agency. For the current year there is a total budget of $751,608. Part of the federal appropriation was for the local functions performed by the State Health Planning and Development Agency ($311,252).

ANSWER:

The remaining federal portion of $330,267 was for State functions. As required by law, the District provided a 25% match against the State functions of $110,089 of District funds. There is no carry-over of funds under P.L. 93-641 so the time constraint is June 30, 1978. The State Health Plan will not be completed at that time. The Agency has applied for a second year conditional designation from July 1, 1978 to June 30- 1979. However, we have not yet received formal notification of approval or disapproval of the application. The proposed budget includes both Federal and District funds.

As to the full utilization of the funds, we expect that all current year funds will be obligated by June 30, 1978. All authorized positions are not yet filled, but personnel action has been taken on every authorized position.

QUESTION:
M3. What efforts have been made to plan and coordinate the development of the health plan with other health planning agencies- Maryland and Virginia - and with private hospital and facilities? Are there any problems, explain?

ANSWER:
M3. A great deal of effort has gone into developing and maintaining a cooperative metropolitan health planning mechanism. At the monent the focus is on the development of a 5 year metropolitan plan for open heart surgery and cardiac catheterization. We hope to have a draft plan by July 31, 1978 which can then be reviewed and adopted by the four health planning agencies and the other two State agencies (Maryland and Virginia) who are involved in the cooperative planning effort. Work will then begin on one of the four other specialty services which have been agreed upon by the agencies. The results of these efforts will be incorporated into each Health Systems Plan and State Health Plan. The cooperative metropolitan structure includes both Board and Staff of each agency and representatives from the direct providers of services. The cooperative efforts are moving forward more smoothly than one might expect. There are no major problems. Further, we have entered into a memorandum of agreement with the PSRO which ensures full participation in the development of the State Health Plan.

DEPARTMENT OF HUMAN RESOURCES
N. FOREST HAVEN

1. The District is responsible for the Administration of Forest Haven, the residential treatment center for mentally retarded residents. There has been much written and said about its operations, efforts, however, continue to be made to transform Forest Haven from a custodial care institution to a facility that provides quality programs to its residents. This Committee provided Forest Haven with almost $3 million more than the city requested or the House provided and asked that Forest Haven be brought up to meet all Federal stanards. As in the past, this Committee remains very much interested in knowing what is being done to remedy the problems associated with the institution.

1a. Please give us a brief report on efforts made in the last year to improve conditions at Forest Haven.

QUESTION:
N.1a. Organization - To bring responsibility and accountability to a level much closer to the individual in need of service, we have organized their living units, which were called cottages, into 22 living and programming units. Each has a unit chief who is a Qualified Mental Retradation Professional (QMRP). This has accomplished two major things: It makes one person, the Unit Chief, fully responsible for all aspects of the programming of 40 - 50 residents and it significantly upgraded these key positions to the level of full professional positions. Educators, nurses, social workers, etc., now run the units, rather than the previous arrangement where a direct care worker would, by reason of seniority, became responsible for up to 80 or 90 residents, although he or she may have no formal training either in management or in developmental disabilities (DD).

Since ten of the units were certified as intermediate care facilities under the Medicaid regulations, these were placed into one division, the Medicaid Services Division. The twelve units not so certified are referred to as the Residential Services Division.

Program support, in the form of professional services, is provided to the units by interdisciplinary teams. These teams consist of people from such professions as psychology, medicine, dentistry, nursing, education, social work nutrition, occupational therapy, recreations, speech and hearing. Rather than being divided into departments by discipline all, but the physicians and dentists, are responsible within the Division. This permits a team identity and provides accountability at the level responsible for the care and the habilitation of clients. These IDTs are responsible for periodic assessment of residents, for developing and following through on plans of care, and for teaching appropriate skills to direct care staff.

ASSESSMENT AND PROGRAMMING:
Our model for the development of programs is the IDT Model. These teams are responsible for assessing the strengths and needs of the clients and for developing individual programs. These two functions are entirely interdependent. Good programs depend upon good

ANSWER:
assessments. Currently there are four IDTs in Medicaid Division and one in Residential Division. Unfortunately, we have not yet been able to recruit all disciplines in sufficient numbers so that each team will have each discipline. Thus, some disciplines must work with more than one team.

Up to now, we have made a concentrated effort to assess all residents as required by Medicaid. In that division we have almost completed, and will have totally completed, all assessments by the end of this month. These in-depth interdisciplinary assessments have taken the major portion of the team's time. Once completed, the shift will be toward programming, with future assessments requiring less time. Also, the experience and training the IDT staff are getting now will lead to more efficient assessment and more detailed written habilitation plans.

Lest the impression be given that all effort has gone into assessment and none into programs, we wish to emphasize that is not the case.

All school age children have received individual education plans and are receiving education programs, either at Forest Haven or elsewhere. As much as possible, we are drawing upon community public and private facilities for educational programming. Currently 38 residents are attending public school, five are in the Developmental Services Center and 12 are in private programs receiving tuition grants. These figures will expand in future years. A teacher, an aid and an itinerate teacher, all funded by a Federal grant, are teaching the 13 deaf/blind children at Forest Haven.

To improve the quality of education at Forest Haven, an educational coordinator has been appointed in each division. They, with the technical assistance of our Office of Program Development education specialists, are responsible for developing and carrying through the planning, curriculum development, and monitoring of education programs.

An education task force developed a plan for the continuum of education services for the several levels of pupil skills: (1) Basic Developmental, (2) Basic skills, (3) Preacademic, (4) Academic, (5) Prevocational, (6) Vocational.

This includes the intergration of education with the IDT process and our vocational component. Teaching staff was trained in the use of a specific inventory, Behavioral Characteristics Progression, to assess pupils and assign them to functional groupings. They were then regrouped according to skill and training level in order to improve the delivery of educational services. Newly structured half-day classes began at the Ziegler School in November with plans to expand soon to five hours and to provide lunches in the school.

A State Learning and Resource Center for the Handicapped was recently established in the school to meet the resource needs of teachers and other staff. This is under the direction of the Training Office and is staffed by a resource teacher and an audio-visual specialist.

ANSWER:

The vocational component was greatly expanded through a joint program with DCARC. In February a vocational assessment program was begun at Forest Haven. It employs three full-time evaluators and can do as many as 180 comprehensive vocational assessments annually.

In April, a community-based sheltered workshop was implemented to provide prevocational, vocational, and community living skills training to up to 60 clients a year.

This is all added to such other programs as the BRS program with over 70 active Forest Haven clients, present specific vocational training - horticulture, wood-working, housekeeping with ten (10) full-time clients, twenty (20) in the CETA program, ten (10) in on-gounds paid jobs and 40 working off grounds competively.

Forest Haven has taken advantage of a number of external resources for the benefit of residents:

- An experienced physical therapist has assessed over 182 residents
- 30, as noted, received psychoeducational evaluation at Kennedy Institute.

Other significant changes having to do with resident programming include:

- Inviting families to praticipate in the IDT assessments
- Contracting with Contemporary Associates, Inc., to provide advocates for those school-age residents not having families.
- Adding outside membership to the Human Rights Committee- a parent, a person from the Information Center for the Handicapped, an attorney from the Mental Health Law Project, as well as a resident.

All of these have significance for resident programs and resident protection. Although we are confident that we are going in the right direction, problems certainly remain. We have not yet gotten anything like sufficient resources into the Residential Division because most new positions have been assigned, by Congress, to the Medicaid Division. Even so, we are programming all of our school-age children and have completed approximately 140 IDT assessments in this Division.

STAFF RECRUITMENT:

The most significant improvement at Forest Haven has been the inflow of new staff. While there have been major problems obtaining staff with the qualifications needed, partly, at least, due to the cumbersome Civil Service process, we have made progress. We have used various sources to obtain needed staff, particularly professional staff. We have used contracts and are exploring further use of contracts to obtain professional services. From the Kennedy Institute, the Johns Hopkins UAF, we have obtained the services of three (3) pediatricians with special training in developmental disabilities to do assessments of the medical needs of residents.

ANSWER:
A behavioral programmer, working out of OPD, gives consultation throughout Forest Haven in the behavioral aspects of the residents' programs. Additional staff brought on board include: Three (3) Speech Pathologists, One (1) Audiologist, Two (2) Nutritionist (Kennedy Contract) Three (3) Dietitians, One (1) Occupational Therapist (Kennedy Contract), Three (3) Dentists, Nineteen (19) LPSs, Eight (8) RNs, Ten (10) Social Workers, Seven (7) Teachers, Two (2) Psychologists, Two (2) Dental Hygienists, One (1) Pharmacist, One (1) Medical Records Librarian, Thirteen (13) Education Technicians, One (1) Medical Doctor, One (1) Training Officer, Two (2) Recreation Specialists, and One (1) Audio-Visual Specialist.

The Office of Program Development which is responsible for developing and monitoring all Forest Haven programs, professional standards, policy development and external liaison, now includes a social worker, two special education specialists, an occupational therapist, a vocational specialist, a training officer, an environmental health specialist, a registered nurse, a clinical psychologist, a community program specialist, two recreation specialists and the behavioral program specialist.

Of the 923 appropriated positions at Forest Haven, 828 are now filled.

STAFF TRAINING:

The key to any success is in the quality of the staff. Despite a limited budget we have gone forward with a large program of staff training. In order to successfully implement our organizational and program changes we are continuously assessing the skills of staff and are providing them with training necessary to carry our active programming. To do this, we are using variety of resources - HEW consultants, Kennedy Institute, American Management Association, and other consultants. Examples:

- Approximately 40 management staff were trained by American Management Association over a full weekend at Airly House
- All new employee are receiving an orientation to Forest Haven which includes the organization, human rights, and introduction to mental retardation and ninety (90) food staff were trained here by the Department of Environmental Standards in Food Protection and Food Handling.
- Behavioral training has been given to nearly 100 staff, including unit chiefs, and two full units will receive training in July.
- 90 food service staff attended a nutrition workshop conducted by Georgetown University.
- Education staff have been trained in writing Individual Education Plans.
- Sex education workshop are being conducted presently at Forest Haven.
- IDT process training is now underway. This is a result of recognizing some weaknesses in the way the process was being conducted.

ANSWER:

Aside from such programs being brought to staff, staff have participated as individuals in 160 different types of training, including professional meetings, DHR courses on supervision, goal planning, and personnel practice, seminars, and workships in the Metro Area and elaswhere.

RECORDS:

A professional medical records librarian was brought on along with two records clerks, to completely convert our system to one that would be in compliance with all regulations, such as Medicaid, and would protect the confidentiality and privacy of our population, and would be of maximum use to staff. Space was identified, equipment was purchased, and conversion is well underway, including training of staff in the use of the new records. To date, all Medicaid units have been converted, a master index file completed and the death registry has been brought up to date.

PHYSICAL IMPROVEMENTS:

Considerable effort and money has been expended to improve the facility.

- A new therapy building for use for physical therapy and for recreation will open in the next fiscal yer. It will have a pool, extensive new equipment, and 27 new staff.
- Renovations to the main kitchen are nearing completion and individual dining rooms have been provided in ten of twelve units where they did not already exist.
- Ziegler School has been air conditioned and air conditioning units have been purchased for living units.
- Sidewalks have been constructed.
- Plastering and painting have been done in many buildings.
- Complete renovations of Jones Hall is soon to begin.
- 313,000 is being spent to meet all life/safety codes in Medicaid.
- The pharmacy will be expanded and relocated to provide the necessary facility for switching to a unit dose system.
- Improvements, including ramps, patios and intercoms are being made to several buidlings for safety and comply with Section 504 of the Rehabilitation Act of 1973

QUESTION:

N1b. Does Forest Haven now meet all Federal Standards?

ANSWER:

N1b. The entire institution does not meet all standards. There are 22 living units which house residents in Forest Haven. The 10 units in the Medicaid Division are now certified as Intermediate Care Facilities and moving toward full compliance with Medicaid regulations. The 12 units in the Residential Services Division are not certified due to direct care and professional staff and physical plant deficiencies.

During the fiscal year 1978 hearings, the committee noted the basic restructuring of Forest Haven which had as its goal transformation from a custodial warehousing-type institution to a facility based on rehabilitative programming for the development

of each client's potential based on individual needs. At the hearings, the committee expressed concern about certain deficiencies still present at Forest Haven, particularly those dealing with the recruitment of needed professional and non-compliance of certain facilities at Forest Haven with Federal standards.

DEPARTMENT OF HUMAN RESOURCES
N. FOREST HAVEN

QUESTION:
N2a. What is the current status on recruitment of professional personnel?

ANSWER:
N2a. Current status is as follows:

Medical Officers: Two vacant positions. An "Open Until Filled" announcement is continuously maintained for these positions. Presently there are two applicants under consideration. Two Medical Officers have been hired in the last month.

Physical Therapist: Three vacant positions. Extensive recruitment efforts are continuously being made but due to the shortage of Therapists, no selections have been made.

Occupational Therapist: Three vacant positions. After 18 months of recruitment efforts, only one applicant has been selected. The register from the Civil Service Commission has been exhausted, but our recruitment efforts continue. This is a shortage position.

Social Worker: Three vacant positions. A Civil Service Register with 11 applicants is being processed. Much of the difficulty in filling these positions is that many of the applicants are from out of state and are not interested in relocating.

Teacher - Special Education: One vacant position. A register of qualified applicants is being processed. No difficulty in filling the position is anticipated.

Dental Officer: No vacancies.

Audiologist: No vacancies.

Speech Pathologist: One vacant position. A Civil Service Register has been requested. In addition, other applications are being reviewed.

Pharmacist: No vacancies.

Dietitians: Five vacant positions. All positions have been advertised and qualified applications are being reviewed.

Vocational Rehabilitation Specialist: Three vacant positions. Over 50 qualified applications are being reviewed and ranked.

Recreation Specialist: One vacant position. A selection has been made for vacancy. Applicant should enter on duty July 1st.

Psychologist: Two vacant positions. A register of qualified applicants is being processed. Over 12 registers have been processed since Nov. 1976 with limited success. There is a shortage of qualified, interested psychologists. An "Open Continuous" announcement is maintained.

Registered Nurses: A review is being conducted to ensure that all authorized positions are filled. If there are any vacancies, a register of qualified applicants is already prepared for processing.

QUESTION:
N2b. What is the status of the facility regarding meeting Federal Standards?

ANSWER:
N2b. Forest Haven does not meet Federal standards in the areas of:

1. Safety and Sanitation - the $2 million requested in the Capital Outlay Budget for FY 1979 will move the Medicaid Division into compliance with Federal Standards and will move the Residential Services Division closer to compliance.

2. Research - there is no organized research at Forest Haven at this time due to the lack of adequate, appropriate professional staff.

3. Residential Services Division - this Division is not Medicaid certified due to staff and physical deficiencies which impact on programs.

4. Professional and Special Programs and Services - the Interdisciplinary Teams in the Medicaid Division have successfully completed an assessment on each resident and are presently entering into implementation of these plans. Due to staff deficiencies, however, only a small precentage of the 500 Residential Services Division residents have received an individual assessment.

5. Administrative Support Services - an assessment of needs to meet Federal Standards is underway by the Department of General Services plus the FY 1979 Capital Outlay Budget includes $2 million for permanent improvements to physical facilities.

O. HOSPITAL AND HEALTH CLINIC BILLING SYSTEM

QUESTION:
01. In the Fiscal Year 1977 appropriation, this committee approved an additional 86 positions for the Payments Assistance Administration to implement a billing system for the health care institutions. While the City estimated that the billing system would raise an additional $3 million in revenue, the Committee accepted the City's estimate. As it turned out, over $9 million was collected by the new system. In July, 1977, the Mayor signed an order establishing certain fee charges for clinical health services.

Please summarize the Subcommittee the progress the District's Department of Human Resources has made in implementing the Hospital and Health Clinic Billing and Collection System.

ANSWER:
01. The implementation of the new Billings and Collection System has been completed and the system operational for the past 20 months. All DHR billings are being processed through the system with the exception of D.C. Village and Forest Haven. These two institutions utilize the exception billing system and will continue to do so until the Hospital Administrative Terminal System (HAYS) is revised to support the recommended changes of D.C. General Hospital.

Since implementation of the new billings and collection system, the Office of Information Systems has refined and improved on the original design as well as administered changes to the system as recommended by PAA.

QUESTION:
02. How much additional revenue has been collected from all sources including Medicaid, Medicare, Third Party Insurance and individuals in FY 1978 to date?

ANSWER:
02. The additional revenue collected for FY 1978 through April 30, 1978 is $2,318 thousand from Medicare, $57 thousand from third party insurance and $220 thousand from individuals for a total of $2,595 thousand. There has been a decrease of $2,537 thousand from Medicaid, however, as Medicaid revenue during FY 1977 was swollen by a concerted effort to identify and collect for previously unbilled services provided in prior years. The net revenue gain for FY 1978 through April 30, 1978 is only $58 thousand as a result.

QUESTION:
03. Have the rates or fees been reviewed for reasonableness since they were established? If not, why and when will they be reviewed?

ANSWER:
03. DHR has reviewed existing rates and has proposed changes in them in accordance with the applicable law which governs such changes. The proposed changes in rates were reviewed by the user Review Committee of the District of Columbia's Office of Budget and Management Systems. They were forwarded to the District of Columbia Council for review on May 17, 1978 and published for public comment, on June 2, 1978 in the D.C. Register. Assuming no objections, the proposed new rates will become effective after July 2, 1978.

DEPARTMENT OF HUMAN RESOURCES
P. ACCREDITATION OF GLENN DALE HOSPITAL

Glenn Dale Hospital is the District of Columbia long-term facility for chronic diseases and tuberculosis. In 1976 because the hospital did not meet life-safety code standards it was not accredited for skilled nursing and intermediate care and, therefore, was not eligible for reimbursement under the Medicaid and Medicare programs for such care.

QUESTION:
P1. How many patients at Glenn Dale are receiving skilled nursing and intermediate care?

ANSWER:
P1. Glenn Dale Hospital is a chronic disease hospital. The patient census is 350 at the present time. Of those 350 patients, approximately 50% do not need chronic disease hospital care but could fall in the category of skilled or intermediate care. Of the 175 who need less than chronic disease hospital care, 30 would be considered domiciliary care, approximately 30 would be considered skilled care, and approximately 115 would be considered intermediate care patients.

QUESTION:
P2. Is the District receiving Medicaid and Medicare reimbursements for such care? If not, how much revenue is being lost?

ANSWER:
P2. Since Glenn Dale is not certified as a skilled nursing care facility or intermediate care facility per diem rates have not been established, thus, it is not possible to estimate the amount of revenue lost. Glenn Dale Hospital is reimbursed for patients who are receiving chronic disease hospital care.

QUESTION:
P3. What is the District doing to get accreditation to become eligible for Medicaid and Medicare reimbursements?

ANSWER:
P3. An effort is underway to secure Capital funds for renovation of Building A at Glenn Dale Hospital. Proposals have been made to convert chronic care beds to extended care use. If these beds are to be converted to skilled and intermediate care beds, the conversion would require additional resources. Should these resources become available, beds at Glenn Dale could be certified for Title 18, and Title 19 reimbursements.

QUESTION:
P4. How has the loss of Medicaid and Medicare reimbursement affected patient care?

ANSWER:
P4. The loss of Medicaid and Medicare reimbursements has hampered funding of Glenn Dale Hospital.

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QUESTION:
P5. On JA-1-2 you state that Glenn Dale will operate as a 350-bed long-term-care facility. This represents a 30-bed reduction. You state, also, that funding at this bed level in no way addresses the total needs for acute, skilled and intermediate long-term care and the DHR is unable to offer more public services despite the critical need.

What do you estimate as the total needs of long-term care?

ANSWER:
P5. Estimates based on the DHEW derived use formula would indicate a total base need of 3,343 extended care beds consisting of 1,115 skilled and 2,228 intermediate beds. The following summarization is based on estimates by the Department of Human Resources.

Projected Need	-	3,343 beds
Existing	-	2,208 beds
Needed	-	1,135 beds

QUESTION:
P6. Two private groups reported that patients at Glenn Dale and other District agencies should be receiving a lower level and less expensive type of care. Comment on this.

ANSWER:
P6. Patients (approximately 175 of the present patient census) could be receiving less than chronic disease hospital care.

QUESTION:
P7. How much money do you estimate could be saved if patients were placed in lower-level, less expensive care facilities?

ANSWER:
P7. There is a great need for intermediate and skilled care. Hence, more patients could be served at less cost per patient but no decrease in total cost, if Glenn Dale could meet the requirements of Medicaid - Medicare reimbursements. This requires funding for the physical plant as well as staff.

QUESTION:
P8. What are your current plans for Glenn Dale Hospital? Do you expect to receive accreditation in 1979?

ANSWER:
P8. It is intended that the "A" Building at Glenn Dale be renovated. This has been proposed for FY 1980 in the Department's FY 1980-84 Capital Improvement Program. The hospital currently is accredited for one year. The Joint Commission on Accreditation is due to return in September 1978 for a resurvey. It is hoped that the surveyors will take into consideration proposed renovation of "A" Building.

DEPARTMENT OF HUMAN RESOURCES
Q. D.C. VILLAGE CITY'S NURSING HOME FACILITY NOT SERVING AS MANY AS IT COULD

D.C. Village is the District's primary nursing facility. Patients served at this facility are those needing skilled and/or intermediate nursing care. Bed capacity at D.C. Village now at 550 has continued to decline over the last several years even though appropriations have increased.

The Committee continues to hear that there is a shortage of extended care facilities in the District.

QUESTION:
Q1. What is the total bed capacity at D.C. Village?

ANSWER:
Q1. The total bed capacity is as follows:

Certified Beds	200
Open Uncertified Beds	339
Closed Beds which could be Utilized, Given Proper Resources	98
Total	637
Potential Additional Beds if Day Care Site at D.C. Village is Relocated	49
Total Potential Beds at D.C. Village	686

QUESTION:
Q2. What are the needs for extended care facilities in the District? How are these needs being met?

ANSWER:
Q2. Expressed in terms of the number of beds, the need for extended care facilities in the District is estimated to be between 1100 and 1900 additional beds.

There have been several initiatives to meet this need: Capital Budget requests have been made to obtain additional skilled and intermediate care beds; and proposed was the purchase of the J.B. Johnson extended care facility, the National Lutheran Home for the Aged, and the Mar Salle Convalescent Center. An increase in the number of beds was achieved by bringing D.C. Village up to code standards with Capital Improvements. This resulted in certification of 98 additional beds. Negotiations are still underway for acquisition of the J.B. Johnson facility.

QUESTION:
Q3. How much additional cost would be involved to fully use existing space at this facility? How many staff and resources would be needed to open additional beds?

ANSWER:
Q3. With the continuation of the present Day Care operation, costs are as follows: One hundred (100) positions at a cost of $1.339 million and other costs at $.469 million, totaling $1.808 million, would be required to open 98 additional beds.

QUESTION:
Q4. Why are the daily rates for care at D.C. Village ($82.50 per day for skilled care and $57 per day for intermediate care) so much higher than the private sector? ($33 per day for skilled care and $26 per day for intermediate care).

ANSWER:
Q4. D.C. Village's cost is an all-inclusive one, including costs for basic physician services, consultative medical care, drugs, medications, occupational and physical therapy, personal laundry, beauty and barber shop services to maintain patients' dignity, whereas in the private sector these costs are often charged in addition to the basic charge for room and board. The cost of care in a good philanthropic home would be more comparable. For instance, the Washington Home states that its full care rate is $1,000 per month plus ancillary charges with an institutional subsidy of over $400 a month for a total of over $1,400 per month (Source: Annual Report, 1978, Washington Home).

The officially authorized per diem rates charged for services at D.C. Village include an allocation of overhead administrative costs at the Administration, Departmental, and District levels. To keep the cost factors in perspective it must be remembered that this added overhead cost amounts to approximately 20% of the basic obligation charged to D.C. Village, i.e., $8.3 million for Fiscal Year 1977.

QUESTION:
Q5. Is D.C. Village fully accredited; and is the District receiving reimbursements for all services?

ANSWER:
Q5. Two hundred (200) of the presently open 539 beds are fully accredited (51 skilled; 149 intermediate) and reimbursement is being received for patients in this distinct part of the facility. Due to insufficient resources to meet mandated minimum standards, no reimbursement is being received for the remaining 339 of the institution's beds.

DEPARTMENT OF HUMAN RESOURCES
R. SUPPLEMENTAL FOOD PROGRAM

QUESTION:
1. This program makes nutrition foods and education on nutrition available to eligible needy individuals in low-income families to help prevent, correct, or improve nutritional deficiencies. Program participation is limited to pregnant women, mothers up to 1 year after childbirth, infants, and children under 6 years old. Two recent newspaper articles stated that "tons of foods for needy people are available" and that "5,600 cases of green beans at the DHR Supplemental Food Warehouse were contaminated and had to be buried in a landfill." We understood that the reason the food had to be destroyed was because it was on hand too long. Also, it was reported in the newspaper that the warehouse was "rat-infested and in poor condition."

Is there any other excess food at the warehouse? How much? What is being done to dispose of excess food?

ANSWER:
1. There is an excess of instant milk which is currently in the warehouse. Avenues are being explored to eliminate the overage. All other commodities in stock are maintained at authorized stock levels.

QUESTION:
2. What is being done about the reported poor condition at the warehouse?

ANSWER:
2. On June 1, 1978, the supplemental food program moved to a modern warehouse facility. The new facility, at 3330 V Street, N.E., replaces the old warehouse which was not adequate for proper storage of food.

The new warehouse is a well maintained modern facility with proper ventilation, heat and light.

QUESTION:
3. What actions are being taken to increase participation in the program?

ANSWER:
3. The following actions are being taken to increase program participation:

- The number of volunteer sites from which coupons and/or bags of food are issued have been increased from 2 (Children's Hospital and Southwest Health Center) to 5. The new sites are the YWCA/YMCA-3431 Benning Road, N.E., Howard University Hospital, and 166 Q Street, N.W.

- New Staff is being hired to promote outreach, provide nutrition education, and issue coupon books to new clients. The new outreach staff will consist of 2 nutritionists, 1 home economist, 4 health aides, and 3 clerks.

- Five summer workers are being trained to go into the community to provide outreach services.

- A Commodity Supplemental Food Program staff person is present at most Public Assistance Administration and Community Health and Hospitals Administration planned community activities with art exhibit and program information.

- Nutrition services are being increased in the following ways:

  a) Developing 5 nutrition kits complete with handout materials to be used in 9 workshops for parent and community groups, preschool and day care pupils, expectant mothers, etc.

  b) Food demonstrations are held 3-4 times weekly at various health clinics, distribution sites and community sites to make the public aware of the various preparations of the foods. This number will increase as soon as new staff training is completed.

  c) Nine nutrition posters, each featuring a commodity food of the month and related recipes, are being developed for rotation in the food distribution sites within the public health clinics.

  d) The program staff is going into new areas of the city (Far Northeast and Far Southeast) to provide nutrition services.

QUESTION:
4. How much food has been destroyed because of spoilage? Are there other foods on hand that are spoiled but not yet destroyed? Has all food in the warehouse been tested for spoilage? When?

ANSWER:
4. The following amounts of food were destroyed because of cans overfilled at the cannery, damaged cans, improper handling in shipment, etc.

a) There were 5,548 cases of green beans buried at the Lorton Landfill, Lorton, Virginia as follows:

3/24/78	1,228 cases
3/30/78	2,565 cases
3/31/78	1,245 cases
4/05/78	510 cases

b) A total of 1,281 cases of potato granules were donated to a Virginia farmer to be used as animal feed. The potato granules were removed as follows:

3/30/78	97 cases
3/21/78	400 cases
3/22/78	250 cases
3/23/78	352 cases
3/24/78	182 cases

c) On May 8, 1978, 1,714 cases of purple plums were destroyed by burial at Lorton Virginia Landfill.

There are no other food commodities in the warehouse that need to be destroyed.

All foods currently in the warehouse have been tested for spoilage by various governmental agencies. Tests were conducted January through May 1978.

QUESTION:
5. What caused the excess inventory to occur? What factors caused the food to spoil? Comment on the inventory procedures and controls in effect to prevent the accumulation to excess inventories and spoiled food.

ANSWER:
5. The excess inventory resulted from cummulative actions on the part of all participating Governmental Agencies. For example, USDA permitted overages to occur because to some extent the D.C. Supplemental Food Warehouse was used as a central depot for use in major disaster relief situations. Also DHR's inventory and ordering procedures were not as effective as they should have been. However, new inventory procedures, established by USDA guidelines, now offers specific standards for stock levels. The food spoilage is attributable to such factors as overpacking and to some extent temperature variation and improper stock rotation.

With the re-location to the new facility and the implementation of procedures described above, food spoilage should be significantly reduced, if not eliminated.

DEPARTMENT OF HUMAN RESOURCES
S. D. C. GUARANTEED STUDENT LOAN PROGRAM

It is the Committee's understanding that the District Student Loan Program was in the process of being reinstated by HEW as a result of an intense collection effort to reclaim defaulted loans. Many of the defaulted loans were to District employees. In FY 1979 you requested $690.0 to maintain the reserve fund for the Guaranteed Student Loan Program.

QUESTION:
S1. How much of the defaulted loans were collected? Has HEW reinstated the program, and under what conditions?

ANSWER:
S1. As a result of the Department of Human Resources' collection plan, which was initiated in April, 1977, 670 repayment agreements have been made with borrowers in default. The total value of these agreements is $1.7 million. A total of $120,000 has been collected.

The agreement with the Department of Health, Education and Welfare was that District of Columbia lending institutions would participate in the Federally Insured Student Loan Program (FISLP) until 1981, at which time the District would resume operation of the D.C. Guaranteed Student Loan Program (GSLP). For academic years 1978-1979 and 1979-1980, the Participating Banks Association (PBA)

will operate the D.C. Federally Insured Student Loan Consortium Program for D.C. residents. As of June 1, 1978, $5 million has been made available for 1978-1979.

QUESTION:
S2. Please explain the purpose of these reserve funds.

ANSWER:
S2. The purpose of the student loan reserve fund is to assure the availability of local funds for guaranteeing the loans in cases of default. According to the Federal requirement $1 for every $4 lent must be maintained in order to make timely payments (20% local plus 80% federal) on defaults to the PBA.

QUESTION:
S3. What actions have been taken to prevent the same situation from happening in the future?

ANSWER:
S3. The major causes of the D.C. GSLP problems have been identified as a (1) inadequate reserve fund and (2) poor program management. D.C., therefore, has requested $690,000 for the student loan reserve fund in the FY-78 budget to establish the fund at the required level. The program office has been reorganized and restaffed. The collection plan is operating effectively and moving into the last resort (litigation) stage on some hard core cases that have been identified as able to pay. It is anticipated that this will provide a deterrant factor for future defaults. Also, a total program operations system is being developed, including automation of the default section.

QUESTION:
S4. Are District employees who previously defaulted being given loans? If so, why? Are you requiring full payment before they are eligible for any subsequent loans?

ANSWER:
S4. According to the D.C. FISL program office, no borrower who previously defaulted on a student loan, including D.C. employees, is being given loans. Full payment is required before they are eligible for subsequent loans. They also are not eligible for the D. C. grant.

DEPARTMENT OF HUMAN RESOURCES
T. MERIT SYSTEM FOR PERSONNEL ACTIONS

QUESTION:
1. During the Fiscal Year 1978 Hearings, you stated that an integral part of the Department's Personnel and Training Division's Fiscal Year 1978 Action Plans, was the audit of all personnel folders as to accuracy of content and that required documents are in the folders in accordance with U.S. Civil Service and/or District Government procedures. You stated that this would be completed within one year. What is the status of this effort?

ANSWER:
1. The Personnel and Training Division has completed personnel folders covering alphabets A through J for accuracy of content

and required documents in accordance with regulatory requirements for personnel recordkeeping. A concerted effort is continuing to complete this task. We project July 1979 as the estimated completion date.

QUESTION:
2. Have adequate Position Descriptions been established for all positions in the Department of Human Resources (DHR)?

ANSWER:
2. No. However, there has been an intensive effort to upgrade the adequacy of Position Descriptions through ambitious classification surveys of major organizational segments, such as, PAA, Forest Haven, SRA, etc.

DEPARTMENT OF HUMAN RESOURCES
U. CAPITAL IMPROVEMENTS

QUESTION:
1. The Department of Human Resources has requested $1,000,000 for various Capital Improvements to D.C. Village Hospital and $275,000 to make renovations to the D.C. Dog Pound. (Volume , P.)

Please provide the Committee with a summary of the need for those projects.

ANSWER:
1a. D.C. Village is in need of extensive renovation for the purpose of providing a safe and healthy environment for its residents. This renovation will include such items as the replacement of windows, floor covering, three elevators, the domestic water delivery system, and updating the electrical distribution system at the D.C. Village Infirmary. It will also entail the alteration of screen porches, the installation of two clean air systems, pavement resurfacing, and the replacement of two water softeners at the D.C. Village Boiler Plant. In large measure, the need for this work is due to the extensive deterioration which has occurred over a twenty-five year period. A severe lack of personnel and monetary resources has precluded appropriate preventive maintenance during this time. As a result, emergency repairs have been more costly than necessary, and in many cases, the existing equipment is obsolete and out of date. Morever, some of the threats to health and safety are of the most fundamental nature. For example, the replacement of windows is needed to prevent heat loss in winter and drafts from entering the building; while, the linoleum flooring is needed so that basic hospital housekeeping is possible, to prevent saturation of rooms with urine.

1b. The District of Columbia's Dog Pound was built in 1964 to accommodate 50-60 dogs, yet the census runs from 100-110 at this time. The size difference in the current dog population is much larger and much more aggressive. These differences in breeds have a profound effect on space availability in order to accommodate these animals. The number of stray animals in the District is steadily increasing. These animals increase nuisance resulting in spilled garbage and trash containers, wounds resulting in costly treatment of individuals, heavy automobile accidents, and diseases such as TB, salmonelliousis, and fungus conditions which are trans-

mitted to man. The facilities at the D.C. Pound have been seriously strained. When the District Government takes animals off the street, it becomes a government responsibility. It must have sufficient space, food, water, comfortable resting place, and protection from disease and potential aggression from larger dogs. Compatible dogs can be housed together. A single diseased dog in a pen raises the likelihood of spreading infection to each additional pen mate. The Pound is being over-crowded due to the current increased activities in the area of dog-catching. The pens and outside runs at the Pound constitutes the best design for holding dogs that must be given a temporary home.

On the basis of this renovation, it will be possible to accomodate daily dog load of approximately 20-25 additional animals; which is an increase of 40% over the present daily dog load. It would also be possible to conduct 50 postmortem examinations of dogs which would be an increase of 50% over the present calendar year. The spaying and neutering clinic will have a significant impact on the reduction of existing stray animal population by approximately 40,000. The foregoing has the overall effect of making D.C. residents much safer from injury and disease resulting from contact with such a large stray animal population.

COMMISSION ON HEALING ARTS LICENSURE

STATEMENT OF DR. THOMPSON BOWLES, CHAIRMAN

NEW INDEPENDENT AGENCY

Senator LEAHY. The next witness is Dr. Bowles from the Commission on Healing Arts Licensure. We are glad to have you here today.

I notice your function up until now has been performed by the Department of Economic Development. So, I have a couple of basic questions.

Why is it necessary to create a new organizational element to perform that function, and how is the commission responsibility different from the Licensing and Certification Branch in the Department of Human Resources, Office of State Agency Affairs? Is there any duplication?

FUNCTIONS OF COMMISSION

Dr. BOWLES. No, sir, there is not. The Commission for Licensure to practice the healing arts is organized to review license applications for physicians, osteopaths, and nurses in the District of Columbia, and is the only body constituted for that purpose.

If I understand part of your question, why was the new Commission necessary. I think the City Council and the Mayor's office believed that the previous commission, which was a five-member body using the Office of Economic Development as its basic staff, did not have sufficient authority to deal with the instances of inadequate and unethical medical practice in the District of Columbia. A new body was needed with greater authority to suspend licensure or exercise several other options ranging from imprisonment to continuing education.

We were organized and began to function last October 1977, and have been operating during the past 7-month period without budget or staff. I must commend the staff of the Office of Economic Development in working with us so generously until our staff can be organized.

INCREASE REQUESTED

Senator LEAHY. Well, the fiscal year 1979 request is for $199,000. I believe $81,600 of that is being transferred from the Department of Economic Development.

So, we are talking about $117,000 on top of that, about a 50-percent increase. Why such a funding increase?

Dr. BOWLES. If I may, sir, let me point out at the present time the Commission has absolutely no budget. It has zero dollars. The dollars are now in the Office of Economic Development. That $81,000 is for fees for the licensure exam. I might point out, in the

12-month period between September 1976 and 1977, the Commission generated over $349,000 in fees for the District. The coming fiscal year 1979 calculation will not be adequate to manage the Commission and to perform its most basic functions. I respectfully request the privilege of coming back at a later time to request a supplement. Now, we have authorized $50,000 as startup money to establish a basic staff and office. Without that budget allocation, we are unable to hire any staff, and it is extremely difficult to compete in every important activity within the District government unless one has somebody who is full time and able to function in the Commission's behalf within the city structure.

NEED FOR A SUPPLEMENTAL IN FISCAL YEAR 1979

Senator LEAHY. So, you think that even if we fund this whole amount as requested, you will have to come back for a supplemental?

Dr. BOWLES. In 1979, yes. That $199,000 will barely enable us to have a bare-boned staff and purchase equipment necessary to start the office.

I would anticipate, however, that the Commission will certainly continue to be putting substantially more than our budget request into the city treasury by means of the fees we generate.

CONCERN OF ESTABLISHING NEW ORGANIZATIONAL ELEMENT

Senator LEAHY. I understand. The concern the committee had was whether it was a case where we were setting up a new organizational element.

Dr. BOWLES. That is a very reasonable concern. And I think it must have been examined very carefully by those who enacted the enabling legislation in the City Council 2 years ago. There is a risk of creating what could become a new bureaucracy. We hope to avoid that.

Senator LEAHY. Doctor, I appreciate your testimony. I am sorry to have you so rushed. Certainly, if you have a statement for the record, we will be happy to receive it.

Dr. BOWLES. Thank you for permitting me to be here, sir.

[The statement follows:]

STATEMENT OF DR. THOMPSON BOWLES

I am Tom Bowles, Professor of Surgery and Dean for Academic Affairs of the George Washington University Medical Center, and President of the District of Columbia's Commission on Licensure to Practice the Healing Arts.

The legislative history of the Commission is known to most of you. This new Commission was established in October, 1977.

The new Commission consists of twelve members in contrast to the five member body which had existed since 1929. There is a broader and stronger authority in the new Commission. We are empowered to censure, to require more training, to revoke license, to fine, and even to imprison when circumstances indicate such actions. These are weighty powers, carrying great responsibility. To earn and justify public faith in our capability, we must be effective. The new Commission has been at its task since October, 1977, conscientiously reviewing the cases referred to us by the citizens of this community. We routinely discuss each situation, about eight to ten every month. These cases are often complex, requiring investigation and lengthy examination. In addition to case reviews, we must also examine the list of candidates for licensure and approve or refuse the applications. Our agendas have been so extensive that our monthly meetings, of three hours duration, have not allowed sufficient time to consider policy issues, operating procedures and organizational matters. To accomodate this pressing extra need, the Commissioners agreed to meet a second time each month. The first three of these extraordinary sessions have taken place. We will continue these extra meetings until we have made some crucial decisions about the Commission's future.

My plea to you this afternoon, ladies and gentlemen, is focused on the budget. We have just recieved authorization for $50,000 start up. Whatever our budget becomes, we will need staff to accomplish our mission. To recruit and accommodate a staff by October, 1978, we should begin work now. The new law authorizes the Commission to hire an executive director as soon as it can, and to organize a staff.

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In closing, Mr. Chairman, I would like to point out that the Commission on Licensure to Practice the Healing Arts added $340,000 to the general revenues of this great city during the twelve-month period from September 1, 1976 through August 31, 1977. I anticipate that that figure could increase in the future as our fee schedules are reviewed. I believe that the new Commission can function and continue to function very effectively remaining well within the dollar amounts generated for the city through the licensure and re-licensure fees.

SUBMITTED QUESTIONS

Senator LEAHY. We have a number of additional questions we would like to have answered for the hearing record. Would you please submit them for the record?

Dr. BOWLES. I would be happy to, Mr. Chairman. I would also like to expand on the questions you asked this morning.

Senator LEAHY. Please do Dr. Bowles.

[The following questions were not asked at the hearing, but were submitted to the Commission for response subsequent to the hearing:]

COMMISSION ON HEALING ARTS LICENSURE

A. WHY IS A NEW BUREAUCRATIC OFFICE FOR AN OLD FUNCTION?

QUESTION:

1. The request proposed the establishment of an entirely new organizational element to perform a function that has been performed by the Department of Economic Development. Why is it necessary to create a new organizational element to perform this request?

ANSWER:

1. The Commission on Licensure to Practice the Healing Art was created by D. C. Law 1-106, titled "Healing Arts Practice Act of 1976." The law was written and passed by the City Council, vetoed by the Mayor, and enacted by the City Council over the Mayor's veto. President Ford approved the Act on October 20, 1976 and sent it to both Houses of Congress for a 30 day review. Following expiration of that 30 day review, D. C. Law 1-106 became effective on April 6, 1977. The legislation was stimulated by sluggish performance of the previous Commission, a five member body which had existed since 1929 and had been peopled by staff members of the District Government, only one of whom was a physician. The City Council felt that part of the non-responsiveness of the former Commission related to its unrepresentative composition and its lack of authority. The new Commission has twelve members, including seven non government medical doctors, one osteopath, two members representing the consumer community and retains two ex officio members from the District Government, the Corporation Counsel and the Director of Public Health who is also a medical doctor. This expanded body has broad authority to revoke, suspend, or annul a medical license, to censure or reprimand, to require continuing education, to require medical treatment and even to fine and recommend imprisonment under appropriate circumstances. With this representation and authority the new Commission should be more effective than the former body in preventing physician incompetence and unethical practice.

QUESTION:

2. How does the Commissions' responsibilities differ from the licensing and certification branch in the Department of Human Resources' Office of State Agency Affairs? Is there any duplication? If not, couldn't DHR also handle the Commission's responsibilities?

ANSWER:

2. The Commission on Licensure to Practice the Healing Art is concerned with individual practitioners, not institutions. At present, the licensing and certification branch in the Department of Human Resources is concerned with a variety of people, organizations and institutions, including the licensing of hospitals. No doubt, with appropriate staffing in the Department of Human Resources, the new Commission could operate under its auspices as the former Commission did under the Department of Economic Development (now the Department of Licenses, Investigations and Inspections), for many years. This department is now providing staff function for the Commission in the absence of its own funds and staff. However, the City Council, the President of the United States, and the Congress, in their collective wisdom, saw fit to create the new Commission as an independent body so that physician performance could be monitored more carefully and accountability for collective physician performance could be more firmly established.

B. THE FUNCTION IS NOT SO NEW SO WHY ARE ADDITIONAL FUNDS NEEDED?

QUESTIONS: 1 and 2

1. The FY 1979 request is for $199,300 of which only $81,600 is being transferred from the Department of Economic Development (Vol. II, P. 357). This means that the requested increase for this function is $117,700 or a 150% increase. Why is it necessary to increase the funding for this activity by 150% in one year?

2. The justification states that $81,600 will be transferred to the Commission from the Department of Economic Development to cover the cost of purchasing examinations.

ANSWERS:to 1 and 2

The funding for the new Commission needs to be significantly increased. The $199,300 will permit limited staff to perform only a fraction of the Commission's charge. The increased cost is related to the increased expectation for function and outcome. The new Commission needs a staff of about ten to eleven people and office space with all the attendent start up costs. The required budget is closer to $350,00 than $199,000. The increase is directly related to the greater demands on the Commission. The 150% increase posed in the question is incorrectly derived. The $81,600 referenced in the question is the sum of the cost for purchasing, grading and holding examinations. These funds being transferred from the Department will be placed at the disposal of the new Commission to perform the same functions. The $117,700 figure is a convenience sum, politically derived to start the Commission. The figure is inadequate because the staff that could be hired with that budget could not even keep pace with the handling of licensure applications. The new staff will be responsible for all licensure and relicensure processing, holding the examinations, receiving all complaints against practitioners, investigating complaints, preparing reports, conducting hearings, liason with other branches of the Government and providing staff services for the Commissioners' in carrying out their mission, i. e., gathering, organizing and analyzing material for meetings.

QUESTION

3. WHAT KIND OF EXAMINATIONS ARE THESE? HOW MANY EXAMINATIONS WILL BE PURCHASED? PLEASE PROVIDE ALL DETAILS.

ANSWER

3. The examinations are the FLEX Examinations which are developed by the National Board of Medical Examiners for The Federation of State Medical Boards of the United States, Inc. This examination is recognized by forty-seven states as a satisfactory licensure examination. Applicants for licensure in the District must pass either the National Board Examination or the FLEX examination to be licensed. The number of examinations will vary each year but regardless of the number of applicants, there is off setting income paid by applicants which covers the cost of administering the examination. It should be kept in mind that the Commission on Licensure to Practice the Healing Art provides a substantial income for the city's general revenues. In the twelve month period from September 1, 1976 to August 31, 1977, the Commission generated over $345,000 for the District. With upward adjustment of fees in the future, that figure could increase. The new Commission feels, justified in requesting a budget of $350,000 for FY 1979 and will itemize this need in a formal presentation in the future.

Office of Human Rights

STATEMENT OF JAMES W. BALDWIN, DIRECTOR

OPENING REMARKS

Senator Leahy. Mr. Hahn from the District of Columbia General Hospital is not here yet. In that case, we will go to the Office of Human Rights with Mr. Baldwin, if he is here.

Mr. Baldwin. Good morning, Mr. Chairman.

Senator Leahy. Mr. Baldwin, nice to see you, sir. I again apologize for the way we are rushing through these things. But I expect the city would be just as happy to get last year's budget through if we could this morning.

TIME PERIOD IN CLOSING DISCRIMINATION CASES

The Office of Human Rights is required by law to close all discrimination cases filed within 120 days; is that correct?

Mr. Baldwin. It is supposed to make a determination within 120 days, and to determine whether or not there is probable cause.

Senator Leahy. What percentage of the cases had determinations made within 120 days?

Mr. Baldwin. In 70 percent of the cases that we have investigated this fiscal year, a determination was made within 120 days.

NEW INVESTIGATIVE PROCESS

Senator Leahy. The adjustment rate of the number of cases conciliated to the advantage of the complainant is now approximately 25 percent. And your justification material says that is probably going to 35 percent in fiscal year 1979. Why is the rate expected to go up? Are the actual incidents of discrimination on the rise in this city?

Mr. Baldwin. The incidents of discrimination are on the rise, definitely. In the past 4 years, there has been a steady increase in the number of complaints filed. The reason we are projecting an increase as far as satisfactory adjustments is concerned is that in June 1977 we initiated a new investigative process. And looking at the statistics for the first 9 months, that is June 1 through February 28, we were very pleased with those statistics, and it does show an increase in the satisfactory adjustment rate.

TYPES OF DISCRIMINATION COMPLAINTS

Senator Leahy. What are the types of discrimination that you see most commonly here in the city?

Mr. Baldwin. The majority of our complaints this past fiscal year, as in previous years, fall in the category of employment. There were 536 cases filed last year, and 95.4 percent of those cases were in employment.

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Senator LEAHY. What about things like housing?

Mr. BALDWIN. We get very few housing complaints. In fact, it is a decrease; 1977 is a decrease from 1976. So, we have very few housing complaints. The majority of the complaints are in employment and public accommodations.

EMPLOYMENT DISCRIMINATION

Senator LEAHY. Do you have ample laws and facilities to deal with employment discrimination?

Mr. BALDWIN. Yes. I think most experts in the field feel that our human rights is one of the most comprehensive laws in the country.

Senator LEAHY. We are facing nationwide unemployment. It doesn't help if we add racial discrimination to it also. And that is concerning me greatly. If there are areas where you find yourself being hampered, we want to help any way we possibly could here.

I was reading statistics the other day on the black teenager unemployment rate. It is horrendous. That is one area, hopefully that we can focus on to respond to any problems created by job discrimination. Certainly if there is any city in the country that should be able to remove the stigma of job discrimination based on race, it should be in Washington, D.C. And this committee will certainly help any way we possibly can in that regard.

I have a couple of other questions I will supply for the record. If you have matters that you would like to supply for the record, please feel free to do so.

Is there any other point that you would like to make this morning?

ACCOMPLISHMENTS OF OFFICE

Mr. BALDWIN. I think the main point, Mr. Chairman, is that the District of Columbia Office of Human Rights is one of the leaders in the field of human rights based on the usual standards that measure what we do. That is No. 1. And the investigation of complaints, the law says that there should be a determination in 120 days. We are probably No. 3 in the country in that particular area in being able to investigate complaints in a timely fashion.

Senator LEAHY. I compliment you for that. And I appreciate your serving a function that is, unfortunately, needed. I think you would probably be as happy as everybody else if it was not necessary to have your Commission.

But I think we all have to be honest enough and realize that unfortunately there is a need for it in this country. And I applaud you on your work.

Mr. BALDWIN. Thank you.

SUBMITTED QUESTIONS

Senator LEAHY. As I indicated earlier, I have some additional questions to be answered for the record. However, you may expand on any of the questions asked this morning.

Mr. BALDWIN. I will be happy to answer them for the record. I also appreciate the opportunity to expand on the questions asked this morning.

[The following questions were not asked at the hearing but were submitted to the Office for response subsequent to the hearing:]

OFFICE OF HUMAN RIGHTS

A. OFFICE REQUIRED BY LAW TO CLOSE ALL CASES IN 120 DAYS

QUESTION:
1. The Office of Human Rights is required by law to close all discrimination cases filed with the agency in 120 days (p. 220). Is that correct?

ANSWER:
1. No. The Office is directed by Section 305(b): "Within one hundred and twenty (120) days, after service of the complaint upon all parties thereto, the Office shall determine whether, in accord with its own rules, it has jurisdiction; and if so, whether there is probable cause to believe that the respondent has engaged or is engaging in an unlawful discriminatory practice." Since service of a complaint may take place up to fifteen (15) days after filing of the complaint and since a determination of probable cause does not close a complaint, the appropriate time period imposed by the law is between service of the complaint and a determination as to probable cause. The D.C. Court of Appeals has defined this provision as being directory, not mandatory, and has refused to dismiss a complaint where the 120 day period had been exceeded. (JBG Properties v. Office of Human Rights, D.C. Court of Appeals, No. 10151, October 14, 1976).

QUESTION:
2. What percentage of cases are being closed within 120 days?

ANSWER:
2. At the present time, approximately 70% of our cases are being determined within 120 day of service of the complaint. (See explanation of statutory requirement above.)

B. IS ACTUAL DISCRIMINATION ON THE RISE?

QUESTION:
1. The agency's "satisfactory adjustment rate" or the number of cases that are conciliated to the advantage of the complaintant is now approximately 25%. The justification material (p. 223) estimates that the "satisfactory adjustment rate" will be 35% in FY 1979.

Why is the rate expected to go up? Does this mean that the actual incidences of discrimination is on the rise in the city?

ANSWER:
1. The estimation of an increase in the satisfactory adjustment rate is based largely on the assumption that with additional staff available for enforcement and with the consequent reduction of individual case loads, more time and energy can be devoted to the conciliation process thereby increasing the satisfactory adjustment rate. Another factor which would tend to improve the satisfactory adjustment rate is the increased efficiency anticipated for the hearing process of the Commission on Human Rights, which should result in a higher rate of conciliation (satisfactory ad-

ANSWER:
1. justment) of cases now pending before the Commission.

There is no evidence that the actual incidences of discrimination are on the rise in the city. Based upon experience, the constant increase in complaints docketed with the Office seems more realistically to be explained on the basis of the awareness by citizens of the existence of the law and their confidence that its process will bring results.

QUESTION:
2. Does the Office of Human Rights consider a higher "satisfactory adjustment rate" to be an indication that the Office is doing its job better?

ANSWER:
2. The effectiveness of the Office is indeed a factor which contributes to a higher or lower satisfactory adjustment rate. However, the factors beyond the control of the Office may also affect the rate, e.g., proportion of probable complaints filed or resistance of respondents to conciliation efforts.

QUESTION:
3. In FY 1977, what was the "satisfactory adjustment" for cases filed by blacks, whites, and Spanish surnamed citizens?

ANSWER:
3. The satisfactory adjustment rate for black complainants is 64.4%, for white complainants 35%, for Spanish surnamed complainants 3.6%, and for Asian complainants 4.3%.

C. PRIMARY REASON FOR DISCRIMINATION COMPLAINTS

QUESTION:
1. The justification states that the activities of the Enforcement program in the Office of Human Rights includes the receipt and investigation of all alleged violations of the District's anti-discrimination law. The justification further states that the number of discrimination complaints filed with the Office has steadily increased and the settlement rates are probably the highest in the country.

1a. What are the primary reasons for discrimination complaints? Is there any concentration in a particular agency in the District?

ANSWER:
1a. Approximately 94% of all complaints filed in FY 1977 alleged employment discrimination. Of all complaints filed, 64.6% included an allegation of race as a basis of discrimination, 20.5% included sex, and 7% included National Origin. The increase in the number of complaints filed over the past several years can probably be explained as a result of the increased coverage of the law, greater awareness by citizens of the existence of the law, and in improved confidence in the processes authorized by the law.

QUESTION:
1b. How much higher is the settlement rate in the District than other localities?

ANSWER:
1b. The latest data collected by the International Association of Official Human Rights Agencies indicate that the average settlement rate for cities comparable in size and demographic characteristics is 19.6%, whereas the average for the D.C. Office of Human Rights is 25%.

QUESTION:
2. What do you estimate cash settlements to be in fiscal years 1978 and 1979?

ANSWER:
2. Cash settlements and other dollar benefits for the first six months of FY 1978 totalled $359,725.85. The Office would assume that this figure would project through the balance of FY 1978 and through FY 1979 at a similar rate.

D. QUESTIONS REGARDING OTHER OFFICE RESPONSIBILITIES

QUESTION:
1. Another responsibility of the Office of Human Rights is to ensure compliance with equal opportunity orders, laws, regulations, and obligations, whether imposed by law or adopted voluntarily.

The Justification states (BR-2) that the Office of Human Rights has the responsibility of monitoring, analyzing and reporting to the Mayor and City Council the results of its reviews of Affirmative Action Plans submitted by the various district agencies. Have all agencies submitted their plans? Please comment on the results of the reviews and the adequacy of the plans.

ANSWER:
1. All district agencies submitted their Affirmative Action Plans for FY 1978. These plans have met the approval of this Office as being in compliance with Law 1-63, the D.C. Affirmative Action Law. Although these agencies submitted plans containing adequate goals and timetables, training, and upward mobility, the accomplishment of these objectives depends to a great extent on the availability of budget funds to allow for the hiring and promotion of women and minorities.

QUESTION:
2. The justification also states (BR-2) that the Office of Human Rights has responsibility for providing administrative and support staff for Law 1-95, the Minority Contracting Act. How many people are we talking about and what are the costs of this function?

ANSWER:
2. At present the Office of Human Rights has temporarily detailed two employees as staff support to the Minority Business Opportunity Commission. The cost of such supportive services will amount to $51,468 in salaries and approximately $3,000 in supplies for FY 1978. It is anticipated that the MBOC will absorb these costs

ANSWER:
2. within its FY 1979 budget.

QUESTION:
3. The budget justification (BR-7) states that the D.C. Government E.E.O. Branch is responsible for assisting in the advancement of the program and in coordinating D.C. Government policies and activities which relates to Equal Employment Opportunities for women.

How does this responsibility tie in with those of the Commission on the Status of Women?

ANSWER:
3. The D.C. Government EEO Branch and its Women's Program is confined strictly to employment opportunity within the District Government. The Commission on the Status of Women, although concerned about women in D.C. Government, concentrates on the broader program of equal rights for women in such areas as private enterprise employment, law revision, business opportunity, housing, education, apprenticeship and other issues.

District of Columbia General Hospital

STATEMENT OF ROBERT JOHNSON, EXECUTIVE DIRECTOR

ACCOMPANIED BY:

JAMES WILLIAMS, D.C. GENERAL HOSPITAL COMMISSION
GRANVILLE THOMPSON, HOSPITAL CONTROLLER
GILBERT HAHN, CHAIRMAN, D.C. GENERAL HOSPITAL COMMISSION

OPERATION OF D.C. GENERAL AS INDEPENDENT AGENCY

Senator Leahy. Apparently Mr. Hahn is unable to be here. Mr. Johnson is here. Why don't you come forward.

Senator Leahy. Since October last year, District of Columbia General Hospital has operated as an independent agency in the District of Columbia Hospital Commission and $46.3 million is requested in fiscal year 1979 to operate the hospital.

Mr. Johnson. May I preface my comments by saying that Mr. Hahn had anticipated being here by this time.

I want to speak a little about the District of Columbia Hospital Commission and put the efforts to have the hospital accredited into context. Since October 18, the District of Columbia Hospital Commission has been installed; 10 of the 11 members are seated. I think establishment of the Commission has given the hospital an opportunity to address many of the problems that we have confronted over the last several years.

CURRENT REVIEW BY JOINT COMMISSION

Senator Leahy. Do, you know when the Joint Committee will make its next review?

Mr. Johnson. On March 27, 28, and 29 we were surveyed by the Joint Commission. We anticipate we will receive a report no later than the end of June.

IMPROVEMENTS MADE SINCE 1976 REVIEW

By way of comparison, since the last survey of the hospital when we were reviewed in May 1976, we had some 244 registered nurses. During the March 1978 survey, we had over 280 registered nurses. In May of 1976, we had 200 licensed practical nurses, and by March 1978 we had 220 licensed practical nurses.

As a result of our efforts, during the course of the survey it was noted we had corrected 54 of the 55 previously-cited deficiencies in the area of medical administration. We corrected 26 of the 36 life safety code and environmental deficiencies, 8 are currently being corrected by our capital construction project funded in fiscal year 1976, and 2 were determined to be not applicable.

In addition, we had absolutely no deficiencies in nursing. In fact, the nurse who surveyed back in 1975 was back this year and gave the nursing staff outstanding laudatory comments.

Senator LEAHY. The statements will be placed in the record from all of you.

INCREASE REQUESTED

In the total budget, the requested increase is about $1.6 million. What would that requested increase be used for, that one-half million dollars?

Mr. JOHNSON. We will incur additional costs because of the transition from the Department of Human Resources. For instance, we now have under the hospital's control the responsibility for personnel, procurement, contracting, budget, and accounting. We acquired additional costs by virtue of the independence of the hospital and the requirement to meet additional standards in those areas.

ABSENCE OF LONG-TERM CARE FACILITIES

Senator LEAHY. The National Capital Medical Foundation reported that for calendar 1976, 374 patients stayed 12,500 days in the District of Columbia General Hospital, and that these patients could have been placed in lower-level care facilities.

Mr. JOHNSON. I think the problem is that the District of Columbia General Hospital is the recipient of the problem due to the absence of long-term care beds and facilities in the metropolitan area. Many patients are transferred to us because we are the hospital of last resort, and patients are transferred because there is no other avenue for relief of their problems. In many cases, patients have no home or supportive facilities to care for them.

And we are required when they present themselves in need of some form of care, to either admit them or place them elsewhere. Because of the absence of nursing care beds and long-term chronic care facilities, we find ourselves the recipients of a number of patients we all recognize should not be at D.C. General.

We will be doing a long-range study of the hospital that will address whether or not we ought to modify the organization of the hospital to establish long-term care as part of the services of the hospital or continue to encourage the rest of the health sector to provide more long-term care facilities.

Senator LEAHY. Mr. Hahn?

Mr. HAHN. Good morning, Mr. Chairman. I apologize.

Senator LEAHY. I know what scheduling problems can be. I am going to leave in about one minute. We apparently ran into one snag that we didn't anticipate about the District of Columbia budget on the floor. I am going to try to straighten that out.

STATUS OF RENOVATION OF PEDIATRIC FACILITIES

But let me just ask you one question. In June 1976, $14 million was authorized for capital improvements, including renovations of the pediatric facilities. Was a renovation done?

Mr. JOHNSON. That work was begun in December 1977. Currently there is a building program to construct an adjacent building to house obstetric patients. Also, part of that $14 million is for correcting life safety code violations in both the core and pediatrics building.

Mr. HAHN. That is related, Senator Leahy, to our qualification for our accreditation.

Senator LEAHY. That is why I was interested.

I would appreciate if you could keep me and the subcommittee posted as the process of reaccreditation goes on. Just what the status is and how it goes because, naturally, you gentlemen are interested in that and, naturally, we are, too. We want to do everything we possibly can to make sure that accreditation goes through.

Mr. HAHN. I can't predict what the accreditation commission will do, but I feel we deserve to be accredited.

Mr. Johnson and the rest of the staff, whom I cannot commend too highly, have done a marvelous job.

Senator LEAHY. We will help any way we possibly can.

Mr. HAHN. Mr. Chairman, might I make just one comment? The Commission has adopted a resolution endorsing the proposal for additions to the budget for the Georgetown University Medical School, which I understand will be presented tomorrow. We will place that before the committee in writing.

SUBMITTED QUESTIONS

Senator LEAHY. Thank you. We have some additional questions we would like to submit to you to answer for the record.

Mr. JOHNSON. I would be happy to answer them and provide them for the record.

Senator LEAHY. There are also a number of agencies and departments in the Human Support category that we have been unable to hear today. We also have some questions for them.

[The following questions were not asked at the hearing, but were submitted to the Department and agencies for response subsequent to the hearing:]

D.C. GENERAL HOSPITAL
A. RECORD KEEPING

QUESTION:
1. One of the major problems found by the Commission was inadequate record keeping. In a report recently made to the Committee (p. 37) it was reported that the number of delinquent medical records have been reduced from a monthly average of 1300 to a monthly average of 200 a month. Describe for the Subcommittee what the problem regarding record keeping has been. What is being done to correct this area of deficiency.

ANSWER:
1. When D.C. General was surveyed by the Joint Commission in May 1976, we had an average of over 1300 delinquent medical records a month. These were medical records from patients discharged from the hospital. At that time we were averaging about 1200 inpatient discharges a month, which meant we were about a month late in completing discharged patients records. The delinquency could be the lack of a signature on any number of forms in the record; the lack of a completed face sheet which includes the final diagnosis; or it could be the lack of discharge summaries. In order to correct this problem we instituted a procedure in Medical Records in May 1977 in which we provide the responsible physician with a series of notifications of the fact that he has delinquent records with specified time periods for completion of the delinquency, along with possible disciplinary action for failure to comply. This starts with a notice, to a reprimand, to a series of suspensions and ultimately to termination. Fortunately, we never had to even resort to suspensions in order to effectively implement this policy.

The number of delinquent medical records has been under 200 records a month for the last nine months. We continue to monitor the staff's compliance with this policy. A measure of our success was the fact that when we were recently surveyed by the Joint Commission, this was not a deficiency.

B. EXPLAIN NEED FOR REQUESTED INCREASES

QUESTION:
1. The FY 1979 Budget request for D.C. General of $27,491,000 represents a net increase of $480,000 over the level in FY 1978. The total requested increase (Vol IV p. 176) is for $1,607,400. Most of this is for inflationary increases although $563,400 is requested to "strengthen the overall health mission of the hospital."

Question No. 1 continued

Specifically what will this requested increase be used for?

ANSWER:

1. With the transfer of D.C. General Hospital out of the Department of Human Resources and set up as an independent agency of the District Government under the D.C. General Hospital Commission the hospital acquired several key administrative functions which give major support to the health mission of the hospital. Under the D.C. General Hospital Commission the hospital now has a Personnel Department, a complete Controller's Office with Budget and Accounting and Billing and Collection. In addition, the hospital is now fully responsible for its own maintenance, procurement contracting, supply, property and warehousing. This $563,400 will help off set the additional supply, equipment and services cost to the hospital to operate these new functions. These added support functions have greatly improved the hospital's ability to meet its primary health mission by providing manpower, money and materiels on a timely basis.

C. INAPPROPRIATE USE OF D.C. GENERAL AS A LONG-TERM CARE HOSPITAL

QUESTION:

1. The National Capital Medical Foundation, Inc. reported that for calendar year 1976 about 374 patients inappropriately stayed about 12,500 days in D.C. General i.e., the patients should have been placed in a less expensive, lower level care facility. In view of the high cost of medical care, what is the District doing to put its patients, not requiring acute hospital care, in less expensive lower level care facilities?

ANSWER:

1. It is correct that there are a number of patients at D.C. General Hospital who are no longer in need of acute hospital care, but for whom no readily identifiable alternate care facility exist. The principal reason for this is the shortage of long-term care beds in the Metropolitan area. Currently, there are 2149 long-term care beds in the Washington Metropolitan area; however, the Metropolitan Council of Governments estimate a need for 3575 beds, reflecting a shortage of 1156 such beds. This problem is further compounded by the financial status of many of our patients. However, D.C. General Hospital continues to have an active program of discharge

Answer No. 1 continued

placements. As an example, over the last six months we had a monthly average of over 23 placements in alternate care facilities/services.

QUESTION:
2. What are the major issues that the Hospital Commission is looking at regarding the operation of D.C. General?

ANSWER:
2. The D.C. General Hospital Commission was appointed by the Mayor and confirmed by the City Council in October 1977. Some of the major issues faced by the Commission at that time were:

a) The selection of a full time Medical Director. The hospital had launched a nationwide search for a Medical Director in the Spring of 1977. With the appointment of the Commission, they had the responsibility of selecting and appointing a Medical Director. After interviewing the final top three candidates on December 20, 1977, the Commission selected Dr. Stanford A. Roman, Jr. who is currently Director, Ambulatory Care Services, Boston City Hospital. Dr. Roman will assume this post July 1, 1978.

b) The second major issue faced by the Commission was the lack of accreditation of the hospital. For a three-month period the Commission conducted a review of the hospital's preparation for resurvey by the Joint Commission. The Commission authorized the hospital to be resurveyed by the Joint Commission which was held on March 27, 28 and 29, 1978. The hospital was notified by letter dated May 22, 1978 from the Joint Commission that D.C. General has been reaccredited for a one year period. The principal reason the hospital only received a one year accreditation was due to the fact that the Capital Improvement Project will not be completed until mid 1980.

c) The third major issue that the Commission faced was the need to have an effective billing system developed and operational by October 1, 1978. Working with the staff of the Temporary Financial Oversight Commission (Eagleton Commission) the D.C. General Hospital Commission authorized the project to contract for the installation of a computer operated billing and accounting system for the hospital. This system will be installed and operating by October 1, 1978 through contract with the McDonnell Douglas Automated Company. This system will greatly improve the hospital's efficiency in billing and collecting for services.

Answer No. 2 continued

d) Other issues faced by the Hospital Commission are:

(1) Developing of a long range study of D.C. General Hospital to determine the hospital's role in the health care delivery system in the District.

(2) Making major improvements in the organization, direction and staffing in the hospital's ambulatory service especially the emergency room.

(3) Improving the physical appearance of the hospital to enhance environment when care is given.

(4) Improving the availability of continuing educational opportunities for all hospital personnel especially nursing.

(5) Insuring adequate training of hospital staff for the need to have sensitivity to patients and the public as well as improved skills in dealing with the public.

(6) Securing HEW certification for medicaid and medicare patients.

(7) Obtaining relief from the 1975 Class Action law suit brought against the hospital.

QUESTION:
3. On JB-1A you stated that for fiscal year 1977, the hospital will have an average daily census of 500 patients with an average of 76.7 percent occupancy.
3a. What is the current occupancy rate and what do you expect it to be in fiscal year 1979?

ANSWER:
3a. The current average occupancy for D.C. General Hospital is 72.2%. We expect it to be 77% in fiscal year 1979.

QUESTION:
3b. Please comment on any increase or decrease.

ANSWER:
3b. The increased average occupancy rate for FY 79 is based on the projected loss of beds during the Capital Improvement Project. A reduction in the Pediatrics/ Crippled Children's inpatient beds may also be necessary. Further, a gain in occupancy is expected upon completion of required isolation rooms for acute TB patients

Answer No. 3b continued

normally admitted to Glenn Dale Hospital.

QUESTION:
4. What is the current status of staffing shortages in the area of nursing?

ANSWER:
4. At the present time, D.C. General Hospital has 300 registered nurses, 200 licensed practical nurses and 173 nursing assistant positions filled. This represents a significant improvement in our nurse staffing, such that the hospital was not cited for shortages in staff in the nursing division by the Joint Commission on Accreditation hospital's survey team. We are still actively recruiting to fill additional registered nurse and licensed practical nurse positions even though we are currently operating at an acceptable level.

QUESTION:
5. In June 1976, $14 million was authorized for Capital Improvements including renovation of the Pediatrics facility. What is the status of the work? Was the Pediatrics renovation done?

ANSWER:
5. This $14 million dollar Capital Improvement Project began January 5, 1978 to correct various life safety code and environmental deficiencies revealed in the findings of the HEW Validation Survey of November 1974 and the JCAH Survey of October 1975. Construction is scheduled for completion December 1980.

The Obstetrics complex remodeling and addition involves bringing the existing structure into compliance to accommodate inpatient beds, delivery/operating rooms and adjunct services. The addition will accommodate all obstetric related outpatient clinics and nurseries. Renovation in the Pediatrics and Crippled Children's building include providing adequate smoke barriers and construction of isolation rooms as well as adequate fire exits. The Core building requires the addition of six new stair towers for fire egress in addition to smoke doors and dampers. A renovated Surgical Intensive Care Unit and adequate isolation rooms will be provided. Other areas requiring renovation are the kitchen and laundry. A cart wash/medical gas storage facility will be provided along with an improved security system.

QUESTIONS SUBMITTED BY SENATOR LEAHY

Senator LEAHY. For those agencies in the Human Support Services category which were not scheduled to appear, I will submit questions and ask that the written answers be provided for the record.

[CLERK'S NOTE.—The following material was submitted in lieu of appearances by the agencies.]

PERSONNEL OFFICE

DISABILITY COMPENSATION

[CLERK'S NOTE.—The following questions were not asked at the hearing, but were submitted to the Office for response subsequent to the hearing.]

PERSONNEL OFFICE
DISABILITY COMPENSATION

A. UNPRECEDENTED HIGH RATE OF APPROVED COMPENSATION CLAIM

QUESTION:

1. When the city adopts the Independent Merit System, the city will also be required, according to the Home Rule Charter, to take over the function now performed by U.S. Department of Labor with regard to the Disability Compensation Program.

The justification material (p. 173) refers to the "inadequate monitoring" by the U.S. Department of Labor which has led to an "unprecedented high rate of approved compensation claims."

1a. When the city takes this program over, can we expect to see a drop in the "rate of approved claims?"

1b. Has any estimate been developed as the estimated savings? If so, what are they?

ANSWER:

1a. A drop in the rate of approved claims will be possible provided sufficient staffing is made available so that effective controls may be instituted. There will be a period of time in which the District Claims Examiners will be required to undergo training and gain the necessary experience before any substantial drop in the rate of approved claims is anticipated.

1b. A valid estimate of savings has not been developed. Savings are expected to materialize with the establishment of sound control, review functions and adequate well trained staff which will enable the District of Columbia to have more control over the Disability Compensation Program.

QUESTION:

2. When do you expect the city to take over this program?

ANSWER:

2. Simultaneously with enactment of the Comprehensive Merit Personnel Act, all functions related to disability compensation now performed by the U.S. Department of Labor will be transferred to the District Government. Inasmuch as the program is currently administered by the Department of Labor without charge, substantial resources will be required to assume these functions. The Department of Labor has indicated its willingness to immediately begin training of available personnel in claims adjudication and subsequently in other processes required in compensation and care of injured employees. There will be at least four persons detailed to the Department of Labor for training within the next two months. It is anticipated that the city will assume complete control over this program by the end of calendar year 1979.

B. WHY IS PROGRAM INCREASING IN FY 1979 AGAIN?

QUESTION:

1. The justification material (p. 189) shows an expected increase in the number of total disability claims from 272 to 296. Why is this claim category going up?

ANSWER:
1. The expected increase is based on the actual increase for Fiscal Years 1976, 1977 and the experienced increase for Fiscal Year 1978. When it is known that an injured employee will be absent from work for a period of two or more months such employee is placed, by the Department of Labor, on the total disability payroll in lieu of the temporary disability payroll. This recent practice is reflected in the expected decrease in the number of temporary disability claims contained in the justification material.

QUESTION:
2. What employment categories do these claims come from?

ANSWER:
2. The predominant employment categories are laborers, sanitation workers, correctional officers, nursing assistants, orderlies and trades occupations.

QUESTION:
3. Can the city improve worker safety conditions to improve this situation?

ANSWER:
3. Computerized programs are being developed to assist us in identifying and monitoring those agencies, circumstances and occupations which generate the more serious and costly disabling employee injuries or occupational diseases. Once identified, corrective measures can be taken by D.C. Agencies to eliminate unnecessary exposure to hazardous conditions or causative factors which have contributed to the escalation of lost-time injuries and program expenditures.

C. TO WHAT EXTENT ARE CLAIMS REJECTED?

QUESTION:
1. Almost 6 million dollars is being requested for disability compensation claims.

What is the dollar value of claims that were denied in FY 1977?

ANSWER:
1. The amount of a claim is determined upon favorable case adjudication by the U.S. Department of Labor. Claims that are not approved, in the adjudication process, are not computed in dollar values. We have been informed by the Department of Labor, that statistics of this nature are not maintained.

QUESTION:
2. What has been rejected so far this year?

ANSWER:
2. Disability compensation awards may be reviewed by the Secretary of Labor or on application. The Secretary, in accordance with the facts found on review may end, decrease or increase the compensation previously awarded. The District of Columbia made an application, during the current FY, for the review of a compensation award of a former District employee. At the conclusion of the review, the formerly approved compensation award in the amount of $60,000 was denied.

PERSONNEL OFFICE
UNEMPLOYMENT COMPENSATION
A. UNEMPLOYMENT COMPENSATION

QUESTION:
1. Due to the upturn in economic conditions in the city, the FY 1979 request is $820,000 less than the amount requested for FY 1978. This represents a 12% reduction. Is that correct?

ANSWER:
1. Yes

QUESTION:
2. How many additional job opportunities do you anticipate and what type of jobs?

ANSWER:
2. The additional job opportunities are already in evidence with the reduction in the average number of benefit weeks. We are unable to determine how many additional job opportunities and what types of jobs that will become available within the District or Federal governments and the private sector. There will be jobs available within the District government through the normal attrition of employees retiring or accepting employment with the Federal government and private sector in the Washington Metropolitan Area.

QUESTION:
3. What is the current rate of unemployment in the city?

ANSWER:
3. According to the District of Columbia Department of Manpower the April rate of unemployment for the District of Columbia is 7.7% seasonally adjusted.

QUESTION:
4. How does this compare to the national figures?

ANSWER:
4. In comparing the District of Columbia unemployment rate with the national rate, the District's rate is higher. The April national unemployment rate provided by the Department of Manpower, is 6.0% seasonally adjusted.

QUESTION:
5. What do you expect the rate of unemployment to be in the city during FY 1979?

ANSWER:
5. According to the Department of Manpower's current projections, it is anticipated that the unemployment rate will be 7 percent or lower during FY '79.

B. POSSIBLE INCREASE NEEDED

QUESTION:
1. The justification further states that no provisions are made for major reductions in force, furlough of employees, hiring restrictions, and increases in insured unemployment rates which would require resumption of extended benefits payments.

Do you expect these factors to develop?

ANSWER:
1. It is not anticipated that any of the factors cited will occur during FY '79 to a degree that would have substantial impact upon the budget.

QUESTION:
2. If the above factors were to materilize, how much of the $820,000 would be offset? Would any additional monies over Fiscal Year 1978 levels be required? If so, how much?

ANSWER:
2. The requirement to resume extended benefits payments in FY 1979 would reflect a major national economic recession and would also result in longer periods of regular unemployment benefits. Based on FY 1976 and FY 1977 experience in the extended benefits program and the current amounts of regular weekly compensation, it is estimated that approximately $35,000 per month could be experienced should resumption of the extended benefits program be required during FY 1979. However, FY 1978 actual experience in regular unemployment claims indicates that no additional monies above the FY 1978 budgeted amount would be required.

OFFICE OF PERSONNEL
WORKMEN'S COMPENSATION
A. NEW INJURIES EXPECTED TO GO UP AGAIN

QUESTION:
1. According to the justification material the number of new injuries reported in FY 1979 is expected to go up again over the level in FY 1978 and FY 1977. 1a. Why are the number of new injuries reported continuing to go up?

1b. What percentage of the injury cases that are reported each year actually receive benefits?

1c. What has been the trend in this regard?

1d. How does this compare with the national survey?

ANSWER:
1a. There are basically three reasons for the continued rise in new injuries. They are as follows:

(a) Increase in employee population.
(b) More cases from surrounding states seeking DCCA coverage because of higher benefits.
(c) More employers are becoming aware of the requirement to file injury reports due to the public information provided on the Act.

1b. Approximately one-third received monetary benefits in fiscal year 1977 for time lost from work (over three days disability).

1c. The trend has remained fairly stable, and has only risen slightly over the past three years.

1d. National survey statistics are not available for comparison.

QUESTION:
2. This program is administered by the Department of Labor for the District on a reimburseable basis. The program is an income maintenance program. Its purpose is to ease the burden of income loss due to work-related incidents that permanently or temporarily reduce or negate an employee's wage earning capacity. You also stated that for Fiscal Year 1979, 30,500 new injuries will be reported.

2a. What are the primary injuries being reported?

2b. What is the average benefit being paid to claimants?

2c. Is there any limit on the number of weeks or months that claimants are entitled to benefits?

ANSWER:
2a. It is estimated that approximately two-thirds of the injuries to be reported in fiscal year 1979 will effect no lost time cases and the other one-third will result in lost time cases. It was determined during a recent case review that 75 percent of the lost time cases currently being received involve either the extremities or trunk areas of the body.

2b. Claimants are paid benefits approximately two-thirds of their weekly wage and the current average based on a percentage of cases recently surveyed is $225.24 per week.

2c. There is no limit or restriction to time or to amount of monetary or medical benefits paid to claimants. There is, however, a maximum limit on weekly compensation which changes each year in accordance with the national average weekly wage. Present maximum is $367.22 per week.

DEPARTMENT OF MANPOWER
A. THE CETA PROGRAM

QUESTION:
1. The purpose of CETA is to provide job training and employment opportunities to economically disadvantaged, unemployed, and underemployed persons. We have read about the alleged misuse of CETA positions by the D.C. City Council. What role does your office have to guard against misuse of the program?

ANSWER:
1. Since the redelegation of responsibility for PSE to the Department in October 1977, several activities are routinely carried-out which guard against misuse:

a. All potential CETA applicants are screened by our Office of Employment Services against CETA program eligibility criteria.

b. All potential CETA jobs and projects are subject to a combination of the following:

- Solicitation and bid procedures

- Independent staff reviews

- Review and recomendations from the Manpower Services Planning Advisory Council (MSPAC)

- Executive staff approval

- Approval of the Mayor or his disignee

- U.S. Department of Labor Approval and/or Review

c. Monthly programmatic and fiscal compliance monitoring of subagreements by experienced Departmental staff. When apparent abuses are noted supervisors are alerted and an immediate review is undertaken. When warranted specialized Departmental staff will begin an indepth examination of the situation. Should it be determined that there has been deliberate abuse of CETA regulations or funds, the project is terminated and the findings are forwarded to the D.C. Auditor and Corporation Counsel for recommendations and appropriate action.

d. CETA allowance payments are subject to monthly automated review for duplicate or inappropriate participant payments. CETA payments are also checked against the City's unemployment compensation rolls.

e. Each CETA subagreement is subjected to an independent CPA Audit at least once every two years.

Given the complexity of an organization such as the City Council, which is both politically and service oriented, the Department has been advised that a definitive ruling on appropriatness was requested by the prime sponsor from the Regional office of the U.S. Department of Labor. Although the Labor Department is currently reviewing the matter, they have not issued a final report. Participants were to have been employed as aides to the committees of the Council. They were not to work directly for individual councilmembers nor to engage in any political activity. Such employment would seem to be within guidelines of the Federal regulations. However, given the proximity of such employment to the political process, it is very difficult to monitor. Once the Labor Department has completed its review, definitive findings and/or guidelines should emerge.

QUESTION:
2. How many persons does the Department estimate will be in need of job training and employment related services in Fiscal Year 1979?

ANSWER:
2. The Department estimates that during FY 1979 some 182,980 District residents could benefit from employment and manpower services. Among these individuals it is estimated that:

- 67,980 will be unemployed

- 18,500 will be underemployed

- 96,500 will be economically disadvantaged

- 54,700 will be receiving public assistance

- 41,800 will be working, but receiving income below poverty levels

It should be noted that the above categories are not mutually exclusive nor additive. For example, a single individual may be unemployed part of the year, underemployed another part and poor all year.

QUESTION:
3. Of that number, how many persons does the Department expect to reach with the CETA program?

ANSWER:
3. Although preliminary FY 79 funding allocations for the various CETA programs have not been released by the Labor Department, we estimate that expected resources will enable the Department to enroll approximately 24,000 individuals in the various CETA programs.

QUESTION:
4. Are statistics maintained to show the past success of the CETA programs in the District? If so, please provide the number of individuals trained and successfully placed in permanent jobs.

ANSWER:
4. Permanent job placement is not, of course, the primary emphasis of many CETA programs, such as those under Titles II, III (SPEDY) and VI. Many activities under Title I do have job placement objectives. Participants entering employment from Title I were in:

FY 1975	2,102
FY 1976 1/	5,610
FY 1977	2,717
FY 1978	801 (as of 3/31/78)

1/ includes 12 months of Fiscal Year 1976 plus the transition quarter.

QUESTION:
5. Why have the District's CETA, Title I funds decreased by more than $2 million since Fiscal Year 1977?

ANSWER:
5. CETA has a "Hold Harmless" provision which provides that a prime sponsor shall not receive less than 90% of the previous years allocation as a result of conversion to formula funding of manpower programs under the Act. Not only has the District's Title I fund declined by $2 million since 1977, but from the base year of 1974, the decline has been nearly $6 million or some 34%. We fully expect this annual Title I reduction to continue until FY 1980. These annual reductions are not adjusted for any increase in price or wage levels over that same four-year period. For example, recent increase in the Federal minimum wage resulted in automatic increases in Title I participant wages and allowances. Further negatively impacting on the total number of people who can be served with constantly declining funds.

B. DUPLICATION IN PROGRAM MONITORING

QUESTION: 1. The submission (Page CF-5) states that the Department's Youth Services Staff monitors the CETA Title III program. Does this duplicate the efforts of the Manpower Services Planning Advisory Council, which is responsible for monitoring all CETA-funded programs?

ANSWER:
1. The MSPAC is responsible for monitoring CETA plans for all titles with a view to seeing that program level goals and objectives are being met. This monitoring involves a random sample of subgrant activities from each title. The Youth Services Staff is responsible for intensive day-to-day programmatic and fiscal monitoring of the Title III agreements, to include weekly on site visits, payment of enrollees, counseling and provision of technical assistance.

C. RESPONSIBILITY FOR INDIVIDUALS IN THE SUBURBS

QUESTION:
1. The justification material (vol. II, p. 57) indicates that the D.C. Department of Manpower will pursue "increased job development efforts for citizens in the suburban ring" during FY 1979. Why is the D.C. Department of Manpower involved in a program sense with "citizens in the suburban ring"? Isn't this more the responsibility of Maryland and Virginia jurisdiction?

ANSWER:
1. "Citizens" in this case means D.C. residents. In FY 1979, the Department shall attempt to develop additional job opportunities in the suburbs and refer D.C. residents for employment in these suburban jobs. Suburban employment is growing more rapidly than in the City, thus the increased emphasis on suburban jobs for D.C. residents.

As part of the Federal-State public employment system, the Department must, however, service all job-seekers regardless of State residency.

D. DATA COLLECTION RESPONSIBILITY

QUESTION:
1. One of the objectives that the Department stated in its budget justification (CF-2) is to improve the Department of Manpower data base by filling gaps in labor market information. What kinds of data does the Department need to collect and for what will the data be used?

ANSWER:
1. The Department currently collects a wide array of economic, demographic and labor market information. The gaps that we have identified include short-run occupational job openings as well as more detailed analysis of the characteristics (skills, education, location, etc.) of the unemployed.

Data are (and will be) used for: job development, placement, design of employment and training programs, location of employment service and CETA service sites, etc.

This thrust is also in line with national efforts to improve the quality and quantity of local labor market information.

QUESTION:
2. Does the Department's data collection efforts duplicate those of the District's Manpower Services Planning Advisory Council, which "provide a continuing anaylsis of employment needs, training and related services (Page EDY-2)"? If not, how do they differ?

ANSWER:
2. The Manpower Services Planning Advisory Council does not directly collect data. It carries out its analytical function with the Department supplied data on both labor market conditions and CETA activities.

The Department as part of the Federal-State employment security system is charged with operating a "comprehensive labor market information program" for the District and the Standard Metropolitan Statistical Area (SMSA). The Department supplies Labor Market

Information (LMI) not only to MSPAC for the District CETA operations but also to the other six CETA prime sponsors operating in the SMSA.

QUESTION:
3. What resources do you plan to allocate toward achieving this object?

ANSWER:
3. The Department receives Federal grant funds specifically earmarked for labor market information from the Bureau of Labor Statistics as part of the agency's basic Employment Service grants and under Section 312 of CETA Title III which also has provisions for developing local labor market information. The Mayor has historically approved funds from the Special Governor's Grant under CETA Title I for data collection.

QUESTION:
4. In the Department's budget justification (CF-2) the Department states that it will assist and support the economic development efforts of the District Government so as to assure that job creation is compatible with the skills of the District's labor force.

a. How will the Department carry out this effort?

ANSWER:
Our main concerns related to economic development are towards assuring that the occupational mix of new jobs reflect the skills of unemployed D.C. residents, so that development does not simply result in any new firms "importing" a work force, thus creating no direct impact on the City's unemployed.

The Department has implemented its economic development thrust through active participation on the Mayor's Overall Economic Develop-

ment Committee and through recommendations embodied in the Mayor's Blueprint for Action. (The Overall Economic Development Program for the District of Columbia, see for example page 69)

As a concrete example of specific Departmental contribution, staff economists recently prepared a special analysis of the employment impact of the District's Civic Center. (see especially pages 17-18)

b. What resources will be allocated to this function?

ANSWER:
Specific executive staff in the Director's Office is assigned to coordinate with the Office of Business and Economic Development and the Mayor's Overall Economic Development Committee.

In addition, the Department has offered to reserve CETA on-the-job training resources to support specific economic development projects to be indentified by the Office of Business and Economic Development.

E. MANPOWER SERVICES PLANNING ADVISORY COUNCIL

QUESTION:
1. The Council is responsible for monitoring and evaluating all CETA funded employment and trianing programs in the District and provides a continuing analysis of employment needs, training and related services. What have been the results of the Council's evaluations?

ANSWER:
From the Departmental perspective, the impact of the Manpower Services Planning Advisory Council has been significant. For example, as a result of MSPAC recommendations, the Department in FY 78 began shifting emphasis under Title I from less placement oriented projects such as work experience towards more job placement oriented classroom and on-the-job training projects.

QUESTION:
2. Do any of the Council's efforts duplicate those of the Department of Manpower (DOM), which also monitors programs and analyzes employment data? What are the coordination procedures between the Council and DOM?

ANSWER:
2. The efforts of the two groups differ. Staff of the Department mainly monitor projects and the operations of organizations performing services under Departmental subagreements. The more limited staff resources of the Council primarily monitor CETA for program level planning, management, operational linkages and outcomes.

Because the Council has broad representation, it brings to the CETA deliberations and monitoring a wide range of interests and sensitivities.

Coordination between the Council and the Department is extensive. The Director of the Department and Director of the Agency's Office of Employment Service participate as members of the Council. Committee Staff are colocated in the same facilities as Department

units charged with CETA implementation and thus have immediate access to Departmental staff and executives with appropriate CETA operational responsibility.

Although relationships may vary somewhat from one CETA program to another, the following represents the typical MSPAC/DOM coordination:

- Early in each planning cycle, the Department provides MSPAC with prior year CETA program performance data, the Department's Annual Planning Report, Federal funding and program instructions, and any special analysis conducted by the Department.

- Using these instruments and other Council developed information, the Committee transmits to the Mayor its annual planning recommendations.

- The Mayor incorporates in CETA plans and/or grant applications those recommendations found acceptable and informs the Council about the reasons other recommendations were not adopted, if appropriate.

- Once grants are approved, the Department shares with MSPAC CETA Performance Reports and other information as requested, while the Council shares with the Department its observations, analysis and recommendations.

- MSPAC onsite monitoring visits to Departmental Title I vendors are coordinated through joint visits by contracting Officers's Representatives. MSPAC monitoring findings are shared with Departmental staff.

As additional funding becomes available during the fiscal year, or modifications and major corrective actions are initiated by the Department, the Council and its staff are briefed and their recommendations are sought.

OFFICE OF YOUTH ADVOCACY
A. PROGRAM SUCCESS

QUESTION:

1. $245,000 is requested to continue to carry out the mandate of P.L. 1-93, which is to perform a planning, review, and evaluation function for all programs operated by the District impacting on children and youth, including employment, health, counseling, recreation, and training. The Office also plans and develops demonstration youth programs that will be transferred to other operating agencies upon their validations after no more than 3 years of operation. What plans have been developed, what reviews and evaluations have been made? What were the results of the reviews and evaluations?

ANSWER:

1. The Office of Youth Advocacy has developed plans which will assist in improving services to youth in the city and the operations of the Office of Youth Advocacy. Plans were focused on the following points:

1. Data Collection and Public Information,

2. Youth Boards and Commissions,

3. Grants Information and Application,

4. Youth Problems and Issues,

5. Staff Development and Training,

6. Program Evaluation, and

7. Program Review.

It should be noted that the topics the plans have been developed around will provide the necessary resources and assistance to those agencies who have direct youth program operational responsibilities to improve their services. The planning responsibilities of the Office of Youth Advocacy do not dictate that this Office plan for operational agencies, however, it does dictate that we plan systems and approaches and provide data that will serve as a resource and assist the planning efforts of those agencies serving youth. However, where a request is made, the Office will provide direct planning assistance to any agency operating a youth program.

The Office of Youth Advocacy also views planning as a continuous process geared toward improving existing systems and resources and developing new systems and approaches. Listed below are some of the plans and resources that have been developed by the Office of Youth Adovcacy with the purpose in mind of assisting operating agencies:

1. Data Collection and Publications Information Plans and System - Plans were developed and executed for the purpose of creating and maintaining a Youth Publication Library System as a

ANSWER:
depository for all related material. This information will facilitate the needs of this Office in developing and compiling a directory from relevant sources that impact on the lives of young people.

The basic objectives of these plans and systems are:

(a) To compile a list of newsletters, newspaper, pamphlets, etc. pertaining to young people of youth agencies, and arrange to be placed on the mailing list of any agency, office and/or sponsor of these publication.

(b) To establish communications and develop a listing on youth agencies by utilizing state, local, and federal sources to collect pertinent information on youth services and programs.

(c) To identify all automated youth data systems in an effort to eventually establish an on-line computerized capability for information storage and retrieval.

(d) To develop for distribution a youth newsletter contain-

ing data on issues facing youth today and current literature on youth involvement.

Some major accomplishments in executing these plans are:

(a) Established and created and operational library system that allows for the systematic accounting and filing of all youth-related publications and all other pertinent collected data. Thus far approximately 2,000 documents have been cataloged and abstracted and are housed within the Office of Youth Advocacy's Library located at 750 Park Road, N.W.

(b) Reviewed and surveyed federal and local data collection techniques which would assist in information storage and retrieval in the context of a totally automated Management Information System for the Office of Youth Advocacy.

(c) Have received permit #3 from the Library of Congress which allows us to spend up to 30 hours per week choosing publications from a volume of five million books.

We are enclosing a copy of the appropriate manual developed pursuant to these plans and systems. However, this copy is not intended to be incorporated in the printed record but for review of Senate Staff and other interested individuals.

2. Youth Boards and Commission - There was a need to organize the various Boards and Commission which effect the youth of the city. The planning approach in solving this problem was to establish a system which will allow the Office of Youth Advocacy

ANSWER:

to assist, advise and cooperate with local, federal and private agencies to promote the interest of children and youth in the District of Columbia and to obtain information on all Boards, Committees, Commissions and advisory groups that impact and promote the best interest of children and youth.

The basic objectives of these plans and systems are:

(a) To identify all existing boards, commissions, committees and advisory groups (local, state, national, federal and international) that have an impact on children and youth.

(b) To compile a directory which will be designed to serve as a reference guide and information exchange for all youth - related programs. The information catalogued will represent both the private and governmental sectors that serve in an advisory, consultative or investigative capacity in all areas of concern to children and youth.

(c) To attend meetings of local, state, national and federal boards, committees and advisory groups and establish a working relationship with those that impact upon children and youth.

Some major accomplishments in executing these plans are:

(a) Completed a directory containing all Boards, Committees, and advisory groups that impact on children and youth. This directory contains 108 advisory groups.

(b) Maintain files on all Boards, Committees and Advisory groups with updated information and newsletters from each advisory group.

(c) Recommended a working relationship that the Office of Youth Advocacy should develop to maintain with the various Boards Committees and Advisory Groups.

(d) Staff personnel are presently attending the meetings of several D.C. Government Boards and Associations.

(e) Provide information and technical assistance to several youth serving agencies.

It should also be noted in the continuous planning process that some phases of the plan have been completed and the program is being reviewed for improvement.

We are enclosing a copy of the appropriate manual developed pursuant to these plans and system. However, this copy is not intended to be incorporated in the printed record but for review of Senate Staff and other interested individuals.

ANSWER:

3. Grants Information and Application - Plans were developed to create a system that would assist agencies and the general public in locating grant funds for the purpose of financing youth programs. These plans were completed and executed which resulted in a completed directory which contains approximately 183 possible funding sources for Youth Programs.

The basic objectives of these plans and systems are:

(1) To compile a directory of all sources of funding that impact on children and youth and insure that the appropriate organizations are aware of grants that may be of value to them in accomplishing their mission.

(2) To develop Technical Assistance Youth Program Kits of all grant sources for youth programming.

Some major accomplishments in executing these plans are:

(1) Completed a directory containing 183 possible funding sources for youth programming.

(2) Collected Technical Assistance Youth Program Kits with all grant applications and other pertinent information for the solitation of funds for youth programming.

In addition, plans have been completed for providing technical assistance for applicants in their preparation in seeking these funds.

We are enclosing a copy of the appropriate manual developed pursuant to these plans and systems. However, this copy is not intended to be incorporated in the printed record but for review of Senate Staff and other interested individuals.

4. Youth Problems and Issues - There is a need for plans centered around this item which would provide an approach for producing research reports on youth issues and problems and to keep abreast of other youth affairs.

The basic objectives of these plans and systems are:

(a) To examine pending legislation concerning youth in the District of Columbia.

(b) To review the available literature on problems affecting youth, including journals, newspapers, books, magazine, etc.

(c) To query responsible leaders of youth agencies in an attempt to collect responses from the people who are directly involved.

(d) To develop a system for finding out the top ten problems affecting youth and a method of research.

ANSWER:

(e) To develop a bibliography of primary and secondary sources for each of the ten major issues.

Some major accomplishments in executing these plans are:

(a) Developed a system for identifying the top ten problems affecting youth in the District of Columbia.

(b) Currently awaiting feedback from an initial mailing to agencies focused around priority problems.

We are enclosing a copy of the appropriate manual developed pursuant to these plans and systems. However, this copy is not intended to be incorporated in the printed record but for review of Senate Staff and other interested individuals.

5. Staff Development and Training - has always been an intricate part of any organization. This is true with the Office of Youth Advocacy. The plans and systems to meet this particular need have been developed with the basic purpose to design and administer a training program for internal staff development; design a curriculum for youth service workers; and structure a youth advocacy conference.

The basic objectives of these plans and systems are:

(a) To assess the types and levels of development needed by the staff.

(b) To design and implement a training program that will result in the acquisition by the staff of the desired skills, knowledges and abilities.

(c) To discuss, design and structure the first Annual Youth Advocacy Conference.

(d) To plan a curriculum guide to be used for training of youth service workers.

Some major accomplishments in executing these plans are:

(a) Approximately 200 training brochures and staff development packages have been collected from the Bureau of Training U.S. Civil Service Commission.

(b) Working sessions have been held with the training officer of D.C. Personnel in developing a tailored training curriculum for the staff.

(c) Design and prepared in-house staff development and training manual for the Office of Youth Advocacy Staff.

ANSWER:
We are enclosing a copy of the appropriate manual developed pursuant to these plans and systems. However, this copy is not intended to be incorporated in the printed record but for review of Senate Staff and other interested individuals.

6. Program Evaluation - A comprehensive approach to evaluation has been developed and is in the process of execution. For detailed information on Evaluation Plans and Systems see the Evaluation Manual.

The basic objectives of these plans and systems are:

(a) To identify those D.C. Government agencies and their subordinate offices that provide services to the youth of our City.

(b) To develop an Evaluation Manual to serve as a guide for the evaluation of programs impacting on children and youth.

(c) To identify agencies, companies, and counsulting firms with the capabilities of evaluating youth programs and to prepare an annotative listing of those identified agencies to include their speciality, previous youth program evaluations, and dossier.

(d) To gather information pertinent to the evaluation of youth programs from local, state, national and federal reports.

(e) To study various evaluation techniques and systems and request information on standards, goals, objectives and measures that may be helpful to the Office of Youth Advocacy.

(f) To contract the evaluation on all youth service programs operated by the District of Columbia to outside sources through the development of RFP's.

Some major accomplishments in executing these plans are:

(a) Gathered information pertinent to the evaluation of youth programs from local, state, national and federal reports.

(b) Contracted numerous consulting firms for information on evaluation techniques to be used in the development of the Evaluation Manual.

(c) Developed an Evaluation Manual to serve as a guide for the evaluation of programs impacting on children and youth.

Specific steps essential to good program evaluation have been identified and incorporated in the Evaluation Manual.

(d) Approximately fifteen agencies with dossiers capable of evaluating youth service agencies have been identified and catalogued.

ANSWER:

We are enclosing a copy of the appropriate manual developed pursuant to these plans and systems. However, this copy is not intended to be incorporated in the printed record but for review of Senate Staff and other interested individuals.

7. Program Review - Plans were developed and executed for the purpose of designing and developing the necessary criteria for the establishment of a youth program review system by collecting, analyzing and extracting a multiplicity of information on all youth programs operated in the District of Columbia.

The basic objectives of these plans and systems are:

(a) To identify those agencies and/or departments that provide services to the youth of the District of Columbia.

(b) To develop a format for the review of approximately 300 youth service programs.

(c) To prepare status reports of program reviews as a part of the annual reporting requirement.

(d) To develop a new survey instrument for the review of youth programs.

(e) To establish a Youth Agency Directory in state, local, national and federal sources who have pertinent information on youth services and programs.

Some major accomplishments in executing these plans are:

(a) Developed a format for the review of approximately 300 youth service programs.

(b) Identified approximately 300 programs that provide service to theyyouth of the District of Columbia.

(c) Approximately 161 youth programs have been reviewed and surveyed.

A review has been conducted of both public and private programs and the results of this review can be seen in the Youth Programs Survey.

It should be noted that any reviews and evaluations conducted by this Office is designed to provide information to the directors and other key decision makers which will assist them in determining the future direction of the program.

A distinction should be made between review and evaluation. The essential difference between the two is that an evaluation is

more of an indepth assessment of both the operations and impact of the youth programs whereas a review is similiar in nature but does not probe as deeply as an evaluation.

ANSWER:

The Office of Youth Advocacy was able to conduct a review of some programs but has elected another approach for evaluating the government youth programs of the city.

The evaluation approach that is to be utilized by this agency is by outside contract. The reason for this approach is two-fold:

(a) Outside contracting sources would have greater expertise and less bias in conducting an evaluation than in-house public agency evaluation;

(b) Secondly, it would be more economically feasible to contract for indepth evaluation than to assemble a staff on the governments payroll that would have expertise in all of the youth program service areas. The cost and assembly of such a staff would be staggering.

This evaluation system, and funds to carry it out are presently being executed.

We are enclosing a copy of the appropriate manual developed pursuant to these plans and systems. However, this copy is not intended to be incorporated in the printed record but for review of Senate Staff and other interested individuals.

QUESTION:

2. Were any programs changed or even eliminated?

ANSWER:

2. The Office of Youth Advocacy's approach to Evaluate and Review is to provide information to the directors of programs and other decision makers who will use this information in their total assessment in determining what direction a particular program will take in the future which may include major changes or even eliminations. The Office predicates this action on the premise that the decision for change and elimination of youth programs should come from those directly involved and not this Office. This Office simply provides information for them to make that decision.

QUESTIONS:

3. How many demonstration youth programs are you actively working on? Are they working? Provide us with the details and accomplishments.

4. How many programs has the Office successfully developed and transferred to other operating agencies?

ANSWER:

3. and 4. The overriding philosophy of the Office of Youth Advocacy as it relates to the development of pilot and demonstration programs is based upon a rationale and sound planning format.

ANSWER:

The first step in this process required a total assessment of existing programs and their impact which will, at the same time, identify gaps and voids in existing services. This process is currently operational through our review and evaluation process.

Secondly, once the needed services have been properly identifield, extensive dialogue should take place in the youth serving community focusing around programmatic concepts which will eradicate existing short comings.

This dialogue will not continue without an end or culmination point but at the same time will be on-going. Therefore, programs designed for pilot and demonstration purposes will be a natural out growth of our existing activities and not purely cosmetic to satisfy public relations needs.

B. PRIVATELY OPERATED YOUTH PROGRAMS

QUESTION:

1. On Page DA-3 the justification states that the agency will review privately operated youth programs. What are the nature of these reviews? What do you expect to accomplish? How many reviews do you expect to make?

ANSWER:

1. D.C. Law 1-93 District of Columbia Youth Services Act of 1976 Section 5(f) stated that the Office is to issue an annual report on the current status of programs for children and youth on a city-wide basis both governmental and private. In order to comply with this provision of the law, the Office conducted a survey. The random sample of 161 programs were selected from approximately 300 youth programs presently operating in the District of Columbia. The group of 300 programs was selected from the Youth Programs Information and Referral Manual.

This survey explores the status of several areas which are related to youth programs. Such a survey will provide information on the status of the area which the program serves, the number of sites from which a program operates and the various service components of the program. Eligibility participation requirements, program capacity, age range and length of participation are other areas covered by the instrument. Information on the program's last evaluation, frequency of evaluation, and the kind of evaluation are important aspects of the survey. The program's purpose and objectives are analyzed through criteria standard measurements. From this type of data and information, conclusions may be drawn as to the status of the program, individually and collectively. It should be noted that this survey is concerned with the current status of the program and should not be construed as an in-depth evaluation.

ANSWER:

A random sample of 161 programs were selected from approximately 300 youth programs presently operating in the District of Columbia. The group of 300 youth programs were taken from the Youth Programs Information and Referral Manual.

Special attention was given to quality control. Office of Youth Advocacy's staff, that participated in the survey, was given many hours of training. The training consisted of a review of interviewing techniques and familiarizing the staff with procedural outlines to conduct the survey. The staff was then divided into teams which consist of two (2) members per team. There were also four staff persons which acted as back up in case any member of a given team was absent. This approach was utilized with the concept that one person could ask the questions while the other person recorded the information.

Each team was instructed to conduct the interviews with the directors or the individual acting in the capacity of the director of the program whenever possible. After each interview each team would organize, clarify, analyze and write up the findings and conclusions of the interview. This analysis was reviewed by the director.

C. ADVOCATING YOUTH TO OTHER CITY AGENCIES

QUESTION:

1. The justification material (Vol. II, P.73) indicates that the Office "Presents the interest of children and youth before other" agencies of the city government. Why is this necessary? Doesn't the Department of Recreation and the Department of Human Resources, for example, take a strong interest in children and youth? Why do these two departments, as well as others, need still another city agency to remind them of their responsibilities to youth?

ANSWER:

1. Many agencies and organizations at various levels impact on the life and well being of children and youth of this City. Not with standing their responsibilities to the youth population they have responsibilities to the greater population which may cause their priorities as related to youth services to be less than what they ought to be. This dictates that there should be an office with the responsibility of serving as an advocate for the youth and protect their interest, rather than allowing the youth serving institutions and agencies to pursue their individual interest. The pursuit of such interest could be detrimental to other organizations and to the child itself by creating an imbalance of Youth Programs in the City. One of the main functions is to strike the proper balance among youth serving agencies competing for funds to ensure that no one agency dominates with its special interest. The Office of Youth Advocacy precludes any such domination and has no special interest except that of serving the child.

ANSWER:

The youth advocacy role should be in an independent agency because it must advocate or represent youth in a broad spectrum of programs, and not a particular interest. If the Recreation Department served as an advocate for youth more than likely, it would emphasize recreation in this role. If handled by the Bureau of Child Services, it may emphasize the main function of it's agency. This role could be served best by an independent agency such as the Office of Youth Advocacy.

There are numerous organizations representing the interest of children and youth. In order to keep abreast of all the current problems and issues facing youth, there is a need for an independent agency such as the Office of Youth Advocacy to serve on these boards and to dissiminate information from these boards to youth serving agencies.

One of the most important reasons why this Office exist, through the wisdom of the D.C. City Council, is to increase the total effectiveness of youth serving programs.

OFFICE ON AGING
A. GENERAL QUESTIONS

QUESTION:

1a. Has the Office determined what the needs of senior citizens are?

ANSWER:

1a. The Office commissioned a needs assessment of a statistically significant sample of the District's elderly. The results of the assessment, completed on April 1, 1978, have been utilized in analysis and preparation of the 1979 annual plan. While there are some variations in specific needs from ward to ward, in summary, the principle needs as stated by senior citizens themselves include income assistance, health services, housing, transportation and senior centers. Some twelve percent of the Districts elderly can be defined as "vulnerable" and need several services or supports if they are to continue living in a home- or community-based setting.

QUESTION:

1b. What resources--facilities, personnel, etc.--are available to meet the needs? What gaps need to be filled?

ANSWER:

1b. Unlike many District agencies, the Office contracts or grants funds to community-based agencies for direct services to senior citizens. Currently there are some 25 agencies, operating 85 sites which provide a range of services to over 3,000 senior citizens each day. These services include nutrition/supporting services, transportation, and escort, in-home health/chore services, recreation/socialization, geriatric day care and crafts sales opportunities. These services are provided by over 250 paid and volunteer staff members, working full or part-time.

In conjunction with the needs assessment (see answer to 1a., above), the Office is currently completing a services inventory of some 250 public and private agencies (of 280 agencies identified, 30

did not respond in time for inclusion in the initial data base). Analysis of the services inventory in comparison to the results of the needs assessment will provide the framework for more precisely defining gaps, overlaps and deficiencies and services to senior citizens.

However, even without the benefit of such an analysis, there are a number of areas where gaps or deficiencies exist. These include, but are not limited to:

Housing. Some 12,000 senior citizens (nearly 12 percent of the total senior population) as a minimum live in below standard housing.

Transportation. Some nineteen thousand elderly indicated that there is neither adequate public transportation nor money to pay for private transportation.

Health Care (including dentistry)
Over fifteen percent of the elderly incidate such health needs as regular checkups or problems finding a physician. Over six percent indicate an unmet need for various dental services, primarily for dentures.

Senior Centers. Some 15 percent of the elderly indicate that they would benefit from access to comprehensive or multi-purpose centers.

The 1979 District Plan on Aging has addressed the above services and others as well in planning for a comprehensive service delivery system.

QUESTION:
2. How do the activities of the Office tie in with programs for the aged administered by other agencies? For example, the Department of Human Resources administers some geriatric programs. How do you avoid duplication of similar programs?

ANSWER:
2. The Office on Aging and other agencies have been unable to adequately meet all of the needs of the elderly. Duplication of services, has, therefore, not been a problem. Full implementation of D.C. Law 1-24, which created the Office on Aging, will assure the Office that proposed new programs affecting the elderly will be submitted for review and comment prior to their initiation. In addition, one of the focal points of our FY 1979 District Plan on Aging, to be submitted August 1, 1978, will involve close coordination between the public and private providers in order to utilize available resources to fill the gaps in existing services.

QUESTION:
3. The budget justification stated that, in addition to your appropriated budget request, your Office will receive $2.2 million in FY 1979 in Federal grant funds to administer specific programs. The justification also states that the Office is staffed by three positions. Who will administer these grant programs? What are the expected accomplishments?

ANSWER:
3. The revised budget estimate indicates that $3.3 million in

HEW grant funds will be made available in fiscal 1979, in addition to the requested $646,200 of District appropriations.

As a combined State and Area Agency on Aging, both District and Federal funds are utilized by the Office to plan, manage, operate and evaluate services and programs. In addition to the three appropriated positions, 12 grant funded positions are currently authorized.

The planned accomplishments of the Office on Aging and its grantee infrastructure in relation to serving the District's senior citizens are delineated in the 1979 Plan on Aging, a 120 page, three year description of services.

The $534,800 requested for other services (vol. II, pg. 290) is to support expansion or augmentation of Federal grant funds in the following program and service area:

• Nutrition and supportive services	$344,000
• Geriatric day care, in-home health and in-home chore services	150,000
• Legal services	40,800
TOTAL	$534,800

LATINO AFFAIRS OFFICE
A. HOUSING AND EDUCATION PROBLEM CONSIDERED CRITICAL FOR SPANISH-SPEAKING PEOPLE

QUESTION:
1. How many Spanish-speaking residents do you estimate in the District?

ANSWER:
1. 50,000

QUESTION:
2. How many high school drop-outs are there?

ANSWER:
2. Reliable information not available at this time.

QUESTION:
3. What is the housing shortage units, etc.?

ANSWER:
3. 250,000 units - citywide

QUESTION:
4. How many Senior Citizens need retraining?

ANSWER:
4. one hundred and twenty-one (121)

QUESTION:
5. When do you plan to begin the housing study in the Columbia Road and Adams Morgan area?

ANSWER:
5. We expect to formalize an inter-agency agreement with the D.C. Department of Housing and Community Development before the end of June.

QUESTION:
6. How long will it take and what are your objectives?

ANSWER:
6. The survey will take approximately nine (9) months, and will identify the quality of housing stock, community development needs, and demographic characteristics of the planning area. (Mount Pleasant Adams Morgan Communities)

B. RECLASSIFICATION OF POSITIONS

1. The FY 1979 budget increases by somewhat more than $30,000 over the FY 1978 level recommended by the Senate -- Approximatley $25,000 of this request is justified (vol. 11, p. 303) -- is needed to reclassify present positions.

QUESTION:
1. Why is it necessary to reclassify the present positions?

ANSWER:
1. To meet the requirements of D.C. Law 1-86, and to bring the positions into line with positions in other agencies of similar responsibility.

C. DOES THE CITY GOVERNMENT HIRE SPANISH SURNAMED PEOPLE IN ADEQUATE NUMBERS

QUESTION:
1. What percentage of the D.C. population have Spanish surnames?

ANSWER:
1. Cannot be determined. The 1970 Census tabulates "Persons of Spanish Language."

QUESTION:
2. What percentage of the employees in the D.C. City Government have Spanish Surnames?

ANSWER:
2. 1.05 percent

QUESTION:
3. Is the city government doing enough to hire Spanish surnamed citizens?

ANSWER:
3. **The City is making progress in hiring Spanish surnamed citizens.**

D. PROGRAM ACCOMPLISHMENT

1. The justification material (Vol. 11, p. 298) does not include any indication of program accomplishments under the "program measures" column. Please describe for the Subcommittee the program accomplishments of the office over the last year.

1. PROJECT PROPOSALS DEVELOPED

1. Presented to the Agnes and Eugene Meyer Foundation, a proposal to improve the facilities of the Senior Citizen Center, 1842 Calvert St., N.W.

2 Presented to the D.C. Commission on the Arts a proposal to develop an "Art and Literature Program for Youth and Senior Citizens." (continuation program)

3. Presented proposal for funding to the United Black Fund. (continuation grant)

4. Presented a position paper to the United Planning Organization to develop a "Multi-Ethnic Bilingual Demonstration Center" in the Spanish-speaking community. This paper was developed through the joint efforts of a community Ad-Hoc committee and the Latino Affairs Office.

5. Proposal to provide "English Language Instruction and Career development for Spanish-speaking women." Submitted to the D.C. Manpower Administration as a CETA Title VI Project.

6. Proposal to provide training in community service organizations. Submitted to the D.C. Department of Manpower, Special Projects Section as a CETA Project.

7. Presented to the Agnes and Eugene Meyer Foundation a Proposal to provide for the "Coordination of Services to the District of Columbia Hispanic Community." (plan was to utilize consultants fees to develop long-range planning for the Latino Affairs Office)

8. Submitted to the D.C. Department of Housing and Community Development, the "Latin Quarter, Comprehensive Community Development Plan." (a study proposal)

2. CONFERENCES

1. Housing Conference, held February 26, 1977, co-sponsored by the D.C. Department of Housing and Community Development, the Minority Contractor's Resource Center, and the Latino Affairs Office.

3. SPECIAL PROGRAMS

Coordinate and monitor the funding of the following programs conducted in the Hispanic community.

1. Adult Education Program
2. Bilingual Education Program
3. Spanish Educational Development Center
4. English as a Second Language (ESL) and Vocational Job Training
5. Community Action and Social Service Program
6. Senior Citizen Center.

4. PUBLICATIONS

1. Prepared section on "Employment Status of Spanish-speaking Peo-

ple," which was published by VOICE in the "Unfinished Agenda: Equal Employment Opportunity in the Washington Metropolitan Area."

2. Translated rental agreements and coordinated the placement of Hispanics in rental projects managed by Urban Village Corp., and Management Partnership, Inc.

SPECIAL PROJECTS

1. Participated in the consideration, deliberation, and development of the "Bilingual Translation Services Act of 1977" - D.C. Law 2-31.

2. Co-sponsored a Columbus Day Program with the Commission on Latino Community Development, at the Sylvian Theatre.

3. Supervised the activities conducted by the Annual Spanish Heritage committee.

4. Increased Hispanic employment to more than 2.5% of all Metro employees.

COMMISSION ON THE STATUS OF WOMEN

A. PROGRAM ACCOMPLISHMENTS

QUESTION:
1. The Commission's objective is to effect improvement in the Status of Women in the District of Columbia. Its activities include advocacy for legislation or administrative action, advisory, and program coordinating activities. What has the Commission accomplished during the past year in its efforts to meet its objectives and targeted goals?

ANSWER:
1. Examples of Commission achievements in 1976-1977, reported in the Tenth Annual Report issued in October 1977, are:

. Advocacy for women's rights, by stimulating other governmental agencies to take action. Example: clarification by the Human Rights Office and Commission, of District of Columbia policy with respect to maternity benefits.

. Advocacy for women's programs, by timely dissemination of information to women's organizations. Example: information about recruitment of firefighters, and information about availability of CETA funds.

. Development of draft District of Columbia Plan of Action for the Decade for Women.

. Successful competition for grant funds for Project Open Door, dealing with sex discrimination in Vocational Education.

. Assessment of progress in the appointment of women to District of Columbia boards and commissions.

. Completion of draft sexual assault legislation.

. Completion of draft legislation to provide authority fo a D. C. Commission for Women.

. Organization of an ad hoc coalition in support of protecting women's right to choice, between motherhood and abortion, and in support of financial assistance for abortions for medically indigent women.

. Presentation of testimony by the Commission before the D. C. Council, D. C. Advisory Council to the U. S. Commission on Civil Rights, D. C. Vocational Education Advisory Council, U. S. Office of Education, D. C. Minimum Wage and Industrial Safety Board, and D. C. Municipal Planning Office. Commission testimony related to the following subjects: D. C. Merit Personnel Legislation; Vocational Education Amendments of 1976; D. C. Department of Labor; CETA; Minimum Wage; Occupational Safety and Health; Child Abuse and Neglect; Housing; Services to the Aging; and Medicaid Abortions.

Other achievements during the past year are:

. Preparation and distribution of a fact sheet for household employees and employers with information about legislative requirements and contact offices throughout the Washington Metropolitan Area regarding Social Security, overtime compensation, record-keeping, unemployment assistance, minimum wage, unemployment insurance, and workers compensation.

. Revision of a Directory of Information and Services for Women in the District of Columbia, and distribution of hundreds of copies.

. Organization of a Task Force on Apprenticeship Opportunities and stimulation of other organizations and agencies to promote the recruitment of women for apprenticeship opportunities, with evidence of some tangible success.

. Implementation of Project Open Door in accordance with objectives and timeframes defined in the grant application funded by the U. S. Office of Education.

. Administrative support for the official IWY Coordinating Committee in D. C. and for the IWY Continuing Committee working to implement the D. C. and National Plans of Action.

. Convening a Task Force on Abused Women, to stimulate coordination among governmental and nonprofit organizations surveying problems of domestic violence and proposing and implementing solutions.

QUESTION:
2. The Commission has completed two grant-funded projects to study programs for women. What has been accomplished by these projects?

ANSWER:
2. Project Women was initiated by the D. C. Commission on the Status of Women jointly with the D. C. Public Schools in 1972 and was funded for three years (the legal limit) by an LEAA subgrant, as a career motivational demonstration for meeting the needs of girls with special problems. A summary of Project Women is reported in the Commission's Ninth Annual Report (September 1976).

The Project proved to be a feasible way to interest adolescent girls to remain in school, to plan for careers, to explore vocational

and professional training which might thereby negate their behaviors and attitudes that tended toward truancy and juvenile delinquency. Principals at all participating schools endorsed the Project and requested its continuation. The program terminated at the end of Fiscal Year 1976 for lack of funding.

The second of the Commission's grant-funded programs was supported by the Manpower Administration in the U. S. Department of Labor. Its product was a report, 10,000 copies of which were distributed nationwide, entitled "From Convict to Citizen: Programs for the Woman Offender." The report gives an overview of innovative projects and programs, combined with practical suggestions for interested individuals and organizations who may wish to become involved in the heretofore neglected area of rehabilitation of female offenders.

QUESTION:
3. How has the status of women changed over the last year in the District of Columbia?

ANSWER:
3. There is a newly recognized willingness within the framework of government and on the part of candidates for political office to treat seriously questions related to status of women. The availability of a District of Columbia Plan of Action for the Decade for Women, developed by the official Women's Meeting in June 1977 with the assistance of the D. C. Commission on the Status of Women, serves to focus this willingness to deal with women's issues and has provided a new framework within which goals can be achieved and improvement in the status of women can be anticipated.

B. WHAT IS THE APPOINTMENTS ROSTER?

QUESTION:
1. What program activity takes place under the heading "appointments roster?" (Vol. II, p. 331).

ANSWER:
1. For more than four consecutive years, the Commission has carried out the Women's Appointments Roster Project with the objective of stimulating the appointment of greater numbers of women to advisory bodies throughout the District of Columbia government. Interested women are invited to complete an application form and to submit a biographical resume which includes information on training, education, employment, and volunteer experience. The applications are filed according to election ward, indicated areas of interest, and background experience applicable to the particular board or commission.

QUESTION:
2. What is the significance of this activity as it relates to advancing the status of women?

ANSWER:
2. There are many advisory bodies with authority to regulate and advise on a wide variety of subjects having an impact on citizens and workers, businesses and professions, families, children, homemakers, and mothers. The Roster project helps to assure that the names of qualified women are available for consideration when nominations of

candidates for appointment are solicited. As of January 1978, the Roster contained the names of more than 400 women with backgrounds and expertise in diverse fields. Roster participants represent all election wards in D. C. and show a wide variety of interests. During the past year, the Mayor's appointments staff has turned to the Commission for names of women to serve on boards and commissions when vacancies occur. This Commission feels justified in the hope that a much greater number of women will be appointed to advisory bodies in the future than in the past because of this Roster project.

SUBCOMMITTEE RECESS

Senator LEAHY. We will stand in recess now until 8 o'clock tomorrow morning when we take up courts, the transportation agencies, and environmental services.

[Whereupon, at 9:56 a.m., Tuesday, May 23, the subcommittee recessed, to reconvene at 8 a.m., Wednesday, May 24.]

DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 1979

WEDNESDAY, MAY 24, 1978

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

The subcommittee met at 8 a.m., in room 1114, Everett McKinley Dirksen Office Building, Hon. Patrick J. Leahy (chairman) presiding.

Present: Senators Leahy and Bumpers.

DISTRICT OF COLUMBIA

COURTS, TRANSPORTATION, AND ENVIRONMENTAL SERVICES CATEGORIES

COURTS

STATEMENTS OF:

JUDGE THEODORE NEWMAN, COURT OF APPEALS
JUDGE HAROLD B. GREENE, SUPERIOR COURT
J. PATRICK HICKEY, PUBLIC DEFENDER SERVICE

Senator LEAHY. Good morning.

This morning we will receive testimony from the courts and the agencies in the transportation category and the agencies of the environmental services category.

We had previously planned to hear the testimony from the courts on Monday. We heard testimony from the other agencies in public safety and justice. But the heads of the courts needed to be at a conference, so we rescheduled them for today.

We had scheduled 2 hours of hearings for this morning. Unfortunately, I will have to leave a few minutes before 9 this morning. We have had two reschedulings in the last few days. I apologize for that.

SENATE PASSAGE OF FISCAL YEAR 1978 BUDGET

Yesterday I had to leave fairly early, but that was so that we could make sure the District of Columbia budget got onto the floor of the Senate. And the conference committee bill which had been delayed somewhat, as some of you may have heard, was passed by the Senate yesterday afternoon. I think, Mr. Coppie, you had noticed that it had been held up a little while. I expect the President will sign the bill in a few days.

I would like to use as an excuse today that it is also for the District of Columbia that I have to leave early. It is not. It is so that I can catch a plane to go to Vermont for 2 days.

Any one of you is welcome to come with me if you like. The weather will be about 80° and the Sun is shining today. For the record, we should note it is gray, miserable, and rainy in the District. [Laughter.]

APPEARANCE OF COURT PERSONNEL

What I would like to do is have the courts testify as a panel, that would help me very much. Then we will have about 15 minutes with them and 15 minutes with the Department of Transportation and 15 minutes with the Department of Environmental Services.

We will submit a number of other questions for the record for other agencies. If any agencies feel that they have not had time to fully explain their request because of these truncated schedules, please let either me or Mr. Hall know and we will try to make other arrangements and get back to you.

CONGRATULATING JUDGE GREENE ON RECENT APPOINTMENT

I read in the paper that Judge Greene will soon be leaving the Superior Court. You are taking a position with the U.S. district court. You will be following a very famous predecessor; but, on the other hand, your predecessor I think has a very famous successor.

I wish you the very, very best there. You have done yeoman service for the District of Columbia already. I congratulate you on your appointment. But I also congratulate the President on making the appointment.

Judge GREENE. Thank you very much, Senator. I appreciate it very much.

COMPLIMENTING THE JUDICIARY

Senator LEAHY. Judge Newman, it is always a pleasure to have you here before the committee, not only from your presentations but the way you run your courts. I might also add that the District is extremely well represented in that respect, and very fortunate. I think that we have talked earlier this week both about law enforcement and about the judiciary in general.

I think that the people in the District of Columbia are extraordinarily fortunate, with the caliber of the courts, the caliber of their law enforcement, the caliber of the whole judicial system, the whole system of justice from top to bottom.

I know as a law student here but also when I practiced law the citations we always liked to use were those of any of the appropriate courts from the District of Columbia because of the caliber of the decisions and the weight they carried in other jurisdictions.

It is very interesting, and just taking one area, the area of criminal law, to see cases, no matter how complex, the cases are the speed with which they are brought to trial and the professional way they are handled, and the ultimate finality of judgment on appeal is impressive. It is something that States across the country could well try to emulate; and very, very few States come close.

Judge NEWMAN. Thank you, Mr. Chairman. It is always a pleasure to hear the infrequent compliments that the judiciary gets.

Judge GREENE. I second the Judge's remarks.

Senator LEAHY. I will make sure that they are made even more often, certainly by this committee.

NEED FOR ADDITIONAL JUDGES IN COURT OF APPEALS

We have a report recently prepared for us, and it was estimated, based on California's weighted caseload system and the workload standards used in California's court that the appropriate number of judges in the local court system is somewhere between 56 and 58. The current number of judges is 53. It suggests an additional 3 to 5 judges may be needed.

I am wondering, does the local court system need more judges? If so, why weren't they requested in fiscal year 1979?

Judge NEWMAN. Mr. Chairman, I think the answer to your first question is an unqualified "Yes." The answer to your second question—there is a question between your first and second question. I think there is a need for additional judicial personnel at the trial court level and there is a need for additional judicial personnel for the appellate process.

One begins to hear me around the town now making noises about an intermediate court of appeals. Mr. Chairman, the reason it has not been requested is that I haven't gotten the groundswell of support in the community going yet, but I am working on it.

Senator LEAHY. I am sure you will.

Judge NEWMAN. I expect to be here within 5 years with some legislation requesting it. But I think we need to fully document its need. I have no doubt about its need, but I think we need to document it publicly.

NEED FOR AN INTERMEDIATE COURT OF APPEALS

I anticipate within the month appointing a subcommittee of the Judicial Planning Committee to study the need for an intermediate court of appeals. I think that Judge Greene shares with me the view that a recent decision of the U.S. district court, a court of limited jurisdiction—it always amazes me to see my friends want to leave courts of general jurisdiction and head to courts of limited jurisdiction——

Judge GREENE. Like the Supreme Court. [Laughter.]

Judge NEWMAN. Very accepted. But Chief Judge Bryant had entered an order in the courts which portends the constitutional necessity of a night court which is going to additionally strain the limited judicial resources available and exacerbate the need for increased judicial personnel.

I would anticipate that the joint committee on judicial administration will be making some recommendations to both the city and the Congress with respect to that.

NEED FOR ADDITIONAL SUPERIOR COURT JUDGES

Judge GREENE. Let me briefly add, Mr. Chairman, as far as the Superior Court is concerned, there was a California study done on the weight of the caseload basis which indicated 54 judges for the support and trial court on the basis of the caseload we had about 2 years ago. It is 44 we have now.

Since then there have been some developments. On the one hand, we have had a vast increase in the number of drunk driving prosecutions, from something like 1,500 to about 5,000. On the other hand, we have had a decrease in the number of felony indictments by about 1,000 or 1,500.

I indicated last year that sometime this spring or summer I would think about all of these developments and make a recommendation. But now in view of developments I am going to leave that to my successor. I don't know exactly how that is going to come out.

NONUNIFORMITY OF SENTENCING

Senator LEAHY. One thing that I am concerned about, and I am concerned about it as an inactive member of the bar—it is a thing I have always been concerned about—and that is the nonuniformity of sentencing.

Now I have never supported legislation which mandates sentences, realizing that if there is ever an area where judicial discretion must be exercised, it is there.

But at the same time in the articles that I have read in the paper, a number of series on this, it would appear that there is a fair amount of judge shopping that goes on and a fair amount of efforts made to bring really the same kind of case before different judges because of different sentencing.

What do you do about a case like that? Is there any way that more uniform sentencing can be brought about? At least in some of these cases it appears to be basically the same facts; not only the facts of the crime but the facts of the offender.

Judge GREENE. Well, we have what I call sentencing councils which were pioneered in the Eastern District of Michigan where three or four judges sit together and review presentence reports and have a suggestion and recommendation to the actual sentencing judge as to what their view is as to the sentence. I think that has brought about some more degree of uniformity.

The Lawyer Revision Commission just recently introduced proposed legislation which is pending before the Senate and the House to have more restrictions on the discretion of judges. I have testified on that. And Chief Judge Newman hasn't addressed himself as much to that, but I believe he supports and agrees with me that some restriction on the discretion of the sentencing judges is all right, provided it doesn't go so far that the judge cannot take account of legitimate differences.

So I think that a solution to the problem you mentioned is well on the way.

Senator LEAHY. I would hope so. It is a thing that I would much appreciate seeing done within the judiciary itself rather than any kind of legislative mandate.

I am sure you are aware of the fact that pressures will build for a legislative mandate if the public appearance exists that there is wide disparity in sentencing practices.

Judge NEWMAN. Senator, I share your view that it is better solved in the judiciary. Too tight restrictions merely give discretion back to the prosecutor.

INCREASE IN PUBLIC DEFENDER SERVICE BUDGET

Senator LEAHY. I notice Mr. Hickey is also here with us. Judge Greene told us last year that the congressional interest was to have the Public Defender Service handle 60 percent of the caseload. To do this, the Public Defender Service should have a far larger portion of the cases than it carries now.

Should your budget be expanded more in 1979 to permit your agency to handle a larger share of the caseloads? How do you feel about that?

Mr. HICKEY. Senator, there is in the 1979 budget an increase of nine attorney positions with related supporting staff. I think that it is really not desirable to increase the agency in substantially greater amounts in any one year. I think there is a necessary assimilation process that takes place, including some revamping of supervisory structures and management practices that are necessary to efficiently use the staff that we obtain.

So I think that a growth rate in the vicinity of 10 attorney positions a year is appropriate. I would not like to see it go much higher than that in any one year. I would rather see a steady growth than an all at once increase.

POSITIONS REQUESTED FOR PUBLIC DEFENDER SERVICE

Senator LEAHY. Last year we were told that PDS would take on about 15 percent of the criminal caseload. There are 14 positions requested for fiscal year 1979. Are these all lawyers?

Mr. HICKEY. No. It is nine attorneys and five support staff.

Senator LEAHY. If these positions are approved, what portion of the criminal caseload would you be able to accommodate?

Mr. HICKEY. Our anticipation is that those positions would be utilized mainly in the Family Division of the Superior Court. I think it would result in our handling in that court in the vicinity of 40 to 45 percent of the caseload.

Senator LEAHY. Juvenile cases?

Mr. HICKEY. Delinquency cases, yes.

Senator LEAHY. So it really won't affect the criminal caseload at all?

Mr. HICKEY. There will be some impact, I think.

Senator LEAHY. Would it relieve pressure on some people who are now trying to carry both hats?

Mr. HICKEY. We do not ordinarily split our attorneys between the two courts. We find scheduling differences make that very impractical.

I think there would be some impact on the adult criminal caseload and appellate caseload which our office handles. I am not certain, for example, that all nine of the attorneys would be used solely in the family division.

I don't know whether the court's caseload will continue to warrant that investment of resources there. But I think there obviously will be an impact on the share that we take of the overall caseload of the Superior Court.

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COMPENSATION FOR COURT-APPOINTED ATTORNEYS

Senator LEAHY. Your request is for $2,660,500. How much is being requested in the court's budget for compensation of court-appointed attorneys?

Judge NEWMAN. Mr. Chairman, I think it is $3,589,600, of which the city government recommendation is $3,239,600.

I would note that the variance was that the per dollar cost of PDS per case runs greater than the CJA attorney per case. My sole concern, being one of the appointees of the board of PDS and supporting PDS, is that there be enough funds in the total pot to take care of all the cases.

PUBLIC DEFENDER SERVICE SUPPORT OF COURT-APPOINTED LAWYERS

Senator LEAHY. Doesn't part of the PDS's budget go to the court-appointed system? Do you take care of some of the work of the court-appointed lawyers?

Mr. HICKEY. That is correct, Senator. We provide investigative services, some social work services and attorney consultation services to appointed counsel who are compensated under the Criminal Justice Act.

Senator LEAHY. I am going to have a number of other questions for the record.

Are there any points, either Judge Newman or Judge Greene or Mr. Hickey, that you would care to make?

FUNDING NEEDS OF COURT OF APPEALS

Judge NEWMAN. Just a final comment, Mr. Chairman. We need the increases we requested. We have ridden with the city in past years without trying to get additional funding over what the Mayor and City Council's recommendations are. We have about reached that point where our capacity to continue to absorb such things as within-grade, terminal leave, and losing our penalty mail privilege unless we can get these two bodies to bring us back under that, are beginning to have a detrimental impact.

NIGHT COURT

Senator LEAHY. And this night court, explain that night court situation to me again.

Judge GREENE. Well, I don't believe it is fully clear what the impact of that decision will be. Chief Judge Bryant of the U.S. District Court held that the police had to present the arrested person within an hour and a half. I read the opinion and I don't know whether the burden is solely on the police or whether the courts have to make someone available in an hour and a half.

We are exploring that right now with the appropriate counsel. It is not clear what the impact is.

Senator LEAHY. Does it mean it has to be a judge or someone to set bail?

Judge NEWMAN. I am not quite as sanguine as Chief Judge Greene is as he leaves for that tribunal.

Senator LEAHY. I was wondering if this is maybe the district court running amuck.

Judge NEWMAN. No, sir. It is not the district court running amuck. I think the district court did not issue any order to the local court system because the local court system was not a party to the lawsuit. The chief of police was.

When the chief judge of the District Court tells the chief of police that within an hour and a half of your getting this man into custody at 2 in the morning you have to present him to someone, that is for arraignment, and that means to the judiciary system. That means there needs to be a court staff, defense counsel, court reporters, and the like. It is going to be expensive.

Senator LEAHY. I wish once that reaches a point where there is no question what is going to be required, that you would let us know here in the committee. Obviously, if it does require a full night court system, there is no question that it will create a significant strain on the court system as it exists today. Obviously, it is something that is going to have to be reflected in the appropriations here.

Judge NEWMAN. Mr. Chairman, I have Mike Hall's number. Let the record reflect I meant phone number.

Senator LEAHY. When I was prosecutor, we had a system where virtually any serious crime for anybody who was being taken into custody you had to get an information paper signed by the prosecutor. One of the nicest things about being a Senator is it is the first time in years and years I sleep all night long. I used to have as many as 35 phone calls between midnight and 5 a.m. That was an all-time record. But I never went more than 2 days, I don't think, without getting called out of bed three or four times during the night.

Thank you, gentlemen.

Judge GREENE. Thank you, Senator.

Judge NEWMAN. Thank you very much, Senator.

Mr. HICKEY. Thank you, Senator.

SUBMITTED QUESTIONS

Senator LEAHY. I have some additional questions which I would like for each one of you to answer for the record. If any of you wish to expand on the questions asked this morning, please feel free to do so.

Judge NEWMAN. I will be happy to answer them for the record, Mr. Chairman.

Judge GREENE. I also will be happy to, Mr. Chairman, and there may be some I may wish to expand on.

Mr. HICKEY. Mr. Chairman, I will provide the answers for the record.

[CLERK'S NOTE.—The following questions were not asked at the hearing but were submitted to the agencies for response subsequent to the hearing:]

COURT OF APPEALS

A. AVERAGE D.C. COURT TIME FOR DISPOSING OF CASES MORE THAN 3 TIMES LONGER THAN ABA STANDARDS

QUESTION:

1. A recent newspaper article (Star: 1/20/78) reported the results of a study done of the D.C. Court of Appeals by the Vocational Center for State Courts. According to the evaluation of the Court's case load in the first half of 1977 it took 495 days to dispose of a case from the time the Court was notified that an appeal was forthcoming. The ABA recommended about 130 days for disposing of cases. The article also reported that the Court's backlog is nearly 3 times the size it faced in 1971.

1a. Judge Newman, what can you tell us about this situation?
1b. Why does it take so much longer to process a case in your court than recommended by the ABA Standards?

ANSWER:

1a. The study referred to in the question was made by a subcommittee of the Judicial Planning Committee of this Court. However, the National Center for State Courts assisted in this study and is presently measuring all state court systems against the American Bar Association standards.

The ABA standards--which present an ideal goal--provide that the time for filing of the completed record should not exceed 30 days, the total time for filing of all briefs should be 50 days in criminal appeals and 70 days in civil appeals, and the decision should be rendered in an average case within 30 days after argument or submission and only cases of extraordinary complexity should exceed 60 days. It should be noted that the standards do not provide for the time delay between briefing and the scheduling of the appeal for argument.

The subcommittee appointed by this Court accurately reported that the average time on appeal during the first half of 1977 was 495 days. For the full year, the figure dropped to 456 days from the filing of the notice of appeal until rendering of the printed opinion. Approximately one quarter of this time is occasioned by the preparation in the trial court of the record on appeal which must include the reporter's transcript of the proceedings. A slightly greater period of time is spent in obtaining briefs from the parties. An additional quarter of this time is due to the time span between complete briefing and scheduling of the case for the consideration of a merits division of the Court. The balance of the time, approximately 126 days, is presently consumed by the period between the argument of the case and final decision.

1b. The D. C. Court of Appeals requires more time to process a case, as compared with the ABA's recommendations, for a variety of reasons which are set out below for each of the four categories:

(1) Preparation of the record. There is a delay in obtaining

ANSWER:
the court reporter's transcript of the trial court proceedings due to the fact that, in addition to preparing appellate transcripts and transcripts for the use of trial judges, reporters are required to be in attendance in the trial courtrooms to record daily proceedings; and there is a heavy volume of work being processed in that court. Thus, the time for preparing the record for the appellate court is approximately 70 days longer than the ABA standard. This Court is taking steps to reduce this time span and to alleviate the court reporter problem; recently the court reporters were given an increase in the page rate for preparing transcripts to enable them to hire transcribers and thus speed up the production process.

(2) Obtaining briefs from the parties. Our present rules are consistent with the Federal Rules of Appellate Procedure and provide for 40 days for an appellant's brief, 30 days for appellee's brief, and 14 days for appellant's reply brief (for a total of 84 days). The average briefing time for 1977 was a total of 124 days, whereas the ABA standard is 70 days. This additional time is occasioned generally by requests from the Office of the United States Attorney and the Public Defender Service in many of these cases due to their lack of sufficient personnel to timely file their briefs as well as by a myriad of problems confronting the average practitioners in the District of Columbia who appear before multiple federal and local courts. Additionally, because of the large number of cases pending consideration of the Court, extensions of time for filing briefs have been granted more liberally than was the situation in 1971 when there were fewer cases ready to be scheduled for argument. The Court is prepared to require counsel to more rapidly file briefs and has been monitoring the filing dates; but until some solution is found to reduce the backlog of pending cases awaiting decision, this would only transfer the pending cases from the unbriefed category to fully briefed and held awaiting assignment to a division of the Court for argument category.

(3) Scheduling argument. The ABA standards make no provision for the time lag between briefing and argument other than to provide it should be had promptly after the briefs have been filed. This Court prepares its argument calendar a full month in advance of the argument date. Of course, the Clerk is unable to calendar all cases fully briefed since each judge can only handle so many new appeals each month. In addition, counsel must be notified of the argument date; and the Court must have an opportunity to review the record and briefs in advance of the scheduled argument. Hence, the average time of 103 days is not at present out of line.

(4) Time to Decision. The Court has been endeavoring to reduce the time between argument and decision to conform with the ABA standard of 30 days or 60 days in complex cases; but the case assignment for each judge is such that it is difficult to reduce the average time now consumed. I schedule monthly meetings of the Court in an effort to expedite the decisional process; but until the total caseload can be reduced, this will probably not promote much time reduction.

ANSWER:

With respect to the Court's backlog, the attached chart--page 44 of 1977 Annual Report--graphically depicts the rise of the backlog from its level of 195 cases as of January 1, 1971, to 1,161 cases as of January 1, 1978. Please note that, during the same time period, case filings have increased steadily as have the number of case dispositions; but, even so, the number of pending cases at the end of each year is continuing to increase. This steady growth, of course, has been the result of the Court Reorganization Act which became effective in 1971. Since there is no intermediate appellate court in the District of Columbia, this Court must entertain all appeals of right from the trial court and all petitions for review from decisions of the many District of Columbia administrative agencies. (Of course, where there is an intermediate appellate court in operation, the time for the preparation and transmittal of the record can be easily accomplished within the ABA's recommended time frame because the reocrd is basically completed when it is before the intermediate appellate court.) There is no indication that the trend of the past several years will change; and even if there is a change, it will probably be a levelling-off process rather than a reduction in the number of appeals. To help reduce this overall time, the Court has attempted to use new procedural techniques such as 1) screening of the cases for placement on a summary calendar with limited argument time and 2) pre-settlement conferences conducted by a retired chief judge in an effort to close the case without the necessity of briefs or argument. In addition, the Court has adopted Internal Operating Procedures to expedite the flow of paperwork through the court system.

B. WASHINGTON STAR SERIES ON COURTS SHOW JUDGES GIVE DIFFERENT SENTENCINGS FOR SAME CRIME

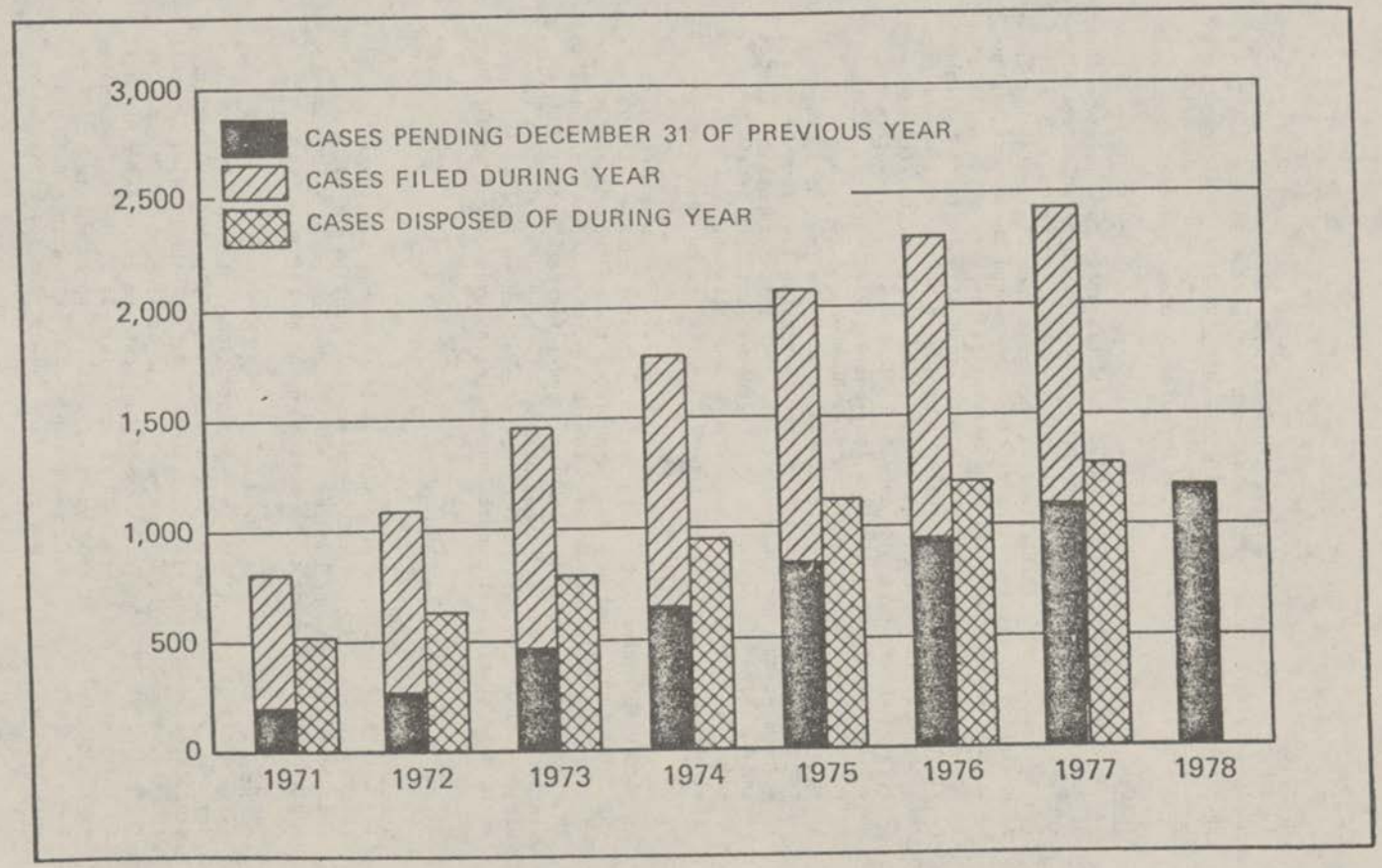
QUESTION:

1. The "Washington Star" has had a series of articles about the court system and the practice of judges here in D. C. of making greatly different sentencings for the same offense. Judge, do you feel that more uniformity in sentencing would be desirable?

ANSWER:

1. Having been a trial judge before I became Chief Judge of the District of Columbia Court of Appeals, I certainly agree that more uniformity of sentencing for similar offenses committed by similar offenders is a desirable goal. The D. C. Law Revision Commission has recently submitted a proposal to the Congress that would lead to more uniformity in sentencing. It provides for appellate review under certain circumstances. I do not agree that review of sentencing should be by the Court of Appeals, as proposed in the pending legislation. I believe that review of sentencing could be accomplished better in the trial court by a panel composed of three trial judges. (In the event the pending legislation is enacted into law, this, of course, will add to the burdens of this Court since it will increase the number of appeals from decisions of the trial court.)

CHART D: GROWTH OF CASE LOAD AND DISPOSITIONS



C. WORKLOAD OF COURTS EXPECTED TO GO UP IN FY 1979

QUESTION:

1. The justification material (Vol. III, p. 92) shows that the Court of Appeals expects an increase in workload in FY 1979 over the level expected for FY 1978. Why is the workload expected to increase in FY 1979? Are a larger share of the lower courts' decisions being challenged or is this due to an expected upswing in crime?

ANSWER:

1. The increase in workload will be due primarily to a larger number of trial court decisions being appealed as well as by an expected increase in appeals from administrative agency decisions. The statistical reports available from the trial court indicate that the dispositions in civil actions are increasing, and these terminations will generate more appeals. The statistical reports of case filings in the trial court for January through April 1978 indicate that the civil and misdemeanor filings, on a projected basis, will slightly exceed the filings for calendar year 1977. However, the felony case filings which generate many appeals reflect that 2,043 indictments have been filed already in this four-month period. If the filing rate continues, this means there will be some, 6,100 felony indictments filed this year as compared with the toal of 3,044 for calendar year 1977. Allowing for the passage of time for the trials to be completed, this increase will be felt in the appellate court during FY 1979. In addition, the trend--as exhibited in the graph appended to my response to Question A--indicates there is every likelihood that the workload for FY 1979 will be an increased one.

At the present time the Court of Appeals encounters difficulty in obtaining the necessary statistical data for managerial forecasting. The Court, however, is presently in the process of acquiring a mini-computer which can be used for this purpose and we will then be in a position to call upon the trial court for more detailed statistical reports, and thus, obtain a broader data base for the projection and analysis of our future case load as well as obtaining up to date statistical reports and docket records of our work load.

D. SIZE OF BACKLOG

QUESTION:

1. Last year the Court of Appeals told the Committee (Part I, p. 654) that there was a 1 year backlog of cases. What is the situation now? What do you expect the backlog to be at the end of FY 1978? What do you expect the backlog to be at the end of FY 1979?

ANSWER:

1. The situation I called to your attention last year--that without any new filings whatever, I had a one-year supply of cases for the Court's consideration--is still continuing; and the backlog is still increasing each month. Consequently, the backlog of 1,080 cases at the end of FY 1977 has grown as of this date to 1,137 cases and will increase by the end of FY 1978 to approximately 1,200. I reasonably expect the backlog of pending cases will be approximately 1,250+ by the end of FY 1979. Thus, we commence each year with a full year's work on hand even if no new cases are filed. And the situation is growing worse.

E. CITY RECOMMENDS LOWER BUDGET FOR COURTS

QUESTION:
1. I noticed that the city government has recommended a budget that would be $44,800 lower than the one recommended by the courts. What is the explanation for this difference? Is the budget balanced on the basis of the city's recommendation for the courts?

ANSWER:
1. I particularly appreciate the opportunity of responding to this question. The budget submitted to the Congress is balanced on the basis of the City's recommendation for the Courts and NOT on the Courts' request. This is so even though the Congress of the United States by enacting the Court Reorganization Act (see Senate Report 91-405, dated September 16, 1969, page 33) appears to have intended that the budget of the Courts would be forwarded without revision but with RECOMMENDATIONS by the D. C. Government. As the Senate managers stated in their Report, this independent budget was to give to the District of Columbia Courts the same autonomy the federal courts have. The managers, furthermore, felt such budget autonomy was essential to assure that the Courts would be an independent branch of government.

The Congress, in adopting the "Home Rule Act," reaffirmed this position of maintaining autonomy in the Courts by providing in Section 603(c) as follows:

> ". . .In determining whether any such budget would result in expenditures so being made in excess of such resources, amounts included in the budget estimates of the District of Columbia courts in excess of the recommendations of the Council shall not be applicable."

Further, in subsection (d) of Section 603 is the provision:

> "The Mayor shall not forward to the President for submission to Congress a budget which is not balanced according to the provisions of subsection 603(c)."

Obviously the Congress thereby anticipated that the budget submitted by the Mayor to the Congress would be out of balance to the extent that the amounts requested by the Courts exceeded the resources which the city government anticipated receiving.

The Courts' position is that the intention of the Congress is not being given effect by the manner in which the budget is submitted to Congress. Furthermore, I call your attention to the fact that when supplemental appropriations are approved for pay raises, the authorization provides language similar to the following: for pay increases and related costs to be transferred to the Mayor of the District of Columbia to the appropriations for FY 1979 from which employees are properly payable - $69,300,000. This language permits the Mayor or his designee to determine who should receive these supplemental funds; and, thus, the Courts must depend upon the

ANSWER:
executive to grant to the Courts what he deems to be a fair pro rata share of the amount appropriated regardless of the amount requested and justified by the Courts. Thus, the problems facing the Courts can be aggravated since the amount awarded by the Mayor from the supplemental appropriation, if insufficient, will affect the base budget of the Courts for future years.

F. IS THE COURT UNDERSTAFFED?

QUESTION:
1. Last year the Committee was told that Court of Appeals case load is higher than any other court of last resort composed of nine judges in a jurisdiction of comparable size (Part I, p. 654).
1a. Is this situation still true?

1b. Is there a need for additional judges and support staff?

ANSWER:
1a. A more detailed comparison of this Court's case load with other jurisdiction is being undertaken by the National Center for State Courts in conjunction with a major study effort being conducted by the Judicial Planning Committee. Two findings of a preliminary study indicate that our judges are carrying an unwieldy workload for a court of last resort without an intermediate court of appeals.

Table II, attached hereto, sets forth the caseload statistics for 20 state courts of last resort during the year before major jurisdictional relief was initiated through legislative or constitutional action. As shown, the D. C. Court of Appeals' 1977 figures exceeded all but the Pennsylvania Supreme Court in number of new cases filed per judge and number of cases decided by opinion per judge. Excluding the D. C. Court of Appeals, the median figures for these two categories are 91 and 41, respectively. The second is the more important statistic since many filed cases are eventually settled or otherwise disposed of with little judge time. Thus, the D. C. Court's per-judge opinion (published/unpublished) output of 84 is more than twice the median figure (41) of the courts that received major relief.

1b. Yes, the statistical records since 1970 lead me to the inescapable conclusion that the present level of judicial resources is insufficient to decide the cases presently pending and most certainly is inadequate to manage the ever-increasing backlog. While the enlargement of this Court may provide a solution to the problem, in my view--which is supported by the American Bar Association Standards Relating to Court Organization--this would be unwise, for a highest appellate court of a jurisdiction should have no more than nine members.

Several states, which have faced a similar situation, have successfully ameliorated the problem by the creation of an intermediate court of appeals. This approach has been advocated widely as the best permanent solution to the problem. A preliminary study performed by the National Center for State Courts for review by the Judicial Planning Committee indicates that our judges are carrying a workload far greater than the workload of the judges on 19 of 20 state courts of last resort during the year just prior to

a major court restructuring which resulted in the creation of an intermediate court of appeals in those jurisdictions. The Court has managed its pending caseload comparatively well. The Committee found that the opinion output per judge in the D. C. Court of Appeals is more than twice the median figure for the appellate courts in other

ANSWER:
jurisdictions at the time they created intermediate appellate courts. Hence, it would appear this Court is now at or passed the point when the creation of an intermediate court of appeals is mandated.

As of this date, I have not proposed that legislation be introduced in the Congress to create an intermediate appellate court for the District of Columbia pending the completion of a thorough and searching major public study being conducted by the Judicial Planning Committee which we anticipate will result in a comprehensive report by September 1, 1979. This report can then form the documentation, analysis, and recommendation for an appropriate presentation to the city government and the Congress on this issue.

TABLE II
Caseload Per Judge in the D.C. Court of Appeals and in Courts of Last Resort Just Prior to Major Relief (1957-1977)

State	Year	New Cases Filed Per Judge	Cases Per Judge Disposed of with Opinion (Published and Unpublished)
Alabama	1967**	40	19
Oklahoma	1966	57	*
Missouri	1967-8+	83	26
Kansas	1973-4	69	33
New Mexico	1974	95	33
Washington	1968	78	37
Michigan	1961	*	38
Louisiana	1956-7+	81	38
Maryland #2	1971-2+	116	40
Arizona	1963	98	41
Iowa	1975	121	41
Colorado	1968	84	42
Maryland #1	1964-5	91	46
Massachusetts	1970-1	*	49
Oregon	1968	90	49
North Carolina	1963-4	*	60
Kentucky	1973	104	62
Tennessee	1966**	120	*
Wisconsin	1974-5	120	72
DISTRICT OF COLUMBIA	1977	147	84
Pennsylvania	1969**	182	92

Key: States not starred received a new intermediate appellate court. * indicates data are not available; ** indicates creation of a second intermediate court; and + signifies a major shift of jurisdiction to an existing intermediate court.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

A. IS THE COURT UNDERSTAFFED?

QUESTION:
1. In a report recently prepared for the Committee (p. 16) it was estimated that based on California's weighted caseload system and the workload standards used in California's courts that the appropriate number of judges for the local court system is somewhere between 56 and 58. This compares with the current number of judges of 53 and suggests that an additional 3 to 5 judges may be needed in the District.

1a. Does the local court system need more judges? 1b. Why haven't they been requested in FY 1979?

ANSWER:
1. a.& b. The California study suggests that the Superior Court would need 53 to 54 judges rather than the current 44. Since that study was made, some case filings have been significantly up (drunk driving) other substantially down (felonies). Additionally, the Court is now, for the first time in many years, fully staffed and has no judicial vacancies. Chief Judge Greene indicated last year that he would make a recommendation this spring or summer, based on all the changed factors, as well as the size of the 1978 caseload and the number of pending cases; as to whether additional judgeships should be created by statute. With his impending departure, it seems more appropriate that this decision be made by the newly-designate chief judge, H. Carl Moultrie I.

QUESTION:
2. Last year the Committee was told that Court of Appeals caseload is higher than any other court of last resort composed of nine judges in a jurisdiction of comparable size (Part. 1, p. 654).

2a. Is this situation still true?

2b. Is there a need for additional judges and support staff?

ANSWER:
2a. and 2b. These questions are answered in the Court of Appeals submission, Section F - IS THE COURT UNDERSTAFFED.

B. FUNDING COURT-APPOINTED ATTORNEYS VS. THE PUBLIC DEFENDER SERVICE

QUESTION:
1. What is requested in FY 1979 for the Criminal Justice Act (CJA) program fees to pay court-appointed attorneys? (3,640,000)

ANSWER:
1. $3,589,600 is requested for Criminal Justice Act Program fees.

QUESTION:
2. This is $1,000,000 more than is proposed for funding the Public Defender Service program. Is that correct?

ANSWER:
2. It is $929,100 more than is proposed for the Public Defender

Service.

QUESTION:
3. In view of the Congressional mandate to expand the use of the Public Defender Service for defense of indigent clients, shouldn't the PDS budget be brought into closer comparability with the amount spent on CJA fees?

ANSWER:
3. Over the last several years, statistics have shown that the CJA program handles approximately four times the number of cases that are assigned to PDS staff attorneys. In fiscal year 1979, it is estimated that the total number of cases handled by CJA attorneys will approximate 20,000 cases. Comparing this to the budget, it shows that the CJA Program is costing four times less than the cost of the funding for PDS.

If representing all indigents were the responsibility of PDS, the total cost would probably be close to $15 million.

C. PROPOSED TRANSFER OF PARKING ENFORCEMENT ACTIVITY TO DEPARTMENT OF TRANSPORTATION

QUESTION:
1. The budget proposed (Vol. III, p. 103) transferring 35 positions and $437,000 to the Department of Transportation to be consistent with the transfer of the parking enforcement program to Transportation.

1a. Are 35 positions and $439,000 the total court expenditure on the parking enforcement activity that has been the responsibility of the Courts?

ANSWER:
1a. 35 positions and $439,000 are the total direct cost funding made by the Court to carry out the processing of the ticket program for the District of Columbia Government.

At the present time, there are approximately twelve (12) positions in the Criminal Division handling minor traffic cases. This Division will continue to exist under the new traffic program, to handle the serious traffic cases such as drunken driving, reckless driving, serious accident cases, etc., which have increased dramatically during the past two years, particularly in the drunk driving area.

QUESTION:
1b. How much did the Courts spend on computer services for this activity?

ANSWER:
1b. At the present time, the cost of the Court's computer is approximately $500,000 annually, and it is used mostly for on-line systems and recordkeeping for the Criminal, Family and Civil Divisions of the Court. The present ticket system requires only storage capability. The transfer of the traffic ticket function will enable the Court to

better serve the other divisions of the Court, including conflict-free scheduling which will greatly increase Court efficiency and the convenience of the public. The cost for processing tickets is an indirect cost and would probably be computed at approximately $100,000 (20% of $500,000).

D. NEW OUTREACH PROBATION PROJECT

QUESTION:
1. The Superior Court has requested $26,700 to fund an "Outreach Probation Project" that had previously been funded by a LEAA grant. This request would continue the funding of one decentralized probation office in the Northwest section of D.C.

1a. Describe for the Committee the need for this program.

ANSWER:
1a. The impetus for establishing a probation field office was improving the service delivery capacity of the Division, including increased client contacts and increased use of social service agencies in the probationer's neighborhood. Various evaluations of the field office indicates some encouraging results.

The Division's emphasis on community involvement through neighborhood field offices is consistent with standards set by various national groups such as the:

(1) American Bar Association Commission on Correctional Facilities and Services and Council of State Governments, Compendium of Model Correctional Legislation and Standards (Washington Government Printing Office, 1975) Compendium VIII - p. 163.

(2) National Advisory Commission on Criminal Justice Standard and Goals, Corrections, 1973, p. 320 and p. 33.

(3) The National Council of Juvenile and Family Court Judges and the National District Attorneys Association, National Conference on New Juvenile Justice Standards Compendium Washington, D.C. 1977, p. 143.

QUESTION:
1b. Do the courts foresee the establishment of other outreach probation offices in other sections of D.C.?

ANSWER:
1b. No, not at the present time. With the establishment of the "Outreach Probation Project," this made a total of three neighborhood field offices.

QUESTION:
1c. Do these Outreach offices reduce the workload of the Social Services Division Probation Office in the downtown location?

ANSWER:
1c. No, they do not reduce the workload to any significant degree, due to the fact that there are approximately 200 probation officers

and the field units only represent about 15% of the staff.

QUESTION:
1d. Why then can't funding from the downtown office be redirected from the base to fund the outreach office?

ANSWER:
1d. The Court does not have the capabilities to absorb this cost, due to the fact that the Court has been forced to absorb cost increases due to inflationary trends for which funds were requested but denied; also, denial of within-grades which were requested.

E. CITY HAS RECOMMENDED LOWER COURT BUDGET

QUESTION:
1. The city has recommended a budget (Vol. III, p. 116) that is approximately $381,000 less than court request for the court system request. Please explain the differences in these two sets of requests.

ANSWER:
1. The composition of the difference is as follows;

$350,000 The City has recommended that this amount, from the Criminal Justice Act (CJA) program budget base, be transferred to the PDS, along with 14 positions currently authorized in the Superior Court budget. If this means that PDS attorneys will be taking on additional caseloads which would reduce the number of cases assigned to attorneys under the CJA program and that there would be a reduction of cost to the program of at least $350,000 per year, the Courts have no objection to the transfer. However, we have not seen any computation which supports an estimated $350,000 reduction of cost to the program.

If this recommendation does not reduce the cost to the CJA program by $350,000 and if the full cost of $350,000 is incurred by the PDS, it means that the District Government will be paying more for the same amount of legal defense for indigents than the current (CJA) method of providing representation.

$29,600 Within-grades/Explanation of need appears on page FC/FM/FN-18 of the "Justifications for the FY 1979 Budget."

$11,000 Printing and reproduction/Explanation of need appears on page FC/FM/FN-18 of the "Justifications for the FY 1979 Budget."

F. CHILD CARE CENTER

QUESTION:
1. Last year, this Committee was told about a Child Care Center which provided care for children of clients of the Superior Court.

1a. Is the center still in operation?

ANSWER:
1a. Yes, the Center is still in operation.

QUESTION:
1b. If so, how much funding will it receive this year?

ANSWER:
1b. None, because this program has been supported in the past by the Friends of the Superior Court, a voluntary organization. If the money is not appropriated in the FY 1979 budget, the program will discontinue, due to the fact that it will not be possible permanently to carry it on that basis.

QUESTION:
1c. Are employees of Superior Court allowed to place their children in it?

ANSWER:
1c. No.

District of Columbia Court System

A. D.C. COURT SYSTEM REQUEST MORE THAN CITY'S RECOMMENDATION

QUESTION:
1. The City's recommendation for the D.C. Court System is approximately $391,000 less than the request made by the courts. Please explain the difference in the two recommended budgets.

ANSWER:
1. The composition of the difference is as follows:

$350,000 The City has recommended that this amount, from the Criminal Justice Act (CJA) program budget base, be transferred to the Public Defender Service (PDS) along with 14 positions currently authorized in the Superior Court budget. If this means that PDS attorneys will be taking on additional caseloads which would reduce the number of cases assigned to attorneys under the CJA program and that there would be a reduction of cost to the program of at least $350,000 per year, the Courts have no objection to the transfer. However, we have not seen any computation which supports an estimated $350,000 reduction of cost to the program.

If this recommendation does not reduce the cost to the CJA program by $350,000 and if the full cost of $350,000 is incurred by the PDS, it means that the District Government will be paying more for the same amount of legal defense for indigents than the current (CJA) method of providing representation.

[illegible]-graces/Explanation of need appears on page FC/FM/FN-18 of the "Justifications for the FY 1979 Budget."

$11,000 Printing and reproduction/Explanation of need appears on page FC/FM/FN-18 of the "Justifications for the FY 1979 Budget."

B. SUPERVISION OF COURT SYSTEM

QUESTION:
1. The Court System budget funds overhead and administrative services for the Superior Court and the Court of Appeals as well as funding fees for court appointed attorneys.

1a. Is that correct?

ANSWER:
1a. Yes, most of the Court System budget is composed of personnel compensation and CJA fees as follows:

Executive Officer and Staff (7 authorized positions)
Fiscal Officer and Administrative Assistant (2 authorized positions)
Court Reporters Division (49 authorized positions)
Criminal Justice Act Finance Unit (5 authorized positions)
Criminal Justice Act Program Fees ($3,589,600 - FY '78 funding level)

QUESTION:
1b. Who supervises the activities of the Court System?

ANSWER:
1b. The Executive Officer of the District of Columbia Courts is responsible for the administration of the District of Columbia Court System, subject to the supervision of the Joint Committee on Judicial Administration in the District of Columbia and the chief judges of the respective courts. This authority and responsibility is prescribed in Title 11-1703(a) of the D.C. Code.

C. PAYMENT OF CRIMINAL JUSTICE ACT CLAIMS

QUESTION:
1. The Criminal Justice Act Finance Unit is responsible for seeing that Criminal Justice Act claims are processed for payment in accordance with prevailing statutes, policies, and procedures on a timely basis. In 1976, the total number of payments was 18,241 (FC/FM/FN-10).

1a. What was the value of these payments?

ANSWER:
1a. $2,944,100
NOTE: 19,344 payments were made in 1977, amounting to $3,536,100.

QUESTION:
1b. What procedures are followed by the Finance Unit to assure that payments are made on a timely basis?

ANSWER:
1b. The D.C. Court of Appeals and the Superior Court follow what is called the "60-day rule" which, as it applies to CJA claims, requires the attorney to submit a claim to the Finance Unit within the 60-calendar days following the last date of representation as claimed on the voucher. Once the claim is submitted, the Finance Unit audits the voucher as soon as possible. The volume and timeliness of the claim submissions and the on-board personnel staffing conditions are major factors which influence how quickly the claims are audited.

Each day's audited vouchers are sent to the Judge who has payment approval responsibility. Approved vouchers are batched on a weekly basis with weekly payrolls being structured so that checks are to be mailed out every Friday.

QUESTION:
1c. How many claims are delinquent? What are their values? What procedures are followed on delinquent claims?

ANSWER:
1c. Claims are determined to be delinquent if they are not submitted within 60 days following the last date of representation. At this time, it is estimated that approximately 500 vouchers yet to be submitted and 250 claims filed, but awaiting final disposition, qualify as being in a "delinquent" status.

With an estimated average amount per voucher of $165, the total value of the 750 claims in a "delinquent" condition would be $123,750.

In a July 2, 1974 memorandum to the Superior Court Judges, Chief Judge Greene assigned the Judge performing the Judge-in-Chambers function with the authority to consider waiver of the 60-day time limitation. Therefore, all claims which are submitted in a delinquent fashion are referred to the Judge-in-Chambers function for appropriate disposition.

QUESTION:
1d. What is the annual cost of the Finance Unit? How many personnel does the Unit employ?

ANSWER:
1d. In fiscal year 1977, the cost of the unit, exclusive of fees paid, amounted to $76,600.

It might be noted that this Unit by performing a pre-audit of all vouchers submitted under the CJA plan recovers this cost in savings by adjustments made to vouchers as a result of the pre-audit.

The Unit is authorized 5 employees.

PUBLIC DEFENDER SERVICE

A. 14 ADDITIONAL POSITIONS REQUESTED

QUESTION:

1. Last year the committee was told (Part 1, p. 695) that the Public Defender Service (PDS) is able to take on only about 15% of the criminal case load. The Committee has noticed that an additional 14 positions are requested for FY 1979. If these positions are approved, what portion of the criminal caseload will PDS be able to accommodate?

ANSWER:

1. In FY 1977, the Service's attorneys provided representation in approximately 15% of the cases where the Superior Court and the District of Columbia Court of Appeals appointed counsel. These cases include delinquency and "persons in need of supervision" cases in the Family Division; civil commitment (mental health) cases; felonies and misdemeanors (adults) in the Criminal Division; and appeals from those proceedings in the Court of Appeals.

The 14 new positions recommended by the City for transfer in to the PDS budget (from vacant Superior Court positions) include 9 new attorney positions. We anticipate that the impact of these new positions in FY '79 would be felt primarily in the Family Division, and should result in the Service handling about 40-45% of that Division's caseload. That projected share assumes a Family Division caselcad for FY '79 unchanged from the FY '78 level, and full utilization of PDS lawyers. One additional factor which could modify the PDS share is any slowing of the rate at which cases are disposed of by the Division, since this would have a negative impact on the number of times the PDS attorneys would "turn over" their caseloads during the fiscal year.

If the Service's share of the Family Division caseload in FY 1979 is 40-45%, and assuming no change in either the courts' caseloads in the other types of cases where attorneys are appointed, or in the PDS share of those caseloads, the Service's overall share of the courts' indigent caseload would be approximately 21%.

B. BUDGET FOR COURT APPOINTED ATTORNEYS

QUESTION:

1. The PDS request for FY 1979 is for $2,660,500. How much is being requested in courts budget for the compensation of court appointed attorneys?

ANSWER:

1. We are advised that the courts' request for Criminal Justice Act funds for FY 1979 is $3,589,600.

C. PDS SUPPORT OF PRIVATE ATTORNEY PROGRAM

QUESTION:

1. The justification material (Vol. III, pp. 119-120) indicates that the PDS is required by law to assist the courts in coordinating an effective system for the appointment of private counsel and that PDS also provides various support services to the court appointed attorneys.

What portion of the PDS budget is estimated to be used in support of the system of court appointed attorneys?

ANSWER:

1. The FY 1978 budget for PDS, including cost-of-living and executive pay increase amounts, was $2,165,600. We estimate that approximately $338,000, or 15%, is attributable to the Service's involvement with the appointed counsel program. This amount reflects the costs of our Criminal Justice Act Division, which performs eligibility interviews and clerical functions in the appointment of private attorneys; approximately 75% of our Investigative Division costs and 25% of our Offender Rehabilitation Division, since those shares of their workload come from private attorneys in CJA cases; the cost of our "duty-day attorney" program, which makes a lawyer available daily to consult with private attorneys or citizens; a small portion of the time spent by the Director, Deputy Director and Executive Assistant in administration, oversight, and consultation with the courts and Bar on the program; and other minor items.

We believe this estimate is conservative. It also does not include time contributed by the Service's attorneys outside of regular office hours to projects such as the Bar's Criminal Practice Institute, in the production of which our lawyers play a major role, with a time involvement of at least 500 attorney hours annually.

D. ELIGIBILITY CRITERIA FOR USE OF A PUBLIC DEFENDER

QUESTION:

1. In fiscal year 1979, the Public Defender Service plans to conduct 19,000 interviews (Vol. III, p. 120) in the Criminal Branch to determine if the defendants are eligible for a public defender. In approximately 18,400 cases (Vol. III, p. 119) counsel will be appointed. What are the criteria to determine who is eligible for a public defender? Can a defendant who does not meet eligibility criteria demand a public defender rather than retaining a private lawyer?

ANSWER:

1. The financial eligibility criteria are exactly the same for appointment of either a Public Defender Service Staff Attorney or a private attorney functioning under the Criminal Justice Act. The Congressional statutes applicable (D. C. Code §§ 11-2602 and

ANSWER:

2-2222) authorize appointment of a PDS attorney or a CJA attorney only if the defendant is "financially unable to obtain counsel." Uniform financial eligibility standards were adopted by the Superior Court in 1971, and are reported at 99 Washington Law Reporter 1627 (September 15, 1971). A copy is being provided to the Committee. Basically, the test is whether a defendant's net income and assets are sufficient to enable him to retain a qualified attorney without depriving himself and his dependents of the necessities of life. The decision is made by the Court. In making its determination, the Court may consider "information provided by the person to be represented and such other persons or agencies as the Court in its discretion shall require." D. C. Code § 2-2222(d). Under the Plan for Furnishing Representation for Indigents, all statements made by the defendant are required to be made under oath, and the giving of knowingly false or fraudulent information for this purpose is a criminal offense.

A defendant who does not meet the eligibility standards is not entitled to the appointment of either a Public Defender Service Staff Attorney or a private attorney under the Criminal Justice Act, but must obtain his or her own attorney.

ENVIRONMENTAL SERVICES

STATEMENT OF HERBERT TUCKER, DIRECTOR

ACCOMPANIED BY:

EDWARD LINGENFELTER, BUDGET OFFICER
GENE LEVESQUE ADMINISTRATOR FOR WATER RESOURCES MANAGEMENT ADMINISTRATION
EDWARD HALLEY ADMINISTRATOR FOR ENGINEERING AND CONSTRUCTION ADMINISTRATION

OPENING REMARKS OF SENATOR LEAHY

Senator LEAHY. We have a little bit of relief on the pressure on time. Senator Dale Bumpers is going to be here right around 9. I know he has a number of questions for the Department of Transportation.

For those who are here from the Department of Transportation, not wanting to steal Senator Bumpers' thunder in any way, I would point out that he was the author of the right turn on red legislation, and he has noted several times while the two of us have been driving around the city that the District of Columbia is just about the only jurisdiction that he knows of that doesn't have right turn on red. Whether that has anything to do with his desire to chair the hearing at 9 to hear the Department of Transportation or not I don't know. It may be pure coincidence.

INTRODUCTION OF ENVIRONMENTAL SERVICES OFFICIALS

We will go to the Environmental Services next, if they are here. Could we have your names from left to right for the record?

Mr. TUCKER. Mr. Edward Lingenfelter, Budget Officer for the Department; Mr. Gene Levesque who is Administrator for the Water Resources Management Administration; and Mr. Edward Halley who is Administrator for Engineering and Construction Administration.

STATUS OF AUTOMATED WATER BILLING SYSTEM

Senator LEAHY. In a report that was recently made to the committee, Mr. Tucker, a comment was made that a fully automated water billing system was still in a design, development, and implementation stage. The committee was told 2 years ago such a system was in the design, development, and implementation stage.

This seems to be almost like an elephant's gestation period. It goes on and on forever. Is it ever going to get out of the design, development, and implementation stage and into use?

Mr. TUCKER. On the 15th of May we hired, Mr. Chairman, a consultant, Touche Ross, who went to work on the 15th of May. He is now in the design stage and putting together a fully automated program.

Our target date for the implementation is October 1. Our completion date is December 31 this year.

Senator LEAHY. What happened to the design, development, and implementation 2 years ago?

Mr. TUCKER. Two years ago when I came aboard, sir, there was a partial automation and a partial manual system. That is when the oversight committee came aboard. Mr. Rohrbacher and I began to work jointly with the help of the oversight committee, and we hired the consultant Touche Ross.

DELINQUENT WATER BILLS

Senator LEAHY. Could you tell us what percentage of the water bill accounts are delinquent and how much money is involved in these delinquent accounts?

Mr. TUCKER. Sir, the best information that I have, is that we have about 6 or 7 percent of our accounts delinquent. Depending on whom you talk to and what type of a tabulation you get, it runs somewhere in the neighborhood of $9 million to $10 million, sir. I have one particular area of the city that has a delinquency of 20 percent.

Senator LEAHY. Let me ask you this: You say the delinquent water bills are somewhere in the neighborhood of $9 to $10 million. Considering the fact that your budget has to be considered partly on the fact that you are a revenue producing agency, why do we have such a ballpark figure? Why can't we say exactly how much money is delinquent, or at least within say 1 percent or so?

Mr. TUCKER. Because of the manner in which we have been keeping the records in the past, sir. The records were not the type of records that should be kept. As the Senator pointed out, part of my budget is based on my ability to collect water and sewer revenue.

TIMELY SUBMISSION OF WATER BILLS

Senator LEAHY. I realize you came on there just a couple years ago, but you can understand the concern that we have in the committee, because it is the same concern we expressed on the hospital billings last year. And after tightening up the billing procedures, we went from about $3 million to $9 million. In fact, we went at least $1 million over what the committee estimated we would collect. I am wondering what percentage of the water bills now go out on a timely basis.

Mr. TUCKER. Sir, the water bills are going out on a timely basis. We are up to date on meter reading. We do send the bills out 30 days after we have read the meter.

I have met in the last 6 weeks with various accounts. I am meeting with the commercial people, sitting down and going over their accounts. We are collecting the moneys owed to us. I just collected $66,000 from a big department store account. The bills are up to date.

DELINQUENCY OF RESIDENTIAL USERS

Senator LEAHY. You mentioned one section of the city where there are about 20 percent in delinquency. Are these primarily individual households?

Mr. TUCKER. These are primarily residential, sir.

COLLECTING FROM COMMERCIAL USERS

Senator LEAHY. I realize that in collecting on some of the individual ones it can be often long and arduous. But what about large commercial users of water? I mean those that might have bills of $10,000, $20,000, and so on? What steps do you have to collect those? Shouldn't just the threat of turning off the water be enough to get some of the commercial groups to pay up?

Mr. TUCKER. The threat would probably do it, Mr. Chairman. But when you start talking about turning off a unit that has 400 or 500 families in it, you are really getting into something.

That is why I have taken the time to invite either the owners or their representatives in and we analyze their account, go over it, and then we reach a happy medium. Of course, in each instance after we reach an understanding, I run it past the Corporation Counsel for the legality. If it is over $2,500 it has to be approved by the Mayor, if there is any adjustment of that type.

PROJECTED COLLECTION OF DELINQUENT ACCOUNTS

Senator LEAHY. Let me ask you—you say there may be as much as $9 or $10 million in delinquent accounts out there now. Just as a realistic, practical matter, of the $9 or $10 million, how much do you think will ever be collected?

Mr. TUCKER. To be very practical and realistic, Mr. Chairman, at least $5 million or $6 million of that. Some of the accounts go back as far as 1973 and 1974.

Senator LEAHY. A lot of those people probably moved out.

WATER CHARGES AS PROPERTY LIENS

Do water charges stay as a lien on property?

Mr. TUCKER. It does stay as a lien on property. Mr. Jerry Moore who is chairman of the Environmental Transportation Committee for the City Council has a bill before the Council now that instead of making the occupant responsible for the bill, he is making the owner responsible for the water bill.

Senator LEAHY. I see. But you think as much as $5 million or $6 million of that could be collected?

Mr. TUCKER. I am striving to get it, sir.

INACCURATE WATER BILLS

Senator LEAHY. What about the problem of inaccurate bills? Every so often I get calls from people who say look, I have a bill for a large amount, and then they come out with some horror story that they couldn't even be filling a local aqueduct to run up that much of a bill. Invariably when it is checked out it is found to be wrong. Is that a major problem?

Mr. TUCKER. It is not as major as it has been. In many instances the water bill is not inaccurate. It is inaccurate if we are unable to read the meter and estimate. But if we have read the meter, the bill is normally accurate.

What we find is that most people are not aware that water and sewer rates have increased on the average of 40 percent since July 1976. I think we had the lowest water rates at $8.75 as a minimum.

Most people did not use their 3,600 cubic feet minimum, so that made the water and sewer rates extremely reasonable to the city. But once you start charging people for every drop of water they use, bills go up. Now people are beginning to get aware of the fact they will have to check the toilet and various other facilities for leaks.

Senator LEAHY. At our home in Vermont we have our own water system on our property. We don't down here, of course. It has taken a little bit of time to explain that to our children, that there is a difference from one place to the other.

Mr. TUCKER. Mr. Chairman, when we go in and inspect a facility, private residence, and find they do have leaks, we then ask them to correct the leaks. Then we make an adjustment on the bill.

STREET AND ALLEY CLEANING OF REFUSE

Senator LEAHY. Your justification material says that the department expects to collect 50,000 tons of street and alley refuse in fiscal year 1979. That is a 43 percent increase over the level expected to be collected in fiscal year 1978. Why the large percentage change?

Mr. TUCKER. In the street and alley cleaning of refuse?

Senator LEAHY. Yes.

Mr. TUCKER. Sir, I was fortunate enough, and I really think the people are just waking up to what they signed in our last contract, but we are now in the throes of a new contract where on Wednesday, I have 70-some collection crews, and each of those crews must clean 10 alleys. We have gone to what we call continuous path routing which EPA helped us put together.

Instead of a crew being able to finish up their trash collection by 8:30 or 8 or 9 on Thursday, they now have to collect four loads on Thursday. We are anticipating a reduction of crews on Thursday and Friday down to about 60. That will give me four additional crews on Thursday and Friday, and they must clean four alleys. I anticipate we will clean 750 alleys in a week, sir.

INCREASE FOR ANNUALIZATION

Senator LEAHY. The Department has requested one new full-time position and a $672,000 increase for personnel compensation. Why is the large increase necessary for personnel compensation? I am wondering how many authorized previously unfunded positions are going to be funded by the Department's request.

Mr. TUCKER. In the 1979 budget, we are asking for $420,400, to annualize 62 positions which were partially funded in the fiscal year 1978 budget. That is an increase in our water resource management administration, sir.

CAPITAL IMPROVEMENT PROJECTS

Senator LEAHY. We are going to want just for the record some other information. The Department of Environmental Services has requested $12 million for 13 permanent improvement projects. If we could have just a summary of the need of each of these projects, and also a listing of them in priority order, we would appreciate it.

Mr. TUCKER. We have that here and it is in priority order, sir.

Senator LEAHY. Thank you.

[The information follows:]

Summary of 1979 Capital Budget

Continuing
Project No. 32-801 - Agency Priority 1
Water Service Extensions and Fire Hydrants, $1,000,000

This project provides for the extension of watermain service to undeveloped or redeveloped properties and for miscellaneous system adjustments and betterments. While service watermain construction is diminishing as the city approaches saturation development, there are increasing demands for system changes in connection with street and other general system improvements.

If requested funds are not appropriated, water service for new development will be delayed thus seriously affecting the economic base of the city.

Various sizes of watermains from 8" to 12" in diameter, of ductile iron, cast iron or steel pipe and repairs and adjustments on watermains from 6" to 48" in diameter.

Continuing
Project No. 32-501 - Agency Priority 2
Service Sewer Extensions, $400,000

This project provides for the extension of service sewers in new streets, in existing streets which do not have complete service and for miscellaneous system adjustments and betterments. While service sewer construction diminishes as the city approaches saturation development, there are increasing demands for system changes related to street and other general system improvements.

The need for this type of sewer extension will exist until such time as all unimproved land in the District is developed and combined system problems eliminated. Needs for any specific year vary with the rate of new development on private property. If requested funds are not appropriated, sewer service for new development will be delayed thus seriously affecting the economic base of the city.

Various sizes of vitrified clay sewer pipe ranging from 10" to 18" in diameter.

Continuing
Project No. 32-105 - Agency Priority 3
Relief of Flooding and Drainage Compiaints, $1,500,000

The purpose of this project is to provide funds for extensions of storm sewers to relieve inadequate drainage and localized and major flooding which create hazards to life and property and cause public inconvenience. Such extensions are often needed in connection with and to provide service for new schools, libraries, police and fire stations or other public buildings. Some locations where relief is needed are known in advance while others develop more or less suddenly as a result of conditions and operations of others beyond control of the department. As an example, building construction on private property may change local drainage conditions in the particular drainage area to the extent that conditions may become critical within a very short time. It is, therefore, highly desirable that this project be provided without reference to specific locations in order that this type of drainage problem may be corrected before damage suits become a problem.

Another purpose of this project is to provide storm sewer outlets, advance sections of relief works and major replacements as may be necessary

to permit the W.M.A.T.A. and Department of Highways and Traffic programs to proceed and to take advantage of the economies made possible by performing the sewer work in advance of paving.

While it is anticipated that certain storm sewer facilities, necessary to drain the areas to be paved and located within such areas, will be financed from W.M.A.T.A. and Highway project funds, this item in the sewer program is necessary to provide outlets for such local facilities as are provided in these projects; to build parts or all of the relief sewers which for reasons of topography must be located under the streets to be paved; and for relief or replacement of undersized or structurally defective sewers within such areas to be paved. If the requested funds are not appropriated construction of the storm sewers after the street is paved would be much costlier.

Continuing from 1978 (New Section)
Project No. LA-138 - Agency Priority 4
I-95 Site Development, $4,700,000

The I-95 Landfill located in Lorton, Va., is the only landfill available to the District and along with SWRC #1, comprises our present solid waste disposal program. Without it, over 1000 tons of trash would remain on the streets of the District each day.

There is regional participation at the I-95 Landfill by Alexandria, Arlington, and Fairfax County along with DES. All costs are shared on a tonnage allocation basis, and although the District is the operator of the complex, overall policy is governed by a legal document titled the "I-95 Memorandum of Understanding".

Funds in this budget are for enclosure of Mills Branch, which was originally scheduled for enclosure under Phase II of the project (approximately 1987). This request at this time is the result of more stringent environmental protection requirements. Failure to do this work will place us in violation of our operating permit thus forcing the closure of the landfill.

Continuing
Project No. 32-505 - Agency Priority 5
Advance of Paving and Miscellaneous, $400,000

The purpose of this project is to construct replacement facilities throughout the sanitary sewer system. Such replacement work is precipitated by either new street paving of small block areas by the Department of Highways and Traffic or by imminent danger of failure of old defective sewers. Neither of these causes is predictable any great time in advance of its need.

Construction of this type of work in advance of street paving precludes the need of cutting new or relatively new streets with attendant confusion to traffic and the public, and makes possible substantial economies in paving costs.

The costs of constructing replacement sewers after the street has been repaved will be considerably higher if the requested funds are not appropriated.

Scope:

The construction of sanitary sewers in advance of local highway paving and replacement sewers at various locations throughout the city. Size of sewers varies from 10" to 18" diameter and average project varies from $10,000 to $60,000.

Continuing
Project No. LA-850 - Agency Priority 6
Replacement of Undersized and Defective Watermains, $350,000

A concerted and accelerated effort by this Department is necessary to alleviate recurring problems such as a high incidence of breakage, constant outages of service, a poor quality of water and insufficient supply that have plagued the older sections of this city for a number of years. These problems stem from the now undersized and almost ancient system of service watermains that were constructed seventy and eighty years ago and should be replaced with 8-inch and larger diameter watermains.

The ever increasing demand for water will exacerbate the situation until remedial measures are undertaken.

The project, if funded, would permit a programmed replacement of the undersized and defective mains with locations for the construction to be determined on a needs priority basis.

Scope:

Replace 3,500 linear feet of 4-inch and 6-inch diameter watermain and appurtenant valves with 8-inch and 12-inch ductile iron watermain and valves.

Continuing
Project No. 32-803 - Agency Priority 7
Trunk and Secondary Watermains, $200,000

The purpose of this project is the construction of minor, secondary and trunk watermain projects in advance of street paving and to reinforce weak points in the distribution system.

The results of a water system evaluation study completed by this Department and a consulting engineering firm in November 1968, give specific size length and location of such weak points in need of reinforcement.

While locations of the aforementioned system reinforcement have been determined, the construction is primarily coordinated with proposed paving projects to effect cost savings.

Scope:

Various sizes from 16" diameter to 36" diameter concrete, steel or ductile iron pipes. Average unit varies from $25,000 to $800,000.

New
Project No. LA-140 - Agency Priority 8
Update of Air Quality Equipment
Solid Waste Reduction Center #1, $270,000

This project is for the replacement of all corroded wires and plates in the electrostatic precipitators and the installation of air distribution screens and rapper hammers to assure that this facility meets air quality standards.

(A budget amendment is being requested on this project increasing the amount requested by $1,330,000 to $1,600,000. The additional amount is for furnace modifications and replacing certain elements of the air pollution control system.)

New
Project No. LA-162 - Agency Priority 9
Process Modification to Effect Water Conservation at Solid Waste Reduction Center Number 1, $500,000

The purpose of this project is to provide a water recycling system which will insure the re-use of all process water now being discharged into the

clear well. This modification will not only conserve water but will free up sewage treatment capacity at Blue Plains for other D.C. users.

New
Project No. LA-567 - Agency Priority 10
Rehabilitation of Sanitary Sewer System, $1,855,000

For infiltration/inflow analysis, sewer system evaluation surveys and sewer system rehabilitation to correct infiltration inflow. The Water Pollution Control Act Amendments to Public Law 92-500 require that applicants requesting federal funds for sewage treatment works after July 1, 1973 show to the satisfaction of EPA that the sewer collection system discharging into such treatment works is not subject to excessive infiltration. The District's participation in this program is mandatory if it wishes to continue to receive federal grants for sewage treatment. Since sewage treatment costs are high and never ending we believe that correction of infiltration inflow would be a cost effective program.

New
Project No. LA-141 - Agency Priority 11
Residue Trommel and Magnetic Separation of Metals at SWRC #1, $230,000

This project will provide for two installations consisting of magnetic separation of ferrous metals, screening of all tailings through a 1-inch mesh shaker screen, and storage and loading provisions for recovered metals and tailings. This is a pilot project which we are certain will result in additional revenue from the sale of recovered metal and operating savings due to a reduction in landfill hauling costs.

New
Project No. LA-568 - Agency Priority 12
Dueling Branch Relief Sewer, $398,200

For the District's share of the cost of replacing the Dueling Branch Sewer which belongs to the Washington Suburban Sanitary Commission and which will carry District sewage flows in the vicinity of Bladensburg Road. Section 5 of Agreement 766 between D.C. and the W.S.S.C. provides that when it becomes necessary to add facilities to the sewage systems of either party to this Agreement, which will handle flows from the other party, the cost of such work shall be shared in the same proportions as the design capacity assigned to both parties. 181 acres in the District drain to this sewer through two connections.

New
Project No. LA-561 - Agency Priority 13
Conversion of Sewage Pumping Units, $200,000

This project is for the replacement of the existing fixed speed drives for sewage pumps at the Main Sewage Pumping Station with variable speed pump drives. Sewage pumping operations can be better controlled through the use of variable speed pump drives thereby reducing electrical energy requirements and achieving significant reductions in operating costs.

COMPLETION OF BLUE PLAINS TREATMENT PLANT

Senator LEAHY. What is the status of the Blue Plains Sewage Treatment Plant? When is it going to be fully operational?

Mr. TUCKER. The target date is July 1980.

Senator LEAHY. Will that be a significant help for you?

Mr. TUCKER. It will be a significant help. I am sure the chairman is aware of my sludge problems. At that time we will be generating 1,800 tons of sludge a day, sir.

Senator LEAHY. This can be off the record.

[Discussion off the record.]

RECONVERTING REDUCTION CENTER NO. 1

Senator LEAHY. What is the status of the effort to reconvert reduction center No. 1 to have a steam production capability so the city could sell steam?

Mr. TUCKER. We have in the 1978 budget a request for $200,000, which is project No. LA-138, for a comprehensive engineering study as to how to resolve the city's solid waste disposal problems, which in conjunction with that would have been the sale of steam to Pepco. But I understand that was cut out of the budget, sir.

Senator LEAHY. What is in the 1979 budget on this?

Mr. TUCKER. Nothing, sir.

Senator LEAHY. Thank you very much, Mr. Tucker, Mr. Lingenfelter and Mr. Levesque.

Mr. TUCKER. Thank you, Mr. Chairman.

[CLERK'S NOTE.—The following was submitted for the record to clarify issue of the $200,000 study requested in the fiscal year 1978 capital improvement budget (project LA-138), and its relationship to reconverting reduction center No. 1 to provide a steam production capability for selling steam.]

LETTER FROM HERBERT L. TUCKER, DIRECTOR
DEPARTMENT OF ENVIRONMENTAL SERVICES

JUN 9 1978

Honorable Patrick J. Leahy
Chairman, Subcommittee on Appropriations
for the District of Columbia
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

A recent news article which appeared in the Washington Evening Star, under the byline of Dianne Bracket, dated June 1, 1978, which stated that I made errors or gave misleading testimony to your Committee, has caused me great concern. This type of reporting, if unchallenged, would have a detrimental effect upon my credibility before Congressional Committees as well as the residents of the District of Columbia. It is for this reason that I feel impelled to call the following facts to your attention.

The $200,000 study referred to in the news item was included in the F.Y. '78 budget request to fund a comprehensive study of both solid waste collection and disposal. These two facets of the study are not mutually exclusive since collection practices will impact on the disposal techniques. The disposal portion of the study contemplated an exploration of the several alternatives with particular reference to the potential for resource recovery.

The "Resource Conservation and Recovery Act of 1976", P.L. 94-580, emphasizes the need for increased attention to the recovery of both materials and energy from the solid waste stream. The District of Columbia not only supports this principle but also is anxious to explore the potential for generation of revenue which could reduce the costs of refuse disposal to the District. The conversion of refuse to energy through recovery of the heat value in the waste and possible production of electricity represents one process we would like to study. This latter point has been of importance to us because of the interest of PEPCO in the purchase of steam at 600 psi and 900° F.

The technical problems associated with the conversion of our Solid Waste Recovery Center No. 1, which now serves as an incinerator, to a refuse fired boiler for production of steam are extremely complex. The solution of these problems requires a high level of expertise in combustion engineering, an engineering skill not available on our staff. With capital costs ranging from 50 to 100 million dollars for the type of resource recovery facility needed to serve the District, it is essential that decisions be based on sound factual findings. The consultant services would also have dealt with such factors as the incineration of co-mingled refuse and sewage sludge, recovery of steel, aluminum and glass from the waste stream, separate collection of newsprint and other innovative approaches to resource recovery. The state of the Art is constantly changing and the opportunity for generation of revenue is increasing.

I am attaching a copy of the original F.Y. "78 Budget Request for the "Solid Waste Capital Improvement Study" at a total cost of $200,000. The scope of work clearly delineates coverage of the solid waste disposal and collection system in the District, including resource

recovery. This project was subsequently combined with the I-95 Site Development Project in the F.Y. '78 Congressional Budget Submission. Nevertheless, the substance of the comprehensive study of solid waste systems did not change. This is reflected in the statement on Page 2103 of the Senate Hearings for the District's F.Y. '78 Budget, "In addition to work at the I-95 Landfill, this project also includes $200,000 for a comprehensive engineering survey on how to resolve the City's future solid waste disposal problems. The survey will review the effectiveness of existing solid waste systems and pursue alternatives such as resource recovery".

Also attached are: a copy of my memorandum to Comer S. Coppie requesting appeal of the Senate cut of this item from the 1978 Budget; a copy of the answer to a question posed by your Committee when marking up the 1978 Budget; a copy of the answer to a question posed by your Committee prior to the 1979 Budget Hearings.

It should be evident from the foregoing that the Department has consistently testified as to the broad scope of the solid waste study including, in part, the potential for generation of steam for sale to PEPCO.

Please let me know if you have any questions regarding the above material.

Sincerely yours,

Herbert L. Tucker
Director

Attachments

DISTRICT OF COLUMBIA GOVERNMENT | FY 78 | $ THOUSANDS

CAPITAL IMPROVEMENTS PROGRAM PROJECT SCHEDULE

AGENCY: Department of Environmental Services | Date of Preparation: 7-15-76 | SCHEDULE 11

Project Title	Project Number	Agency Priority	Estimated Occupancy Date
Solid Waste Capital Improvement Study	LA-139	10	N/A

Project Location:

Square & Lot Numbers	N/A	Total Square Feet	N/A
Ward Number	"	Cost Per Square Foot	"
Urban Renewal Area	"	Capacity of Facility	"
		Estimated Period of Usefulness	"

RELOCATION DATA

Families	N/A
Individuals	"
Businesses	"
Other	"
Total	"

Fund: General

OPERATING COST DATA

Category	Annual Cost (1st FY 78 Dollars)
Current Operating Cost For Entire Facility (Whenever Applicable)	N/A
Additional Operating Costs Following Completion of Project	
Personal Services	
Other	
Debt Service	
Less Revenues	
Equivalent Cost	
Total Operating Cost	

COST ESTIMATES

Phase	Total Cost	Prior Appropriations	Unobligated Balance	Appropriation Request FY 78	Future Appropriations FY:
Preliminary Design	200			200	
Site					
Construction Services					
Construction					
Equipment					
Total - D. C. Funds	200			200	
Federal Assistance					
Total Cost	200			200	

Cost Change from 1977 %:

FINANCIAL INFORMATION (ESTIMATED)

Fiscal Year	Loans	Bonds	Grants	Total Expenditures
1977 or Prior				
1978				
1979				
1980				
1981				
1982				
1983				
Beyond				
Total				

PROJECT JUSTIFICATION:

The District will face a serious problem when the I-95 Landfill is filled, and no plans are in effect to recover the energy and by-products contained in solid waste. With the present (2300 tons/day), and proposed amounts of solid waste to be buried at I-95, it is conceivable that the I-95 Landfill could close by 1986.

With 3 to 5 yrs. required to implement a sound long range program, there is little time left for added contemplation or delay.

Private industry is willing to provide the capital and expertise, but we need the study to provide a norm or sound basis for soliciting and evaluation of the proposals.

The energy crisis is expected to worsen by 1980, yet we continue to bury 14,950 million Btu's of energy daily at I-95, and waste another 9200 million Btu's per day at SWRC #1.

SCOPE OF WORK: Study and plan should include, but not be limited to the following:

SOLID WASTE DISPOSAL

1. Analysis and cost effectiveness of current systems employed with recommendations for immediate improvements.
2. Projected increases in the amount of solid waste generated, by year, over the period of the plan.
3. Evaluation of alternative solid waste disposal systems with resource recovery (Inc. recovery of energy metals etc.) for D. C. area and recommendation on the most cost effective system to adopt.

DISTRICT OF COLUMBIA GOVERNMENT | FY 78 | CAPITAL IMPROVEMENTS PROGRAM PROJECT SCHEDULE | CONTINUATION | SCHEDULE 11

AGENCY: Department of Environmental Services | Date Prepared 7-15-76

PROJECT TITLE & NUMBER

PROJECT JUSTIFICATION:

SCOPE OF WORK:

SOLID WASTE DISPOSAL: (CONTINUED)

4. Based on long range projections (10 yrs.) best resource recovery system for I-95.

5. Products from resource recovery must have present & long range markets.

6. Study should include:

   a. Costs for stepwise conversion of SWRC #1 to Purox system (if technically sound) to supply gas to Pepco @ Benning Rd., or the production of steam at SWRC #1 for use by Pepco.

   b. Possible Purox system for I-95 with gas used for utilities in prison facilities--or possible NH_3 plant for gas use at I-95, or other energy producing processes suitable to the area.

   c. Should include disposal of sewage sludge via composting per Dano process at Oxon Cove or by energy recovery route.

   d. Recovery of metals from SWRC #1 residue at SWRC #1, and sizing or residue failings for use in asphalt or road base material.

   e. Best use of New Ft. Totten Transfer Station and N. J. and K Transfer Station.

7. Resource recovery plants must be of a modular design to permit expansion and revisions as technology improves.

8. Environmental impact, emissions, etc. must be the overriding factor in design or type of process for resource recovery.

SOLID WASTE COLLECTION

1. Analysis and effectiveness of current systems employed with recommendations for immediate improvements including a budget and cost accounting system.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

CAPITAL IMPROVEMENTS PROGRAM PROJECT SCHEDULE — CONTINUATION

AGENCY: Department of Environmental Services — Date Prepared 7-15-76

PROJECT TITLE & NUMBER

SCHEDULE 11 CAPITAL BUDGET

PROJECT JUSTIFICATION:

SCOPE OF WORK:

SOLID WASTE COLLECTION: (CONTINUED)

2. Study of Ward Area Centers for locations, need, and improvements and integration into overall disposal system.

3. Study and balance of route designs, and street cleaning methods and practices.

4. Feasibility of Contractual Services for certain areas or types of waste.

MEMORANDUM FROM HERBERT L. TUCKER

September 16, 1977

MEMORANDUM TO: Conor S. Coppie
Special Assistant to the Mayor

SUBJECT: Senate Appropriations Subcommittee Markup
of F.Y. 1978 Budget

We have reviewed the Senate Appropriations Subcommittee markup of the F.Y. 1978 Budget and wish to appeal the following reductions:

Capital Outlay

Project LA-139 I-95 Site Development, $200,000:

Continued development of the I-95 Landfill at Lorton, Virginia is essential to the delivery of Trash Collection Services. In 1976 the Department of Environmental Services had to dispose of approximately 461,000 tons of household refuse and commercial trash. Approximately 54% or 253,000 tons were transported to the Lorton Landfill. Without funds in FY-1978 to continue the landfill development the City will be faced with a trash crisis.

In addition to the obvious need for continuous development of the Lorton Landfill the District has a legal obligation to Fairfax County Virginia and the Metropolitan Council of Government (representing Alexandria and Arlington Virginia) to live up to the terms and conditions of the "I-95 Memorandum of Understanding" which requires the District to provide all capital funding for landfill site development. The other signatories to the memorandums are in turn required to repay their proportionate share of all Capitol costs over a five year period based on tonage allocation.

This project also includes funds to develop a long range Solid Waste Disposal Master Plan. The feasibility of generating steam at Solid Waste Reduction Center #1 for sale to PEPCO, and other resource recovery alternatives need to be evaluated in depth before a sound disposal program can be developed.

Solid Waste is fast becoming a resource of value.

We therefore must develop a disposal program that is technically sound and at the same time flexible enough to respond to changing market demands for waste products. The Department of Environmental Services does not have the technical staff required to perform the necessary detailed system engineering evaluations and therefore must look to outside expertise to help develop a viable waste disposal and resource recovery master plan.

We believe it would be short sighted not to fully explore the cost benefits of energy recovery from solid waste.

Operating

Solid Waste Management Administration, $100,600:

This reduction will be applied to the street and alley cleaning function of this Administration since we feel it is the area of least impact in service delivery to the citizens of the District of Columbia. The loss of these funds, however, will require the elimination of nine employees, slightly more than two crews, and will result in a 7% reduction in street cleaning frequencies. This means that on the average half the city will lose one of their eight annual street cleanings. City cleanliness ratings will decline proportionately.

Environmental Health Administration, $3,900:

This reduction will affect food protection activities and the control of hazardous chemicals by reducing the funds available for laboratory services ($24,900) by $3,900. Analyses of meats and other products are required to detect adulteration and contaminations and permit enforcement of regulations.

A 36% program loss will significantly hamper our enforcement program.

Herbert L. Tucker
Director

SUBMITTED QUESTION

Question: Why can't Department Engineers do the Solid Waste Evaluation Study?

Answer: The Department's engineering staff is limited to the handling of day to day system problems and is somewhat crisis oriented. Technological advances in the solid waste area as well as other areas of the Department's responsibility should be assessed on an ongoing basis. In addition, we do not have the necessary expertise on the staff, such as Steam Generating and Process Engineers which would be required for the Department to undertake such a study. A critical need currently exists to increase this staff to permit continuous evaluation of system operations and plan for long range improvements.

MEMORANDUM FROM JOHN INGRAM

MEMORANDUM TO: Comer S. Coppie
Special Assistant to the Mayor
for Budget and Management Systems

SUBJECT: Status Report of Items in the F.Y. 1978
Senate Report and F.Y. 1978 Senate Hearing
Record

In compliance with your memorandum of March 3, 1978, the original and three copies of the responses to the items identified for this Department are attached.

John Ingram
Acting Director

Attachments

SUBMITTED QUESTIONS

QUESTION:
30. The City was requested to have the water billing system up to date by the time Committee hearings start on the FY 1979 budget. (i.e., April, 1978)

ANSWER:
30. As the result of the accelerated water and sewer service billings program conducted during the summer of 1977 the regular billing is now on schedule.

Billings are currently being conducted in accordance with the established meter reading and billing schedule. This means that private/commercial meters are being read quarterly and residential meters every six months. The bills are rendered approximately thirty (30) days after the reading of the meters. It is anticipated that the reading of bills will remain on the established schedule during the design, development and implementation of the fully automated system.

QUESTION:
31. The Committee asked the City to consider developing a steam production capability at Reduction Center No. 1.

ANSWER:
31. The Department considers steam production at Solid Waste Reduction Center #1 to be a viable project in which we are deeply interested.

The 1978 Budget contains a request for $200,000 in Project No. LA-138 for a comprehensive engineering study on how to resolve the City's future solid waste disposal problems. Reviews of the various solid waste systems and resource recovery alternatives are planned in this study including steam generation at Solid Waste Reduction Center #1.

The Department's engineering staff is limited to the handling of day to day system problems and does not have the expertise which would be required to undertake such a study in-house.

SUBMITTED QUESTIONS

Senator LEAHY. Mr. Tucker I have some additional questions which I would like to have answered to be inserted in the hearing record. Also if you want to go into more detail on the questions you answered this morning, please do so.

Mr. TUCKER. I will be more than happy to answer the questions for the record, and I appreciate the opportunity to expand on the questions you asked this morning.

[The following questions were not asked at the hearing but were submitted to the Department for response subsequent to the hearing:]

Questions Submitted by Senator Leahy

DEPARTMENT OF ENVIRONMENTAL SERVICES
A. PROPOSED MEANS OF SLUDGE DISPOSAL CHANGED

QUESTION:

1. The Budget justification (P. LA-1, LA-2) shows that disposal of sludge from the Wastewater Treatment Plant will be done by composting rather than land containment because composting is more economical.

Has there been a cost benefit analysis conducted of the two methods as they relate to income and expense at the Wastewater Treatment Plant? Provide for the record a breakdown of the analysis. Explain how the cost savings will result from composting.

ANSWER:

1. The D.C. Government in conjunction with the U.S. Department of Agriculture, the U.S. Environmental Protection Agency, the State Governments of Maryland and Virginia and local jurisdictions utilizing the Blue Plains Wastewater Treatment Plant have been studying, since 1975, the best information available in this country and some foreign countries concerning various methods of sludge disposal. Based on analysis of all data obtained, it is our opinion that disposal of sludge by using the static pile method of composting as developed by the U.S. Department of Agriculture is the most advantageous method of sludge disposal for the Blue Plains Wastewater Treatment Plant. Cost analysis of the static pile method relative to other disposal methods practicable to Blue Plains have indicated it to also be the most economical.

There has been no formal cost benefit analysis conducted of the two methods of land containment (trenching) and composting as they relate to income and expense at the wastewater treatment plant. In response to your question, following are income and expense comparisons of these two methods of sludge disposal:

A. Income:
   (1) There is no income derived from land containment (trenching) of sludge.

   (2) The Maryland Environmental Service has estimated that the finished compost product can be sold for $10.00 per ton.

B. Expense:
   (1) Currently, Maryland Environmental Service is providing land containment (trenching) at a cost of $46.00 per ton by utilizing sites within a thirty mile radius of the wastewater treatment plant. Land containment (trenching) during FY 1979 and FY 1980 would require aquisition of a minimum 3,000 additional acres of land that probably would be beyond a thirty mile radius of the waste water treatment plant increasing expenses above the current amount.

   (2) A consulting firm (Camp, Dresser & McKee, Inc.) has determined that the cost to compost sludge at Oxon Cove would range from $4.00 to $15.00 per ton

depending upon capital requirements. Cost for disposal of the compost could range from $0 (sale or donation) to an estimated $15.00 per ton.

C. Cost Savings:

	Cost Range per ton
(1) Land containment (trenching)	$46.00 to ?
(2) Composting	4.00 to 30.00
Savings minimum:	16.00 per ton

QUESTION:
2. How will the Plant dispose of the composted material?
   A. Sales
   B. Donate to District agencies or the Park Service
   C. Other

ANSWER:
2. The current plans for disposal of the compost are initially by donation to regional land reclaimation projects. At the same time, we will be attempting to develop contracts whereby we would sell (wholesale) to private concerns who would in turn retail to the general public. Any remaining compost will have to be disposed of, probably by landfilling.

QUESTION:
3. Will the composting facility handle all sludge from the plants?

ANSWER:
3. No. The FY 1979 Budget is based on using a second composting facility located in Montgomery County.

QUESTION:
4. How much does the Plant expect to save each year by composting?
   A. FY 1979
   B. FY 1980

ANSWER:
4. The Oxon Cove Composting facility has been designed to receive 256,500 tons of sludge each year. At a savings of $16.00 per ton as shown in Question Number 1, the savings would be $4,104,000.

DEPARTMENT OF ENVIRONMENTAL SERVICES
B. WATER BILLINGS

QUESTION:
1. In a report recently made to the Committee (p. 40) the comment was made that a fully automated water billing system was still in the "design development and implementation stage." The Committee was told two years ago that such a system was in the design development and implementation stage. Why does it take so long to put a system in place?

ANSWER:
1. The existing manual records had to be updated and water and sewer billings put on a current basis before an automated system could begin to be put in place. The regular billing is now on

schedule as a result of the accelerated billing program conducted during the summer of 1977. On May 15, 1978 a $275,000 contract was let with Touche Ross and Company to develop and install a water-sewer billing system by October 1, 1978.

QUESTION:
2. Can the Department tell the Committee what percentage of the Water Bill accounts are delinquent and how much money is involved in these delinquent accounts?

ANSWER:
2. About 6 or 7 percent of the accounts are delinquent involving 9 to 10 million dollars.

QUESTION:
3. What percentage of the waterbills are going out on a timely basis?

ANSWER:
3. All bills are now going out on a timely basis.

C. 43% INCREASE IN STREET AND ALLEY REFUSE

QUESTION:
1. The justification material (Vol. IV, P. 339) indicates that the Department expects to collect 50,000 tons of street and alley refuse in FY 1979. This is a 43% increase over the level expected to be collected in FY 1978. What explains the large percentage increase in this activity?

ANSWER:
1. The increase predicted in street and alley refuse collection is attributed to several factors:

The creation of the Bureau of Street and Alley Cleaning is intended to provide an improved management focus for this function which formerly existed as a lesser component of the Bureau of Solid Waste Collections. Improved work methods, organization and measurement systems are expected to result in significant productivity gains.

Expansion of the vastly more productive mechanical sweeping program through the use of parking controls will result in significant tonnage increases.

Household refuse collection crews will carry out continued and expanded alley cleaning activities as "productivity assignments" under the revised union contract agreement which augment the efforts of the Street and Alley Cleaning Bureau.

D. FOOD INSPECTION PROGRAM

QUESTION:
1. The justification material (Vol. IV, p. 329) indicates that the loss of the Food and Drug Administration contract in March of this year will greatly impact the Department's Food Inspection program. Yet the justification material (Vol. IV, p. 341) also shows that the Department expects to make the same number of food service inspections in FY 1979 as were made in FY 1978. Is the funding level requested for the activity in FY 1979 adequate or not?

ANSWER:

1. The District's food protection program, like other state and municipal food control services, requires far more than "inspections."

The broad objectives of the District of Columbia's food sanitation program are to enhance protection of the consumers' health and welfare. More specifically the program is designed to accomplish the following:

1. Protect food from foreign material and microbial contamination
2. Reduce the threat of foodborne illness
3. Ensure wholesomeness of food
4. Meet consumer expectations

The four elements listed above require food monitoring - sampling and laboratory analyses for biological and chemical contaminants which cannot be readily seen during food establishment inspection.

Examples: fat content of ground beef; bacteriological and viral content of delicatessen (ready to eat) foods; the chemical (kepone, mercury, etc.) concentration in fish and shellfish at the market level. These food samples must be purchased for analysis.

The food protection program also mandates (by D.C. Law) the formal training of food service workers. This requires manpower and related training resources (printed material, films, instructors, etc.).

Training is essential because it is evident that the sanitary practices in a food establishment depend upon the education of the food workers and of management - the foundation of effective food sanitation practices. Since the inspectional visits can be made only at infrequent intervals, supervision of food service personnel becomes a matter of education of the workers and management alike.

Consumer information and consumer education are also critical elements of an effective food protection program designed to prevent food infections and intoxications which ultimately affect community health and welfare.

It is these elements - food monitoring, training, consumer information and consumer education - that cannot be fully implemented because of the loss of contractual funds provided until March 31, 1978 by the U.S. Food and Drug Administration.

Thus, the funding level requested is adequate for inspections but not adequate for conducting a complete food protection program in this highly compacted urban center where food distribution, food preparation and food service are highly intensive activities that are further excerbated by the large influx of visitors, expected and unexpected (demonstrations, mass gathers, etc.).

E. PURCHASE OF 9 COMPACTOR TRUCKS

QUESTION:
1. The Budget justification (p.LA-35) states that funds were redirected in from the Water Resources Management Administration to allow purchase of 9 compactor trucks.

Were the trucks justified on the basis of a need for new routes or to replace worn-out vehicles?

ANSWER:
1. Funds were redirected to bring the collection equipment funding back to FY 77 levels. The 9 compactor trucks represent a minimal replacement effort for the 101 unit fleet.

F. MANHOURS SPENT ON HOUSEHOLD REFUSE COLLECTION DOWN 11% BUT COLLECTS UP 3%

QUESTION:
1. On page LA-11, the Budget justification shows that total manhours expended on household refuse collections are expected to go from 480,000 in FY 78 to 425,000 in FY 79 and tons of household refuse collected will increase from 175,000 in FY 78 to 180,000 in FY 79. Overtime is expected to remain constant. Explain how this will be accomplished.

ANSWER:
1. Refuse generation has been predicted to increase with improved economic conditions and the expansion of city development activities. The reduction in manhours expended on house hold refuse collections are anticipated as a result of the complete revision of collection routes utilizing the "Continuous Path Routing System". The system provides improved route design allowing for housing density patterns, disposal site travel distances, refuse generation rates, seasonal load variations, etc. The result is an improved equalization of work loads between crews and greater management flexibility and control. The first phase of implementation, now underway, points to an annual savings of nearly 30,000 manhours with the further savings anticipated as the second phase is implemented in fall, 1978.

G. MAINTAINING 1,337 PIECES OF EQUIPMENT

QUESTION:
1. The justification (p.LA-3) states that the Division is responsible for maintaining 1,337 pieces of vehicles and other mobil equipment. Some 47 percent of the units are over 8 years old.

1a. What are the maintenance costs for the units that are over 8 years old? Do you make comparative analysis of maintenance cost versus acquisition cost? Are acquisition decisions based on the comparative data?

1b. How much more downtime is associated with units that are over 8 years old than those pieces under 8 years? If the downtime is significant for the older vehicles, how does the Division maintain its services at an adequate level?

ANSWER:
1a. The department expended $1,560,500 for maintenance costs in the last 12 months to support 628 vehicles over eight years of age. Comparative analysis of maintenance costs versus acquisition costs is used but is not the basis for acquisition decisions. These decisions are primarily made based on fund availability, past maintenance experience, and mission requirement.

1b. Downtime for older vehicle is approximately 55% greater than it is for newer vehicles. Service is maintained at an adequate level by the use of management prerogative in assigning priorities in repair work, reallocating resources, and maxium use of personnel assets.

H. STUDY OF PASSENGER CARRYING VEHICLES

QUESTION:
1. The budget justification (P.LA-3) shows that the Department is currently conducting a study of the use of passenger carrying vehicles to determine whether these vehicles are being used to the best advantage.

1a. When will the study be complete?

ANSWER:
1a. The study has been completed.

QUESTION:
1b. What does the study show to date?

ANSWER:
1b. The study shows that the Department has a significant potential for reducing the size of its fleet. In order to achieve this reduction, however, vehicle maintenance must be improved, vehicle use pooling must be established and utilization criteria must be adopted.

To date 17 vehicles have been deleted from the inventory and 10 are committed for deletion. An additional 16 vehicles are being studied to determine if they can be deleted.

I. CAPITAL IMPROVEMENTS

QUESTION:
1. The Department of Environmental Services has requested (Vol. IV, p. 412) $12,003,200 for 13 permanent improvement projects.
1a. Please provide the Committee with a summary of the need for each of these projects.
1b. Also please provide a listing of those projects to the Committee in priority order.

ANSWER:
1a&b. Project No. 32-801 - Agency Priority 1
Water Service Extensions and Fire Hydrants, $1,000,000
This project provides for the extension of watermain service to undeveloped or redeveloped properties and for miscellaneous system adjustments and betterments. While service watermain construction is diminishing as the city approaches saturation

development, there are increasing demands for system changes in connection with street and other general system improvements.

If requested funds are not appropriated, water service for new development will be delayed thus seriously affecting the economic base of the city.

Will construct various sizes of watermains from 8" to 12" in diameter, of ductile iron, cast iron or steel pipe and repairs and adjustments on watermains from 6" to 48" in diameter.

Project No. 32-501 - Agency Priority 2
Service Sewer Extensions, $400,000

This project provides for the extension of service sewers in new streets, in existing streets which do not have complete service and for miscellaneous system adjustments and betterments. While service sewer construction diminishes as the city approaches saturation development, there are increasing demands for system changes related to street and other general system improvements.

The need for this type of sewer extension will exist until such time as all unimproved land in the District is developed and combined system problems eliminated. Needs for any specific year vary with the rate of new development on private property. If requested funds are not appropriated, sewer service for new development will be delayed thus seriously affecting the economic base of the city.

Various sizes of vitrified clay sewer pipe ranging from 10" to 18" in diameter.

Project No. 32-105 - Agency Priority 3
Relief of Flooding and Drainage Complaints, $1,500,000

The purpose of this project is to provide funds for extensions of storm sewers to relieve inadequate drainage and localized and major flooding which create hazards to life and property and cause public inconvenience. Such extensions are often needed in connection with and to provide services for new schools, libraries, police and fire stations or other public buildings. Some locations where relief is needed are known in advance while others develop more or less suddenly as a result of conditions and operations of others beyond control of the department. As an example, building construction on private property may change local drainage conditions in the particular drainage area to the extent that conditions may become critical within a very short time. It is, therefore, highly desirable that this project be provided without reference to specific locations in order that this type of drainage problem may be corrected before damage suits become a problem.

Another purpose of this project is to provide storm sewer outlets, advance sections of relief works and major replacements as may be necessary to permit the W.M.A.T.A. and Department of Highways and Traffic programs to proceed and to take advantage of the economies made possible by performing the sewer work in advance of paving.

While it is anticipated that certain storm sewer facilities, necessary to drain the areas to be paved and located within such areas, will be financed from W.M.A.T.A. and Highway project funds, this item in the sewer program is necessary to provide outlets for such local facilities as are provided in these projects; to build parts of all of the relief sewers which for reasons of topography must be located under the streets to be paved; and for relief or replacement of undersized or structurally defective sewers within such areas to be paved. If the requested funds are not appropriated construction of the storm sewers after the street is paved would be much costlier.

Project No. LA-138 - Agency Priority 4
I-95 Site Development, $4,700,000

The I-95 Landfill located in Lorton, Va., is the only landfill available to the District and along with SWRC#1, comprises our present solid waste disposal program. Without it, over 1000 tons of trash would remain on the streets of the District each day.

There is regional participation at the I-95 Landfill by Alexandria, Arlington, and Fairfax County along with DES. All costs are shared on a tonnage allocation basis, and although the District is the operator of the complex, overall policy is governed by a legal document titled the "I-95 Memorandum of Understanding".

Funds in this budget are for enclosure of Mills Branch, which was orginally scheduled for enclosure under Phase II of the project (approximately 1985). This request at this time is the result of more stringent environmental protection requirements. Failure to do this work will place us in violation of our operating permit thus forcing the closure of the landfill.

Project No. 32-505 - Agency Priority 5
Advance of Paving and Miscellaneous, $400,000

The purpose of this project is to construct replacement facilities throughout the sanitary sewer system. Such replacement work is precipitated by either new street paving of small block areas by the Department of Highways and Traffic or by imminent danger of failure of old defective sewers. Neither of these causes is predictable any great time in advance of its need.

Construction of this type of work in advance of street paving precludes the need of cutting new or relatively new streets with attendant confusion to traffic and the public, and makes possible substantial economies im paving costs.

The costs of constructing replacement sewers after the street has been repaved will be considerably higher if the requested funds are not appropriated.

Scope:

The construction of sanitary sewers in advance of local highway paving and replacement sewers at various locations throughout the city. Size of sewers varies from 10" to 18" diameter and project varies from $10,000 to $60,000.

Project No. LA-850 - Agency Priority 6
Replacement of Undersized and Defective Watermains, $350,000

A concerted and accelerated effort by this Department is necessary to alleviate recurring problems such as a high incidence of breakage, constant outages of service, a poor quality of water and insufficient supply that have plagued the older sections of this city for a number of years. These problems stem from the now undersized and almost ancient system of service watermains that were constructed seventy and eighty years ago and should be replaced with 8-inch and larger diameter watermains.

The ever increasing demand for water will exacerbate the situation until remedial measures are undertaken.

The project, if funded, would permit a programmed replacement of the undersized and defective mains with locations for the construction to be determined on a needs priority basis.
Scope:
Replace 3,500 linear feet of 4-inch and 6-inch diameter watermain and appurtenant valves.

Project No. 32-803 - Agency Priority 7
Trunk and Secondary Watermains, $200,000

The purpose of this project is the construction of minor, secondary and trunk watermain projects in advance of street paving and to reinforce weak points in the distribution system.

The results of a water system evaluation study completed by this Department and a consulting engineering firm in November 1968, give specific size length and location of such weak points in need of reinforcement.

While locations of the aforementioned system reinforcement have been determined, the construction is primarily coordinated with proposed paving projects to effect cost savings.
Scope:
Various sizes from 16" diameter to 36" diameter concrete, steel or ductile iron pipes. Average unit varies from $25,000 to $800,000.

Project No. LA-140 - Agency Priority 8

Update of Air Quality Equipment
Solid Waste Reduction Center #1, $270,000

This project is for the replacement of all corroded wires and plates in the electrostatic precipitators and the installation of air distribution screens and rapper hammers to assure that this facility meets air quality standards.

(A budget amendment is being requested on this project increasing the amount requested by $1,600,000. The additional amount is for furnace modifications and replacing certain elements of the air pollution control system.)

Project N. LA-162 - Agency Priority 9
Process Modification to Effect Water Conservation at Solid Waste Reduction Center Number 1, $500,000

The purpose of this project is to provide a water recycling system which will insure the re-use of all process water now being discharged into the clear well. This modification will not only conserve water but will free up sewage treatment capacity at Blue Plains for other D.C. users

Project No. LA-567 - Agency Priority 10
Rehabilitation of Sanitary Sewer System, $1,855,000

For infiltration/inflow analysis, sewer system evaluation surveys and sewer system rehabilitation to correct infiltration inflow. The Water Pollution Control Act Amendments to Public Law 92-500 require that applicants requesting federal funds for sewage treatment works after July 1, 1973 show to the satisfaction of EPA that the sewer collection system discharging into such treatment works is not subject to excessive infiltration. The District's participation in this program is mandatory if it wishes to continue to receive federal grants for sewage treatment. Since sewage treatment costs are high and never ending we believe that correction of infiltration inflow would be a cost effective program.

Project No. LA-141 - Agency Priority 11
Residue Trommel and Magnetic Separation of Metals at SWRC#1
$230,000

This project will provide for two installations consisting of magnetic separation of ferrous metals, screening of all tailings through a 1-inch mesh shaker screen, and storage and loading provisions for recovered metals and tailings. This is a pilot project which we are certain will result in additional revenue from the sale of recovered metal and operating savings due to a reduction in landfill hauling costs.

Project No. LA-568 - Agency Priority 12
Dueling Branch Relief Sewer, $398,200

For the District's share of the cost of replacing the Dueling Branch Sewer which belongs to the Washington Suburban Sanitary Commission and which will carry District sewage flows in the vicinity of Bladensburg Road. Section 5 of Agreement 766 between D.C. and the W.S.S.C. provides that when it becomes necessary to add facilities to the sewage systems of either party to the Agreement, which will handle flows from the other party, the cost of such work shall be shared in the same proportions as the design capacity assigned to both parties, 181 acres in the District drain to this sewer through two connections.

Project No. LA-561 - Agency Priority 13
Conversion of Sewage Pumping Units, $200,000

This project is for the replacement of the existing fixed speed drives for sewage pumps at the Main Sewage Pumping Station with variable speed pump drives. Sewage pumping operations can be

better controlled through the use of variable speed pump drives thereby reducing electrical energy requirements and achieving significant reductions in operating costs.

QUESTION:

2. Which of these projects could be deferred?

ANSWER:

2. LA-141 - Residual Trommel and Magnetic Separation of Metals - Solid Waste Reduction Center No. 1

LA-561 - Conversion of Sewage Pumping Units at Main Pumping Station.

QUESTION:
3. Which must be done in FY 1979?

ANSWER:
3. All continuing projects, i.e. 32-801, 32-501, 32-105, 32-505, 32-803, 32-850.

LA-138 - I-95 Site Development at Lorton Landfill.

LA-568 - Dueling Branch Relief Sewer (This is to reimburse W.S.S.C.).

Department of Transportation

STATEMENT OF DOUGLAS SCHNEIDER, DIRECTOR

ACCOMPANIED BY:

LARRY GREENBERG, BUDGET OFFICER
JOHN BROPHY, CHIEF, PARKING DIVISION
H. JAMES SPELMAN, ASSISTANT DIRECTOR FOR CONSTRUCTION AND MAINTENANCE

ADEQUACY OF MAINTENANCE BUDGET

Senator Leahy. If we could have the Department of Transportation up here now.

Mr. Schneider, nice to have you back before us. I want to go over a few questions and then recess for a couple of minutes until Senator Bumpers gets here and he will take over from there.

Mr. Schneider. Fine.

Senator Leahy. I believe you made remarks before the Capitol Hill Restoration Society that the transportation maintenance budget used to maintain parks and city trees would be cut in half, and the city's efforts in this area are now inadequate. Is the fiscal year 1979 maintenance budget request inadequate?

Mr. Schneider. Mr. Chairman, that budget has been cut I think over the last few years from about $350,000 to about $200,000 to maintain some various parcels of land that were transferred to the city from the Park Service a few years ago—without any funding, I might add. It was some 250 places.

We do maintain those places, I guess minimally adequately. I don't want to be here or have you construe anything I said at the Capitol Hill Restoration Society as any kind of lobby for more money.

Senator Leahy. I understand.

Mr. Schneider. But here is what we do. We do some grass cutting and we do some litter pickup within the confines of that budget.

What I said at the Capitol Hill Restoration Society, and I say this in other neighborhoods, that if we really want to have first-class maintenance and esthetic maintenance of those sites, we ought to have some neighborhood involvement. They wanted to know from me what they could do and we could do together to improve the maintenance of those parcels of land around Capitol Hill.

I said:

> Get involved with us. We can help you. We have equipment. We have shrubs. We have trees. But if you give us some elbow grease and personal local attention, together we can have a good looking Capitol Hill area.

They responded well to that. One of the things they want to do is appoint a tree warden on Capitol Hill so that he can be inspecting the trees and letting us know when we have a tree problem.

So I don't think I told anybody that the budget was inadequate. Our budgets in a sense are always inadequate to do a Class A job. I was appealing to them for some help.

Senator LEAHY. You are talking about plans to plant 3,000 trees in fiscal year 1979. Is that an adequate level to maintain and expand the tree-lined streets and generally promote the beautification of the city?

Mr. SCHNEIDER. I believe so. That has maintained the program level we have set. It is doing a decent job, I think.

TYPES OF TREES PLANTED

Senator LEAHY. What kinds of trees do you plant primarily, or does it vary from place to place?

Mr. SCHNEIDER. It does. Could I ask Mr. Spelman to tell us about the kinds of trees we plant?

Mr. SPELMAN. Maples and oaks and elms.

Mr. SCHNEIDER. Generally hardy trees that survive in the environment.

DUTCH ELM DISEASE

Senator LEAHY. Do you have any problem with Dutch elm disease down here?

Mr. SPELMAN. Yes, sir. There are about 20,000 elm trees. We spray them about twice a year to cut down on the Dutch elm disease.

Senator LEAHY. My home city of Burlington, Vt., was really decimated by Dutch elm disease. All of these 100- and 150-year-old trees up and down our main streets and avenues were just blighted. Most of them had to come down. They are now putting a number of other, different trees in there.

Mr. SCHNEIDER. I think we are losing out slowly, but we have a very active spraying program that is delaying that loss.

NUMBER OF POSITIONS IN DEPARTMENT

Senator LEAHY. The Department is requesting 268 fewer positions in fiscal year 1979 than they requested in fiscal year 1978. The request for personnel services has increased by $1,921,500. Why dropping 268 positions but increasing nearly $2 million?

Mr. SCHNEIDER. Mr. Chairman, that is the way these budgets get constructed. You can be easily misled by this kind of thing.

Actually it comes down to 86 additional jobs we are looking for. And the reason that works out that way is while we are having a reduction in some positions, we are increasing our positions by some 177 for the new parking enforcement and traffic adjudication program. So we are asking for an additional 86 positions in the fiscal 1979 budget.

Senator LEAHY. I am kind of concerned. It appears, looking at the number, that personnel has gone down; and obviously funding has gone up to a couple million dollars. I don't know whether they are including these new positions in the personnel ceiling for fiscal year 1979 or not and so on. It makes it confusing up here. It may be the paperwork which was required downtown, but it is hard for us to find where they are going because at one end, looking at it, it looks like we are going down in the number of personnel, but

obviously you are requesting an increase and therefore the $2 million.

Mr. SCHNEIDER. This is Larry Greenberg who is our Budget Officer. I would like to have him address that.

Mr. GREENBERG. The 1978 figures include 354 capital positions, but there is no funding in the operating budget for their salaries. They are paid out of the capital budget. Those positions are excluded in the 1979 count. Hence, that makes the difference between the minus 268 and the plus of 86.

As far as the operating positions are concerned, we have a net increase of 86 positions in fiscal year 1979.

Senator LEAHY. I am going to recess for 10 minutes while we are waiting for Senator Bumpers to come back. Thank you all very much.

[Brief recess.]

OPENING REMARKS OF SENATOR BUMPERS

Senator BUMPERS [presiding]. Mr. Schneider, let me first apologize for being late in getting here.

I have three or four questions I would like to ask you here, and some in addition to that that we will submit for the record for your response.

Mr. SCHNEIDER. Fine.

PARKING ENFORCEMENT PROGRAM

Senator BUMPERS. On your parking enforcement program, you are asking for an increase of $5,942,600 over 1978, most of which is explained as needed to operate the new parking enforcement program. This program will require enabling legislation. I am wondering what the status of that legislation is.

Mr. SCHNEIDER. The status is that there is a meeting of the committee, I think it is called the Committee on the Judiciary, in the City Council this afternoon to mark up and report out that bill. I expect that it could be enacted by the Council by the end of June and then begin its layover period here.

That is what we are aiming for. That is kind of the schedule we are working on. So that by October 1 or November 1, depending upon the amount of legislative days it is here, it should be in operation.

Senator BUMPERS. It is your understanding, of course, that this money would be appropriated as a line item for that particular purpose?

Mr. SCHNEIDER. Yes.

Senator BUMPERS. And it would not become effective until the enabling legislation was passed?

Mr. SCHNEIDER. That is right.

Senator BUMPERS. You expect that in June you say, next month?

Mr. SCHNEIDER. I expect the Council will enact it by about the end of June. That is the hope.

CURRENT REVENUES FROM PARKING ENFORCEMENT PROGRAM

Senator BUMPERS. The justification states that you expect to generate $20 million in additional revenues. What do you presently get out of your parking enforcement program?

Mr. SCHNEIDER. Currently, of course, the police are the only ones that are doing parking enforcement. This is a civilian program. At the present time they issue about 1½ million tickets a year. We would add to that through this civilian ticketing program, using the 50 civilian ticket writers, another 1 million tickets. So that the amount that we would add to it, the $20 million, is probably about $14 million.

Let me also ask Mr. Brophy to come answer this who has the number on what we are doing now. This is John Brophy who is our parking expert.

Mr. BROPHY. Senator, presently we are expecting about $14 million in revenue from our parking tickets. As Mr. Schneider said, only the Police Department is writing tickets. The $20 million includes revenues from not only the tickets but also a towing program and a much stepped-up civilian booting program and also an improvement in our adjudication system. So it is basically a four-part system as opposed to a one-part system.

TOWING OPERATION OF NEW PARKING PROGRAM

Mr. SCHNEIDER. But on the revenue, Senator, some of that is for towing and booting charges. It is not strictly for tickets. If you get a ticket and you are parked in a rush hour lane, we would tow that car and impound it. Now it is just towed around the corner and there is no impoundment charge. The cost of that tow presently is absorbed by the city.

What we would do is impound that car and charge a $50 impoundment fee plus a $3 daily storage fee so there wouldn't be any incentive to leave it there long.

Some of the additional revenue we are talking about is attributed to the fee as opposed to the ticket. That person would also pay the cost of tickets and any tickets he had outstanding that he hadn't paid before we release the car.

Senator BUMPERS. Are you planning to charge just a flat $50 fee plus a $3 fee a day for storage?

Mr. SCHNEIDER. Yes.

Mr. BROPHY. Plus the tickets.

Mr. SCHNEIDER. Plus the tickets and any past tickets he or she hasn't paid.

BOOTING OPERATION OF NEW PROGRAM

Mr. BROPHY. Right now we don't charge for boots. We are booting this year about 10,000 vehicles. Right now we have about 100,000 scofflaws in the city, in the surrounding jurisdictions. We are going to be booting 10,000 cars, going up to booting about 30,000 cars. Rather than 1 out of every 10 scofflaws we intend to boot 1 out of every 3 scofflaws.

TICKET WRITERS

Senator BUMPERS. What are the major cost elements of this? You are planning to hire 50 new metermaids in the civilian department; is that right?

Mr. SCHNEIDER. That is right. The cost of those 50 ticket writers is $800,000 a year.

CONTRACTUAL TOWING OPERATION

Also, in the towing program we will hire a contractor to do that. We expect that he will have 25 trucks at his disposal and that he will do 112,500 tows annually at a contract cost of $1.5 million.

Another aspect of the program, Senator, is the booting. The towing is to eliminate the rush hour violator or somebody who is parked in an alley where we can't get a fire truck, that kind of extreme safety problem, or where the traffic is being badly tied up.

BOOTING OUT-OF-CITY SCOFFLAWS

The booting is to get out-of-state scofflaws. By that I mean we have a lot of people who come from Maryland or Virginia who park in a loading zone or alley, or you name it, and they will park there. Then they get ticketed and ignore the ticket because we can't really get to them very conveniently.

If you are registered in the District of Columbia, you have to pay all of your back warrants before you can get your car re-registered. But we don't have that kind of ability to get them in the Virginia and Maryland communities.

Senator BUMPERS. You are not planning to boot local residents?

Mr. SCHNEIDER. Well, in some cases. But this is really aimed at the scofflaw community. We have a way to get at the District of Columbia registered cars which is more efficient than the boot.

RUSH HOUR TRAFFIC PROBLEMS

Senator BUMPERS. How serious a problem is the parking in a rush hour traffic lane? I drive to work on MacArthur Boulevard. Of course, the traffic usually flows very smoothly in the morning. Occasionally a couple of cars will be parked in the right lane. Of course, that just really plays havoc with it.

I just wondered in other parts of the city how often it happened and how serious a problem it is.

Mr. SCHNEIDER. It is a serious problem. As you say, you only need one or two cars in the lane and it ties up the lane.

But I guess the rush hour problem is not nearly as serious as the nonrush. We really don't have a nonrush hour anymore. Our traffic levels are at a point, particularly in the central business district, all day long where any kind of illegal parking, particularly that which causes trucks to double park, is a serious impediment to traffic.

I have seen many, many times where you have a four-lane street and parking allowed on one side, illegal parking on the other side, double parking, and you have reduced the street to one lane. It really is an all day long problem that is the most serious one in terms of traffic congestion.

RIGHT TURN ON RED

Senator BUMPERS. Let me turn to one of my favorite subjects. That is the right turn on red law. You realize the District is the only jurisdiction in the United States that is not in compliance with that law.

Mr. SCHNEIDER. Well, I am aware that the District of Columbia is about the only jurisdiction, if you look at State levels, that does not have a right turn on red law. But I would like to tell you where we are on that and why we are where we are.

When we first began to consider the issue, I think it was along about 1975 or 1976, we were concerned about right turn on red because we felt that in this city, with its peculiarities which it shares I think with other Eastern cities, like Philadelphia, New York, and Boston, we felt that we didn't have the same kind of environment here that Midwestern and Western States have with respect to right turn on red. We were very concerned that right turn on red might not be very good here from a pedestrian point of view.

FEDERAL HIGHWAY ADMINISTRATION STUDY

We were awaiting at that time the Federal Highway Administration's study of what kinds of right turn on red might be appropriate.

I think in February of 1977 they produced, in fact, a study of places where right turn on red has existed. They developed some guidelines as to how it should be applied. That was really the first time we had anything that we would consider to be an objective set of standards that we might use.

We took 40 percent of our intersections as a sample and applied to guidelines to that sample. We tried to take a representative sample.

Senator BUMPERS. Forty percent?

GUIDELINES OF FEDERAL HIGHWAY ADMINISTRATION STUDY

Mr. SCHNEIDER. Yes. Those guidelines include such things as if you have more than one approach at an intersection, right turn on red is not recommended because of the obvious difficulty you might have because it represents more than just the simple intersection configuration. As you know, in the District we have plenty of those because of the way the streets are laid out. We have a grid system which has the L'Enfant plan superimposed on it.

Another standard was if you are driving into a street that has a 25-mile limit on it, which is characteristic of our streets, and you don't have 100 feet of visibility, that approach wouldn't be a candidate for right turn on red.

As you know, we have many trees. We also have a great density in parking of cars in most of the city. We found that in many, many intersections, the only way you could right turn on red is if you had it allowed that the driver could creep out and get his visibility by creeping out into the crosswalk.

The standards also talk about where you have special turning arrows, which we have a lot of in this city. We also have at almost all of our intersections some kind of a "walk—don't walk" direction

for the pedestrian, which makes it again difficult for the pedestrian to try to figure out where he is if you have a right turn on red.

REASON FOR NOT IMPLEMENTING GUIDELINES IN THE DISTRICT

The result of what I felt was an objective look, using those federally developed guidelines, led us to conclude that some 87 percent of our approaches wouldn't be candidates for right turn on red.

COST OF ADOPTING WESTERN RULE OR EASTERN RULE

In those circumstances we felt that the generally permissive rule or the western rule would not be the one to adopt here because that would mean that we would have to put signs at at least 87 percent of our intersections saying you can't turn right on red, rather than putting signs, under the eastern rule, at intersections where you could do it.

That is a matter of cost and esthetics. If we adopted the generally permissive rule, which I know you favor and which is favored generally in the United States, or adopted it in one form or another, we would have to put up 9,500 signs at these intersections saying you can't do something that you can't do already.

Now there is a cost to that of $600,000, as opposed to 1,000 signs under the other rule. There is not only an initial capital cost but there is a continuing maintenance cost. Twenty percent of our signs are down at any given time because of vandalism and wind or whatever. So there is a continuing problem of keeping those signs up.

It seems to me a little bit unwise, when we have the kinds of budgets we are trying to struggle with these days and the kinds of demands being put on us for municipal services, to unnecessarily incur the cost of placing and maintaining almost 10,000 signs when we could accomplish the same result with 1,000 signs.

CONCERNS OF THE ANC'S AND NEIGHBORHOODS

Now we have some other peculiar problems in town. One is that we have an Advisory Neighborhood Commission form of government. I am sure you are aware of that.

One of the things you have to do when you do any kind of a thing like this, like establish right turn on red at an intersection, you have to allow for the local ANC to have an opportunity to comment. Then we are required under a recent court decision, although this makes sense anyway without a court decision, to give due weight to what the Commissioner says about the proposal.

I know from my own contacts in the community that many people don't like the idea of right turn on red in their communities because they feel that we have already done too many things to accommodate people who commute in and out of town through their neighborhoods. They are constantly looking for ways to protect their neighborhoods. They see this as another way to accommodate the commuter through their neighborhoods. Many of them are extremely concerned about it from a child safety point of view. I am, too.

CONCERNS OF OTHER BIG CITIES

We are so concerned that we have talked with the people in Boston who feel very strongly about this, people in New York who have an exemption from their State legislature, the people in Philadelphia who are now asking their State legislature for an exemption from the so-called western rule. They are all willing to go with the eastern rule, which in our case would involve allowing it at some 15 or 10 percent of our intersections. But we all feel the same way, that this is an unnecessary cost and sign clutter in the community.

SAFETY AND ARGUMENT OF UNIFORMITY

There are a couple of other aspects of it that I would like to mention to you. One is the uniformity argument. People are always saying to me, isn't uniformity critical? Isn't that a major safety issue?

My answer to that is this: If right turn on red is safe at all, then the issue of uniformity doesn't exist because if you are going to execute a right turn on red, you must come to a stop, then you must make your turn and give the right of way to not only cars but pedestrians.

If you do all of that, even if it is illegal, it is safe. The problem with its being illegal is somebody might get a ticket unwittingly.

But the issue of safety and uniformity is a nonexistent issue as far as I am concerned, unless right turn on red itself is not safe.

The other thing about uniformity is it doesn't exist except in name only because there are some 15 variations on the western rule throughout the United States. For example, in Chicago there are three different time variations on it, and there is a sign that says you can turn right on red at this intersection between these hours and then the next intersection will have different hours.

There are other variations in terms of who you have to yield the right of way to, when you come to a complete stop and when you don't, all of that.

Senator BUMPERS. The Federal rules always require a complete stop, do they not?

Mr. SCHNEIDER. The Federal rules I think do, yes. But there is the yield to the pedestrian requirement which varies from place to place.

VARIATIONS IN RIGHT TURN ON RED LAWS

I have a paper that I could send you, and I would like to, on the question of uniformity and what variations there are.

[The paper follows:]

VARIATIONS IN STATE RTOR LAWS*

Duty to Stop Before Turning

- 22 states require stop at stop line or crosswalk, but if none, before entering intersection
- 21 states require stop only before entering intersection
- 4 states require stop before RTOR, but do not specify where
- 1 state (Mississippi) requires stop before crosswalk or stop line, and if none, drivers may not have to stop for red light at all
- 1 state (Oregon) required stop only "as required to avoid accident"

Duty of Turning Motorist to Yield

Of the 41 states requiring yield to vehicles in intersection, there are 16 variations in the laws.

- 40 states require vehicle to yield right-of-way to pedestrians lawfully in crosswalk
- 9 states do not expressly require drivers to yield to pedestrians
- 7 states do not expressly require yielding to traffic lawfully in the intersection
- 1 state gives right-of-way to first vehicle which enters the intersection (Massachusetts)

Type of Turns Allowed

Of the 46 states which allow some kind of RTOR, there are 15 different variations in the laws.

- 1 state (New Jersey) requires a driver who intends to go right, to turn on the red or yellow signal
- 12 states allow a left turn on red (LTOR) from a one-way street to another one-way street
- 9 states allow LTOR from a one-way or a two-way street
- 4 states allow making any kind of turn when indicated by a sign
- 23 states make no provision for LTOR
- 4 states require drivers to be in appropriate lanes for turns

Cautious Entry Into Intersection

- 22 states conform to the Uniform Vehicle Code, requiring drivers to "Cautiously Enter"
- 7 states mention only that the movement must be done safely
- 1 state (Alaska) law expressly requires drivers to be cautious for a right turn but contains no such express requirement for a left turn
- 2 states (Illinois, Iowa) require cautious entry for RTOR, not for LTOR
- 20 states do not explicitly require caution when turning

Pedestrians Crossing on the Red

- 31 states prohibit pedestrians from crossing against a red light
- 15 states allow pedestrians to cross against the red
- 3 states do not indicate duties of pedestrians facing a red light

Prohibition of RTOR

- 12 states restrict authority to post signs prohibiting RTOR
- 1 state does not authorize signing to prohibit RTOR
- 30 states allow no RTOR when a sign is in place, but there are 13 variations to these laws
- 1 state (Alabama) allows "motor vehicles" to RTOR, which prohibits bicycles and horse-drawn vehicles from making the movement

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*Traffic Laws Commentary, National Highway Traffic Safety Administration, January, 1977

ENERGY ACT AND RIGHT TURN ON RED

Mr. SCHNEIDER. I think that a large part of the impetus toward right turn on red has come from the Energy Act. People wanted to comply with the Energy Act. They haven't really done it so much for traffic movement purposes. I mean if you just let traffic engineers look at it, I don't think you would have had nearly the compliance you have with it through the energy device.

At any rate, we are very concerned about it here. We have expressed that concern to the National Highway Traffic Safety Administration and Federal Highway Administration. As a matter of fact, they admitted in a meeting we had the other day that the data they have, the data that was developed in the guideline study I mentioned, really does not lead you to any solid conclusions as to what ought to be done in the Eastern cities because they are laid out differently.

DIFFERENCE BETWEEN STREETS OF LOS ANGELES AND THE DISTRICT

Senator BUMPERS. What is different about Washington, D.C., and Los Angeles where they have had right turn on red since 1937, and the highest number of cars per capita of any city in the United States except Denver?

Mr. SCHNEIDER. Partially, it is the configuration of the streets and the street pattern we have. Los Angeles doesn't have all of the circles and all the angular streets that we have.

Senator BUMPERS. How many circles are there in the District?

Mr. SCHNEIDER. I can't say. Does anybody know? I don't know, but we can get you that information.

VIRGINIA STUDY OF RIGHT TURN ON RED

Senator BUMPERS. Have you read the Virginia study?

Mr. SCHNEIDER. I know of it. I have not read it thoroughly.

Senator BUMPERS. Virginia was one of the first States to come in compliance and adopted the generally permissive rule. And, of course, shortly thereafter Maryland adopted the eastern rule.

But be that as it may, the Virginia study shows they think they saved initially 3 million gallons of gasoline a year.

ENERGY SAVINGS FROM RIGHT TURN ON RED

Have you computed the savings cost that might accrue to the residents of the District from an energy standpoint?

Mr. SCHNEIDER. I think it has been calculated. I have the impression, and I discussed this with the energy people, that it is relatively extremely minor, that even three 3 million gallons——

Senator BUMPERS. At 60 cents a gallon, the residents of Virginia are saving almost $2 million a year.

Mr. SCHNEIDER. I don't think it would be that much in the District, obviously, because it is a smaller geographic area.

NUMBER OF ELECTRIC SIGNALS IN CITY

Senator BUMPERS. But I guess you have a lot more signals, electric signals in Washington, D.C., than the whole State of Virginia. How many electric signals do you have in Washington?

Mr. SCHNEIDER. We have 1,400 signalized intersections, and I think there are 6,000 approaches involved in those intersections.

SIGNAL LIGHTS AT MACARTHUR BOULEVARD AND CATHEDRAL AVENUE

Senator BUMPERS. Incidentally, that brings me to another point I want to get off my chest while I am at it. You can do me a great personal favor. There are 13 signals at the intersection of MacArthur and Cathedral. They stay on 30 seconds. Of course, MacArthur is a main artery. I have been coming to work that way 2 years, and I have counted 8 cars in 2 years entering the intersection of MacArthur where there are 13 signal lights.

You could save a lot of energy by either taking those 13 lights down or allowing them to stay on for about 10 seconds. It is admittedly a little dangerous on MacArthur, but nobody comes into MacArthur that way. At least if they do they don't come in at hours I go to work and come home.

I would like to see a traffic count, incidentally, and I am not going to ask you to do that; it is just a personal pique with me and I wouldn't get involved in your business to that extent. But I have to admit my blood pressure rises every morning and every evening when I go through and get trapped at that intersection. As I say, I have seen about 8 cars enter MacArthur from Cathedral in 2 years. There are 13 signals there.

Mr. SCHNEIDER. I would be happy to do it. You shouldn't feel bad about a personal request because if anybody called me on the phone I would do the same thing.

As a matter of fact, I think that is there because somebody else on the Hill had a strong personal request going the other way. [Laughter.]

Senator BUMPERS. I would like to think I had the strength to get 13 signals put up at any intersection. [Laughter.]

Mr. SCHNEIDER. We could give you right turn on red at 10 percent of them, Senator. [Laughter.]

Senator BUMPERS. You have 1,400 intersections that are controlled by electric signals. That involves 6,000 lights. Is that correct?

Mr. SCHNEIDER. Yes.

Senator BUMPERS. You don't have any idea I guess of how many electric signals there are in the State of Virginia, do you?

Mr. SCHNEIDER. I do not.

Senator BUMPERS. I will find out for you.

Mr. SCHNEIDER. All right.

SENATOR BUMPERS' COMMENTS REGARDING RIGHT TURN ON RED

Senator BUMPERS. I will give you my own personal thoughts. When I introduced the right turn on red bill in 1975, and I introduced it as a bill, everybody from the Transportation Department came over and testified that this would probably result in insurance premiums doubling, killing all the blind people in the United States, and every kind of bureaucratic response that you could possibly imagine. Then there was a group of conservatives who came in and testified that this is a violation of State rights, that the Federal Government is always dictating to the States what to do.

Obviously the bill was going to die in subcommittee. It had no chance whatsoever. If I just hadn't been fortunate enough to be on the Energy Conference Committee after it was passed in 1975, we still wouldn't have it.

But I have gotten responses from almost every State in the Union, both transportation officers and drivers, who like this law very much.

Now let me say that the genesis of this bill was not solely for energy, though it amounts to a very substantial energy saving. That is the reason it was listed as one of the five mandatory conservation measures that every State and district energy plan would have to include in order to get planning funds.

But the man-hours, the flow of traffic, nobody has made much of a calculation on that. It has been approached from almost exclusively an energy standpoint.

But the truth of the matter is I think you probably save a lot more man-hours than you will gallons of gasoline. I think you would cut down on frustration levels because people sit frustrated at an intersection where they could easily turn right and are not permitted to do it.

The Virginia study which I alluded to earlier shows that not only do they save 3 million gallons of gasoline a year, but that pedestrian accidents and injuries and property damage has had no perceptible increase.

Now you mentioned a moment ago what Chicago has done. I am familiar with some of the things Chicago has done. I think what Chicago has done would work in both the District and New York City. I am going to continue to pursue that.

Now I recognize that Washington isn't Little Rock. Problems are a little different here, as they are in New York City.

However, I usually go home at 7:30 in the evening. I come in at 9 for very obvious reasons, to avoid the rush hour traffic. I don't see anything wrong, except for the cost, and perhaps you can be helpful with that, I don't see anything wrong with putting a sign up that says right turn on red between certain hours, or no right turn on red between certain hours; namely 7 to 9 and 4 to 7 or 4 to 7:30 or whatever.

One morning coming to work, in anticipation of that response, I counted between my home and my office here in Washington seven signs that said you could do certain things and not do certain things between certain hours. So certainly we are not breaking virginal territory here when we put up a sign that says you can do certain things and not do certain things between certain hours.

They say 40 percent of the people in the country are functionally illiterate, but 95 percent of them can read. I don't see where that would be an insurmountable obstacle.

GUIDELINES OF DEPARTMENT OF ENERGY

Wouldn't the Department of Energy permit you to do that?

Mr. SCHNEIDER. I don't know what they would permit. I think they are at a little bit of a loss as to what they can permit, about how much of an exemption they can grant from the generally permissive rule.

Senator BUMPERS. Initially they made no distinction. You could have either one. The original guidelines didn't prohibit the eastern rule, and Maryland adopted it.

Incidentally, I might say if you really want to know something that irritates me it is the big signs coming in, when you come in to the District. They say "Notice, Right Turn on Red Not Permitted in the District." You come out of Maryland into the District where it says it isn't permitted at all. Then you cross Key Bridge into Virginia where all right turns on red are permitted.

That is not confusing to me because I am familiar with it, but it has to be confusing to some motorists.

Mr. SCHNEIDER. We felt we had to inform the motorists about what the situation was, otherwise that confusion might lead to something. We felt they should be on warning.

Senator BUMPERS. It had the very opposite effect on me. I am sure most people appreciate the concern for their safety.

PEDESTRIAN SAFETY AND RIGHT TURN ON RED

Mr. SCHNEIDER. One of the things you haven't mentioned that really does concern us, and that is why we have asked the Highway Agency and the Federal Highway Administration and they have agreed to join in this study, is the issue of pedestrian safety. You talk about energy savings and savings of time of the person com-

muting to work. I don't think enough attention has been paid to looking at the problem from a pedestrian point of view.

I know that you are not ignoring that. You are not disinterested in it. But I think that particularly these eastern cities where they have good records—we have a good pedestrian safety record here. Boston has a good one, better than some of the other cities. We are hoping we can get a little more attention brought to that issue.

Senator BUMPERS. How does it compare with Los Angeles where they have the wildest drivers in the world?

Mr. SCHNEIDER. I don't know. But I tell you, there is another large difference between Los Angeles and here. There is a very well disciplined core of drivers in California that know the pedestrian is given the right-of-way. The pedestrian has the right-of-way in this city, but we don't have the same driver mentality here with respect to the pedestrian. They have had a long history of enforcement of pedestrian rights there. That is probably the difference. If we had that here; if we had that same kind of view of pedestrian and driver rights, then right turn on red obviously would be easier for us to accept. But we don't, and we can't create it overnight certainly.

Senator BUMPERS. Let me make two observations. No. 1, I am in the District a lot during the evening hours. I don't believe there are 10 intersections—well, somewhere you have the service roads like down on K Street, places like that. I certainly wouldn't seek to impose any kind of hardship on you. But just at normal intersections I bet you there aren't 10 intersections in the District where a right turn on red couldn't be made perfectly easily and safely from 7:30 in the evening until 6:30 or 7 in the morning. During the daytime hours, a lot of them are not in the downtown District but a lot of them are in other areas of the District.

LACK OF EFFORT OF CITY TO HAVE RIGHT TURN ON RED

I feel strongly about it, of course, and have been especially irritated that the District is the only jurisdiction that really has not made much of an effort. I really think the District has been dragging its feet. I don't think they want it and I don't think they are going to do it unless they are made to do it. I don't know that we have enough clout to make them come up with a plan. But I am going to do my very best to see that the Department of Energy cuts off their energy planning funds unless they make a good faith effort, which I don't think they have made.

[CLERK'S NOTE.—The following letter to Senator Bumpers from the Under Secretary of the Department of Energy relates to the possible termination of grant funds received by the District of Columbia under the State energy conservation program. Also printed are letters from the U.S. Department of Transportation regarding the safety impact of right turn on red.]

LETTER FROM DALE D. MYERS, UNDER SECRETARY
D.C. DEPARTMENT OF ENERGY

May 5, 1978

The Honorable Dale Bumpers
United States Senate
Washington, D.C. 20510

Dear Senator Bumpers:

In my letter of January 10, 1978, I indicated that the Department of Energy (DOE) in cooperation with the Federal Highway Administration (FHWA) was reviewing a draft safety study written to support the District of Columbia's request for an exemption from a generally permissive right-turn-on-red (RTOR) rule. In addition it was expected at the time that the District of Columbia would request an extension of time to further substantiate their safety study and to proceed further on the adoption of a sign permissive RTOR statute.

The Department of Energy has granted an extension until June 30, 1978, with the caveat that the District's City Council would enact either the sign or generally-permissive rule within the time-frame allotted and if the sign-permissive rule was enacted, their Department of Transportation would produce a safety study acceptable to DOE and FHWA. We found the earlier draft study incomplete and have asked for further clarification.

It is our intention to allow the District of Columbia to continue receiving funds under the program until June 30, 1978. If at such time they have not met the requirements of the applicable Federal statute and regulations, DOE will begin procedures to terminate their State Energy Conservation Program grant.

We are very hopeful, however, that the District of Columbia will be able to comply with our mandatory requirements because it is unclear that without Federal funds they will be able to continue the other very important programs in their energy conservation plan.

Sincerely,

Dale D. Myers
Under Secretary

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LETTER FROM L. P. LAMM, EXECUTIVE DIRECTOR FEDERAL HIGHWAY ADMINISTRATION

Honorable Dale Bumpers
United States Senate
Washington, D.C. 20510

Dear Senator Bumpers:

This is in reply to your June 27 letter to former Federal Highway Administrator William M. Cox. You requested information on any studies that the Federal Highway Administration (FHWA) has conducted concerning right-turn-on-red (RTOR) and pedestrian safety.

The FHWA did fund a research study on RTOR that was published in May 1976. This study was conducted by Alan M. Voorhees and Associates. The research report was printed in two volumes, entitled "Right-Turn-on-Red, Vol. 1 Final Technical Report," Report No. FHWA-RD-76-89, and "Right-Turn-on-Red, Vol. II Executive Summary," Report No. FHWA-RD-76-90. Unfortunately, our supply of these reports has been exhausted. However, we are enclosing a photocopy of Volume II and of Chapter VI, Accident Experience with Right-Turn-on-Red, from Volume 1. The general conclusion reached in this research study was that RTOR does not create a significant safety problem.

Also enclosed is a copy of a summary of a study entitled "The Impact of General Permissive Right and Left Turn on Red Legislation in Virginia," prepared by the Virginia Highway and Transportation Research Council. The "Summary of Findings" on page 3 indicates that:

- An insignificant number of traffic conflicts were observed between RTOR vehicles and other traffic and pedestrians. (Of these conflicts, none involved near-miss situations.)

- In 1977, 52 reported accidents occurred in which RTOR motorists were involved. Two persons were injured as a result of these accidents; however, most of the collisions involved minor property damage.

We understand that the National Highway Traffic Safety Administration (NHTSA) is planning, as part of its ongoing pedestrian safety research, a study of the effects of RTOR on pedestrian safety. The NHTSA will furnish you information on this proposed study.

We trust the above is responsive to your request.

Sincerely yours,

LETTER FROM JOAN CLAYBROOK
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

July 14, 1978

Honorable Dale Bumpers
United States Senate
Washington, D.C. 20510

Dear Senator Bumpers:

Thank you for your letter regarding the Right-Turn-On-Red (RTOR) requirements and safety impact under the Energy Policy and Conservation Act.

The National Highway Traffic Safety Administration (NHTSA) has not conducted studies to determine the effect of RTOR on highway and pedestrian safety. However, RTOR accident experience in selected cities was reviewed by Alan M. Voorhees for the Offices of Research and Development of the Federal Highway Administration (FHWA) and the evidence reveals that such accidents represent an insignificant percentage of all signalized intersection accidents.

RTOR accidents were found to range from 0.61 to 3 percent of all signalized intersection accidents. Within this small percentage, pedestrian RTOR accidents at signalized intersections ranged from zero to 29 percent. Moreover, RTOR accidents tend to be less severe and result in fewer injuries than the average intersection accidents because vehicles must come to a complete stop before turning. We understand that FHWA is also responding to your inquiry and enclosing a copy of the Voorhees report for your reference and use.

Recognizing that we have a responsibility to assure that the RTOR rule is effective nationwide, we plan to expand the data base for all types of pedestrian accidents, including RTOR, at intersections on a nationwide basis. We are presently developing a research study to accomplish this goal and would be pleased to coordinate on any research that might be proposed by the District of Columbia.

Sincerely,

Joan Claybrook

EASTERN RULE IN CITY

Mr. SCHNEIDER. Senator, are you against the notion that some kind of an eastern rule would be appropriate in the city?

Senator BUMPERS. No, I really am not. I strongly personally prefer the western rule, but I have always felt that it would have to have exceptions made in heavily congested urban areas, such as the District.

I will say this: I will call the people from Energy over to my office and visit with them about that and see if we can work out some kind of a suitable solution for such cities as New York, the District, Philadelphia.

REVIEW OF CITY'S PLAN

Incidentally, I think the Department of Energy found the District's plan inadequate, did they not, and asked for additional information?

Mr. SCHNEIDER. What they did was they gave it to the Federal Highway Administration for review. The Federal Highway Administration said uniformity is important. There was absolutely no rationale provided with that. It was that simple statement. You ought to have uniformity because everybody else has it, they said.

I told you how we feel about the uniformity argument. The things you are talking about for application in the District, Senator, are not uniform with the rules around the country. I think it points up there is no uniformity and it is not really critical.

The other thing they said was we had misapplied the guidelines because what we did, if we found a visibility problem, we said that no right turn on red should exist on that approach.

They somehow came to the conclusion that if you only find one violation, then you should demand that you have to have more than that. That seemed unreasonable to me because it is like saying if the patient is going to die of heart failure, don't declare him in trouble unless he has cancer as well.

As a matter of fact, what I did was I went to the consultant who developed those guidelines and asked him if we had applied them appropriately. He said yes, and he wrote me a letter to that effect.

EVALUATION OF CITY'S PLAN BY FHA

So the evaluation of the Federal Highway Administration was unsatisfactory to us. As a matter of fact, they have agreed to doing some more study with respect to these Eastern cities. Really the Federal Energy people don't have any type of traffic engineering expertise. They have to rely on the other agencies.

I think that it would be very useful if you would talk to the Federal Energy people about the problems. We are prepared to do an eastern rule. Perhaps there are some opportunities to do some of the things you are talking about. I agree with you. Downtown at night there is probably no real need for it, except you have a problem if it is night so there is an additional safety issue involved.

Also, I don't know that there are that many people that are down there that are going to be that much inconvenienced if they don't have it.

There is a sign clutter issue. One of the things I don't like about time restrictions, somebody approaching this intersection has to figure out what time it is, whether he can turn right, and then maybe he misses a one-way street sign and maybe slams into somebody. The last thing he is looking for is the pedestrian walking in front of him. With all of the things he has to pay attention to to get around the corner, it may be too much, in the interest of safety.

You weigh his convenience against maybe running over somebody, and I think maybe I come out saying let him wait a little at the light, and he comes home soon enough.

RIGHT TURN ON RED REPORT

Senator BUMPERS. You mentioned a while ago you wanted to send me some information on this. Unless it is too bulky, why don't you submit it for the record also.

Mr. SCHNEIDER. I will.

Senator BUMPERS. I would like to get that as soon as I can. I will look at it and visit with the people from DOE.

Mr. SCHNEIDER. Fine.

[CLERK'S NOTE.—The Right Turn on Red report in the District of Columbia has been sent to Senator Bumpers and in addition, a copy is on file in the subcommittee's office.]

SUBMITTED QUESTIONS

Senator BUMPERS. Mr. Schneider, Senator Leahy, the chairman of this committee, has some additional questions which we would like to have answered for the record. Also if you want to go into more detail on the questions that you were asked this morning, please feel free to do so.

Mr. SCHNEIDER. I will be happy to answer the questions for the record. There are some questions that you asked this morning that I might want to explain in more detail. Thanks for the opportunity.

[The following questions were not asked at the hearing but were submitted to the Department for response subsequent to the hearing:]

Questions Submitted by Senator Leahy

DEPARTMENT OF TRANSPORTATION

A. CAN THE DEPARTMENT ADEQUATELY MAINTAIN ITS PARKS AND TREES

In remarks made by Mr. Schneider, Director of the Department of Transportation, before the Capitol Hill Restoration Society and quoted in that Civic Association's newsletter, Mr. Schneider indicated that the Transportation's maintenance budget used to maintain parks and city trees had been "cut in half" and that the City's efforts in this area were inadequate.

QUESTION:
1a. Mr. Schneider, is the FY 1979 maintenance budget request inadequate?

ANSWER:
1a. The budget has been cut over the last few years from about $350,000 to about $200,000 to maintain 261 parcels of land that were transferred to the City from the Park Service a few years ago.

We maintain those parcels of land at an adequate level. We do grass cutting and litter pickup within the confines of the budget.

What I said at the Capitol Hill Restoration Society, and I say this in other neighborhoods, that if we really want to have first-class, asethetic maintenance of sites, we ought to have some neighborhood involvement. They wanted to know what we could do together to improve the maintenance of those parcels of land around Capitol Hill.

I said, "Get involved with us and we can help you. We have equipment. We have shrubs. We have trees. If you give us some elbow grease and personal local attention, together we can have a good looking Capitol Hill area."

They responded well to that. One of the things they want to do is appoint a tree warden on Capitol Hill so that he can inspect the trees and let us know if there is a problem.

So I don't think I told anybody that the budget was inadequate. Our budgets in a sense are always inadequate to do a class A job. I was appealing to them for some help.

QUESTION:
1b. Is the Department able to adequately maintain the parks, roadside, and the trees and plants that are on City property.

ANSWER:
1b. We will be able to maintain the parks, roadside, and the trees and plants at the program level we have established.

QUESTION:
1c. What is the Department's FY 1979 request for maintenance of trees and landscaping? How does this compare with the currently estimated expenditure for FY 1978?

ANSWER:
1c. The Department's FY 1978 request for maintenance of trees and landscape is $2,154,100, in comparison to the FY 1978 estimated expenditures of $2,237,700. This represents a funding decrease of $83,600. The net reduction of $83,600 is the result of a personal services increase of $1,400 and reduction of $60,000 for the purchase of bare root trees which are planted by departmental personnel. There is $350,000 proposed in the Fiscal Year 1979 Capital Improvements Budget for planting of balled and burlapped trees by contract. We propose to use a portion of the capital funding for planting of bare root trees. Balled and burlapped trees are four times as expensive as bare root trees. Therefore, by a nominal reduction in balled and burlapped planting we can maintain the same level of bare root plantings as in past years. In addition, a reduction of $25,000 will be absorbed in the contractual removal of tree stumps. This function can be performed by departmental personnel with existing equipment. This change will delay the quantity of removals; but will not create any major or significant problems.

QUESTION:
2. The justification material (Vol. IV, P. 209) indicates that the Department plans to plant 3,000 trees in FY 1979. Is this an adequate level to maintain and expand tree-lined streets and to generally promote the beautification of the City?

ANSWER:
2. The planting of 3,000 trees will adequately maintain tree-lined streets and to promote the beautification of the City.

B. SHELL GAME BEING PLAYED WITH PERSONNEL TOTALS

Based on the justification material (Vol. IV, P. 221) the Department is requesting 268 fewer positions in FY 1979 than were requested in FY 1978 yet the request for personnel services increases by $1,921,500 in FY 1979 over the level requested in FY 1978.

QUESTION:
1. How do you explain the apparent discrepancy presented by the fact that the request for personnel services is going up almost $2,000,000 while the request for full time positions is going down by almost 300 positions?

ANSWER:
1. The 1978 figures include 354 capital positions. However, there is no funding in the operating budget for their salaries. They are paid out of the capital budget. Those positions are excluded in the 1979 count.

As far as the operating positions are concerned, we have a net increase of 86 positions in Fiscal Year 1979.

Also included in the increased amount for personal services is required funding for the vacant unfunded positions which will be redirected to the new Parking and Traffic Enforcement Program.

QUESTION:
2. Why does the request for full time positions in FY 1979 exclude over 300 positions (Vol. IV, P. 221)?

ANSWER:
2. The 354 capital outlay positions are excluded because funding for those positions is included in the capital outlay budget.

QUESTION:
3. Are these positions included in the personnel ceiling for FY 1979? If they are included, what agency are they included in? If they are not included, why not?

ANSWER:
3. These positions have not been included in the personnel ceiling of the operating budget. As stated in the answer above, the funding for these positions is included in the capital budget. Therefore, this adjustment more accurately relates positions to funding available in the operating budget.

C. DATA PROCESSING CAPABILITY

QUESTION:
1. The Department has requested (Vol. IV, P. 254) an increase of $948,500 for increased data processing capability. Why is this increase needed? Does the Department propose to buy additional equipment or are the funds to be used to purchase data processing services?

ANSWER:
1. This $948,500 increase is to provide an additional computer and related equipment to the Metropolitan Police Department Computer Center and a data entry services contract for conversion of both parking and moving ticket information. This equipment and service is required to support the new Traffic Enforcement and Adjudication functions.

We presently receive our computer services from the Metropolitan Police Department and their computer is performing at 96 to 98 percent capacity. Therefore, the new Traffic Enforcement and Adjudication system will require an additional computer to be added to the Metropolitan Police Department Computer Center. This new computer will also allow other departmental computer systems to be shifted and provide the growth needed by MPD and other District Agencies.

The data entry services contract will enter all of the parking and moving violation ticket information generated by the Traffic Enforcement and Adjudication System.

D. DEPARTMENT'S FLEET OF VEHICLES

The Department has requested a $431,600 increase for procuring and maintaining mobile equipment. (Vol. IV, P. 254) The Department has a fleet of approximately 636 various vehicles and maintains on a reimbursable basis approximately 1,350 vehicles for other agencies.

QUESTION:
1 How big is the base budget for procuring and maintaining mobile equipment?

ANSWER:
1 The FY 1979 adjusted base is $3,059,500. This provides for fund-

Answer No. 1 (Cont'd)
ing of personal services, contractual repairs, parts and supplies to maintain and operate the Department's vehicles and equipment and it also includes a FY 1979 redirection of $393,700 for the purchase of construction equipment. Prior to this redirection, the Department did not have funds included in its budget base for the purchase of mobile equipment.

QUESTION:
2. What is the Department's equipment replacement policy? Why is an increase of $363,200 needed for this activity?

ANSWER:
2. The Department redirected $393,700 from lower priority programs and is requesting an increase of $348,200 to commence a four-year construction replacement program totaling $3.0 million. The last consistent program of this type was in Fiscal Year 1972. Therefore, our total fleet is antiquated--the average age of vehicles being over ten years old. The age and poor condition of the fleet will result in incurring excessive maintenance and operating costs and inability to mobilize and fully utilize our work force.

Funds appropriated in Fiscal Year 1977 for operation and maintenance of the vehicles and equipment were not sufficient to keep the entire fleet operational. As a result, the fleet was studied to determine if there could be a reduction in its size and a corresponding reduction in expenditures. It was concluded that 67, or 25 percent, of the construction fleet and 34, or approximately 22 percent, of the passenger carrying fleet could or would be retired in the next year without adversely affecting departmental activities. Further reductions of the fleet in Fiscal Year 1978 will inhibit the Department's ability to carry out its responsibilities, resulting in work delays caused by down-time, and possible curtailment of activities.

In addition, in the past two or three years 77 units of construction equipment and 44 passenger carrying vehicles, which are extremely essential and represent 37 percent of the remaining fleet, would become inoperable or require maintenance that exceed the fair market value of the vehicle.

Examples of those activities which will suffer severe adverse effects as compared to last year's service levels are as follows:

-- The repair of potholes that occur as a result of the winter breakup would not be completed until late fall, which is six months later than our current schedule. This delay will remove our capability to respond to citizen complaints for pothole repairs until the beginning of December and may result in vehicular damage. Currently, after the winter pothole repairs are completed in late May, the normal response time to a citizen request for pothole repairs is three to four days.

-- This Department's vehicles are used to apply salt and sand in the Northeast section of the City. Without this replacement program, we would not be equipped to salt and sand ahead of the formation of icy conditions. This not only would adversely

Answer No. 2 (Cont'd)
impact the mobility and safety of vehicular and pedestrian traffic, but also would increase the overall cost of snow removal.

-- Response time to repair malfunctioning traffic signals would increase from approximately one hour to two hours. This would seriously hamper the movement of rush hour traffic and increase the potential number of accidents.

-- Parking meter installation will be hampered by the need for a portable compressor, which is required for the expenditious installation of new meters. Revenue losses will be substantial in Fiscal Year 1979, or a contractual service agreement would be required to install meters.

-- We anticipate that the only wrecker available, which has the capability to tow heavy equipment, will be inoperable in Fiscal Year 1979. This will require a contractual service agreement.

We again wish to emphasize the importance of this request. Without reliable and dependable equipment our service responsibilities are dreadfully close to failure. Also, $15,000 is requested to purchase two replacement passenger vehicles for the Surveyor's Office.

QUESTION:
3. Why is the Department requesting 12 small pickups (KA-44)?

ANSWER:
3. The pickups are replacements for vehicles which are very old and have become uneconomical to maintain. They will be used to transport employees, tools, and supplies to their job sites on a daily basis.

QUESTION:
3a. How will these vehicles be used?

ANSWER:
3a. Some of the vehicles will be modified with new bodies having enclosed bins to store electrical tools and equipment to repair fire alarms, police and emergency call boxes. Other vehicles will be modified so as to transport ladders and equipment for sign maintenance.

QUESTION:
3b. Could a more economical vehicle be used instead of a pickup?

ANSWER:
3b. It would be impractical to use sedans to transport the type of supplies and equipment needed to carryout the day-to-day departmental maintenance functions. However, we will be looking into the possibility of purchasing smaller and more economical pickup trucks where possible.

E. POOR UTILIZATION OF DRIVE-YOURSELF VEHICLES

Based on the average monthly mileage of each drive-yourself vehicle, the annual mileage of such vehicles is about 3,500 below the District's standard mileage requirement.

QUESTION:
1. Why doesn't the Department use these vehicles in accordance with established standards?

ANSWER:
1. There is no standard establishing the annual mileage that the ten drive-yourself vehicles should be driven.

QUESTION:
2. Are drive-yourself vehicles being used to transport individuals to a location in the city and then remain parked at the location? Why? What has the Department done to obtain better utilization of drive-yourself vehicles?

ANSWER:
2. Yes. The purpose of the drive-yourself vehicle is to provide transportation for employees who are required to travel on a non-regular basis outside the District-operated shuttle bus routes. In addition, this is a cheap and efficient method to travel for an employee who must visit several locations within a workday. This service is comparable to a private car rental with greatly reduced costs. Although the drive-yourself vehicle mileage is lower than average, the high trip frequency and convenience to the user justifies this program.

F. SNOW REMOVAL

QUESTION:
1. How much is requested for snow removal in FY 1979? How much did the Department spend on snow removal in FY 1978? What has been the average expenditure for this activity over the last five years?

ANSWER:
1. The Department is requesting $303,300 in FY 1979. The amount spent, in FY 1978, is estimated to be $2,140,000. The average cost for snow removal for the five year period 1974 thru 1978 is $1,087,008.

G. RESURFACING SELECTED CITY STREETS

The Department estimates (KA-Cap-6) it will cost about $1 million to resurface selected District streets. This is about a $650,000 decrease from Fiscal Year 1978.

QUESTION:
1. What is the status of the street resurfacing projects authorized in Fiscal Year 1978?

ANSWER:
1. The Fiscal Year 1978 capital budget has now been approved and the street resurfacing projects are currently in the design stage.

QUESTION:
2. What effect did the severe winter have on the streets?

ANSWER:
2. The streets of the city, like those in many other jurisdictions

Answer No. 2 (Cont'd)
are suffering from the after effects of the worst winter and fall in many years. Records show that we had over 15 inches of rain in October, November, and December of last year as compared with a normal rainfall of approximately 8 1/2 inches. The amount of snow this season was the greatest amount since the 1966-1967 season. The fall rains saturated the pavements and the subgrades, the freeze-thaw cycles and the snow did the rest. In addition, repairs were postponed because of the weather (particularly delaying the repair of utility cuts).

QUESTION:
3. Do they need extensive repair?

ANSWER:
3. They need extensive restoration since last winter's effect was the worst in at least 10 years. Work now planned, will restore them to near their original condition.

QUESTION:
4. Is the "light cover" process of resurfacing a street economical? Why? Would it be more economical to use the "regular cover" process rather than "light cover"? Why?

ANSWER:
4. The "light cover" method for resurfacing lightly traveled streets is a more economical method. The thickness for regular cover is 2 inches as opposed to 3/4 inches in light cover, thereby reducing the cost.

QUESTION:
5. Is $1 million adequate to maintain the streets in 1979?

ANSWER:
5. As our program is planned, this amount along with the local public works grant, funding should be adequate.

H. BRIDGE REPAIR

A few years ago the Department resurfaced Kenilworth Avenue, but the Deane Avenue Bridge still has not been repaired. In Fiscal Year 1978 you told this Subcommittee that streets are scheduled for resurfacing based on physical surveys and the priority of the street repairs is determined on the seriouness of defective areas.

QUESTION:
1a. How does the Department determine which bridges to repair?

ANSWER:
1a. The determination as to priority for bridge restoration is based on the review of inventory data and visual inspection. A committee of design and construction engineers analyzes the bridge's condition and determines the ranking for inclusion in the capital improvements budget.

QUESTION:
1b. What factors determine the priority of the bridge repair work?

ANSWER:
1b. Factors considered in determining priorities include age, roadway demensions, safe load capacity, structural and safety conditions.

QUESTION:
2. When will the Deane Avenue Bridge on Kenilworth Avenue be scheduled for repair?

ANSWER:
2. The reconstruction of the Kenilworth and Watts Branch Bridges has been delayed by traffic management problems which now have been solved. Bids will be awarded in July, 1978, and construction contracts should be awarded in the fall.

QUESTION:
3. What is the status of all outstanding bridge repair work authorized by this committee in the last 5 years? Explain why the repair work has not been completed.

ANSWER:
3. At present we have three bridges under construction and seven in design. Those being restored are Frederick Douglass Memorial Bridge, Meigs Bridge (Pennsylvania Avenue over Rock Creek) and Connecticut Avenue Bridge over Klingle Valley. Those under design and funded for construction are Kenilworth Avenue over Helen Nannie Burroughs Avenue, N.E., Michigan Avenue Bridge, N.E. over the railroad and Franklin Street Bridge, N.E. over the railroad. In design and just funded for construction are Whitney Young, Jr. Bridge (East Capitol Street) and 14th Street Grade Separations, S.W. Those with design funds only are Benning Road Bridge over Kenilworth Avenue and the railroad and Chain Bridge whose construction funds are requested in the FY 79 budget. The bridge construction staging has been influenced by the traffic management problems in the cases of Kenilworth Avenue and Whitney Young, Jr. Bridge; and Michigan Avenue Bridge and Franklin Street Bridge, all of which was considered in the scheduling of our bridge program. Schedule for construction is:

Michigan Avenue Bridge in the fall
Whitney Young, Jr. Bridge in the late fall
Kenilworth Avenue Bridge in the early fall
14th Street Grade Separations in early 1979
Franklin Street Bridge after Michigan Avenue Bridge is complete.

QUESTION:
4. How much money did the Department receive from the U.S. Department of Transportation for road repairs in the last 3 years? How much was used for potholes?

ANSWER:
4. The Department of Transportation through its Federal Highway Administration does not participate in repair and maintenance of highways. Therefore, we have not received any federal funds from the Department of Transportation, for this purpose.

The Department's own forces in conjunction with five street repair

contracts, to commence in July, should allow us to be at a current status by the middle of September. At that time, our efforts should be reduced to the normal standard of three pothole repair crews working daily throughout the City.

I - CAPITAL IMPROVEMENTS - TRANSPORTATION

The Department of Transportation has requested (Vol. IV, P. 270) $6,307,000 for various capital improvements to streets, bridges, traffic operation improvements and bicycle paths.

Please provide the Committee with a summary of the need for each of the requested projects.

Bridge Replacement and/or Rehabilitation.

This project is perhaps the most important capital budget item in view of the critical links in our transportation system that our 200 bridges represent. The FY 1979 request will fund the reconstruction of two bridges: Benning Road Bridge across Kenilworth Avenue and the Conrail Tracks and the Chain Bridge over the Potomac River and the C&O Canal.

These crossings together serve 56,700 automobile and 13,300 Metro-bus occupants per day. Benning Road carries one of the heaviest concentration of Metrobus users anywhere in the City. Chain Bridge is a strategic river crossing in that without it, the two closest river crossings would be 7½ miles apart. Chain Bridge is 40 years old and requires deck replacement to be kept in service. Benning Road Bridge, also 40 years in continuous service, requires replacement because of both substructure and superstructure deterioration.

Local Street Improvements and Extensions.

This project provides for the improvement and reconditioning of the approximately 650 miles of local streets that are off the Federal-aid system. Work contemplated includes 10 miles of resurfacing, 12,000 feet of sidewalk replacement, 8,000 linear feet of curb and gutter replacement, and the replacement of over 2,000 street line trees. In addition, the project will provide for roadway upgrading in the Washington Highlands Community Development in cooperation with the Department of Housing and Community Development.

We have managed a reduction in this year's request by over $1,150,000 from last year. This was made possible through the assistance we are getting from the jobs bill program as well as our greater use of Federal Highway Funds for Traffic Control device costs.

Resurfacing Federal-aid Streets.

This is a continuing program for the reconditioning of major streets on the approximately 400 mile long federal-aid system. Resurfacing is a cost effective means of extending the life of the pavement base. At the same time, deteriorated curbs, gutters and sidewalks are replaced and curb ramps are installed. Benefits besides extended life are decreased maintenance, improved riding quality, reduced noise and vibration levels, and upgraded aesthetics. This request will restore 2.4 miles of streets that collectively serve 86,400 automobiles, trucks, and buses per day.

Traffic Operations Improvements.

We continually find ways, particularly at intersections, to increase capacity and to smooth operations for automobiles, buses, and pedestrians. These improvements are often prompted by land use changes that occur all over the City. We also rely on the advice of bus operators, our staff, and requests from the public. This project provides the means for the District to implement transportation system management (TSM) projects which are promulgated by the U.S. Department of Transportation. This fund is a highly efficient use of revenues and permits the Department to rapidly respone to need for minor improvements that make existing streets more productive, including signal installation and modifications, curb realignments for bus operations, turn lanes, new signing and marking schemes and the like. Operational Improvements to facilitate Metrobus operations are given priority.

Safety Improvements.

This request provides the matching funds for the Federal program to reduce or eliminate potential and existing safety hazards. Improvements include the installation of guardrail breakaway devices, impact attenuation devices, delineators, signals and other state-of-the-art safety controls. All work is supported by inventories of safety need. Based on accident records and field inspections.

In combination with other safety efforts in the City, we note that this project has achieved a positive effect. According to the National Safety Council, D. C. ranked number one in fatality rates among all cities in the 500,000 to 750,000 population class and tied for first place when compared to state records.

Southern Avenue.

This is a staged project from South Capitol Street to East Capitol Street. Remaining unfunded sections are from Naylor Road to Branch Avenue, Bowen Road to H Street, and C Street to East Capitol Street. This request will fund C Street to East Capitol Street where the roadway will be replaced and upgraded to full standards.

Bicycle Network.

This request will fund the 5th year of our bicycle transportation program. A total of 40 miles of bikeways have been established in the City including 20 miles of our 75 mile plan. Another 30 miles are presently in design. One hundred bicycle lockers at 6 Metro stations are in the process of being procured. The current request will permit the installation of some of the remaining miles--the exact amount is dependent on final design requirements.

QUESTIONS SUBMITTED BY SENATOR LEAHY

Senator BUMPERS. Also for those agencies in the environmental services category and the transportation category which were not scheduled to appear, Senator Leahy and the subcommittee staff will submit questions and ask that the written answers be provided for the record.

[CLERK'S NOTE.—The following material was submitted in lieu of appearances by the agencies.]

WASHINGTON AQUEDUCT

A. RELATIONSHIP BETWEEN THE AQUEDUCT (A DIVISION OF THE ARMY CORPS OF ENGINEERS) AND THE LOCAL JURISDICTIONS

QUESTION:
1. The Washington Aqueduct is actually a Division of the U.S. Army Corps of Engineers which acts as a wholesaler of water to the District of Columbia, Arlington County and approximately 40 square miles of Fairfax County.

Is this Division of the Army Corps of Engineers totally funded by local jurisdictions that receive the water? What is the total contribution that comes from each of the jurisdictions?

ANSWER:
1. The Washington Aqueduct is totally funded by the jurisdictions which receive the water. The Federal Government reimburses the District of Columbia for all water used in annual lump sum payment, at the same rate/1000 gallons that any other consumer in DC pays. Arlington County and the City of Falls Church, Virginia, pay the Washington Aqueduct directly for the water they use at a rate/million gallons established by the "cost of service" method. During FY 77, the total operating cost for the Washington Aqueduct was $8,719,300. Debt Service (principal and interest) on Washington Aqueduct projects was $1,430,000. Arlington County paid $1,400,300. The City of Falls Church paid $1,159,000. Assuming the portion of the lump sum Federal Payment attributable to the operation of the Washington Aqueduct to be $1,500,000, the net cost to the District of Columbia was $6,090,000.

QUESTION:
2. With regard to this Division of the Army Corps of Engineers, what specifically are the responsibilities of the U.S. Army and what are the responsibilities of the local jurisdictions?

ANSWER:
2. The Corps of Engineers is responsible for the collection and purification of the water, and for pumping and transmission of the water to the various jurisdictions. The Corps also has responsibility for some "Federally Owned Water Mains" built by the U.S. Government to serve specific Federal facilities, including Washington National Airport, the Pentagon, Andrews Air Force Base and others. The local jurisdictions are responsible for the water distribution networks throughout their areas, whatever booster pumping and storage reservoirs are required, metering, and collection of water bills to the individual consumers.

QUESTION:
3. Who holds title to the McMillan Filter Plant Facility? Does the McMillan Filter Plant only serve the residents of Washington, D.C?

ANSWER:
3. The U.S. Government holds title to the McMillan Facility. Under normal operating procedures, this plant supplies water only to the Federal Government and the District of Columbia, and not to Virginia. However, water can be pumped to Virginia from this plant if it is advisable to do so due to emergency or some other contingency.

B. REQUESTS FOR INFLATION

QUESTION:
1. The request for FY 1979 represents an increase of $874,200 over the level requested for FY 1978. $800,000 of this increase is the result of inflation (Vol. IV, p. 437). Is that correct?

ANSWER:
1. The $800,000 requested is entirely to pay for increased costs in electric power to operate the collection, treatment and pumping facilities. This is actually an inflationary increase over a two-year period, rather than a single year. During FY 78, a supplemental appropriation of $450,000 was approved for this purpose, so the net increase requested in FY 79 is actually only $350,000.

C. CAPITAL REQUEST TO REPLACE THE McMILLAN WATER TREATMENT PLANT

QUESTION:
1. The Washington Aqueduct has also requested $28,100,000 for the replacement of the 72 year old McMillan Water Treatment Plant (Vol. IV, p. 442).

Due to the late start in beginning the design work for this construction, is the full $28,100,000 still needed in FY 1979?

ANSWER:
1. Yes. We anticipate that the plans and specifications for this project will be complete and bids taken before the end of FY 1979. The entire amount must be authorized before we can advertise for construction.

QUESTION:
2. The Budget Justification (LB-CAP-2) discusses the need for a new facility to replace the McMillan Water Treatment Plant because of operation and maintenance problems. It states that studies over the past 10 years have shown that operating costs are considerably higher at McMillan than at the Dalecarlia facility.

2a. How much more does it cost to process one billion gallons of water at McMillan than at Dalecarlia?

ANSWER:
2a. Production costs at McMillan are about $20,000/billion gallons higher than at Dalecarlia, due primarily to the large number of employees required to wash these filters.

QUESTION:
2b. If a new plant is built, what will be the yearly savings or added costs when compared with the existing McMillan facility?

ANSWER:
2b. The annual cost of operating the new facilities will be approximately $500,000 less than the cost of continuing to operate the old facilities.

QUESTION:
2c. If approved in this year's budget, how long before the new plant will be operational?

ANSWER:
2c. If the design and construction schedules go according to plan this facility will be operational in September 1983.

QUESTION:
3. The justification (p.LB-CAP-3) states that there is a need for a new Chemical Building in the future to serve the proposed new plant that will replace the McMillan Water Treatment facility. It states that the Chemical Building could be constructed separately at a later date; however, considerable savings in construction and operating costs will be realized if the building is constructed at the same time as the new water treatment plant.

How much savings will there be in construction costs and operating costs if the Chemical Building is built at the same time as the new water treatment facility? Why will there be major savings?

ANSWER:
3. The Chemical Building is an integral part of the system and must be constructed in the near future to replace the existing inadequate facilities. This phase of the project was given separate consideration in this justification because it had not been part of the original project justification, which had included only replacement of the rapid sand filters. The need for a new Chemical Building was recognized in the 1946 Master Plan for providing adequate future water supply to the District of Columbia and environs. These chemical feed facilities are an integral part of the construction required. Building the entire project under a single contract will greatly reduce the overall construction time required and reduce project overhead costs by about one half. In addition, postponement will only increase the costs by the amount of inflation in the intervening period, currently 12%/year. Construction of the Chemical facilities as part of the initial contract will add only about 12% to the total construction cost.

D. CAPITAL REQUEST TO ELIMINATE DISCHARGE OF WATER TREATMENT PLANT WASTES

QUESTION:
1. $2,640,000 is also requested to begin work on a facility to eliminate the discharge of water treatment plant wastes directly into the Potomac that now come from the Dalecarlia Water Treatment Plant and the Georgetown Reservoir (Vol IV, p. 444).

1a. The total of this project will be $23,310,000, is that correct?

ANSWER:
1a. No. The total cost of this project is $26,985,000. The $23,310,000 figure is the balance of funds required to complete the project.

QUESTION:
1b. Why can't this waste water be shipped to Blue Plains for treatment as originally planned?

ANSWER:
1b. It was originally proposed to convey these wastes to Blue Plains for treatment. However, on two separate occasions the District of Columbia has formally rejected this concept in writing, and indicated that we must treat and dispose of our waste products by other means.

QUESTION:
2. The justification (LB-CAP-4) states that water plant waste treatment and disposal facilities at the Dalecarlia Water Treatment Plant and Georgetown Reservoir must be constructed to comply with the Water Pollution Control Act Amendments of 1972 and Executive Order 11507.

When will the work start on the new facilities?

ANSWER:
2. The design phase of this project will be underway within the next few weeks and the first construction stage is scheduled to begin within twelve months. The Environmental Protection Agency has been furnished with the proposed schedule for this project.

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

A. COMMISSION'S ACTIVITIES OVER THE PAST YEAR

QUESTION:
1. The Commission's role is to regulate certain privately owned transportation functions within the metropolitan area (Vol. IV, p. 304). What is the status of the bus operation that Fairfax City had proposed that would run in competition with the Metro system? What role did the Commission play in this matter?

ANSWER:
1. Fairfax City entered a two-year agreement with The Gray Line, Inc., and service commenced on January 3, 1978. Charter service in air-conditioned suburban-type coaches began with seven trips in the morning and seven in the evening. The service has been successful, and on June 1, 1978, one morning trip was added and a route extension was made to serve the "Foggy Bottom" area. Metro currently has under study whether to withdraw service from Fairfax City, but an interesting thing has happened. Metro's Fairfax City ridership has actually increased since the inauguration of Gray Line's service. Accordingly, the Metro staff has recommended to the Board that service to Fairfax City not be curtailed.

As for the Commission's role, Gray Line already held a certificate from the Commission which included the general charter authority necessary to provide the Fairfax City service. The Commission required Gray Line to file for approval its tariff and contract for the service. Pursuant to a motion from Metro, the Commission scheduled a public hearing on the matter prior to institution of the service. After that hearing and after reviewing the economic

data justifying the contract rate and assuring the adequacy of insurance coverage and the availability of equipment to provide the service, the Commission approved the contract and tariff, thus permitting the service to begin. The Commission maintains continuing jurisdiction over the operation.

QUESTION:
2. Describe for the Committee the Commission's activities over the last year.

ANSWER:
2. For the year ended March 31, 1978, the Commission held 50 days of public hearings on 61 matters and issued 163 orders. Proceedings were initiated on 58 applications and 18 other proceedings, including formal complaints, investigations and rulemaking. The Commission responded to 198 written complaints and was involved in 14 proceedings in various courts to enforce or defend its decisions.

B. TOTAL BUDGET FOR COMMISSION

QUESTION:
1. The District is just one of the jurisdictions that contribute to the Commission's budget. What is the total budget proposed for FY1979 when you include the expected contributions from the other jurisdictions?

ANSWER:
1. The Commission's total budget proposed for FY1979 is $277,305, including appropriations of approximately $124,000 from the State of Maryland and $81,000 from the Commonwealth of Virginia.

QUESTION:
2. Could you provide a breakdown of the Commission's proposed budget by functional activity?

ANSWER:
2. The Commission's sole functional activity is to perform the adjudicative and quasi-legislative activities required by the Washington Metropolitan Area Transit Regulation Compact, operating with a staff consisting of an executive director, an administrative assistant, two attorneys, a rate supervisor, and two secretaries.

School Transit Subsidy

A. TWO LEVELS OF SUBSIDY FOR SCHOOL CHILDREN

QUESTION:
1. Last year the Committee was told (Part 2, p. 1704) that there are two levels of subsidy for transportation of school children. The first level is for the children who live 1-1/2 miles or closer to the school they attend and for these children the fare is 10¢. For children that live farther than 1-1/2 miles away the ride is entirely free.

As a matter of equity, why should these two groups of children be treated differently?

ANSWER:
1. This program is no longer in effect. Beginning with the new school year in September 1977, all children riding on Metrobus paid 10 cents for each bus token irrespective of the distance they travelled to school.

B. REQUEST

QUESTION:
1. The FY 1979 request is for $4,385,000, or an increase of $85,000. Is this the full request that will be needed in FY 1979 to accommodate for the fact that the peak hour bus fares were increased about a year ago?

ANSWER:
1. No further adjustments will be required in the FY 1979 subsidy level to accommodate the changes in peak hour bus fares. However, a further amendment will be necessary to handle the school transit subsidy program on Metrorail currently being considered by the City Council. Subsidy estimates for the student rail program are provided in answers to the succeeding Question C.

C. NO SUBWAY FARES PROVIDED

QUESTION:
1. With many bus lines now ending at subway stops how many school children are being put on the subway system as they ride to school?

ANSWER:
1. We do not have an answer to this question. Current survey data on Metrorail does not distinguish between different age classifications, and aggregates the total student population first grade through university. New survey questionnaires will be modified to provide a proper breakdown. We should note, however, that very few children have been compelled to ride Metrorail to reach schools within the District of Colimbia. Every attempt has been made to provide connecting bus service for school children, and the majority of student trips on rail are probably dictated by choice rather than necessity.

QUESTION:
2. Those children that must also ride the subway system are being required to pay the full subway fare. Is that correct? Does the City plan to implement a special fare card program for school children for the subway system? How much subway revenue would be lost by such a program?

ANSWER:
2. The current fare structure on Metrorail requires that school children pay the regular adult fare. However, beginning with the new school year in September, 1978, the District Government proposes to implement a school transit subsidy program on Metrorail, and appropriate legislation is now before the City Council.

The student would pay a flat fare of 10 cents on Metrorail for any school related trip within the District, similar to that already imposed on Metrobus. However, rather than a metal bus token being the medium for payment, a special plastic farecard will be sold to the student that will be accepted by the Automatic Fare Collection equipment. Minor modifications to the existing faregates will be necessary.

No subway revenue will be lost by this program. Approval by the Washington Metropolitan Area Transit Authority would be contingent on the District Government paying the difference between the regular adult fare and the 10 cent student payment.

SCHOOL TRANSIT SUBSIDY

QUESTION:
3. How much will it cost to subsidize student subway fares? Are funds available to pay for this activity? What is the source of the funds?

ANSWER:
3. It is estimated that the additional cost of subsidizing student subway fares for FY 1979 will be $646,250 over and above the original request for $4,385,000; making a total of $5,031,250 for the School Transit Subsidy Program.

Funds are not currently available to pay for this activity and an amendment to the FY 1979 Budget will be required. The source of all subsidies will be general revenue funds.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (METRO)

A. HAS A FINAL BUDGET FOR METRO BEEN ADOPTED - HAVE FARES BEEN AGREED TO?

QUESTION:
1. The justification material (Vol. IV, P. 318) reported that the budget for the Metro system was still in the review process when the city prepared its budget request for FY 1979 and therefore the figures are not firm.

As I remember there was disagreement as to the fares that would be changed and this was the issue that was holding up final approval of the budget. Has the Metro Board adopted a final budget for FY 1979? Do better estimates now exist as to the amount that will be owed to Metro by the City?

ANSWER:
1. WMATA has adopted the FY 1979 budget requiring a $98.4 million subsidy level plus a 20 percent local contribution for interest costs on WMATA bonds, assuming continuation of 80 percent Federal share. Revised estimates for the District's allocation are as follows:

FY 1979 Metrobus Operations	$33,012,000
FY 1979 Metrorail Operations	14,558,100
Downtowner Service	100,000
Prior Year Adjustments	1,360,285
Subtotal	$49,030,385
Less: Section 5 Funds	8,879,976
Net Subsidy	41,050,409
Debt Service (1/1/79 & 7/1/79)	$ 3,969,472

QUESTION:
2. In the process of adopting a final budget for the Metro system were fare increases for the District of Columbia and for the other jurisdictions agreed to?

ANSWER:
2. A fare proposal approved by the WMATA Board for public hearing was included in the approved FY 1979 budget and was estimated to generate an additional $3.1 million in revenues. As a result of the public hearing process, several changes were made to the original proposal, includinga proposal to further extend rail hours of operation. The approved fare structure and the extended rail service will increase bus and rail operating subsidies by $895,000. The District's share of the budget shortfall is estimated at $159,000.

It should be noted that the above estimates do not include the impact of the Minnesota Avenue/Deanewood Metrorail fare adjustment. This will be provided on a direct reimbursement basis to the Authority by the District of Columbia and Prince George's County. Procedures to determine the revenue reduction are now being developed. The total revenue re uction is estimated to be $200,000.

B. FUNDS REQUESTED TO PAY INTEREST ON REVENUE BONDS

QUESTION:
1. For the first time in FY 1979 there is a request for funds to pay the interest on the $997 million of bonds sold to help finance the system. The city request of $3,969,400 for this item is based on the assumption that the Federal Government will help the local jurisdictions by paying 80% of the interest due. Has the Federal Government agreed to pay 80%? If yes, has funding been requested by the U.S. Department of Transportation in FY 1979 to assume this responsibility?

ANSWER:
1. Beginning in FY 1977, WMATA has sought funding for the interest costs on the revenue bonds. The requested Federal share (80%) was provided in fiscal years 1977 and 1978. FY 1979 funding has been requested. Approval for this will be dependent on UMTA approval of a financial plan for completion of the Metrorail system.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (METRO)
C. THIRTY PERCENT BUDGET INCREASE IN ONE YEAR

QUESTION:
1. The FY 1979 budget request for the Washington Metropolitan Area Transit Authority increased $9.4 million (or 30%) over the FY 1978 amount o iginally allowed by the Senate.

1a. Could you explain the reasons for such a large increase in a one-year period? Can you provide the details of the increase?

1b. What are the prospects of reducing this budget item or at least holding-the-line on future increases?

ANSWER:
1a. Rail operations for FY 1978 consisted of 5-day, 14-hour service for seven months of Phase II and five months of Phase IIA. The FY 1979 Metrorail subsidy provides for the annualization of the costs of Phase IIA, eight months of Phase III operation, the expansion of week-day service from 14 to 18 hours and the addition of 16-hour Saturday service.

In addition, both Metrobus and Metrorail operations experienced inflationary increases to the FY 1978 costs.

1b. During the next few years, Metrorail operations will continue to expand the size of the system, days of operation and hours of service. These service improvements will result in increased costs.

However, every effort will be made to offset these costs through increases in productivity and maximum implementation of the bus turn-back program, which eliminates duplicate bus and rail service as each new phase of the rail system becomes operational.

QUESTION:
2. What is the District Government doing to encourage or promote efficient operations at WMATA?

ANSWER:
2. The District of Columbia Government has promoted efficient transit operations through such efforts as establishing express bus lanes, imposing parking restrictions, participating in a demonstration program for bicycle lockers at Metro stations and conducting various transit studies.

In addition, District of Columbia staff from the Department of Transportation and Office of Budget and Management Systems actively participate in the various committees established by the WMATA Board of Directors such as the Budget Committee, Revenue and Operations Committee, and the Metrobus Technical Committee.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (METRO)
D. NEW COST ESTIMATES FOR TOTAL SYSTEM AND FINANCIAL COMMITMENTS FOR TOTAL SYSTEM

QUESTION:
1. I noticed recently the total cost for the Metro system is now estimated at $5.6 billion dollars. Last year the Committee was told (Part II, p. 1663) that commitments have been made for $3.8 billion of this total cost.

How much of the total cost is covered by current financial commitments? How many miles of the system can be built with funding available from the current financial commitments?

ANSWER:
1. At this time the financial commitments to the rail construction program total $3.8 billion. This will provide funding for approximately 64 miles of the system.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (METRO)
E. ALTERNATIVE ANALYSIS

QUESTION:
1. What is the status of the alternatives analysis that has been requested by the U.S. Department of Transportation on the Metro system? When will that process be completed? What kind of system do you now expect the local jurisdiction to recommend?

ANSWER:
1. The alternatives analysis process was completed on May 11, 1978 with approval of the attached resolution.

JOINT POLICY STEERING COMMITTEE

RESOLUTION ON RECOMMENDED REGIONAL SYSTEM

WHEREAS, on September 24, 1976, and in various communications since that time, the Urban Mass Transportation Administration (hereinafter referred to as UMTA), requested that the Washington Metropolitan Area undertake an analysis of transit alternatives to certain unbuilt segments of the Metrorail system, including the "F" Route Corridor beyond the Anacostia station, and the "JH" Route Corridor beyond the Huntington yard; and

WHEREAS, the Joint Policy Steering Committee (hereinafter referred to as JPSC), in response to requests from local officials, chose to include the unbuilt portion of the "E" Route Corridor beyond the Gallery Place station and the "K" Route Corridor beyond the Ballston station in the alternatives analysis; and

WHEREAS, UMTA has requested that a financing plan that is interdependent with a system recommendation be developed and submitted to UMTA by August 31, 1978; and

WHEREAS, the JPSC has undertaken the required alternatives analysis, which was initiated in February 1977; and

WHEREAS, the Washington Metropolitan Area Transit Authority (hereinafter referred to as WMATA), is preparing a financial plan for construction and operation of the Metro system;

BE IT RESOLVED that the JPSC on Metrorail Alternatives Analysis recommends that the construction of the following Metrorail lines is in the best transportation and general planning interest of the Washington Metropolitan Region:

- The Metrorail "K" Route line to a Vienna Station Terminus with intermediate stations at East Falls Church, West Falls Church, and Dunn Loring;

- The Metrorail "JH" Route line to a Franconia/Springfield Station Terminus with an intermediate Van Dorn Station;

- The Metrorail "E" Route line to a Greenbelt Station Terminus with an "S" Curve Alignment modification in the vicinity of Prince George's Plaza, with intermediate stations at Federal City College, Shaw, U Street, Columbia Heights, Georgia Avenue, Fort Totten, West Hyattsville, Prince George's Plaza, and with either the elimination of the planned College Park Station or the redesign and/or relocation of it in a manner that is satisfactory to the City of College Park; and

- The Metrorail "F" Route line to a Rosecroft Station Terminus with intermediate stations at St. Elizabeth's, Southern Avenue, and St. Barnabas; and

BE IT FURTHER RESOLVED that the JPSC supports the reservation of future rights-of-way and station site acquisitions as appropriate and efficient to provide for system extensions such as Tyson's Corner in Fairfax County and Auth Road in Prince George's County in the future; and

BE IT FURTHER RESOLVED that the JPSC supports a Federally financed extension of Metrorail service to Dulles International Airport; and

BE IT FURTHER RESOLVED that the JPSC endorses the concept of enhanced parking at Metrorail stations and Metro-related fringe parking sites provided, however, that such increases in parking are consistent with the capacity of the proposed highway system to handle vehicular flows during peak periods; and

BE IT FURTHER RESOLVED that the JPSC recommends that potential funding for such enhanced parking facilities at outlying Metrorail stations and fringe parking facilities, where appropriate, be identified by the Transportation Planning Board working with appropriate agencies, considering Federal aid highway funding in line with Federal fringe and corridor parking policies developed by the Federal Highway Administration in support of transportation system management strategies; and

BE IT FURTHER RESOLVED that the U. S. Department of Transportation and UMTA, in furthering the role and use of public transportation, and reducing reliance on the automobile in the Washington Metropolitan area should carefully review, revise, and mandate, if necessary, parking policies including pricing in Federal or Federally leased office buildings which currently, by being subsidized and lower than commercial parking rates, encourage automobile use; and

BE IT FURTHER RESOLVED that the JPSC acknowledges the need for the development of a financing plan that recognizes the amount of available Federal and local funds, and asks that WMATA do this as part of its development of a financial plan by August 31, 1978, based on the analysis and results of the Metrorail Alternatives Analysis. This financial plan should include:

- the local jurisdictional costs associated with construction of various Metrorail lines beyond the termini committed through and by the Interim Capital Contributions Agreement;
- the costs of enhanced parking as outlined in the 4th and 5th resolve;
- a refined estimate of regional and sub-regional transit (bus and rail) operating costs, revenues and possible subsidies, the impact of such parameters on local jurisdictions, and a specification of alternatives for financing these subsidies;
- the manner in which the interest and principal on the revenue bonds sold by WMATA will be financed;
- the delineation of both a fare structure and a policy on fare escalations that would form the major underpinning for the subsidy estimates;
- a Design, Construction and Operation Schedule and a Funding Schedule which would outline the following:
  - a schedule showing the segments of the Metrorail system for which design and construction contracts will be advertised each year until system completion;
  - a schedule showing when various Metrorail segments/stations will become operational;
  - a schedule prescribing payments for each jurisdiction by year of the local share of the rail capital program; and

BE IT FURTHER RESOLVED that the JPSC transmit the results of, and documentation for, the Metrorail Alternatives Analysis to UMTA for their technical review, and to WMATA for use as a basis for development of the financing plan; and

BE IT FURTHER RESOLVED that the JPSC requests WMATA to report its recommendations for a financing plan to the members of the JPSC and affected local governments, for their review and comment, before formal submittal thereof to UMTA.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (METRO)
F. NO REQUEST FOR CONSTRUCTION FUNDING

QUESTION:
1. The city has requested $41,032,800 as its share for bus and rail operating subsidies for Metrorail debt service. No request is made this year for Metrorail construction funding. How much additional construction cost can the city expect through to the completion of the subway system?

ANSWER:
1. Cost estimates for the full system as approved by the Joint Policy Committee are now being developed. Assuming system cost estimates total $6 billion, the additional funds needed from the District of Columbia would total $155-$160 million.

QUESTION:
2. Based on the projected expansion of the Metro system, the city's annual contribution to Metro is likely to exceed $100,000,000 by 1984. Is that correct?

ANSWER:
2. The level of subsidy needed from the District of Columbia in FY 1984 will depend primarily on future policies relating to fares and service levels. Assuming a fare stablization program, the District's subsidy requirement could approach $100 million in FY 1984 before subtracting Section 5 funds. However, if fares increase at a rate equal to the rate of inflation the District's subsidy requirement will approximate $60 million.

SUBCOMMITTEE RECESS

Senator BUMPERS. Thank you very much.

We stand in recess until 10 o'clock tomorrow morning.

[Whereupon, at 9:50 a.m., Wednesday, May 24, the subcommittee was recessed, to reconvene at 10 a.m., Thursday, May 25, 1978.]

DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 1979

THURSDAY, MAY 25, 1978

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

The subcommittee met at 10:08 a.m. in room 1114, Everett McKinley Dirksen Office Building, Hon. Dennis DeConcini, presiding.
Present: Senator DeConcini.

DISTRICT OF COLUMBIA

OFFICE OF THE CORPORATION COUNSEL

STATEMENT OF JOHN R. RISHER, JR., CORPORATION COUNSEL

OPENING REMARKS

Senator DECONCINI. Good morning.

This morning the committee will receive testimony from three city agencies and from the Temporary Commission on Financial Oversight. The city agencies that we will hear this morning had been scheduled to testify at the hearing on May 16. Because of scheduling difficulties, the committee was unable to hear testimony from these agencies at that time.

I want to point out for the record, too, that I noticed this morning in the Washington Post that the D.C. General Hospital has regained 1 year accreditation. I would like to extend congratulations to the city.

We will also receive testimony from nine public witnesses who have written to the subcommittee to request that they be given the opportunity to testify on the fiscal year 1979 budget. I am requesting that each of these public witnesses limit their opening oral summary to 3 to 5 minutes so that we will have time to accommodate all of the public witnesses who have expressed an interest to testify this morning. This will also leave time for questions and discussion with each of the public witnesses.

Unfortunately, I am involved in other hearings, like other Senators, and have to leave at 10:45 for a vote and will be back after 11 to continue the hearings.

OFFICE OF THE CORPORATION COUNSEL

The first witness this morning is Mr. Risher of the Office of the Corporation Counsel. Mr. Risher, would you please come forward

and give us a 3- to 5-minute summary. Your full statement, if you have one, will be printed in the record.

Please proceed.

OPENING REMARKS OF MR. RISHER, CORPORATION COUNSEL

Mr. RISHER. Thank you very much, Mr. Chairman. My summary statement will consume far less than the 5 minutes.

I would initially like to thank the committee very, very much for rescheduling the date of my appearance. It permitted me to keep a long-standing obligation to be out of the city last week.

The budget I present this year on behalf of the Office of the Corporation Counsel seeks an increase in appropriations of only $130,000, and a total appropriation of $4,044,600.

This total amount is less than the amount which was appropriated in each of fiscal years 1976 and 1977. I was appointed, I might add here, during fiscal year 1976. And this appropriation which is sought for the ensuing fiscal year will permit the employment of three additional employees, and it is solely to permit the employment of these three additional employees that the increase is being sought.

INCREASE FOR CHILD ABUSE PROGRAM

These employees will work only as part of the child abuse program in the Juvenile Section of the Office.

That child abuse program was an activity previously funded with grant funds provided from the Office of Criminal Justice of the District of Columbia, grant funds which are no longer available because of the policies of the Law Enforcement Assistance Administration, and the Office of Criminal Justice, Plans and Analysis.

The difference between the amount which would be paid to these employees and the total increase which is being sought will be used to continue to fund the contracts the child abuse program has had with Children's Hospital since the inception of the program.

In short, the sole purpose of the increase is to permit the continuation of an exemplary program, but at a reduced level of expenditure.

I might close by noting this: As I stated earlier, the total appropriation which is being sought is less than the amount appropriated in either fiscal years 1976 or 1977. Currently, the office employs 18 fewer employees than it is authorized to employ, and the current appropriation is insufficient to meet the salary demands on the office. This has required, therefore, obtaining grant funds in order to supplement those appropriated funds in order to maintain this level of employment. The level of employment is approximately 18 percent less than it was when I was appointed in 1976.

That is the substance and the end of my brief statement, Mr. Chairman.

Senator DECONCINI. Thank you very much, Mr. Risher.

TERMINATION OF EMPLOYEES

I notice in recent newspaper stories the account of two lawyers fired from the D.C. Corporation Counsel's Office for dismissing parking tickets issued to themselves, and parking tickets to other employees in the Corporation Counsel's Office.

I commend you, Mr. Risher, in your department for your drive to crack down on the practice of concealing tickets and fixing them. I want the record to show that I think you have the support of this committee in taking that kind of action.

Mr. RISHER. Thank you, Mr. Chairman.

Those kind words point up a shortcoming on my part. I neglected to introduce my associates. To my left is Gloria Powell, administrative officer. And to my right is Geoffrey Alprin, the Deputy Corporation Counsel in charge of the Criminal Division. Mr. Alprin joined me last year after having been the assistant director of the Law Enforcement Assistance Administration Policy Institute.

Senator DECONCINI. I compliment you and your staff, too.

BOYCOTT OF STATES NOT RATIFYING ERA

Mr. Risher, as you know, Senator Leahy on behalf of the subcommittee has written to the Mayor to ask him for an opinion with regard to the legality of the city's action to boycott conventions and States that have not ratified the Equal Rights Amendment.

As you know, I am quite interested in this subject, as are my neighbors to the north in Nevada. As you know, earlier this week when the D.C. Conference Report came to the floor for final passage, Senator Talmadge and Senator Nunn of Georgia also came to the floor to express their concern with regard to the city's boycott action.

I happen to support the Equal Rights Amendment, but I feel that these actions are not called for. And I would just like to know if you believe it is appropriate for the city government to use public funds to boycott States?

Mr. RISHER. Senator, I assume when you asked me is it appropriate, you are not asking me whether I think it is the wisest piece of legislation, but rather is the legislation within the authority of the District of Columbia Council. And my judgment is that the Council does have that authority.

I believe my judgment or that view on my part is quite well-supported by at least two decisions of the U.S. Supreme Court, and numerous decisions of the supreme courts of the various States, in particular, a decision by the New Jersey Supreme Court. And on that ground, I advised the Mayor that such authority has been appropriately exercised by the Council.

Senator DECONCINI. Is that your judgment on any legislation or constitutional amendment that the city might want to boycott other States for not adopting? Do you feel that is a general position or just as it relates to the Equal Rights Amendment?

Mr. RISHER. I think the general proposition, and the general proposition which I think we are really talking about here is whether a unit of government may decline to expend its money for reasons that occur to its elected officials. I think the proposition is very well established that government need not spend money simply because the money is appropriated. And where money is appropriated, government may certainly establish the terms and conditions pursuant to which it will enter into the marketplace.

And it is on that basic axiomatic principle that my legal opinion rests. I might add here that I have sought to ascertain what argu-

ment might be made—I mean legal argument as opposed to political or policy argument—against the validity of the measure. And I have analyzed it from that perspective, and I am unaware of any valid persuasive, cogent legal argument which can be advanced against the measures.

And I think the Supreme Court in the *Hughes* v. *Alexander* case and in affirming a decision out of the Federal court for the State of Florida in *American Yearbook Company* v. *Askeu,* has made us quite aware that such activity is not prohibited by the Constitution.

INTERPRETATION OF BOYCOTT LEGISLATION

Senator DECONCINI. Have you researched another area of responsibility to the citizens that the public officials have. For example, lets say, that there is a crucial EPA meeting someplace in a State that has not ratified some constitutional amendment, that the city government would like to have ratified. The city might be jeopardized by not having a representative there to learn the results of a new EPA regulation.

Mr. RISHER. The following is my analysis: The first proposition is that there are occasions when legislators make what we might conclude with hindsight or perhaps with foresight to be improvident judgments. But one of the things a legislator is empowered or authorized to do is make judgments and embody that into legislation. So, I don't think that is really the whole of the question.

The second thought which I will share with you is that this particular measure does not, as my office advised in an opinion of April 5, 1978, and later another opinion of May 15, 1978, prohibit the reimbursement of expenses incurred by the District of Columbia officials or employees with respect to attendance at sessions out of the State that are conducted for the purpose of training. In other words, under both the act of the Council and the Mayor's order, a District of Columbia employee may attend a training session in a State which has not ratified the ERA and receive reimbursements.

The third thought which I would share with you is that I have not been advised of any instance where a session was conducted in a State, which has not ratified the ERA, which would have been attended by a District of Columbia official or employee but for the existence of the Council act or the Mayor's order.

I mention that to say I just don't have any evidence to allow me to make a qualitative judgment.

CONDITIONS OF BOYCOTT LEGISLATION

Senator DECONCINI. What does the boycott actually cover, do you know?

Mr. RISHER. What the two issues—and I really think when you examine them closely they are more symbolic expressions than anything else—what they really do is to prohibit attendance at social conferences in States which have not ratified the ERA, the Equal Rights Amendment, where the participation by the District official or employee would entail activities less than 50 percent of which constitute training. And we have defined training fairly expansively in the two opinions to which I have referred.

You may look at it another way, and I think you are really not far off the mark. The conference that a District official or employee might want to attend is really more social in nature—and social contacts, of course, are important—is one which they may attend but may not get reimbursed for it.

Senator DECONCINI. Thank you, Mr. Risher.

REIMBURSEMENT TO THE U.S. ATTORNEY'S OFFICE

We notice from 1969 to 1975, the city government reimbursed the U.S. attorney's office for approximately 75 percent of the cost of work performed in District cases. This reimbursement amounted to approximately $10 million, but is no longer made.

Why doesn't the city continue to pay the U.S. attorney's office for services performed?

Mr. RISHER. Let me add, if I may, sir, a little bit of what I understand to be the history. Sometime in the mid-seventies—and I think that the staff of the Office of Management and Budget systems is here and can help if I am in error—it was determined that the payments by the District to the U.S. attorney's office, which were supposed to represent services provided by that Federal office which were all of a local nature, were based upon an arbitrary figure.

No one had ascertained whether, in fact, the U.S. attorney's office was providing services in the amounts which were commensurate with the formula payment.

Indeed, the evidence, as I understand it, indicated to the contrary. That is, that the District government was paying for more than it was receiving from the Office of the U.S. Attorney. A decision was then made, and if I understand correctly, both in the White House as well as in the ranks of both Houses of Congress, that until the Department of Justice could justify the figure, the District should not pay.

Within the past year, I have seen various documents initiated within the Department of Justice which purport to be a justification, and I don't believe that it can be said that any has been found particularly persuasive within the Federal Government. The subject matter, however, is still under discussion.

And I believe that that is a fairly accurate summary of it.

Senator DECONCINI. In the absence of such a reimbursement, isn't really the Federal Government providing additional subsidy to the city?

Mr. RISHER. Well, it can be argued that it is. The question then becomes how much.

Senator DECONCINI. That is my next question.

Mr. RISHER. What is that, sir?

Senator DECONCINI. That is my next question. Do you have any idea how much?

Mr. RISHER. We will get to that.

There is also an argument that the Federal Government has assumed a responsibility that really the city ought to be exercising, and that the city ought not to pay the Federal Government in any event because the service is not really performed as the city would

have it performed. And I think that represents the extremes of the two arguments.

What the precise figure is, I really don't know.

Senator DECONCINI. Thank you, Mr. Risher, Mr. Alprin and Mrs. Powell. Thank you very much.

SUBMITTED QUESTIONS

We do have a few questions here that I will not be able to get to this morning. I would like to submit them to you.

Mr. RISHER. Thank you very much, sir. We will respond quite promptly.

Thank you very much.

[The following questions were not asked at the hearing, but were submitted to the Office for responses subsequent to the hearing:]

QUESTIONS SUBMITTED BY SENATOR DECONCINI

A. PROSECUTION OF WELFARE FRAUD

QUESTION:

1. The Committee has been told that approximately 70% of the error rate in the AFDC cases is explained by client error. To what extent does fraud or suspected fraud help explain this high level of client error? How many cases of suspected welfare fraud have been investigated by the Office of the Corporation Counsel during the last year?

ANSWER:

1. It is impossible for this Office to confirm the reported error rate in AFDC cases or to determine the extent to which fraud or suspected fraud is a significant element in that rate, since it reviews only a small portion of AFDC cases each year -- those cases which are referred to this Office by the Department of Human Resources ("DHR"). It does not have either the responsibility or the resources for investigations; instead this is a function of DHR.

Between May 1, 1977, and April 30, 1978, 150 cases were so referred by DHR to this Office for review. Pursuant to Office policy, these cases are initially reviewed by its Criminal Division for prosecution by that Division or referral to the Office of United States Attorney for consideration for criminal prosecution by that Office. Only then are the cases referred to the Civil Division of this Office.

Of the number referred by DHR, 9 have been referred to the United States Attorney's Office for prosecution because of apparent direct false statements by welfare clients, 40 have been reviewed by that or this office and returned to DHR because they lack prosecutorial merit, 4 have resulted in agreements by the recipient to repay the amount improperly received, 1 has been withdrawn by DHR, 53 are included in a continuing program which is designed to determine whether an agreement of repayment can be effected and, if not, whether prosecution should be instituted, and 43 are awaiting review by this Office at this time. Thus, 107 cases of suspected welfare fraud have been investigated by this

Office during the reporting period.

QUESTION:

2. In view of the ever increasing error rate in the AFDC caseload do you plan to step up your fraud investigations? If not, why not?

ANSWER:

2. In light of its restricted resources and other obligations, the Office is unable to increase its level of effort in welfare fraud cases beyond its present effort. It is anticipated, however, that of the 96 cases presently being reviewed or pending review in the Office, a number will result in prosecution pursuant to D.C. Code §3-216(b) (1973).

B. INADEQUATE PROSECUTION OF JUVENILE CRIMINALS

QUESTION:

1. According to the Washington Star (1/11/78) the backlog of juvenile cases has been substantially reduced from more than 2,000 in November of 1976 to 538 as of January of this year; is that a correct statement?

ANSWER:

1. According to caseflow statistics maintained by the Superior Court, as of November 1, 1976, 2018 juvenile cases were awaiting action by the court. By January 1, 1978, that backlog had been reduced to 1059, and by April 1, 1978, to 982 pending cases.

QUESTION:

2. As we understand it, this reduction was brought about by dismissing the charges against the arrested person. According to the Star article, tougher screening now results in dismissal of 35 percent of cases brought. Former Police Chief Maurice Cullinane recently called the higher dismissal rate "disgraceful." Do you think it is disgraceful, Mr. Risher?

ANSWER:

2. I am unaware of any occasion since March, 1976, that such a statement has been made by any Police Chief in respect to cases handled by this Office. However, the Chiefs of Police, the United States Attorney, the Criminal Justice Coordinating Board, the Chief Judge of the Superior Court, the Judicial Planning Commission, and the Corporation Counsel, all, have publicly stated that

the resources of this Office -- in particular those of its Juvenile Section -- are grossly inadequate.

The reduction in the backlog of juvenile cases awaiting court action was achieved by several methods, one of the most significant of which was the response of the Chief Judge to the Corporation Counsel's request for an increase in the number of trial judges assigned to juvenile cases. In addition, the Chief Judge personally presided over the Family Division during the latter part of 1976 in what proved to be an effective, cooperative effort to reduce the back-log significantly.

With respect to the "no-papering" of cases, it is a fact that the average monthly "no-paper" rate has increased over the last 18 months from approximately 10% to approximately 25%. This increase reflects the considered judgment of the Office -- one in which the Chief Judge of the Superior Court concurred -- that the prior, lower rate was attributable, to too great an extent, to an indiscriminating review of charges. Moreover, given the inadequate resources available to the Office for the handling of juvenile cases, proper prosecutive management requires that those resources must be assigned, in the first instance, to the more serious cases involving criminal conduct. Thus, the Office has consciously set priorities among all the cases it receives, and has determined that it first should utilize its limited staff to discern and separate, so as to assure its prosecutions focus upon, felonies and serious misdemeanors, or cases involving offenders with significant prior records. As a result, the increased "no-paper" rate has been effected largely with respect to minor misdemeanors involving first or second time offenders. While it is true that some -- but certainly not all -- cases represented in the increased average "no-paper" rate might be prosecuted if the resources available to the Office of the Corporation Counsel allowed it to allocate sufficient staff to the Juvenile Section of its Criminal Division, it is clearly the case that those cases generally are minor misdemeanors which do not usually involve serious recidivists. Moreover, the Office has begun to devote more attention to juvenile diversion programs, and is encouraging a greater effort in respect to such programs through the Criminal Justice Coordinating Board and the Office of Criminal Justice Plans & Analysis, for which the Corporation Counsel has had ultimate responsibility since April, 1977.

QUESTION:

3. Juveniles now account for approximately 50 per cent of the violent crime in the District according to the Police Department, yet you only have eight prosecutors to

handle the work load. The U.S. Attorney's Office has approximately 100 prosecutors for adult crime. Do you feel you are providing adequate protection to the residents of the District from violent offenders?

ANSWER:

3. No; indeed I have maintained since my appointment in March, 1976, that the Office has inadequate resources to meet the problem of juvenile offenders. Put differently, the arrest statistics indicate that juveniles account for at least 40% of all violent crimes (and probably all crime) in the District of Columbia. That volume of crime is prosecuted by a staff of attorneys that is about 10% that of the U.S. Attorney's Office, which prosecutes the balance of such serious crimes, and which has a screening-reviewing section with a staff that exceeds that of the Juvenile Section. In light of these statistics it is difficult to conclude that the Office is able to provide adequate prosecutorial services to the citizens of the District of Columbia with respect to either violent or non-violent juvenile offenses.

The problems created by lack of sufficient staff have been documented by other participants in the criminal justice system. For example, the United States Attorney's Office has noted that:

> Unfortunately, the resources provided the Office of the Corporation Counsel, the Office which prosecutes juvenile offenders, are entirely inadequate to fulfill its vital responsibility: eight or nine attorneys to handle all delinquency cases will necessarily require it to forego proceeding in a number of meritorious cases despite the fact that before many juveniles are referred to Court at all, the Police Department has previously exercised its discretionary authority to divert them to other programs.

Report of United States Attorney for the District of Columbia, Fiscal Year 1977, p.10.

Furthermore, the 1978 Comprehensive Criminal Justice Plan for the District of Columbia has specifically identified lack of adequate prosecutorial resources in connection with the prosecution of juvenile crime as a problem requiring remedial attention. 1978 Comprehensive Criminal Justice Plan of the District of Columbia, District of Columbia Criminal Justice Coordinating Board, p.III-76 (October, 1977). Similarly, the Judicial Planning Committee of the District of Columbia has identified

lack of sufficient juvenile prosecutors as a significant problem and has specifically called for an increase in the number of such prosecutors assigned to the handling of juvenile offenders. 1978 Plan for Improvement of the Judiciary, in the District of Columbia, Judicial Planning Committee, p.25 (September, 1977).

Yet the problem created by the shortage of juvenile prosecutors has been alleviated to some extent by an improved managerial process in case screening, discussed above, under which available resources are applied to felonies and serious misdemeanors, or to significant recidivists, and most importantly of all by the recruitment of young attorneys of superb ability.

In addition, the Office and the Metropolitan Police Department have recently instituted a "Juvenile Major Offender Program," under which juvenile offenders with the most serious prior records are identified under a pre-established numerical point system and, once so identified and included within the program, are referred to two permanently assigned senior attorneys who insure that their cases are thoroughly investigated and prepared, and that special attention is accorded them at every stage of the process. Both the Office and the Department are pleased with the performance of the program over its first five months of operation. A memorandum of objectives, criteria and procedures, dated November 7, 1977, as well as the most recent monthly status report, dated May 18, 1978, are available for review.

C. CHILD ABUSE PREVENTION

QUESTION:

1. An additional $130,000 is requested to fund the Child Abuse Prevention and Enforcement Program that was previously funded by a LEAA grant. How does the Program relate to the new Child Abuse and Prevention Program that has been launched within the Social Rehabilitation Administration of the Department of Human Resources?

ANSWER:

1. The Office is quite proud that its demonstration project has demonstrated the need for new legislation, and appropriated funds with which to permit it to continue its participation in this program. As a result of enactment of the Child Abuse and Neglect Prevention Act of 1977, the reporting of child abuse and neglected cases has more than doubled. To handle this increase, the Social Rehabilitation Administration of the Department of Human Resources has substantially increased its personnel assigned to the

handling of such cases. Staff of the Office of the Corporation Counsel assigned to the Child Abuse Program are actively engaged in training the newly assigned DHR workers. More generally, as has been true since the Office's program began, staff assigned to the program work closely with DHR and the Youth Division of the Metropolitan Police Department, as well as countless other public and private agencies involved in child abuse and neglect prevention, in the many activities undertaken under the program. These have included, among others, the formation of an interagency child abuse team with expert medical and mental health consultation available, community and team training, a physician's consulting service, development of specialized resources and the collection and analysis of data pertaining to child abuse and neglect cases.

D. OFFICE REPORTS IT NEEDS MORE STAFF THAN PROVIDED BY REQUEST

QUESTION:

1. Your budget justification states that due to inadequate resources virtually every division in this Office has not kept pace with the increases in workload. A request is made for three more positions. The justification states that the authorized staff has decreased below fiscal year 1971 levels, which were deemed inadequate by the Nelsen Commission. In addition you note various civil cases where revenues and savings generated by litigation more than offset personnel costs.

1a. How many people are needed to adequately handle the increased Office workload?

1b. What are your top priority areas where additional staff should be assigned?

1c. Are current staff assignments made with such priorities in mind?

ANSWER:

1a,b,c. The Office requires a senior experienced attorney to serve as the Deputy Corporation Counsel of the Housing and Community Development Division, a position which was created in 1977 but which has never been filled, and an attorney-advisor to that Deputy. The retention of such an experienced attorney would permit the assignment, for the first time, of all cases, and civil matters involving housing, including revenue bond requirements to a single division. Under the present budget structure, the necessary expertise that such an attorney would lend is not only missing, but cannot be developed; as a consequence

there is no single attorney in the Office who is equal to, nor sufficiently knowledgeable about, the task of developing a comprehensive housing program.

The Office's Civil Division and the Taxation Section of its Legal Counsel Division lack the staff capability to supervise the investigation and pursuit (on behalf of the District of Columbia as a plaintiff) of involved, complex matters. Thus while the actions brought by the Taxation Section have increased manifold during the past year, for the most part these actions have been the "easy cases involving flagrant violations," instead of the difficult ones, involving far greater sums, which require close supervision of the investigators and prolonged, extensive involvement by attorneys. (It is solely because of such considerations that this Office's Criminal Tax Task Force has experienced extreme difficulty in concluding its investigation of a particular matter pursuant to the cooperative effort initiated last year with the United States Attorney, pursuant to which felony tax violations are presented to grand juries by Assistants of this Office.)

The work of the Civil Division, in the main, remains defense oriented. Its ability to handle complex litigation is quite limited, and unquestionably is "buried" in adverse judgments, because the necessary minimal demands of certain cases can be achieved only if less attention is devoted to others. Thus while only an extreme allocation of resources explains the favorable, financial results achieved in the illustrative cases cited at p.321, Vol. I, of the District of Columbia's "Justification For the FY 1979 Budget," it is all too clear that such efforts also preclude the investigation and initiation of cases on behalf of the District, and permit less time and attention to be devoted in the defense of other matters. The point to be recognized therefore is that the fact of the inadequate legal staff precludes sound managerial decisions in respect to the allocation of the case load, i.e. decisions based upon a systematic evaluation of the value of particular matters, but instead forces a "crisis oriented reaction" to the more visible cases.

The problems of staff suffered by the Juvenile Section, Criminal Division, are documented in response to a separate question.

In summary, therefore, the budget authority of the Office should be increased to permit the hiring of eleven (11) additional attorneys (2 for the Housing and Community Development Division, 4 for the Civil Division, 3 for the Juvenile Section, and 2 for the Taxation Section and the Criminal Tax Task Force, jointly) to permit the evaluation of the benefit of a staff that approximates

in size the staff that existed prior to "Home Rule." In addition to these attorneys, budgetary authority to hire nine (9) additional secretaries is required, four of whom are required by the Civil Division, and two by the Criminal Division simply to meet current demands.

QUESTION:

2. Please provide a table of the revenues/savings generated by the Office of the Corporation Counsel for the past three fiscal years. What would the cost/benefits be if there were additional staff?

ANSWER:

2. The Office is unable to determine "revenue/savings," and is unaware of any generally accepted method for validating any such analysis of a public law office. Since very few legal issues are resolved by dollar-judgments, and virtually none which result in dollar-judgments are susceptable of a predeterminable dollar-evaluation, the Office's needs can be determined only by reference to the increase in the number of matters it handles, the resulting increase in the time required to attend to them, and the quality of its efforts.

Advisory Neighborhood Commission

STATEMENT OF JOE PARKER, DIRECTOR, OFFICE OF COMMUNITY SERVICES COORDINATION

OPENING REMARKS

Senator DeConcini. Our next witness will be Joe Parker of the Office of Community Services Coordination.

Mr. Parker, I understand you are kind of a last minute witness. We welcome you here, Mr. Parker. And any formal statements you have, we will have printed in the record. If you will, take a few minutes and summarize it for us.

Mr. Parker. Like the previous witnesses, my testimony will be relatively brief.

MISSION OF THE ADVISORY NEIGHBORHOOD COMMISSIONS

The Advisory Neighborhood Commissions were established under Public Law 93-198 (the Home Rule Act) and have the responsibility as elected officials to advise the District government on matters of public policy including pending decisions regarding planning streets, recreation, social services programs, health, safety, and sanitation.

There are presently 36 chartered ANC's in the city, made up of 365 single-member districts. The most recent ANC election was held in November 1977. The elections for members of each Commission are not partisan, and they are held to coincide with the election of the Board of Education. These elections are administered by the Board of Elections and Ethics.

Each Commissioner serves for a term of 2 years, and vacancies in office due to death, resignation or change of residence are filled by special elections.

For fiscal year 1979, the city is requesting $1 million for the operations of the Advisory Neighborhood Commissions. This includes approximately $85,300 for statutory increase pursuant to Public Law 93-198.

This amount is based upon the estimate of aggregate assessed value of real property in the city of $10 billion in 1979. No additional funds are requested for support services.

CURRENT LEVEL OF FUNDING

The Advisory Neighborhood Commission operation is a valuable and essential element of the city, and we strongly urge ratification of this request.

Senator DeConcini. Mr. Parker, maybe you can give us an answer to a question or two. What critical programs cannot be provided under your current level of funding? Would you like to submit those to me? I would be glad to have them.

Mr. PARKER. I would also like to speak to it now, and also will submit to you for the record details of my statements.

The Advisory Neighborhood Commission concept is sound. Its operation is valuable. It provides citizens—approximately 750,000—the opportunity to work together collectively with government in their neighborhoods. The Commissions structure provide the opportunity for people to learn more about their government, to relate to more people who heretofore were not active.

Senator DECONCINI. How do you do that?

MEETINGS OF ANC's

Mr. PARKER. The Advisory Neighborhood Commissions are required by law to conduct 13 public meetings per year. Our experiences have shown since the first election that they have had over 500 meetings, and that is an underestimate. The citizens in those Commissions are not paid. They are dutifully working with other citizens, and government through the service area committees.

Now, they also have meetings with members of the community within that neighborhood or single-member district (SMD). These meetings are predicated on concerns about service delivery, concerns about proposed zoning, licenses and that sort of thing. These single-member district representatives then bring those concerns of that district to the Advisory Neighborhood Commission where those matters are taken into account and resolutions are collectively made by the ANC.

That is one service, in my view, that must continue. Other services are with the cut in 1978 of approximately 50 percent. That action reduced the capability of the ANC's to hire the staff needed to perform a quality review responsibility.

And I will submit the details of this for the record.

Senator DECONCINI. I would like to have details, if you could, to submit to us what actual payments you would anticipate if we appropriated the full funding for you, and what you would actually have to cut out if we only funded you the same as you have this year.

Mr. PARKER. I certainly will.

Senator DECONCINI. And give us one or two specific examples. That would be helpful.

PREPARED STATEMENT

That is all. Thank you very much, Mr. Parker. We will insert your prepared statement in the record.

[The statement follows:]

PREPARED STATEMENT OF JOSEPH L. PARKER, DIRECTOR
OFFICE OF COMMUNITY SERVICES COORDINATION
ADVISORY NEIGHBORHOOD COMMISSIONS

The Advisory Neighborhood Commission (ANC) system was established by Public Law 93-198 and ratified by the Home Rule Charter for the District of Columbia. As elected officials, the ANCs have the responsibility to advise the District Government on matters of public policy, including pending decisions regarding planning, budget formulation, streets, recreation, social services programs, health, safety and sanitation in that neighborhood commission area.

There are presently 36 chartered ANC's in the city, made up of 365 single member districts (SMDs). The most recent election was held in November, 1977. The elections for members of each Commission are non-partisian and they (elections) are held to coincide with the election of members of the D.C. Board of Education. These elections are administered by the City's Board of Elections and Ethics. Each Commissioner serves for a term of two (2) years and vacancies in office due to death, resignation or change of residence are filled by Special Elections.

Funding for the ANCs, pursuant to Section 738 (c) of the Home Rule Act is provided by the District. The ANCs receive a portion of the revenue received from tax on real property in the District; specifically, an amount equal to .01% of the total assessed value of real property. Each ANC is allocated an amount (portion of the total) based upon its (ANC) population in relation to the total population of the city. The ANC funds are deposited in private banks throughout the city. The names and addresses of the Financial Institutions and the account numbers of the ANCs are kept on file with the D.C. Office of Budget and Management Systems. The City Auditor also requires certain information from the ANCs which ensure proper auditing of accounts. Within the context of these management systems, the ANCs are responsible for the integrity of their financial accounts.

For FY'79, the Mayor is requesting $1 million for the continued operations of the ANCs. This amount includes $83,300 for statutory increases pursuant to Public Law 93-198 and is predicated upon the 1979 aggregate assessed valuation of real property in the city. No additional funds are being requested for support services.

The Advisory Neighborhood Commission operation is a valuable and essential element of the city. It provides the citizenry of the city the opportunity to work together collectively with government at every level in our continuous efforts to improve the quality of life at the neighborhood level. The Commission structure also provides the opportunity for people whom heretofore were not included to be involved and to learn about their city and their government. The Commissions are engaged in a massive community education and review process.

Inherent in carrying out these processes the ANCs have reviewed and responded to numerous proposed executive actions and legislation. The ANCs actively worked with the Municipal Planning Office in making input into the city's proposed Planning Goals and Policies. They have worked closely with the D.C. Department of Housing and Community Development Block Grant (years 1-2-3)HUD funds. They have worked with the D.C. Office of Budget and Management Systems in advising the city on the fiscal budget in the executive formulation phase. They have worked collectively with the broad range of government activities and reciprocally their advise has and will continue to receive great weight.

Concurrently the ANCs have met their statutory requirements regarding developing their rules of conduct, internal elections of officers, and establishing financial accounting systems.

The ANCs are required by law to conduct a minimum of 13 public meetings annually. The activities of the ANCs far exceeds this minimum requirement, reaching conservatively upwards to 500; including community workshops, seminars, meeting with Department/Agency Heads and the Mayor. On the legislative side, the ANCs have testified at numerous publlic hearings, Round Table Discussions and Special ANC Committee.

In view of our past overall positive experiences, combined with the dedication of mission and purpose, examplified by the Commissioners, the Mayor strongly urge Senate ratification of this request.

SUBMITTED QUESTIONS

Senator DECONCINI. Mr. Parker, I have some additional questions which I would like to have answered for the record. Also if you want to go into more detail on the questions you were asked this morning, please feel free to do so.

Mr. PARKER. I will be glad to provide the answers for the record. Thanks for the opportunity to give me a chance to expand on the questions this morning since this is my first appearance before your committee.

[The following questions were not asked at the hearing, but were submitted to the Office for response subsequent to the hearing:]

QUESTIONS SUBMITTED BY SENATOR DECONCINI

ADVISORY NEIGHBORHOOD COMMISSIONS

A. THE '79 REQUEST REPRESENTS A 100% INCREASE OVER '78 LEVEL

1. The ANC Program will have $500,000 available to it in 1978 under the continuing resolution. The request for FY 1979 is for $1,000,000 or 100% more than the level that will most likely be available to the ANC program in FY 1978.

QUESTION:
1a. Is the FY 1978 funding level of $500,000 adequate?

ANSWER:
1a. The FY 1978 funding level of $500,000 for the ANC's is not adequate and is not adequate for FY 1979. The $500,000 funding level constitutes a 50% reduction in the ANC budget from FY 1977.

QUESTION:
1b. Specifically, what critical program activities cannot be provided for at the $500,000 level?

ANSWER:
1b. The critical program activities which cannot be provided at the $500,000 level are as follows:

(1) Administrative necessities including staff, communication supplies, and transportation would be curtailed approximately 50%.

(2) ANC's would have to significantly reduce the frequency of community workshops, conferences and Townhall meetings. This area is estimated to be curtailed 39-44%.

(3) Quality of staff analysis and small consultant services would hamper ANC decisions. This area is estimated to be curtailed 35-39%.

QUESTION:
1c. How much of the $500,000 has been dispersed to the ANC's?

ANSWER:
1c. As of June 21, 1978, a total of $204,080 has been dispersed to the 36 Advisory Neighborhood Commissions.

QUESTION:
2. How much money do ANC's still have unobligated and available for expenditure?

ANSWER:
2. Quarterly financial reports for the period ending March 31, 1978 (2nd Quarter, FY '78) were due on May 8, 1978. Of the 36 ANC's, 33 have submitted their financial reports as of June 21, 1978. These reports indicate that as of the end of the 2nd Quarter, FY 1978 the 33 ANC's reporting had a total of $366,858.54 available for expenditure.

B. OUTPUT PROGRAM

QUESTION:
1. The purpose of the Advisory Neighborhood Commissions is to advise the District Government on matters of public policy, including decisions regarding planning, streets, recreation, health, safety, etc. Would you give us some specific examples of ANC participation and their contribution to policy making? Do you feel that adequate consideration is given to your advice and recommendations?

ANSWER:
1. The ANCs are engaged in a massive review, community education and citizen participation effort. By law, the ANCs are required to review and comment on all proposed government actions. The ANCs are required to complete this process within 30 days. In addition, the ANCs are expected to initiate advice and recommend.

In carrying out this process, the ANCs must be briefed, they must analyze the matter(s) as it relates to their Single Member District (SMD), they must ensure that the views of their SMD citizens (2500 people) are ascertained and they must act collectively in preparing and forwarding their advice.

Each ANC has rented office space, employed staff, installed telephone services, and budgeted for needed office supplies including postage.

Other than neighborhood or community enhancement campaigns, Commissions may operate programs only in conjunction with existing governmental activities, provided that such activities do not duplicate programs or services provided by the government. However, many have financially supported neighborhood based programs to provide services, particularly where government resources may be limited.

The ANCs primarily through the D.C. Government Register and in some instances by individual government agencies has been requested to review or comment on City Planning Goals and Policies, D.C. Department of Recreation, U.S. Bureau of Outdoor Recreation Comprehensive Plan; Department of Human Resources locations of Community Based Facilities; Department of Housing and Community Development Block Grant; the City's FY 1978 and 1979 Budgets including the City's proposed Civic Center Project and Capital Improvement Program.

Adequate consideration is given to the advice of the ANCs. The City-wide Ad Hoc ANC Committee has met with the Mayor and Department Heads on several occasions; Special Conference-Workshops were held by the Department of Housing; the City Council Special ANC Committee is considering amending the ANC law and numerous request for service at the SMD level have been resolved.

STATEMENT OF MATTHEW WATSON, D.C. AUDITOR

PERSONNEL CEILING

Senator DECONCINI. Our next witness is Mr. Matthew Watson, District of Columbia auditor. Mr. Watson, let me talk to you about one issue that has been brought to our attention. We have noticed that the report from your office indicates that the city's employment ceiling does not include many of the positions that are actually funded by the D.C. appropriations bill. In fact, it has become my view, or the committee's view, that we have a very interesting shell game going on with regard to the city personnel ceiling.

The fiscal year 1979 budget, for example, takes in excess of 1,000 positions out of the ceiling based on the argument that the D.C. General Hospital is now an independent body. That argument is made in spite of the fact that the D.C. General Hospital is being funded exactly the same way it was last year. The fiscal year 1979 budget also takes approximately 300 positions out of the personnel ceiling that had previously been included under the Department of Transportation.

Mr. Watson, was the city trying to conceal from the Congress and the public through these shell games the true level of employment being funded by the D.C. appropriations bill? Wouldn't it be more understandable if the city abolished this distinction between authorized but unfunded positions, and authorized funded positions, and if we all only talked about funded positions?

Why don't we eliminate all authorized but unfunded positions? It seems to us this type of shell game may be going on in order to convince Senator Eagleton that the overall personnel level is going down.

CONCEPT OF AUTHORIZED POSITIONS

Mr. WATSON. I don't think it is a shell game to reduce the authorized employment. What the problem basically is, and I think we should face, is that the authorized position that is put on the city is a concept that was designed for Federal agencies and used by the Federal Congress. It is really not applicable to the city.

The best thing would be not to have the city go through the same type of congressional authorization but a system designed to meet our needs.

We don't have Federal agencies receiving large amounts of grants; we don't have Federal agencies receiving large reimbursements from other agencies. Where we do have Federal agencies with this type of thing, they have the same sort of difficulty. And that is in the Federal nonappropriated fund activities.

The operation, for instance, of the Army and Air Force Exchange Service with effectively public moneys, but not included in the ceilings and treated as nonappropriated fund activity. Because of

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that, the city is left with a difficult position to operate with and lack of flexibility to run a city government.

And for this reason, while it may appear to be a shell game, I think this in large measure is trying to make a more responsive government and better reporting government.

The D.C. General Hospital situation was set up intentionally in the statute to create a separate D.C. General Hospital operation with the hope that it will become a self-supporting activity through the D.C. General Hospital fund. Those positions are being fully reported.

They are taken out of the personnel ceiling because it is no longer being treated as a standard executive agency. I think it would be a worthwhile thing to have a different personnel reporting system. I think we should report all of our District government personnel as D.C. government personnel, but I don't think the answer is to do it with the standard definition of authorized positions used for Federal agencies.

SUBMITTED QUESTIONS

Senator DECONCINI. I would like to suggest that we submit a few questions I have here. If you would be kind enough to respond to them, it would be helpful to us to understand it.

You may be convincing. I am not convinced yet. I would like to submit some questions to you, if you could respond to us.

Mr. WATSON. We would be happy to.

Senator DECONCINI. Thank you very much. We appreciate it.

[The following questions were not asked at the hearing, but were submitted to the auditor for responses subsequent to the hearing:]

Questions Submitted by Senator DeConcini

A. GENERAL QUESTIONS

QUESTION:
1. Mr. Watson, are you familiar with the fact that the city in the fiscal year 1979 budget proposal has removed all D.C. General Hospital positions from the personnel ceiling and has also removed over 300 so-called "capital outlay positions" from the Department of Transportation's portion of the personnel ceiling? Do you feel that these actions help promote the personnel ceiling as a useful tool to both control and report personnel totals in the city government?

ANSWER:
1. The two actions are very different, but I believe that both promote the ceiling as a useful tool. The ceiling which the Council has adopted applies to so called "appropriated" positions which are required by the Charter to be authorized by the Council and Congress. As I indicated in my previous testimony, the definition of such positions was developed for general Federal agency use and is not totally appropriate for the city. Federal agencies, with few exceptions, do not receive significant funds other than through their appropriated budgets. In addition, Federal agencies are not affected by the Treasury's source of funds.

Both of these factors are present in the District. There are significant receipts and personnel hired with Federal grant funds. Further, the type of expenditure may determine the source of funding. Operating funds must, pursuant to the Charter, be supported by current receipts. These receipts may be either tax revenues or current charges for services. Capital expenditures, on the other hand, are funded by borrowing to be repaid over 30 years. As a result, city personnel controls must be more refined than the simple position authorization utilized by Congress in approving Federal agency budgets. The appropriated personnel ceiling is one of a number of ceilings the city must develop.

The recognition of personnel in the Department of Transportation as supported by the capital outlay budget is indicative of one separate control. To include personnel supported by capital funds in the general personnel ceiling would be deceptive, since the funds are to be borrowed rather than raised currently. By separating capital outlay personnel and separately reporting their numbers, it becomes clear if borrowing is used to fund current operations instead of real capital improvements.

Our review of the specific transfer at the Department of Transportation indicates that it is not an actual transfer but a recognition of what in fact was previously occurring. The actual positions have previously been funded by capital reimbursements and have not been included in the filled position ceiling.

The personnel ceiling as enacted by the Council is slightly different than the authorized positions which the Congress approves. Both apply to the same classes of positions. However, the Council ceiling applies to total actual filled positions as a group, while the Congressional authorization creates specific positions in specified agencies at specific grades. Since the Congressional

authorization is in terms of specific positions it must, of necessity, be slightly larger than the filled position ceiling to give some flexibility to meet changing needs. For this reason, additional positions are authorized above total funding and the funding mechanism used to determine which positions are actually filled. Although the authorization by Congress of specific positions appears to be more precise than a ceiling on groups of positions, this is not the case in fact. Positions are justified only at their inception. Over time, the functions of those positions may change radically without a required rejustification. Thus, in effect, many positions have been authorized without regard to specific current function.

The ceiling question with regard to D.C. General Hospital involves a different problem. Because D.C. General is supported only in part by appropriated funds and the remainder from charges for services, it was determined to establish a separate hospital fund so that the hospital would not require two separate budgets and further could have flexibility to meet changes in hospital usage. If hospital usage increases, hospital fund revenues will also increase through service charge revenue providing additional funds necessary to meet the services required by the increased usage. Since appropriated and other funds are not separated, it would be meaningless to try to assign an "appropriated" personnel ceiling for a portion of employees of the hospital's total budget. The Council, however, provided for a separate D.C. General Hospital personnel ceiling. A ceiling of 2,424 employees was set by the Council and incorporated in Section 113(1)(B) of the proposed 1979 Budget Act.

In summary, the personnel ceiling is being refined by these and other actions to separately state personnel supported from current taxation, which is the continuing core of the government, personnel paid from borrowed funds, whose product is incorporated into long lasting physical structures, and personnel who are supported by a mix of service charges and appropriated subsidy.

QUESTION:
2. Do you believe that D.C. General positions should be removed from the ceiling? If so, why? Please include in your answer any specific provisions of law that may be included in the new D.C. Hospital Commission Charter that you believe justify or require the exclusion of the D.C. Hospital positions from the personnel ceiling.

ANSWER:
2. As stated in my answer to the previous question, I concur in the separate ceiling for D.C. General Hospital. Approximately 40% of the total hospital budget is supported by outside payments for services, mainly from medicaid and medicare insured patients. Hospital budgeting and rendering of service should not distinguish between patients according to their payment arrangement, but must be planned in accordance to need. To arbitrarily designate positions would needlessly burden planning and fiscal control. The Council provided in Section 401(a) that the Hospital Commission submit a "consolidated budget covering all anticipated income, expenses and capital outlays.... /the/ appropriation /request/ shall be the difference between the anticipated expenses...in the consolidated budget, and

the anticipated income in that budget.... Said appropriation shall be in the form of one lump-sum amount...." Pursuant to Section 210(15) the Council also sets the "maximum number of positions" for the consolidated operation of the hospital. If personnel ceilings for the hospital are fragmented to include a portion of the hospital personnel within an overall ceiling, it would, in my opinion, weaken, rather than strengthen financial controls.

QUESTION:
3. Mr. Watson, how many independent commissions and boards are there in D.C. city government? For each of these commissions and boards, please provide information for the committee regarding which commissions and boards have their staff included in the personnel ceiling and which ones have their staff excluded from the ceiling. How many so-called "capital outlay positions" are there in the city government? How many of these positions are included in the personnel ceiling? What is the justification for excluding these positions from the personnel ceiling?

ANSWER:
3. There are approximately 160 independent boards and commissions. Most of these have no employees of their own but rely on staff support from city agencies. For example, 22 boards dealing with occupational licenses receive support from the Department of Licenses Investigations and Inspection (formerly Department of Economic Development). With the exception of the Hospital Commission, we believe that all employees of boards and commissions, including the larger organizations such as the Board of Education, University of the District of Columbia, Public Service Commission, Alcoholic Beverage Control Board and Zoning Commission are all included in the ceiling.

With regard to capital outlay positions, there are 866 requested for FY 1979. As noted in a previous answer, these positions are funded through borrowing, as opposed to currently raised revenues. I believe that any employment not funded currently should be specifically identified.

QUESTION:
4. Mr. Watson, are you aware of the report prepared by your office entitled "Limitations of Existing Employment Ceilings," which indicates that actual city employment from appropriated funds exceeds employment within the personnel ceiling by over 1500 positions? Do you believe that the continuing practice of excluding actual city employment from the personnel ceiling undermines the usefulness of the personnel ceiling? Do you believe the continuing practice of excluding actual city employment from the personnel ceiling makes the personnel ceiling increasingly useless as an indication of actual city employment? Do you believe the practice of continuing to exclude positions from the city's employment ceiling represents an attempt to conceal or confuse with regard to information relating to the city's level of employment?

ANSWER:
4. Our report highlighted a problem in application of the personnel

ceiling. In conjunction with other financial management improvements, the District is working to refine its personnel controls to control and report on several position categories tailored to the particular needs of our government. In response to our report, the Budget Office agreed that separate ceilings should be established for reimbursable, revolving and trust fund positions. It is my opinion that establishment of separate categories will provide better control and be more informative than attempting to apply the authorized appropriated position concept which was developed for Federal agencies to the very different problems of our government.

Treatment of reimbursements is particularly difficult for authorizing positions. The agency which provides the service must secure the authorization of positions, but is not called upon to justify funding. Conversely, the agency which seeks the appropriation is not involved in the position authorization, although the funds sought will support the authorized positions. By separately reporting such positions, more information and control may be achieved thus including them in a good ceiling with the bulk of positions whose authorization must be justified and funding supported by the same agency.

I should also note that this Office has also recommended that the Council provide similar position controls for grant funds. We submitted a draft Grant Funds Control Act last year which is now under consideration by the Council. The draft act would require budgeting and reporting personnel levels on individual grants.

It is my belief that cooperation between the Congress and the District Government to define the authorization of appropriated positions precisely and to report employment levels for positions not included within main ceiling will clarify, rather than conceal or confuse the level of employment.

The final definitions arrived at may, of necessity, differ from the definitions applied to Federal agencies. Separate controls are required for our unique relationship and should reflect the various funding arrangements and inherent characteristics of specific categories of positions. To attempt to arrive at a ceiling which will cover the maximum number of positions in the government may make it impossible to identify changes in the economic effects of shifts in the mix of government employment. The District, jointly with Congress, is developing new control and reporting mechanisms through the Temporary Commission on Financial Oversight of the District of Columbia.

OFFICE OF THE DISTRICT OF COLUMBIA AUDITOR
B. CRITERIA FOR SELECTING AUDIT PROJECTS

QUESTION:
1. Your office was created by the city charter and is entering its third year of operation. The FY 79 Budget (Vol. I, p. 30) totals $264,000 and 10 staff members. What criteria does your office use to select audit projects?

ANSWER:
1. The staff is too limited in size to completely audit the District government. Our audit program attempts to sample the total activities of the government. Formal audit reports are issued for studies of operations which encompass the activities of more than one District agency, and which are carried out over an extended period, sometimes more than one Fiscal Year. Letter reports are generally restricted to one operation or organization, and focus upon one immediate time period. The audit program has concentrated on problems effecting a wide area of the government. Many reports cross agency lines, others, while treating only a single program, represent problems typical to several agencies. The area of particular concentration in the audit program has been expenditure of funds outside of appropriations. This has included grant budgeting, personnel counting within and outside the budget and treatment of interagency transfers through revolving funds.

QUESTION:
2. What projects do you plan to review in FY 1979?

ANSWER:
2. At the beginning of FY 1978 the following audits were planned or underway.

a. Notice to Advisory Neighborhood Commissions
b. Office on Aging
c. Analysis of Grade Creep
d. Urban Corps Intern Program
e. Overtime Usage FY 1977
f. Review of Policing of Medicaid Vendor Claims
g. Job Discrimination in Police Department
h. Use of Reimbursed Overhead Funds
i. Monitoring of Advisory Neighborhood Commissions
j. Monitoring of Implementation of Depository Act
k. Printing, Duplicating and Photographic Fund
l. Out-of-town Travel
m. Longevity Pay Increases
n. Contracts for Public Housing Services
o. Positions Serving at Pleasure of Mayor
p. Payments for Support of Wards of City
q. Small Claims

QUESTION:
3. How did you select these projects?

ANSWER:
3. We selected projects to provide a sample of governmental activities in areas thought to be of importance.

QUESTION:

4. What payoff do you expect from these projects?

ANSWER:

4. We hope to raise the consciousness of the District government to imaginative administration so as to improve delivery of services.

C. DEVELOPING ACCOUNTING STANDARDS FOR THE ADVISORY NEIGHBORHOOD COMMISSIONS

QUESTION:

1. Why is your office developing accounting systems for Advisory Neighborhood Commissions? Isn't this an operational rather than an audit function?

ANSWER:

1. D.C. Law 1-58 requires us to audit Advisory Neighborhood Commissions. In the absence of any other promulgation of accounting requirements, we filled the void in order to protect the public funds. The function is analogous to the approval of accounting systems by the General Accounting Office.

D. QUESTIONS FOR THE RECORD

QUESTION:

1. Please tell us the total number of reports issued, the dollar savings, and other benefits resulting from your work.

ANSWER:

1. Since inception we have issued 59 formal and letter reports. Our reports have been intended to raise consciousness to management issues and we have not attempted to quantify dollar savings. We believe improvements have resulted in the budgetary process, personnel controls, and employment practices, tax collection and notice of public actions. The following are highlights of audit reports in FY 1977 and 1978 (arranged chronologically):

Negative Balances in the Printing, Duplicating, and Photographic Working Fund and the Repairs and Improvements Revolving Accounts - October 14, 1976

This letter report noted deficiencies in the Printing Fund. Action by the Executive requiring posting of appropriation authority before work is undertaken should remedy many of these problems. Improved estimating procedures may resolve problems in the Repairs and Improvement Account. The Director of OBMS was asked to present his views with regard to elimination of the existing deficits in the accounts, and procedures for legislatively establishing an adequate capitalization of the funds.

Publication of "For Your Information" - November 10, 1976

An audit report entitled "Actual Funding of New Programs in Fiscal Year 1975" issued June 24, 1976, noted that in FY 1975 the Office of Public Affairs, although funded for publication of the "For Your Information" booklet, did not produce any copies. 75,000

copies were produced during FY 1976, and budgeted amounts were not sufficient to cover production costs. The Office did not have sufficient unobligated funds at the end of FY 1976 to allow for a reprogramming of funds to repay D.C. Printing. We found this problem to be symptomatic of a lack of fiscal controls.

Bank Processing of Tax Payments - November 19, 1976

This letter report analyzed the lock-box system, in which District real estate tax payments were processed by a commerical bank. We found that the system worked rapidly and efficiently, was virtually cost free to the City, and should be continued. We recommended that the system be extended to process motor vehicle fees and annual report filing fees required by the Recorder of Deeds, although these latter collections may not be cost free.

Annual Financial Report FY 1976

Our second review of the Annual Financial Report of the District showed that the Report for FY 1976 was a vast improvement over its predecessors. Narrative material was used, and there was an improved presentation. Because of presentation changes, comparisons with previous years were not possible in this report. We believed that other accounting presentations as well as other areas of the budget submission should be brought up to this standard.

Employment of Mrs. Gladys Yeldell and Mayor's Order 76-222 - January 31, 1977

Allegations in the media regarding the employment of Mrs. Yeldell, wife of the Director of the Department of Human Resources, resulted in this Office's review of the circumstances of her hiring. We found such conflicting evidence that it could not be determined with certainty whether or not there was a preselection of Mrs. Yeldell for her position in the D.C. Personnel Office. However, the evidence did suggest preselection. We concluded that if the merit system is to be credible, the Mayor should institute proceedings, with public hearings, to resolve the matter.

Our review of the promulgation of Mayor's Order 76-222, transferring positions and funds to assist in the development of an Independent Personnel System, showed that the hiring of Mrs. Yeldell was not related to the inception of the Order. However, the development of the Order, and the ultimate funding for the position from grant reimbursements, did occur at about the same time. As approved by the Mayor, the Order was not used to employ Mrs. Yeldell.

Department of Human Resources Practices and Procedures - January 31, 1977

A report issued in November 1975, which criticized DHR personnel recordkeeping, was re-examined as a result of the allegations made of favoritism and nepotism in employment practices in the Department. The report found that steps detailed by the Mayor to the Council to remedy recordkeeping deficiencies had not been undertaken

and that recordkeeping practices are still not acceptable. We found that the competitive system consists of several systems, dependent upon the job to be filled and the office or person to whom the application is submitted. We found that DHR does not comply with its own merit promotion system. The Auditor concluded that violations of the merit system might justify adverse personnel actions against officials committing such violations. The Auditor presented draft legislation providing for an independent reviewer to approve all DHR personnel actions pending the establishment of a City-wide independent merit system.

Permanent Legislation of D.C. General Fee Schedule - February 22, 1977

Current fees at D.C. General Hospital were established on an emergency basis, with an expiration date of April 14, 1977. This letter report noted anticipated patient load declines and concommittant rising costs which would effect revenues of the hospital. The Auditor recommended that permanent legislation, establishing new rates, be adopted, providing for the projected decline in income by including a 5% increase.

Discussion Draft of a Grant Funds Control Act - April 5, 1977

Federal grant funds constitute a significant part of the District's financial revenue. In recent years, "block" grants, which give wider latitude to the District in how the Federal funds are to be spent, have made up an increasingly larger part of this funding. Legislative approval of grant funds expenditures has been recommended by the Advisory Commission on Intergovernmental Relations, and a number of states have adopted such procedures. By adopting this approval mechanism, policy making by the Mayor and Council could be coordinated to provide a consistent approach in areas such as manpower, housing and health.

This proposal was made in the form of a discussion draft of an act, rather than as a formal audit report, so that further analyses could be made by the Executive, the Council, and independent agencies such as the Public Schools and the Courts.

Timeliness in Enforcement of Human Rights Law and the Effect of the Council Transfer of Equal Opportunity Personnel - July 28, 1977

This audit studied the effectiveness of the Office of Human Rights in enforcing Title 34 of the D.C. Rules and Regulations (Human Rights Law). The City Council's consolidation of all agencies' equal employment opportunity personnel into OHR to improve human rights enforcement was also studied. We found that complaints were processed too slowly by OHR, resulting in inadequate protection against discrimination for the citizens of the District. We also found that the transfer of personnel into OHR did not have any appreciable effect upon the Office's productivity, and illustrated the inherent problems which exist in reorganization by legislation without adequate planning and consultation.

The Auditor recommended that the Office develop processes to

meet its own work standards and the time limits established by law; and adequately train its personnel; that the Mayor fill vacancies on the Human Rights Commission; and that the Council and the Executive meet to establish procedures for discussions and comments on proposed legislation.

Findings made with regard to actions of the Human Rights Commission were deleted because of factual differences between the Director, Chairman, and the Commission regarding areas originally included in the report. A report on those particular points will be issued at a later date.

Comprehensiveness of Calendar 1975 Real Estate Tax Assessment Program - September 16, 1977

The Auditor is required to certify revenue estimates made by the City for issuance of bonds. Since the determination of the market value of real property is an integral part of the revenue process, a review of this part of the Department of Finance and Revenue's assessment work program was undertaken. The first portion of our study concentrated on the revaluation of commercial office buildings and large hotels in the downtown area. Those properties were scheduled to be revalued once every two years. We found that such buildings were not uniformly revalued during calendar year 1975, as planned, and that a large number of properties did not have new valuations entered on the assessment rolls during the entire two year cycle. We estimated that over $2 million in revenues were lost to the City because these revaluations were not made.

Because the report was limited to only one segment of the City's assessment program, recommendations were not included. Recommended action will be made to the Mayor and Council at a later time.

Limitations of Existing Employment Ceilings - September 20, 1977

This audit studied the effectiveness of employment ceilings in reducing overall District employment, and the value of such limitations as a tool for monitoring the government. We found that D.C. funded employment declined 7% between January 1, 1975 and January 1, 1977, and that the City had met the ceiling requirements. However, we found that the definition of D.C. funded employees understood by the Council and applied by the Executive understates the actual number of D.C. funded employees and makes the present system a poor tool for monitoring the size of the government.

The Auditor recommended that the Council, when preparing the FY 1979 budget, revise upward the ceiling on full-time permanent District employees to include District appropriated employees paid from reimbursed, revolving, and trust funds; all employees paid from grant funded sources; and employees reimbursed by private funds.

Lack of Enforcement of Health and Safety Requirements at Elderly Feeding Sites - December 7, 1977

This audit studied code enforcement at city sponsored meal programs for the elderly. We found a failure to inspect these

locations.

The Auditor recommended prompt inspection of these establishments resulting in sanitation improvements.

Most Rent-A-Car Companies are not Dealing Fairly with the City - April 6, 1978

This audit reviewed compliance with motor vehicle licensing requirements by Rent-A-Car companies. We found wholesale noncompliance and recommended new legislation. The publicity from the Auditor's report has increased compliance by large Rent-A-Car firms, thereby increasing the City's revenue.

The City Should Consider Whether an Exemption from Deed Recordation Tax which Benefits Developers Should be Restricted - May 23, 1978

This audit discussed a loophole in the Deed Recordation Tax which reduces the tax on large new developments at a cost to the City of $1,000,000 annually.

QUESTION:
2. Provide a list of the reports - title and cost savings or other improvements resulting from each report.

ANSWER:
2. The following reports and/or letter reports have been issued by this Office:

** Preliminary Report - Department of Human Resources Personnel Funding

** Letter to Hon. Polly Shackleton RE: Nonpersonnel Fund Deobligations noted on page 5 of DHR Preliminary Report

** Letter to Hon. Julius Hobson RE: Contractural agreements with the National Center for Resource Recovery, Inc.

** Final Report - DHR Personnel and Payroll Documentation and Information System

** Report - Need for Copies of Birth Certificates

** Letter to Hon. William Natcher RE: Vouchers for Payment During FY 1975

** Letter to Comer S. Coppie RE: D.C. Accounting to Prepare Definitions for Each Item Given in Statements A, F, and G and Definitions in E

** Letter to Hon. Marion Barry RE: Cash Flow Information

** Letter to Comer S. Coppie RE: Statement G definitions

** Letter to William Krause RE: Obligations

** Letter to Hon. Sterling Tucker in answer to request that we analyze the expenditure and funding proposals now before the Council

** Financial Report FY 1975, review of

** Letter to William Krause RE: Continuing Analysis of Financial Report -- Statements E and F of Section D

** Draft Report - Processing Times of Various Functions of the District Government

** Letter to Joseph Yeldell RE: Processing Times of Various Functions of the District Government - specific items called to Mr. Yeldell's attention

** Draft Letter and Resolution to Hon. Marion Barry RE: Time Guidelines for the Payments Process in the City Government

** Report - Time and Public Performance

** Letter to Marion Barry RE: Time Guidelines for the Payments Process in the City Government

** Report - Medicaid Trust Fund

** Report - Actual Funding of New Programs in Fiscal Year 1975

** Report - Publication of D.C. Register

** Report - Financial Impact of Military Service Credits on the Police and Fire Retirement System

** Letter Report - Publication of "For Your Information"

** Letter Report - Bank Processing of Tax Payments

** Annual Financial Report FY 1976

** Letter Report - Employment of Mrs. Gladys Yeldell and Mayor's Order 76-222

** Letter Report - Department of Human Resouces Practices and Procedures

** Report - Timeliness in Enforcement of Human Rights Law and the Effect of the Council Transfer of Equal Opportunity Personnel

** Letter Report to Sam Jackson, AD Hoc Committee on Housing RE: Budgetary and Personnel Information on the Department of Housing and Community Development

** Letter Report to Hon. Hilda Mason RE: Teacher's Retirement Fund

** Report - Comprehensiveness of Calendar 1975 Real Estate Tax Assessment Program

** Report - Limitations of Existing Employment Ceilings

** Letter Report to Hon. Nadine Winter RE: Rental Accommodations Audit - Aging of Petition Backlog

** Report - Employment Practices in the Assessment Administration

** Report - Recoupment of Improperly Billed Medicaid Payments

** Report - Mayor's Order 77-141a transferring CETA Public Service Employment Program from Office of Budget and Management Systems to Department of Manpower

** Letter Report to Hon. Arrington Dixon RE: Updated version of Nov. 16th report to include Faculty Salary Scale at the University of the District of Columbia

** Report - Failure of Agencies to Give Timely Notice to ANC's

** Report - Lack of Enforcement of Health and Safety Requirements at Elderly Feeding Sites

** Letter Report to Mayor and Council RE: Rent Subsidy Program

** Letter Report to Mayor and Council RE: ANC Financial Reports for the First Full Fiscal Year of Operation

** Letter Report to Council RE: Legislative Controls on Expenditure of Grant Funds

** Letter to Hon. Jerry Moore RE: Comments on the "Water and Sewer Service Reform Act of 1978"

** Letter Report to Mayor and Council RE: Adjustments in Tax Rates and Various Tax Adjustment Procedures

** Report - Ward Distribution of Senior Citizen Programs Administered by the Office on Aging

** Letter to Hon. John Wilson RE: Comments on Bill 2-288, the Post Incarceration and Disabilities Assistance Act of 1978

** Letter Report to Mayor and Council RE: Analysis of 1978 Real Property Sales Ratio Study

** Memorandum Report to Hon. Hilda Mason RE: D.C. Income Tax Simplification

** Letter to Hon. Arrington Dixon RE: Comments on Bill 2-280, Telecommunications Access for the Deaf Act of 1978

** Report - Most Rent-A-Car Companies are not Dealing Fairly with the City

** Letter Report to Mayor and Council RE: Analysis of D.C. Occupational Safety and Health Act of 1978

** Report - The City Can Obtain Discounts from the Postal Service on First Class Mailings

** Report - The Urban Corps Program Does Not Meet a Need for District Colleges

** Letter Report to Council RE: Impact of Unemployment Compensation Taxes

** Letter Report to Council RE: Financial Impact of Unemployment Benefits for Persons Voluntarily Quitting Government Jobs

** Letter Report to Mayor and Council RE: Proposed Alternative Taxation of Rent-A-Car Transactions

** Letter Report to Hon. Sterling Tucker RE: Job Corps Centers at Junior Village

** Report - The City Should Consider Whether an Exemption from Deed Recordation Tax Which Benefits Developers Should Be Restricted

** Letter Report to Mayor and Council RE: Elimination of GS 2 Positions

QUESTION:
3. What areas of the District have been reviewed and what areas have not? Provide a list of each to the Committee.

ANSWER:
3. The audits have had some contact with all major District agencies and have concentrated on budgetary, tax and personnel matters. We have not yet conducted audits as to the technical quality of such services as construction, refuse and pollution control and street and road maintenance.

RECESS

Senator DECONCINI. I am going to recess the subcommittee now until 11 o'clock, due to votes in the Judiciary Committee which are scheduled to start in about one minute. And I will be back at 11 o'clock to continue with the rest of the witnesses.

[Brief recess.]

TEMPORARY FINANCIAL OVERSIGHT COMMISSION ON THE DISTRICT OF COLUMBIA

STATEMENT OF BRUCE W. ROHRBACHER, EXECUTIVE DIRECTOR

ACCOMPANIED BY:

JoANN LEIB, GAO BUDGET OFFICE
WILLIAM KRAUSE, MAYOR'S SPECIAL ASSISTANT FOR FINANCIAL ASSISTANCE DEVELOPMENT

OPENING REMARKS

Senator DECONCINI. Our next witness will be Bruce Rohrbacher, Temporary Financial Oversight Commission on the District of Columbia.

Welcome, Mr. Rohrbacher.

Mr. ROHRBACHER. Thank you, Mr. Chairman. I am pleased to have the opportunity to tell you about the work of the Temporary Commission on Financial Oversight.

But before talking about the Commission, I would like to introduce to you my associates who are here with me today. To my left is Ms. JoAnn Lieb, who is from the Budget Office of GAO. She is responsible for handling our budget preparation. And on my right is Mr. William Krause, the Mayor's Special Assistant for Financial Systems Development. He is my counterpart in the city government as well as the city's Deputy Director for Financial Operations of the Office of Budget and Management Systems.

Since this is the first time anyone from the Commission has appeared before your committee, I would like first to give you a bit of background about it. The Temporary Commission on Financial Oversight of the District of Columbia was established by Public Law 94-399, September 4, 1976.

RESPONSIBILITIES OF COMMISSION

Under that law, the Commission is responsible for:

(a) designing and assisting in the implementation of improvements in the D.C. government's systems for financial planning and control; and (b) engaging a certified public accounting firm to conduct the first three annual audits of the District's financial position after the new financial systems have been installed. After the first three audits, the District itself is required to engage a CPA to conduct audits each year from then on.

MEMBERS OF COMMISSION

The Commission is composed of six members of Congress—three Senators, three Representatives—the Mayor and the Chairman of the D.C. City Council. Senator Eagleton is the Chairman. The Commission has a small temporary staff of four full-time and one part-time persons.

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We depend on and receive a variety of supporting services from the GAO, and we work closely with the Mayor's Office and people from the D.C. government departments and agencies. To discharge the bulk of its system development responsibilities, the Commission will work mainly through a number of accounting, consulting and other types of service organizations under contract.

CURRENT MAJOR PROJECTS

To date, the Commission has undertaken five major projects through contractors. The Commission's first major action was taken in September 1977. A contract was entered into for the development of an overall conceptual design for the District's financial management system.

The contractor's report was reviewed and adopted by the Commission at its January meeting. GAO, as required by the law, also reviewed the concept and reported its approval to the full Congress in March, subject to an understanding with the Commission that certain concerns identified by GAO would be addressed in the next phase of the Commission's program.

The concept adopted by the Commission calls for the design and implementation of a District-wide system to improve and make uniform throughout all agencies the budgeting, general ledger accounting, financial statement preparation, personnel and payroll, and purchasing and property accounting functions.

This system will operate on the District's central SHARE computer with the D.C. Government's departments and agencies linked to that computer through terminals. In addition, the concept calls for a number of other detailed revenue billing and collection systems unique to individual agencies such as the Water and Sewer Department and D.C. General Hospital which have large numbers of customers to serve.

Such agency feeder systems will be operated by the agencies but will be tied into the District-wide system to form a unified system. This unified set of systems, when operating, should meet most, if not all, of the District government's basic financial information needs as well as provide the basis for the audits, now targeted to begin in fiscal year 1980.

The Commission's program for the next several years has been formulated from this concept design base. The Commission's policy is to seek competitive proposals from qualified firms on all projects where it is practical to do so. To that end, the Commission invited some 130 firms to submit their qualifications and interest for working on the various parts of its program. Fifty-six firms responded.

CONTRACT FOR DESIGN OF DISTRICT-WIDE SYSTEM

Using these responses, the Commission has selected contractors for the four other projects undertaken so far. The largest one of these is the general design of the District-wide system. Nine best qualified and highly interested firms were invited to submit detailed proposals in mid-April.

The firm of American Management Systems, Inc., was selected by the Commission. The Comptroller General has concurred in that selection, and the contractor has begun to work on that central

effort. The schedule calls for completion of the design phase by September 30, 1978, and implementation of the new central system by September 30, 1979.

WATER-SEWER BILLING SYSTEM PROJECT

On the next project, 12 qualified and interested firms were invited to submit proposals to develop a water-sewer billing system. In this project, the contractor will be required to adapt the system of the Washington Suburban Sanitary Commission to the needs of the District. The WSSC System is a time-tested, highly flexible one; and the WSSC's offer to make it available at no cost and to assist and advise on the adaptation of it represent a most generous gesture and an excellent example of regional cooperation.

Proposals for this project were received on April 24, and the firm of Touche Ross & Co. was selected. That firm began its work 2 weeks ago. The system is scheduled to be in operation by October 1, 1978. Phased conversion of customer accounts is expected to be fully completed by December 31, 1978.

PATIENT BILLING SYSTEM AT D.C. GENERAL PROJECT

On another project, 14 firms were invited to propose on a patient billing system for D.C. General Hospital. The firm of McDonnell Douglas Automation Company was selected and work is underway. The billing system will be in operation by October 1 this year, and additional features will be phased in over the following six months.

CHECK-WRITING SYSTEM PROJECT

Finally, the Commission has underway a contract to develop and install a check-writing system for the District. This effort was begun last November in order to help the District meet the requirements of its banking law. That law calls for D.C. to be independent of the U.S. Treasury and to establish its own accounts in city banks. This transition began early in May and should be completed by the end of June.

FUTURE PROJECTS OF COMMISSION

Plans for the remainder of this fiscal year and next call for the Commission to launch some 14 more projects. Twelve of those will be to design and implement additional feeder systems: For example, welfare eligibility and payments, traffic ticket controls, rental housing accounting, tax billing and collections.

These are to be started at a rate of 1 or 2 per month between now and the spring of next year. The remaining two will be for an across-the-board training contract to train D.C. employees in the new systems and for the auditor contract.

All the projects, including the four currently underway, are planned so that all, or substantially all, the new systems are in operation by the start of fiscal year 1980. If we succeed in accomplishing that, we have a reasonable chance of attaining the Commission's target of undertaking the first audit of fiscal year 1980 operations.

During fiscal year 1980 I have no doubt we will need to continue some contractor services to help shake down and perfect the new system; but after that, the need for contractor services, and Commission services, should diminish rather rapidly. By then, if the Commission purposes are achieved, the D.C. Government should be carrying out the financial functions with little or no further outside assistance.

The Commission's only remaining functions will be to receive the remaining two annual audit reports, and then it can go completely out of business. It will have been truly a temporary Commission.

FINANCING COMMISSION

To carry out its program, the Commission has requested an appropriation of $3 million for fiscal year 1979. This request is based on the assumption and understanding that an equal amount will be appropriated to the D.C. Government for transfer to the Commission. Public Law 94-399 calls for the Commission's activities to be so financed—50 percent by direct appropriation and 50 percent by transfer from D.C. funds.

Of this $6 million total in fiscal year 1979, about a quarter million is planned for expenses of the Commission itself—salaries, rent, utilities, phone service, supplies, et cetera. The remainder is planned for obligation for contractual services.

Perhaps a better way to look at the Temporary Commission's financing is to consider it on a cumulative basis. Since such a large portion of our expenditures will be for contractual services, it is difficult to estimate exactly how much will be obligated and expended in any given fiscal period. How much is spent will depend in large measure on our ability to find highly qualified contractors and negotiate good prices, and on the rate at which they are able to progress.

BASIS OF NO-YEAR FUNDS

For those reasons, all the funds requested have been requested on a no-year basis. Cumulatively, therefore, through fiscal year 1979, the Temporary Commission expects to be funded for a total of $15 million, half from direct appropriation and half from transfer.

This represents all but $1 million of the $16 million authorized by Public Law 94-399; $3 million were appropriated in fiscal year 1977. Another $6 million in fiscal year 1978 makes a cumulative total of $9 million available for obligation now.

EXPENDITURE OF CURRENT FUNDS

Through April 22, 1978, the Commission had obligated $415,000 and expended $282,000. Of the total obligated, $344,000 went to contracts, about $15,000 for initial equipping of the office, and the remaining $56,000 for salaries, rent, utilities, phone services, et cetera.

So, in summary, it can be said that efforts to date have been concentrated on laying a foundation for the Commission program and beginning the construction. The tempo of activity is expected to accelerate quite rapidly in the coming 5 months. The schedule calls for seven more projects to be launched by the end of this fiscal year.

Next fiscal year, those contractors should be in full swing, and an additional seven projects are scheduled to be started. Hopefully, the overall unified system will have been designed and substantially implemented in time for the District to start operating under the new system in fiscal year 1980.

This represents a monumental effort for the people of the District Government. But, given ongoing support from Congress; high quality performance from the Commission's contractors; and continued hard work, determination, and cooperation from D.C. employees and all others concerned, the Commission is confident the city can make marked improvement in its financial management and attain the target of receiving an unqualified audit opinion on its fiscal year 1980 financial results.

Senator DECONCINI. Thank you, Mr. Rohrbacher. Your statement was so excellent, I had two pages of questions here and you answered every one of them.

So, I have no questions to submit to you. And I appreciate the attention and the availability of your assistants.

PREPARED STATEMENT

Mr. ROHRBACHER. Thank you. I will submit my prepared statement to be placed in the record.

Senator DECONCINI. Thank you. It will become part of the record at this point.

[The statement follows:]

Prepared Statement of Bruce W. Rohrbacher, Executive Director

Temporary Commission on Financial Oversight of the District of Columbia

Thank you, Mr. Chairman. I am pleased to have this opportunity to tell you about the work of the Temporary Commission on Financial Oversight of the District of Columbia. Before talking about the Commission, I would like to introduce two of my colleagues who are here today. Ms. JoAnn Lieb is from the Budget Division of the General Accounting Office; she handles our budget preparation. Dr. William Krause is Mayor Washington's Special Assistant for Financial Systems Development; he is my counterpart in the city government as well as the city's chief financial operations officer.

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The Commission is composed of 6 members of Congress (3 Senators, 3 Representatives), the Mayor, and the Chairman of the D.C. City Council. Senator Eagleton is the Chairman. The Commission has a small temporary staff of 4 full-time and 1 part-time persons. We depend on and receive a variety of supporting services from the GAO, and we work closely with the Mayor's office and people from the D.C. government departments and agencies. To discharge the bulk of its system development responsibilities, the Commission will work mainly through a number of accounting, consulting, and other types of service organizations under contract.

To date, the Commission has undertaken 5 major projects through contractors. The Commission's first major action was taken in September 1977. A contract was entered into for the development of an overall conceptual design for the District's financial management system. The contractor's report was reviewed and adopted by the Commission at its January meeting. GAO, as required by the law, also reviewed the concept and reported its approval to the full Congress in March, subject to an understanding with the Commission that certain concerns identified by GAO would be addressed in the next phase of the Commission's program.

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the budgeting, general ledger accounting, financial statement preparation, personnel and payroll, and purchasing and property accounting functions. This system will operate on the District's central SHARE computer with the D.C. government's departments and agencies linked to that computer through terminals. In addition, the concept calls for a number of other detailed revenue billing and collection systems unique to individual agencies such as the Water and Sewer Department and D.C. General Hospital which have large numbers of "customers" to serve. Such agency "feeder" systems will be operated by the agencies but will be tied into the District-wide system to form a unified system. This unified set of systems, when operating, should meet most, if not all, of the District government's basic financial information needs as well as provide the basis for the audits, now targeted to begin in FY 1980.

The Commission's program for the next several years has been formulated from this concept design base. The Commission's policy is to seek competitive proposals from qualified firms on all projects where it is practical to do so. To that end, the Commission invited some 130 firms to submit their qualifications and interest for working on the various parts of its program. Fifty-six firms responded.

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Through April 22, 1978, the Commission had obligated $415 thousand and expended $282 thousand. Of the total obligated, $344,000 went to contracts, about $15,000 for initial equipping of the office, and the remaining $56,000 for salaries, rent, utilities, phone service, etc.

So, in summary, it can be said that efforts to date have been concentrated on laying a foundation for the Commission program and beginning the construction. The tempo of activity is expected to accelerate quite rapidly in the coming 5 months. The schedule calls for 7 more projects to be launched by the end of this fiscal year. Next fiscal year, those contractors should be in full swing, and an additional 7 projects are scheduled to be started. Hopefully, the overall unified system will have been designed and substantially implemented in time for the District to start operating under the new system in FY 80. This represents a monumental effort for the people of the District government. But, given ongoing support from Congress; high quality performance from the Commission's contractors; and continued hard work, determination, and cooperation from D.C. employees and all others concerned, the Commission is confident the city can make marked improvement in its financial management and attain the target of receiving an unqualified audit opinion on its FY 1980 financial results.

NONDEPARTMENTAL WITNESSES

GEORGETOWN UNIVERSITY/D.C. GENERAL HOSPITAL

STATEMENT OF REVEREND T. BYRON COLLINS, GEORGETOWN UNIVERSITY

ACCOMPANIED BY DR. BURBRIDGE, D.C. GENERAL HOSPITAL

HEARING PROCEDURE

Senator DECONCINI. We will take public witnesses. The first will be Father Collins, Georgetown University Hospital.

Let me indicate, first, Father, if I can, I would like to reiterate the process that I would urge, and again, ask that you attempt to keep your remarks to 3 to 5 minutes.

We will be glad to have submitted for the record any formal statement that you would like to have included.

Reverend COLLINS. Thank you, Senator. We will stay within the time limits.

With me is Dr. Burbridge, a representative of D.C. General Hospital.

We would like to orally present our brief case. We are very proud this morning to appear before you. As you know, the accreditation of D.C. General was reinstated, something extremely critical to the association of Georgetown University with D.C. General Hospital. We have had teaching programs that have been in jeopardy.

A letter from Mr. Hahn, who is chairman of the commission is part of our testimony. But this is a request for an increase in the appropriations to D.C. General. We would ask that the increase would come from the Federal payment on the condition that in the wisdom of the Senate, that the request given to the Senate from the Mayor's offices would be worked up in a way that would allow for this.

In other words, after a review of the request of the city, if there is $1.1 million left of the Federal payment funds we would ask that it be allocated to D.C. General. And 1979, the same thing. If the authorization for a $317 million Federal payment is approved and, if there were funds left beyond that then, we would ask an increase of the D.C. General appropriation of $2.1 million.

The reason is stated in Mr. Hahn's letter. And that is the need of funds for Georgetown University Medical, Dental School in its efforts to work with D.C. General. That association, Dr. Burbridge will briefly explain.

Dr. BURBRIDGE. Mr. Chairman, I will be very brief. I support everything that Father Collins has already said and won't try to repeat anything.

Georgetown has been associated with D.C. General Hospital for three-quarters of a century, during which time it has rendered millions of man-hours of care to the disadvantaged citizens of the

city of Washington. The hospital in return has provided an excellent center for the pursuit of educational programs in health sciences.

As part of the D.C. General Hospital and Georgetown University Medical Center, we have rendered and are continuing to render services to the local and national communities which have been inestimable.

Mr. Chairman, I have been at D.C. General Hospital about 2 years as Georgetown's liaison. During this time, I have been able to observe firsthand the substantial commitment in the Georgetown partnership. In personnel alone there are over 150 Georgetown doctors, scientists, and nurses at D.C. General Hospital in part-time and full-time positions.

D.C. General Hospital under the new organizational structure and with the support of the District government and the two universities, has made great progress since last year. And I say that because they have fortunately obtained reaccreditation.

Capital improvements are underway, and the hospital is demonstrating its ability to adapt favorably to new situations and to run a good hospital. Georgetown University is proud of having contributed in a material way to this advancement.

One outstanding example of the University's tangible support, in addition to the aforementioned, was the provision of services of an interim medical director for the hospital during the 2-year period. The efforts of the individual who gave his talents to D.C. General Hospital is considered by many, including myself, as being greatly responsible for much of the progress that has been made.

The new director has now been recruited to enter on duty on July 1 of this year.

I said my statement would be brief. Mr. Chairman, thank you very much for the opportunity of presenting it.

Senator DECONCINI. What would the additional funds be used for?

Reverend COLLINS. The additional funds would be used for Georgetown University for the Schools of Medicine and Dentistry to meet the operating costs at the school that are associated with D.C. General.

Senator DECONCINI. And has the Mayor and the City Council taken any position?

Reverend COLLINS. We have submitted a letter to the Mayor, and we are awaiting his response.

Senator DECONCINI. When you get that response, would you forward it to us, please?

Reverend COLLINS. We certainly will.

Senator DECONCINI. Thank you.

[The statement and letters follow:]

Prepared Statement of Rev. T. Byron Collins, S.J.
GEORGETOWN UNIVERSITY

Mr. Chairman and Members of the Committee:

I am the Reverend T. Byron Collins, S.J., Special Assistant to the President of Georgetown University; with me is Dr. Charles E. Burbridge, Georgetown Liaison with D.C. General Hopsital. I represent the President of Georgetown University, and the Chancellor of the Georgetown University Medical Center.

We are pleased to have the opportunity to appear before you today in support of the budget request desperately needed for operation of Georgetown University Medical Center which is now and has long been in association and programmatic operation with D.C. General Hospital.

We have been informed by the former legislative counsel of the District of Columbia Committee that the Home Rule Act precludes the Medical Center from obtaining funds except in association with D.C. General Hospital. The District of Columbia cannot contract directly with the Medical Center. We must, therefore, seek support through the D.C. General Hospital appropriation.

Historically, Georgetown University Medical Center has been associated with the District of Columbia General Hospital longer than any other institution in the city. The partnership for quality health care to the community has existed for over 50 years. Major health benefits have been derived by District residents from this association.

The University maintains medical, dental, and nursing faculty at D.C. General Hospital who contribute significantly to the patient care activity of the Hospital. Additionally, the faculty provides resources and supervision for the University student and House Staff trained at the Hospital. These training programs make a significant long-run contribution to the community in that many medical, dental and nursing specialty trainees and students elect to remain in the city as health care providers.

In recent years it has become increasingly difficult for private medical, dental and nursing schools to sustain patient care and educational programs at affiliated hospitals; this is clearly the case with respect

to Georgetown's program at D.C. General Hospital. The Schools of Medicine and Dentistry at Georgetown face critical financial problems in Fiscal Year 1978; unless some assistance is realized, even more severe financial challenges must be met in Fiscal Year 1979. The expiration of the District of Columbia Medical and Dental Manpower Act (P.L. 94-308) has compelled the schools to increase tuitions to $12,500 and $8,400 for incoming medical and dental students respectively.

Strenuous efforts to economize on expenses and to obtain new sources of funding are being, and will continue to be, made, however, unless an adequate and stable base of supporting revenue can be obtained, further retrenchment of programs will be necessary.

Despite these severe financial problems, Georgetown University Medical Center will do everything feasible to continue its commitment to the District of Columbia General Hospital. We request that your Committee consider appropriating funds to meet the urgent needs of Georgetown University Medical Center to continue its affiliation with and support of patient care and educational programs at D.C. General Hospital and to provide scholarship support for District of Columbia students enrolled in the medical and dental schools at Georgetown University. By such an appropriation, the continuation of the partnership between D.C. General Hospital and Georgetown University for the delivery of health care to a large segment of the D.C. population will be assured.

Through the requested scholarship support, D.C. residents of limited means will have the opportunity to pursue careers in medicine and dentistry at Georgetown.

For fiscal year 1978 we request a total of $1,100,000. To continue the program in fiscal year 1979, we request $2,100,000, as shown on the attached budget.

Thank you for this opportunity to testify.

BUDGET

For FY 1978: Georgetown University requests $1,100,000	
Scholarship funds for D.C. residents enrolled at Georgetown Univ. Schools of Medicine & Dentistry:	$200,000
Funds to meet costs of Georgetown Univ. Medical Center to continue association with and program support at D.C. General Hospital:	$900,000
For FY 1979: Georgetown University requests $2,1001000	
Scholarship funds for D.C. residents enrolled at Georgetown Univ. Schools of Medicine & Dentistry:	$200,000
Funds to meet costs of Georgetown Univ. Medical Center to continue association with and program support at D.C. General Hospital:	$1,900,000

LETTER FROM GILBERT HAHN, JR.
D.C. GENERAL HOSPITAL COMMISSION

May 23, 1978

Hon. Patrick J. Leahy
Senate Subcommittee on
District Appropriations
232 Russell Senate Office
Building
Washington, D.C. 20515

Re: Our file 7792.31

Dear Senator Leahy:

Georgetown University Medical/Dental Schools have requested of the D.C. General Hospital Commission that we endorse the appropriation of funds requested of the United States as follows for the following two fiscal years:

	Fiscal Year 1978	Fiscal Year 1979
Scholarship Fund	$200,000	$200,000
Georgetown University Medical Center emergency operations needs	900,000	1,900,000
Total	$1,100,000	$2,100,000

At its Commission meeting of May 16, 1978, the Commission approved the request to Congress acting as a State agency.

The Commission, which has the authorization to receive such funds, if appropriated, will transmit such funds to Georgetown University Medical/Dental Schools for the purposes enumerated.

Both Howard and Georgetown Medical Schools play a critical and important part in the life and activity of D.C. General Hospital. Without the enormous contribution of both medical schools, D.C. General Hospital would be unable to fulfill its present role as the City's public acute care and teaching hospital.

As we conceive it, whenever either of its medical schools has a problem, D.C. General Hospital has a problem.

We are satisfied that Georgetown Medical School has such a problem and is in serious financial straits. Georgetown requires financial assistance if it is to continue to play its present role in the City.

Georgetown's present tuition is $12,500 and fiscally it should be higher. The $12,500 tuition gives Georgetown a serious problem in attracting and financing the education of students less able to pay - particularly those in the Washington area. Georgetown is making a large and sincere effort in this area; part of these funds are for that purpose.

Georgetown had been receiving funds for these purposes through the Medical-Dental Manpower Act of the District of Columbia (P.L. 91-650, P.L. 93-389 and P.L. 94-308). The District of Columbia has no present long-term plan for replacing these missing funds and may not before fiscal year 1980. We ask that the funds be renewed under the D.C. General Hospital Commission authorization this one time (i.e., fiscal year 1978 Supplement and fiscal year 1979).

It is hoped that by fiscal year 1980 some other vehicle will be available for this purpose.

The D.C. General Hospital Commission considers that this appropriation is both justified and necessary.

Very truly yours,

Gilbert Hahn, Jr.

LETTER FROM T. BYRON COLLINS, S.J.
SPECIAL ASSISTANT TO THE PRESIDENT FOR FEDERAL AFFAIRS

May 19, 1978

The Honorable Walter E. Washington
District of Columbia
Suite 520 1350 E Street, NW
Washington, DC

Dear Mayor:

Because you offered us great personal support in our efforts to obtain and extend the Medical Dental Manpower Act of the District of Columbia, I would like to ask your support of an additional proposal.

As you know, for years Georgetown University Medical Center with its Schools of Medicine and Denistry had been receiving Congressional funds through the Medical-Dental Manpower Act of the District of Columbia (PL 91-650, PL 93-389, and PL 94-308). Funds provided by these laws gave sufficient revenue to these schools to meet operating costs.

The last of these laws has been terminated irrevocably.

After considerable research and counsel, there presently appears to be only one avenue available for support funds from Congress for the Medical-Dental Schools. This avenue is the D.C. Agency, the District of Columbia Hospital. We are informed that Congressional funds can be made available to Georgetown University's Medical-Dental Schools via this route.

Therefore, we request your support of Georgetown's effort to obtain desperately needed funds from Congress for support of our Medical-Dental Schools. These funds would be in addition to the funds requested of Congress for appropriation to the D.C. General Hospital.

On behalf of our Chancellor, Dr. Matthew F. McNulty, Jr., thank you for consideration of our plea.

Sincerely yours,

T. Byron Collins, S.J.

T. Byron Collins, S.J.
Special Assistant to the President
for Federal Affairs

35-829 O - 79 - pt. 2 - 53

STATEMENT OF GEORGE FRAIN, PRESIDENT, ADAMS-MORGAN FEDERATION

ACCOMPANIED BY MR. BROWN

PREPARED STATEMENT

Senator DECONCINI. Our next witness is George Frain of Adams-Morgan Federation.

Mr. Frain, we have a time limitation. I hope you can appreciate it. We would be glad to print in the record a full detailed statement.

Mr. FRAIN. Yes, sir. I want to share an opinion or two that Mr. Brown and I have with you. I have submitted a long statement.

Senator DECONCINI. It will be inserted in the record.

[The statement follows:]

PREPARED STATEMENT OF GEORGE FRAIN
ADAMS-MORGAN RESIDENT

I am George Frain, I appear here today as an individual, although I am an officer and am active in several civic and citizen groups.

I am a resident of the inner-city Adams-Morgan area where I have lived for 28 years. I have been in continuous civic activities all of these years.

Today I would like to testify on crime, particularly, on juvenile crime and on the D. C. convention center -- which I feel are related.

First as to crime. I am chairman of the legislative panel of the Citizens Advisory Council of the Third Police District. In that capacity I testified with our Chairman, Oliver Neslage, before Senator Thomas Eagleton's D.C. Subcommittee last week.

We were and are concerned about the explosion of juvenile crime, FBI statistics show that almost half of all violent crimes committed in the city are perpetrated by juveniles.

Mrs. Gladys Wehrlich, a neighbor of mine was 84 years of age--yet she was murdered by 4 juveniles, 3 of whom were 16 years of age, and 1 of whom was 13 years old. Other crimes by D. C. juveniles are equally horrible.

Time Magazine, and Reader's Digest last year published articles about "Kids Who Kill for Kicks". Among the examples cited were two from D. C.

One 6-year old siphoned gas from a car, poured it over a sleeping neighbor, and then struck a match and watched the neighbor burn to death, here in D.C.

Another example cited was of a 9-year old who was brought into court for crippling an old woman by pushing her down a flight of stairs.

I include here two letters, one from City Councilman David A. Clarke of Ward 1, who has expressed his concern with D. C. juvenile crime. He wrote to me of his support for increasing the staff of the Juvenile Branch of the Office of the Corporation Counsel.

The second letter is from John B. Risher, Jr. who is our city's Corporation Counsel. He says the D.C. City Council quote--

> "has further reduced the budget for the Juvenile Section of this Office during every year since I have been Corporation Counsel. As a consequence the "enforcement" legal staff of the Section has been reduced to nine (9) attorneys who must handle approximately 6,000 cases, yearly. Thus has the Council responded to the facts of juvenile crime; therefore, the Office is hardly able to respond to the problems to the extent appropriate--a conclusion which the United States Attorney also endorsed in his January, 1978 annual report."

If the Congress, and the House and Senate Appropriations Subcommittees on the District of Columbia were as deeply interested in solving crime and providing jobs

and hope and housing for citizens as they have been in providing the D. C. convention center -- and if the Congress had spent an equal amount of time to that given over to the consideration of the D. C. convention center it is clear we would be much further ahead than we are now in reducing crime and getting kids started on better lives. I include here a letter on how to reduce the cost of the D.C. convention center.

The first thing would be to put first things first--and the Number One priority in the District has been, but clearly should not be, downtown enhancement, downtown development, downtown Streets for People, downtown art galleries, downtown air museums, downtown reneweal on Pennsylvania Avenue, the downtown convention center.

Fortune Magazine (March, 1975) deplored the neglect of the inner city areas and the concentration on downtown super-development, super-blocks, and so on, by the Congress, the White House, and the District Government.

The change in the Office of President doesn't change things a bit.

What is happening in the inner city is deterioration, prostitution, narcotics.

I include here a copy of a letter which the Chairman of the Third Police District's Citizens Advisory Council presented to Senator Eagleton's D. C. Subcommittee on May 19 when we testified before Senator Eagleton.

We need your help in getting more attorneys in the Juvenile Branch of the Corporation Counsel's office.

We need your help in fighting prostitution and narcotics and violent crimes. We need your help in providing jobs for juveniles and family heads in the inner city.

We need to concentrate on the inner city--to provide the jobs President Carter talks about in order to deter kids and families from crime, to give them real hope of a better future free of crime, prostitution, and drugs.

The importance of this all-out attack on crime in this city and across the nation was spotlighted by U. S. Supreme Court Justice Lewis F. Powell when he said in outraged tones on March 31, 1976 that the nation needs "some way to deter the slaughter of Americans" by murderers.

Justice Powell was quoted in front-page headlined articles across the country -- he said that the rate of murders in the nation in recent years shows that more people are dying at the hands of criminal elements than were killed on the battlefield in Vietnam, and that it is innocent people in huge numbers who are being killed in the current crime wave.

Your subcommittee has the bottom line on D. C. Appropriations--and that behooves you and your Subcommittee to write the will of the Congress and give its approval and direction here in the Nation's Capital.

Congress has frowned on, and actually stopped the establishment of a light industry base which would provide jobs in this city. Jobs have fled along with hampered businesses to the suburbs.

Margaret Bush Wilson, chairperson of the National Association of Colored People recently addressed the staff of the Office of Minority Business Enterprise. She put in eloquent language the thought I would like to leave with your subcommittee and with you, Chairman Leahy. I am indebted to Congressman Joseph L. Fisher for putting her speech in the Congressional Record (May 8, 1978) earlier this month where I ran into it. She said something that has been on many minds, quote:

> "It was only a decade ago that the National Advisory Commission on Civil Disorders warned that our Nation was being rent into two societies, one white and the other black, separate and unequal. Ironically, at that time, when the Nation was reeling from a series of violent racial disorders, blacks were enjoying, by comparison, a measure of prosperity.
>
> "Then in 1968, Richard Nixon launched a massive attack on most of the Federal Government's social programs that had been created to provide direct benefits to the poor. In addition, he also instituted a series of national, conservative, monetary and fiscal policies that quickly slowed the country's economic growth rate.
>
> "The troubling reality is that the masses of the black population are in a severe and prolonged state of depression. This is so despite 20 years of civil rights gains. For awhile, there had been signs that the income gap between blacks and whites was narrowing. But that is no longer so.
>
> "Because of ground lost by black wage earners, the income gap is now back to where it was in the pre-1969 period. That is, blacks on the average now earn less than two-thirds of their white counterparts.
>
> "The jobless picture is even more dismal. For more than three consecutive years, one out of every four black workers in the nation has been unemployed. At this rate, we see that the black jobless rate continues to be double to that of whites.
>
> "Among black youths, the problem is explosive. Black joblessness in many of our big cities where you are expected to perform your miracles is as high as 50 and 60 percent.
>
> "It is no wonder, therefore, that the problem of crime and drugs are as severe as they are in these areas. The hopelessness, the despair, the problem of sickness and disease are pervasive."

LETTER FROM JOHN R. RISHER, JR.
D.C. CORPORATION COUNSEL

Mr. George Frain
1789 Lanier Place, N.W.
Washington, D.C. 20009

May 2, 1978

Dear Mr. Frain:

Thank you for your letter of April 27, 1978, regarding "juvenile crime" in the District of Columbia, and its enclosures. Prior to the receipt of it, I, of course, had not been aware of Councilman Clarke's letter, and appreciate very much your consideration in providing me with a copy of it.

I share the concern which you express about the incidents of what I have termed the "brutal crime of a small portion of the young" who account for more than half of the serious crime in this City. Indeed, within two months of my appointment in March, 1976, I testified before a House Subcommittee in an effort to obtain greater resources than the Council has provided to meet the growing problem of serious, aggravated crime by juveniles.

I since have urged the repeal of the Youth Corrections Act, and repeatedly stressed that I regard the problem of the young offender as a priority item for this Office. I have been equally persistent in my view that much of the serious crime committed by the young is the bitter result of the gross indifference with which society views most of "first time" juvenile, and youth offenders.

I do not believe that the problems which concern us require any significant revision of Title 16, Chapter 23. Rather, as I continually have stressed, the solution requires far greater thought, concern and resources than were provided as of the time of my appointment. Therefore, I was more than startled when I read Councilman Clarke's letter to you. Contrary to the impression which he has sought to create, his Committee -- and therefore the Council -- has further reduced the budget for the Juvenile Section of this Office during every year since I have been Corporation Counsel. As a consequence the "enforcement" legal staff of the Section has been reduced to nine (9) attorneys, who must handle approximately 6,000 cases, yearly. Thus has the Council responded to the facts of juvenile crime; therefore, the Office is hardly able to respond to the problems to the extent appropriate -- a conclusion which the United States Attorney also endorsed in his January, 1978, annual report.

Notwithstanding the foregoing, I have been able to improve the Office's effort, primarily through the recruitment of more able, and extremely dedicated young attorneys whose salary level (as a consequence of the Council's budget reductions) is far less than their contemporaries earn. In addition, in conjuction with the Metropolitan Police Department, this Office has instituted a Major Juvenile Offender Program, and I shortly shall announce publicly the results of its initial stage.

You may not be aware that, last year, I merged the Juvenile Section (which then was a Division) into the newly created Criminal Division under Deputy Corporation Counsel Geoffrey M. Alprin (who had become the Assistant Director of the National Institute of Law Enforcement and Criminal Justice, Law Enforcement Assistance Administration, after having served as an Assistant United States Attorney and next as General Counsel of the Metropolitan Police Department.) As Mr. Alprin has been a principal force behind the changes in the Juvenile Section you may wish to communicate directly with him in respect to such further questions as you may have.

Sincerely yours,

John R. Risher, Jr.

John R. Risher, Jr.
Corporation Counsel, D.C.

LETTER FROM DAVID A. CLARKE
COUNCILMEMBER-WARD 1

COUNCIL OF THE DISTRICT OF COLUMBIA

21 April 1978

Mr. George Frain
1789 Lanier Place, N. W.
Washington, D. C. 20009

Dear George:

Thank you for your letter of April 6, 1978. I would be very pleased if you would provide to me any specifics as to what needs to be changed in order to better improve the administration of justice with respect to juveniles in the District of Columbia. As you may know, I have tried to be vigilant with respect to the matters in our exercise of oversight and have at various times worked to reduce other branchs of the Office of Corporation Counsel for the purpose of increasing staff of the Juvenile Branch and have criticized the apparent maximization of the minimum and diminution of the more important matters. In an effort to put before the court every case including the most minor, the office strains its resources in that it is important to appropriately prosecute the more major cases. Moreover, I have tried to work with Councilmember Shackleton with regard to the operation of juvenile institutions as that matter is committed to the oversight of the Committee on Human Resources and the Aging.

At no time during my tenure upon the Council has it been officially or unofficially indicated to me from the Office of Corporation Counsel that any change in Chapter 23 Title 16 would assist with the administration of justice. This chapter is a relatively new chapter having been enacted as part of the Court Reform Act passed in 1970. This is not to say that a relatively new law cannot stand amendment, but it is to say that this is not one of the antiquated pieces of our law. I have viewed most of the problems associated with the administration of juvenile justice as involving procedure and administration, but I would be most happy to review any specific proposal for legislative reform.

Sincerely,

Dave

LETTER FROM OLIVER J. NESLAGE, CHAIRMAN
THIRD DISTRICT CITIZENS ADVISORY COUNCIL

May 19, 1978

Senator Thomas Eagleton, Chairman
Subcommittee on Government Efficiency
and the District of Columbia
United States Senate
Washington, D. C.

Dear Senator Eagleton:

I would like to make a correction on page 1 of my previously submitted testimony. We state that the Third District is the largest in the District. This should have read, the smallest in the District but with the largest amount of crime. I regret the error.

In addition, I would like to add the following comments which are not in the prepared testimony.

The Third District is plagued with the dual problems of prostitution and its related crimes (for example, some 21 murders in the last several years) and narcotics. These problems have been further complicated by the Supreme Court's action which declared vagrancy unconstitutional in the Willim vs Hicks case in the 1960's. Because of this decision, there is no way for the police here to break-up groups of people who congregrate for illegal purposes. We need a law which would stand up to constitutional scrutiny which would make it a violation for known criminals to stand in a public place for the purpose of committing an illegal act. For example, with prostitution, the police, knowing which girls had been previously arrested, with such a law, could force them from the streets. It would help also if Superior Court judges were directed to give mandatory sentences as provided under existing law instead having discretionary authority to impose light or nearly non-existent sentences. The same is true for the narcotics traffic where drug pushers and their customer meet, a prime is at 14th & T Streets, NW for the selling of dope. If there were such a law, the police could easily clear the streets making it more difficult for them to deal. Such types of laws exist in other states and work effictively. Regarding my earlier comment on the judges, the police have advised, that by using the maxium sentences now on the books - strong fines and sentences - they could clear up the problem of prostitution in a matter of weeks.

I must comment on massage parlors, another serious problem in the Third District. We have two of them, just down from the Washington Hilton and above Dupont Circle. We also have several call out services. At the present time, the only law concerning them is that they need to be licensed by the City. Yet, when police close them down, they are able to reopen - in one case, operating without a license, in the other, by gaining a new license the next day by calling themselves an encounter group, etc where the same illicit sexual activities take place. There are no laws concerning to call out services that prevents the girls from leaving the licensed premises to preform their services.

We, as citizens and the hotel industry, so vital to the economy of Washington need your help in this area.

If you have not yet heard from the D. C. Hotel Association, I would suggest that Mr. Len Hickman be called. There comments would be of great help to the Sub-committee. They would like to see stricter action by the Courts in sentencing procedures and feel strongly that some action be taken on Alternative Sentences. As it now stands, if a prostitute cannot pay her fine, she is not sentenced to serve time. They feel that if the fine is not payed, they should go to jail. At the present time, a non-payed fine becomes a civil matter and certainly doesn't prevent the prostituce from going back on the street.

On narcotics, it would help if there were a stronger method of getting prescribed drugs that are illegal on the D. C. Dangerous Drug List. At the present time, it takes too long and there is too much red tape involved. As a consequence, since the drugs are on the Federal List, the police must go through the Federal Court system instead of the D. C. Superior Court. The Federal Courts are not interested in the drug cases and they are harder to prosecute. Justice could be better served if these cases could be presented before Superior Court which is more sympathetic to the needs of the District.

We are concerned with the efforts to lighten some of the criminal penalties including the stepped up uses of parole and half-way and third party houses. We feel this solution only cause additional crime, not reduce it. As it is, the Third District has the majority of half-way houses, releases from St Elizabeth's, etc and we hope that if these releases continue unabated, that at least the other sections of the city receive their fair share.

We are tired of seeing the Third District being used as the dumping ground for all of the crime and welfare problems. I am sure you are familiar with the figures, but let me repeat them again - for example, in 1976 of the 20,292 people arrested for Part I offenses, 23% or 4,636 were on some type of release program. In 1977, of the 19,516 arrested, 27% or 5,332 were on release. The figures for the first part of 1978 were somehat higher. These figures do not include juvinile records. If they were included the figures would be in excess of 50%.

In the Third District, the higest single percentage for crime is that of larceny from auto. It account for over 25% of the Part I offenses in the Third District. If this one catagory could be reduced in the Third and other districts, Washington would be #20 instead of #17 on the list of cities with the highest crime rates. If the repeat offenders were kept off the street, it would t ke only a short time to accomplish this. Yet, I understand that the revisions to the Code would increase the dollar limits on larcenies so that many current crimes would then be considered misdeamors.

Up until the passage of the Reorganization Act of the 1960's the police had an able working tool with the use ofbusiness licenses, certificates of occupancy, ABC Board Requirements and the various building codes. Now the police no longer know what their role is, what the law says about such things as mentioned above. In 1958 when the city passed the new zoning regulations, all apartment houses were inspected to see if they were in compliance, however, no such action was taken on commercial establishments. Yet we have numerous violations which could be corrected under existing regulations and laws.

I would like to give one example of a journey into frustration. For the past several years, police and citizens have expended every effort to close down to adult book stores which use on their premises a number of pornographic movie machines. The owners have been arrested, machines taken from the premises, but the stores are still in business. Under Zoning regulations, these operations are not allowed in C-2 districts which this area is. The problem does not lie with the police, but with licensing and the issuing of occupancy permits. No one there will t ke the appropiate action or use the proper codes to close these places up. It wasn't until the citizens of the area led by Mrs. Ann Hargrove , an ANC Representative, researched the problem and took all of the violations to the Zoning Board that we were finally able to take some action. Time and again, these type of activities could be controlled by proper application of zoning and occupancy regulations which in fact would put most of these operations out of business imadiately. I would commend Mrs. Hargrove as a witness due to her deep experience in these areas. It would be a relevation to you.

One last comment, in discussing some of my testimony with Chief Jefferson today, he asked me to express his pleasure in the way the new Career Criminal Unit is operating. It is working well, and he reports that the arrests for felonies have decreased substantially and it is h ving an effect on the crime in the District. He did report there is an increase in misdeamors.

Our Council appreciates this opportunity to be heard and we hope our comments will be of some use to Congress in the matter.

Sincerely,

Chuck Hargrove

Chairman

Letter from George Frain

Dear Chairman Leahy:

I am writing to request you to call for a city-wide referendum on the revised plans for the D.C. convention center when you take the Senate-House Conference Report on the FY 1978 D.C. Budget up on the Senate Floor. There are a number of reasons why a city-wide referendum is essential on the revised D. C. convention center, they include the following reasons: The House called for such a referendum on April 8, 1974--you should do so now--for a D.C. convention center

1. The House and Senate have voted many times beginning with April 8, 1974 when the House voted against funding a D. C. convention center. When Congress votes on a D. C. convention center and District citizens are denied the right to vote in a city-wide referendum on the convention center it simply shows that the District is a colony in many major and important respects. I am attaching a page from the Congressional Record of April 8, 1974 where on page H 2691 the results of Roll Call No. 149 are recorded. This shows the House voting 276 to 69 for a city-wide referendum on the D.C. convention center.

2. Congressman Fauntroy's speech of April 8, 1974 is appended also. He made therein many sound points. For instance he said: "I, for one, am not convinced that such a project would fail at referendum. If the project is sound, and will not result in additional taxation to the people of the city, as the proponents argue, the case should be put to the people. I have a profound faith in their ability to sort through an issue like this, and to resolve it sensibly and fairly. If an adequate case cannot be made, the project will fail. If the case is a good one, it will pass."

On the other hand you have called for "a very thorough investigation" of the city's revised convention center proposal. But you have stated flatly that "There is no question, if put to a referendum in the city, it would probably lose." Such a position provides the District Government with the reasons and incentives for denying District citizens a city-wide referendum. Will you, Chairman Natcher, Mayor Washington, and Sterling Tucker sit down in a smoke-filled room in a small private meeting and make the final decisions as to whether the revised plan meets fully the requirements of the Senate-House Conference agreement and Report which you and they hammered out beginning on April 26, 1978 according to a Washington Star report, dated May 14, 1978 and titled "How They Ended the Convention Center Standoff." I am including this important and revealing news report.

3. The Washington Post (May 19, 1978) says you have called for D.C. government consultation "with D.C. civic associations and other citizen groups"--you should know this is no adequate substitute for a city-wide referendum. Other cities and States provide for citizen referendums, real "consultation" with citizen groups and civic associations. The District Government has so far only consulted with the Board of Trade, the Washington Area Convention and Visitors Association, the D.C. Bankers Association, the Washington Board of Realtors, the Washington Hotel Association "and other major business organizations in town" (see Washington Post report dated October 2, 1977 attached herewith). This will no doubt continue to be the case--no comparable consultation has been held with D.C. civic associations and other citizen groups. The only way to insure real and meaningful consultation with District citizens is by calling for a city-wide referendum. This is the way other cities and states insure real and meaningful consultation with their citizens.

4. Congress has reserved to itself the right to vote on the Convention Center bond issue since and including April 8, 1974 but denied to D.C. citizens the right to vote on that bond issue, and on all subsequent bond issues. It isn't fair or just for the Congress to vote on the D.C. convention center--while District citizens are denied that right.

5. Congressman Fauntroy pointed out in his speech of April 8, 1974 (see attached copy from the Congressional Record) that:

> "It is true that the Self-Determination Act signed into law does not call for referenda on major Capital works projects. But, I would remind the committee that the bill written by and voted out by this committee, H.R. 9682, did call for a vote by the people on all bond issues. Almost all of us strongly supported that concept: it was abandoned only because the fiscal provisions of the bill were substantially overhauled after the bill got out of committee. The concept was sound last June, and it is sound now."

I do not know what the Congressional situation was which led to the abandonment of the requirement for a referendum by District citizens on all bond issues--but whatever it was, it is totally unfair for Congress to reserve to itself all the rights and privileges of voting on the D. C. convention center while denying that right to District citizens since they and their government must stand back of and make good on any deficits incurred over the next 30 years on this huge convention center project.

6. The Congress, in voting for the D. C. convention center was unduly influenced

by the lobbying done by the Washington Area Convention and Visitors Association--lobbying which was clearly illegal. Therefore, a city-wide referendum is vitally needed.

The Washington Post (May 19, 1978) reported that you pointed out to officials of this convention and visitors association that their association got $200,000 appropriation from the District last year and that it is illegal to spend appropriated money for lobbying, and you said "you run the very serious risk of any taxpayer raising the issue." This Washington Post article is attached herewith, and I ask specifically that it be included in the Congressional Record along with this total letter and its other attachments.

The Washington Star (May 19, 1978) published an article titled "D.C. Center Lobbying Questioned" which reports that you pointed out that Federal law prohibits "appropriated funds from being used for lobbying for additional appropriated funds". I ask specifically that this article be included in the Congressional Record along with this total letter and its other attachments.

It is totally unfair for the Congress to provide funds to one group of proponents to lobby, and then deny to citizens any such funds, and go with the proponents in authorizing the D. C. convention center.

What Congress should do, and what you should do, Senator Leahy, is refer this illegal use of appropriated funds to the U.S. Department of Justice for immediate prosecution, and I therefore solemnly request you to refer this instance of illegal lobbying with appropriated funds to the Department of Justice for prosecution. Otherwise, Congress will have rewarded such illegal lobbying with approval of the convention center and the Federal U.S. Treasury funds included in the FY 1978 D.C. Budget amounting to $27,000,000.

Chairman Leahy, if poor people mis-used and illegally used appropriated funds they would be sent to jail, and they are being sent to jail for illegal use of funds across the nation every day. Apparently, when powerful white collar people mis-use funds they get a slap on the wrist such as you administered the other day by only warning that their use of appropriated funds for lobbying for other appropriated funds was illegal. I think as a Federal official and U.S. Senator you are required to do more than that. For example, Congress acted to force President Richard Nixon to resign. Former Congressman Wayne Hays was forced to resign. Former Congressman Richard Hanna was sent to jail. Time and again, Members of Congress and top officials have been moved against by Congress for unethical and illegal activities. It is up to you to act in this matter and at once.

And the action should be in two parts (1) ask the Department of Justice to prosecute this illegal use of appropriated funds, and (2) deny the fruits of such illegal activities by requiring a city-wide referendum on the D. C. convention center at the time the Senate takes up the FY 1978 D.C. Budget with its approval of the $27 million in appropriated funds for the D. C. Convention Center.

7. The recent Senate-House conference agreement on the FY 1978 D.C. Budget completely reverses the Senate's 65-to-25 vote opposing the D. C. convention center of last fall. Since this is so, it is clear the only way D. C. citizens can or will be protected is by giving them their basic constitutional right to vote on the hugely costly D. C. convention center. Since other states and cities give their citizens the right to vote in a referendum on basic issues how can the U.S. Senate deny this right to District citizens and thereby make a sham of D.C. home rule and self-determination?

8. The Washington Star (May 14, 1978) published an article titled "How They Ended the Convention Center Standoff", the article reported that:

> "So, on Wednesday, April 26, 1978 Sen. Patrick Leahy's staff prepared three letters, asking Rep. William H. Natcher, chairman of the House subcommittee, Mayor Walter E. Washington, and City Council Chairman Sterling Tucker to meet with him and try once more to resolve the convention center impasse. The letters said the three could bring aides, but the meeting would be small and "private"."

From this it is clear that District citizens who will have to pay for the D. C. convention center if the building program sought in the Senate-House agreement fails to work out, or goes bust as the buildings have near the Atlanta convention center, were excluded from this "private" meeting. Further, they were excluded at the very time that the Congress has opened all of its committee and subcommittee sessions to the public except in the area of great sensitiveness such as the CIA, and the sale of warplanes to Israel, Egypt, and Saudia Arabia recently. Why exclude citizens from your meeting, Senator?

9. The Congress is being asked, I have been told, to approve paying back the $600,000 advanced by D. C. bankers to help plan the convention center. Is this true? If it is true, why should these funds be a charge on the District budget? Are they in the FY 1978 D.C. Budget anywhere or in the FY 1979 D.C. Budget? This item should not be authorized, ever.

10. The Washington Post (May 19, 1978) published an article titled "Atlanta Center: A Success Story", which I have attached. The Post article states (1) that Atlanta was

overbuilt; (2) that the $100 million Omni International complex near the convention center was almost put on the auction block in a bankruptcy sale earlier this month; (3) the Atlanta convention center was built by the State of Georgia; (4) Georgia is financing the original convention center building with a 20-year bond issue that is being paid off at a rate of $2.8 million a year; (5) the convention center has not led to rapid development on nearby city blocks; many persons attending conventions stay at hotels blocks away; (6) there remains a visible deteriorating commercial center between the luxury of Peachtree Center shops or hotels and the Atlanta convention center known as the Georgia World Congress Center. Will these failures be avoided here by your new plan? I doubt it.

This article is buttressed by letters I have received, showing that Atlanta paid a total of only $2.2 million for its convention center, and this was to acquire the 6-acres needed to complete a 12.5 site, the other half of the site was donated. I include these letters to show there is a better and fairer way to build a convention center than the one set forth in the Senate-House Conference Agreement. The Atlanta plan is a fairer way.

I also include an article from Business Week (Feb. 27, 1978) which states that the result of poor judgment in Atlanta's building boom has been "one of the worst urban real estate disasters in history....four of the six major projects completed in the past five years, representing an investment of $250 million, will have fallen into the hands of the lenders....Omni is the biggest disaster of all."

The Atlanta situation would suggest that a similar situation is possible here, and for this reason the required new plan outlined in the Senate-House Conference Report must be submitted to the searching inquiry of a city-wide referendum before it is finally approved by the Congress. Further, the Atlanta plan must be on the referendum as a possible alternative. Environmental Impact Statements required alternatives, why not the D.C. plan? The Atlanta convention center was planned and the bond-sale began while President Jimmy Carter was Governor of Georgia. If a similar plan was adopted in the District of Columbia it could have these elements:

a) A donated site - one ideal site is the 20-acre site on the West side of 15th Street NW in the downtown area near the White House and just across the street from the U. S. Department of Commerce building. This site would involve no displacement of the Chinese, and the small businesses, and jobs involved in the site covered by the Senate-House Conference Report. Work could begin immediately, no eminent domain powers would need to be exercised -- and $30 million could be saved. Congress has been trying in the States to return land to private, tax-producing, job-producing business use. The Federal Government owns half of the land in the District of Columbia, and its projects too often result in displacement of small businesses, people, jobs, and reduction of the tax base. The Washington Post said a donated site would save up to $30 million.

b) New business projects and jobs should not be limited to the downtown business area, but should be sited throughout the city and particularly in the riot-burned areas, Anacostia, Adams-Morgan and other inner city areas. The riot-scarred areas burned in April 1968 need new jobs, new businesses, new stores to serve the people in the area who now often buy in suburban stores. The Federal enclave area, Pennsylvania Avenue between the White House and the U.S. Capitol Building, and the downtown commercial area have for years been the point of concentration of Federal-city government activities, while the riot-burned areas, Anacostia, Adams-Morgan and other inner city areas have been effectively red-lined as far as new jobs and business expansion are concerned. This has enhanced the downtown post-card area to the detriment of the city's inner city areas and people. The President has repeatedly expressed his concern for inner city renewal, jobs, businesses—but the Federal-city governments have continued to concentrate in the downtown area, an area which already has everything.

11. The Senate-House Conference Report reflects an agreement hammered out between you, Chairman Natcher, and Mayor Washington and City Council Chairman Tucker. The citizens who will pay for it were excluded. Only proponents of the convention center from the City Council were included in the small private meetings which led to the final agreement. You have called for "a very thorough investigation" of the revised proposal presented by the D. C. Government, according to the attached Washington Post news report dated May 19, 1978. There must not be more back-room, smoke-filled room, or small, "private" meetings which do circumvent the will of the people. A city-wide referendum must be provided not only on the D.C. convention center as revised, but on all future bond issues of major importance. And, clearly, there must be no more lobbying for the D.C. convention center (revised) by the Washington Area Convention and Visitors Association with appropriated funds--which is clearly illegal and should be subjected to penalties at once. Only by means of a city-wide referendum will "a very thorough investigation" be guaranteed. Only by a "very thorough" city-wide referendum supporting the revised D.C. convention center can the U.S. Senate feel free to vote for such a huge and decisive project in the life of the city.

12. The Washington Star (May 14, 1978), in the attached article on the convention center titled "How They Ended the Convention Center Standoff", reports that:

"Leahy said, if he were a D. C. citizen, "I would still be opposed to it simply as a bad idea.""

Chairman Leahy, short of a city-wide referendum on the D. C. convention center (revised), will District citizens be able to oppose the plan, or vote for it? Of course not.

13. The Washington Post (May 19, 1978) in the attached article reports that you "told city officials to give the Washington public another chance to be heard before the project moves forward....Ben Gilbert, D.C. municipal planning director, told a reporter after the hearing that he agreed "there is a point in the process when citizens will have a chance to be heard....we will stitch someting into the process."

Chairman Leahy, is "stitch" the kind of consultation with District citizens you had in mind--did you contemplate "stitching something into the process." Or did you have something more enduring in mind? Clearly, anything just "stitched" in can come apart in a back-room somewhere attended by four or more politicians.

Is the Senate and House committment to self-determination and home rule in the District of Columbia so weak that Senators cannot stand up and demand equal voting rights with all citizens in other cities and the 50 States on all bond issues in their cities and States?

15. The land in the Mt. Vernon Square South convention center site is to cost something like $25 million with $5 million for the major relocation of Chinese, small businesses, and jobs involved. The plan is to acquire this land as inexpensively as possible by eminent domain. Meanwhile, the surrounding land is appreciating in value and will continue to appreciate if the convention center is located on the chosen site. The surrounding land is in the hands of a few big owners and has appreciated already some $75 million in value. So the big owners will benefit, while the small owners, the Chinese, and the job-holders will be the sacrificial lambs led to the slaughter. The Chinese were displaced from the Pennsylvania Avenue area by President Herbert Hoover to make way for Federal Triangle development which everyone now feels is a mistake because it removed people from that area. In fact, the Pennsylvania Avenue Plan is designed to correct the mistakes of the earlier displacement by bringing people back to Pennsylvania Avenue at the cost of hundreds of millions of dollars, and some $50 million or more in appropriated funds.

D.C. convention center

The very bad original plan has been revised due to your efforts for which you deserve the thanks of every citizen in the District and in the nation. But how good will the new and revised plan be considering the powerful big business groups backing the original plan and undoubtedly opposed to any meaningful revision of the original plan. Three things are needed to protect the citizens: (1) major revision of the original plan; (2) prosecution of those involved in the illegal lobbying you have cited; and (3) a city-wide referendum on the revised plans. We urge you to strongly support these steps and to include this letter and its attachments in the Congressional Record, and to work for implementation of these three steps when the FY 1978 D.C. Budget is brought to the Senate floor by you.

I would appreciate an early reply. I am

Respectfully yours,

George Frain

George Frain (Retired Congressional aide)
President, Adams-Morgan Federation -established in 1963 to prevent displacement of small businesses and lower-income families by urban renewal and other Federally-assisted projects

financing plan and include in it the referendum, and I believe we will have then accommodate quite a large number of the members of both committees that must give approval to this civic center project in the House.

I plead with the House after all the hard work that has been done and after the attempt to get some kind of semblance of an amortization plan, that we proceed with this bill and support the amendment offered by the gentleman from Michigan (Mr. DIGGS).

Mr. FAUNTROY. Mr. Chairman, I move to strike the last word and rise in support of the amendment.

(Mr. FAUNTROY asked and was given permission to revise and extend his remarks.)

Mr. FAUNTROY. Mr. Chairman, I am in support of H.R. 12473, the committee amendment calling for an advisory referendum by the voters of the District of Columbia on the Convention Center. I take this position for many reasons.

First, many substantial questions have been raised over the past months over the wisdom of the Convention Center proposed to the Congress. The quantity and quality of these questions are such that I believe that the Convention Center should go forward only after vigorous public debate and a vote by the people of the city.

More importantly, it would be utterly inconsistent with the principle of self-determination that this Congress has approved in the recently passed new Government and Self-determination Act for the District of Columbia to now say that the people of this community cannot intelligently make a decision on whether they are willing to pay for this Convention Center.

A referendum is not a tactic to defeat the Center. I am prepared to urge you to vote for it, if the voters approve. We can have a referendum by May 7, which would not involve an unreasonable delay. There is adequate time for public discussion and voter education, if this committee and the Senate will act quickly to authorize the referendum.

A referendum is the method used in almost all of your communities to get approval of a project of this magnitude—$165 million. In many communities, even where there is no general referendum requirement, it is not unusual for the State legislature to call for a referendum on an especially large project. That is precisely what the committee amendment calls for.

It is true that the Self-Determination Act signed into law does not call for referenda on major Capital works projects. But, I would remind the committee that the bill written by and voted out by this committee, H.R. 9682, did call for a vote by the people on all bond issues. Almost all of us strongly supported that concept; it was abandoned only because the fiscal provisions of the bill were substantially overhauled after the bill got out of committee. The concept was sound last June, and it is sound now.

Some have argued that a referendum on the issue is inconsistent with self-determination because this project has been approved by local officials. I would simply point out to the committee that local officials are appointed and not responsible to the people of the city. We would have a very different case if locally elected officials approved the project. But, it is because we have no other mechanism now to judge local assent that we must relay on the referendum.

I, for one, am not convinced that such a project would fail at referendum. If the project is sound, and will not result in additional taxation to the people of the city, as the proponents argue, the case should be put to the people. I have a profound faith in their ability to sort through an issue like this, and to resolve it sensibly and fairly. If an adequate case cannot be made, the project will fail. If the case is a good one, it will pass.

Mr. Chairman, I rise also because it should be noted that time is of the essence. The referendum will be held on May 7. I would like to ask the distinguished chairman of our committee if he has been in contact with the chairman of the Senate District Committee on this matter to determine if he and his committee are prepared to move expeditiously on the referendum matter so that we may begin the task of getting the facts out to the people.

Mr. DIGGS. Mr. Chairman, will the gentleman yield?

Mr. FAUNTROY. I yield to the gentleman from Michigan.

Mr. DIGGS. I have every reason to believe that the other body will act and act expeditiously on this matter this week.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. DIGGS) to the committee amendment.

The question was taken; and on a division (demanded by Mr. GRAY) there were—ayes 35, noes 39.

RECORDED VOTE

Mr. REES. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 278, noes 69, not voting 87, as follows:

[Roll No. 149]

AYES—278

Adams	Burton	Diggs
Addabbo	Byron	Dingell
Anderson, Ill.	Camp	Donohue
Andrews, N. Dak.	Carney, Ohio	Downing
	Carter	Drinan
Archer	Casey, Tex.	Duncan
Arends	Chappell	Dunican
Ashbrook	Clancy	du Pont
Bafalis	Clark	Eckhardt
Baker	Clausen,	Edwards, Ala.
Barrett	Don H.	Edwards, Calif.
Bauman	Cleveland	Eilberg
Beard	Cohen	Erlenborn
Bennett	Collier	Esch
Bergland	Collins, Ill.	Evins, Tenn.
Bevill	Collins, Tex.	Fascell
Biester	Conable	Findley
Bingham	Conte	Fish
Boland	Conyers	Fisher
Bolling	Corman	Flood
Bray	Cotter	Flynt
Breckinridge	Coughlin	Foley
Brooks	Dahlberg	Ford
Brotzman	Daniel, Robert	Forsythe
Brown, Mich.	W., Jr.	Fountain
Brown, Ohio	Davis, Wis.	Fraser
Broyhill, N.C.	de la Garza	Frenzel
Broyhill, Va.	Dellenback	Fulton
Buchanan	Dennis	Fuqua
Burgener	Devine	Gardos
Burleson, Tex.	Dickinson	Gettys

Gilman	Mazzoli	Rebelius
Goldwater	Meeds	Seiberling
Gonzalez	Mezvinsky	Shriver
Grasso	Michel	Shuster
Green, Pa.	Miller	Sikes
Gross	Mills	Skubitz
Gude	Minish	Smith, Iowa
Gunter	Mink	Spence
Haley	Minshall, Ohio	Staggers
Hamilton	Mitchell, Md.	Stanton,
Hammer-schmidt	Mitchell, N.Y.	J. William
Hanley	Moakley	Stark
Hansen, Idaho	Montgomery	Steed
Hastings	Moorhead, Pa.	Steelman
Hays	Mosher	Steiger, Ariz.
Hebert	Moss	Steiger, Wis.
Hechler, W. Va.	Murphy, N.Y.	Stephens
Heckler, Mass.	Murtha	Stokes
Heinz	Myers	Stratton
Henderson	Natcher	Stuckey
Hillis	Nedzi	Studds
Hogan	Nelsen	Symington
Holifield	Nichols	Symms
Holt	Obey	Taylor, Mo.
Holtzman	O'Brien	Taylor, N.C.
Horton	O'Hara	Thomson, Wis.
Hosmer	Parris	Thone
Hudnut	Passman	Tiernan
Hungate	Patten	Towell, Nev.
Hunt	Perkins	Treen
Hutchinson	Pettis	Udall
Ichord	Pike	Ullman
Jarman	Poage	Van Deerlin
Johnson, Colo.	Podell	Vander Jagt
Johnson, Pa.	Powell, Ohio	Vander Veen
Jones, Okla.	Preyer	Vanik
Jordan	Pritchard	Veysey
Kastenmeier	Quie	Wagonner
Kemp	Railsback	Waldie
Ketchum	Randall	Wampler
King	Rangel	Ware
Koch	Rarick	Whalen
Kuykendall	Rees	White
Kyros	Regula	Whitehurst
Landrum	Reuss	Whitten
Latta	Riegle	Widnall
Lehman	Rinaldo	Williams
Lujan	Robison, N.Y.	Wilson,
Luken	Rodino	Charles H.,
McCormack	Roe	Calif.
McDade	Rogers	Wilson,
McFall	Rooney, Pa.	Bob
McKinney	Rose	Wolff
Macdonald	Rosenthal	Wylie
Madden	Rostenkowski	Yates
Madigan	Rousselot	Yatron
Mahon	Roybal	Young, Ill.
Mallary	Runnels	Young, S.C.
Mann	St Germain	Young, Tex.
Martin, Nebr.	Sarasin	Zablocki
Mathias, Calif.	Sarbanes	Zion
Mathis, Ga.	Satterfield	Zwach
Matsunaga	Schneebeli	
Mayne	Schroeder	

NOES—69

Abdnor	Ginn	Mollohan
Alexander	Goodling	Moorhead, Calif.
Annunzio	Gray	Morgan
Ashley	Grover	Price, Ill.
Biaggi	Hanna	Price, Tex.
Blackburn	Hanrahan	Roberts
Brademas	Hansen, Wash.	Robinson, Va.
Broomfield	Hastha	Ronallo, Wyo.
Brown, Calif.	Hicks	Rough
Burke, Fla.	Hinshaw	Ruth
Burke, Mass.	Howard	Ryan
Burlison, Mo.	Huber	Sandman
Butler	Johnson, Calif.	Scherle
Cederberg	Jones, Ala.	Sisk
Chamberlain	Jones, N.C.	Stanton,
Clawson, Del	Karth	James V.
Conlan	Kluczynski	Sullivan
Davis, Ga.	Lagomarsino	Thornton
Delaney	Landgrebe	Vigorito
Denholm	Lent	Wright
Dent	Long, Md.	Wyatt
Evans, Colo.	McClory	Wydler
Frey	McCollister	Young, Alaska
Giaimo	Martin, N.C.	

NOT VOTING—87

Abzug	Brinkley	Dellums
Anderson, Calif.	Burke, Calif.	Derwinski
Andrews, N.C.	Carr, Ind.	Dorn
Armstrong	Chisholm	Eshleman
Aspin	Clay	Flowers
Badillo	Cochran	Freilinghuysen
Bell	Crane	Froehlich
Blatnik	Cronin	Gibbons
Boggs	Culver	Green, Oreg.
Bowen	Daniels, Dominick V.	Griffiths
Brasco	Danielson	Gubser
Breaux	Davis, S.C.	Guyer
		Harrington

LETTER FROM HON. PATRICK J. LEAHY

February 10, 1978

Mr. George Frain
President, Adams-Morgan Federation
1789 Lanier Place, N.W.
Washington, D.C. 20009

Dear Mr. Frain:

This is in response to your recent letter which suggested a solution to the convention center impasse. The ideas that you have presented deserve consideration and my office has, therefore, sent a copy of your letter to the Mayor's Office for their use, and follow-up.

I was also interested to notice the copy of the Congressional Record of July 28, 1971 that you included with your letter. I'm sure it gives you a great deal of satisfaction to have played such an important role in the legislation which helped to create the Kennedy Center.

With kind regards.

Sincerely yours,

Patrick J. Leahy, Chairman
District of Columbia Subcommittee

LETTER FROM MICHAEL L. LOMAX, COMMISSIONER
PARKS, LIBRARIES, AND CULTURAL AFFAIRS, ATLANTA, GA.

April 20, 1978.

Mr. George Frain, President
Adams-Morgan Federation
1789 Lanier Place, N.W.
Washington, D.C. 20009

Dear Mr. Frain:

Mayor Jackson has asked me to respond to your letter of March 15.

The City of Atlanta contributed $2.2 million to acquire six acres of land to complete the 12.5 acre lot on which the Georgia World Congress Center is located. The City did not contribute to the construction of the Congress Center, nor do we contribute operational funds. The present administration has no plans to acquire or operate the G.W.C.C.

As far as the Congress Center being a fair deal to Atlanta's taxpayers and business interests, I think there is no question that it is an economically viable entity, that it has attracted and will continue to attract major national exhibitions and conventions, and that its reputation as a soundly managed venture will grow internationally. All these factors are translated into an economic impact in the millions of dollars for Atlanta and Georgia.

I appreciate your interest in the Georgia World Congress Center, and I hope I have been of service to you in this matter.

Sincerely,

MICHAEL L. LOMAX

LETTER FROM ELIZABETH BERRY, DIRECTOR, PUBLIC RELATIONS
GEORGIA WORLD CONGRESS CENTER

February 28, 1978

Mr. George Frain
1789 Lanier Place, N.W.
Washington D.C. 20009

Dear Mr. Frain:

GWCC Director Ernest Davis asked that I respond to your letter of February 21, 1978.

First, I would like to emphasize that the Georgia World Congress Center is a State owned and operated trade show and convention center. We are located adjacent to the Omni Sports Arena, which is owned by the Fulton County/City of Atlanta Recreation Authority, and a private development Omni International, to which the Wall Street Journal article referred. Please refer to the back of the enclosed brochure for geographical layout.

In regard to the Georgia World Congress Center, general obligation bonds were issued by the State of Georgia to pay for construction of the Center. Bonds were sold between November 1974 and April 1976 for 5.86%-6.50%. The budget of $35 million included $31.4 million construction cost, $1.4 million contingency fund and the remaining $2.2 million for land costs. Approximately half of the 12.5 acres for the Congress Center was donated by International City Corporation, which is closely related to the present management of the Omni International Project. Remaining property was purchased from Atlanta Gas Light, Southern Railway and Central of Georgia Railroad.

The City of Atlanta did not contribute to the construction of the GWCC and does not contribute operational funds. Being a State operated facility, the Center does not pay State taxes. An operational subsidy of $500,000 was allocated by the State for the operation of the Center in fiscal year 1977-78. No request for an appropriation was made for the Congress Center this year.

The 1977 figures indicate 749,549 attended functions at the GWCC, of which 305,230 were from "out-of-town." Direct delegate expenditures were $87,662,056, which generated an economic impact of $197,239,626. State collections are estimated at $5,739,673 and City hotel/motel transient tax collections totalled $1,972,396.

Based in utilization of at least 100,000 gross square feet of exhibit space, the Congress Center recorded 294 major event days covering 236 calendar days occupied in 1977. Over 200 smaller events, meetings, receptions, concerts and banquets are not included in the occupancy totals. Projections on major 1978 bookings to date indicate 404 major event days covering 290 calendar days.

Mr. Frain, I sincerely appreciate your interest in the Georgia World Congress Center. We are certainly pleased with and proud of our operation here. Please do not hesitate to contact me should you have additional questions on the GWCC. In the event you wish information on the Omni International, I suggest you contact that organization directly. Bill Hardman is Director of Promotions for International City Corporation and can be reached at 400 South Omni International, Atlanta, Georgia 30303 or by calling (404) 681-2161.

Sincerely,

Elizabeth Berry

ELIZABETH BERRY
Director of Public Relations

ELB/dms
Enclosure

35-829 O - 79 - pt. 2 - 54

The Washington Star Sunday, May 14, 1978

How They Ended the Convention Center Standoff

Secret Meetings in Senate Room Led to Compromise With Leahy

By Diane Brockett
Washington Star Staff Writer

Since December the senator and the congressman had not talked about the District's proposed convention center because it had become clear that they had reached a standoff.

But near the end of April, more than four months later, the time to reopen discussions finally seemed right.

The House District Appropriations subcommittee was holding hearings on the city's 1979 budget, and its Senate counterpart had scheduled a similar go-round in a couple of weeks. The Senate had just finished with the Panama Canal and its members finally had time to look at other things.

So on Wednesday, April 26, Sen. Patrick J. Leahy's staff prepared three letters, asking Rep. William H. Natcher, chairman of the House subcommittee, Mayor Walter E. Washington and City Council Chairman Sterling Tucker to meet with him and try once more to resolve the convention center impasse.

The letters said the three could bring aides, but the meeting would be small and "private."

THE LETTERS, as it turned out, were to lead to a number of secret meetings over the next two weeks that would finally lead to a resolution of the dispute over the convention center.

The letters were hand-delivered late that afternoon. Washington opened his and immediately dialed the senator's office, saying, "I'll be there." Natcher and Tucker accepted in the next couple of days.

On Wednesday, May 3, just before 8 a.m., the group began to gather at the Capitol, coming into the Senate side while the building was still

empty. Their footsteps and those of the few guards on duty eerily echoed through the dark halls.

Walking into S-127, the hearing room for Leahy's District Appropriation subcommittee, they found the senator and two staff members, Michael Hall and Marty Franks, waiting.

Leahy offered them coffee and doughnuts.

"I've waited so long for that cup of coffee, I'm not going to miss it now," City Administrator Julian R. Dugas said, setting a relaxed tone for the session. "I've waited for over a whole year for this cup."

Ten men sat down at the long conference table in the narrow, crowded room: Leahy with his two aides; Natcher with two committee staffers, Earl Silsby and Americo S. Miconi; Mayor Washington with Dugas and D.C. Budget Director Comer S. Coppie, and Tucker.

THE FOUR principals agreed they wanted to find a way out of the current dilemma in which the District's 1978 budget, which was to cover the year starting last October, was still unapproved by Congress.

Natcher, abiding by the wishes of the mayor and Tucker, had refused to eliminate funds for a D.C. convention center from the budget. And Leahy steadfastly insisted that the Senate would not approve the budget if the center were included.

The ground rules were that they would work quickly and secretly, although Leahy laughingly explained that, if there were an industrious reporter or other snoop working, the secret was not really safe.

He explained that his office always posts his daily schedule, including where he is meeting and with whom.

After Tucker and Washington reaffirmed what they had been saying for months — that the business community would never agree to to Leahy's suggestion to provide "up front money" to go toward building the center — Leahy passed out a proposed compromise.

THE COMPROMISE had been drafted by Hall, but its terms reflected in part conversations Tucker and Leahy had had over several months plus talk at the staff level between Hall and Coppie.

Probably more important, the proposed compromise ingeniously answered the demands of all four principals in the statement.

Tucker and Mayor Washington would get their center; Natcher got a promise to have a cut made in the project's high cost, and Leahy got a guarantee that the financial burden from the center would be placed on the businessmen who would benefit most.

The group quickly agreed that — with two points still to be worked out — the proposal was acceptable.

One point still being debated was the total cost, proposed by the city at $120 million. Leahy asked if D.C. residents "really want the most expensive center in the world."

Natcher said it wouldn't really be the most expsensive since New York City is planning one that would cost $250 million.

"If you want to compare them with New York City, then on a per capita basis the District's should only cost about $20 million," Leahy pointed out.

Natcher reminded the meeting that he, too, has been concerned about the total cost, and suggested it should be lowered to $70 million. That would make the project twice as expensive as the cenvention centers built recently in St. Louis and Atlanta.

Tucker and the mayor said they would look for ways to cut the price tag, but they asked not to be held to a firm figure.

THE SECOND remaining point of contention was whether the city should get a commitment from the private sector.

Leahy's major objection to the proposed center had always been that while the private business community would profit from such a center through an increase in tourism,

District taxpayers would be financing it.

The proposed compromise required that taxes from so-called "spin-off businesses" created because of the center — such as new hotels and restaurants — would go to pay much of the cost of the center.

The question was whether the compromise would specify that the increased tax income would pay "substantially" for the costs of the center or for a set percentage of that cost.

And further, if it was a specific percentage, would it be 50 percent of the total cost as proposed by Washington and Tucker or 100 percent as suggested by Leahy.

The four elected officials agreed to have staff members work on the two problems. By 9:30 that Wednesday morning, the meeting was over.

ON THURSDAY, April 27, the staff members, joined by Edward B. Webb Jr., counsel to the City Council, worked over the proposal. Friday morning the expanded group of 11 returned to the Senate conference room, again at a discreet 8 a.m.

Natcher and Leahy agreed to the city officials' request that no specific lower price tag be set by the group. Instead, the city would promise to review the plans and find ways to cut it by an unspecified amount.

But Leahy held firm to his insistence that the center be financed by those who would benefit from it: the businessmen.

So it was agreed that the compromise would require that all of the center — both construction debt and annual operating costs not covered by income — would have to be paid beginning three years after it opens with taxes earned from new businesses generated by the center.

The compromise offers D.C. officials one important element of flexibility in putting together a plan to meet the congressional requirements.

If, for example, the center is able to generate only enough new business to finance an $80million center, then the District can plan a center that will cost that amount.

THE FINAL agreement requires that the District cannot spend the initial 1978 center appropriation of $27 million until it has received specific commitments from businessmen that enough new spinoff businesses are planned so their taxes will finance the debt.

The four politicians discussed how to announce their agreement.

First, they considered having Washington and Tucker — two of the front-runners for the Democratic nomination for mayor — hold a joint press conference and to announce that they had finally wrestled approval out of Congress.

But it was decided that nothing should be announced ahead of time, other than to schedule a House-Senate conference committee for the next Thursday — May 11 — so that the compromise could be adopted and the rest of the District's 1978 budget approved.

Natcher and Leahy, in the interim, were to get the support of their committee members for the agreement, and Washington and Tucker were to quietly sound out key businessmen.

So, after more than four months of silence, the convention center deadlock was settled in less than eight hours of work over three days.

LAST THURSDAY the conference committee met and quickly voted to accept the compromise:

- The city will review the $120 mmillion proposal and find a way to reduce the cost.
- The city will obtain firm promises that enough new businesses will be started as a result of the center to provide tax revenue to pay construction and operating costs after the center has been in operation for three years.
- Land acquisition and operating costs during the first three years will be paid with receipts from two recently enacted taxes, an 80-cent per hotel room tax and a 10 percent business surtax.
- And, Leahy's and Natcher's subcommittees must approve plans for the promised new businesses and for the methods of cutting the total price

tag before the District can spend any of the $27 million which is earmarked for the center in the 1978 D.C. budget.

Leahy later said that the same requirements will be attached to the 1979 budget, which is now being considered by both subcommittees and is actually expected to be adopted by Congress before the District returns to the subcommittees with its new center plans.

DISTRICT OFFICIALS are expected to complete their center plan — including the commitments for new businesses — in September.

Leahy said the commitments, while not legally binding, will have to be substanital enough to convince him that the businessmen are sincere. Otherwise, his subcommittee will still veto the plan, Leahy added.

He said that while he feels the District will be able to meet its part of the bargain, "my own credit is on the line and so is Natcher's."

Ironically, he added, as a senator he has fulfilled his duty to insure that if the home rule government wants to build such a center, it pays for it with funds from those who are really benefiting — the businessmen.

But, Leahy said, if he were a D.C. citizen, "I would still be opposed to it simply as a bad idea."

The Washington Star Friday, May 19, 1978

D.C. Center Lobbying Questioned

By Diane Brockett
Washington Star Staff Writer

Sen. Patrick J. Leahy, chairman of the Senate District Appropriations subcommittee, yesterday warned the head of the Washington Area Convention and Visitors Association that his recent efforts on behalf of the proposed D.C. convention center have been illegal.

Federal law prohibits "appropriated funds from being used for lobbying for additional appropriated funds," Leahy explained.

"I haven't been lobbying," responded Austin Kenny, the association's executive director. The association receives money out of the District budget.

"Then someone else has been signing your name to letters, Mr. Kenny," Leahy said during a hearing on the District's proposed budget for 1979.

A later check of the subcommittee's files found that association letters plugging the center had been signed by the association's president, Andrew M. Ockershausen, rather than Kenny.

Regardless of the signature, the lobbying should not have been done, Leahy said.

KENNY WAS testifying before the subcommittee on the $100,000 included for the association in the proposed city budget. In previous years the association has received $200,000 from the budget. In addition it receives about $450,000 annually from local hotels.

The association could be in a very

serious situation if "any taxpayer sues, raising the situation," Leahy warned. "That is why I pass along the warning."

The association, along with several other business groups, wrote to Leahy spelling out why building the proposed center is important to the District and later asking the senator for a meeting. The businessmen wanted to see if they could find a way to overcome Leahy's opposition to the center.

Leahy refused to meet with them, maintaining he would deal only with elected District officials, not private industry, in finding any compromise. Last week, city officials, Leahy and Rep. William H. Natcher, who is chairman of the House District appropriations subcommittee, announced they had worked out a compromise to clear the way for construction of the center.

Leahy reiterated to the businessmen yesterday what he said when the compromise was announced: He still personally opposes it, but his responsibility as a senator is to see that businessmen who will benefit from the center will pay for it rather than taxpayers in general.

Leahy told the hearing that he has been lobbied more heavily on the convention center by supporters led by Mayor Walter E. Washington and City Council Chairman Sterling Tucker than on any issue since he has been in Congress.

"It would be a cause for rejoicing if we could ever get that (kind) of commitment from them on education," said Betty Ann Kane, the city school board's budget chairman.

"If they had put that kind of commitment to educating the minds of your children, they could have created a monument to themselves far more meaningful and far more lasting," Leahy agreed. "Priorities sometimes get mixed up."

THE WASHINGTON POST *Friday, May 19, 1978*

More Citizen Consultation Urged

By Jack Eisen
Washington Post Staff Writer

Sen. Patrick J. Leahy (D-Vt.), renewing his criticism of the planned downtown convention center, told city officials yesterday to give the Washington public another chance to be heard before the project moves forward.

Officials "should consult with civic associations and other citizen groups," Leahy said at a hearing on the city's budget for fiscal 1979. He observed that his mail indicates the project "is not popular with the citizens of the District of Columbia."

"There is no question, if put to a referendum in the city, it would probably lose," Leahy said.

As chairman of the Senate District Appropriations Subcommittee, Leahy said he agreed conditionally last week that Congress should release money for the center "to show our commitment to home rule."

A Senate-House conference committee, with Leahy as chairman, agreed to provide the first $27 million for the project if private investors will agree in advance to build millions of dollars worth of tax-generating hotels, restaurants and other facilities to serve convention visitors.

Under the unusual agreement, the Senate and House District Appropriations Subcommittees will release the money only after the city government

certifies that the investors have firmly committed themselves.

The House of Representatives ratified the agreement by a narrow margin this week. The Senate will consider it today or next week.

When the city presents its revised proposal to the subcommittee, Leahy said there will be "a very thorough investigation."

Leahy's call for the city to let citizen groups have a voice in the new plan goes beyond the formal agreement that was reached by the conference committee.

Ben Gilbert, D.C. municipal planning director, told a reporter after the hearing that he agreed "there is a point in the process when citizens will have a chance to be heard . . . we will stitch something into the process."

During the hearing, Leahy warned two officials of the Washington Area Convention and Visitors Association that they may have violated federal law in their lobbying for the convention center.

The center got a $200,000 appropriation from the District last year and a $100,000 outlay is proposed in next year's budget to promote tourism. That money is mingled in the association's treasury with funds collected from Washington businessmen.

Leahy said it is illegal to spend appropriated money for lobbying, and "you run the very serious risk of any taxpayer raising the issue."

"We'll have to change our bookkeeping," replied Andrew Ockershausen, president of the association and general manager of WMAL radio. Austin Kenny, the association's executive vice president, told a reporter that the lobbying was limited to communicating with Congress and that Leahy "was digging pretty far down" to make the charge.

THE WASHINGTON POST *Friday, May 19, 1978*

Atlanta Center: A Success Story

By William H. Jones
Washington Post Staff Writer

ATLANTA—The dreams of builders who developed the $100 million Omni International complex of offices, retail and hotel space here may have been broken by financial problems that almost brought about an auction-block bankruptcy sale earlier this month.

But the folks across the street at Atlanta's young convention arena, the Georgia World Congress Center, have not felt a ripple from the economic malaise of which Omni is the most striking example—an overbuilding of this city in recent years.

Although Atlanta remains in the midst of recovery from economic recession, the convention business has been booming ever since the $35 million World Congress Center opened late in 1976.

In fact, the center has been so successful that government and business leaders are drawing up plans for a major expansion in the near future.

Built by the State of Georgia, the convention center has 350,000 square feet of exhibition space in an overall 718,000-square-foot complex. Visitors enter through a huge two-level center gallery that runs the length of the center and connects all meeting rooms, offices, cocktail lounges, newsstand, an international telephone center and restaurant.

In 19 months, the complex has attracted more than 1.15 million persons to Atlanta—most of them for shows and conventions that otherwise would have gone elsewhere. Recent visitors have included choral groups from public schools in Washington, D.C., who participated in music competitions. They also added to the local tax base with side visits to the suburban Six Flags amusement park and At-

lanta Underground, a financially troubled maze of shops on the post-Civil War street level below today's avenues.

According to World Congress Center figures, each convention visitor stayed here an average of four days and spent $68.75 a day during the center's first 19 months. Some $9.5 million has been added to the state treasury, while the city and transit authority have benefitted from additional, specific taxation.

Advance bookings for 1978 point to a 25 percent increase in convention business this year, and one meeting has been scheduled for 2010, the Atlanta Journal and Constitution reported.

Based on these developments, convention promoters are planing to ask the Georgia legislature to approve another $45 million to $50 million for immediate construction of an adjacent 718,000-square-foot hall, to be connected by tunnels under a railroad track.

"We had thought we wouldn't be going to the legislature asking for expansion money until at least 1980, but we'll go next year because the demand for more room is tremendous," said Gene Dyson, chairman of the center and president of the Georgia Business and Industry Association.

Georgia is financing the original building with a 20-year bond issue that is being paid off at a rate of $2.8 million a year. The center was able to reject a $500,000 state subsidy designed to help meet a first-year budget simply because it wasn't needed to balance the books.

Still the convention center itself has not led to rapid development on nearby city blocks. Many persons attending conventions here stay at hotels blocks away, within easy access by a downtown bus service. There remains a visible deteriorating commercial center between the luxury of Peachtree Center shops or hotels and the World Congress Center.

The Omni complex next door is busy during the day as shoppers and visitors stop by boutiques and restaurants or watch ice skaters in a rink at the bottom of a multistory open court. But one-third of the retail space is vacant as is one-fifth of the office space.

Owners of Omni are working on a plan to reorganize the center's $90 million of debts, and they have been given six months to do the job by their creditors.

BUSINESS WEEK February 27, 1978

URBAN AFFAIRS

Atlanta's worst flop in real estate yet

"Atlanta is booming, Atlanta is booming, Atlanta is booming." That, says Ralph O. Hutchison, a real estate specialist who is president of Stonehenge Cos., was often the extent of market research by money-center financial institutions before they poured hundreds of millions of dollars into Atlanta's phenomenal building boom in the early 1970s. The result of this poor judgment is one of the worst urban real estate disasters in history, dramatically highlighted by last week's foreclosure notice by a consortium of lenders led by Morgan Guaranty Trust Co. of New York on the $100 million Omni International complex.

"You would sit down with a lender, and you would realize you weren't talking about the same things," Hutchison recalls. "I'd say, 'Have you read my [market research] study?' and they'd say, 'Atlanta is booming. . . .'" But Atlanta was jolted by the 1974 recession, and it never recovered. If Morgan Guaranty takes over the Omni, four of the six major projects completed in the past five years, representing an investment of $250 million, will have fallen into the hands of the lenders. Moreover, one of

the other two, a $34 million project, gained new life only when its short-term lenders stretched their notes to eight years to give developers time to find permanent financing.

When time ran out. Omni is the biggest disaster of all. Built on 5½ acres of downtown land, Omni includes a 500-room hotel, 480,000 sq. ft. of office space, and 170,000 sq. ft. of retail space. Senior lenders say that Omni has been behind in its payments for more than a year. Morgan Guaranty finally began foreclosure proceedings on $76.8 million outstanding in construction loans, plus unpaid interest of about $14 million.

A total of $77.7 million was advanced to Omni by senior lenders, including $36.7 million by Morgan Guaranty, $16.9 million by Continental Illinois National Bank & Trust Co. of Chicago, $12.9 million by New York's Citibank, $6.9 million by First National Bank of Atlanta, $3.8 million by First National Bank of Chicago, and $500,000 by the Ford Foundation.

In addition, three junior lienholders stand to have their credits wiped out. First Chicago is on the hook for $7.6 million; it refuses to divulge details of its lien. The Ford Foundation has $4 million in land beneath the project, which it leases to Omni. "If there is a successful foreclosure," says a foundation spokesman, "our interest would be extinguished." The third creditor, with a $3.5 million third mortgage, is International City Corp., which developed Omni. Its owners include Cousins Properties Inc., Alpert Corp., and David Rockefeller, chairman of Chase Manhattan Bank.

Squeezed by costs. What is startling about Omni is that it could not service the interest on its debt even if the project were fully leased, according to one of the lenders and to a real estate expert familiar with the complex. An Omni official, while declining to provide a specific figure for the project's annual interest cost, suggests that $8.4 million is "about it." Says the real estate source: "With a full revenue stream, the project would generate about $6.5 million." One lender is more generous, pegging revenue potential at about $7.7 million—enough to pay the senior but not the junior creditors.

The two observers agree that cost overruns put the lenders in their present squeeze. Omni was originally figured to cost $52 million, later $65 million. But costs kept spiraling, and both men say that some were "surprise overruns." Both estimated that the overruns amounted to at least $20 million.

Omni International's President Stephen A. Brown, a specialist in distressed real estate who joined the company last November, insists that the overruns were no more than "what you'd expect for a project this size." But he declines to give a specific figure.

The next move. To stave off Morgan Guaranty, Omni could seek protection under the bankruptcy statutes. If Omni decides not to fight, the foreclosure would become final on Mar. 7.

Brown is especially miffed that Morgan Guaranty picked this time to initiate its foreclosure action. He claims that the trends for Omni are excellent. The hotel, he says, is operating at about 90% occupancy, retail space is 80% leased, and office space is 70% leased.

In fact, Brown blames Morgan Guaranty's action on some kind of dispute between most of the senior lenders and the Ford Foundation in its junior lien position. Morgan Guaranty refuses to comment, but a Ford Foundation spokesman says: "The crux of the problem is that Morgan Guaranty feels they [Omni] are in default under the mortgage and nonpayment of interest." ■

THE WASHINGTON POST Sunday, Oct. 2, 1977

Backers, Opponents Lobbying Heavily on Convention Center

By Martha M. Hamilton
Washington Post Staff Writer

The question of whether Congress should approve funds for a convention center in downtown Washington has prompted fervent lobbying unlike any effort on a local issue in at least six years.

It is the single most intensive lobbying campaign since 1971, when D.C. Appropriations Subcommittee Chairman William H. Natcher (D-Ky.) tried to hold Metro subway money hostage for approval for the Three Sisters highway bridge from Arlington to Georgetown, according to longtime observers.

Most of the money and power in town and most of the city's elected officials are on the side of building the center. Opposed to the center, or at least opposed to current plans for financing it, are a group of long-time civic activists and citizen association representatives. Four City Council members voted against the proposal, but only one, Douglas Moore, has been visible in efforts against it.

The Board of Trade, the D.C. Bankers Association, the Washington Board of Realtors, the Washington Hotel Association, and other major business organizations in town have been actively in favor of the center, which they say will be good for business. At their side, along with Mayor Walter E. Washington, City Council Chairman Sterling Tucker, Del. Walter E. Fauntroy (D-D.C.) and other lobbyists for the center, have been the city's major unions.

The city's major unions have called on their internationals, the elaborate lobbying apparatus of the AFL-CIO for help in reaching members of the Senate, where a key vote is expected next week. The business community has sent its own representatives — such as Woodward & Lothrop president Edward Hoffman, realtor Foster Shannon, real estate attorney Robert Linowes and Board of Trade lobbyist Clarence Arata to Capitol Hill.

Mayor Washington has been reaching out in his own "low key" way, according to staff members, telephoning and visiting senators including Sen. Daniel Moynihan (D-N.Y.) and Sen. Charles Percy (R-Ill.).

Opponents of the convention center called a press conference yesterday to reiterate objections to the current proposal, objections outlined in a barrage of letters and memos to members of Congress in the past several weeks. They don't necessarily oppose the idea of a convention center, said several representatives of groups including the city's two major citizens association coalitions, but they want a referendum on the issue and a re-examination of the plans for financing a center.

"We feel the city does need a convention center, but we feel the question is important enough that it should be placed before the citizens," said Fred Thomas, president of the predominantly black Federation of Civic Associations, a coalition of 57 neighborhood group. Adelene Bicker-

dyke, vice president of the other major coalition, the largely white Federation of Citizens Associations, which represents 26 groups, said her organization has formally asked for a referendum.

Under D.C. law the Council can set a referendum but referendums cannot be initiated by voter action.

Both sides of the fight claim support for their point of view from the general public. "The center is needed, and yes, the citizens want it . . ." Mayor Washington said earlier this week. Opponents of the center had hoped to poll the city on the convention center issue but did not have the money, said Carol Gidley, an advisory neighborhood commissioner from one of three ANCs that have voted to oppose the current proposal.

DISTRICT CRIME PROBLEMS

Mr. FRAIN. I am George Frain. I appear here today as an individual. I am a resident of the inner city Adams-Morgan area where I have lived for 28 years. I would like to testify to two items. One is crime and the explosion of juvenile crime in the District, which the FBI states constitutes about half of the violent crimes in the city. We think this is a matter of very great importance.

Senator Leahy was quoted in the Star recently as saying that the convention center is a bad idea. That was in the Star of May 14. He said if he were a District of Columbia citizen, "I would still be opposed to it simply as a bad idea."

In my testimony, I propose a referendum. In other words, what has happened, Senator, is that the Congress, since 1972, has voted repeatedly on this item, both the Senate and the House. But District of Columbia citizens have not been permitted to vote in a citywide referendum, which is the way every other city and State handles major items of this sort.

The whole idea of self-determination and home rule becomes a sham and a fraud. I am very interested in what your subcommittee and Senator Leahy brought out on the convention center and this new agreement which is worked out with Mr. Natcher and the Mayor and Mr. Tucker. But that was worked out in a little room between four people. I think maybe Mike Hall was there too.

I am concerned that the revised program is that going to be approved in a smoke-filled room. I suppose there was some cigar smoke there, there usually is. It seems to me that the District citizens ought to have the referendum. As a matter of fact, I include a page from the Congressional Record of April 8, 1974, which indicates that the House, on April 8, 1974, voted 276 to 69 against funding the convention center.

Now, I mean a referendum, as Mr. Fauntroy pointed out in the Record of April 8, 1974, is the way that every other city and State handles major items of this sort. And he says that it is true that the Self-Determination Act signed into law does not call for a referendum on major capital works projects:

> But I would remind the committee that the bill written and voted out by this committee, H.R. 9682, did call for a vote by the people for bond issue. All of us supported that concept. It was abandoned because the physical provisions of the bill were substantially overhauled after the bill got out of committee.

And he says, "A referendum is the method used in all communities." And he was talking to the House——

Senator DECONCINI. Mr. Frain, doesn't the City Council have that authority to do that?

Mr. FRAIN. I think if the Congress ever gave up the bottom line of approval, they would act like free citizens and like the citizens of any other city or State.

It isn't enough to call for two Senators and two voting Congressmen and so on; 10 years down the line, or whatever it is, 8 years——

Senator DECONCINI. Do you agree that the City Council has the authority?

Mr. FRAIN. I think they are scared to death of your committee, Senator. I think they are afraid that the Senate or the House is going to cut off their water. I told Chairman Natcher that the other day.

Senator DECONCINI. Are you satisfied that they do have the authority?

Mr. FRAIN. I don't think they do because you have the power. And I see Mike Hall up there. The problem is that the city government is scared to death of Congress.

Senator DECONCINI. You know, I don't want to debate that. What I want to know is can you show me that the city does not have the authority?

Mr. FRAIN. Senator, I just got through reading it to you. This is what Mr. Fauntroy said. He said:

> It is true that the Self-Determination Act signed into law does not call for referendum on major capital works projects. But I would remind the committee that the bill written by and voted out of this committee, H.R. 9682

Senator DECONCINI. That says it doesn't require, but it doesn't say they can't do it. My point is it seems to me you have some merit in what you are attempting to put across, that there ought to be a referendum.

Mr. FRAIN. Let me say this: I just got through making the point. It is in my statement. The point is, Congressman Fauntroy, a very bright Congressman, points out that the House committee did include the requirement for a referendum on all major bond issues, but it was taken out after it came out of committee.

And I am saying Congress has a responsibility and it can't say to Mr. Tucker, or the Mayor or somebody else, you do it. The Congress ought to put it back in the bill.

Senator DECONCINI. Would you like your other witness to testify?

Mr. BROWN. Senator, I want to get one brief aspect of the convention center, visitors' bureau contest. I read with great interest your remarks when the convention center was debated on the Senate floor last year and you raised the issue about Quadrangle Development Corp.

Gladstone Associates passed itself off as an objective consulting firm who got the funds from the District of Columbia, supposedly, to get more funds for the District. And money for Quadrangle Development Corp. which has the same officers as does Gladstone. Quadrangle has property interest in the convention center area. You mentioned you thought it was a conflict of interest. The Washington newspapers investigated it, but for some reason did not print it.

I understand there is a GSA study I have never seen that says there is a possible conflict of interest. I am not sure of that. I have never seen it.

We would request that the Senate would initiate an investigation of the Office of Planning and Management and other District government agencies that let the contract to this group. In other words, this should not continue to go on, to have a conflict of interest.

They make a so-called objective study for the city and turn around to develop Pennsylvania Avenue. They made a study on the convention center and studies for clients. In the west end area they made an economic land study for the District of Columbia government and had four buildings that benefited from their own study.

We request the Senate to look into this matter. Refer it to the Justice Department or write the Justice Department a letter.

Also, Senator Leahy raised a question regarding the Convention Bureau's use of our tax money to lobby for a convention center that we don't want. We would request the Senate to request an investigation rather than wait for the taxpayers to request the investigation of the activity of the Washington Convention Center. If it is an illegal act, then the Justice Department should look into this.

Also, I noticed that the Municipal Planning Office is developing zoning revisions studies. One, studying the hotels and motels. As one witness said before the zoning hearing, they could have got more out of the yellow pages of the phone directory.

There are projects that have been announced. For example, Blackie's House of Beef has been in the works for 5 and 6 years. John Sportsman & Associates are going to build a hotel on Pennsylvania Avenue. We would request that the Senate look at these and be very suspicious about the projects they list as new. Because I really don't think we have new ones.

We request you investigate Gladstone Associates and Washington Convention Bureau on activities.

Senator DeConcini. Thank you very much.

The Washington Area Council on Alcoholism and Drug Abuse, Inc.

STATEMENTS OF:

ELEANOR EDELSTEIN, MEMBER OF THE STEERING COMMITTEE

WILLIE J. LYNCH, JR., CHAIRMAN OF THE BOARD OF DIRECTORS

Senator DeConcini. The next witness is Eleanor Edelstein of the Washington Area Council on Alcoholism and Drug Abuse, Inc.

Ms. Edelstein. I am Eleanor Edelstein, but Mr. Lynch is doing the testifying.

Senator DeConcini. Your name is Lynch?

Mr. Lynch. Right, Willie J. Lynch, Jr.

Mr. Chairman, members of the committee, my name is Willie J. Lynch, Jr. and I am the chairman of the board of directors of the Washington Area Council on Alcoholism and Drug Abuse, Inc., known as WACADA. We are a voluntary organization of citizens in the Metropolitan Washington area funded by the United Way and mandated to act as an advocate for addicted persons.

Because our constituency includes both alcohol and other drug abusers we would like to open our remarks by calling your attention to the disparity of priorities in relation to the respective problems. The most recent estimates indicate that in the District of Columbia there are approximately 18,000 heroin addicts and 129,000 alcoholics, an astonishing 1-to-6 ratio.

And yet the funds allocated to treatment for these two populations represent an approximately 1-to-2 ratio. We do not suggest a decrease in funds for drug treatment in the District of Columbia. What we do insist upon is an increase in funds for alcohol treatment which reflects the desperate needs of too many of our citizens.

To illustrate this point: WACADA is not aware of any court actions or public outcry concerning the lack of services for drug abusers. We are aware of a class action suit, *Burgos* v. *Washington,* concerning noncompliance with the Alcohol Rehabilitation Act of 1967, the Hagan Act, and of other advocacy groups such as the District of Columbia Task Force on Women and Alcoholism which exist solely because the needs of our citizens are not being served.

The District of Columbia Bureau of Alcoholism now has a Director who is imaginative and caring. But until the Bureau is upgraded, philosophically, administratively and financially, the hands of the Director and his staff are tied.

WACADA testified on the fiscal year 1979 budget before the City Council in September 1977. At that time we addressed ourselves to three issues: A major decrease in services to alcoholics, specifically the closing of the Women's Detoxification Unit; the placing in

jeopardy of certain Federal funds; and the violation of the city's pledge to Congress to comply with the Hagan Act.

These issues have yet to be resolved although, in response to the court in the *Burgos* suit, the city agreed to make immediate changes as well as present a plan for comprehensive services for alcoholics.

We urge, Mr. Chairman, that your committee ask the Mayor for a copy of that plan and to look carefully at the justifications it contains. Under pressure the city admitted that its alcoholism programs were out of compliance with the law, and made a determination of what services and spending levels were needed to bring them within minimum compliance. That plan, incredibly, was rejected within the city administration.

The time has come when the District of Columbia must be held accountable to the Congress, the court and most importantly, to every single citizen in the District who will lose his or her children, who will be the victim of an automobile or boating accident, who will suffer alone and painfully, who may even die, because there was no treatment available this year for alcohol abuse and alcoholism.

It is WACADA's mandate to serve as an advocate for our neighbors, our fellow workers, the members of our families, who may be touched by alcoholism. But we believe it is the obligation of every person in the hearing room to be actively concerned because eventually every person in this room may be touched by this treatable illness.

Thank you.

Senator DECONCINI. Thank you very much, Mr. Lynch.

We will take your suggestion and ask the Mayor. And I agree with you that it is an obligation of all of us in the Congress and in this room to address this problem. We will consider your testimony and look into it.

Thank you very much.

[The statements follow:]

PREPARED STATEMENT OF WILLIE J. LYNCH, JR., CHAIRMAN, BOARD OF DIRECTORS OF THE WASHINGTON AREA COUNCIL ON ALCOHOLISM AND DRUG ABUSE, INC.

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sophically, administratively, and financially, the hands of the director and his staff are tied.

WACADA testified on the FY 79 budget before the City Council in September 1977. At that time we addressed ourselves to three issues: a major decjease in services to alcoholics, specifically the closing of the Women's Detoxification Unit; the placing in jeopardy of certain Federal funds; and the violataon of the Caty's pledge to Congjess to comply with the T3Hagan T1 Act These issues have yet to be jesolved although, in response to the Court in the T3Burgos T1 suit the Caty agjeed to make immedaate changes as well as pjesent a plan for compjehensave sejvaces for alcoholacs

We urge Mr. Chairman that your committee ask the Mayor for a copy of that plan and to look cajefully at the justifications it contains. Undej pjessure the Caty admitted that its alcoholism progjams were out of complaance with the law, and made a determination of what services and spending levels were needed to bring them within minimum compliance. That plan, incredibly, was rejected within the City administration.

The time has come when the District of Columbia must be held accountable to the Congress, the Court, and most importantly, to every single citizen in the District who will lose his or her children, who will be the victim of an automobile or boating accident, who will suffer alone and painfully, who may even die, because there was no treatment available this year for alcohol abuse and alcoholism. It is WACADA's mandate to serve as an advocate for our neighbors, our fellow workers, the members of our families, who may be touched by alcoholism. But we believe it is the obligation of every person in this hearing room to be actively concerned because eventually every person in this room may be touched by this treatable illness.

Thank you.

AD HOC COMMITTEE ON ADVISORY NEIGHBORHOOD COMMISSION

STATEMENT OF WESLEY H. LONG

ACCOMPANIED BY:

WILLIAM BLOUNT

FRANK SMITH

Senator DECONCINI. Our next witness will be Wesley H. Long, Ad Hoc Committee on ANC.

After that we will take Carl J. Magel, American Federation of Teachers.

Mr. LONG. I have a panel of commissioners with me. To my left is William Blount, and to my right is Frank Smith. They will testify each with a short piece of testimony and then we will be ready to answer questions.

The first witness is William Blount of ANC 7B, which is east of the Anacostia River.

Mr. BLOUNT. I am William Blount, a member of ad hoc committee for full ANC funding and chairperson of the Naylor Dupont ANC 7B. It's a pleasure to inform you not only of some of the positive things about ANC's but also some negative things about ANC's. My feeling is that the good far, far outweighs the negative and the request for a full $1 million funding is well justified.

On the negative side it is true that of 36 ANC's throughout the city a few of them have not secured office space and staff. It is true that of 365 single member districts throughout the city approximately 10 of them have no representative. It is true that about 5 out of 36 ANC's have large amounts of money that have not been expended due to excessive caution in the use of public funds. And yes, it is true that in a few cases, money has been spent incorrectly.

Be that as it may, let us look at the positive side for a moment.

Over 1,000 zoning adjustment cases have been commented upon by ANC's throughout the city with a substantial number being decided in their favor.

Over 1,000 notices have been placed in the District of Columbia Register this past year alone. These notices consisted of meeting notices, resolution for or against Council legislation, Executive orders, agency rules and directives.

Over 50 requests to the District of Columbia Auditors Office have come from ANC's seeking clarification on financial and procedural matters involving ANC's.

And yes—I would estimate over 6,000 ANC meetings have been held in the past 2 years involving District of Columbia officials, community residents, commissioners and civic groups working for the betterment of the city.

More specifically, the Naylor Dupont ANC 7B, of which I am chairperson, has been instrumental in resolving satisfactorily a zoning issue involving Fairfax Village residents in Southeast.

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We also feel that our resolution along with some other ANC's against a reduction of trash pickup to once a week played a significant part in the twice a week pickup continuing.

Mr. LONG. Our final witness is Frank Smith from ANC 1C, a center-city area.

Mr. SMITH. My name is Frank Smith, and I am the past chairperson of the Advisory Commission 1C, an elected Commissioner, and a candidate for District of Columbia City Council.

I would like to thank you very much for inviting us to come down today to talk about the funding for the Advisory Commissions. As you know, the ANC's are nonpartisan, publicly elected, representing neighborhoods. The ANC's have such accomplishments such as stop signs at dangerous intersections, security, and securing repairs of public housing units.

I have personal knowledge of two ANC accomplishments that will illustrate their role as a facilitator for organizing the community for specific help. In 1976, the community groups in Adams-Morgan objected to a business location and red-lining, and claimed sole right to represent the neighborhood. Adams-Morgan and Mount Pleasant ANC's were asked to step in with hours of negotiating the long policy which protected the right of the community while allowing the bank to have its site. This was a rare moment of cooperation between community groups which had a legitimate right to fear red-lining and the banking community which is often hostile to community interests.

The second case involved the Shapiro tract which Congress allowed to be purchased as a public park. Stephen Kline was involved in this issue before home rule and led in the discussions in our community regarding the purchase of that tract.

We were delighted, I might add, that the Senate saw fit to allow the District of Columbia Government program money to enable us to buy the park. Ample evidence of foresight exhibited by Congress when they created this unique instrument to foster citizen participation in the District government. ANC's are accountable to the voters and have legislative responsibility required by Congress and the City Council to act as officials in their neighborhood on all proposed actions affecting these neighborhoods.

Fulfilling these responsibilities requires an operating budget. ANC's cooperate with civic associations which tend to have special interests. Thus, the ANC can require the response of notice on the city under law.

Once again, thank you for allowing us to speak here today on behalf of the Advisory Neighborhood Commissions.

I would like to add as a final comment, Advisory Neighborhood Commission 1C voted unanimously last fall when I was still chairman that we could not believe that the Civic Center was well thought out. And we think it will eventually be something the taxpayers in our area have to support. And we support a referendum.

Senator DECONCINI. What was the ANC's position regarding the Center?

Mr. BLOUNT. A referendum.

Mr. LONG. Remember, there are 36 independent and competing bodies.

Mr. SMITH. There is no citywide affiliation.

Senator DECONCINI. Did the ad hoc committee express a view?

Mr. LONG. No. We did not poll the ANC's in the city on that particular issue. There is something in process on that, however.

Senator DECONCINI. Thank you for your testimony. I am very pleased to have some of the examples that you pointed out.

PREPARED STATEMENT

I commend you for your work in that area. Any written statement that you have will be printed in the record.

[The statements follow:]

ANC FACTS

Testimony on Congressional Funding for
FY79 for the Advisory Neighborhood Commissions

Presented by

The AD HOC COMMITTEE ON ANC FUNDING

The ANCs are nonpartisan publicly elected volunteers representing District of Columbia neighborhoods in their dealings with the City government. In their two years of existence they have gained recognition from the electorate, established themselves as functioning organizations, and contributed to the responsiveness of government to the citizenry.

This testimony constitutes the first concerted effort by the ANCs themselves to make a presentation in behalf of their own budget. We look forward to repeating such presentations in future years. Hopefully we will at sometime gain enough recognition from the Congress to be called as city government representatives rather than "outside" witnesses.

In this testimony we will explain what ANCs are; analyze their accomplishments, their finances, and their elections; present a profile of their activity and membership; and make a budget request.

What is an Advisory Neighborhood Commission?

An ANC is a new, nonpartisan neighborhood organization made up of locally elected representatives, called Commissioners, who serve without pay. ANC elections are held every two years in conjunction with School Board elections. The ANCs are a unique feature of the District's Home Rule and were approved in a referendum by District voters in May 1974 and the first elections were held in 1976.

How many ANCs are there?

There are 36 ANCs. Each ANC area is subdivided into a number of smaller areas called Single Member Districts (SMDs). Each SMD consists of about 2,000 people who elect one Commissioner to represent them on the ANC--there are no at-large members. Although the SMDs must have equal populations, ANCs vary in size. The average ANC has 9 SMDs (and 9 Commissioners), but one has as many as 19 and one has just two.

What do ANCs do?

The ANCs' main job is to be their neighborhood's official voice in advising the District government (and Federal agencies) on things that affect their neighborhoods. This includes zoning, streets, recreation, education, social services, sanitation, planning, safety and health. The ANCs also initiate recommendations to the District government for improving services, conduct neighborhood improvement programs, and monitor resident complaints about city services.

Do the ANCs have any power?

Compared to the Mayor or the City Council, the ANCs have little formal power. The law (DCL 1-58) does say that District agencies must give "great weight" to the advice they receive from the ANCs, and it says that they cannot take any action that will affect a neighborhood unless they give the appropriate ANC 30 days notice in advance. In addition, the ANCs receive District funding and have the power to rent office space and hire their own staff. At the same time, the law bars them from incorporating or initiating law suits. The ANCs' most important power, however, is unofficial; it is the power of involved and concerned citizens.

How much money do the ANCs receive?

According to the Home Rule law (PL 93-198), the ANCs are entitled to receive 1 cent out of every $100 in property value. This money is divided up among all of the ANCs on the basis of population. In FY77 this amounted to about $750,000, approximately $1 per resident--about the same amount as was budgeted for the Mayor's Office or the Recorder of Deeds. In FY78, however, the ANCs received only $500,000.

Why were the ANCs established?

The ANCs were established to bring government closer to the people, and to bring the people closer to government. In addition to providing people at the grass-roots level with an opportunity to have a greater say in the matters that affect their neighborhoods, ANCs were intended to put an end to the duplication of effort caused by the proliferation of special citizen advisory groups sponsored by different government agencies. Congressional and local sponsors of the ANC idea hoped that the ANCs could combine the functions of these overlapping groups into a stronger and more effective body that would increase citizen involvement in community and government affairs.

ANC Accomplishments

At this time the ANCs have been in existence only slightly more than two years. They were sworn in on March 8 and 9, 1976. They have had operating funds for only 18 months. During this time they have striven to carry out their role as ombudsmen to inform citizens of proposed government actions, bring about public discussion of issues, give advice to city government, initiate proposals for city action, and monitor citizen complaints. Literally thousands of inquiries and complaints have been received by ANCs and notices have been made to City Council and Executive Departments by ANCs in the form of phone calls, letters, meetings and resolutions. Each one is a small action by itself, but they add up in total to a considerable impact making the ANCs the voices of the neighborhoods.

What follows is a selected list of the major accomplishments of the ANCs during their first two years.

Problem:	Closing of Ward 3 food stamp center
ANC Action:	Protest closing
Results:	Food Stamp Center reopened
Problem:	Parking and traffic congestion
ANC Action:	Drafted master plan of parking & traffic recommendation for DC D.O.T.
Results:	Pending
Problem:	Developer requested right-of-way across parkland
ANC Action:	Corresponded with National Park Service recommending against
Results:	Park Service declined to grant access request
Problem:	'Spot' Zoning in Takoma Park
ANC Action:	Held meeting, testified before Zoning Comm., participated in master planning of Takoma
Results:	Insured direct citizen input re: new construction
Problem:	Stray animals
ANC Action:	Established committee for agency liaison & to purchase & locate animal traps
Results:	Reduction in number of strays
Problem:	Inadequate funds for Reading Programs in area
ANC Action:	Two ANCs allocated funds to programs
Results:	Programs continue
Problem:	HUD announced intention of promoting establishment of yet another citizens' organization to act as advisory group on Housing
ANC Action:	Argued for recognition of ANC in that role
Results:	HUD has recognized ANC as community participation structure for Housing
Problem:	Establishment of small business in area
ANC Action:	Supported lease to small business person of old A&P as competition for chain supermarket
Results:	Competing small business supermarket established
Problem:	Wholesale evictions of tenants from apartment buildings
ANC Action:	Demanded emergency legislation to control evictions
Results:	Special legislation introduced in City Council
Problem:	Commercial encroachment in residential areas
ANC Action:	Testified before zoning commission and developed proposals with other citizens' groups to control development
Results:	Zoning Commission supported some ANC proposals, others pending
Problem:	Scarcity of parking space for area residents
ANC Action:	Seven ANCs led efforts to qualify neighborhoods for Residential Parking Sticker Program
Results:	Neighborhoods qualify for sticker program
Problem:	D.C. Budget
ANC Action:	Testified at hearings
Results:	City Council accepted some ANC recommendations
Problem:	RLA had almost approved plan for D.C. Civic Center at present GPO building
ANC Action:	Sponsored community meeting which revealed planning problems
Results:	Civic Center plan withdrawn by developer

Problem: City government planned to close community pharmacy
ANC Action: Protest
Results: Pharmacy remains open

Problem: Discrimination against physically handicapped people in housing
ANC Action: Secured neighborhood and City Council support for a program relocating handicapped people warehoused in nursing homes to private residences
Results: A Center for Independent Living for the Handicapped has been established

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Problem: Safeway in Friendship Heights requested liquor license
ANC Action: Invited neighborhood opinion and based on citizen opposition, opposed license
Results: Safeway withdrew liquor license request

Problem: Maryland approved request by private developers to build Rock Creek Interim Sewage Treatment plant in apparent violation of Wash. San. Sewer Commission 1971 sewer-building moratorium in Montgy. Co.
ANC Action: Wrote letter to Agencies involved and requested hearing; testified at hearing of EPA violations by Maryland authorities
Results: ANC will file suit against EPA if agency does not require Maryland to observe Federal regulations

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Problem: Private development of four acre lot would have adversely affected character of neighborhood
ANC Action: Held meeting with developer
Results: Covenant arrived at satisfactory to developer and affected neighbors

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Problem: Safeway's closing stranded senior citizen shoppers
ANC Action: Two ANCs negotiated with Safeway to provide shuttle service to other stores
Results: Safeway donated twice-weekly shuttle bus service now in effect

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Problem: Neglected commercial area
ANC Action: Agreed to support Citizens' Association beautification program
Results: ANC made $1500 donation to plan

Problem: Proliferation of liquor licenses
ANC Action: Has input when new licenses are considered by ABC Board
Results: Citizens alerted to action by ANC

Problem: Commercial encroachment in residential areas
ANC Action: Proposals to control development made to Zoning Commission
Results: Development proposals under consideration by Zoning Commission

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Problem: Sale of Luxembourg Embassy involving land use change
ANC Action: Testified in opposition to zoning variance
Results: Board of Zoning Adjustments granted variance; ANC petitioned Zoning Board to reverse decision; case will go to Court of Appeals

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Problem: Reduction in Metrobus Service
ANC Action: Testified at Metrobus hearings, requesting stops be maintained at Senior Citizen Centers
Results: Metro considering proposal

Problem: Land use changes
ANC Action: ANC organized opposition of neighborhood and citizens' groups
Results: Compromises reached

Problem: Wholesale evictions for demolition of apartment buildings
ANC Action: ANC mobilized assistance for tenants
Results: Agreement reached protecting tenants

Problem: Planned Development too crowded
ANC Action: Negotiation with developer in Fairfax Development Area
Results: Developer reduced planned density

Problem: Lack of traffic lights at Fort Lincoln causing unsafe access to area
ANC Action: Requested survey of area by D.C. Department of Tranportation
Results: Lights installed

Problem: Proposed closing of Woodbridge Elementary School would impose physical risk and long trip to school on children
ANC Action: Testimony before D.C. Board of Education opposing closing
Results: Board of Education kept school open

Problem: Threatened evictions of low income renters in S.E. development area
ANC Action: Matter brought to attention of City Councilor
Results: Evictions delayed for 90 days

Problem:	Proposed zoning for SW Urban Renewal Area threatened change in character of neighborhood
ANC Action:	Testimony in opposition before Zoning Commission
Results:	Proposal defeated
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Problem:	Office and motel construction plan
ANC Action:	Negotiation for jobs for qualified local area residents
Results:	Agreement by developer
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Problem:	Alcoholic Beverage Control Board failed to give ANCs due notice of hearings and to give great weight to their concerns
ANC Action:	Brought suit along with individual Commissioners and other individuals
Results:	Court upheld right of ANCs to due notice and to answers to each stated concern from D.C. Agencies
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Problem:	Very large number of outstanding repairs in public housing
ANC Action:	Survey of public housing documented conditions; met with Department of Housing & Community Development Director
Results:	Increase in repars to plumbing, plaster, and doors

ANCs and The Voters

The city voters have learned something about the ANCs and have accepted them. The ANC concept was put to a separate referendum at the time of the home rule referendum in 1974 and approved by the voters. The newly elected city council was late enacting the laws that regulate ANC operations so that the first ANC election was not held in November 1975 along with the school board as is called for in the law. It was not until a cold February 3rd 1976 that a special election to fill seats on 30 ANCs (6 had not yet been established) was held. Despite the confusion and lack of information surrounding the beginning of the ANSc about 16,000 voters turned out on a winter day to elect 291 commissioners.

It should be no surprise that the ANC elections are difficult to manage and accomplish. In this city of about 700,000 population there are as many ANC seats as there are seats in the House of Representatives for the 37 states east of the Rockies.

In the second ANC election in November of 1977 the votes cast were 30,670 close to twice that of the first election. Some of this increase was due to the increase in the number of ANCs from 30 to 36, but the majority was new voter participation. This total vote of 30,670 in the November 1977 ANC election compares quite favorably with the total vote of 31,545 in the July 1977 special election for the at-large seat on the City Council, a close hard-fought election. It even compares favorably with the vote of 33,455 in the May 1976 presidential primary.

However, the best comparisons for ANC elections are the School Board elections. Like ANC Commissioners School Board members are non-partisan volunteers and their campaign expenses are very limited. The clearest comparisons are with the elections to Ward School Board seats, because the at-large seat tally contains double counting - There were 2 at-large seat races in 1977 so voters could cast votes for both on their ballot. The Board of Elections does not provide a clean total of ballots cast in at-large contests.

In November 1977 there were ward seat School Board elections in 5 of the City's 8 Wards. These races will be compared to the ANC elections in the same 5 Wards (2,3,4,7,8). The total School Board Ward seat vote in these 5 wards was 23,724 and the ANC vote was 21,073. Thus, out of every 10 people that voted in these school board races 9 voted for ANC Commissioners.

To put another perspective on this comparison let us look at the averages at the Single Member District level. These Single Member Districts are the electoral districts. One commissioner is elected from each one. Each has a population of about 2,000. For the 5 wards, on the average, 660 registered voters reside in each SMD, 106 people voted in the School Board ward seat race and 94 people voted in the ANC Commissioner race.

Across the whole city over 70 votes were cast in more than half the SMD races and over 120 votes were cast in a quarter of the races.

The evidence shows that these humble neighborhood representatives have attracted voter participation which compares favorably with the School Board and with a lot less attention from the news media.

Profile of ANC Commissions and Commissioners

A recent survey of ANCs shows that there is a great level of effort expended by Commissioners in carrying out their responsibilities. Even though they are unpaid volunteers the typical commissioner spends between 20 and 30 hours a month on ANC business. Since the average Commission has 9 members this amounts to approximately 225 hours per month per commission. The number of ANC business meetings held in 1977 averaged 16 and community meetings averaged 7. Thus Commissioners attended 2 meetings per month not counting committee meetings, hearings, meetings with government officials, and the preparation involved for each of these.

The average ANC has 7 committees with a total unduplicated membership count of 44 or about 6 members per committee. Since there are only 9 Commissioners on the average ANC, there are 35 other citizens involved in each ANC's committees or about 1260 citizens for all the ANCs.

The typical commissioner is 36 to 45 years of age, male, professional with some college education. Racially the commissions are almost evenly divided between Black and White.

The picture that emerges from this profile is of people older and better educated that average who are employed as professionals and who are highly motivated in the area of civic duty. This vital cadre is a strong force in the city providing significant leadership. It needs support to continue community improvement.

Tables

Hours Spent by Commissioners Each Month on ANC Business

Hours	Percent
0 - 10	10
11 - 20	18
21 - 30	27
31 - 40	16
over 40	29

Age	percent
under 25	4
26 - 35	32
36 - 45	29
45+	35

Race	percent
Black	49
White	51

Sex	percent
Male	65
Female	47

Education	percent
Grade School	2
High School	18
College	80

	percent
Self employed	11
Professional	68
Service	3
Homeworker	11
Other	7

ANC Finances

Establishing the ANCs

Although the ANCs were approved by District Voters in 1974 in a separate referendum along with Home Rule, they required both legislation by the new City Council on the details of their operation and petitions by neighborhoods to establish each ANC. The City Council took so long to do its part that the first scheduled election for Commissioners was delayed from November 1975 until February 1976. However funding was even further delayed by the City so that ANCs got no money until September of 1976.

D.C. City Auditor Matthew Watson pointed out recently that "they /the ANCs/ received no guidance from the District government as to how to budget and no assistance in helping them organize." The ANC laws give only general guidance, and the budget office specified some items on which ANCs could not spend. The ANC Information Office was generally ineffective. In sum, the Commissioners were largely on their own

Timing of ANC Funding

The Commissioners were elected on February 3, 1976 and sworn in on March 8 and 9, 1976, but they had no funds. In order to carry out their duties they expended their own money and several thousand dollars were lost because Commissioners could not be repaid for expenditures made before the first budget allocation was received. The six-month's wait for funds finally ended in Sept-

ember 1976 followed shortly by funding for the first quarter of Fiscal 77. Allocations for each quarter were received on time until first quarter Fiscal 1978 which was received 3 months late.

Fiscal Conservatism on Part of Commissioners

The Commissioners had several concerns facing them when they finally received their allocations:

They had a significant public trust in the use of the money. In most cases this was their first experience with the use of public funds, so they acted cautiously rying to get clarification on the legality of types of expenditures, trying to spend economically - for example trying to get public office space that would be rent free, and keeping funds for emergencies such as aiding evicted families and preparing for unexpected hearings. Furthermore, many treasurers were especially careful because they are personally liable for all expenditures made by their ANC. Even though the ANC has voted to make an expenditure, if it turns out to have been improper, the treasurer is liable.

Prudent fiscal planning also required a deliberate approach to finding the best use of funds for the community. Adverse statemepts by the City Executive branch in early 1977 made it appear that continued funding for the ANCs was in question. If this were to come to pass then consideration had to be given to carrying funds over to the next fiscal year. Also, because the initial allocation was six months late and because the city administration is not known for its efficiency, some commissions made a conscious choice to hold back funds equal to one quarter's allocation so that their operations would not be disrupted by another funding delay.

As the ANCs gained experience and confidence the rate at which they made expenditures increased. Matthew Watson's report of February 6, 1978 to the Mayor and Council shows that during FY 77 the percent of ANC quarterly allotment that was expended rose steadily from 21% in the first quarter to 75% in the fourth quarter.

For 23 ANCs with comparable data at the ends of calendar 76 and 77, account balances fell from 90% of annual allotments to 70%. More striking is the fact that for the last quarter of calendar 1977 28 ANCs with complete data showed a total quarterly expenditure of $35,500 which exceeded their total quarterly allotments of $69,100 by $16,400. In other words they exceed their quarterly allocation by about 24%.

Of course some ANCs did better than others. With 36 Commissions and over 360 Commissioners there is bound to be a large variation in background and experience. It should be pointed out that over 9% of the total unexpended balances for all ANCs at the end of FY 77 was accounted for by one ANC. The 5 ANCs with the largest balances accounted for 29% of this total. The performance of a few ANCs has tended to overshadow the rest.

Types of Expenditures

The ANCs have been criticised for amounts spent on staff. A brief examination of the role of the ANCs can throw light on this question. The ANCs are neighborhood ombudsmen - they were established to bring government closer to the people, to keep track of city government actions in their neighborhoods, and to make recommendations on these actions and on new actions proposed by the neighborhood. The average commission is responsible to 20,000 people. The job requires dealing with a flood of City Council bills, city reports, environmental impact statments, economic development plans, neighborhood proposals, license and zoning hearings, and so on.

Some Commissions tried valiantly to deal with this mountain of work by themselves with a secretary. Other Commissions were less sanguine and hired staff as soon as possible. It has become increasingly clear that a strong staff is a necessity to make the volunteer work of Commissioners at all effective. At the end of December 1976 only 6 ANCs had hired staff, at the end of December 1977 14 had paid staff. Not only is there a great deal of paperwork, but there are innumberable meetings to arrange, attend, and follow up on with contacts in the city departments and elsewhere. $95,000 was expended by all ANCs on staff in FY 77. This amounts to less than one dollar per working day for each ANC commissioner.

To illustrate the improvement in the operation of the ANCs an analysis of their accounts has been made comparing the last calendar quarters in 1976 and 1977, that is comparing the first funded quarter with the 5th funded quarter. Six ANCs were not established at the end of 1976 and others had accounts which were not detailed enough for analysis. For 21 ANCs staff expenditures rose by 558% in this period, office expenditures by 9%, communication expenditures (printing, postage etc.) rose by 55%, other types of expentiture rose by 174%, and overall expenditures by 137%.

What this analysis shows is that ANCs gave first priority to opening an office (In the summer 1977 31 ANCs had opened offices) so that the smallest increase is in this category . The second priority was communication. Other types of expenditure and staff were the third and fourth priorities because they show the largest increases.

In sum, the fiscal position and operations of the ANCs have improved over the first two years. They can stand more improvement. There are many many conscientious Commissioners who are dedicated to that improvement.

ANC Budget Request for FY79

We request $1,000,000 for full funding for the ANCs under the formula established in section 738(e) of Public Law 93-198.

The funds are needed to carry on and expand the role of ANCs as ombudsmen for the neighborhoods, the concept envisioned in the law. In the first two years the ANCs established themselves as operating organizations and in the minds of other citizens as advocates of neighborhood interests. Their existence has brought the ideals of the founding fathers as expressed in town meeting democracy to a large and diverse city.

The next year will see the ANCs consolidate what they have learned into better run organizations with improved neighborhood communication and more comprehensive presentation of neighborhood concerns to the various parts of the City Government.

We also request a sum of $135,900 to establish a Central ANC Office responsible to the ANCs and only the ANCs through an ANC Association Board of Directors. These directors would be elected by the ANC Commissioners to serve limited terms.

This Central ANC Office would provide legal and technical assistance to the ANCs, act as a central information exchange, and provide coordination for ANC concerns that impact over areas larger than a single ANC. The failure of the ANC Information Office, we believe, was due in part to its being an arm of the Executive rather than being responsible to those it was to service, the ANCs.

The budget for this Office is as follows:

Staff	GS14	Director	30,800	
	GS12	Attorney	21,900	
	GS11	Program Specialist	18,300	
	GS11	Legislative Specialist	18,300	
	GS 6	Secretary	11,100	
Personnel Benefits			8,500	
Operating Funds (supplies, office equip.)			15,000	
Overhead (rent, utilities)			12,000	
		Total		135,900

By providing these supportive functions the Office would allow more efficient operation of the individual ANCs. Some of the functions are now being supplied through local universities from government grants which will end this year. All of these aids are necessary to strong citizen involvement in the operation of their government.

STATEMENT OF CARL J. MAGEL, DIRECTOR OF LEGISLATION, ACCOMPANIED BY CHARLES BRAXTON, DIRECTOR OF LEGISLATION, WASHINGTON TEACHERS UNION

Senator DECONCINI. Mr. Carl Magel, American Federation of Teachers.

Mr. Magel, your full statement will appear in the record.

Mr. MAGEL. Mr. Chairman, I am delighted to be here. I have with me Mr. Charles Braxton. I am legislative director for the American Federation of Teachers. And I have had the honor for 12 years to have been the national president of the American Federation of Teachers.

I have had the opportunity to visit the school districts throughout the Nation and talk to the school boards and city governments and so on and learn something about the school budget. I know that school boards that do not possess fiscal independence have difficulty.

And then, again, I notice that in the budget that you have in Washington, you do not have line items, so you have some difficulty in knowing exactly what the budget is like. But we in the American Federation of Teachers have always maintained and supported a quality education for the boys and girls in our Nation.

We have found in order to do this we needed funds. We worked for Federal, State and local funds to try to improve this.

The examples of the Washington budget, as well as we can find, deserve mention of two things: No. 1, while the Mayor's budget has continually increased, the school budget in proportion has decreased. The Mayor's budget adds to the deterioration of the school system here. I have been coming up here a lot of years and I have seen the school administration come here year after year and talk about more funds for their schools. And sometimes I did get some extra funds, and recently I think they have been better than in the past.

But this reduction meant that because of the inflation in building materials, programs, services had to be discontinued. It closed the summer schools here in Washington because it didn't have funds.

There is a decline in the staff for adult education. We need funds for vocational education, funds for the education of the handicapped, funds for bilingual education. These are the things that might make it possible.

We have in Washington more boys and girls from 18 to 24 on unemployment than probably any other city in the country. Many of these people if they had the proper training could be put into a useful job where they would be taken off the relief rolls and be put onto the tax paying rolls. And it would be a great benefit to the Nation and so forth, and to the city and establishment of teachers

centers and the new progress in science and technology. We have not kept up anywhere in the country as we should have.

We have noticed that the city budget from 1975 to 1979 has increased 86 percent. The public school budget has only increased 27 percent, only about one-third. And the school budget has the same inflationary tendencies that anyone else has. If you take out of that the 15 percent for pensions, the actual increase in school budget has only been about 15 percent.

It is in this respect that the Mayor has held down severely the school budget.

The school system experience over the last several years has been a lessening of attention to its needs, and the budget has been routinely shuffled in the name of tax savings and it has had a serious effect on the education.

We urge you to replace the city version of the school budget with that presented by the Board of Education in the amount of $16 million.

What has happened in the past was that the Board of Education presented the budget. Then the Mayor has to cut that budget, and then the Congress has cut the budget further down so that we not only have one reduction but two.

The District of Columbia public schools seek only that money which enables them to reassemble programs and positions severely damaged in the earlier budget.

I appreciate the opportunity to make this short presentation, Mr. Chairman. If there are questions and you would want to submit them, Mr. William Simon, president of the Washington Teachers Union and Mr. Braxton here can answer.

Senator DECONCINI. Well, I appreciate your testimony.

I understand that this committee does not really get into the school budget. We have been accepting the city recommendation. I presume you have made your case there and feel that you are unable to convince them to adequately fund the school system; is that correct?

Mr. BRAXTON. The 1979 budget before this committee includes that of the school system as an independent agency. I would presume that this committee would be examining the school budget.

Senator DECONCINI. Well, we will take it upon ourselves to examine the city budget. And that, of course, has the school budget as part of it as submitted to us. We do not go into great detail.

I am under the impression that the city does; is that correct?

Mr. BRAXTON. Yes. We testified before the City Council on this subject.

Senator DECONCINI. Are you satisfied that you get ample opportunity to present your needs?

Mr. BRAXTON. We get ample opportunity to present our case.

Senator DECONCINI. You just don't get the results?

Mr. BRAXTON. We still do not share the same viewpoint.

Senator DECONCINI. Thank you very much.

Mr. MAGEL. The school budget is part of the city budget. Therefore, it would come under your jurisdiction.

Senator DECONCINI. I am not denying jurisdiction. I was really trying to find out if you were satisfied that you have gotten adequate hearings with the city people, because they made that point

to us. And those were the representations they made to us, that they had considered your request and gone over it very carefully and what have you.

Mr. BRAXTON. I can't argue we haven't had an adequate hearing. But the city budget is again reviewed by the House Appropriations Committee and the Senate Appropriations Subcommittee.

We only want to give our best shot, and we are asking that this committee consider granting the school board request for full budget.

Senator DECONCINI. For the full budget?

Mr. BRAXTON. Right; $255 million.

Senator DECONCINI. If the chairman of the committee elected to consider that, I am sure he would want to hold some hearings on that. How long a time would you think that would take?

Mr. BRAXTON. I am of the opinion it would not take too long. I am certain the school administration and board members would be happy to share their views with you. I am certain we would.

Senator DECONCINI. Very good. Thank you very much.

[The statement follows:]

LETTER FROM THE WASHINGTON TEACHERS' UNION

May 23, 1978

Honorable Patrick J. Leahy
Chairman
District of Columbia Subcommittee
U.S. Senate
Washington, D. C. 20510

Dear Mr. Chairman:

We have examined the Budget request for the Public Schools of the District of Columbia. The American Federation of Teachers joins The Washington Teachers' Union in full support of the budget proposal submitted by the Board of Education. We regard it as an accurate portrayal of the system's needs in fulfilling the limited scope of maintaining current services and program levels.

Moreover, Mr. Chairman, it is appropriate for the record to note the American Federation of Teachers' interest in this matter. President Shanker and the national organization are committed to the pursuit of quality education throughout this country. We have vigorously sought the commitment of the necessary resources by the federal government to this purpose.

Our presence, here today, is in the furtherance of that goal.

It recognizes the uniqueness of the procedure in which the Congress must approve the District of Columbia budget and other legislative actions. And while we cannot, and do not endorse this kind of arrangement, it nevertheless, imposes an obligation upon Congress. That obligation must be met with great care.

The Congress's concern with public education, here, cannot be regarded separately from that demonstrated elsewhere. Your involvement in the District's system is direct and powerful.

The AFT places significant importance upon Congress's role.

The Mayor's Budget mark must be critically examined against not only the School Board's budget proposal, but against affected programs and other components set forth in that budget. Regrettably, the Washington School System's experience in past years has not been gratifying. The Mayor has pursued a very narrow course in establishing the school budget, so much so, that the relative decline of school funds against the growing City budget has become markedly notable. The Washington Teachers' Union, our local affiliate, under President Bill Simons has repeatedly focused on this critical development.

Continuing, the school budget vis-a-vis that of the city declined from 27% in 1969 to 20.6% of city operating allocations in 1975.

In the current budget for 1979, the drop continues unabated at 18.18% of the City's proposed budget. And, with the inclusion of the teacher retirement obligation in this school budget, real school operating dollars decline to 16.5% of the growing City budget. The Mayor's and City Council's action contributes little but further chaos in the school system. It compounds even more dramatically the deterioration in school supplies, building maintenance and program services. It provides stark evidence that we are shortchanging the City's students. In an earlier communication to several House Committee Members, some of the critical aspects of this deterioration were noted. These observations pointed to the closing of summer schools, the impairment of the community facilities school programs, and the diminished research and evaluation function. Each of these are important keys to the functioning of the education operation.

But, there is more.

Special Education funding includes monies from the Department of Human Resources, but continues as an ambiguous kind of financial obligation of Public Schools. The screening of the involved students suffers from inadequate funds and timeliness. In addition, adult education staffs, facilities and programs remain inadequate for the heavy demands from an expanding clientele. Even under these circumstances, there has been a notable achievement. (Attachment #1)

A reading of this attached document certainly indicates the potential. This, of course, visualizes the students serviced as those reaching a maturity of judgement. They seek to enter the world of work and achievement. They should not be hampered in this effort. But, the City approved budget invites serious impairment, if not elimination of the sorely needed adult education programs. These references to services and program declines, identify just a few casualities of our budget process.

At this point, it may be appropriate to examine the comparative budget growth of the schools with the swifter moving City budget over the 1975 - 1979 (est.) period.

	1975	1979 Estimated	%
Total	896,348.0	1,674,767.7	86.8
Public Schools	188,673.5	239.043.6	27
	w/Ret.	217,152.0	15.3

According to the above date, the City's budget growth rate (86.8%), for the years 1975 to 1979, will nearly double over the period indicated.

Nor has the school budget done much better when considering rising costs as we enter 1978. From 1975 to the 1978 projected average rate for 1978, costs will have risen

16.3%. The City's budget over the period 1975 to 1978 rose 38%. This follows the statement attributed to the Director of the D.C. Budget Office, "The Mayor has severely held down the schools budget..." and is further illustrative of our predicament. (Attachment #2, Washington Post, October 23, 1976.)

Much reference has been made to the current per pupil cost level in the D.C. Public Schools. Upon examination, the current level contains distorting factors limiting its usefulness for comparison purposes. To begin with, the 1977 Executive Budget shows per pupil expenditures for fiscal years 1973-74 and 1974-75. (Attachment #3) The amounts shown are $1,447 and $1,628, respectively. However, it is no accident that these years were selected.

The Capitol Outlay portion of the per pupil cost did not get under way until 1973, when $320.0 was authorized for that purpose. This followed some seven years later, after the Board of Education's 1966 request that the school facilities shortage be addressed. It then requested authorization of $300.00 over a six year period of $50.0 per year to meet the system's construction needs.

Superintendent William R. Manning's statement on the D.C. Public Schools Capitol Outlay Budget FY 1970 to the Board of Education's Ad Hoc Subcommittee on FY 1970 Budget cited the following, (Attachment #4) "A critical shortage of school facilities exists in the D.C. Public Schools. The shortage is of longstanding and is the result of neglect regarding school construction over the years." He concluded this reference with "What is past is history."

That statement may well be true. But, it is history which bedevils the future.

To remove the distortion, we use the National Center for Education Statistics data applicable to 1966-67 (see

Attachment #3) bringing it forward to 1974-75. District Schools in the beginning period ranked number 2 in per pupil expenditures falling to number 3 in the latter referenced years. To show the growth range, the pattern and ranking would be the following.

PER PUPIL COST (1966-1975)

	1966-67	1974-75	Percentage of Increased Growth
Milwaukee, Wis.	460	1,489	223.7 (1)
Boston, Mass.	552	1,672 (2)	202.9 (2)
San Francisco, Ca.	693 (1)	2,027 (1)	192.5 (3)
Atlanta, Ga.	448	1,303	190.8 (4)
Wash., D. C.	648 (2)	1,628 (3)	151.2 (5)
Cleveland, Ohio	559	1,387	148.1
St. Louis, Mo.	525	1,163	121.5
Baltimore, Md.	544	1,158	112.8

Under conditions of rising per pupil costs, District of Columbia Public Schools rank number 5 in the percentage of growth. That ranking would be even lower, absent the delayed infusion of much needed capitol construction funds in 1973. (Attachment #5)

The distortion, then, occurs in comparing short-term (1973-75) implications of per pupil cost with the large capitol cost component for those years. And, of course, thereafter, applying those implications with long-term capitol cost of other school systems. By 1958, in fact, the school districts throughout the Nation were well along the way with school construction. According to the data (Attachment #6, table 38) this activity peaked during the period 1964 to 1968 and stabilized thereafter. Former Superintendent Manning's budget statement bitterly complains of the District's inaction prior to 1970. A Capitol Improvements Program summary (Attachment #7), provides clear confirmation of Manning's position in the 1971

Budget Estimates and Justification to the House of Representatives in April 1970. Thereafter, attachment #3, notes authorized funds of $320.9 million by 1973 (September) with $92.4 million unobligated.

The foregoing establishes the delayed infusion of Capitol Construction Funds as the essential factor in the much discussed high per pupil cost.

We maintain, therefore, that this assumption rests, basically, upon distortion and the City's shuffling on the long range need for school replacement and additional classroom space. That delay, using the lower average classroom replacement cost of $48,900 in 1958-59 increased to an average cost of $60,000 per classroom (1971 or 22.7%). (Attachment #6, table 42)

Essentially, the school system's experience over the last several years has been one of lessening attention to its needs. Its budgets, routinely shuffled in the name of tax savings, have had a deteriorating effect on programs and quality learning. It has been further exacerbated by the City's demand for absorption of pay adjustments and pension payments.

Mr. Chairman, there are needs unaddressed in this budget request presented to you by the City. And, although these needs are here before you in figures, we have attempted to interpret the human and education conditions they portray.

We urge you to do likewise. We urge you to replace the City's version of the school budget with that presented by the Board of Education. The D. C. Public Schools seek only that money which enables it to reassemble programs and positions severely damaged in earlier budgets.

Respectfully,

(Clerk's Note: The attachments to this statement are in the subcommittee files.)

FRIENDS OF FOREST HAVEN

STATEMENT OF BERTHA ATKIN, PRESIDENT

Senator DECONCINI. Our next witness is Robert Boyd. Is Mr. Boyd here?

Then we will go on to Bertha Atkin of the Friends of Forest Haven.

Mrs. Atkin, your full statement will be printed in the record. If you would please summarize that for us.

Ms. ATKINS. Mr. Chairman, I would like to introduce Mr. and Mrs. Banks of Friends of Forest Haven, and they have a daughter residing in the residential unit of Forest Haven.

Mr. Chairman and gentleman of this committee, my name is Bertha N. Atkin. I am the president of Friends of Forest Haven. We, the parents and friends of the retarded residents at Forest Haven, appreciate the opportunity to appear before this committee.

Unfortunately, it was very easy for us to write our testimony for this year's budget hearing as all we have to do is repeat what we said last year. We spoke then of the terrible conditions at Forest Haven and nothing of significance has happened since then. Inasmuch as the fiscal year 1978 budget still has not been approved, we assume our testimony was a waste of time. We don't completely understand the politics of the situation, but we do understand that our children are suffering.

We fully support Mr. Perry's request for additional staffing, even though we know that it does not come close to what is really needed. We are frustrated and angry but know that it is unrealistic to expect decent and humane care of the retarded in the Nation's Capitol.

All we can do is to continue to beg and hope that some day we will be listened to. We no longer expect that Forest Haven will ever become a showcase but perhaps minimal custodial care can be achieved.

The medicaid division units have been sufficiently staffed to avoid a cutoff of Federal funds but don't let this fool you into thinking that some kind of rehabilitation is taking place. All it means is that the residents are being fed, clothed, and sheltered at a survival level. It does not provide for adequate medical and dental care nor any of the various therapies needed.

The residential units are even worse. As stated in the Department of Human Resources' "Five Year Plan for Forest Haven, fiscal year 1979 to fiscal year 1983":

> Buildings are overcrowded, supplies and equipment are in short supply, direct care staff are at a level insufficient to assure safety, and professional staff virtually nonexistent.

The Forest Haven 5-year plan is much more truthful than the recently released Department of Human Resources fiscal year 1976–77 Annual Report by Mayor Washington. This report makes

it appear that much progress has taken place when in fact it has not.

The recent television show on the Holocaust showed a group of retarded and mentally ill individuals arriving at a hospital that appeared to be a safe haven for them. However, they were taken to a shed behind the hospital and gassed to death.

While nothing in our history comes close to the sheer horror of the Nazi atrocities, I could not help thinking of the Curley Building. When it opened we were assured that this was the beginning of a new level of care for our children and that they had designed the building in units that would automatically require adequate staffing.

What appeared to be a safe haven has turned out to be a nightmare. We have our children sleeping at night on beds without sheets or pillowcases and spending their days aimlessly sitting around large dayrooms with nothing to do.

A year ago parents were told that four residents were moved into a separate unit where they were to have their own supervisor at all times to be trained for more independent living. This was in keeping with the original plans for the Curley Building. However, one year later, these residents are only sleeping in this unit and spending their days in the old daycare room because the necessary staff was never hired.

There is no night nurse on duty in the Curley Building. One nurse is on call from the hospital but she must serve the entire institution. This lack of direct care staff, especially at night, presumably was the cause of the recent death of a Curley resident. She was taken to the toilet during the night, tied in place and left alone. Her body was discovered early in the morning, and the autopsy gave the cause of death as ingestion of feces. She was not the first to die of neglect at Forest Haven and we fear that she will not be the last. Many of the residents in several units are heavily sedated at night so that one attendant can watch over a large number. If there were a fire at night it would be impossible to get them out quickly.

Please note that the Curley Building is a medicaid unit which supposedly has adequate staffing. We leave it to your imagination what the residential units, with their lesser level of care, are like. Many of those in the residential units could be moved out into the community except that there is no staff to train them and no staff to supervise them in the community.

As we pointed out a year ago, Forest Haven rates among the worst of institutions for the retarded by national standards. In spite of the name, it is no haven. It is a monstrosity and we anxiously worry about whose child will be the next to die alone and unattended in the night.

Thank you.

Senator DeConcini. Thank you, Ms. Atkin. I appreciate your calling this to our attention. I am going to suggest to the Chairman that he present this to Secretary Califano and ask for a study. For it was suggested that Secretary Califano be asked in his capacity of Chairman of the Committee on Mental Health to conduct an independent study of the conditions there. And I don't believe that has been done. At least, we have not seen it.

I am going to suggest to Senator Leahy, the Chairman of this committee, that we ask him to proceed with that forthwith. I am going to ask the Chairman to consider a GAO study to see if the money appropriated for 1977 to bring it up to standard has, indeed, brought it up to standard.

And I appreciate your bringing this to our attention. Perhaps we can be a little more forceful in this area.

Ms. ATKINS. Thank you so much, Senator.

[The statement follows:]

STATEMENT FROM BERTHA N. ATKIN, PRESIDENT, FRIENDS OF FOREST HAVEN

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CITIZENS ADVISORY COMMITTEE TO THE DISTRICT OF COLUMBIA OFFICE OF CONSUMER PROTECTION

STATEMENT OF JOEL P. BENNETT, MEMBER OF THE ADVISORY COMMITTEE

Senator DECONCINI. Our next witness is Joel Bennett of the Citizens Advisory Committee to the District of Columbia Office of Consumer Protection.

Mr. BENNETT. Thank you.

Senator DECONCINI. We would be glad to have both statements, if you like. Any statements you would like.

Mr. BENNETT. Thank you. It will be oral.

To start off with, good morning, but I will change it to good afternoon.

Mr. Chairman, I am Joel P. Bennett, member of the Advisory Committee of the District of Columbia Office of Consumer Protection. And for your information, the Advisory Committee was established by section 8 of the District of Columbia Law 1-76, which is the District of Columbia Consumer Protection Procedures Act. And it is our duty as an Advisory Committee to advise the Mayor and director of the Office of Community Action.

I am very pleased to be here to present a brief statement on the Office's budget request for fiscal year 1979.

District consumers have a great need for an office of consumer protection. At present the Office's priorities are to address the needs of the District's poorest consumers; to focus on patterns of illegal business conduct; and to educate consumers to prevent consumer problems and to activate and promote consumer assertiveness.

Over the past 2 years, the Mayor, the City Council, and the Congress have allocated $442,100 and $568,100 to the Office. These figures represent substantial increases over the previous budgets approved for the predecessor Office of Consumer Affairs.

The present Office is very different in structure and responsibilities. The former Office was primarily a conciliation service while the present Office has investigative, law enforcement authority, and administrative responsibilities in addition to the conciliatory functions of the previous Office.

The Consumer Protection Procedures Act, District of Columbia Law 1-76, the office's enabling legislation, requires in-house legal counsel and establishes a section of hearings with a full-time administrative law judge and support staff maintained in separate quarters.

The vast increase in enforcement authority has produced a significant increase in both the number and variety of complaints. As you are probably aware, the Office has administrative and enforcement responsibility for seven laws.

Bills at different stages of the legislative process will increase this number. Thus, the additional requests for personnel in the legal, consumer education, and support area becomes critical.

I might add a personal note, I have visited many times the offices as a lawyer in private practice. I participated in drafting the enabling legislation of the Office, and I handled private consumer matters in my own practice.

And I want to say unequivocally that the personnel situation at the Office of Consumer Protection is at a drastic state. The Office has presently 16 appropriated positions the remainder are CETA employees. This creates a problem. CETA employees are supposedly hard core, unemployed people. Some alcohol problems and all kinds of problems and it is very difficult for this Office to function with having a majority of its employees as CETA employees, even though on the whole they are a net plus to the Office.

I might also add that under the legislation that the Office operates under this is the kind of governmental agency that can pay for itself, although, the money is serviced through the general fund, it has the authority through the administrative law judge to impose fines on businesses. Plus, in the connection of settling cases, it has the authority to have the settling business pay the cost. So, this kind of office, that cost does not have to be a drain on the treasury.

Returning to my testimony, the court reporter and witness fee costs are considerable and essential. Printing costs and material for consumer education and to meet the annual responsibilities for prescription drug pricing posters, have appreciated. In addition, the Office recently relocated, under stressful conditions and now faces unanticipated and substantial increases for rent.

I might add that the physical conditions under which the Office operates are very, very poor. It had to move from its previous to its present one because it didn't have any heat in the dead of winter. In its present office it doesn't even have adequate telephones. It has a number of investigators who don't have telephones to receive complaints and in turn investigate complaints.

Mr. Chairman, this concludes my statement which highlights the major areas of need for the Office of Consumer Protection. However, in closing I want to reiterate the purpose of my appearance before this committee. The Advisory Committee supports the full request of the Office for fiscal 1979 and we respectfully urge your favorable decision.

I would be happy to answer any questions that you may have at this time.

Senator DECONCINI. Thank you very much. That is quite satisfactory. We are familiar with your budget submission, and I am supportive of it. And I intend to recommend to the Chairman the increase. And that will be up to the committee.

PREPARED STATEMENT

But I appreciate your testimony. Your full statement will be included in the record.

[The statement follows:]

PREPARED STATEMENT OF JOEL P. BENNETT, DISTRICT OF COLUMBIA OFFICE OF CONSUMER PROTECTION

Mr. Chairman, I am Joel P. Bennett, member of the advisory committee of the D.C. Office of Consumer Protection. I am very pleased to be here to present a brief statement on the Office's budget request for fiscal year 1979.

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Mr. Chairman, this concludes my statement which highlights the major areas of need for the Office of Consumer Protection. However, in closing I want to reiterate the purpose of my appearance before this committee. The advisory committee supports the full request of the Office for fiscal 1979 and we respectively urge your favorable decision.

Senator DECONCINI. The committee will stand in recess, subject to the call of the Chair.

Thank you very much.

[Whereupon, at 12:11 p.m., Thursday, May 25, the subcommittee was recessed, to reconvene at the call of the Chair.]

DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 1979

WEDNESDAY, JULY 19, 1978

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

The subcommittee met at 10:08 a.m., in room S–126, the Capitol, Hon. Patrick J. Leahy (chairman) presiding.

Present: Senator Leahy.

DISTRICT OF COLUMBIA

OFFICE OF BUDGET AND MANAGEMENT SYSTEMS

STATEMENT OF COMER S. COPPIE, DIRECTOR, OFFICE OF BUDGET AND MANAGEMENT SYSTEMS

ACCOMPANIED BY:

WILLIAM R. KRAUSE, DEPUTY DIRECTOR FOR FINANCIAL OPERATIONS
GLADYS W. MACK, DEPUTY DIRECTOR FOR BUDGET OPERATIONS
WILHELMINA MARSHALL, EXECUTIVE ASSISTANT TO COMER S. COPPIE
PATRICIA SPIRER, BUDGET DIRECTOR, CITY COUNCIL

SUBCOMMITTEE PROCEDURE

Senator LEAHY. Good morning.

This morning the subcommittee will hear testimony from Mr. Comer Coppie, who is the Mayor's Special Assistant for Budget and Management. Mr. Coppie will provide testimony regarding the city's request for a fiscal year 1978 supplemental totaling $27,406,100 and fiscal year 1979 budget amendment totaling $31,813,300. These requests were transmitted to the Congress on July 11, 1978—just last week—and were received too late to be considered by the House.

1978 SUPPLEMENTAL AND 1979 BUDGET REQUESTS

The city proposes to finance the fiscal year 1978 supplemental entirely with local revenues that are now available because of upward reestimates of local revenues due to the continuing improvement in the local economy. The fiscal year 1979 amendment is financed entirely with Federal funds.

Receiving these requests so late in the year is of concern to the committee for several reasons. First, while both the Senate and the House asked for the 1979 budget request by February 1 of this year, we did not receive it until March 27, 1978. But as it turns out it was not until last week, or more than 5 months after we requested the budget, that we finally received the full request for 1979.

The House Appropriations Subcommittee for the District of Columbia marked up the 1979 budget on June 23; the full committee marked up the 1979 budget last week on July 13 and the House will vote on the District of Columbia budget this Friday. At this critical time the Senate must stop the process to hold hearings on still more budget requests from the city.

LATENESS OF CITY'S BUDGET

We have talked before about the lateness of the city's budget and last year I recommended that a legal due date of February 1 be established as the mandatory submission date for the budget. I noticed that the House this year has also recommended a February 1 due date. I intend to recommend to the subcommittee that we go along with the House on that due date. We really must get the city's request up here in a timely manner so the Congress can meet its timetable for processing appropriation bills as required by the Budget Reform Act of 1974.

Mr. Coppie, I don't mean to single you out in this matter or even to put full blame on the city because I know that OMB held these additional requests up for several months. Nevertheless, I would like you to tell the Mayor and City Council of our concern.

Also, make sure that OMB is aware of the concern.

The lateness of these additional requests is of concern to us for still another reason. That is that they have come to us so late that the House cannot consider them formally and have the advantage of hearing testimony and of having their questions answered by city officials. To the extent that the Senate agrees that any of these items are essential and should be funded we must take them to the House in conference and, in effect, the Senate must justify them to the House members for you. The Senate members of the conference committee will have to, in effect, be testifying for the city. And the House, quite properly, can raise the issue about the tradition at least of having appropriations matters begin in the House. Traditionally, all appropriations matters always begin in the House, and in this case they will be beginning in the Senate. It creates a bind that shouldn't be there.

OVERUSE OF SUPPLEMENTALS AND AMENDMENTS

A final concern I have, and it was expressed in the Senate report that accompanied the fiscal year 1978 bill, is that the city seems to overuse the budget amendment and budget supplemental route to obtain routine funding. The committee continues to request that the city's full request be included in the annual budget request and that the use of supplementals be limited to fund unforeseeable emergency items.

Mr. Coppie, with these exceptions, we are delighted to have you before the committee today. As you know, the committee has a

very high regard for you and your work and we continue to appreciate your prompt assistance on the matters that we bring to your attention.

USE OF CETA POSITIONS BY CITY COUNCIL

I am sure that you have been reading in the local newspapers over the last several days as I have that the Department of Labor has found that the District of Columbia City Council has made illegal use of CETA positions, and may be required to pay the U.S. Government back for those positions that were put to illegal use.

You may remember that in May when the subcommittee heard testimony from the City Council, Mr. Williams assured us that he had no knowledge of City Council members asking for individuals by name to be placed on the CETA rolls. He also told us he had no knowledge of the several other program abuses that had been reported.

Subsequently, Mr. Williams stated in the paper that he had not intended to make quite these statements he had before our committee. Please inform the Mayor and the chairman of the City Council that I will be meeting with the subcommittee and will recommend to them and to the Senate some significant reforms in the way the city operates its CETA program. And before those reforms are announced, I would like you to work with our staff on this matter as well.

As I am sure you realize, there have been a lot of questions raised by the Senate about the CETA program nationally. But our responsibility, of course, is to the city. And I am extremely concerned about what happens here.

Now, if you could go down the list of items included in the request before the committee, I won't interrupt you with questions for that. I would rather submit questions subsequently for the record. I will have some other questions later on.

But please go ahead and start in the way you would like.

OPENING REMARKS OF COMER S. COPPIE

Mr. COPPIE. Thank you very much, Mr. Chairman. It is a privilege to be here and have an opportunity to testify on the 1978 budget supplemental and the fiscal year 1979 budget amendments.

INTRODUCTION OF BUDGET OFFICE STAFF

Before I proceed, I would like to introduce some of the principals from the city that accompanied me here this morning. In the tradition of ERA, I will introduce ladies first. To my immediate left is Gladys Mack, Deputy Director for Budget Operations; Mrs. Wilhelmina Marshall, my Executive Assistant; and the Budget Director of the City Council, Ms. Patricia Spirer, and to my right is Dr. William Krause, Deputy Director for Financial Operations.

I am the Director of the Office of Budget and Management Systems, but these are the people who actually make it all work, if, in fact, it does work.

Mr. Chairman, I appreciate the concern that you expressed with regard to the timing of the supplemental and the amended request. Also, your concern for the continuation of the supplemental

amendment request from the city. Without belaboring the point, I think it is fair to say that this is a complex budget process that affects the city. And it is because of the commitments from the people like yourself and others in the Senate and the Congress that makes the process work, and I think it works relatively well in the so-called Home Rule situation.

REVISED SUPPLEMENTAL AND AMENDMENT FINANCIAL PLANS

Mr. Chairman, to come simply to the supplemental request for 1978 and the amendment request for 1979, we have submitted to the subcommittee through its staff a revised financial plan for the 1978 fiscal year to meet the funding requirements associated with the supplemental. And that plan is before the subcommittee, as I have indicated.

We have also submitted a revised financial plan for 1979. And I would point out to you that the amendment that is now being considered is fully funded from local revenue and is a supplement to the earlier financial plan we submitted for 1979.

I would also point out to you that the amended plan for the 1979 fiscal year is contingent upon a $17 million increase in the Federal payment. If that Federal payment increase is not forthcoming, certainly not forthcoming to the support the House mark for the city, we would still have a $4 million cash reserve that would be available for the city in the 1979 fiscal year. That is not to say that we don't need the $17 million, because we indeed do.

PARKING ADJUDICATION AND HOME PURCHASE ASSISTANCE PROGRAMS

Mr. Chairman, I would also speak very directly to two requests that were denied in the House. In part, denied, as I understand it, because the authorizing legislation was not in place. The two items that I refer to are the parking adjudication program that is requested in the form of a supplemental for 1978, and annualized in the 1979 fiscal year. That is a program that is now authorized by emergency public action and public law of the City Council, so that the necessary legislative authority is in place to sustain the appropriations request for both 1978 and 1979.

Also, we request in the 1979 budget, funds for the home purchase assistance program in the Department of Housing and Community Development to assist with home purchases by lower income people in the District of Columbia. That was denied, again in part, because of the lack of an authorizing public law. That law is now in place and an appropriation can be considered in the context of statutory reforms. I hope it will be considered in the Senate because the legal authority is there.

To come specifically to the 1978 and 1979 request, I will go through this comprehensively but, hopefully, succinctly in the interest of time.

OFFICE OF THE MAYOR

First, in the Mayor's office for the 1979 fiscal year we request a reduction of three positions and $88.8 thousand. What is involved here, Mr. Chairman, is a somewhat complicated situation that involves my office. The Council in its initial action on the 1979

budget—and you addressed me specifically on this at the time that I came forward—abolished the Executive Management Office and eliminated 10 audit positions in the Municipal Audit Office.

The Council now has amended that to allow for the continuation of the Executive Management Office and the ten audit positions in the 1979 fiscal year. In the original action on the fiscal year 1979 budget, the Council abolished the Executive Management Office and recommended that 3 of the 10 positions be transferred to the immediate office of the Mayor.

In the fiscal year 1979 amendment with that realinement, those three positions in the Mayor's office are no longer needed, and the Executive Management Office staff would be in place, at least for the 1979 fiscal year.

RESOURCES TO IMPLEMENT D.C. DEPOSITORY ACT

For the City Council, the District of Columbia Auditor, and the Office of Budget and Management Systems, resources are requested in both 1978 and 1979 to implement the Depository Act of 1977. This is District of Columbia Public Law 2-32.

What is involved here is the implementation of the authority given to the city in the Home Rule Charter to shift all of our funds from Treasury deposits to the private banking community. As of June 30th of the current calendar year, the city funds are essentially out of the U.S. Treasury and on deposit with the private banking community.

In order to effectively implement this program both in 1978 and particularly 1979 and beyond, we are going to need modest resources in the offices of the City Council, the District of Columbia Auditor, the Office of Budget and Management Systems, and the Department of Finance and Revenue.

In the case of the District of Columbia Auditor, the request is for resources to monitor the implementation of the public law.

In the case of the Office of Budget and Management Systems and the Department of Finance and Revenue, the request is for positions to assist in the implementation of the public law. This is a major policy shift on the part of the city government and in order to effectively carry it out we do require these resources.

OFFICE OF THE SECRETARIAT

In the Office of the Secretariat, in the 1978 fiscal year and the 1979 fiscal year, we are requesting $25,000 and $50,000, respectively, to implement District of Columbia Law 7-31 which essentially requires a Spanish text version of major publications in the District of Columbia. As I am sure you know, we have a relatively large Spanish-speaking population in the District of Columbia. I believe it is about 50,000.

In order to effectively address their requirements in the form of public documents that we produce, we are proposing to do a Spanish version. In order to accomplish that, additional resources are required.

We are also requesting in the 1979 fiscal year for the Secretariat $150,000 for the higher cost of contracting out work necessary to codify the District of Columbia rules and regulations.

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OFFICE OF BUDGET AND MANAGEMENT SYSTEMS

For the Office of Budget and Management Systems, beyond the realinement of the Executive Management Office and the Municipal Audit Office that I spoke to, and beyond the depository act resources I also spoke to, we are requesting $75,000 in fiscal year 1978 to conduct a study of service station conversions that have been going on in the District of Columbia from full service to limited service. This is required and authorized by the Retail Service Act of 1976, which is a public law that is now in place.

OFFICE OF HUMAN RIGHTS

For the Office of Human Rights, we request a restoration of 10 positions and $296,100 in fiscal year 1979 to essentially adjust a reduction that was previously made by the City Council, in the original fiscal year 1979 budget. This is similar to the reduction I spoke to affecting my office. This will allow these positions to at least be in place in the 1979 fiscal year.

Perhaps after the 1979 fiscal year, they will be phased out entirely. That is the current intent. If we do phase them out entirely, this will allow a normal transition in terms of phasing them out.

RENTAL ACCOMMODATIONS OFFICE

For the Rental Accommodations Office, we are requesting $38.5 thousand and five temporary positions in fiscal year 1978, and five positions and $143.5 thousand in fiscal year 1979 to meet administrative requirements under District of Columbia Law 2–118 regarding rehabilitation and relocation assistance.

Also in the 1978 fiscal year, we are requesting $50,000, and in 1979, 53 positions and $3.9 million to implement a new rent subsidy program in the District of Columbia. Of the $3.9 million in 1979, $3.1 million is specifically earmarked for the subsidy program and the balance or $800,000 is for the administrative costs. This is estimated to benefit 22,400 households in the District of Columbia.

Also, in the 1979 fiscal year, we are requesting $48,000 to computerize the agency's—that is—the Rental Accommodations agency's data maintenance and retrieval system.

DEPARTMENT OF FINANCE AND REVENUE

For the Department of Finance and Revenue, I have previously spoken to the requirement to implement the Depository Act. The request is for four temporary positions and $41,400 in 1978 and those four positions annualized in 1979 at a cost of $59.5 thousand.

DEPARTMENT OF GENERAL SERVICES

For the Department of General Services, we are requesting several items as follows: You will recall that there was a tear gas explosion at the Municipal Center earlier this year. The cost associated with cleanup of the Municipal Center is $175,000. And we do require that for a supplement in 1978.

Senator LEAHY. $175,000?

Mr. COPPIE. $175,000.

For the leasing costs, we request $727,900 in 1978 and $436,000 in fiscal year 1979. The increased cost of steam and electricity due to rate increases is $424,100 in fiscal year 1978 and $901,700 in fiscal year 1979.

And for additional operating costs associated with the operation of the new court facility, $1,129,400 in fiscal year 1978 and $38,400 in 1979.

DEPARTMENT OF ECONOMIC DEVELOPMENT

In the Department of Economic Development, for both 1978 and 1979, we are requesting $150,000 to compensate property owners, as required by District of Columbia Law 1-98, for all expenses incurred at the direction of the District government to repair water and sewer service pipe breakage. Those claims have been coming in, and we do need the necessary budget authority in order to move forward to pay the claims.

DISTRICT OF COLUMBIA PUBLIC LIBRARY

For the Public Library, we are requesting $113,000 in 1978 and $134,000 in 1979 to compensate the Federal Government for the increased cost of steam to heat the Martin Luther King Jr. Memorial Library.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

For the Department of Housing and Community Development, in 1979 we are requesting 12 positions and $559,200 to implement the Public Property Lead Elimination Act of 1977. This is essentially to eliminate lead paint in the District of Columbia, which has proven particularly harmful to young people.

DEPARTMENT OF INSURANCE

For the Department of Insurance, we are requesting $3,000 in fiscal year 1979 for travel of the superintendent to meetings of the National Association of Insurance commissioners.

Senator LEAHY. I don't mean to pick on the superintendent in the Department of Insurance. A matter that small is obviously not going to create a problem over here. But it is just another example of why these supplemental requests concern me. A supplemental appropriation request should be more of an emergency nature. With the Department of Insurance budget around $650,000, you would think that somewhere along the line that if they were going to have emergencies it would be more than $3,000 for travel to the National Association of Insurance Commissioners.

It is just one example of a number of similar cases. It is going to reach a point where, I suspect, both this committee and the House will say to heck with. If the item is not in the overall budget, we are not going to fund it through supplementals but just wait and put it into the next budget.

I have no idea who the superintendent is. I have no idea how the department is running, and I don't mean to be picking on him by any means. And I don't want to get hung up on $3,000, but I just bring it up as an example.

BOARD OF ELECTIONS AND ETHICS

Mr. COPPIE. For the Board of Elections and Ethics, we request a reduction of $49,000 to coincide with the congressional disallowance in 1978.

COMMISSION ON THE ARTS

For the Commission on the Arts, we are requesting $100,000 in both 1978, and in 1979, as matching funds to assist in developing the arts in the District of Columbia.

EDUCATIONAL INSTITUTION LICENSURE COMMISSION

For the Educational Institution Licensure Commission, which is a new licensure commission, we are requesting $57,000 and four temporary positions in 1978. We are requesting $93,000 and two positions in the 1979 fiscal year.

COMMISSION ON THE HEALING ARTS LICENSURE

For the Commission on the Healing Arts Licensure, we are requesting three temporary positions and $50,000 in 1978. There is already a request for that commission in the original 1979 fiscal year budget.

POLICE DEPARTMENT

For the Police Department, we are requesting 264 positions and $2,396,400 to maintain the uniform strength at 4,141 officers at the level of September 30, 1977.

Senator LEAHY. Hasn't the House already approved that?

Mr. COPPIE. The House has approved that under the specific request from the city, that is correct.

FIRE DEPARTMENT

For the Fire Department, we are requesting $250,000 in fiscal year 1979 for the apparatus replacement program.

SUPERIOR COURT

For the Superior Court, we are requesting $66,300 in 1978 to meet the anticipated costs associated with the retired judges' annuity payrolls.

In the 1979 fiscal year we are requesting two positions and $35,000 for the volunteer attorney program for abused children and $300,000 for youth diversion services for potential juvenile offenders to be operated through contracts with DHR.

PUBLIC DEFENDER SERVICE

For the Public Defender Service, we are requesting three positions and $45,000 in fiscal year 1979 to provide additional legal representation for juveniles confined at the Children's Center in Laurel, Md.

BAIL AGENCY

For the Bail Agency, we are requesting a reduction of seven positions and $77,000 in fiscal year 1979. This coincides with the

congressional disallowance of the Street Investigation and Failure To Appear Unit in 1978. We reaffirm our commitment to that for 1979.

DEPARTMENT OF CORRECTIONS

For the Department of Corrections, $278,400 is requested in fiscal year 1978, and a similar request in fiscal year 1979 for security coverage at the Ugast Center where psychiatric treatment is provided to those in a pretrial status. The Ugast Center is on the grounds of D.C. General.

In fiscal year 1978, $95,000 is requested to provide funding for the Women's Detention Center during the first quarter of 1978 prior to its closing. In both 1978 and 1979, $700,000 is requested to compensate for the loss of reimbursement from the Federal Bureau of Prisons. And in 1979, $20,000 is requested to fund a Street Law project for inmates and staff previously funded by LEAA-related grants.

UNIVERSITY OF THE DISTRICT OF COLUMBIA

For the University of the District of Columbia, $68,600 is requested in 1978 for relocation expenses for approximately 200 faculty members that were relocated to meet the consolidation process of the University. Also in fiscal year 1979, $75,000 is requested to establish a veterinary medicine school program.

DEPARTMENT OF RECREATION

For the Department of Recreation, $58,000 is requested in fiscal year 1978 for additional pool maintenance costs.

DEPARTMENT OF HUMAN RESOURCES

For the Department of Human Resources, eight positions and $11,800 are requested in 1978 and 18 positions and $285,800 are requested in 1979 to implement the Community Facilities Licensure Act of 1977, to regulate and monitor the 250 private nursing home facilities in the District of Columbia.

In fiscal year 1978, $44,000 is requested to maintain the Youth Diversion Home Project and to make up the funds previously expected from Federal grants. Twenty-seven temporary positions and $341,200 are requested in 1978, and 27 positions annualized at $925,400 is requested in 1979 to meet requirements associated with the case of *Burgos* v. *Washington*, which essentially is the case associated with the services for alcoholics in the District of Columbia.

In fiscal year 1978, $111,400 is requested and in fiscal year 1979 $445,500 is requested to meet Federal standards for nursing staffing patterns at D.C. Village by obtaining 35,000 hours of nursing care under contract.

$31,100 in fiscal year 1978 and $116,200 in 1979 are requested to conduct surveys and review institutional health care plans to determine the need for incremental health care services under the Certificate of Need Program.

And the largest single request is $8,814,400 in 1978, and $5,675,000 in 1979 for the welfare program caseload estimates.

Senator LEAHY. I will have some questions as to why they did not decline. And, of course, that goes back a little bit to the request at the last series of hearings, and the extent of the quality checks that were made there.

Mr. COPPIE. And then we propose to implement in 1979 the realinement already in place for 1978, that is, transferring to the Department of General Services the space rental funds of $1,445,500 from the Department of Human Resources. This will give that department the full responsibility for leasing the facilities for the Department of Human Resources.

DEPARTMENT OF TRANSPORTATION

For the Department of Transportation, $1,836,900 is requested in 1978 for the additional cost associated with snow and ice removal.

In fiscal year 1978, $500,000 is requested for increased electrical energy cost.

Senator LEAHY. Is this a typographical error of additional cost of snow and ice removal, plus $150 for pothole repair?

Mr. COPPIE. $150,000.

Senator LEAHY. I was going to say, this is really getting low for a supplemental. I would take the $150 out of my own pocket and save the time and effort of bringing it up here.

Mr. COPPIE. In fiscal year 1978, $500,000 is requested for increased electrical energy cost. In 1979, $405,000 is requested to supplement the request made for 1979 in the earlier budget presentation, to purchase computers 5 months earlier than expected to process parking tickets.

Senator LEAHY. The city proposed to purchase the computers 5 months earlier than planned to get things going faster?

Mr. COPPIE. Yes.

Senator LEAHY. Do you get savings on computers by buying early?

Dr. KRAUSE. It is a monthly leasing cost. And to start early, we need to have the leasing funds 5 months early.

Senator LEAHY. That program is working very well, and the earlier we go the more money we are making.

Thank you.

Mr. COPPIE. Mr. Chairman, both on this request and some of the other requests for 1978, because of time passage, some of these requests can be reduced.

The original plan on the parking enforcement program was to have this program operational in the fourth quarter of 1978 so that it could be operational for a full 12 months in 1979. Obviously, that is now an impossibility. We do hope we can get some of the 1978 request of 134 temporary positions and $3,258,200 approved for the parking program to begin. In fiscal year 1979, $174,400 is withdrawn for the Streets For People Program.

SCHOOL TRANSIT SUBSIDY

In fiscal year 1979, $214,300 for the School Transit Subsidy, extending the School Transit Subsidy Program to Metrorail is requested.

And then there is a reduction from the earlier request for Metro requirements for 1978, in the amount of $1,254,700, because the interest payments to the revenue bonds for 1978 are being paid for from internally WMATA generated funds.

DEPARTMENT OF ENVIRONMENTAL SERVICES

For the Department of Environmental Services, four temporary positions and $6.1 thousand are requested in 1978; and four positions and $72.3 thousand are requested in 1979 for environmental evaluation of private nursing homes in the District of Columbia.

In fiscal year 1978, $1,143,600 is requested of which $1,030.4 thousand is for the extra expense of electrical energy and rate increases, and the balance of $113.2 thousand is for electric expenses for new facilities for Blue Plains.

In fiscal year 1978, $70,000 is requested for rental of two landfill compactors until the supplier replaces compactors due to fire damage.

WASHINGTON AQUEDUCT

For the Washington Aqueduct, $450,000 is requested in fiscal year 1978 for increased costs of electricity for the pumping and the treatment of water.

PERSONAL SERVICES

For personal services, funds are requested to meet the cost associated with the October 1977 pay raise which was budgeted at 5 percent and passed at 7 percent for general schedule employees. In fiscal year 1978, $7 million is requested and $7 million is also requested in fiscal year 1979.

SETTLEMENT OF CLAIMS AND SUITS

For settlement of claims and suits, $21.8 thousand is requested in 1978. It is my understanding that that is already in the House bill for 1979. In fiscal year 1979, $250,000 is requested.

REPAYMENT OF LOANS AND INTEREST

In 1978 additional debt service to the Treasury of the United States is requested for the interim quarter associated with the 1976 fiscal year in the amount of $475,800.

CAPITAL IMPROVEMENTS PROJECTS

We have four requests in 1979 for capital projects.

First, $500,000 associated with relocation of the road test facility for the Department of Transportation.

Second, $3,348,800 for Metrobus requirements for Metro.

Third, $1,330,000 for furnace temperature control and update of air quality control equipment at the city incinerator for the Department of Environmental Services.

Fourth, $326,000 for the retirement of private hospital debt associated with the St. Elizabeths Hospital.

Mr. Chairman, two additional observations. First of all, the city request is justified in the document that has been presented to you.

And we would ask for that request to be incorporated into the record of the hearings.

SETTLEMENT FOR ROBERT J. PIERCE

Second, there is a somewhat unique request associated with our claims and suits for the 1979 fiscal year. This is a request for $250,000, which represents a partial settlement with Mr. Robert J. Pierce, who was severely injured in the Hanafi incident in the District Building back in 1977.

This settlement is authorized by public law. Because of its uniqueness, and because I think it is important that you have a complete record from the city on it, I ask for both the public law authorizing this payment and the additional statement from me to justify it to be incorporated into the record.

[The documents follow:]

STATEMENT OF ROBERT J. PIERCE

On June 27, 1978, the Mayor signed an emergency bill, EA 2-109: Robert J. Pierce Emergency Act of 1978, which became effective upon his signature for ninety (90) days. The Mayor also approved on July 5, 1978, identical permanent legislation, Bill 2-300: Robert J. Pierce Act of 1978. It is anticipated that the permanent bill will clear the legislative process and become law before the emergency act expires.

These bills provide for the payment to Mr. Pierce an amount not to exceed $480,000 out of the general fund of the District of Columbia, subject to appropriate appropriations for this purpose.

Mr. Pierce, age 53, was injured while serving as a volunteer law student intern to the Council of the District of Columbia during the terrorist takeover of the District Building in March of 1977. He suffered gun wounds in the back which severed the spinal cord and in the right forearm causing a compound fracture to both bones and severance of arteries, nerves, and tendons to the hand. These wounds have left him completely paralyzed below the waist, totally paralyzed in the right arm and partially paralyzed in the left arm. At the present time, this physical condition has been judged by medical physicians to be permanent.

Because of the unique circumstances surrounding this injury and since Mr. Pierce was the only person to suffer physical, mental, and economic loss to this extent, legislation was passed by the Council and approved by the Mayor as a special purpose or private relief measure. By designing the legislation around specific circumstances to benefit a specific individual, this action does not set a precedent for any future District legislation because of the uniqueness of the situation.

The amount of $480,000, provided in the bills, was arrived at after carefully reviewing a detailed list of specific expenses for past and projected medical expenses, equipment, home modifications, and educational and vocational rehabilitation costs which will be required for Mr. Pierce and his family to provide for his mere physical existence. The projected amount, itemized and submitted by Mr. David Barrie of Scituate, Mass., Consultant in Case Management of Catastrophic Injuries, is approximately $500,000. The smaller sum of $480,000 was judged by the District to be a reasonable amount by which the District could express concern over such a traumatic and unfortunate experience which occurred in the District Building.

Pursuant to this legislation, the fiscal year 1979 budget amendment included $250,000 to cover approximately one half of the legislated amount. The remainder, of course, will be included in the fiscal year 1980 budget.

Copies of documents containing a more clinical description of Mr. Pierce's present physical condition and prognosis, items of expense and the method of computing the cost for each item can be provided.

It is on the basis of the above that I am asking your approval of the requested amount for fiscal year 1979.

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To provide, on an emergency basis, for the relief of Robert J. Pierce and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as tne "Robert J. Pierce Emergency Act of 1978".

Sec. 2. The Mayor of the District of Columbia is hereby authorized and directed to pay, pursuant to appropriate appropriations, out of the general fund of the District of Columbia, to Robert J. Pierce of the District of Columbia, a sum not to exceed $480,000.

(a) The payment of such sum shall be in full satisfication of all claims against the District of Columbia, its employees and agents by Robert J. Pierce, his heirs, executors, administrators and assigns, arising out of the personal injuries sustained by said Robert J. Pierce, due to extraordinary circumstances, on March 9, 1977.

(b) Robert J. Pierce was injured, while serving as a volunteer law student intern to the Council of the District of Columbia, during the terrorist takeover of the District Building. Such injuries left him partially paralyzed and permanently disabled.

(c) The receipt of any funds awarded pursuant to this act shall be disregarded in determining the eligibility and financial status of said Robert J. Pierce for any public medical or rehabilitative services of the District of Columbia for which he would otherwise be entitled.

Sec. 3. Payment authorized by this legislation shall be in addition to services or benefits payment under the Federal Employees Health Benefits Program.

Sec. 4. (a) No part of the payment made pursuant to this act in excess of ten per centum (10%) thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with all claims against the District of Columbia described above. It shall be unlawful to exceed that per centum ceiling, any contract to the contrary notwithstanding.

(b) Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined any sum not exceeding $1,000.

Sec. 5. This act shall take effect immediately upon its enactment and shall remain in effect for no longer than ninety (90) days as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Self-Government and Governmental Reorganization Act (87 Stat. 788; D.C. Code, sec. 1-146(a)).

DAVID BARRIE

P.O. Box 205 - Scituate, Mass. 02066 - Phone 617-545-2632

CONSULTANT IN THE CASE MANAGEMENT OF CATASTROPHIC INJURIES

October 3, 1977

Charles R. Both, Esq.
YABLONSKI, BOTH & EDELMAN
Suite 500, Connecticut Building
1150 Connecticut Avenue, N.W.
Washington, D.C. 20036

Dear Mr. Both: In re Robert J. Pierce

Enclosed please find a revised estimate of future medical and related costs for Mr. Pierce. This was calculated from August 17, 1977, including the additional time to be spent at the Veteran's Administration hospital and using a life

expectancy of 21.5 years, normal for his current age of fifty-two.

I might observe off the record to you that the development of the decubitus ulcer and the necessity for its surgical repair demonstrates quite effectively why we estimate average hospitalization of fourteen days per annum during the future life of these patients. You may anticipate further complications of this nature in the future.

Please advise if there is any additional information required at this time by letter or phone at your convenience.

I am still prepared to come to Washington for a conference per our original agreement should it become necessary.

Sincerely,

/s/

DAVID BARRIE

P.O. Box 206 - Scituate, Mass. 02066 - Phone 617-545-2632

CONSULTANT IN THE CASE MANAGEMENT OF CATASTROPHIC INJURIES

October 3, 1977

ROBERT J. PIERCE
DOB 1/20/25--Date of Injury 3/9/77

Mr. Pierce suffered a penetrating gunshot wound to the back resulting in physiological transection of the spinal cord at T10 causing complete paraplegia which has persisted to date and apparently, according to the attending physician, will be permanent. He also sustained a gunshot wound of the right forearm resulting in compound fracture of both bones and severance of the radial and ulna arteries, median and ulna nerves, and most of the tendons to the hand. It is believed that this latter injury may well result in permanent loss of use of the right upper extremity to a substantial but presently undetermined degree. While this is the lesser injury, it must be considered as it probably will permanently impair his ability to transfer and otherwise perform independently the activities of daily living.

Based on the foregoing injuries and assuming further hospitalization at the George Washington University Medical Center for an additional thirty days, plus six weeks at the Veteran's Administration Hospital, plus ninety days at Woodrow Wilson, the following calculations represent reasonable estimates of future medical and related costs.

A. 30 days at George Washington @ 168.....
42 days at Vet. Admin. @168.....
90 days at Woodrow Wilson @ 168.....

B. Physicians' fees--including checkup 3X annually as outpatient, plus in-patient care for one complication and testing annually--300 X 21.5..... 6,450

C. Drugs, prescriptions and supplies (estimated on basis of numerous similar cases)..... 9,030
35 per monthx 12 x 21.5 .....

D. Followup lab work and procedures (urinalysis, cystoscopy, cystometrogram, renoscan, x-rays, medical transportation
20 ur
75 cysy
75 cysm
35 x
10 transp
215 x 21.5..... 4,622

E. Hospitalization 14 days per annum @ 168 X 21.5..... 50,568

F. Wheel chair replacement every 5 years--890 X 4..... 3,560

89,350

G. Original equipment
500 braces
890 chair
200 bed
250 misc. (table, etc.)..... 1,840

Equipment maintenance and replacement, ramp, bed, seat cushions, etc. 300 per annum X 21.5... 6,450..... 8,290

H. Van with hydraulic lift, wheel locks, hand controls..... 10,000

I. Maintenance and replacement of van
Maintenance 200 per annum..... 4,300
Replacement(5 yrs.) 3 @ 6,000.....18,000..... 22,300

J. Home modifications (this is very rough without more detailed data)
Ramp 1,500
Chair Lift
Bathroom 2,500
Doors 750
Alarm systems 300..... 5,050

K. Vocational education--
law school..... 4,000
(tuition 3,830, books 150)

L. Attendant care--furnished either by hired attendants or wife @ 6.00 per hour for 8 hours per day
48 X 365 X 21.5.....376,680

Again I have insufficient information. Attending M.D. and/or physiatrist must designate degree and amount of care necessary. Your data indicates he is quite self-sufficient. Professional nursing not indicated, but assistance by reliable help required.

GRAND TOTAL.....516,670
if no need for Woodrow Wilson -500,550

AMOUNT OF MR. PIERCE'S SETTLEMENT

Senator LEAHY. How much was the amount?

Mr. COPPIE. Total settlement amount was $480,000. That would be addressed in the form of $250,000 in 1978 and $230,000 in 1979.

Senator LEAHY. What was the extent of his injuries?

Mr. COPPIE. Fully paralyzed from the waist down, and partially paralyzed, as I understand it, in the arms.

The settlement is based on actuarial projections.

Senator LEAHY. With those kinds of injuries, you are certainly not going to have any difficulty with the committee.

APPEAL OF HOUSE ACTION ON FISCAL YEAR 1979 BUDGET

Mr. COPPIE. Finally, Mr. Chairman, we do have an appeal request from the Mayor appealing the House action on the 1979 fiscal year budget. This is also addressed quite comprehensively in a communication from me to Mr. Hall which I would like inserted in the record along with the Mayor's letter. But we are working from the assumption that all the city's requests as originally submitted and now submitted in the form of an amendment budget for 1979 will be considered by the Senate.

LETTER FROM MAYOR WALTER E. WASHINGTON

JUL 20 1978

Honorable Patrick J. Leahy
Chairman, Committee on Appropriations
for the District of Columbia
United States Senate
Room 1203, Dirksen Office Building
Washington, D. C. 20510

Dear Mr. Chairman:

I write to you to appeal the reductions made by the House Appropriations Committee in its action on the District of Columbia Appropriation Bill for Fiscal Year 1979.

The Committee recommendations provide a Federal Payment level of $264 million, $53 million below the City's request. A number of programs affecting the overall service delivery of the City were also eliminated. These include the Home Purchase Assistance Fund, the Parking Enforcement Program, funding needed for Public Assistance, Police and Fire Retirement and positions for numerous programs.

A memorandum containing the details of this appeal has been prepared by Mr. Comer S. Coppie, my Special Assistant for Budget and Management Systems, and forwarded to Mr. Michael Hall of your staff.

Your support of this appeal is urged.

Sincerely yours,

Walter E. Washington
Mayor

Executive Office
Budget and Management
Systems

MAR 19 1978

Michael Hall, Staff Assistant
Subcommittee on Appropriations
for the District of Columbia

Comer S. Coppie
Special Assistant to the Mayor

House Committee Action on Fiscal Year 1979 Request

I am taking this opportunity to reaffirm the City's Fiscal Year 1979 budget request which has now been recommended on by the House Appropriations Committee. We are very much concerned with the impact of the House recommendations on Fiscal Year 1979 service delivery of the City.

Federal Payment (Estimate - $317,000,000; House Action - $264,000,000)

The appeal items discussed below indicate the specific programs which require restoration of budget authority and therefore, additional financing through restoration of the Federal Payment request. However, the proposed reduction in the Federal Payment should also be viewed in terms of the Federal role relative to the City and its impact on a sensitive fiscal balance.

I am very much concerned, and this concern is shared by individual citizens as well as City government officials, that a proper balance between Federal and local fiscal responsibility be maintained. Significant reductions in the level of the Federal Payment do not suggest a good faith effort on the part of the Federal government. The Federal responsibility is a permanent and continuing one and the level of the Federal Payment should reflect this fact.

My point here is not directed to securing appropriations enactments without full Congressional review and approval. It is directed to reaffirming our commitment to securing Federal Payment authorizations and appropriations which are sensitive to both the Federal interest and Federal responsibility.

The following discussion on restorations is organized by appropriation title; Please note that the City is reaffirming its commitment to virtually the full budget request, therefore, this communication highlights especially sensitive program impacts of House Committee action. Agreement with House action is specifically indicated.

OPERATING EXPENSES

General Operating Expenses (Estimate - $96,326,800; House Action - $93,718,500)

The staff and program disallowances for the Council and the Office of the Mayor are especially sensitive. The Mayor's immediate staff is responsible for executive functions which involve a wide range of municipal and state executive activities. The legislative function of the Mayor's Office is now performed by a very small staff and a modest increase was requested to handle increasing workload requirements. Similarly, important programs for the Council including constituent service should be restored. Council requests for the D.C. Code are required to meet statutory code requirements. The Federal government has totally withdrawn from responsibility for the Code, and the Council budget request is essential to meet provisions of law.

The Office of Public Affairs request for printing should be restored because it will provide for dissemination of materials which are requested by the public as well as official organizations.

The restoration of the increase for the Resource Management Improvement Division of OBMS is required so that the important work of this staff can continue on a permanent basis. This work has been recognized nationally and has become an indispenable part of both budget formulation and execution. Reduction of ten positions and associated funding within Municipal Audit and Inspections is appealed.

The increase for the Office of Consumer Protection also is a sensitive program requirement. The services of this office are strongly demanded by the public. Moreover, the responsibilities of the office have been expanded over the past several years through local legislative initiatives.

The Department of Finance and Revenue increases disallowed for the assessment, tax administration and Treasury operations should be restored. These functions are key to the City's proper collection of tax revenues. Loss of funding for positions will mean an offsetting loss in revenue.

The Child Abuse program of the Office of the Corporation Counsel and the increase for professional services are important requirements. The growing complexity of local government dictates that the legal resources are adequate to meet expanding workloads.

The reversal by the Houses of the space rental funding transfer from the Department of General Services to the Department of Human Resources is acceptable.

The restoration of the Home Purchase Assistance Program represents one of the highest priorities for restoration. This program will allow those families who meet eligibility requirements to purchase homes of their own. This program is specifically directed to families who are now excluded from the housing market. The intent of this program is to allow moderate income families to take advantage of a program similar to those offered by other localities. The benefits of the program will extend beyond the individuals and families concerned because of the positive impadt on neighborhoods and ultimately the City's tax and economic base. The House disapproved this program because it was not authorized by the City. Required authorization is now in place.

The Advisory Neighborhood Commissions request should be restored to the full amount which is set by statutory authorization.

The full requeqts for the Special Mission Activities are important because they represent City initiatives responsive to community needs and regulatory functions. House funding provided for these functions, in general, is insufficient to carry out the legislated mission. Especially important in this regard is the Minority Business Commission request which would assist City residents in establishing business operations. This program is targeted to those citizens who have the desire and drive to be successful entrepeneurs but who lack business contacts. Such individuals with technical assistance, would positively contribute to community well-being by expansion of business activity.

PUBLIC SAFETY

Public Safety (Estimate - $274,412,800; House Action - $266,473,800)

The House Committee action to maintain end of Fiscal Year 1977 police officer strength is acceptable; however, we welcome review of the City's civilianization request.

The House retirement programs reduction of $7,050,000 in the Police Department and $2,950,000 in the Fire Department should be restored because these actions cannot be effected by program changes in one fiscal year. House Committee action is based on concern for the City's high rate of disability retirements. Statutory authority as enacted by the Congress and interpreted

by the courts for the disability program has placed the burden of rejection of such claims on the government as opposed to the individual. Therefore, statutory relief is required.

There is no question that the City government supports reform of the Police and Fire retirement programs, however, reduction of the appropriation request does not change the underlying statutory framework which needs revision or replacement. Further, the funding reduction cannot be achieved through current program decisions even if the law were changed. Over 90% of the funds reduced will be needed for retirees already in the system.

Transfer of funds from Superior Court to the Department of Transportation is essential to program implementation of improved parking and realization of revenue estimates. The community based probation program for the Superior Court should be restored because decentralization of court services has proven to be very successful. Similarly, the increases requested for the Third Party Custody program in the Bail Agency would contribute to the success of the administration of justice in the City and is consistent with your Committee's commitment to alternatives to incarceration.

EDUCATION

Education (Estimate - $282,898,000; House Action - $282,201,200)

The principal reduction which should be restored is the across-the-board base reduction carried over from Fiscal Year 1978. This item is discussed separately below.

RECREATION

Recreation (Estimate - $18,677,400; House Action - $18,392,700)

The reduction of the National Children's Island program should be restored. Organizational problems and concerns previously raised have been clarified with placement of the program in the Recreation Department.

HUMAN RESOURCES

Human Resources (Estimate - $294,474,800; House Action - $284,767,700)

The House Committee action reduces the requested increase of $5,968,800 for financial aid payments to $906,700. This request should be restored because the House Committee action is based on removing ineligibles from the welfare roles. This thrust is accepted by the City, however, the Fiscal Year 1978 budget approval was delayed for a considerable length of time and the City's initiatives to cope with the ineligibility program were delayed. Funding of the City request is essential to continuity of the program.

The House Committee continued the Fiscal Year 1978 cut of $2.0 million for Medical Vendor Services. As indicated to the Senate Committee last year, this cut was based on the misunderstanding that local collections for health services had increased by more than $9.0 million. It was pointed out that the Committee recommended this cut based on comparing estimated CHHA collections with total DHR collections and the difference (or revenue increase) would be inflated because different bases were being compared. The difference between projected total DHR health service collection and actual total DHR health service collections should have been the basis for analysis.

The House Committee reduction of $1.6 million for D.C. General Hospital will compromise continued successful accreditation and the collection of revenues. These funds are essential support to the changes made in Fiscal Year 1978 which brought about accreditation. The requested increase is indispensable to stabilizing the hospital service delivery.

TRANSPORTATION

Transportation (Estimate - $77,551,700; House Action - $71,780,900)

The principal reason for the substantial reduction in this appropriation is the disallowance of approximately $6.0 million for the parking enforcement program. This action was based on the lack of authorizing legislation at the time of markup. Subsequently, the City has enacted authorizing legislation and the enforcement program should be restored. Its restoration is essential to the City's Fiscal Year 1979 revenue program. However, in the absence of a Fiscal Year 1978 Supplemental, the Fiscal Year 1979 funding request must be modified as presented in the attachment.

ENVIRONMENTAL SERVICES

Environmental Services (Estimate - $73,309,900; House Action $72,962,500)

The principal reduction reflects the Fiscal Year 1978 base reduction carried forward.

*

Other

House Committee action on the Repayment of Loans and Interest, Settlement of Claims and Suits, and the Personal Services Appropriations are acceptable. However, the Dog Pound is in serious need of repair. Approval of Capital Outlay funds for renovation is strongly urged.

One-Half of One Percent Base Reduction

The House Committee action carries the base reduction for Fiscal Year 1978 into the Fiscal Year 1979 markup in most cases. This action was not acceptable to the City. We are concerned that this specific base reduction and base actions in general are made without regard to program impact and priority. Therefore, we would affirm our disagreement to both the base reduction mechanism and budget reduction.

My staff and I will provide any additional information you may require regarding the City's appeal to House action on the Fiscal Year 1979 request.

ATTACHMENT A

Parking Enforcement and Traffic Adjudication Program Budget
Submission for FY 1978 and FY 1979

The Department of Transportation's program for Improved Parking and Traffic Enforcement consists of civilian enforcement of parking regulations to supplement police efforts and the adjudication of decriminalized parking and minor moving offenses with administrative rather than judicial resources. Various aspects of the program were scheduled to be phased in this summer on the following dates: Ticket Writing - July 1; Towing and Impoundments - August 1; Booting - September 1; and Administrative Adjudication - October 1. In order to achieve this schedule, funding was requested in the supplemental to the Fiscal Year 1978 budget request.

This submission contains start-up (non-recurring) costs as well as continuing costs for operations for the summer months. Included in the start-up costs are funds for impoundment lot development, computer services, modification of office space for enforcement and adjudication, and equipment such as vehicles, radios and boots. The Fiscal Year 1978 Supplemental as approved by the City contains $3,258,200 for this program, with $2,627,000 allocated as start-up costs and $631,200 allocated as continuing costs.

Since we are now in the last quarter of Fiscal Year 1978, the original schedule cannot be met even if the funds are made available. Recognizing this, the Congress may choose to eliminate the entire amount that was requested for Fiscal Year 1978. In that event, we could find ourselves with the requested Fiscal Year 1979 funds but without the authority to make expenditures necessary to prepare facilities and purchase equipment needed for the program.

In order to avoid this situation, we recommend that the Fiscal Year 1979 budget submission containing $5,781,800 for this program be modified by reallocating funds for operations in the amount of $2,627,000 and making that amount available for the start-up costs referenced above. Since we must postpone the implementation schedule, there will be some reduced need for funds to operate in Fiscal Year 1979.

Improved Parking and Traffic Enforcement
Fiscal Year 1978

Start-up Costs (Nonrecurring)

Parking Enforcement

Space modification (renovate school building)	$ 177,000
Office furnishings and equipment	41,300
Training and travel	4,700
Vehicles (45)	238,500
Vehicle modifications	4,500
Two-way radios (82)	89,800
Radio transmitter station	50,000
Computer terminals and printers	17,000
French boots (400)	120,000
Impoundment lot construction	1,100,000
Construction trailers (3)	12,000
Trailer hookups (3)	12,000
Telephone installation	1,200
Enforcement Subtotal	$1,868,000

Traffic Adjudication

Space modification (leased space)	$ 46,500
Office furnishing and equipment	27,500
Computer software development (consultant)	450,000
Computer center relocation	120,000
Computer terminals (clerks, cashiers, hearings)	93,500
Police computer communications	21,000
Adjudication Subtotal	$ 759,000
Total FY 1978 Start-up Costs	$2,627,000

PROPOSED REALLOCATION OF FY 1979 BUDGET FOR IMPROVED PARKING AND TRAFFIC ENFORCEMENT PROGRAM

FY 1979 Request (includes $405,000 amendment)		$5,781,800
FY 1978 Start-up Costs transferred from Attachment A, Page 1		-2,627,000
Net Operating Funds Available in FY 1979		$3,154,800
Less Start-up Costs in FY 1979 budget		-53,600
Telephone installation	$1,100	
Computer terminals for FY 1979 delivery	52,500	
	$53,600	
Funds Available for Operations in FY 1979		$3,101,200

Reestimated FY 1979 Operating Costs

Parking Enforcement

Office of the Assistant Director	$ 47,800
Division Headquarters	71,900
Ticketing	470,000
Booting	218,200
Towing and Impoundment	674,800

Traffic Adjudication

Office of the Assistant Director	51,300
Traffic Hearings	265,700
Violations Processing	1,301,400
Total FY 1979 Operating Costs	$3,101,200

NEED FOR FISCAL YEAR 1979 SUPPLEMENTAL BUDGET

Senator LEAHY. Are we going to get any additional request for fiscal year 1979?

Mr. COPPIE. I do anticipate that there will be a traditional supplemental in the 1979 fiscal year. That will come sometime after January 1, 1979, to be considered in the regular supplemental process.

Senator LEAHY. We went over one area before. If you could just clarify it for me. You work with these day in and day out and have become quite familiar with it, and you have to allow for us who are new kids on the block to get caught up with what you are already doing.

IMPLEMENTATION OF THE D.C. DEPOSITORY ACT OF 1977

I notice you have a request for funds and positions for the City Council, District of Columbia Auditor, the Budget Office, and the Department of Finance and Revenue to implement the Depository Act of 1977. That law, I understand, is one that establishes local private sector banks to handle city payroll and other functions. Why do we need new positions to implement this new program? Why couldn't we use the people who previously dealt with the U.S. Treasury?

Mr. COPPIE. Let me answer that in the broad thrust of the question, and I would like to ask Dr. Krause to supplement it, because he has the day-to-day responsibility of the implementation of the law.

I think, first to the monitoring, the City Council and the Auditor are assuming a responsibility here. The Council will monitor the implementation of the act to see that its basic policy, in fact, has been implemented by the Mayor.

And, then, the Auditor has an audit responsibility by law. Now, previous to this law, the Auditor did not have that requirement. That one speaks specifically to the Council and the Auditor.

In regard to my office, and the Department of Finance and Revenue, essentially we are talking about new responsibilities imposed on the city as a result of this shift.

Dr. KRAUSE. What we have to do now is reconcile the accounts, which we never had to do before. We also, instead of dealing with one unit, the Treasury, have to deal with seven different banks. We need a position to coordinate just the flow of documents back and forth between the banks.

The Department of Finance and Revenue needs staff. We used to get individual checks back from the Treasury. Now we get continuous form checks and we have to direct them to the agencies. They also have to implement the part of the act that limits the amount of money that goes into individual banks.

We used to put all the money in the Treasury. Now there are set-aside provisions that have to be followed. Finance and Revenue has to make sure that the right amount of money is in the banks to cover the checks being sent, and also they don't violate any provisions of the law.

Senator LEAHY. Let me ask you a couple more questions, Mr. Coppie. And I think it is possible we may even have to go into some

additional hearings on this. It is a matter I will discuss with my colleagues on the subcommittee.

PUBLIC ASSISTANCE PAYMENTS AND CASELOAD

You referred to one area on welfare payments as you were going through the list. Almost $5 million in fiscal year 1978, and several million more in fiscal year 1979 are requested because of the caseload for the general public assistance program.

It is needed because the city originally projected a decline in the caseload. But it didn't decline.

I understand the Mayor submitted a bill to the City Council that would have significantly tightened up the general public assistance program, but the City Council didn't enact the bill as proposed by the Mayor. Is that essentially correct, or am I oversimplifying this situation?

Mr. COPPIE. First, let me say, Mr. Chairman, that only part of the supplemental and amendment request—and I think the smallest part of the request—for both 1978 and 1979 is for GPA. We are talking about a need for a supplementation in both years for the basic elements of the public assistance categories that the city has the responsibility for; one of those is GPA and the other is AFDC.

The Mayor's proposal to the Council, as I understand it, was enacted by the Council, but in a time frame that was——

Senator LEAHY. They changed it, didn't they?

Mr. COPPIE. They changed it some. But it was not enacted in the same time frame that the Mayor hoped for.

But we have a requirement that GPA recipients have to be reviewed and recertified within 6 months, which is really what the thrust of the Mayor's recommendation to the Council was about.

Senator LEAHY. The Mayor's bill, if it were enacted into law as originally intended, would that reduce the funding requirements?

Mr. COPPIE. It perhaps would have. But not dramatically.

Senator LEAHY. Mr. Coppie, I have a number of other questions which I will submit for the record.

We have a Mr. Walter Pinkney who is here to testify. And because of our time limitations, we have to limit that testimony to 5 minutes.

So, I am asking the city officials if it would be convenient for you to stand by about 5 minutes while we hear his testimony? And if I have further questions as a result of that, I would appreciate having you here.

Thank you.

NONDEPARTMENTAL WITNESS

STATEMENT OF WALTER PINKNEY, ACTING PRESIDENT, TEACHER SUBSTITUTES

Senator LEAHY. Mr. Pinkney, please join us up here. Mr. Hall tells me you have some things you would like to tell us?

Mr. PINKNEY. Yes.

Senator, my name is Walter Pinkney. I am acting president of the Teacher Substitutes. My organization is fragmented. However, there is an effort to put it together for the benefit of the 2,106 D.C. employees who serve at the pleasure of the Board of Education.

With title 31-696, substitutes have been under the auspices of the Board of Education since 1949. From 1969 to 1974, substitute teachers were at a rate of $28 a day, without any cost-of-living increase at all.

Senator LEAHY. $28 a day between 1969 to 1974?

Mr. PINKNEY. Yes, sir.

In 1974, the Board of Education enacted a pay raise for substitute teachers to raise the rate to $35 a day. But that was a phony act because the Board took the act in 1968 to avoid skills and longevity. Substitutes, in fact, were issued a bouncing check.

CURRENT RATE OF SUBSTITUTE TEACHERS' PAY

In March 1977, the Board of Education, under the superintendency of Dr. Hugh J. Scott and Mr. William H. Simon of the Teachers Union, and Norman W. Nichols, who was deputy, and a number of other cross sections of people, reviewed the substitute teachers' program and came up with four recommendations.

New pay for skills for substitutes of a flat $35. Entry level graduates coming out of high school, $20. A person with 2 or more years of college, $25 a day. And it would be an annual rated position. The position was clocked in at $7,200 for an entry level teacher.

To this day there has been no establishment of a position of permanent substitute. Substitute teachers can serve in a school for all of the school year and at this point can only make $35 a day.

I am upset because I look at the premise of the Congress embodied in Public Law 94-566, by enacting a law that results in not entitling substitutes to unemployment compensation benefits. I see no reason why substitute teachers have to remain at such a rate for such a long time.

PROPOSED NEW RATE FOR SUBSTITUTE TEACHERS

The Board of Education in 1978 approved a pay raise to substitutes in two parts. Level one was to move to $40 a day, and Level Two positions, $45 a day. This would cost the budget $603,192.

The Board of Education directed the administration to pay a supplemental request. The supplemental request was prepared and forwarded to the city. Mr. Comer Coppie's office responded, "Hey, we don't have the money in the budget to forward to the school system and identify specifically as substitute teachers' pay."

At this point, Mr. Chairman, I beg upon this Senate subcommittee to take a serious look at the $603,192 that will be coming from the city. These employees have been omitted, neglected because of a process that has not served the best——

Senator LEAHY. The amount of payment is set by the Board of Education?

Mr. PINKNEY. Yes, sir.

Senator LEAHY. And you are not suggesting that we overrule the Board of Education and set a different amount, I hope?

AUTHORITY FOR ESTABLISHING SUBSTITUTE TEACHER RATE

Mr. PINKNEY. Sir, I would like to cite for you a 1974 congressional document, page 17. And this is the House District Committee. The committee is fully aware that it is within the jurisdiction of the Board of Education to establish the rate of compensation of substitute teachers. However, the committee is of the opinion that there should be a complete review. Testimony by Ms. Barbara Sizemore, superintendent of D.C. Public Schools, indicated that the last adjustment in the rate of compensation of substitute teachers was July 1, 1969.

The rate was $20 per day. The substitute rate of compensation of Montgomery County was $29 a day. The rate of compensation in Arlington is $22 a day.

Based on data, the committee urged the D.C. Board of Education to commit itself to review and to enact the substitute teachers' pay increase so that that category of employees can be adequately compensated.

I would just like to say that a congressional committee saw in its wisdom not to interfere in a District matter, but did recommend a complete review.

I contend that since that very day they have been at a rate of $35 since 1974. I will do everything in my power within the constraints of due process to insure that when this committee looks at the budget of fiscal year 1978 and fiscal year 1979 supplemental requests, that the Mayor, the people running our City Council, Mr. Walter Mondale, Mr. Tip O'Neill and I will see Mr. Byrd and request these people not to direct but to inquire and hold congressional investigations.

If there is a public law on the books authorizing an agency in the D.C. Government to do something, then, by golly, they can make a supplemental request. As you stated, for an unforeseeable emergency. This was an unforeseeable emergency.

Senator LEAHY. Thank you, Mr. Pinkney.

MR. COPPIE'S RESPONSE

Mr. Coppie, would you care to respond at all, or would you rather submit something?

Mr. COPPIE. I think we should submit something for the record, Mr. Chairman.

Senator LEAHY. Thank you. Would you make sure Mr. Pinkney gets a chance to see, also, what you do submit on that?

Mr. COPPIE. I certainly will, sir.

Mr. PINKNEY. Thank you, Mr. Chairman.

[CLERK'S NOTE.—The response made by the city to Mr. Pinkey's comments follow:]

JULY 31, 1978.

Hon. PATRICK J. LEAHY,
Chairman, Subcommittee on Appropriations for the District of Columbia, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: During the hearings on the city's fiscal year 1978 supplemental and fiscal year 1979 amendment, Mr. Walter Pinkney, acting president of the public schools' substitute teachers, testified on behalf of a pay increase for these teachers. In response to his testimony you asked me to submit a statement for the record regarding the issues raised by Mr. Pinkney. This is in response to your request.

The Board of Education has independent statutory authority to establish rates of pay for substitute teachers. The Board approved a pay increase for substitute teachers of $45 per day, pending the availability of funds. The Board then instructed the school administration to ask the city for supplemental funding for the increase.

I received a memorandum from the deputy superintendent of schools on May 4, 1978, outlining the financial requirements for a proposed raise in substitute teachers pay to $45 per day for fiscal year 1978 and fiscal year 1979. Unfortunately, the memorandum was received four months after the fiscal year 1978 supplemental and fiscal year 1979 amendment were formulated, so the request to fund substitute pay increases could not be considered. I do not want to point out that a call went out to the operating departments on January 12, 1978, requesting their supplemental and amendment requirements.

In my response to the deputy superintendent I indicated that the earliest opportunity to request funding for substitute teachers pay increases would be in the late fall of 1978, as part of a possible fiscal year 1979 supplemental. I further suggested that the Board of Education examine its funding availability and requirements to determine if funds could be reprogramed within its financial plan, in order to meet the priority requirements for substitute teachers in fiscal year 1978.

The Mayor is currently formulating his fiscal year 1980 budget request and favorable consideration for funding a rate increase for substitute teachers will be recommended to the Mayor if it is requested by the Board of Education.

Please let me know if you require any additional information.

Sincerely yours,

COMER S. COPPIE,
Special Assistant to the Mayor.

SUBMITTED QUESTIONS

Senator LEAHY. Mr. Coppie, I have some additional questions which I would like to have answered for the record. These are questions for those agencies that have requests in the fiscal year 1978 budget supplemental and fiscal year 1979 budget amendment but did not appear. Mr. Coppie you did an excellent job of presenting the budget request for the city.

Mr. COPPIE. I will be glad to have them answered for the record.

[The following questions were not asked at the hearing but were submitted to the agencies for response subsequent to the hearing:]

OFFICE OF BUDGET AND MANAGEMENT SYSTEMS
A. D.C. DEPOSITORY ACT

QUESTION:
1. D.C. Depository Act - Requests of City Council, D.C. Auditor, Office of Budget and Management Systems and Department of Finance and Revenue.

Each of the aforementioned agencies has requested positions and funding for D.C. Depository Act purposes as follows:

Entity	FY 1978 Positions	FY 1978 Funding	FY 1979 Positions	FY 1979 Funding
City Council	1	$ 5,600	1	$ 22,400
D.C. Auditor	2	9,500	2	37,800
OBMS	4	31,800	4	74,100
Dept. of Finance and Revenue	4	41,400	4	59,500
Totals	11	$88,300	11	$193,800

The D.C. Depository Act specifically authorizes additional positions for the Council and the D.C. Auditor to deal with Depository Act activities. The need for the remaining positions is unclear particularly since the District will be dealing with amounts of funds which previously were deposited with the U.S. Treasury.

1.a. Would you please explain, in detail, why each of the extra positions is needed?

1.b. With respect to OBMS and the Department of Finance, exactly what will the additional staff be doing? How were deposits with the Treasury controlled in the past? How many people were involved in controlling these deposits? What will they be doing under the Depository Act?

ANSWER:
1. The D.C. Depository Act requires that the District perform entirely new functions to reconcile its bank accounts for 2.5 million checks a year, to control its cash resources of $1.5 billion a year, and to administer new financial services contracts with commercial banks. The new private banking relationships established as a result of the Depository Act are much more complicated than the District's long-standing relationship with the U.S. Treasury. In addition to taking over many activities previously performed by the U.S. Treasury, the District must now carry out important functions not previously performed. The new activities include: controlling cash resources on a daily basis to ensure that sufficient funds are available to cover checks issued; reconciling on a weekly basis the eight disbursement accounts against which 2.5 million checks a year will be issued and the city's deposit and investment accounts;

ANSWER:
coordinating the flow of reports, issued checks, and other material between the District and the several banks with District accounts; reconciling the bank account system with the District's central accounting system; researching claims concerning checks issued; and ensuring adequate security for District deposits. Sophisticated computer-based systems that have been developed to support the new functions must be operated and maintained.

It is essential that these new functions be carried out effectively and on a timely basis. There must be proper coordination with the banks to ensure that checks for payroll, pension benefits, welfare, and other payments are prepared on a timely basis. Bank reconciliation must be performed on a timely basis so that the District can accurately determine its cash position. The District must promptly handle claims involving lost, stolen, or destroyed checks. The District will not be able to manage properly its cash resources without the additional staff and funding requested.

In contrast to the complicated, time-consuming tasks required by the private banking system, the District had minimal workload under the U.S. Treasury system. The District prepared one, brief report each month on the total amounts for deposits made and checks issued into the single account in the U.S. Treasury. The District was not responsible for reconciling that account; nor did it have to control that account on a daily basis, as is required under the new system. Very little staff time was needed to perform those functions.

The new positions and funding requested by OBMS are required to carry out the new functions in the areas of account reconciliation and coordination of check writing, reconciliation, and reporting services performed by the banks. The additional work cannot be absorbed by existing staff, who are hardpressed to meet current responsibilities for financial reporting and central computer operations. Both existing functions and the new functions required by the Depository Act are of the highest priority in terms of sound and effective financial management in the District.

Three new positions are requested for the Financial Reporting Unit, OBMS, for the new account reconciliation function. This is a highly complicated process for ensuring that the weekly bank statements for each of the eight checking accounts agree with the city's own records and that each item of difference is fully reviewed and reconciled. Given a workload of 2.5 million checks issued and thousands of deposits and transfers each year, this will be a time-consuming task. Reconciliation must also be performed for the bank custodial account into which all funds are deposited and for the several investment custodial accounts. In addition, the bank system must be reconciled with the central accounting system so that the District will have one, official set of financial reports.

ANSWER:
The one new position and additional funding requested for the Share Computer Center, OBMS, are needed to coordinate the flow of information and materials between the District and the banks, to operate the computer-based portion of the reconciliation system, and to operate the improved, in-house check writing system. Checkwriting

tapes for almost all payments must be prepared and delivered to the banks daily; data on checks issued must be entered into the computer daily; and the reconciliation reports must be prepared from data supplied by the banks and data in the city's computer. Expedited checks must be written on the in-house system.

DEPARTMENT OF FINANCE AND REVENUE
D.C. DEPOSITORY ACT

QUESTION:

1a. Would you please explain, in detail, why each extra position is needed?

ANSWER:

1a. The Department of Finance and Revenue (DFR) has requested four additional positions in order to maintain its new cash control operation and added duties in the Disbursing Unit which were mandated by the 1977 D.C. Depository Act.

The primary responsibility of the Cash Control Unit (3 positions) is to maintain the day-to-day balances in the city's eight bank accounts. The unit is charged with minimizing the cash balance in each bank account in order to maximize the investment of District funds. This function was not previously performed.

The one position in disbursing is needed to operate the bursting equipment which is an entirely new function and to process many of the new forms which are necessary to input data to our new check writing and reconciliation system.

QUESTION:

1b. With respect to the Department of Finance and Revenue, exactly what will the additional staff be doing? How were deposits with the Treasury controlled in the past? How many people were involved in controlling these deposits? What will they be doing under the Depository Act?

ANSWER:

1b. DFR's request for additional staff is to support two functions--cash control and disbursing.

The cash control function will require three persons who will be responsible for maintaining the daily cash balance in all bank accounts at a minimum level (currently there are eight). The following is a list of additional functions of this unit, all of which were not previously performed or required:

(1) Insure that the set aside banks receive 1/3 of the demand deposit business within the course of a year.

(2) Monitor daily to assure that no depository has D. C. Funds in excess of 25% of their assets or 25% of D. C. Funds available for deposit during the year.

(3) Continuously review the adequacy of service received and analyze the financial condition of the banks used.

(4) Initiate daily transfers between bank accounts to cover checks written and investments made.

(5) Maintain records of collateral requirements from all banks over and above the Federal Deposit Insured amount.

(6) Prepare, rank and evaluate requests for proposals for all new or renewal demand deposit banking services.

Previously, deposits to U.S. Treasury were made to one account and once made a balance was not maintained in DFR; therefore no persons were required for the purpose of controlling the deposits.

A staffing increase of one person is needed to support the disbursing function; specifically to operate bursting equipment. Checks were previously printed on IBM cards; now, however, the new bank checks are "two-up" continuous form paper checks which must be run through bursting equipment. The following is a list of additional functions which were not previously performed or required:

(1) Sort out spoiled checks, after bursting and signing takes place.

(2) Randomly verify that the check number and amount agree with the check register.

(3) Maintain files of all issued, outstanding, and cancelled checks.

(4) Respond to check inquiries to determine if checks have cleared and process stop payments.

(5) Prepare paperwork for processing lost and stolen check claims.

(Note: The above functions are required on an estimated three million checks per year.)

Previously, U.S. Treasury sorted the spoiled checks. Bursting was unnecessary and verification was not performed. Files of all issued, outstanding and cancelled checks were maintained by U.S. Treasury. Stop payment requests must now be separated by bank and account. This was not necessary in the past since all

checks were drawn on one account. Finally, the paperwork necessary to update the new check writing and reconciliation systems for stop payments, cancellations, etc. is quite voluminous and was not necessary under the old system.

COUNCIL OF THE DISTRICT OF COLUMBIA

D.C. DEPOSITORY ACT

QUESTION:
1a. Would you please explain, in detail, why each of the extra positions?

ANSWER:

1a. The "District of Columbia Depository Act of 1977" (D.C. Law 2-32) requires that the Council of the District of Columbia exercise certain oversight activities regarding the city's short and long-term investments. A Financial/Community Technician (GS-12) would be assigned to the staff of the Council's Committee on Employment and Economic Development, which has the review functions mandated by D.C. Law 2-32 under its jurisdiction.

The requested staff person will review reports issued by the Office of Budget and Management Systems and the D.C. Auditor including (a) weekly reports on daily cash balances at depositories; (b) periodic evaluations of institutions bidding for short-term investments; (c) periodic assessments of investments made through repurchase agreements and funds generated; and (d) evaluation of decision-making criteria regarding short-term investments when an excess of $5 million is available.

Through an analysis of the aforementioned reports and other data, the requested staff will advise the Committee on the executive's compliance with D.C. Law 2-32. As a result of such regular scrutiny and analysis, the financial technician will also recommend proposed policy and legislative changes necessary to insure that the Depository program meets its stated purposes; the incumbent will also be expected to analyze and report on trends in lending practices and fiscal management practices of local financial institutions. The staff person will also coordinate all Council oversight activities with the D.C. Auditor to determine if proper enforcement of regulations and full compliance with provisions of the law is occurring.

OFFICE OF THE DISTRICT OF COLUMBIA AUDITOR

You state that to fulfill your new responsibilities under the Depository Act (October 26, 1977) you need 2 additional permanent positions for FY 79, and you request these 2 positions also be funded in FY 78.

QUESTION:
1a. Is the FY 78 funding requests for the last quarter?

ANSWER:
1a. The FY 1978 personnel funding request is for $9.5 thousand which funds only one quarter. The full year 1979 personnel funding

request is $37.8 thousand. No other funds are requested for FY 1978, other costs are to be absorbed. For FY 1979, $4.3 thousand is requested in other costs to support the two new employees.

QUESTION:
1b. What duties will be assigned to these new positions?

ANSWER:
1b. The new positions will meet the reporting requirements of Section 10(b) of the Depository Act. In particular, the personnel will review compliance with the evaluation criteria expressed in Section 5 of the Depository Act and the improvement required by Section 4 (b)(6) and (c)(7). In addition, the personnel will enable the Office to monitor investment and other fund transactions and compliance with distribution and collateral requirements. The Office is also required to maintain certain records available for public inspection.

QUESTION:
1c. Have the Act's requirements been met to date with current staffing levels?

ANSWER:
1c. In the absence of new personnel, this Office has not been able to audit bank information submissions upon which the initial depository contracts were made. This audit will become critical to insure that improvement requirements are met. If the work is not begun expeditiously, financial institutions may not have necessary records conveniently available for review.

QUESTION:
1d. Are these new position requests based on an analysis of new workload requirements compared to current workload and productivity standards? Please provide data on your analysis.

ANSWER:
1d. The new positions will perform work considerably different from current projects. I believe that the workload will be similar to current performance standards. We expect to continuously review approximately 15 financial institutions in addition to monitoring of District cash management.

QUESTION:
1e. Since other agencies such as OBMS are requesting funds for work in this area in the last quarter of FY 78, Why do you need auditing position funds now?

ANSWER:
1e. Although new personnel funds are not requested by other agencies until the fourth quarter, the law is already implemented. The first rankings pursuant to Section 4 have been made. Payroll and other accounts are already switched from the Treasury to private banks. Daily short term investment balances averaged over $13 million in June 1978. The first annual report on depository activities will be required to be submitted to the Council after the conclusion of this Fiscal Year. If that report is to be submitted in a timely fashion, work must begin prior to the end of the year.

OFFICE OF THE SECRETARIAT

QUESTION:
1. On page 30 of the supplemental budget justification, the District requests an increase of $75,000 ($25,000 FY 78; $50,000 FY79) to provide a Spanish test version of every D.C. Government application, brochure, and pamphlet which is essential to the health, safety, and welfare of the District's Latino residents.

1.a. What will be the total cost to provide a Spanish text version of every current D.C. government application brochure, and pamphlet? When will this be completed?

ANSWER:
1.a. The total cost of this project has not been established because each agency has not completed its process of reviewing their publications to determine which ones fall within the law.

QUESTION:
1.b. What is the expected annual cost of this program after 1979?

ANSWER:
1.b. It is estimated that the annual cost will be from $5,000 to $10,000 depending on revisions and new publications.

QUESTION:
2. How many Latino residents of the District are not able to speak or read English?

ANSWER:
2. To our knowledge this has not been determined.

QUESTION:
3. Will every D.C. brochure and pamphlet apply to these residents? Please provide details on the documents and their use by these residents.

ANSWER:
3. No, it does not include every brochure and pamphlet printed by the D.C. government, just those essential to the health, safety, and welfare of the Latino residents.

OFFICE OF BUDGET AND MANAGEMENT SYSTEMS

A. EXECUTIVE MANAGEMENT AND MUNICIPAL AUDIT

QUESTION:
1. The Mayor and City Council abolished 10 positions for Municipal Audit and Inspection, and 7 others for the Executive Management Division (transferring 3 others to the Mayor's Office). You are asking for restoration of the 10 audit positions at $208,700 and

the 7 executive management management positions at $208,700. Also that the three transferred positions be returned. You state that without the continued funding of these positions for another year an orderly phase out may not be possible.

1a. What effect will abolishing the internal audit positions have in maintaining adequate audit coverage of District finances and operation required by the home rule act?

ANSWER:
1a. Although the reduction of ten positions would achieve a savings of $208,700 for fiscal year 1979, it would soon be far overshadowed by excessive costs for outside audit services that would otherwise be unnecessary. Costs of the Congressionally mandated independent audit which the District must fund entirely beginning in fiscal year 1980 could be expected to increase excessively because of the impact this reduction would have on planned internal audit coverage. Independent auditors look for and rely heavily upon internal audit work as a means of holding down their audit cost. In addition, the District's planned improvements in financial management systems will require regular internal audit reviews to assure their continuing effectiveness and to prevent deterioration of the systems. Without such reviews it is unlikely that the District can maintain its financial management control systems at a level of acceptability which will enable an independent auditor to render unqualified opinions on the City's financial statements. Obviously, such a condition would have an unfavorable effect on the City's credit rating on the bond market.

The reduction would seriously hinder efforts to provide adequate internal audit coverage in vital financial management areas such as property and inventory management. In six separate audit reports during FY 1976 and 1977 GAO recommended additional internal audit coverage in these areas, however, with existing audit staff we cannot provide the recommended audit coverage.

Other effects of the proposed reduction include the following:

(1) losses of Federal grant funds because of the District's failure to provide the level of audit coverage necessary to meet Federal audit requirements;

(2) excessive or unallowable grant expenditures required to be reimbursed from District funds as a result of untimely audits;

(3) increased cost of mandated audits by outside independent accountants; and

(4) the failure to realize savings and cost reductions (over 28 million dollars in the past three years) brought about as a result of internal audits.

Sections 448 and 449 of the Home Rule Act impose upon the Mayor certain duties and responsibilities relating to the administration of the financial affairs of the District and accounting supervision and control. Section 449(d) specifically requires the Mayor to

"perform internal audits of accounts and operations and agency records of the District government, including the examination of any accounts or records of financial transactions, giving due consideration to the effectiveness of accounting systems, internal control, and related administrative practices of the respective agencies".

The duties and responsibilities set forth in Sections 448 and 449 are intended to provide the basis for sound and effective financial management of the District Government. Internal audit is an important element of the overall system required to make this work.

The loss of ten positions would seriously impair the effectiveness of the District's internal audit function to a point where its impact on the City's financial management could not be maintained at a level apparently intended by the requirements of Sections 448 and 449 of the Home Rule Act.

QUESTION:
1b. Please explain the duties of the executive management positions and what effect will be if they are abolished/transferred.

ANSWER:
1b. The Executive Management Division provides specialized assistance to the Mayor, City Administrator, Department and Agency Heads in improving organization and management of the District Government so that the greatest possible public service may be made available at the least possible cost.

1. Organization Improvement

Develops, coordinates, and finalizes intra-agency Reorganization Plans presenting alternatives for improving functional realignment program interfacing which will result in more effective service delivery.

Conducts research and makes surveys to develop background materials, justifications, and data to support organizational concepts proposed.

Reviews proposed legislation to assess the impact on functional alignment and existing organization structure of the District Government.

Assists in or monitors implementation of Intra-agency Reorganizations.

Monitors a District of Columbia Directives System and maintains the official District Organization Handbook to keep a current document which traces functions, organization structures, and mission statements for all Departments, Agencies, Boards, Advisory Bodies, Judicial Agencies, Fiscally-related and Independent Agencies.

Reviews proposed consultant contracts of $2,500 or over which have fiscal, organizational, management, planning, or training implications for the entire District Government.

2. Management Improvement

Provides technical management assistance to Departments and Agencies by lending temporary oversight or direction to specific District programs and/or activities.

Conducts studies to analyze and evaluate management and administrative effectiveness of on-going programs and/or operations, presenting recommendations for improving use of resources, internal control, information systems used for making management decisions.

Develops action plans for implementing changes in existing or new legislation.

Develops techniques for use by Departments and Agencies to improve program effectiveness through better program planning, goal setting, resource and budget estimating, control and evaluation.

Projects budget costs, administrative and managerial impact of proposed legislation.

Provides staff support to Task Force Teams and Work Groups appointed by the Mayor to study and propose alternatives for improving management of District operations, reducing costs, and responding to needs for public services.

3. Systems Improvement

Applies operations research in conducting feasibility studies to assess the suitability for using new techniques in specific District operations.

Applies policy analysis to issues crossing departmental lines and having strong technical components.

Uses scientific and technical resources outside D.C. Government to solve operational and systems problems confronting one or more District Departments.

Conducts and monitors feasibility studies to evaluate cost effectiveness of alternatives considered for application of technology to solving District service delivery, managerial, and/or administrative problems.

If the positions are abolished the Organization Improvement functions that involve major reorganizations, tracking the implementation of mayoral and legislative actions, and review of consultant contracts will have to be assumed elsewhere in the city government. Management and Systems Improvements designed to improve the efficiency of government operations, and to conduct special management reviews that result in improved service delivery and cost savings will have to be discontinued.

If the positions are transferred to the Mayor's Office the key functions that are now being performed will continue with a higher degree of visibility and overall impact on the management of the city government by the Mayor.

QUESTION:
1c-A. If the positions are restored, how will they be used? Be specific for each group of positions. Please provide a detailed grade breakdown of the positions you wish to retain.

ANSWER:
1c. If the ten internal auditor positions are restored they will be utilized in attempting to provide adequate audit coverage for our existing highest priority workload, performing newly legislated annual audits, assisting in the work required to enable an independent auditor to express an opinion on the financial position of the District, and most importantly, meeting new requirements for audit coverage in rapidly developing and changing areas of financial management systems.

Since the advent of Home Rule, the City Council has legislated that additional annual audits be performed of the D.C. General Hospital Commission and the Boxing and Wrestling Commission. A recent bill proposed by the Mayor includes provision for an annual audit of the financial assistance program for medical and dental students.

The cost of the annual independent audit required by P.L. 94-399 can be substantially reduced by the independent auditor being able to limit his work because of reliance on internal audit work. The restoration of 10 positions will enable OMAI to perform a significant amount of additional audit work which will assist the independent auditor and reduce the cost to the District of that annual examination.

In addition to the areas cited above, there are many areas which will require new or increased audit emphasis because of basic changes currently being implemented in the District's financial management system. The District, for example, is currently changing to the use of commercial depositories to handle cash deposit and check writing functions and the use of District staff to handle cash management and investment activities. With these vital and extremely vulnerable areas being no longer handled by the U.S. Treasury, we believe that increased audit review will be mandatory.

The District's financial management staff and the Temporary Commission on Financial Oversight are in the process of making major changes in the overall financial management system of the District. The Temporary Commission has already awarded contracts for the development of a District-wide financial management system and sub-systems for water-sewer billings and hospital patient billings. The development of any new system without the capability of periodically monitoring and evaluating the performance of these new systems can only lead to a recurrence of problems which have long plagued the District.

Related to the new systems development is an increase in the complexity of computer hardware and software supporting new financial and program information systems. In current third-generation computers, especially in real-time systems, the complexity involved in adequately auditing the information produced requires extensive planning and training for audit staff. We have over the past sev-

eral years been attempting to upgrade the capability of the District's internal audit staff in this vital area. Due to other audit work requirements this effort can be continued only with the restoration of the ten positions.

A detailed grade breakdown of the ten positions that would be abolished if not restored by Congressional action is as follows:

1	GS-14	Supervisory Auditor
1	GS-13	Supervisory Auditor
1	GS-12	Auditor
3	GS-11	Auditors
2	GS-9	Auditors
2	GS-7	Auditors
10		Total

1c-B.
If the ten positions for the Executive Management Division are restored they will be used as follows:

(3) Supervision and Administrative Support

1 - GS-15 Division Chief
2 - GS-7 Secretary and Administrative Aide

(2) Organization Improvement - major reorganizations, tracking the implementation of mayoral and legislative actions, and review of Consultant Contracts.

1 - GS-14 Management Analyst
1 - GS-13 Management Analyst

(2) Management Improvement - providing management assistance, administrative support for mayoral Task Forces and Work Groups, and conducting special management reviews.

1 - GS-14 Management Analyst
1 - GS-13 Management Analyst

(3) Systems Improvement - conducting feasibility studies to assess the suitability for using new techniques; applying existing or new technology to solve managerial, administrative, or service delivery problems; and using scientific and technical resources outside the D. C. Government to solve operational and systems problems confronting one or more District department.

1 - GS-15 Management Analyst
2 - GS-13 Management Analyst

QUESTION:
1d. Considering the time you have known these positions were to be abolished, why hasn't an orderly phase out already started?

ANSWER:
1d. An orderly phase-down has begun through attrition. Moreover, a complete freeze on hiring has been imposed on these two components of the Office of Budget and Management Systems. This will continue through the balance of this fiscal year and the FY 1979 fiscal year.

QUESTION:
1e. Has a plan been established to facilitate the orderly absorption or phase out of these positions?

ANSWER:
1e. Yes. As previously pointed out, the phase-down has begun through a program of attrition. Our objective is to further phase-down through a continuation of the attrition process.

QUESTION:
1f. Have the encumbents of these 17 positions to be abolished been considered for vacancies occurring in other District agencies? Have any positions been absorbed in this fashion?

ANSWER:
1f. Encumbents in these 17 positions are being considered for vacancies occurring in other District Agencies. One GS-13 Management Analyst has been detailed to the D. C. Personnel Office for consideration for assignment to that office; and one GS-7 Administrative Aide is under consideration for assignment to the Office of Business and Economic Development. The remaining 4 positions are being considered for absorption as vacancies occur. Two of the municipal auditors have transferred to positions in other District agencies.

OFFICE OF BUDGET AND MANAGEMENT SYSTEMS
B. RETAIL SERVICE STATION ACT

QUESTION:
1. You are requesting $75,000 to study if current service stations can adequately meet the communities needs, to be funded solely in fiscal year 1978 on a non-recurring basis.

1a. What prompted the inclusion of $75,000 for such study and what benefits do you expect? Be specific.

ANSWER:
1a. The $75,000 was included in the budget request because of the requirement imposed by D. C. Law 1-123, the Retail Service Station Act of 1976.

The study will examine the adequacy and convenience of motor vehicle repair, maintenance, and other services being offered by existing "full service retail service stations" and "non-full service retail service stations" to residents, commercial establishments, commuters, and other affected persons in the District of Columbia. It will also study the adequacy of existing retail service stations to serve the needs and convenience of residents, commercial establishments, commuters, and other affected persons with respect to the retail sale of motor fuels, petroleum products, and automotive products in various areas of the District of Columbia,

including an examination of the petroleum and automotive products being offered by commercial establishments other than retail service stations.

QUESTION:
1b. How many complaints have you received from the public since conversion began?

ANSWER:
1b. The Office of Budget and Management Systems has not maintained records with respect to complaints from the public since conversion began and cannot respond definitively to this question.

QUESTION:
1c. How many stations are there in the District and how many have been converted?

ANSWER:
1c. This is one of the questions that is to be determined when the study is conducted.

QUESTION:
1d. Isn't data already available from the oil companies since conversion could affect their volume of business?

ANSWER:
1d. The degree and extent to which this data is available from oil companies has not yet been determined, but is scheduled to be done as part of this study.

QUESTION:
1e. Should the city be embarking on market studies?

ANSWER:
1e. The City should embark on this and related market studies that may be designed to best serve and protect the interests of the residents of this area.

QUESTION:
1f. If such a study is necessary, why isn't it done by one of the existing management staffs or auditor groups?

ANSWER:
1f. In trying to determine the most practical approach to carrying out this study, we have consulted with numerous local firms that have conducted similar studies and have the necessary expertise and resources to do the job. The City does not have the capability to perform this study with existing management or audit staffs, and can most economically carry out this study on a contractual basis.

OFFICE OF HUMAN RIGHTS
A. WORKLOAD REQUIREMENTS

QUESTION:
1. You propose to retain 10 positions grades GS-12 through 14 abolished by the City Council in its review of the FY 1979 budget and delay hiring 11 new positions grades GS-7 and 9 added by the

Council. This request is made so as to provide a more orderly process of phasing out the abolished positions. Since the grades of the 10 positions are higher than the 11 proposed positions, the retention of the 10 positions will increase your funding requirements by $132.300.

a. Please detail the problem that will be encountered in carrying out the City Council's mandate.

b. What plans have you developed to make a smooth transition as required by the City Council?

ANSWER:
1a. In order to carry out the City Council's mandate the office will have to expend approximately $161,700 for terminal leave and severance pay for the staff whose positions will be abolished.

Since funds are not available for this purpose in our current budget, the agency will have to use the funds which were appropriated for the new positions in grades GS-7 and 9 (added by the City Council) to pay thebenefits for the staff who will be terminated.

It will cost the agency approximately $29,400 in funds to abolish the positions, than it would to retain the positions and phase them out during the budget year.

The Office will also not be able to add the additional personnel to carry out the investigative functions, which is the original intent of the City Council's mandate.

b. The employees who will be affected by the City Council's action to abolish ten positions have been informed in writing and encouraged to seek other employment.

A reduction inforce roster is currently being developed and the employees will be given assistance from the D. C. Personnel Office in securing other employment.

At present only eight (8) of these positions are occupied, because two employees have found other employment.

RENTAL ACCOMMODATIONS OFFICE

QUESTION:
1. An increase of $50,000 is requested for start-up costs of the rent subsidy program for fiscal year 1978. For fiscal year 1979, 53 positions and $3,934,500 million are requested.

1a. Why is the rent subsidy program being established within the Rental Accommodations Office when the Department of Housing and Community Development is in the business of providing assistance of this nature to District citizens, and already has the administrative-machinery and experience in house to run the program? Can't the Department handle this job without the significant increase of 53 positions? It hardly seems

logical that new responsibilities should be undertaken, when the Office has had such a problem handling its current workload!

ANSWER:
1a. The Rental Accommodations Office has proposed that the rent subsidy program be housed within its operation because the bulk of the information needed on unit-by-unit rents and the address of owners and management companies is readily available from its files. This information, which is vital to the success of the subsidy program and the elimination of the potential for abuse and fraud inherent in any program of this nature, must be immediately accessible to speed both the provision of services to households in need and the detection of irregularities. The Rental Accommodations Office, because of its special involvement with the rental housing industry, is the only place within the District Government where current and constantly updated information in this degree of detail can be found.

The 53 positions contained in the Rental Accommodations Office proposal for the establishment of the rent subsidy program represent the Rent Administrator's estimate of the number of people needed to implement the program. We are able to estimate neither the number of personnel available within the Department of Housing and Community Development who could be assigned to the subsidy program nor the number of additional positions required if the Department was to be designated agency.

Under the management of the current Rent Administrator, Bowles C. Ford, the Rental Accommodations Office has substantially improved its administrative and managerial effectiveness. Beginning in April of 1977, the Rent Administrator introduced a number of management practices and procedures which have eliminated many of the short-comings which plagued the Office in earlier periods. By the beginning of FY 1978, service to the public, landlords and tenants alike, had significantly improved. The rent subsidy program, although proposed as an administrative branch distinctly apart from the rental housing program, would benefit from the aggressive management approach which now characterizes the Office.

QUESTION:
1b. Also, how will the $50,000 requested for start-up costs be spent? Since there are no positions requested, are we to assume that these funds will be administered by staff currently on board? How will this affect your ability to carry out your current responsibilities?

ANSWER:
1b. The Rental Accommodations Office has envisioned a start-up period of approximately three months. During this time, three major program objectives would be met:

1. The detailed development of the overall rent subsidy operational plan, including computer programs and personnel interfaces, the design of administrative forms and control documents, and quality control, review and investigative procedures. The development of training courses and materials for use in the orientation and training of initial supervisory personnel.

2. The acquisition of the initial space and equipment needed to implement the program.

3. The orientation and training of supervisory personnel at the time of initial program implementation.

Objectives #1 and #3 would be carried out by consultant under contract to the Rental Accommodations Office. Apart from coordination between the Office of the Rent Administrator and the consultant, there will be no direct impact on the on-going operation of the current rental housing program.

QUESTION:
1c. Based on the information in your request, the rent subsidy program will serve about 6,300 households in the first year based on 6-months activity. How did you arrive at this number? Are you estimating 12,600 households will be served for the entire fiscal year 1980 at a cost of about $6.2 million? What happens if the entire 22,400 estimated eligible households cited in the budget apply?

ANSWER:
1c. In developing the proposal for the rent subsidy program, the Rental Accommodations Office has made projections of household participation in the program at various points in time. Our projections are based on estimates of the percentage of eligible households who will respond to the public announcements of the program and who will come into the application office to sign up. It is impossible to know, in advance, how the public will respond to a new program such as this. For purposes of administrative and budget planning, however, it is necessary to make estimates and projections. To the extent earlier programs have established patterns of public response, it is possible to arrive at an estimate of the number of participants and the cost of the program at any given point in time.

We have assumed the distribution of subsidies would begin during the second half of FY 1979. The estimated household participation during the last half of FY 1979 is 30% of the total number of eligible households or

6,720. Six months into FY 1980, the level of household participation is expected to reach 50% of the total number of eligible households or 11,200. By the end of FY 1980, the rent subsidy program is expected to reach 70% participation or 15,680 households. These estimates assume that the number of eligible households remains constant at 22,400 and that the response to public announcements will follow a growth curve from 30% at month six to 70% at month 24.

A more complicated aspect of this issue is the rent subsidy formula as outlined in the Rental Housing Act of 1977 (D.C. Law 2-54). A great deal of discussion of the problems with this formula has taken place. As an alternative, the Rental Accommodations Office has suggested that a rent subsidy formula developed and proposed by the D.C. Legislative Commission on Housing be substituted in its place. The Commission formula is based on only two factors, household size and household income. The determination of actual subsidies would be based on the application of a "benefit factor" to the difference between the actual household income and the income limits for households of that size, i.e., (income limit - income) x benefit factor = rent assistance. Under this formula, the actual amount of subsidy payment could be controlled by varying the benefit factor. We would recommend if such a formula were to be adopted, that the benefit factor be held at a relatively conservative level during FY 1979. Thus the participation level could be established based on actual responses and the potential crisis brought on by a large initial enrollment could be alleviated. Following this reasoning, the projected average household subsidy during FY 1979 would be at the rate of $282.37 per year. At this rate, one hundred percent participation of the total eligible households would require $6,325.088 in subsidies. Fifty percent participation on a yearly basis would require $3,162,544 in subsidies. Earlier subsidy rates, based on the formula in the Act, are substantially in excess of these estimates.

DEPARTMENT OF FINANCE AND REVENUE

QUESTION:

1. A recent article in the Washington Star (Friday, June 23, 1978) discusses the use of private companies to process income tax returns.

1a. Is this a violation of the confidentiality of taxpayer information?

ANSWER:

1a. Under the control and supervision exercised by this Department over any such contract work performed, there is not, in our opinion, any violation of confidentiality of taxpayer information. Contrary to what was reported in the press, private companies are not used to process income tax returns.

Each year, for the past several years, a contract has been let through the normal bidding process to provide standby data entry (keypunch services) if and when called upon to do so. To the extent used at all, these keypunch services are used shortly after the April 15th filing deadline in order to expedite the processing and issuance of refunds.

In order to protect confidentiality several steps are taken by us and are all reflected in the contract;

1. all income tax returns are transported to and from the contractor by departmental personnel,

2. at the contractor's place of work, all returns are under the direction, supervision and control of our personnel at all times,

3. contractor's personnel keypunch certain information from the tax returns such as the name, address and other identifying data and returns the information keypunched and the tax return back to our employee who is on site. No tax returns or information are left in the contractor's place of business overnight.

4. The actual processing of income tax returns is performed by departmental personnel at the department's place of business.

Some 40,000 returns were initially keypunched by contract during the calendar year 1977 filing season. We have found that as backlogs develop, it is generally more economical to contract out some of the work rather than to try and perform it all inhouse with temporary, untrained personnel. In the fiscal year 1976 budget, our request to reprogram funds from 01 to contract services for this purpose was approved.

QUESTION:
1b. Has the Corporation Counsel been asked to rule on the use of private companies to handle tax returns? Provide us with the Corporation Counsel's opinion.

ANSWER:
1b. Corporation Counsel has not been asked to rule on the use of private companies to handle tax returns. In view of the controls and safeguards outlined above and the limited amount of services actually provided under the contract, it did not occur to us that a legal problem requiring the opinion of the Corporation Counsel was involved.

DEPARTMENT OF GENERAL SERVICES

QUESTION:
1. On page 57 of the supplemental budget justification, the District is requesting an increase of $424,100 in FY78 and $901,700 in FY79 for steam and electricity. It states that energy conservation efforts have been effective in reducing consumption of steam and

electricity but increased utility rates have far exceeded the savings of reduced consumption.

1a. Identify those buildings that have been most effective and those that have been least effective in reducing energy consumption since the start of your energy conservation program.

ANSWER:

1a. Buildings most effective in reducing energy consumption:

Electricity:	Police District Station House
Steam:	Court Building A
	Recorder of Deeds

Buildings least effective in reducing energy consumption:

Electricity:	Court Building C
	Court Building D
Steam:	Court Building B
	Court Building C

QUESTION:

1b. Tell how the District maintains its energy conservation program, i.e. data collected, sources, etc. and how information is fed back to the users so that greater and greater emphasis will be placed on energy conservation.

ANSWER:

1b. The District maintains its energy conservation program by the following:

Performance Reports (Started April, 1974) - A performance report is required each quarter from each Department/Agency that has facility responsibility. The report shows energy usage, cost and a narrative which describes the major conservation items accomplished for the quarter. The Department of General Services receives an ADP tape from Potomac Electric Power Company each month which shows the usage and cost for each District account. A computer report is run and distributed to each Department for their use in preparing performance reports.

Technical Guidances - The Department of General Services has published technical guides containing instructions for each Facility Energy Conservation Officer (FECO) to follow in monitoring conservation. These guides have addressed the following areas and issues:

1. Facilities Standards (Dated March 1, 1974)
2. Ventilation (Dated April 2, 1974)
3. Lighting (Dated June 4, 1974)
4. Electrical Usage (Dated June 4, 1974)
5. Heating (Dated August 16, 1974)

Facilities Energy Conservation Officers Meetings (Started February 1974) - Under the auspices of the District Facilities Energy Conservation Officer, regular quarterly meetings are held with Department/Agencies FECO's to discuss the progress for their conservation efforts. Reports of agency usage are prepared and discussed. Speakers are invited to talk on the impact of energy costs to the District financial position. Ideas for savings are shared among the FECO's and progress on conservation projects are reported.

Power Management (Started April 1976) - The Department of General Services has installed a Computer Power Management System to monitor the electrical energy demand in 12 major facilities. The system is designed to prevent the electrical demand from going above a predetermined level by cutting off selected power devices until their restored use will again allow the total demand to fall within the target.

Energy Audits - The Department of General Services has begun a program to provide an information energy audit on District owned facilities. An automated Utility Management report is being programmed which will show actual energy usage and cost by type of fuel by month for the preceding fiscal year and current fiscal year to date. An on site visit at each District's facility by a qualified auditor is planned for the future.

Goals and Objective (Started April 1975) - A report is required each year from the District's Department/Agencies for their clearly defined energy conservation program with established goals in quantitative terms.

Facilities Energy Auditing (Started February 1974) - The District's Department/Agencies post energy usage and cost by facility as per guidance given by the Department of General Services. This information is used to prepare their quarterly Performance Reports.

QUESTION:
2. On page 56 of the justification it is mentioned that $221,300 was reprogrammed from space rental to utilities. Does the $424,100 increase for FY78 recognize this reprogramming? Please provide details.

ANSWER:
2. The request for $424,100 recognizes the reprogramming of $221,300 from space rental. Details are as follows:

	Electricity	Steam	Total
FY 1977 available	$1,314.3	$407.3	$1,721.6
Reprogramming from Space Rental	221.3	.....	221.3
Increase Requested in FY78 Budget	157.1	.....	157.1
Total FY 1978 Available	$1,692.7	$407.3	$2,100.0
Estimated FY 1978 Cost	1,896.3	627.8	2,524.1
FY 1978 Supplemental Request	$ 203.6	$220.5	$ 424.1

QUESTION:
3. On page 56 of the supplemental budget justification, it states that Square 491 was sold to the Canadian government.
3a. How much did the District receive from the sale of Square 491?

ANSWER:
3a. On March 22, 1978 the District of Columbia government conveyed fee simple title to a part of Square 491 containing 103,827.41 square feet to the Pennsylvania Avenue Development Corporation for the sum of $6,500,000 cash and other considerations. The other considerations being in the form of "free rent" for the continued use of the site by the District after conveyance, demolition of the improvements and reconstruction work to cure the damages to the remaining Employment Security Building which would be worth in excess of an additional $1,000,000.

QUESTION:
3b. How will the money, received from the sale of Square 491, be used?

ANSWER:
3b. $400,000 has been set aside to cover the cost of relocation of employees. The remaining $6,100,000 has been deposited to the general revenues of the District of Columbia.

QUESTION:
4. On page 58 of the supplemental budget justification, $1.1 million is requested to operate the New Court Building.
4a. What is the composition of and amounts of these operating expenses?

ANSWER:
4a.

Staffing:	Protective Services	$121.2	
	Building Engineers	83.8	
			$ 205.0
Utilities:	Electricity	$305.4	
	Steam	288.3	
			593.7
Other Services:	Custodial Services Contract	$264.2	
	Refuse Removal	11.0	
	Repair and Maintenance to Building and Equipment	19.8	
			295.0
Supplies and Materials		$ 8.4	8.4
Equipment:	Operating Equipment	$ 9.3	
	Security Equipment	18.0	
			27.3
	Total		$1,129.4

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

QUESTION:
1. The Department is requesting 12 positions and $559,000 to implement the Public Property Lead Elimination Act of 1977, pertaining to approximately 9,000 public housing units, 1,960 city-owned units and 135 public elementary schools. The 12 positions convert to about 2,600 staff days of inspection time, or, on the average, a little more than a half hour per unit.

1a. How long will it take to inspect a unit; a school? How long to reinspect after a hazard is found and work is done to eliminate the hazard?

ANSWER:
1a. It will take approximately 1.9 hours to "inspect a unit." This includes the physical inspection of the unit, preparation of a housing violation notice, and travel time relating to the inspection. It will take approximately 1.1 hours to reinspect a unit. It will take approximately 4 hours to "inspect a school," to include the full range

of items mentioned above. It will take approximately 2 hours to reinspect a school.

QUESTION:
1b. How long will it take to inspect the buildings in the workload with the staff on hand?

ANSWER:
1b. It would take approximately six (6) years to inspect the buildings in the workload if there were no reduction in staff.

QUESTION:
1c. Are there any other facilities or buildings not included in the year's workload? If so, enumerate.

ANSWER:
1c. Only Government-owned housing units and schools are included in the year's workload. Other facilities or buildings which exist and should probably be inspected include public assistance application centers, recreational facilities, health clinics, and others where small children may visit.

PUBLIC LIBRARY

Federal Steam

QUESTION:
1. On CE 68, additional funds are requested for fiscal years 1978 and 1979 to pay for the increased cost of steam to heat the Martin Luther King Library.

1a. Please explain how the budget base of $101,000 was calculated for Fiscal Years 1978 and 1979.

ANSWER:
1a. In FY 1977 the budget base for steam was $91,000. As part of a mandatory redirection of funds to underfunded accounts, we redirected $10,000 of personnel funds to the steam base, making the 1978 base $101,000. The supplemental request for 1978 is for $113,000, making a total estimate of $214,000 for steam in FY 1978. The 1979 estimated cost was developed by adding a 10% factor for inflationary cost of $214,000 ($21,400) making a total estimated cost in FY 1979 of $235,400. This represents an increase of $134,400 over the 1978 base of $101,000.

QUESTION:
1b. On what rationale did you base a 10 percent increase (i.e., $8.80) in the cost per thousand pounds?

ANSWER:
1b. The 10% factor for inflation is, if anything, too modest. From 1973 through 1978 yearly increases in the cost of steam per thousand pounds have ranged from 9% to 57%, with the average being 27%. When we consulted the steam station manager as to whether he thought the cost of steam would or wouldn't go up in FY 1979, he refused to hazard a guess. In view of the huge increases in the past six years, we

thought the rate of increase might level off to something less than the average of 27% and more in line with overall inflation rates. We decided on 10%. Only time can tell what it will actually be.

D.C. Commission on the Arts and Humanities

QUESTION:
1. What, if any, new and perhaps more compelling justification is now available to support this request in FY 78 and FY 79?

ANSWER:
1. The arts in D.C. are in the midst of a renaissance. In every part of the city, arts centers, theater and dance companies, workshops in the arts and musical productions are burgeoning. As a result, the arts are more than ever in need of various kinds of support. The D.C. Arts Commission was created by the Mayor and City Council to offer that support and administer to the needs of a large and diverse arts community. We have not been able to serve the arts community as it needs to be served, because of a lack of funding in vital areas. We believe there is compelling justification for our budget request for FY 1978, and FY 1979. During the past year, we have received more urgent requests from members of the arts community than ever before--requests which we could not fulfill.

These requests fall into three categories: Funds for Matching Grants, Special Events, and Contingency Funds. The first category of matching funds is necessary since all NEA grants must be matched. Some arts groups and individuals experience significant difficulty in finding enough money for the match. The D.C. Commission, like other state arts agencies, should be able to relieve these artists of that burden. Recently, the D.C. Commission could not take advantage of a $10,000 grant it received from the NEA for a film project because it could not meet the requirements for matching funds. Thus far, the Commission has functioned only as a granting agency, one of the functions outlined in the Commission's mandate. However, there are other operations also outlined in the mandate which have gone unfilled as a result of lack of funding.

One of these functions is the sponsoring of special events. The first special event ever sponsored by the Commission was the Craft Art Exposition, co-chaired by Mrs. Joan Mondale and Mrs. Benetta Washington, and widely acclaimed because it offered craftspersons their first opportunity to display their artistic talents in the community. However, the Commission has an outstanding debt of $13,000 for this important function which must be paid as we face possible lawsuits from the business community.

Each year, we watch hopelessly as yet another Fine Arts group struggles to survive and fails. With the money from the Crisis/Contingency Fund, we would be able to forestall the demise of such excellent groups as the Washington Theater Lab and the D.C. Repertory Dance Co. Because the Commission funds only once a year, it does not have the flexibility to respond to a crisis after the regular granting cycle. Several times a year, the Commission could have averted the loss of important artistic resources in our city if the Commission had an established Crisis Fund.

A large part of the money we receive from this budget request will be used to publish urgently needed "How To" booklets, as a part of our technical assistance to the arts community. These booklets will serve the fledgling and neighborhood arts organiza-

tions in setting up and managing their staffs and projects. Establishing a regular program of forums and seminars will also come under Technical Assistance, bringing expert consultants to share their skills with artists in areas of management, fundraising, budget, grantsmanship, bookkeeping, public relations, etc.

In conclusion, we feel that, in light of the many responsibilities the Commission has to the arts community and to the people of D.C. as a whole, in light of the serious inability of the Commission to fulfill those responsibilities under the present level of funding, and in light of the urgent needs and potential of the arts in D.C. to grow and flourish under more complete funding, our budget request must be granted.

QUESTION:
1a. What projects are being considered for funding?

ANSWER:
1a. The Commission urgently needs $70,000 to fund projects that take artistic services to areas now lacking arts institutions, such as Anacostia, Shaw, the Southeast, and the far northwest and northeast. We will specifically fund projects for the elderly, the handicapped, and the inmate populations of Lorton and D.C. Jail. These might include a travelling art exhibit, a theater performance in a neighborhood house or the support of a dance production indigenous to the area. Arts organizations and neighborhood organizations will submit proposals for executing these kinds of projects. Other projected areas of programming for neighborhood arts projects include the 14th street corridor and Anacostia. Projects will be funded on a competitive basis with guidelines developed by the Commission. Possible projects will consist of neighborhood festivals, murals, and outdoor artwork.

QUESTION:
1b. What priority does funding these projects have when compared to the needs of other District programs?

ANSWER:
1b. In presenting this budget request, the Commission stresses the crucial role of the arts as an integral part of life in D.C. We also stress the important need to continue our role in the community as a promotive element in the arts and as a source of funding and services. The budget request is indicative of both the growing need within the community for additional services and assistance from the Commission and of the inability of the Commission to provide them with the present level of funding.

As we stated earlier, as a result of a serious lack of funding, the Commission has been only able to fulfill one of its functions as outlined in the mandate--that of a granting agency. It has been unable to carry out the other duties and responsibilities which are also important functions of every state arts agency. The Commission has been unable to initiate programming within the community or provide comprehensive technical assistance to groups already organized. In addition, within the limits of the present budget, for the 63 arts organizations directly funded by the Commission, we can only grant 22.5% of the requested funds. This is

the NEA's Basic State Arts Agency Grant which automatically goes to every state arts agency in the country. Certainly the Commission recognizes that in this time of ever-increasing costs, the question -- "What contributions do the arts make?" -- is a serious one.

The contributions the arts make to our community are obvious, both in building better understanding among the diverse segments of our population, and economically. The contribution to the economy of our city is documented in the study, "The Arts in Metropolitan Washington," prepared by the Washington Center for Metropolitan Studies in Dec. 1975. "The arts are big business in the Washington metropolitan community, responsible directly for expenditures totalling an estimated $25 million each year, plus many more millions in spin-off expenditures." Congress continually encourages the District of Columbia to generate its own funding and the arts produce a source of revenue which must be nurtured.

The Executive Office and the Council have shown a great deal of vision in supporting this modest proposal and in understanding the crucial role the arts play in the growth of the city, culturally and economically. It remains only for the House and Senate to truly understand that the District's elected officials are not presenting this appropriation out of whimsy; they are responding to the needs of a much neglected part of the District's obligation to the cultural and humanistic needs of the community.

D.C. Commission on the Arts and Humanities
FY1978 Budget Supplemental and FY1979 Budget Amendment

I.	Matching/Contingency Funds	35.0%	$70,000.00
II.	Obligations	6.5%	13,000.00
III.	Artists-In-Schools	20.0%	40,000.00
IV.	Technical Assistance	25.0%	50,000.00
V.	Administration	13.5%	27,000.00
		100.0%	200,000.00

I.	Matching/Contingency Funds	
	A. Matching Monies for Programs	56,750
	B. Contingency Funds	8,250
	C. Special Events and Services	5,000
		70,000
II.	Obligations	13,000
III.	Artists-In-Schools	
	A. Arts-in-Education Consultant	18,500
	B. Publication Expenses:	
	1. Printing	4,000
	2. Writing	1,500
	3. Photography	500
	4. Art Layout	1,000
	C. Travel - national conferences	1,500
	D. Conferences/Symposia/Seminars	2,000
	E. State Agency Support Grant	10,000
	F. Audio-Visual Documentation	1,000
		40,000

IV.	Technical Assistance	
	A. Consultants	20,000
	B. Printing of Manuals	10,000
	C. Honoraria for Workshop Speakers	4,000
	D. Workshop Expenses (Forums and Symposia)	12,000
	E. Consultants' Travel	4,000
		50,000
V.	Administration	
	A. Commissioners' expenses	3,500
	B. Publications In-House	
	1. Annual Report	2,000
	2. Brochure	2,000
	3. Newsletter	2,000
	4. Informational guides	2,500
	C. Library acquisitions	3,000
	D. Memberships/Dues (NASAA, ACA, other cultural organizations)	1,000
	E. Intern Stipends (4 interns - $1,000 each)	4,000
	F. Petty Cash	2,000
	G. Travel	5,000
		27,000
		$200,000

COMMISSION ON HEALING ARTS LICENSURE

QUESTION:
1a. What is the urgency that the Commission begin operation in FY 1978 instead of FY 1979?
1b. What specific start-up activities are planned and what are their FY 1978 costs?

ANSWER:
1a&b. This question presumes that the Healing Arts Commission was not to begin operations until Fiscal Year 1979. On the contrary, the Healing Arts Practice Act of 1976 became law in April, 1977, and states (section 3, beginning with "Commission staff") "On or after October 1, 1977, the President of the Commission shall appoint a full time staff director. The staff director shall appoint, with the consent of the Commission, such counsel, secretaries, investigators or other persons as are necessary to carry out the functions of the Commission. Until such staff is sufficient for all the needs of the Commission, the Department of Economic Development (now Department of Licenses, Inspections and Investigations) shall continue staff and administrative assistance to the Commission."

To hire staff, a budget must be assigned. The Healing Arts Commission has operated through FY 1978 without any budget. The $50,000 figure was requested for FY 1978 so that the Commission could hire a staff director and secretary to help plan and organize staff, budget, office and equipment for FY 1979. That has not been possible.

QUESTION:
1c. Will the FY 1978 funding reduce FY 1979 funding requirements?

ANSWER:
1c. The FY 1978 funding will not reduce FY 1979 funding. The FY 1978 funding will permit the hiring of such staff as necessary to plan for the 1979 budget and Commission needs.

QUESTION:
1d. Why aren't FY 1979 funds requested for Commission operations?

ANSWER:
1d. FY 1979 funds were requested for Commission funds. Our requested budget was for $350,000, a sum approximating the amount generated for the District by the Commission's licensure activities. The law requires that "the funds and fees derived from receipts for licensing, registering, and regulating the professions and occupations shall be used to administer the respective functions for which collected." (Reorganization Order No. 59 and Organization Order No. 115, 1974, Part III, D. page 2).

The requested FY 1979 budget was cut to $199,000 and now to $165,000. Of this, approximately $80,000 will be necessary to administer two examinations. This unfortunate circumstance will leave about $85,000 to hire a staff of two or one to process 10,000 licensure and relicensure applications, investigate and process about seventy complaints against physicians annually. The Congress should recognize that such an expectation is unreasonable and that the current budget will leave the citizens of the District of Columbia wholly unprotected from incompetent and unethical physicians within the District.

EDUCATIONAL INSTITUTION LICENSURE COMMISSION

QUESTION:
1. Although the commission has been operating since the fall of 1977, you are now requesting initial funding for 4 temporary positions totaling $57,000 for the last three months of FY '78, and 2 permanent positions totaling $81,900 to be added to the approved FY '79 budget.

ANSWER:
1. Question 1 indicates a need for discussion relative to the budget requests for the EILC.

A. $81.9, 2 permanent positions, was requested by the government for FY '79 before the Commission was installed and could determine its needs.

B. Once installed the Commission formulated a FY '79 amendment for $92.9, 2 permanent positions for a total for FY '79 of $174.8, 4 permanent positions.

C. A FY '78 amendment was formulated for $57.0, 4 temporary positions for the last three months of FY '78.

QUESTION:
1a. How was the Commission funded before this request?

ANSWER:
1a. The EILC was funded prior to the FY '78 budget request through a transfer of funds (10.1) from the University of the District of Columbia board of Trustees persuant to D.C. Law 1-104.

QUESTION:
1b. Why can't the same source of funds be used for FY '78 operations?

ANSWER:
1b. The $10.1 transfered from UDC is being used for items of expenditure other than personnel and are insufficient for that purpose.

QUESTION:
1c. What has changed since you submitted the FY '78 budget request which requires immediate hiringof 4 temporary positions for FY '78? Could these positions be filled in time to begin work before FY '79 even if approved?

ANSWER:
1c. Presently the EILC is staffed by detailed positions and it is necessary to staff the Commission with its own positions even for the last three months of FY '78. These positions could be filled in time to begin work before FY '79.

QUESTION:
1d. What has changed since you submitted the FY '79 budget request positions for FY '79?

ANSWER:
1d. There are no changes due to responsibility or work load of the EILC since submittal of the FY '79 budget request of $174.8,4 permanent positions.

QUESTION:
1e. What will happen to the 4 temporary FY '78 positions?

ANSWER:
1e. The 4 temporary positions requested in FY '78 were requested as temporary because only 3 months remained in the fiscal year. The 4 temporary positions in FY '78 will become the 4 permanent positions in FY '79.

QUESTION:
1f. Who performs the administrative work associated with the Commission's operations now and how will this be provided in the future?

ANSWER:
1f. The Administrative work of EILC is performed by detailed positions presently. In the future, it is intended that this work be performed by 4 temporary positions in FY '78 that will become permanent in FY '79.

D. C. DEPARTMENT OF CORRECTIONS

QUESTION:
1. A request for $700,000 - other operating costs - is made because, according to the request, $2.7 million was expected from the Federal Bureau of Prisons for Federal offenders in District institutions, but only $2 million was received.

1a. What was the basis for the $2.7 million estimate?

ANSWER:
1a. The estimates the Department of Corrections prepares each year for its expected reimbursements from the Federal Prison System are based on the mandays expected to be accrued in the budget year by Federal prisoners in D.C. facilities, and on expected per manday costs for that year. Both of these are in turn based upon the most recent data available, which is then projected 18 to 30 months into the future to cover the budget year. The Fiscal Year 1978 figure ($2.7 million) was based on trends observable in the summer of 1976.

The first assumption was that the total number of Federal prisoners in D.C. facilities would decline to 205 from the 237 in Fiscal Year 1976. While the Federal population had increased in 1976 over 1975, this was assumed to be a temporary situation brought about by the rising population pressure on the Federal Bureau of Prisons. The longer term (five year) trend had been downward, from 387 in 1972 to 237 in 1976. However, this projection, of 205 average daily count of Federal prisoners in D.C. facilities, proved to be too high. Even the supplemental request for Fiscal Year 1978 (prepared in January, 1978), based on a downward adjusted projection to 145 is undoubtedly too high. Based on the experience of the first three quarters of 1978 the actual count is likely to be close to 125.

The second assumption, that average per capita costs would rise to $36.00 per day, was slightly low. The average for the entire year will be closer to $37.00 per day.

In attempting to identify why this unexpected decrease in Federal prisoners occurred, the Department of Corrections has verified that the U.S. Marshall mounted a concerted effort to transport persons convicted of

ANSWER:
federal offenses in a much more timely manner. The average stay for Federal prisoners in D.C. facilities has dropped dramatically due to their efforts.

QUESTION:
1b. If the estimate is based on the number of individuals for which the Federal Government should pay, and the payment was made for the correct number of individuals, any difference between the two amounts would seem to be academic. Please explain in detail why the additional $700,000 is needed.

ANSWER:
1b. This question is reflective of a chronic misunderstanding of how Federal reimbursements are treated in the Department's financial planning process. In simplified terms: first, total anticipated personal and operating costs are estimated-regardless of the status (Federal vs D.C.) of prisoners; then an estimate is prepared of how much of that total amount can be expected to be reimbursed from the Federal Prison System. The budget request is then reduced by that amount.

Federal reimbursements are considered to be part of the total revenue package for the budget year. The anticipated amount of reimbursements is used to reduce the anticipated need for appropriations. Thus, if the total resource needs of the Department are as anticipated, but the reimbursements less than anticipated, the original request for appropriations proves inadequate to meet total needs.

The bill prepared each quarter by the Department to the Federal Prison System is not based on the actual increase in Department costs directly attributable to each Federal prisoner. Rather it is based on the total cost for the particular institution in which each prisoner resides. Dividing total personal and operating costs (plus overhead) by the total population produces a per-capita cost, which serves as the basis for Federal billing and reimbursements. This is the same basic procedure used, incidentally, by the Federal Prison System in billing the D.C. Department of Corrections for D.C. prisoners in Federal facilities.

Since the total Departmental operating cost (and total service population) is as high as originally

ANSWER:
expected, the fact that the amount covered by Federal reimbursements is going to be less than anticipated results in serious underfunding of Department activities.

The question assumes that the overestimation of the total Federal count in our facilities by 39% and the corresponding loss in reimbursements will mean that the Department of Corrections breaks even. The problem is that the projected total cost, and total population were correct. The "error" was in the proportion of that total cost for which we did not require appropriations. A failure to provide appropriations to compensate for this loss of anticipated reimbursements will result in a net deficit for the agency. In fact, it is now clear - with the further decline in the Federal prisoners count - that the actual loss will be $1,000.0 rather than $700.0. The total cost anticipated has been incurred; the amount covered by reimbursements, however, was underestimated. This means the original appropriations request is inadequate to cover actual total costs.

UNIVERSITY OF THE DISTRICT OF COLUMBIA
VETERINARY PROGRAM

QUESTION:
1. On page 109 of the supplemental justification, $75,000 is requested for the veterinary program in FY 1978. On page 111, there is a discussion about the District signing a contract with Tuskegee Institute in order to provide a veterinary career for District residents.

1A. Specifically how will the $75,000 be used?

ANSWER:
1A. The $75,000 requested will be used to defray the cost of instruction in veterinary medicine for six (6) District residents at $11,500 each for a total of $69,000 plus administrative costs.

QUESTION:
1B. If a contract is signed with Tuskegee Institute, what will be the terms of the contract--course, number of students, etc?

ANSWER:
1B. The contract will provide for the admission and education of six residents of the District of Columbia who meet minimum admission requirements to the Tuskegee Institute's School of Veterinary Medicine. These students will receive educational services toward the Doctor of Veterinary Medicine degree.

QUESTION:
1C. How many prospective veterinary students are there? Will their tuition cover the cost of the contract?

ANSWER:
1C. While exact figures are not available, preliminary figures indicate that the number of applicants may exceed the number of slots available by factors of 3 to 5 as awareness of the program increases.

The rates negotiated with Tuskegee Institute on a per student basis are exclusive of tuition and other fees. The students will be charged in-state tuition rates. The amount plus the contract cost is equal to the actual cost of instruction experienced by the institute.

QUESTION:
1D. If the University enters into this contract, where will the classes be held?

ANSWER:
1D. All instruction will take place at Tuskegee Institute in Tuskegee, Alabama.

QUESTION:
1E. Since the justification doesn't request money for FY 1979, what period of time will the contract cover and what provision has been made to continue the program past FY 1978?

ANSWER:
1E. The contract will contain provisions for continuing the program in future years pending the availability of funds, as the City wishes to provide the capability for students to receive veterinary science training in the future.

QUESTION:
1F. How many veterinarians were located in the District as of January 1, 1978?

ANSWER:
1F. The 1978 American Veterinary Medical Association Directory indicates some 58 members of the District of Columbia.

QUESTION:
1G. How many veterinarians can the District support?

ANSWER:
1G. Available data for the Metropolitan area indicate at least a two-fold increase in the need for veterinarians by 1985 as some 70 percent of the veterinarians in the District of Columbia are employed by the federal government; no maximum number can be firmly established.

DEPARTMENT OF RECREATION
POOL MAINTAINENCE COST

QUESTION:
1. On HA-113, $58,000 is requested in Fiscal Year 1978 for additional maintenance costs to operate pools that are in great demand.

1a. How many pools are we talking about?

ANSWER:
1a. We are presently referring to 36 pools - 19 large outdoor pools, 2 large indoor pools and 15 walk-to-learn-to swim pools.

QUESTION:
1b. Are these pools presently opened or closed?

ANSWER:
1b. Thirty-four of thirty-six pools are open. Oxon Run is due to open 8-5-78 and Benning Stoddert is temporary closed due to fire damage to plastic fixtures and is scheduled to open 8-8-78.

QUESTION:
1c. If the pools in question are currently opened, please explain why the previous monies approved are not adequate.

ANSWER:
1c. Because of the severe winters of the past two years, practically all of the larger pools have experienced broken pipes, split pool linings and cracked joints. This means that we have to go underground to replace the pipes and later resurface the pools. Because of the great increase in cost due to inflation and the age of the facilities, the department does not have the available funds to keep up with the incidence of repairs. Examples of repairs are for Georgetown, built in 1916, Anacostia, Banneker and Takoma built in 1935, Kelly Miller, Benning Park, and Kenilworth-Parkside pools have to have very poor decks replaced because the concrete breaks up under chlorinated water. Pool filter systems have to be updated at Rosedale, Barry Farms, Benning Park, and Kenilworth-Parkside.

QUESTION:
1d. Please explain what you mean by "tooling up" for summer outdoor and walk-to pools.

ANSWER:
1d. By "tooling up" for summer outdoor and walk-to pools, we mean clean up, wash down and repair the pool shells and get ready to paint the pool markings. Reinstate pumps and motors, chemical pumps and gas chlorinators, reapir showers and toilets, inspect filter systems, and repack them with sand, deliver summer supplies, i.e. soap, paper towels, cleanser. In short, to do everything to make ready for the summer season.

DEPARTMENT OF HUMAN RESOURCES
A. PUBLIC ASSISTANCE

1. On JA 120 you request $8.8 million for FY78 to fund the projected caseload of 28,065 and a 5 percent increase in the payment level effective 7-1-78. This amount was to be funded from savings related to a reduction in the caseload which didn't materialize because staffing requested was not made available. It seems that a high percentage of cases on the rolls are either totally ineligible for public assistance benefits or are being overpaid.

QUESTION:
1a. Explain why you should increase the level of payment for recipients who are totally ineligible or being overpaid. Be specific.

ANSWER:
1a. Until each individual case is reviewed to determine the continued eligibility or correctness of payment, it is impossible to limit the payment level increase only to those needy families who are eligible. This, in effect, does mean that some ineligible or overpaid cases will get the payment level increase until such time as a payment is determined to be improper, at the time a redetermination of eligibility is made. It is the goal of the Payments Assistance Administration to redetermine the eligibility of each AFDC case at a minimum of every six (6) months. That was the reason for requesting the 180 positions in the FY 78 budget.

QUESTION:
1b. Based on existing error rates, how much of the $8.8 will be paid to totally ineligible recipients and those now overpaid?

ANSWER:
1b. Based on the most current AFDC-QC final sampling period, (July 1, 1977 - December 31, 1977), as reported to the Department of Health, Education, and Welfare by the District of Columbia (Form SRS-QC-341.1 to 341.4), the District had payment error rates of 12.3% to ineligible and 8.0% to overpaid cases in the AFDC program. Of the $8.8 million requested in the FY 78 amendment, $4.0 million is for AFDC, while $4.8 million is for the General Public Assistance program which is totally unrelated to AFDC error rates. Applying the combined AFDC payment error rate of 20.3% to the $4.0 million for AFDC recipients, it could be interpreted that $800 thousand will be paid to ineligible and overpaid AFDC families.

Public Assistance
2. On JA-119, a savings of $4.8 million was forecasted in AFDC if an additional 180 eligibility workers were approved. About $2.7 million of this amount was to have been applied towards an increase in the payment level for nine months. The justification provides that a base reduction of $4 million occurred when the fiscal year 1978 supplemental was formulated.

As of these two factors, $8.8 million is now requested for fiscal year 1978. You stated that this request will fund the projected increased caseload and provide for an increase of 5 percent in the payment level effective July 1, 1978.

QUESTION:
2a. Shouldn't an amount less than $8.8 million be needed since the 5 percent payment level increase will be effective for only three months (i.e., July 1 - Sept. 30, 1978), whereas the estimated savings included an increase in the payment level of $2.7 for nine months?

ANSWER:
2a. At the time the amendment request was prepared, we projected a requirement of $728.4 thousand to increase the payment level for only three months (July 1 thru September 30, 1978) and $8,086.0 thousand to maintain an average caseload of 28,065 for AFDC regular and a GPA average caseload of 5,813.

None of the $4.8 million savings forecasted when the FY 78 budget was prepared has been realized because the 180 positions were not available in time to effect the savings through FY 78.

QUESTION:
2b. Please provide the Committee with details on what portion of the $8.8 million is to fund the projected increase in the caseload and what portion is to fund the 5 percent payment level increase.

ANSWER:
2b. Of the $8.8 million, $728.4 is for the payment level increase and $8,086.0 is to maintain the average monthly caseload.

QUESTION:
3. You stated on JA-120 that an increase of about $5.7 million is needed for fiscal year 1979. Since you now have the 180 workers you requested in your fiscal year 1978 budget, how much savings do you expect to realize from the work of these additional staff in identifying erroneous payments being paid? Are the savings that you expect to realize reflected in the requested $5.7 million? How much? If not, why not?

ANSWER:
3. The $5.7 million was requested after deducting $1.8 million savings anticipated by the effects of 180 workers to identify erroneous payments. The request for FY 79 shows a decline in average monthly AFDC caseload from 28,065 to 26,942 or a reduction of 1,123 cases. Without the 180 workers, the request would have been for $7.5 million.

QUESTION:
4. On JA-121, you state that payment to a regular AFDC case in fiscal year 1978 will be $3,016. On JA-122, the payment to a regular AFDC case in fiscal year 1979 will be $3,238, which is to provide for an increase in the payment level of 5 percent? This increased amount ($222) represents more than a 5 percent payment level increase from fiscal year 1978. Please explain.

ANSWER:
4. The FY 78 payment of $3,016 was based on a payment of $247 per month for nine months and $263 per month for three months. For FY 79, the payment of $3,238 was based on $263 per month for the first six months and $276 for the last six months. The increase of $13.00 per month from $263 to $276 is actually a 4.9 or 5% increase of the payment level effective July 1, 1978.

B. YOUTH DIVERSION HOME PROJECT

QUESTION:
1. On JA-117, you request for fiscal year 1978, $44,000 to extend the Youth Diversion Program until the end of fiscal year 1978.

1a. The program appears to have been quite successful from your narrative. Why haven't you planned to continue it in fiscal year 1979?

ANSWER:
1a. The Department of Human Resources is quite proud of the progress and sustained performance of the Diversion Home Program. The Office of Criminal Justice Plans and Analysis independently evaluated the program and wrote a monitoring report dated February 23, 1978 which was highly complimentary to the Diversion Home Program's services. The Department of Human Resources expected federal funding for the program until FY 80. When the Department formally learned, on January 10, 1978, that grant funding would not sustain the program, a FY 78 budget amendment was immediately prepared to formally request $44,000 to extend the Diversion Home Program through FY 78. Concurrently, the Department requested full funding for the Diversion Home Program in a budget amendment for FY 79. On April 4, 1978, however, the D.C. City Council passed a resolution which transferred the request for FY 79 funds for the Diversion Home Program ($300,000) from the Department of Human Resources to the contractual services line of the budget of the Superior Court of the District of Columbia.

QUESTION:
1b. On JA-117, you state that the program is due to terminate on March 8, 1978. If this is true, why weren't funds requested in the fiscal year 1978 budget? Why wait until after the fact to request funds?

ANSWER:
1b. The Department of Human Resources accepted a Law Enforcement Assistance Administration grant on November 18, 1976 to administer the Diversion Program for Potential Youth Offenders, with the expectation that funding would be provided through FY 79. On January 10, 1978, the Juvenile Justice Advisory Group advised the Department that the maximum amount of funds available to the Diversion Home Program in FY 78 would be $95,000, rather than the amount needed to sustain the program through FY 78. The $95,000 was sufficient to carry the program from March 8, 1978 through July 31, 1978. Without hesitation, the Department immediately requested funds through the budget amendment process to continue the program in FY 78 and also in FY 79. The FY 78 request for $44,000 was to support the program until September 30, 1978. The above statement indicates what happened to our funding request for FY 79.

C. COMMUNITY RESIDENTIAL FACILITIES PROGRAM

1. D. C. Law 2-35, enacted October 27, 1977, sets standards for Community Residential Facilities and makes it mandatory for the District to regulate, rate, and monitor all adult placement facilities that meet the licensing requirements for skilled nursing, intermediate care, and community residential facilities.

QUESTION:
1a. On JA-115 you are requesting for fiscal year 1979, 10 employees and $136,300 to staff a Central Referral Bureau as a result of this law. On JA-116 you are requesting for fiscal year 1979, eight employees and $199,500 to staff a regulation and licensing bureau. This is a total of 18 positions and $335,800 for fiscal year 1979. Yet, the table on JA-115 shows an amount of only $285,800. Please explain this inconsistency.

ANSWER:
1a. The figure $199,500 is a typographical error. The figure should be $149,500. With this correction the figure $285,800 is correct.

QUESTION:
1b. Please explain why funds for the Central Referral Bureau are only requested for 8 months of fiscal year 1979 instead of 12 months.

ANSWER:
1b. The request for 8 months funding rather than a full 12 months funding request is the normal procedure for new programs. Since the program will not begin until fiscal year 1979, there is a normal delay in recruiting and selecting new staff and getting the new program into full operation.

D. D.C. VILLAGE, CONTRACTUAL NURSING SERVICE

On JA-118 you request funds for fiscal years 1978 and 1979 to provide certain hours of registered nursing and licensed practical nurse coverage for patients at D.C. Village.

QUESTION:
1. Why are these nurses needed--what changes occurred in the work or operations at D.C. Village that require an additional 30,000 hours of nurse coverage? Provide us with the details and how this came about since the 1979 budget was prepared.

ANSWER:
1. There has been no change in the work or operation at D.C. Village since the FY 1979 Budget Submission. The supplemental requests are necessary to correct an ongoing staffing shortage: that is, inadequate licensed nursing personnel on duty to meet staffing standards established by District and Federal regulations governing nursing home operations. The planned contractual arrangement is a proposed change to resolve this problem.

The staffing requirements included in the standards that must be met for facility certification pertain not only to total numbers of licensed personnel but also to the ratio of licensed personnel to total employees on a patient unit at any given time. The principal deficiency that resulted in the DHEW withdrawal of the facility certification was the lack of staffing to meet the mandated requirements. That loss of certification resulted in a loss of reimbursements to the District Government amounting to approximately $4.0 million per year.

The proposed contractual arrangements would enable the facility to have adequate licensed nursing personnel available immediately

to meet the certification requirements. Such services would also eliminate the need for continuing the current practice of requesting sixteen-hour work days and six-day weekly schedules for licensed staff now employed. Hence, approval would permit more reasonable workload assignments and eliminate much of the costly practice of excessive overtime usage.

CERTIFICATE OF NEED
E. WORKLOAD REQUIREMENTS

It is our understanding that all health service providers are required to secure certification by the District for any proposed addition, restoration or construction of health care facilities. On JA-119, the funds requested for fiscal years 1978 and 1979 are to provide the D.C. share for this 75 percent Federally matched program.

QUESTION:
1a. Does the Certificate of Need cover also the purchase of Equipment? If no, why not?

ANSWER:
1a. Yes. The Certificate of Need Law 2-43 covers equipment purchase.

QUESTION:
1b. How does the Certificate of Need Program tie in with the District's Comprehensive Plan for Health Care. What controls are in effect to ensure that a Certificate of Need will not be approved that could be contrary to the Comprehensive Plan?

ANSWER:
1b. A Comprehensive Health Plan has not yet been completed for the District. Under P.L. 93-641 the District's Section 1536 State Agency is now in the process of preparing a State (District) Health Plan which will, in effect, be the Comprehensive Health Plan for the District when completed.

The Certificate of Need Program under D. C. Law 2-43 is now in effect. The procedures and criteria for review which have been developed under that law and against which applications for Certificates of Need are reviewed required that all proposed projects/services be reviewed against and for conformance with, the goals and requirements of the State Health Plan and other corallary documents developed under P. L. 93-641.

QUESTION:
1c. Does the Certificate of Need cover all providers--private, District and Federal?

ANSWER:
1c. The law covers private and District providers specifically, and Federal providers by informal agreement and arrangement.

F. ALCOHOLIC TREATMENT AND PREVENTION

It is our understanding that the District is mandated to improve services to alcoholics as a result of another lawsuit.

You request $244,800 in fiscal year 1978 and $554,700 in fiscal year 1979 to staff the Rehabilitation Center for Alcoholics (RCA) so as to bring services up to an "acceptable level."

QUESTION:
1. Why are you asking for funds at this time to bring the "service up to an acceptable level?" How long has this condition existed? Why was not action taken sooner; surely this condition did not occur since the 1978 budget was prepared? Please explain, or provide the Committee with a complete description of how service is below an acceptable level, including personnel, care, food, etc.

ANSWER:
1. Budget constraints have, over a period of approximately six years, resulted in a significant decline in the resources available to this program. We have witnessed a reduction of one hundred positions during this period of time. Food costs have risen dramatically; clothing, supplies, equipment and other administrative costs have also escalated at a rate far exceeding the dollars made available to meet inflationary increases.

The deterioration of service therefore, is the culmination of years of retrenchment, and is not a sudden occurrence.

Because of these aforementioned shortages, prescriptive, individualized treatment plans are the exception rather than the rule. We have no psychiatrist; psychological services for 500 patients are provided by two persons (completely inadequate). Educational programs, occupational therapy programs, vocational training programs and job placement, recreational therapy are all provided on a global "activity level" basis rather than as a response to an individual's specific needs. Shortages of both nurses and counselors results in an inordinately high expenditure for overtime to maintain minimum coverage of units. A very dedicated staff is tired and discouraged by the constant requirement to work long tours of duty.

The mission of the Center is treatment and rehabilitation. Our goal is to try and prepare patients for a successful return to independent community living. The present set of circumstances seriously hampers our ability to meet this obligation.

The Court, in "Burgos vs. Washington, et. al", agrees with the plaintiffs that the present level of services is less than satisfactory. The response to the Court indicated that a request for additional resources would be made at the earliest possible time. This was accepted by the plaintiffs as a satisfactory, partial, resolution of the problem.

If funding is not provided, our total plan is in jeopardy. We may very well be inviting punitive action by the Court.

2. You state on JA-119 that the number of community based facilities available to alcoholics is completely inadequate.

QUESTION:
2a. How many community facilities are available and what is the present bed capacity and occupancy rate?

ANSWER:
2a. The Mary Herring Home is a 50 bed facility that is an administrative extension of RCA. The occupancy rate is 100%. The Department of Human Resources has three contracts with different vendors for a total of 35 beds. The occupancy rate for these three programs is also 100%.

There are a limited number of other voluntary, residential program in the District of Columbia. However, as independent entities they frequently establish criteria for admission that eliminates our patients as potential candidates for their service. Their occupancy rate is also quite high.

QUESTION:
2b. Please explain how the additional funds to contract for 45 to 50 community beds for alcoholism will enable you to provide higher quality care.

ANSWER:
2b. The District of Columbia, and every other state in the country, is moving as rapidly as is possible to deinstitutionalize its programs of service. Returning persons to as "normal" a state of community living is not only of significant therapeutic benefit to the patient, but is also an economically desirable goal. Deinstitutionalization, does not refer to the simple transfer of an individual from an instititional setting to a community living arrangement, regardless of the persons readiness for this move. Also, and quite frequently, this transfer is to a setting that contributes nothing toward the individuals rehabilitation. This is sometimes referred to as "dumping." Deinstitutionalization does mean, the careful preparation of the patient, both within and outside the institution, for a phased approach to whatever ultimate level of independent community living they are capable of achieving.

Half-way houses and other community residential and treatment programs are a necessary part of this treatment cycle. The additional beds requested will not only allow us to expand what we are presently doing, but also "improve the quality" of what we are doing. Without community beds the treatment process is not complete.

3. You state on JA-118 that the Adams Mill Road Alcoholic Clinic within Area B has seen an increase of referrals over the past few years with a concurrent decrease in staff. Five positions are requested for fiscal year 1979.

QUESTION:
3a. Provide a breakdown of these positions, social workers, administrative, etc.

ANSWER:
3a. 1 Psychiatrist, 1 Psycholgist, 1 Social Worker, 1 Nurse and 1 Alcoholism Counselor.

QUESTION:
3b. How many referrals to this clinic are we talking about? Is five people sufficient to handle the referrals: Please provide criteria or standards used in deciding on the need for five people.

ANSWER:
3b. The fiscal restraints noted in the reply to question 1 above also resulted in a decrease in authorized positions at the Adams Mill Road Clinic. The Clinic now has 7 full time and 5 part-time positions. This staff treated 826 different persons in calendar year 1977, averaging approximately 550 visits a month. The treatment program was of necessity both limited in scope and intensity. Patients were not always able to receive the type of treatment they needed, or for the duration of time deemed most desirable.

Approximately 150 persons were turned away and referred elsewhere because they could not be accommodated. Because motivating and "capturing" alcholics is the first and most difficult aspect of the treatment program, it is safe to assume that the majority of those referred elsewhere were "lost."

The increase in five staff positions would allow for a caseload of approximately 1000 persons, increase both the scope and duration of treatment and increase the average monthly visits to approximately 900.

These figures represent past caseload statistics, when the clinic did in fact have 12 full time positions.

DEPARTMENT OF TRANSPORTATION

A. ADMINISTRATIVE ADJUDICATION VIOLATIONS PROCESSING

1. An increase of $405,000 is requested for FY 79 to purchase a computer to process traffic tickets.

QUESTION:
1a. Where are tickets currently processed?

ANSWER:
1a. Tickets are currently processed by the Data Processing Division of the Superior Court of the District of Columbia.

QUESTION:
1b. What workload changes have occurred that make that facility inaccessible?

ANSWER:
1b. Requirements for ticket processing will change significantly under the new program. The number of traffic and parking tickets will increase from 1.7 million to 2.7 million annually. A data management system is being developed for the purpose of processing the increased ticket load, improving accuracy and resolving the deficiencies cited by the Temporary Commission for the Financial Oversight of the District of Columbia. The major issues addressed by the Commission are lack of accountability for the disposition of ticket books and individual tickets, and delays that occur in ticket processing and follow-up notices. The new system will directly communicate with three agencies that need ticket information on a current basis: motor vehicle registration offices, the Police Department and civilian enforcement units. The computer equipment used by the Superior Court has neither the capacity nor technical features to satisfy the requirements of the new system. For the most economical and reliable service, the new computer equipment will be installed in

the Metropolitan Police Department computer center and operated by the Department of Transportation. This arrangement reduces staffing requirements that would be necessary for an independent operation. The existing Superior Court computer is being dedicated for serving the Judiciary with expanded on-line information services as well as for existing functions not related to traffic tickets.

QUESTION:
1c. How many other District-owned computer facilities are there in the City? Are they all operating at capacity? Please provide the details.

ANSWER:
1c. The following computers are currently operated by the city:

IBM 370/158	Office of Budget & Management Systems
Friden 10	Department of Economic Development
IBM 370/145 (two computers)	University of the District of Columbia
Burroughs 1700	Fire Department
UNIVAC 9200	Department of Housing & Community Development
IBM 370/145	Department of Human Resources
IBM 370/158	Metropolitan Police Department
UNIVAC 90/80	Public Schools of D.C.
RCA 70/35	Public Schools of D.C.
IBM 370/145	Superior Court of D.C.
IBM 360/50	Unemployment Compensation Board

Of these twelve computers, only the two IBM 370/158's and the UNIVAC 90/80 have sufficient capacity and technology for processing the Department of Transportation's traffic enforcement and adjudication requirements in combination with the existing driver and vehicle registration systems. The three large-scale computers are already operating three eight hour shifts on weekdays and are frequently run on weekends.

The police and SHARE IBM computers are operating above normal capacity and are temporarily using special equipment (Attached Processors) to increase capacity. No existing computer operated by the City can absorb the new system.

When the Department of Transportation acquires its equipment the systems for parking enforcement, traffic adjudication, driver registration will operate under a single control system on one computer. The computer will also relieve the existing police computer of some of the demands placed upon it. By the end of FY 1979, both the police and transportation computers will be operating at approximately 90 percent capacity.

B. IMPROVED PARKING AND TRAFFIC ENFORCEMENT

1. The Department is requesting $234,000 for the line item - Vehicles - Improved Parking.

QUESTION:
1a. How many and what kind of vehicles are being requested here?

ANSWER:
1a. The following list itemizes the quantities, types, and purposes of the vehicles proposed for parking enforcement.

QUANTITY	TYPE	PURPOSE
7	12-passenger van	Transport ticket writing crews to walking beats
22	sub-compacts	Transport ticket writers on mobile beats
13	Standard Vans	Transport boot crews and equipment
3	½ ton pick-up trucks	Impoundment operations field supersion

QUESTION:
1b. How many and what kind of vehicles does the Department and the City have? What is the utilization record of these vehicles? Can any of them be used in this program in lieu of buying new vehicles?

ANSWER:
1b. The District has 4,480 vehicles of which only 1,465 are passenger carrying. The remainder are special purpose vehicles and construction equipment. Approximately fifty percent of the 1,465 passenger carrying vehicles are assigned to the Police and Fire Departments for their use. Very few of the remaining 730 vehicles are less than eight years old.

In 1977, the Department of Transportation reviewed the utilization of its passenger carrying vehicles and construction equipment, as a result retired 67, or 25 percent, of the construction fleet and 34, or approximately 22 percent, of the passenger carrying fleet. It was determined that further reductions would result in work delays caused by downtime and possible curtailment of activities.

In addition, our review concluded, in the next two or three years, 77 units of construction equipment and 44 passenger carrying vehicles, which are essential and represent 37 percent of the remaining fleet, would become inoperable or require excessively costly maintenance. Because of the limited size of the remaining fleet and poor reliability of 10-year old passenger cars, our vehicles cannot be made available for the new Parking Program.

In addition, the twenty-two passenger carrying vehicles requested for the Parking Program are sub-compacts and are more economical to operate than the majority of the District's current fleet of predominately four-door sedans.

QUESTION:
1c. In the event new vehicles are justified, are you planning to purchase compacts and sub-compacts to minimize costs? Where will you buy the vehicles? Have you determined the most economical source? Please provide the details.

ANSWER:
1c. Twenty-two sub-compacts (see list furnished in 1A) will be purchased for purposes that do not require transporting large crews or equipment. These vehicles were selected for low initial cost as well as for economy of operating costs. Specification for bids will be issued according to standard procurement procedures, and the purchase will be made from the lowest bidder for each type of vehicle.

C. PARKING ENFORCEMENT AND OPERATIONS

QUESTION:
1. Please explain the $15,400 request for guard services. While this amount is not significant in relation to the total budget request, we are concerned that it may be an indication of the establishment of yet another guard force in the City.

ANSWER:
1. Guards are needed at each of three impoundment lot locations for twenty-four hours per day, seven days per week. It is estimated that, at any given time, the value of vehicles and property at the lots will exceed three million dollars. Guard service will also be needed for one shift at the headquarters location of the Bureau of Parking and Enforcement, which will house the communications operations, a coin counting facility for parking meters, and other valuable equipment. When the new program is fully implemented, a total of twelve guard positions will be needed to satisfy the requirements of Parking and Enforcement, and an additional five guard positions will be required to protect the cashiering locations of the Bureau of Traffic Adjudication which will be processing in excess of $30 million per year. It is expected that guard service will be procured through the Department of General Services.

FISCAL YEAR 1978 SUPPLEMENTAL AND FISCAL YEAR 1979 AMENDMENT JUSTIFICATIONS

Senator LEAHY. We will insert the budget justifications in the record at this point for the fiscal year 1978 budget supplemental and fiscal year 1979 budget amendment.

DISTRICT OF COLUMBIA

SUMMARY OF FISCAL YEAR 1978 SECOND SUPPLEMENTAL AND FISCAL YEAR 1979 AMENDMENT

	F.Y. 1978 Appropriations		Second Supplemental		Revised F.Y. 1978 Request		F.Y. 1979 Request		Amendment		Revised F.Y. 1979 Request	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
OPERATING EXPENSES:												
General Operating Expenses:												
Office of the Mayor	34	$992.2	...	.....	34	$992.2	43	$1,372.0	-3	-588.8	40	$1,283.2
Council of the District of Columbia	86	2,542.0	-3	+5.6	83	2,547.6	101	3,017.2	-2	-23.0	99	2,994.2
District of Columbia Auditor	10	251.3	...	+9.3	10	260.8	10	264.1	+2	+442.1	12	306.2
Executive Office:												
Office of the Secretariat	25	578.4	...	+25.0	25	603.4	26	693.9	...	+200.0	26	893.9
Office of Public Affairs	8	175.5	...	.....	8	175.5	8	218.7	...	.....	8	218.7
Office of Budget and Management Systems	291	10,476.9	...	+106.8	291	10,583.7	281	10,038.4	+24	+580.3	305	10,618.7
Municipal Planning Office	82	1,723.1	...	.....	82	1,723.1	77	1,735.6	...	.....	77	1,735.6
Personnel Office	69	1,519.3	...	.....	69	1,519.3	72	1,662.8	...	.....	72	1,662.8
Compensation Funds:												
Disability	...	5,838.6	...	.....	...	5,838.6	...	5,857.9	...	.....	...	5,857.9
Unemployment	...	6,754.3	...	.....	...	6,754.3	...	5,962.9	...	.....	...	5,962.9
Workmen's	...	721.4	...	.....	...	721.4	...	751.2	...	.....	...	751.2
Office of Emergency Preparedness	7	133.9	...	.....	7	133.9	7	147.5	...	.....	7	147.5
Office of Human Rights	48	984.4	...	.....	48	984.4	49	916.7	-1	+132.3	48	1,049.0
Office of Consumer Protection	16	442.1	...	.....	16	442.1	21	568.1	...	.....	21	568.1
Rental Accommodations Office	41	725.2	...	+88.5	41	813.7	41	751.9	+58	+4,126.0	99	4,877.9
Department of Finance and Revenue	570	10,983.8	...	+41.4	570	11,025.2	597	11,866.0	+4	+59.5	601	11,925.5
Office of the Corporation Counsel	153	3,678.8	...	.....	153	3,678.8	156	4,044.6	...	.....	156	4,044.6
Department of General Services	528	18,093.3	...	+2,456.4	528	20,549.7	536	17,901.0	...	+2,821.6	536	20,722.6
Department of Economic Development	157	2,806.6	...	+150.0	157	2,956.6	156	2,932.7	...	+150.0	156	3,082.7
Public Library	498	8,385.8	...	+113.0	498	8,498.8	499	8,900.8	...	+134.0	499	9,034.8
Department of Manpower	16	253.2	...	.....	16	253.2	16	344.8	...	.....	16	344.8
Other Independent Agencies and Offices:												
Office of Youth Advocacy	10	245.0	...	.....	10	245.0	10	245.0	...	.....	10	245.0
Department of Housing and Community Development	263	4,850.2	...	.....	263	4,850.2	274	6,481.2	...	+559.2	274	7,040.4
Board of Parole	23	458.3	...	.....	23	458.3	23	479.5	...	.....	23	479.5
Department of Insurance	26	615.8	...	.....	26	615.8	26	641.6	...	+3.0	26	644.6
Minimum Wage and Industrial Safety Board	38	729.1	...	.....	38	729.1	38	801.9	...	.....	38	801.9
Recorder of Deeds	63	844.2	...	.....	63	844.2	63	875.2	...	.....	63	875.2
Public Service Commission	31	682.8	...	.....	31	682.8	29	732.2	...	.....	29	732.2
Board of Elections and Ethics	33	1,555.8	...	.....	33	1,555.8	38	1,905.0	...	-49.0	38	1,856.0
Office of the Surveyor	31	380.3	...	.....	31	380.3	31	398.5	...	.....	31	398.5
Advisory Neighborhood Commissions	...	500.0	...	.....	...	500.0	...	1,000.0	...	.....	...	1,000.0
Special Mission Activities:												
Office of Criminal Justice Plans and Analysis	...	.....	...	.....	...	.....	5	106.3	...	.....	5	106.3
Commission on the Arts and Humanities	3	57.9	...	+100.0	3	157.9	3	159.4	...	+100.0	3	259.4
Office on Aging	3	616.1	...	.....	3	616.1	3	646.2	...	.....	3	646.2
Office on Latino Affairs	5	106.8	...	.....	5	106.8	5	139.8	...	.....	5	139.8
Boxing and Wrestling Commission	...	....	...	.....	...	.....	2	40.0	...	.....	2	40.0
Board of Appeals and Review	4	89.5	...	.....	4	89.5	4	93.6	...	.....	4	93.6
Educational Institution Licensure Commission	...	.....	...	+57.0	...	57.0	2	81.9	+2	+92.9	4	174.8
Commission on the Status of Women	2	40.8	...	.....	2	40.8	2	54.1	...	.....	2	54.1
Commission on Judicial Disabilities and Tenure	1	67.0	...	.....	1	67.0	2	82.1	...	.....	2	82.1
Board of Labor Relations	2	108.4	...	.....	2	108.4	2	111.6	...	.....	2	111.6
Commission on Healing Arts Licensure	...	.....	+3	+50.0	3	50.0	3	199.3	...	.....	3	199.3
Judicial Nomination Commission	...	16.7	...	.....	...	16.7	...	32.3	...	.....	...	32.3
Law Revision Commission	3	365.8	...	.....	3	365.8	8	390.2	...	.....	8	390.2
Board of Equalization and Review	...	.....	...	.....	...	.....	...	114.6	...	.....	...	114.6
Washington Metropolitan Council of Governments	...	221.3	...	.....	...	221.3	...	239.5	...	.....	...	239.5
Washington Area Convention and Visitors Association	...	199.0	..	.....	...	199.0	...	100.0	...	.....	...	100.0
Chamber of Commerce	...	51.7	...	.....	...	51.7	...	52.0	...	.....	...	52.0
Minority Business Opportunity Commission	...	.....	...	.....	...	.....	6	175.0	...	.....	6	175.0
Total, General Operating Expenses	3,180	90,862.6	...	+3,203.2	3,180	94,065.8	3,275	96,326.8	+84	+8,840.1	3,359	105,166.9

	1978 Appropriation		Second Supplemental		Revised F.Y. 1978 Request		F.Y. 1979 Request		Amendment		Revised F.Y. 1979 Request	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
OPERATING EXPENSES - continued												
Public Safety:												
Metropolitan Police Department	4,805	134,864.3	...	.....	4,805	134,864.3	4,673	140,004.1	+264	+2,396.4	4,937	142,400.5
Fire Department	1,344	49,941.5	...	.....	1,344	49,941.5	1,366	52,032.2	...	.....	1,366	52,032.2
Courts:												
Appeals	69	1,799.8	...	.....	69	1,799.8	69	2,039.0	...	.....	69	2,039.0
Superior	969	20,039.8	...	+66.3	969	20,106.1	920	21,048.6	+2	+335.0	922	21,383.6
D. C. Court System	63	5,502.7	...	.....	63	5,502.7	63	4,651.4	...	.....	63	4,651.4
Public Defender Service	94	1,940.0	...	.....	94	1,940.0	113	2,660.5	+3	+45.0	116	2,705.5
Bail Agency	47	799.7	...	.....	47	799.7	57	1,017.1	-7	-77.0	50	940.1
National Guard	19	294.3	...	.....	19	294.3	19	281.5	...	.....	19	281.5
Department of Corrections	2,100	48,588.9	...	+1,073.4	2,100	49,662.3	1,976	50,678.4	...	+998.4	1,976	51,676.8
Total, Public Safety	9,710	263,771.0	...	+1,139.7	9,710	264,910.7	9,456	274,412.8	+262	+3,697.8	9,718	278,110.6
Education:												
Public Schools	9,934	223,556.0	...	.....	9,934	223,556.0	9,798	239,043.6	...	.....	9,798	239,043.6
University of the District of Columbia	1,529	41,123.2	...	+143.6	1,529	41,266.8	1,529	43,855.0	...	.....	1,529	43,855.0
Total, Education	11,463	264,679.2	...	+143.6	11,463	264,822.8	11,327	282,898.6	...	.....	11,327	282,898.6
Recreation:												
Recreation Department	762	17,551.0	...	+58.0	762	17,609.0	764	18,677.4	...	.....	764	18,677.4
Human Resources:												
Department of Human Resources	8,488	283,462.3	...	+9,353.9	8,488	292,816.2	6,187	266,983.2	+45	+6,002.4	6,232	272,985.6
D. C. General Hospital	...	.....	...	.....	...	.....	(2,424)	27,491.6	...	.....	(2,424)	27,491.6
Total, Human Resources	8,488	283,462.3	...	+9,353.9	8,488	292,816.2	6,187	294,474.8	+45	+6,002.4	6,232	300,477.2
Transportation:												
Department of Transportation	1,298	24,395.7	...	+5,595.1	1,298	29,990.8	1,030	32,061.6	...	+231.6	1,030	32,293.2
Washington Metropolitan Area Transit Commission	...	73.2	...	.....	...	73.2	...	72.3	...	.....	...	72.3
School Transit Subsidy	...	4,300.0	...	.....	...	4,300.0	...	4,385.0	...	+214.3	...	4,599.3
Washington Metropolitan Area Transaity Authority (Metro)	...	30,945.0	...	-1,254.7	...	29,690.3	...	41,032.8	...	.....	...	41,032.8
Total, Transportation	1,298	59,713.9	...	+4,340.4	1,298	64,054.3	1,030	77,551.7	...	+445.9	1,030	77,997.6
Environmental Services:												
Department of Environmental Services	2,737	59,382.0	...	+1,219.7	2,737	60,601.7	2,738	63,331.5	+4	+72.3	2,742	63,403.8
Washington Aqueduct	310	8,809.9	...	+450.0	310	9,259.9	310	9,978.4	...	.....	310	9,978.4
Total, Environmental Services	3,047	68,191.9	...	+1,669.7	3,047	69,861.6	3,048	73,309.9	+4	+72.3	3,052	73,382.2
Personal Services	...	65,549.4	...	+7,000.0	...	72,549.4	...	69,300.0	...	+7,000.0	...	76,300.0
Settlement of Claims and Suits	...	.....	...	+21.8	...	21.8	...	.....	...	+250.0	...	250.0
Repayment of Loans and Interest	...	125,668.5	...	+475.8	...	126,144.3	...	111,700.0	...	.....	...	111,700.0
TOTAL, OPERATING EXPENSES	37,948	1,239,449.8	...	+27,406.1	37,948	1,266,855.9	35,087	1,298,652.0	+395	+26,308.5	35,482	1,324,960.5
CAPITAL OUTLAY	...	129,173.4	...	.....	...	129,173.4	...	129,790.0	...	+5,504.8	...	135,294.8
GRAND TOTAL, DISTRICT OF COLUMBIA FUNDS	37,948	1,368,623.2	...	+27,406.1	37,948	1,396,029.3	35,087	1,428,442.0	+395	+31,813.3	35,482	1,460,255.3

ITEMS FOR FY 1978 SUPPLEMENTAL AND FY 1979 BUDGET AMENDMENT

(Amounts in Thousands)

	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
GENERAL OPERATING EXPENSES				
Office of the Mayor				
Reversal of transfer	...	.....	-3	-88.8
Council of the District of Columbia				
1. Depository Act	(1)	5.6	1	22.4
2. Municipal Regulations	-3	.....	-3	-45.4
	-3	5.6	-2	-23.0
District of Columbia Auditor				
Depository Act	(2)	9.5	2	42.1
Office of the Secretariat				
1. Bilingual publications	...	25.0	...	50.0
2. Publication of Municipal Regulations and the D.C. Register	...	.....	...	150.0
	...	25.0	...	200.0
Office of Budget and Management Systems				
1. Depository Act	(4)	31.8	4	74.1
2. Retail Service Station Study	...	75.0	...	.....
3. Restoration of base reductions	...	.....	20	506.2
	(4)	106.8	24	580.3

(Amounts in Thousands)

GENERAL OPERATING EXPENSES continued	Fiscal Year 1978 Pos.	Fiscal Year 1978 Amount	Fiscal Year 1979 Pos.	Fiscal Year 1979 Amount
Office of Human Rights				
1. Restoration of abolished positions	...	.....	10	296.1
2. Deletion of new positions	...	.....	-11	-163.8
			-1	132.3
Rental Accommodations Office				
1. New Rent Control Law	(5)	88.5	5	143.5
2. Rent Subsidy Program	...	.....	53	3,934.5
3. Data Systems	...	.....	...	48.0
	(5)	88.5	58	4,126.0
Department of Finance and Revenue				
Depository Act	(4)	41.4	4	59.5
Department of General Services				
1. Municipal Center cleanup	...	175.0	...	.....
2. Space rental costs	...	727.9	...	436.0
3. Increased energy costs	...	424.1	...	901.7
4. New Court Building operations	...	1,129.4	...	38.4
5. Withdrawal of transfer out	...	.....	...	1,445.5
	...	2,456.4	...	2,821.6
Department of Economic Development				
Compensation for water service/sewer repairs	...	150.0	...	150.0

GENERAL OPERATING EXPENSES continued	(Amounts in Thousands) Fiscal Year 1978 Pos.	Amount	Fiscal Year 1979 Pos.	Amount
Public Library				
Federal steam purchase	...	113.0	...	134.0
Department of Housing and Community Development				
Lead elimination program	...	.....	(12)	559.2
Department of Insurance				
Travel	...	.....	...	3.0
Board of Elections and Ethics				
Automatic Data System	...	.....	...	49.0
Commission on the Arts and Humanities				
Grants and subsidies	...	100.0	...	100.0
Educational Institution Licensure Commission				
Funding for staffing and program requirements	(4)	57.0	2	92.9
Commission on Healing Arts Licensure				
Initial funding for Commission	3	50.0	...	.....

(Amounts in Thousands)

PUBLIC SAFETY	Fiscal Year 1978 Pos.	Fiscal Year 1978 Amount	Fiscal Year 1979 Pos.	Fiscal Year 1979 Amount
Metropolitan Police Department				
Replacement of police officer attrition losses	...	.....	264	2,396.4
Superior Court				
1. Judges' annuities	...	66.3	...	.....
2. Volunteer attorneys	...	.....	2	35.0
3. LEAA Youth Diversion Home Project	...	.....	...	300.0
	...	66.3	2	335.0
Public Defender Service				
Children's Center legal services	...	.....	3	45.0
Bail Agency				
Street Investigation Unit	...	.....	-7	-77.0
Department of Corrections				
1. Ugast Center	...	278.4	...	278.4
2. Women's Detention Center phase-out	...	95.0	...	.....
3. Other operating costs	...	700.0	...	700.0
4. Street law project	...	.....	...	20.0
	...	1,073.4	...	998.4

	(Amounts in Thousands)			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
EDUCATION				
University of the District of Columbia				
1. Relocation costs	...	68.6	...	.....
2. Veterinary program	...	75.0	...	.....
	...	143.6	...	.....
RECREATION				
Recreation Department .				
Pool maintenance costs	...	58.0	...	.....
HUMAN RESOURCES				
Department of Human Resources				
1. Community Residential Facilities Program	...	11.8	18	285.8
2. Youth Diversion Home Program	...	44.0	...	.....
3. Alcoholic Treatment and Prevention	...	341.2	27	925.4
4. Nursing Service, D.C. Village	...	111.4	...	445.5
5. Certificate of Need	...	31.1	...	116.2
6. Public Assistance	...	8,814.4	...	5,675.0
7. Space rental funds	...	.....	...	-1,445.5
	...	9,353.9	45	6,002.4

(Amounts in Thousands)

TRANSPORTATION	Fiscal Year 1978 Pos.	Fiscal Year 1978 Amount	Fiscal Year 1979 Pos.	Fiscal Year 1979 Amount
Department of Transportation				
1. Snow and Ice Control Program	...	1,836.9	...	.....
2. Electrical energy	...	500.0	...	.....
3. Improved Parking and Enforcement Program	(134)	3,258.2	...	.....
4. Streets for People	...	.....	...	-173.4
5. Administrative adjudication	...	.....	...	405.0
	(134)	5,595.1	...	231.6
School Transit Subsidy				
Metrorail fare subsidy for schoolchildren	...	.....	...	214.3
Washington Metropolitan Area Transit Authority				
Metrorail debt service	...	-1,254.7	...	.....
ENVIRONMENTAL SERVICES				
Department of Environmental Services				
1. Regulation of Community Residence Facilities	(4)	6.1	4	72.3
2. Electrical energy	...	1,143.6	...	.....
3. Rental of landfill compactors	...	70.0	...	.....
	(4)	1,219.7	4	72.3
Washington Aqueduct				
Electrical energy requirements	...	450.0	...	.....

(Amounts in Thousands)

	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
PERSONAL SERVICES				
October, 1977 salary increase	...	7,000.0	...	7,000.0
REPAYMENT OF LOANS AND INTEREST				
Interim quarter adjustment	...	475.8	...	.....
SETTLEMENT OF CLAIMS AND SUITS				
Case settlements	...	21.8	...	250.0
Total, District of Columbia Operating New Requests	...	27,406.1	+395	26,308.5
CAPITAL OUTLAY				
Department of Transportation	...	.....	...	500.0
Washington Metropolitan Area Transit Authority	...	.....	...	3,348.8
Department of Environmental Services	...	.....	...	1,330.0
D.C. Obligations	...	.....	...	326.0
Total, Capital Outlay Request	...	.....	...	5,504.8
TOTAL, SUPPLEMENTAL AND AMENDMENT REQUESTS	...	27,406.1	...	31,813.3

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

LANGUAGE CHANGES

FISCAL YEAR 1978

GENERAL OPERATING EXPENSES

Language: After the comma following the word, "expenses", add the following: "including payments made pursuant to the Water and Sewer Repair and Compensation Act of 1976, D.C. Law 1-98, effective March 29, 1977,".

Analysis: Language is requested to make payments for water and sewer repairs ordered by the District Government.

PUBLIC SAFETY

Language: In the proviso relating to expenses under the Criminal Justice Act of 1976, strike "$700,000 of the".

Analysis: Language is requested to remove the $700,000 limitation on prior year claims.

TRANSPORTATION

Language: After the words "purchase of," delete the word "forty" and insert in lieu thereof, the word "sixty-four" and after the words "of which" delete the word "twenty-two" and insert in lieu thereof, the word "thirteen".

Analysis: Authorization is required for the purchase of passenger carrying vehicles.

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SETTLEMENT OF CLAIMS AND SUITS

Language: For payment of property damage claims in excess of $1,500 and of personal injury claims in excess of $5,000, approved by the Mayor in accordance with the provisions of the Act of February 11, 1929, as amended (45 Stat. 1160; 46 Stat. 500; 65 Stat. 131), $21,800.

Analysis: Authorizing payment of claims that have been settled since the submission of the budget estimates.

GENERAL PROVISIONS

Section 103 -- Mileage Allowance.

After the words "privately owned", delete the word "conveyances" and insert in lieu thereof, the words "automobiles and motorcycles"; after the words "of official duties at", delete the remaining words in the subsection and insert in lieu thereof, the words "rates established by the Mayor: Provided, That such rates shall not exceed the maximum prevailing rates for such vehicles as prescribed from time to time in the Federal Travel Regulations".

Analysis: Authorization is requested to update mileage allowance rates to reflect Federal adjustments.

GENERAL OPERATING EXPENSES

Language: After the comma following the word "expenses" add the following: "including payments made pursuant to the Water and Sewer Repair and Compensation Act of 1976, D.C. Law 1-98, effective March 29, 1977,".

Analysis: Language is requested to make payments for water and sewer repairs ordered by the District Government.

Language: After the words "September 4, 1976" add the following: "Provided further, That $838,200 of this appropriation shall capitalize the Home Purchase Assistance Fund, a permanent revolving fund, which shall be available without fiscal year limitation."

Analysis: Language is requested to make payments to qualifying individuals for the purpose of home purchase.

PUBLIC SAFETY

Language: After the words "revenue sharing trust fund," add the words "and $2,591,000 shall be payable from funds to be received under Title II, Public Works Employment Act (Public Law 94-369), as amended,".

Analysis: Language is requested to allocate Public Works Employment Act funding to this appropriation.

EDUCATION

Language: After the words "revenue sharing trust fund," add the words "and $2,591,000 shall be payable from funds to be received under Title II, Public Works Employment Act (Public Law 94-369), as amended,".

Analysis: Language is requested to allocate Public Works Employment Act funding to this appropriation.

HUMAN RESOURCES

Language: After the words "Provided further, That" substitute the numbers $15,504,200" in lieu of the numbers "$15,642,200".

Analysis: This change is required to correct the proposed language to reflect the proposed budget for Forest Haven.

TRANSPORTATION

Language: After the words "and purchase of", delete the word "two" and insert in lieu thereof, the word "seven" and after the word "vehicles" insert the words "two of".

Analysis: Authorization is requested for the purchase of passenger carrying vehicles.

SETTLEMENT OF CLAIMS AND SUITS

Language: Add the appropriation title, "Settlement of Claims and Suits" after "Personal Services" and the words, "For payment to Robert J. Pierce, not to exceed $250,000, pursuant to provisions of District of Columbia Law."

Analysis: Partial payment to Robert J. Pierce, who was injured while serving as a volunteer legal intern to the Council during the takeover of the District Building in March, 1977.

GENERAL PROVISIONS

Section 103 -- Mileage Allowance.

After the words "privately owned", delete the word "conveyances" and insert in lieu thereof, the words "automobiles and motocycles"; after the words "of official duties at", delete the remaining words in the subsection and insert in lieu thereof, the words "rates established by the Mayor: Provided, That such rates shall not exceed the maximum prevailing rates for such vehicles as prescribed from time to time in the Federal Travel Regulations".

Analysis: Authorization is requested to update mileage allowance rates to reflect Federal adjustments.

Section 113 -- Employment Ceiling.

After the words "such employees is greater than", delete the figure "33,741" and insert in lieu thereof the figure "34,136."

Analysis: Authorization is requested to increase the Citywide employment ceiling.

FY 1978 SUPPLEMENTAL AND FY 1979 BUDGET AMENDMENT

LANGUAGE CHANGES REQUIRING FURTHER JUSTIFICATION

FISCAL YEAR 1978

PUBLIC SAFETY

Language: In the proviso relating to expenses under the Criminal Justice Act of 1976, strike "$700,000 of the".

Prior year claims will exceed the minimum of $700,000 set aside in the appropriation language, but current year claims are being presented at a slower rate than was anticipated. The overall appropriation is sufficient to pay Criminal Justice Act claims presented for payment, but the set-aside of $700,000 needs to be removed to allow necessary flexibility in using the appropriation to meet claims from both prior and current fiscal years.

FISCAL YEAR 1978

TRANSPORTATION

Language: After the words "purchase of," delete the word "forty" and insert in lieu thereof, the word "sixty-four" and after the words "of which" delete the word "twenty-two" and insert in lieu thereof, the word "thirteen".

The implementation of the Improved Parking and Traffic Enforcement Program will require 42 passenger carrying vehicles. The civilian parking ticket writing program will require 22 subcompact vehicles to patrol outlying areas of the City, especially residential permit parking zones and commercial districts. In addition, seven passenger vans will be utilized to distribute six crews to walking beats. Thirteen passenger vans will be utilized by eleven booting crews and supervisors to carry crews and equipment for both the installation and removal of boots.

Language: After the words "and purchase of", delete the word "two" and insert in lieu thereof, the word "seven" and after the word "vehicles" insert the words "two of".

Funds are included in the Fiscal Year 1979 budget of the Department of Human Resources to purchase five passenger-carrying vehicles, one for the Child Abuse Program and four for Forest Haven. To implement the Child Abuse Act of 1977, the Council approved a request contained in the Fiscal Year 1979 budget to organize one team to provide service dealing with the termination of parental rights, the return to the custody of parents and the need for extended care. One passenger-carrying vehicle was approved for this team. Funds were also approved in the Fiscal Year 1979 budget for four passenger-carrying vehicles for the new therapy facility at Forest Haven. These vehicles will be used to transport the physically handicapped and non-ambulatory patients to the special therapeutic activities at the new therapy facility.

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Office of the Mayor

	(Amounts in Thousands) Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST			43	$1,372.0
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Reversal of Transfer In			-3	-88.8
Subtotal, Supplemental and Amendment Items			-3	-88.8
Total, Revised Fiscal Year Request			40	1,283.2

978

Analysis of Supplemental Budget Amendment

Reversal of Transfer In

In the review of the Fiscal Year 1979 budget the City Council abolished the Executive Management Division of the Office of Budget and Management Systems and transferred three positions to the Office of the Mayor. We are requesting that the abolishment of the Executive Management Division be delayed one year in order to allow for the orderly phaseout of these positions through attrition as opposed to the firing of the persons presently in these positions. (This is discussed in more detail in the amendment for the Office of Budget and Management Systems.) However, these three positions are requested to be transferred back to OBMS in the Executive Management Office for another year. The Fiscal Year 1980 budget will reflect the transfer of these positions to the Office of the Mayor.

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF ADJUSTMENTS

AGENCY: Office of the Mayor

CATEGORY:

SCHEDULE 6-A OPERATING BUDGET

Items of Adjustment	Schedule 2 Expenditure Code / Budget Unit / Subcategory 8	9	Type of Adjustment 10 11 12	13	Schedule 4 Narrative Code 14	Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
1 GS-15 Analyst to OBMS			1 0 3			-1.0	-43.1	12	50	1.0
1 GS-13 Analyst to OBMS			1 0 3			-1.0	-31.0	12	50	1.0
1 GS-7 Secretary to OBMS			1 0 3			-1.0	-14.7	12	50	1.0
Total						-3.0	-88.8	12	50	3.0

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency COUNCIL OF THE DISTRICT OF COLUMBIA

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST	86	$2,542.0	101	$3,017.2
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
D. C. Depository Act	(1)	5.6	1	22.4
Municipal Regulations	-3	.....	-3	-45.4
Subtotal, Supplemental and Amendment Items	-3	5.6	-2	-23.0
TOTAL, REVISED FISCAL YEAR REQUEST	83	$2,547.6	99	$2,994.2

Analysis of Supplemental and Budget Amendment

D.C. Depository Act

The District of Columbia Depository Act of 1977, D.C. Law 2-32, mandated that the City Council Committee on Employment and Economic Development be provided additional staff for the purpose of monitoring the implementation of the Act.

For FY '78	For FY '79
1 GS-12 (3-month funding): (+ 1) pos. +$ 5.6	1 GS-12 (12-month funding): + 1 pos. +$22.4

Municipal Regulations

In F.Y. 1978, three positions and funds were approved for publication of the Municipal Regulations. However, based on the Report of the Advisory Commission on Codification which recommended that preparation and publication of the Municipal Regulations be vested in a reorganized portion of the Office of the Secretariat, the approved amounts will be reprogrammed in F.Y. 1978 to provide funds for the publication of the D. C. Code allowing $20,000 for printing and binding and $25,400 for text preparation within the range of cost estimates for such contained in the Commission's report. The three positions approved for Municipal Regulations are being reduced. They will not be utilized in Fiscal Year 1978. Since these printing and binding costs are one-time expenditures, the positions and funding are being reduced from the Fiscal Year 1979 budget.

For FY 1978	For FY 1979
-3 pos.	-3 pos. -45.4

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

(S THOUSANDS)

D.C. FUNDS DETAIL OF ADJUSTMENTS

AGENCY: Council of the District of Columbia

CATEGORY:

SCHEDULE 6-A OPERATING BUDGET

Items of Adjustment	Schedule 2 Expenditure / Budget Unit / Subcategory (8 9)	Type of Adjustment (10 11)	Schedule 4 Narrative Code (12 13 14)	Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Municipal Regulations		1 0	H 0 1	-3		12	50	

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

(S THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Council of the District of Columbia

CATEGORY:

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Budget Unit Subcategory	Type of Increase	Schedule 5 Narrative Code	Available FY 1977 Positions (27 - 34)	Available FY 1977 Amount (36 - 43)	Increase FY 1978 Positions (45 - 52)	Increase FY 1978 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
GS-12 Financial/Community Tech., D.C. Depository Act	- - 1.0	H	01			(1)	5.1	3	50	
Related Benefits	- - 2.0	H	01				.5	3	50	

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF ADJUSTMENTS

AGENCY: Council of the District of Columbia

CATEGORY:

1 A1 | 5 AB

SCHEDULE 6-A OPERATING BUDGET

Items of Adjustment	Schedule 2 Expenditure Code / Budget Unit / Subcategory 8	9	Type of Adjustment 10 11 12	Schedule 4 Narrative Code 13 14	Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Municipal Code	-	-	10	30 7	-3	-45.4	12	50	

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Council of the District of Columbia

CATEGORY:

1 A1 | 5 A, B

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code: Budget Unit / Subcategory (8 9 10 11)	Type of Increase (12)	Schedule 5 Narrative Code (13 14)	Available FY 1978: Positions (27 - 34)	Available FY 1978: Amount (36 - 43)	Increase FY 1979: Positions (45 - 52)	Increase FY 1979: Amount (54 - 61)	Increase FY 1979: Months Funded (63 - 64)	Increase FY 1979: D.C. Fund (66 - 67)	Increase FY 1979: Average Employment (69 - 73)
GS-12 Financial/Community Tech., D.C. Deposi-tory Act	-- 1.0	H	0.9	(1)	5.1	1	20.4	12	50	---
Related Benefits	-- 2.0	H	0.9	---	.5	---	2.0	12	50	---

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Office of the District of Columbia Auditor

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....	10	$251.3	10	264.1
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
GS-12 Financial Analyst	(1)	5.5	1	21.9
GS-7 Research Assistant	(1)	3.1	1	12.3
Related Benefits	...	.9	...	3.6
Rent Communications and Utilities			...	3.0
Supplies			...	.3
Equipment to be capitalized			...	1.0
Subtotal, Supplemental and Amendment Items	(2)	9.5	2	42.1
TOTAL, REVISED FISCAL YEAR REQUEST	10	260.8	12	306.2

Analysis of Supplemental and Budget Amendment

The Depository Act authorizes the Office of the D.C. Auditor to increase its staff by two positions, together with any necessary increase in supporting facilities. A GS-12 Financial Technician and a GS-7 Support/Research Assistant are requested to assist the Auditor in fulfilling the requirements of the Act.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Office of the District of Columbia Auditor

CATEGORY: Audit Program

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Budget Unit Subcategory (8 - 9)	Cost Type of Increase (10, 11)	Schedule 5 Narrative Code (12, 13, 14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Increase in staff - GS/12 Auditor						(1)	5.5	12		
Increase staff - GS/7 Audit Assistant						(1)	3.1	12		
Related Benefits							.9	12		
TOTAL						(2)	9.5			

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Office of the District of Columbia Auditor

CATEGORY: Audit Program

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code: Budget Unit / Subcategory	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
	8 9 10 11 12 13,14									
Increase in staff GS/12 Auditor	A1 A,C			1	5.5	1	21.9	12		
Increase in staff GS/7 Audit Assistant				1	3.1	1	12.3	12		
Related Belefits					.9		3.6	12		
Equipment to be capitalized					1.6		1.0			
Supplies					1.4		.3			
Rent, Communications and Utilities					18.9		3.0			
TOTAL				2	31.4	2	42.1			

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SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Office of the Secretariat

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....	25	$578.4	26	$693.9
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Bilingual publication of D.C. Government documents.....	...	+25.0	...	+50.0
D.C. Register and Municipal Code.....	...	...	...	+150.0
SUBTOTAL, SUPPLEMENTAL AND AMENDMENT ITEMS	...	+25.0	...	+200.0
TOTAL, REVISED FISCAL YEAR REQUEST	25	603.4	26	893.9

Analysis of Supplemental and Budget Amendment

An increase of $50.0 is being requested to implement D.C. Law 7-31, effective October 26, 1977, which requires the District to provide a Spanish text version of every D.C. government application, brochure, and pamphlet which is essential to the health, safety, and welfare of the District's Latino residents. This increase will provide funds for translation services and printing costs. Funding is requested in the F.Y. 1978 supplemental to begin this program. The annualized cost in FY 1979 is $50.0.

An increase of $150.0 is requested due to the higher costs in contracting out the kind of work necessary to codify the D.C. Rules and Regulations and Municipal Code. Also the D.C. Register has tripled in the volume of information being printed. It has been published weekly since the start of Home Rule.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Office of the Secretariat

CATEGORY:

1 A1 5 B A

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Budget Unit Subcategory / Code 8 9 10 11 12 13 14	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Other services (Bilingual Publications)						...	+25.0			

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Office of the Secretariat

CATEGORY:

1 A1 5 B A

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Budget Unit Subcategory / Code 8 9 10 11 12 13 14	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Other services (Bilingual Publications)						...	+50.0			
D.C. Register and Municipal Code.....						...	+150.0			
							+200.0			

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Office of Budget and Management Systems

(Amounts in Thousands)

	Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....	291	$10,476.9	281	$10,038.4
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Depository Act	(4)	31.8	4	74.1
Retail Service Station Study	...	75.0	...	.....
Restoration of base reductions	...	.....	20	506.2
Subtotal,Supplemental and Amendment Items	(4)	106.8	24	580.3
Total, Revised Fiscal Year Request	291	10,583.7	305	10,618.7

Analysis of Supplemental and Budget Amendment

Depository Act

The D.C. Depository Act of 1977, which became law on October 26, 1977, authorizes the deposit of District funds in commercial banks rather than the U.S. Treasury. The check writing, cash control and bank reconciliation functions will now become the responsibility of the District in general and specifically, the Office of Budget and Management Systems.

To discharge these new responsibilities, four positions are requested, three cash control technicians for the Financial Systems Development Unit and one clerical position for the SHARE Computer Unit whose responsibility will be to control the flow of material between the D.C. Accounting Office and the commercial banks which will act as the cash depositories. A total of $31,800 for three months funding is requested in the Fiscal Year 1978 supplemental for these four positions and related supplies and materials. The Fiscal Year 1979 request of $74,100 represents the annualized cost.

Retail Service Station Study

The Retail Service Station Act of 1976 placed a moratorium on the conversion of service stations from full service to limited service and required a study be made on the retail gas industry and in particular, this conversion effort. One of the emphases of the study will be to analyze the impact of the conversion of service stations from full service to limited service and the adequacy of the existing stations to serve the community and businesses. To do this study, $75,000 is requested in Fiscal Year 1978, which will be a nonrecurring cost in Fiscal Year 1979.

Restoration of Base Reductions

In the review of the Fiscal Year 1979 budget, the City Council abolished the Executive Management Division transferring three positions and $88,800 to the Mayor's Office and abolished 10 positions in the Municipal Audit and Inspection Division.

These reductions are to become effective as of September 30, 1978, which means that the persons in these positions will in effect be fired. It is strongly recommended that this action be delayed for one year. This will minimize the need for firing civil servants and will continue the City's policy toward career employment. The City has heretofore been successful in reducing its employment level through attrition and we feel that this attrition program should be allowed to continue in the phaseout of these positions. Therefore, this amendment requests restoration of $208,700 and 10 positions for Municipal Audit and Inspection and $297,500 and 10 positions for Executive Management. Included in the restoration for the Executive Management Division is the transfer back of three positions and $88,700 from the Office of the Mayor. These two offices have not experienced a great deal of turnover over the years and the labor market conditions are such that finding comparable employment will be difficult.

We feel that this delayed action will provide a more orderly process and preclude actual firings. The Office of Budget and Management Systems will make a concerted effort to place those employees whose positions are affected and if attrition savings are realized they will be lapsed.

If approval is not granted, an orderly phaseout may not be possible since funding in the Fiscal Year 1979 Budget will be necessary for severance and terminal leave payments. Incumbent employees will be entitled to remain in the affected positions until the enactment of the Fiscal Year 1979 Budget.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

(IN THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Office of Budget and Management Systems

CATEGORY: Executive Management, Computer Services, Financial Operations

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code: Budget Unit / Subcategory (8 · 9)	Type of Increase (10 · 11)	(12)	Schedule 5 Narrative Code (13 · 14)	Available FY 1978: Positions (27 · 34)	Available FY 1978: Amount (36 · 43)	Increase FY 1979: Positions (45 · 52)	Increase FY 1979: Amount (54 · 61)	Increase FY 1979: Months Funded (63 · 64)	Increase FY 1979: D.C. Fund (66 · 67)	Increase FY 1979: Average Employment (69 · 73)
Retail Service Station Study		35	R					75.0		50	
Depository Act--Computer Services											
Regular Pay							(4)	3.1			
Benefits								.3			
Rent, Communications, Utilities								11.7			
Other Services								3.5			
Supplies								1.7			
Equipment								.4			
Subtotal								20.7			
Depository Act--Financial Operations											
Regular Pay								9.3			
Benefits								1.0			
Supplies								.3			
Equipment								.5			
Subtotal								11.1			

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF ADJUSTMENTS

AGENCY: Office of Budget and Management Systems

CATEGORY: Executive Management Division, Municipal Audit and Inspection

SCHEDULE 6-A OPERATING BUDGET

Items of Adjustment	Schedule 2 Expenditure Budget Unit Subcategory Code (8 9)	Type of Adjustment (10 11)	Schedule 4 Narrative Code (12 13 14)	Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Executive Management Division								
Transfer Reversed, Permanent positions regular pay		10	2	3.0	80.6	12	50	3.0
Personnel benefits		20	2		8.2			
Subtotal					88.8			
Restoration of base reduction				7.0	208.7			
Municipal Audit and Inspection								
Restoration of base reduction				10.0	208.7			

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Office of Budget and Management Systems

CATEGORY: Computer Services, Financial Operations

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (1 / A1 / 5 / B,C)	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
	8 9	10 11	12 13 14							
Depository Act--Computer Services										
Perm. positions, regular pay	2	1 0	R			1.0	12.3	12	50	1.0
Personnel benefits	2	2 0	R				1.3			
Rent, Communication, utilities	2	3 3	R				18.0			
Other services	2	3 5	R				4.9			
Supplies, materials	2	3 5	R				.1			
							36.6			
Depository Act--Financial Operations										
Perm. positions, regular pay		1 0	R			3.0	34.1			
Personnel benefits		2 0	R				3.4			
							37.5			

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Office of Human Rights

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....			49	$916.7
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Restoration of abolished positions.....			+10	+296.1
Deletion of new positions.....			-11	-163.8
SUBTOTAL, SUPPLEMENTAL AND AMENDMENT ITEMS			-1	+132.3
TOTAL, REVISED FISCAL YEAR REQUEST			48	1,049.0

Analysis of Supplemental and Budget Amendment

Adjusted Allotment Changes

The Council in its review of the Fiscal Year 1979 budget abolished 10 positions -- two GS-14, four GS-13 and four GS-12 positions at a cost of $296,100 and added 11 positions -- six GS-9 and

five GS-7 positions -- at a cost of $163,800 for enforcement duties, such as intake and investigative work. This reduction was to become effective September 30, 1978. This means that the persons in these positions will in effect be fired. It is strongly recommended that this action be delayed for one year. This will minimize the need for firing civil servants and will continue the City's policy toward career employment. The City has heretofore been successful in reducing its employment level through attrition and we feel that this attrition program should be allowed to continue in the phase out of these positions. Therefore, this amendment requests a reversal of this action restoring the 10 positions and deleting the 11 positions for a net budget effect of an increase of $132,300 and a decrease of one position.

We feel that this delayed action will provide a more orderly process and preclude actual firings. Every effort will be made to place these employees whose positions are affected. As attrition occurs the positions will be filled at the lower level in the enforcement area.

If the Congress does not approve this request to allow for an orderly phaseout, then funds will be required for severance and terminal leave payments. Employees will be entitled to remain in these positions until the effective date of the Fiscal Year 1979 budget. Official notification would be made of the loss of positions on October 1, 1978.

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF ADJUSTMENTS

AGENCY: Office of Human Rights

CATEGORY:

SCHEDULE 6-A OPERATING BUDGET

Items of Adjustment	Schedule 2 Expenditure Budget Unit Subcategory Code (8)	Type of Adjustment (9 10 11 12 13 14)	Schedule 4 Narrative Code	Position (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Permanent positions				+10.0	+$269.9			
Personnel benefits				...	+26.2			
Permanent positions				-11.0	-149.3			
Personnel benefits				...	-14.5			

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Rental Accommodations Office

(Amounts in Thousands)

	Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST	41	725.2	41	751.9
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
New administrative requirements under new rent control law	(5)	38.5	5	143.5
Rent subsidy program (new rent control law)	...	50.0	53	3,934.5
Data Maintenance and Retrieval System	...	.....	...	48.0
Subtotal, Supplemental and Amendment Items	(5)	88.5	58	4,126.0
Total, Revised Fiscal Year Request	41	813.7	99	4,877.9

Analysis of Supplemental and Budget Amendment

Rent Control Administrative Requirements

Additional funds are being requested in Fiscal Year 1978 and in Fiscal Year 1979 in order to implement the new rent control law, D.C. Act 2-118, which imposes additional administrative responsibilities

for the rent control program and also establishes a new rent subsidy program. A Fiscal Year 1978 increase of $38,500 and five temporary positions is being requested for new administrative responsibilities relative to the law's provision on substantial rehabilitation of rental units and relocation assistance to tenants. The Fiscal Year 1978 request of $38,500 provides three months funding for the five temporary positions, for space rental, printing, and supplies and materials. The Fiscal Year 1979 request of five positions and $143,500 represents full year funding for these items.

Rent Subsidy Program

An increase of $50,000 is being requested in Fiscal Year 1978 for start-up costs for implementation of the rent subsidy program. The Fiscal Year 1979 request of 53 positions and $3,934,500 includes administrative costs for the new subsidy program of $803,000. Of this amount, $200,600 is needed for other operating costs. The positions are funded for an average of nine months.

A total of $3,131,500 is requested for subsidy payments. This amount represents six months funding. Approximately 22,400 households are estimated to be eligible for subsidy payments at an average annual cost of $500 per household. However, it is not anticipated that all eligible households will participate in the program.

Data Maintenance and Retrieval System

An amount of $48,000 is also being requested in Fiscal Year 1979 to computerize the agency's data maintenance and retrieval system. The agency's files currently contain approximately 750,000 forms. In addition, the new rent subsidy program will substantially increase the amount of information as well as number and kind of documents which the agency must maintain and which must be accessible.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: D.C. Rental Accommodations Office

CATEGORY: Office

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code: Budget Unit / Subcategory	Type of Increase	Schedule 5 Narrative Code	Available FY 1978: Positions (27 - 34)	Available FY 1978: Amount (36 - 43)	Increase FY 1979: Positions (45 - 52)	Increase FY 1979: Amount (54 - 61)	Increase FY 1979: Months Funded (63 - 64)	Increase FY 1979: D.C. Fund (66 - 67)	Increase FY 1979: Average Employment (69 - 73)
Substantial Rehabilitation:										
GS-12 Hearing Examiner	11	P				(1)	5.5	4	50	
Related Benefits	20	P				...	.6			
GS-7 Administrative Assistant	11	P				(1)	3.1	4	50	
Related benefits	20	P				...	.3			
GS-4 Clerk-typist	11	P				(1)	2.2	4	50	
Related benefits	20	P				...	.2			
Relocation Assistance:										
GS-12 Hearing Examiner	11	P				(1)	5.5	4	50	
Related benefits	20	P				...	.6			
GS-7 Client Representative	11	P				(1)	3.1	4	50	
Related benefits	20	P				...	.3			
Rent, communications and utilities	33	P				...	6.1	4	50	
Printing and reproduction	34	P				...	5.0	4	50	
Supplies and materials	36	P				...	6.0	4	50	
Total Personal and Operating Costs						(5)	38.5			
Rent Supplement Program (Professional Fees)	35	R					50.0	4	50	

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: D.C. Rental Accommodations Office

CATEGORY: Office

1 A1 | 5 B,W

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory 8	9	Type of Increase 10	11	12	Schedule 5 Narrative Code 13	14	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Increase FY 1979 Months Funded (63 - 64)	Increase FY 1979 D.C. Fund (66 - 67)	Increase FY 1979 Average Employment (69 - 73)
Substantial Rehabilitation:														
GS-12 Hearing Examiner			1	1	P					1	21.9	12	50	
Related Benefits			2	0	P						2.2			
GS-7 Administrative Assistant			1	1	P					1	12.3	12	50	
Related Benefits			2	0	P						1.2			
GS-4 Clerk Typist			1	1	P					1	8.9	12	50	
Related Benefits			2	0	P						.9			
Relocation Assistance:														
GS-12 Hearing Examiner			1	1	P					1	21.9	12	50	
Related Benefits			2	0	P						2.2			
GS-7 Client Representative			1	1	P					1	12.3	12	50	
Related Benefits			2	0	P						1.2			
* Rent, Communications & Utilities			3	3	P						24.4	12	50	
* Printing & Reproduction			3	4	P						15.8	12	50	
* Supplies & Materials			3	6	P						18.3	12	50	
* To be allocated between sections. (TOTAL)										5	143.5			

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: D.C. Rental Accommodations Office *

CATEGORY: Office

SCHEDULE 6-B OPERATING BUDGET

1 A1 | 5 B, W

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8)	Type of Increase (9, 10, 11, 12)	Schedule 5 Narrative Code (13, 14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Increased Workload for Administrative Division										
to provide support for Rent Sibsidy Program.										
GS-09 Office Services Supervisor		1 0 P				1	15.1	12	50	
Related Benefits		2 0 P					1.5			
GS-09 Budget Analyst		1 0 P				1	15.1	12	50	
Related Benefits		2 0 P					1.5			
GS-07 Administrative Assistant		1 0 P				1	12.3	12	50	
Related Benefits		2 0 P					1.2			
GS-04 Clerk-typist		1 0 P				1	8.9	12	50	
Related Benefits		2 0 P					.9			
GS-03 File Clerk		1 0 P				1	7.9	12	50	
Related Benefits		2 0 P					.8			

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DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: D.C. Rental Accommodations Office

CATEGORY: Rent Supplement Program

1 A1 | 5 B W

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure / Budget Unit / Subcategory Code (8, 9, 10, 11)	Type of Increase (12)	Schedule 5 Narrative Code (13, 14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
New Program- Rent Supplement:										
GS-14 Rent Supplement Director	1,0	R				1	30.8	12	50	
Related Benefits	2,0	R					3.1			
GS-12 Division Chiefs	1,0	R				2	52.0	12	50	
Related Benefits	2,0	R					5.2			
GS-12 Program Analyst	1,0	R				1	11.0	6	50	
Related Benefits	2,0	R					1.1			
GS-12 Special Assistant	1,0	R				2	11.0	3	50	
Related Benefits	2,0	R					1.1			
GS-11 Section Supervisor	1,0	R				2	36.5	12	50	
Related Benefits	2,0	R					3.7			
GS-11 Chief Liaison Officer	1,0	R				1	18.3	12	50	
Related Benefits	2,0	R					1.8			
GS-11 Senior Hearing Examiner	1,0	R				1	4.6	3	50	
Related Benefits	2,0	R					.5			
GS-9 Section Supervisor	1,0	R				3	45.3	12	50	
Related Benefits	2,0	R					4.5			

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: D.C. Rental Accommodations Office

CATEGORY: Rent Supplement Program

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Budget Unit Subcategory (1 / A1)	Code (5 / B,W)	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
New Program- Rent Supplement: (cont.)											
GS-9 Section Supervisor			1,0 R				1	3.8	3	50	
Related Benefits			2,0 R					.4			
GS-9 Hearing Examiner			1,0 R				1	3.7	3	50	
Related Benefits			2,0 R					.4			
GS-9 Program Assistant			1,0 R				1	3.7	3	50	
Related Benefits			2,0 R					.4			
GS-7 Verification & Eligibility Interviewer			1,0 R				2	24.7	12	50	
Related Benefits			2,0 R					2.5			
GS-7 Verification & Eligibility Interviewer			1,0 R				3	27.8	9	50	
Related Benefits			2,0 R					2.8			
GS-7 Verification & Eligibility Interviewer			1,0 R				2	6.2	3	50	
Related Benefits			2,0 R					.6			
GS-7 Writer/Researcher			1,0 R				1	12.3	12	50	
Related Benefits			2,0 R					1.2			
GS-7 Investigator			1,0 R				1	9.3	9	50	
Related Benefits			2,0 R					.9			

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DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: D.C. Rental Accommodations Office

CATEGORY: Rent Supplement Program

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8)	(9)	Type of Increase (10, 11)	(12)	Schedule 5 Narrative Code (13, 14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
New Program- Rent Supplement: (Cont.)												
GS-7 Quality Control Specialist			10	R				1	9.3	9	50	
Related Benefits			20	R					.9			
GS-7 Quality Control Specialist			10	R				1	6.2	6	50	
Related Benefits			20	R					.6			
GS-7 Counselor			10	R				3	9.3	3	50	
Related Benefits			20	R					.9			
GS-6 In-Take Clerk			10	R				2	22.2	12	50	
Related Benefits			20	R					2.2			
GS-6 Computer Console Operator			10	R				2	16.7	9	50	
Related Benefits			20	R					1.7			
GS-6 Computer Console Operator			10	R				2	5.6	3	50	
Related Benefits			20	R					.5			
GS-6 Computer Console Operator			10	R				2	22.2	12	50	
Related Benefits			20	R					2.2			
GS-5 Secretary			10	R				6	60.6	12	50	
Related Benefits			20	R					6.0			

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: D.C. Rental Accommodations Office

CATEGORY: Rent Supplement Program

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8 9 10 11 12 13 14)	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
New Program- Rent Supplement: (Cont.)										
GS-5 Information Receptionist	10R					1	10.0	12	50	
Related Benefits	20R						1.0			
GS-4 Clerk-Typist	10R					1	6.7	9	50	
Related Benefits	20R						.7			
GS-4 Clerk- Typist	10R					1	2.2	3	50	
Related Benefits	10R						.2			
GS-3 File Clerk	10R					1	7.9	12	50	
Related Benefits	20R						.8			
Operating Cost:										
Rent, Communications & Utilities	33R						41.0	12	50	
Printing	34R						15.0	12	50	
Other Services (Professional Fees)	35R						55.7	12	50	
Other Services (Computer Cost)	35R						60.0	12	50	
Supplies & Materials	36R						18.0	12	50	
Equipment	38R						20.3	12	50	

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: D.C. Rental Accommodations Office

CATEGORY: Rent Supplement Program

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
New Program- Rent Supplement (Cont.)										
Total Personal Services & Operating Costs		R					803.0	12	50	
Rent Subsidy Payments	39	R					3,131.5	12	50	
Total Program Cost							3,934.5			
Office Data System							48.0			

1008

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Department of Finance & Revenue

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....	570	$10,983.8	597	$11,866.0
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
District's Depository Act	(4)	41.4	4	59.5
SUBTOTAL, SUPPLEMENTAL AND AMENDMENT ITEMS	(4)	41.4	4	59.5
TOTAL, REVISED FISCAL YEAR REQUEST	570	11,025.2	601	11,925.5

1009

Analysis of Supplemental and Budget Amendment

District's Depository Act

In order to implement the 1977 District Depository Act which requires that the District begin using private banking institutions instead of the U.S. Treasury, additional cost must be incurred. Requested funding of $41,400 in Fiscal Year 1978 and $59,500 in Fiscal Year 1979 will provide for four positions funded for three months in Fiscal Year 1978 and 12 months in Fiscal Year 1979 and for necessary other operating costs.

The major functions requiring funding are disbursing and collection and deposit. The disbursing function will be responsible for issuing and keeping required information on all checks. Checks issued

by the District presently are IBM card type. Banks utilize paper checks in continuous form. The equipment used in disbursing for check signing and bursting cannot be used for paper checks. Therefore, it is necessary that we purchase two new check signing machines and two bursting machines. The stuffing machine can be adjusted to accept paper checks.

A staff person in this area is required to operate the bursting equipment, to sort out the spoiled checks, randomly select checks to verify that numbers and amounts agree with check run, maintain files of all issued and outstanding checks, respond to inquiries to determine if checks have cleared, process stop payments, and prepare paperwork for processing lost and stolen check claims.

Three positions, the minimum required by D.C. law, are necessary for the collection and deposit function. They will be responsible for maintaining the daily cash balance in all bank accounts. This function is labeled the Control Desk and will have the following additional functions, none of which are presently being performed:

(1) Insure that the set aside banks receive 1/3 of the demand deposit business within the courseof a year.

(2) Insure daily that no depository has D.C. Funds in excess of 25% of their assets or 25% of D.C. Funds available for deposit during the year.

(3) Continuously review the adequacy of service received and financial condition of the banks used.

(4) Initiate daily transfers between bank accounts to cover checks written and investments made.

(5) Maintain records of collateral requirements from all banks over and above the Federal Deposit Insured amount.

(6) Prepare, rank and evaluate RFP's for new or renewal demand deposit banking services.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Finance and Revenue

CATEGORY: District Treasury

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8 9 10 11)	Type of Increase (12 13)	Schedule 5 Narrative Code (14)	Available FY 1977 Positions (27 - 34)	Available FY 1977 Amount (36 - 43)	Increase FY 1978 Positions (45 - 52)	Increase FY 1978 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Personal Services (Depository Act)						(4)	14.3	3	50	1
Equipment (" ")						...	25.6	...	50	...
Equipment maintenance						...	.5	3	50	...
Supplies						...	1.0	3	50	...
Total						(4)	41.4			

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Finance and Revenue

CATEGORY: District Treasury

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code: Budget Unit / Subcategory (1 A1 / 5 C A)	Type of Increase (8 9 10 11 12 13 14)	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Annualization of FY 1978 positions (9 months)				(4)	14.3	4	57.0	12	50	4
Equipment maintenance				...	.5	...	2.5		50	...
Total				(4)	14.8	4	59.5			

1012

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Department of General Services

(Amounts in Thousands)

	Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....	528	$18,093.3	536	$17,901.0
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Municipal Center Tear Gas Cleanup	...	175.0	...	.....
Space Rental	...	727.9	...	436.0
Increased cost of steam and electricity	...	424.1	...	901.7
Operating costs for New Court Building	...	1,129.4	...	38.4
Withdrawal of transfer out of space rental funds to Dept. of Human Resources	...	.....	...	1,445.5
Subtotal, Supplemental and Amendment Items	...	2,456.4	...	2,821.6
Total, Revised Fiscal Year Request	528	20,549.7	536	20,722.6

Analysis of Supplemental and Budget Amendment

Municipal Center Tear Gas Cleanup

An increase of $175,000 is requested for the cleanup of the Municipal Center as a result of the tear gas explosion. This emergency situation has resulted in the use of departmental personnel, on an overtime basis, and correctional institution residents.

The funding will provide for:

(1) materials and labor for restoration of the ammunition storage room;
(2) painting the classroom and locker room and painting four stairwells;
(3) overtime and hazardous pay for departmental employees and the Department of Environmental Services CETA employees;
(4) costs for correctional residents;
(5) other costs such as stripping and waxing floors and rug shampooing and purchase of disposable protective garments, special cleaning solutions, etc.

Costs do not include the basic pay for staff normally assigned to the building or other buildings, only the premium pay as a result of the emergency.

Space Rental

Increases of $727,900 in Fiscal Year 1978 and $436,000 in Fiscal Year 1979 are required for the City's leasing program. The need for the additional leasing funds results from three factors.

a. Renovation of District Building. Additional funding of $120,300 in Fiscal Year 1978 and $105,300 in Fiscal Year 1979 is needed for leasing of space for the relocation of District agencies to provide additional space on the first floor of the District Building for the Council. The move of the City Council established a requirement for both temporary and permanent leasing of space. Temporary space was required to house units while space was being renovated. Other agencies, the Department of Economic Development and the Department of Housing and Community Development had to move permanently to release the additional space required by the Council.

It had been planned to fund these leases within the EDA grant, however, the EDA grant denied all funds for leasing.

b. Sale of Property to Canadian Government

An increase of $208,400 in Fiscal Year 1979 is required because of the sale of Square 491 to the Canadian government. As a result of this sale, agencies occupying the buildings on Square 491

will have to be relocated to leased space. Gross space rental needs are $556,400; however, a savings of $348,000 in operating costs will be realized leaving the net requirement of $208,400.

c. Shortages in Current Allotment. Increases of $582,600 in Fiscal Year 1978 and $122,300 in Fiscal Year 1979 are necessary to insure that minimum leasing needs are funding in the current allotment.

In preparing the Fiscal Year 1978 budget, the department reprogrammed $221,300 from space rental to utilities, however, an additional reduction in the leasing program of $500,000 was made during the budget review process. This resulted in a total reduction of $721,300. In order to maximize savings some leases have been terminated; however, rent increases on existing leases have exceeded the amount saved.

It is foreseeable that additional leases will be terminated with a projected annual savings of $421,000 as a result of the completion of the New Court Building; however, the result of these terminations will not be felt until Fiscal Year 1979. The courthouse was fully occupied in March, 1978 with functions moved from City owned court buildings to the New Courthouse. These existing court buildings must then be renovated to receive court functions housed in leased facilities. Only then will it be possible to move other City agencies from leased facilities into previously court occupied space which is in a long lease building. This transition will take six months after March, 1978, and the savings have been projected formulating the additional need for Fiscal Year 1979.

Increased cost of steam and electricity

Increases of $424,100 in Fiscal Year 1978 and $901,700 in Fiscal Year 1979 are needed for steam and electricity. The cost of steam and electricity continues to escalate beyond the available resources to fund these utilities. The current rate is $8.00, an increase of $1.75 per pound over the cost one year ago. Energy conservation efforts have been effective in reducing consumption; however, the effect of increased utility rates has far exceeded the savings of reduced consumption.

Steam. Total estimated cost of steam for Fiscal Year 1978 is $627,800; resources available total $407,300 leaving a deficit of $220,500. Steam consumption in Fiscal Year 1977 was 78,471 M pounds. Conservation efforts have been implemented over the past several years and it is projected that the consumption level for Fiscal Year 1977 would be the best estimated use of steam for Fiscal Year 1978.

In Fiscal Year 1979 an increase of $413,700 is needed; $283,200 for existing facilities and $130,500 for the New Court facility. For currently occupied facilities a rate increase of 10% is projected. In view of prior years this is the minimum that can be expected. Using this calculation, the total estimated cost for Fiscal Year 1979 is $690,400. Resources available total $407,300 leaving a deficit of $283,200.

In preparing the original estimate for steam in the new courthouse, the level of consumption was estimated at 43,200 M pounds. However, the estimated cost was based on the $5.25 rate with an estimated 10% increase, or $5.78 per M pounds for an annual cost of $249,700 in Fiscal Year 1979. Using the new projected rate of $8.80 per M pounds, the estimated cost of steam for the new courthouse in Fiscal Year 1979 is $380,200 or an increase of $130,500 over the original estimate for Fiscal Year 1979.

Electricity. Based on a projected 24% increase in cost, the estimated additional requirements for electricity in Fiscal Year 1978 total $203,600. In Fiscal Year 1979 an increase of $488,000 is required. In Fiscal Year 1978 the average cost of electricity per KWH is projected to increase by 24%. This increase is less than the rate of increase experienced in Fiscal Year 1977 as compared to Fiscal Year 1976, which was 32.2%.

Based on a 24% increase in Fiscal Year 1978 and a 10% increase in Fiscal Year 1979, the estimated requirements for electricity (excluding the new courthouse) in Fiscal Year 1979 is $393,300. The original Fiscal Year 1979 estimate for electricity is deficient. A review of the electric bills to determine the reason shows that this increase is largely due to increases in the fuel adjustment rate which currently represents 37.4% of the department's electric bill. A comparison of the fuel adjustment rate for the last six months of bills available compared with the same months the previous year show an increase of 106%.

An additional $94,700 is required for electricity for the New Court Building. In preparing the original estimate for electricity in the new courthouse, the estimated cost was based on six months of Fiscal Year 1976 electric bills and the six months of bills for Fiscal Year 1977 which were available. Based on the increase in Fiscal Year 1977, an allowance was made for a 20% increase by Fiscal Year 1979. Actual increases were far greater. It is now projected that additional funding of $94,700 is needed for Fiscal Year 1979.

Operating Costs for New Court Building

Additional funds for operation of the New Court Building are requested in the amount of $1,129,400 in Fiscal Year 1978 and $38,400 in Fiscal Year 1979. The Fiscal Year 1978 budget contains an amount of $248,100 for utilities for the new courthouse for the last quarter of Fiscal Year 1978. The building was ready for occupancy in December, 1977 and the first tenants were moved in. Moves have continued and the building was in full operation in the beginning of March, 1978. The purpose of this request is for the necessary operating costs for the facility beginning on the new opening date. With the earlier than projected occupancy of the building, additional funds are mandatory to safeguard the District's $40 million investment.

The additional funding requirement for Fiscal Year 1978 for the New Court Building is $1,547,200; however, a portion of this is available from operating funds for the Pension Building and leasing funds for 601 Indiana Avenue, N.W. The Pension Building will be turned back to the Federal Government approximately June 30, 1978, and the funds and manpower available for operations will be reprogrammed for use in the New Court Building. Also, the lease for 601 Indiana Avenue, N.W., was terminated January 31, 1978, and the leasing funds for the remainder of the year are being reprogrammed for use in the New Court Building.

Because of the size of this facility, the occupancy of the building will take place on a phase-in plan over several months. The District began paying for utilities as of January 1, 1978. Custodial services to be performed by contract, will be provided as agencies move in. Protective and mechanical services were provided on a phase-in basis beginning January 9, 1978. In order to provide the necessary security and mechanical manpower for the New Court Building, overtime will be needed until permanent transfers of manpower from existing facilities can be made.

The total requirement of $1,547,200 will be offset by available operating costs of $33,900 from the Pension Building, available leasing funds of $135,800 from 601 Indiana Avenue and the request for $248,100 in the Fiscal Year 1978 budget leaving an unfunded need of $1,129,400.

In Fiscal Year 1979 necessary operating funds are incorporated in the budget request with the exception of $38,400 for electrical supplies.

In preparing the original estimate for operating costs for the new courthouse, the estimate for supplies and materials was based on past experience of cost per square foot for mechanical and electrical supplies. Now that the operating engineers have had a chance to look through the building, two additional items are needed. Disposable filter and u-shaped fluorescent tubes are not normally used in DGS operated buildings and will require an increase over and above that already requested for the new courthouse.

A transfer out of $1,445,500 in space rental funds from General Services to the Department of Human Resources was withdrawn in FY 1978 and is reflected in the base for FY 1979 accordingly. The deletion of this transfer out is in compliance with Mayor's Order 77-68 which rescinds leasing authority previously granted to the Department of Human Resources.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of General Services

CATEGORY: Buildings Management

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8)	(9)	(10,11)	Type of Increase (12)	(13,14)	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Municipal Center Tear Gas Clean-up													
DGS Employees - Hazardous Duty Pay	3	-	1,6	X			...	.....	...	3.1	01	50	...
Overtime	3	-	1,3	X			...	.....	...	11.4	01	50	...
Correctional Residents - Regular Pay	3	-	1,1	X			...	.....	...	24.4	1.2	50	...
Hazardous Duty Pay	3	-	1,6	X			...	.....	...	6.1	1.2	50	...
Employee Benefits	3	-	2,0	X			...	.....	...	1.5	1.2	50	...
Hazadous Duty and Overtime by DES CETA employees	3	-	3,5	X			...	.....	...	3.5	1.2	50	...
Restoration and Painting	3	-	3,5	X			...	.....	...	50.0	...	50	...
Floor, Carpet and Drapery Cleaning	3	-	3,5	X			...	.....	...	52.0	...	50	...
Supplies and Materials	3	-	3,6	X			...	.....	...	23.0	...	50	...
Space Rental -- Projected deficit	6	-	3,3	X			...	5,769.4	...	727.9	...	50	...
Operating Costs - New Court Building													
Overtime guards	2	-	1,3	F			...	.....	...	121.2	07	50	...
Overtime mechanical personnel	3	-	1,3	F			...	.....	...	83.8	07	50	...
Utilities	3	-	3,3	F			...	248.1	...	593.7	09	50	...
Cleaning contract	3	-	3,5	F			...	.....	...	264.2	10	50	...

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of General Services

CATEGORY: Buildings Management

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Budget Unit Subcategory Code (8 9 10 11)	Type of Increase (12)	Schedule 5 Narrative Code (13 14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (35 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Operating Costs - New Court Building, continued										
Refuse removal	3 - 3 5	F		...	.....	...	11.0	09	50	...
Repairs and maintenance to building and equipment	3 - 3 5	F		...	.....	...	19.8	06	50	...
Supplies and materials	3 - 3 6	F		...	.....	...	8.4	09	50	...
Equipment -- operating	3 - 3 7	F		...	.....	...	9.3	...	50	...
Walkie-Talkies	2 - 3 7	F		...	.....	...	18.0	...	50	...
Increased Cost -- Steam and electricity	3 - 3 3	K		...	2,100.0	...	424.1	...	50	...

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF ADJUSTMENTS

Department of General Services

SCHEDULE 6-A OPERATING BUDGET

Items of Adjustment	Schedule 2 Expenditure Budget Unit Subcategory Code (8 9 10 11)	Type of Adjustment (12)	Schedule 4 Narrative Code (13 14)	Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Space rental withdrawal of transfer out								
('78) to Department of Human Resources	6 - 3 3	X			1,445.5	12	50	

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of General Services

CATEGORY: Buildings Management

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8)	(9)	Type of Increase (10, 11)	(12)	Schedule 5 Narrative Code (13, 14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Space rental -- projected deficit	6	-	3 3	X		...	5,769.4	...	436.0	...	50	...
Increased cost -- steam and electricity	3	-	3 3	X		...	2,347.0	...	901.7	12	50	...
Supplies and materials -- New Court House	3	-	3 6	F		...	.....	...	38.4	12	50	...

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SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Department of Economic Development

(Amounts in Thousands)
Congressional Submission

	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....	157	$2,806.6	156	$2,932.7
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Claims for direct repair of water service pipes	...	150.0	...	150.0
Subtotal, Supplemental and Amendment Items	...	150.0	...	150.0
Total, Revised Fiscal Year Request	157	$2,956.6	156	$3,082.7

Analysis of Supplemental and Budget Amendment

Funds in the amount of $150,000 are required to compensate property owners for any and all expenses incurred at the direction of the District of Columbia for the direct repair of water service pipes or building sewers for the enactment of D.C. Law 1-98, Section 5(c), (23 D.C.R. 7874). Services required after the period covered by the law will be provided by the D.C. Government. Compensation shall be in the form of payment or the removal of a lien or assessment against eligible property by the District of Columbia only to owners who establish under the requirements of Section 5(e) 1974 through early 1977, the period covered by proof of actual payment of repairs under a permit issued by the District of Columbia.

The Office of Licenses and Permits issued approximately 1,400 permits in each of the three (3) years (1974 through early 1977) for a total of 4,200 permits. All claims must be filed within two (2) years after the work has been performed. At this time only 155 claims have been filed of which approximately 10% have been found to be invalid. The average claim has been slightly over $700 with the highest at $6,778 and the lowest at $115. It is estimated that over 200 claims will be processed during the fiscal year.

It is requested that the $150,000 be made available in Fiscal Year 1979 and become a nonrecurring item in Fiscal Year 1980.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Economic Development

CATEGORY: Office of Licenses and Permits

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (1 A1 5 C D)	8	9	10	11	12	13	14	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Increase FY 1979 Months Funded (63 - 64)	Increase FY 1979 D.C. Fund (66 - 67)	Increase FY 1979 Average Employment (69 - 73)
Claims--Direct repair of water pipes/building sewers, etc., D.C. 1-98														150.0	12	50	

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Economic Development

CATEGORY: Office of Licenses and Permits

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (1 A1 5 C D)	8	9	10	11	12	13	14	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Increase FY 1979 Months Funded (63 - 64)	Increase FY 1979 D.C. Fund (66 - 67)	Increase FY 1979 Average Employment (69 - 73)
Claims -- Direct repairs of water pipes/bldg. sewers, etc., D.C. Law 1-98														150.0	12	50	

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Public Library

(Amounts in Thousands)

	Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....	498	$8,385.8	499	$ 8,900.8
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Federal steam	...	+113.0	...	+134.0
Subtotal, Supplemental and Amendment Items	...	+113.0	...	+134.0
Total, Revised Fiscal Year Request	498	$8,498.8	499	$9,034.8

Analysis of Supplemental and Budget Amendment

Federal Steam

Steam to heat the Martin Luther King, Jr. Memorial Library is furnished by the U.S. General Services Administration. Cost to the District is currently $8.00 per thousand pounds rather than $6.25 per thousand pounds this time last year. It is estimated that the Martin Luther King Library in FY 1978 will consume 26,750.0 thousand pounds of steam for an estimated annual cost of $214,000. The budget base is currently $101,000 and the estimated shortfall is $113,000.

For FY 1979 the assumption is made that consumption will remain the same and that costs will rise by 10% to $8.80 per thousand pounds or a total of $235,400. Since the budget base is $101,000, the shortfall in FY 1979 will amount to $134,400.

The Public Library has no money available for reprogramming in order to absorb unexpected costs of this size. The Library's flexibility has been virtually eliminated by the combination of inflation and eight consecutive years of budget reductions. Neither does the Library have any Federal grants that can be used for this purpose. Practically all Library grant money comes from the Library Services and Construction Act, the purpose of which is to "improve and extend library services." One of the basic guidelines for a cost to be allowed under LSCA grant programs is that it "not be a general expense required to carry out the overall responsibility of state or local governments."

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Public Library

CATEGORY:

1 A1 | 5 C,E

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (6 9 10,11 12 13,14)	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Increase FY 1979 Months Funded (63 - 64)	Increase FY 1979 D.C. Fund (66 - 67)	Increase FY 1979 Average Employment (69 - 73)
Purchases of steam from GSA	3,5	K			101.0		113.0		50	

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Public Library

CATEGORY:

1 A1 | 5 C,E

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (6 9 10,11 12 13,14)	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Increase FY 1979 Months Funded (63 - 64)	Increase FY 1979 D.C. Fund (66 - 67)	Increase FY 1979 Average Employment (69 - 73)
Purchases of steam from GSA	3,5	K			101.0		134.0		50	

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Department of Housing and Community Development

(Amounts in Thousands)

	Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST			274	6,481.2
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Public property lead elimination program (Lead paint inspection and repair)			(12)	559.2
Subtotal, Supplemental and Amendment Items				
Total, Revised Fiscal Year Request			274	7,040.4

Analysis of Supplemental and Budget Amendment

An increase of $559.2 and twelve (12) temporary positions is being requested to implement the Public Property Lead Elimination Act of 1977, D.C. Law No. 2-28. This Act establishes a program of inspection for elimination of lead paint in all public buildings frequented by persons six years of age and under.

The requested increase provides funds for twelve temporary inspectors and 4 lead analyzer machines at a cost of $159.2. In addition $400.0 is provided for repair work. The first year of operation of this program will mainly involve inspection of approximately 9,000 public housing units, 1,960 City-owned (RLA) units, and 135 public elementary schools.

During the first year of the program other public buildings to which this law may apply such as libraries, public health clinics, day care centers, and recreational facilities, will be identified in order to determine future budget requirements for the program. It is anticipated that the inspectors will be phased out once the repair costs will permit some actual work to begin within the first year of operation. Current estimates indicate that completion of the work mandated in the legislation may require several years should current funding pressures continue. However, availability of inspection reports will provide specific insight into this matter.

DISTRICT OF COLUMBIA GOVERNMENT — FY 79 — ($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Housing and Community Development

CATEGORY: Development Administration

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8)	Type of Increase (9, 10, 11, 12, 13, 14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
(12) Temporary positions					(12)	101.2			
Related benefits					...	10.1			
Supplies						5.9			
Equipment						42.0			
Repairs						400.0			
Total					(12)	559.2			

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Department of Insurance

	(Amounts in thousands) FY 1978 Pos.	FY 1978 Amount	FY 1979 Pos.	FY 1979 Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....			26	$641.6
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Out-of-City Travel			...	3.0
Subtotal, Supplemental and Amendment Items			...	3.0
TOTAL, REVISED FISCAL YEAR REQUEST			26	644.6

1029

Analysis of Supplemental and Budget Amendment

The Superintendent of Insurance, as a member of the National Association of Insurance Commissioners (NAIC) is required to attend meetings of that association.

A request is being made for additional funds in the amount of $3,000 to cover these travel expenses.

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF ADJUSTMENTS

AGENCY: Department of Insurance

CATEGORY:

1 A1 | 5 D E

SCHEDULE 6-A OPERATING BUDGET

Items of Adjustment	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8)	(9)	Type of Adjustment (10 11)	Schedule 4 Narrative Code (12 13 14)	Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Restore travel funds						3.0	12	50	

1030

SECOND AMENDMENT FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Board of Elections and Ethics

(Amounts in Thousands)

	Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year Request			38	$1,905.0
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Automatic Data System			...	-49.0
Subtotal, Supplemental and Amendment Items			...	-49.0
Total, Revised Fiscal Year Request			38	1,856.0

1031

Analysis of Supplemental and Budget Amendment

Automatic Data System

The Congress disallowed $49,000 for automated data system. This request is now withdrawn and reduced from the Fiscal Year 1979 adjusted allotment.

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF ADJUSTMENTS

AGENCY: Board of Elections and Ethics

CATEGORY: Elections Admininstration

SCHEDULE 6-A OPERATING BUDGET

Items of Adjustment	Schedule 2 Expenditure Budget Unit Subcategory Code (8 9 10 11)	Type of Adjustment (12)	Schedule 4 Narrative Code (13 14)	Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Automatic Data System	3 0	R	0 1	...	-49.0	12	50	

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency D.C. Commission on the Arts and Humanities

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....	3	$57.9	3	$159.4
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Cash match for Federal grant	...	+100.0	...	+100.0
SUBTOTAL, SUPPLEMENTAL AND AMENDMENT ITEMS	...	.....	...	+100.0
TOTAL, REVISED FISCAL YEAR REQUEST	3	157.9	3	259.4

Analysis of Supplemental and Budget Amendment

The City reaffirms the Fiscal Year 1978 request for $100,000 which would be used in conjunction with Federal grant funding to support worthwhile artistic projects. This request was disapproved in Fiscal Year 1978 and it is again requested as an increase. An additional $100,000 is requested for this program in Fiscal Year 1979.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Special Mission Activities - D.C. Commission on the Arts and Humanities

CATEGORY:

1 A1 E 5 B X

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory 8 9 10 11 12 13 14	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Increase FY 1979 Months Funded (63 - 64)	Increase FY 1979 D.C. Fund (66 - 67)	Increase FY 1979 Average Employment (69 - 73)
Funds for Federal cash match, FY 1978							100.0			

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Special Mission Activities - D.C. Commission on the Arts and Humanities

CATEGORY:

1 A1 E 5 B X

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory 8 9 10 11 12 13 14	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Increase FY 1979 Months Funded (63 - 64)	Increase FY 1979 D.C. Fund (66 - 67)	Increase FY 1979 Average Employment (69 - 73)
Funds for Federal cash match, FY 1979							100.0			

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Educational Institution Licensure Commission

	(Amounts in thousands) FY 1978 Pos.	FY 1978 Amount	FY 1979 Pos.	FY 1979 Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....	...	.....	2	$81.9
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Initial funding for Commission	(4)	57.0	2	92.9
Subtotal, Supplemental and Amendment Items.....	(4)	57.0	2	92.9
TOTAL, REVISED FISCAL YEAR REQUEST	(4)	57.0	4	174.8

Analysis of Supplemental and Budget Amendment

Pursuant to D.C. Law 1-104, the Commission was appointed and began implementing its functions in the fall of 1977. The Commission was organized too late to be included in the Fiscal Year 1978 budget; however, funding is requested for Fiscal Year 1979. In order to provide funding in a better time frame, the Fiscal Year 1978 supplemental requests authority for four temporary positions and $57,000.

Positions are funded for three months. For Fiscal Year 1979 funds are requested to supplement the already approved budget, adding two positions to the initial two positions and $92,900. With the addition of this funding the total budget for Fiscal Year 1979 will be sufficient to assure that responsibilities can be properly discharged.

The Commission is responsible for the evaluation and monitoring of 49 postsecondary institutions that confer academic degrees and approximately 100 proprietary schools. The Commission is also responsible for reviewing and approving all course offerings for the more than 20,000 veterans seeking training or education in all public and private educational institutions in the District of Columbia. In addition, the Commission anticipates reclassification of some proprietary institutions to degree-granting during Fiscal Year 1979 and a substantial increase in the number of new and out-of-state institutions seeking licensure in the District.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Special Mission Activities - Educational Institution Licensure Commission

CATEGORY:

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory	Type of increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Executive Secretary						(1)	10.0	3		
Program Analysts						(2)	9.1	3		
Administrative Assistant						(1)	2.3	3		
Related benefits							2.1	3		
Board/Commission per diem							20.0	3		
Visiting Evaluation Teams							5.0	3		
Travel (local)							.5	3		
Supplies and Equipment							3.5	3		
Xerox and Printing							1.0	3		
Rental Space							3.5	3		
						(4)	57.0			

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Special Mission Activities - Educational Institution Licensure Commission

CATEGORY:

1 5 A1 E D N

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8 9 10 11)	Type of Increase (12 13)	Schedule 5 Narrative Code (14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Increase FY 1979 Months Funded (63 - 64)	Increase FY 1979 D.C. Fund (66 - 67)	Increase FY 1979 Average Employment (69 - 73)
Executive Secretary						...	17.6	12		
Program Analyst						2	36.6	12		
Related benefits							5.4			
Visiting Evaluation Teams Per Diem							28.3			
Rent, communications and utilities							5.0			
							92.9			

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Commission on Healing Arts Licensure

(Amounts in Thousands)

	Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST	...	.....		
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Healing Arts Licensure Program	3	50.0		
Subtotal, Supplemental and Amendment Items	3	50.0		
Total, Revised Fiscal Year Request	3	50.0		

Analysis of Supplemental and Budget Amendment

It is requested that $50,000 be made available in Fiscal Year 1978 to allow the Healing Arts Commission to get a program started to implement the Healing Arts Practice Act of 1976.

Funding for program implementation is included in the Fiscal Year 1979 budget. The legislation authorizing this program was enacted too late to allow the initial start-up cost for the Commission to be included in the Fiscal Year 1978 budget.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF ADJUSTMENTS

AGENCY: Special Mission Activities - Commission on the Healing Arts Licensure

CATEGORY:

1 A1 5 E D T

SCHEDULE 6-A OPERATING BUDGET

Items of Adjustment	Schedule 2 Expenditure Budget Unit Subcategory Code (8 9 10 11)	Type of Adjustment (12)	Schedule 4 Narrative Code (13 14)	Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Transfer in of positions from central position pool				3	.....			

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Special Mission Activities - Commission on the Healing Arts Licensure

CATEGORY:

1 A1 5 E D T

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Budget Unit Subcategory Code (8 9 10 11)	Type of Increase (12)	Schedule 5 Narrative Code (13 14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Increase FY 1979 Months Funded (63 - 64)	Increase FY 1979 D.C. Fund (66 - 67)	Increase FY 1979 Average Employment (69 - 73)
Program Costs: Personnel cost							23.0	3	50	
Benefits							1.8	3	50	
Other							25.2	3	50	

1040

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Metropolitan Police Department

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....			4,673	$140,004.1
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Funds to replace uniform attrition losses which were planned to occur in Fiscal Year 1978.....			+264	+2,396.4
Subtotal, Supplemental and Amendment Items			+264	+2,396.4
TOTAL, REVISED FISCAL YEAR REQUEST			4,937	142,400.5

Analysis of Supplemental and Budget Amendment

An additional $2,396,400 is needed to supplement the Metropolitan Police Department's personal services budget for Fiscal Year 1979.

Under the terms of the FY 1978 Continuing Resolution (P.L. 95-205), the department is maintaining the uniform manpower level of 4,141 in effect at the end of Fiscal Year 1977. The department's personal services budget for Fiscal Year 1979, however, assumed attrition of 171 man-years would have occurred throughout Fiscal Year 1978, and therefore provided funding for only 3,970 uniform man-years. In order to maintain the Fiscal Year 1978 level in Fiscal Year 1979, the department now requires funding for 4,141 uniform man-years, or 171 more man-years than are currently funded in the Fiscal Year 1979 budget.

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Metropolitan Police Department

CATEGORY:

1 A1 | 5 F,A

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8, 9, 10, 11)	Type of Increase (12, 13)	Schedule 5 Narrative Code (14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Increase FY 1979 Months Funded (63 - 64)	Increase FY 1979 D.C. Fund (66 - 67)	Increase FY 1979 Average Employment (69 - 73)
Administration (100) Civilianization						4				
Field Operations (200)Civilianization						53				
Increase in FY 1978 Manpower						100	2,396.4			
Administrative Services (300) Civilianization						12				
Technical Services (400) Civilianization						94				
Inspectional Services (500) Civilianization						1				
Total						264				

1042

8

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Superior Court

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR REQUEST	969	$20,039.8	920	$21,048.6
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Judges' Annuities	...	66.3	...	.....
Volunteer Attorney Project	...	.....	2	35.0
Youth Diversion Home Project	...	.....	...	300.0
Subtotal, Supplemental and Amendment Items	...	66.3	2	335.0
TOTAL, REVISED FISCAL YEAR REQUEST	969	20,106.1	922	21,383.6

Analysis of Supplemental and Budget Amendment

Judges' Annuities

In order to meet the anticipated retired judges' annuity payrolls in Fiscal Year 1978 an additional $66,300 is requested. Judicial annuity payrolls in Fiscal Year 1978 will total $371,200. Funding for this item totals $304,900, creating an additional need for $66,300.

The following are the reasons why, at the time that the Fiscal Year 1978 budget was being prepared, the increased cost and the resulting projected deficit could not be anticipated.

1. One judge retired unexpectedly in Fiscal Year 1977 and his annuity was computed on a greatly increased salary base.

2. Two other judges were expected to retire in Fiscal Year 1977 but it was not known that their annuity would be calculated on a base salary of $49,050, considerably higher than what was previously being paid.

3. As provided in Title 11-1565 of the D.C. Code, retired judges performing full-time judicial duties are paid, in addition to their annuity, the difference on a daily basis between the salary of an active judge and the amount of the retired judge's annuity. These costs have increased due to the acceleration in the prescribed base salary of active judges.

Volunteer Attorneys

This program currently is operating with between 12 and 15 volunteers providing legal services to represent neglected and abused children in proceedings before the Superior Court. Each attorney devotes approximately one day a week to the program. Beginning in 1966, the program has focused the Court on the needs of the child rather than on punishment of the parents or other extraneous factors.

The volunteer attorneys appear at approximately 2,400 Court hearings a year. 650 new cases involving more than 700 children come before the Court each year.

This volunteer effort is now failing to provide adequate legal assistance to the neglected and abused and it is expected that the service will continue to decline as the caseload grows unless full-time professional direction can be provided. The duties of a professional director (Volunteer Attorneys Director - GS-13) would be as follows:

a) to recruit additional volunteers;
b) train new volunteers in neglect and abuse law;
c) provide on-going professional supervision.

In support of the Director there would be a need for a full-time clerk-typist (GS-6).

LEAA Youth Diversion Home Project

Funding is sought for a program similar to the former LEAA funded Youth Diversion Home Project which was administered by the Department of Human Resources. The program is to provide diversion services for potential juvenile offenders.

Since it is the responsibility of the Superior Court's Social Services Division to screen all potential PINS (Persons In Need of Supervision) cases, it has been suggested by the City Council that the Superior Court be appropriated the funding for this diversion program. The Court would openly and fairly solicit bids from both the community and the Department of Human Resources.

All funding sought by the Superior Court for this program will be obligated through contract(s). The Court itself would not perform the diversion services.

District of Columbia Courts
Joint Committee on Judicial Administration
Washington, D. C. 20001

January 30, 1978

Honorable Walter E. Washington
Mayor
District of Columbia
Washington, D. C. 20004

Dear Mayor Washington:

Pursuant to Mr. Coppie's letter of January 6, 1978, the Joint Committee on Judicial Administration for the District of Columbia Courts wishes to request a supplemental fiscal year 1978 appropriation of $2,172,700 to finance what now appears to be the cumulative underfunded condition of the Criminal Justice Act program for the fiscal years 1975 through 1977.

We wish to point out that $700,000 of the fiscal year 1978 appropriation has already been expended to liquidate prior-year program obligations. It is estimated that $1,472,700 will be required in order that we may honor the yet to be submitted prior-year claims. If we are to attempt to satisfy all prior-year obligations in fiscal year 1978, as suggested in Mr. Coppie's letter, an additional $2,172,700 ($700,000 + $1,472,700) must be provided if we are to have sufficient funding for the anticipated cost of the program in fiscal year 1978.

It is also necessary that we request an additional $66,300 in order that we may meet the anticipated retired judges' annuity payrolls for Superior Court in fiscal year 1978. The average monthly cost of Superior Court judicial annuity payrolls in the first three months of 1978 has amounted to $32,600. Projecting this average monthly cost for the entire year, the full cost would be $391,200, leaving a deficit of $66,300.

The appropriate forms, required by Mr. Coppie's office in order to support this request, are attached. If his staff has any questions concerning this supplemental, they may contact the Courts' Fiscal Officer, Mr. Alfred E. Berling.

Sincerely,

CHIEF JUDGE THEODORE R. NEWMAN, JR.
Chairman, Joint Committee on
Judicial Administration for the
District of Columbia Courts

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: District of Columbia Courts

CATEGORY: Superior Court of the District of Columbia

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8 9 10 11 12 13 14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1978 Positions (45 - 52)	Increase FY 1978 Amount (54 - 61)	Increase FY 1978 Months Funded (63 - 64)	Increase FY 1978 D.C. Fund (66 - 67)	Increase FY 1978 Average Employment (69 - 73)
Retired Judges' Annuities				...	+66.3	...	50	

1047

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: District of Columbia Courts

CATEGORY: Superior Court of the District of Columbia

1 A1 | 5 F,C

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (68 - 67)	Average Employment (69 - 73)
	8 9	10 11	12 13 14							
Volunteer Attorneys Project:										
GS-13 Director						1	24.5			
GS-6 Clerk-Typist						1	10.5			
LEAA Youth Diversion Home Project:										
Contractual Services						...	300.0			
						2	335.0			

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Public Defender Service

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....			113	2,660.5
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Children's Center Legal Services			3	45.0
Subtotal, Supplemental and Amendment Items			3	45.0
TOTAL, REVISED FISCAL YEAR REQUEST			116	2,705.5

Analysis of Supplemental and Budget Amendment

The proposed budget amendment adds $45,000 and three positions to enable the Service to provide additional legal representation to juveniles confined at the District of Columbia Children's Center in Laurel, Maryland. These children are charged with or have been convicted of delinquent acts or are subject to proceedings as"persons in need of supervision" in the Family Division of the Superior Court. During the pastyear, at the initiative of the City Council, a task force has completed a lengthy study of the operations of the Department of Human Resources which is responsible for the operation of the Children's Center. One of the conclusions of that task force was that the legal rights of the children confined there were frequently not adequately protected and it was recommended that additional funds be provided to the Public Defender Service to monitor these cases. The Council accordingly added these funds and positions as part of the F. Y. '79 Budget Amendment.

Approval of this request will enable the Service to broaden its representation of children and will provide an attorney and appropriate supporting staff. The Service has agreed through its Board of Trustees to undertake this project if the funds are provided.

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Public Defender Service

CATEGORY:

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8 9 10 11)	Type of Increase (12)	Schedule 5 Narrative Code (13 14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
1 Attorney at 22,500	10	R				1	16.9	09	50	.8
1 Paralegal at GS 7	10	R				1	9.3	09	50	.8
1 Secretary GS 6	10	R				1	8.3	09	50	.8
Related Benefits	20	R					3.3	09	50	
Travel Funding	31	R					.6	09	50	
Equipment Funding	37	R					3.4	09	50	
Other Services Funding	35	R					3.2	09	50	

SECOND AMENDMENT FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Bail Agency

(Amounts in Thousands)

	Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year Request			57	$1,017.1
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Investigative and Appearance Unit			-7	-77.0
Subtotal, Supplemental and Amendment Items			-7	-77.0
Total, Revised Fiscal Year Request			50	940.1

Analysis of Supplemental and Budget Amendment

Investigative and Appearance Unit

The Congress disallowed seven positions and $77,000 for a street investigation and failure to appear unit. This request is now withdrawn and reduced from the Fiscal Year 1979 request.

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF ADJUSTMENTS

AGENCY: Bail Agency

CATEGORY:

SCHEDULE 6-A OPERATING BUDGET

Items of Adjustment	Schedule 2 Expenditure Budget Unit Subcategory Code (8 9 10 11 12 13 14)	Type of Adjustment	Schedule 4 Narrative Code	Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Street Investigation Unit:								
GS-10 Supervisor				-1	-15.8			
GS-7 Street Investigators				-3	-30.6			
GS-7 Court Reporters				-3	-30.6			
				-7	-77.0			

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SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Department of Corrections

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....	2,100	$48,588.9	1,976	$50,678.4
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Ugast Center	...	278.4	...	278.4
Women's Detention Center phase-out.....	...	95.0	...	.....
Other operating costs.....	...	700.0	...	700.0
Street Law Project.....	...	.....	...	20.0
Subtotal, Supplemental and Amendment Items	...	$1,073.4	...	$998.4
TOTAL, REVISED FISCAL YEAR REQUEST	2,100	$49,662.3	1,976	$51,676.8

Analysis of Supplemental and Budget Amendment

Ugast Center

Pursuant to judicial and executive directives, the City began in 1976 a program to provide psychiatric treatment to those individuals in pre-trial detention status who have significant psychiatric abnormalities. The facility is located in the Ugast Building on the grounds of D.C. General Hospital and the services are

administered by the Department of Human Resources (DHR). The Department of Corrections provides the security coverage. A total of 26 correctional officers is required for seven-day, 24-hour coverage.

The original budget request for security services at the facility was developed before the site selected for the facility was renovated, resulting in an underestimation of the number of security posts necessary to secure the building. The funding requested is needed to augment $120,000 transferred to Corrections from DHR in Fiscal Year 1977 and $16,200 requested in the pending Fiscal Year 1978 budget. The Department of Corrections received a supplement of $292,000 in Fiscal Year 1977. It is requested that these additional resources be made available to the department in Fiscal Year 1978 and as a recurring item in Fiscal Year 1979 and outyears.

Women's Detention Center

The Women's Detention Center was closed during the first quarter of Fiscal Year 1978 when the population declined to a point where it could be absorbed into the New Detention Center. The Women's Detention Center had been scheduled for closing in Fiscal Year 1976; however, the population level would not permit absorption of detainees into the New Detention Center. The Fiscal Year 1977 Second Supplemental contained a nonrecurring budget request under the assumption that the center would be closed in Fiscal Year 1977.

The Women's Detention Center has now been phased out. However, since no funds are available in the Fiscal Year 1978 budget, funding of $95,000 is needed to cover the costs incurred before closing.

Other Operating Costs

At the time the Fiscal Year 1978 budget request was being prepared, it was anticipated that the department would receive $2,700,000 from the Federal Bureau of Prisons for Federal offenders in the District's institutions. That figure has now been reduced to $2,000,000. These funds are applied by the department to items related to inmate care factor categories such as food and clothing. The loss in reimbursements, compounded by the rising costs of food and energy, cannot be absorbed within available resources. A total of $248,900 of the funds requested will be utilized for food, $347,800 for energy costs, and $103,300 for various other operating cost requirements.

Street Law Project

Street law is a practical course for nonlawyers, providing residents and correctional officers with practical legal knowledge for use in their daily lives. These courses have been ongoing the last four years. They have proved to be popular and highly successful in imparting a better understanding of the law to residents and staff. As a result of this programs' soundness, the Federal Bureau of Prisons has instituted the program utilizing the Department of Corrections' project as a model.

These courses in the past have been funded through local foundations and a grant from the Law Enforcement Assistance Administration. After June, 1978 funding from these sources will not be available. As a result, $20,000 to continue this innovative program is needed as a recurring item in Fiscal Year 1979.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Corrections

CATEGORY:

1 A1 | 5 FL

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Budget Unit Subcategory	Type of Increase code	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1978 Positions (45 - 52)	Increase FY 1978 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
	8 9	10,11	12 13,14							
Executive Direction and Support										
Telephone Distrct	4	33	X	...	76.0	...	29.5	12	50	...
Telephone Long Distance	4	33	X	...	10.4	...	30.0	12	50	...
Repairs	4	35	X	...	21.9	...	5.2	12	50	...
Gasoline	4	36	X	...	33.0	...	10.7	12	50	...
Fuel	4	36	X	...	1,049.6	...	285.4	12	50	...
Correctional Services										
Office machines	2	33	X	...	17.0	...	5.0	12	50	...
Food	2	36	X	...	1,021.0	...	53.7	12	50	...
Food	4	36	X	...	210.9	...	36.4	12	50	...
Office machines	5	33	X	...	15.0	...	5.0	12	50	...
Electricity	5	33	X	...	34.4	...	30.0	12	50	...
Food	5	36	X	...	214.1	...	16.7	12	50	...
Food	6	36	X	...	179.7	...	9.8	12	50	...

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Corrections

CATEGORY:

1 A1 | 5 FL

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory	8	9	Type of Increase 10,11	12	13,14	Schedule 5 Narrative Code	Available FY 1978 Positions (27-34)	Available FY 1978 Amount (36-43)	Increase FY 1978 Positions (45-52)	Increase FY 1978 Amount (54-61)	Months Funded (63-64)	D.C. Fund (66-67)	Average Employment (69-73)
Detention Services														
Food		1		36	X			...	469.7	...	53.3	12	50	...
Ugast	Regular Pay	3		10	X			7	123.1	...	208.3	12	50	18.6
Ugast	Holiday Pay	3		12	X			7	.....	...	11.3	12	50	...
Ugast	Terminal Leave	3		14	X			7	.....	...	1.3	12	50	...
Ugast	Other-Pay	3		15	X			7	.....	...	32.3	12	50	...
Ugast	Benefits	3		20	X			7	12.9	...	21.9	12	50	...
Ugast - Uniforms		3		36	X			...	.....	...	3.3	12	50	...
WDC	Regular Pay	3		10	X			...	.....	....	67.4	12	50	73.0
WDC	Holiday Pay	3		12	X			...	.....	...	.5	12	50	...
WDC	Other -Pay	3		15	X			...	.....	...	10.0	12	50	...
WDC	Benefits	3		20	X			...	.....	...	7.1	12	50	...
WDC	Rent, Communication, Utilities	3		33	X			...	.....	...	4.0	12	50	...
WDC	Supplies	3		36	X			...	.....	...	6.0	12	50	...
Office Machines		3		33	X			...	10.2	...	7.8	12	50	...
Electricity		3		33	X			...	174.5	...	21.8	1'	50	...
Food		3		36	X			...	787.1	...	78.9	1.	50	...

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Corrections

CATEGORY:

1 A1 | 5 FL

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory			Type of Increase			Schedule 5 Narrative Code	Available FY 1978		Increase FY 1978				
	8	9	10	11	12	13	14	Positions (27 - 34)	Amount (36 - 43)	Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Community Services														
Contract Houses	5		35	X				...	753.0	...	20.8	12	50	...

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Corrections

CATEGORY:

1 A1 | 5 FI

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory	Type of Increase	Schedule 5 Narrative Code	Available FY 1978		Increase FY 1979				
	8 9 10,11	12	13 14	Positions (27 - 34)	Amount (36 - 43)	Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Executive Direction and Support										
Telephone district	4 33	X		...	76.0	...	29.5	12	50	...
Telephone long distance	4 33	X		...	10.4	...	30.0	12	50	...
Repairs	4 35	X		...	21.9	...	5.2	12	50	...
Gasoline	4 36	X		...	33.0	...	10.7	12	50	...
Fuel	4 36	X		...	1,049.6	...	285.4	12	50	...
Street Law Project	4 35	R		...	.....	...	20.0	12	50	...
Correctional Services										
Office machines	2 33	X		...	17.0	...	5.0	12	50	...
Food	2 36	X		...	1,021.0	...	53.7	12	50	...
Food	4 36	X		...	210.9	...	36.4	12	50	...
Office machines	5 33	X		...	15.0	...	5.0	12	50	...
Electricity	5 33	X		...	34.4	...	30.0	12	50	...
Food	5 36	X		...	214.1	...	16.7	12	50	...
Food	6 36	X		...	179.7	...	9.8	12	50	...

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Corrections

CATEGORY:

1 A1 | 5 FL

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory	8	9	Type of increase 10	11	12	13	14	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Increase FY 1979 Months Funded (63 - 64)	Increase FY 1979 D.C. Fund (66 - 67)	Increase FY 1979 Average Employment (69 - 73)
Detention Services																
Ugast..... Regular Pay		3		10	X				7	123.3	...	208.3	12	50	18.4	
Ugast ..... Holiday Pay		3		12	X				7	.....	...	11.3	12	50	...	
Ugast ..... Terminal Leave		3		14	X				7	.....	...	1.3	12	50	...	
Ugast ..... Other-Pay		3		15	X				7	.....	...	32.3	12	50	...	
Ugast ..... Benefits		3		20	X				7	12.9	...	21.9	12	50	...	
Ugast - Uniforms		3		36	X				...	.....	...	3.3	12	50	...	
Food.....		1		36	X				...	469.7	...	53.3	12	50	...	
Office machines.....		3		33	X				...	10.2	...	7.8	12	50	...	
Electricity.....		3		33	X				...	174.5	...	21.8	12	50	...	
Food.....		3		36	X				...	787.1	...	78.9	12	50	...	
Community Services																
Contract Houses.....		5		35	X				...	753.0	...	20.8	12	50	...	

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency University of the District of Columbia

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST	1,529	$41,123.2		
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Relocation Costs for Consolidation of Academic Program		68.6		
Veterinary Program		75.0		
Subtotal, Supplemental and Amendment Items		143.6		
TOTAL, REVISED FISCAL YEAR REQUEST	1,529	$41,266.8		

Analysis of Supplemental and Budget Amendment

Relocation Costs

The University is in the process of consolidating the academic program of the campuses which is anticipated to be complete by August 1, 1978. In this process, approximately 200 faculty and staff will be required to relocate from one campus or building to another. The entire move will involve the relocation of facilities, such as classrooms, offices, and laboratories. This will include approximately

32,800 square feet of office space. Electrical requirements will be necessary for about 13,500 square feet in relocating the 27,000 square feet of business laboratories. In addition, approximately 500 linear feet of partition or partition changes will be required in altering 70,000 square feet of office, classroom and laboratory space to meet basic educational requirements.

The following resources are requested in the FY 1978 supplemental to provide for the academic consolidation of the University:

Laboratory Modifications	$ 13,600
Partition Changes	6,300
Moving Costs	48,700
Total	$ 68,600

Veterinary Program

Bill 1-321, passed by the Council of the District of Columbia, authorizes the Board of Trustees of the University of the District of Columbia to establish and maintain a course of study at the University in veterinary medicine. This course of study is designed to qualify those students who complete such course to become competent licensed doctors of veterinary medicine. The course of study in veterinary medicine authorized by this act may be conducted either wholly or partly at the University (may include study at other campuses and facilities) as long as the minimum standards established by the Board are met and the degree granted to those students completing such course is granted by the Board.

Various career projections have identified veterinarians as a category wherein severe shortages will exist well beyond the year 2000. Since these projections are based upon health service needs, the needs continue to exist independent of the veterinary profession's ability to meet those needs. The situation demands that there be an expansion of veterinary educational facilities and more efficient use of veterinarians.

The more efficient use of veterinarians can most effectively be addressed by trained paraprofessionals carrying out appropriate duties of the professional. Since there is no professional school of Veterinary Medicine, students must go out of state to attend one. This is a very serious problem as there are only 23 veterinary schools in the country. Tuskegee Institute is designated as a Regional Service Institution to provide regional training for students of eleven cooperating states or any other state that enters into a contract for such services. This program insures the contracting state that they will have a definite quota available to their students each year in the veterinary school.

Currently, Tuskegee Institute has 847 qualified applicants for the 50 seats available to freshmen for 1978 in its professional veterinary program. The 22 other such schools in this nation have a similar ratio of applicants. Without some type of regional plan to assure seats for residents of the District of Columbia, they will be denied entry into the opportunities afforded in this field. Therefore, it is imperative that the University contract with Tuskegee Institute to provide the veterinary career as an option for District of Columbia residents.

DISTRICT OF COLUMBIA GOVERNMENT

FY 75

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: University of the District of Columbia

CATEGORY:

1 A1 | 5 G,E

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory 6	9	Type of Increase 10,11	12	Schedule 5 Narrative Code 13,14	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1975 Positions (45 - 52)	Increase FY 1975 Amount (54 - 61)	Increase FY 1975 Months Funded (63 - 64)	Increase FY 1975 D.C. Fund (66 - 67)	Increase FY 1975 Average Employment (69 - 73)
CAREER INSTRUCTION												
Veterinary Program Contract			3 5	R		...	.....	...	75.0		50	...
INSTITUTIONAL SUPPORT												
Relocation Costs - Acad. Consol.			3 5	P		...	.....	...	68.6		50	...

SECOND AMENDMENT FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Recreation Department

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR REQUEST	762	17,551.0		
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Pool maintenance costs	...	58.0		
Subtotal, Supplemental and Amendment Items	...	58.0		
TOTAL, REVISED FISCAL YEAR REQUEST	762	17,609.0		

Analysis of Supplemental and Budget Amendment

Pool Maintenance Costs

An increase of $58,000 for additional maintenance costs is requested to operate pools that are in great demand by public requests. The funds are required for maintenance of current indoor pools as well as "tooling up" for summer outdoor and walk-to pools and any occurring emergencies. These funds would be adequate for preventive and emergency maintenance as well.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Recreation Department

CATEGORY: Maintenance

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (1 A1 5 H.A 4)	Type of Increase (8 9 10 11 12 13 14)	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Maintenance of Swimming Pools						...	58.0	...	50	...
							(58.0)			

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Department of Human Resources

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST	8,488	$283,462.3	6,187	$266,983.2
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Community Residential Facilities Program	(8)	11.8	18	285.8
Youth Diversion Home Project	...	44.0	...	.....
Alcoholic Treatment and Prevention Program	(27)	341.2	27	925.4
D.C. Village, Contractual Nursing Service	...	111.4	...	445.5
Certificate of Need Program	...	31.1	...	116.2
Public Assistance	...	8,814.4	...	5,675.0
Student Loan Program	...	.....	...	.....
Reversal of transfer in of space rental funds	...	.....	...	-1,445.5
Subtotal, Supplemental and Amendment Items	(35)	9,353.9	45	6,002.4
TOTAL, REVISED FISCAL YEAR REQUEST	8,488	292,816.2	6,232	272,985.6

Analysis of Supplemental and Budget Amendment

Community Residential Facilities Program

D.C. Law 2-35, the Community Residential Facilities Licensure Act of 1977 became law on October 27, 1977. This comprehensive piece of legislation sets standards for Community Residential Facilities and makes it mandatory for the D.C. Government to regulate, rate, and monitor all adult placement facilities that meet the licensing requirements for Skilled Nursing Facility, Intermediate Care Facility, and Community Residential Facilities. It is to be the responsibility of a Central Referral Bureau (CRB) to

assure compliance with this law, which affects all licensed facilities public and private and all residents of these facilities and applicants for service. This law will immediately impact on 350 facilities and 5,000 residents of existing fscilites.

a. Central Referral and Monitoring. Title IV of the Community Residential Facilities Licensure Act of 1977 (D.C. Law 2-35) requires the establishment of a Central Referral Bureau. The bureau will develop criteria and develop a monitoring system for rating licensed facilities, recommend placements, and certify the eligible residents for SSI supplementation. To adequately staff this bureau, ten employees and $136,300 are requested for 8 months of Fiscal Year 1979.

b. Regulation and Licensing. This act also amends the Health Regulation 74-15 that provides for the licensure of skilled care and intermediate care nursing homes. In accordance with this act Community Residential Facilities include personal care homes, foster homes for adults, halfway houses and sheltered living arrangements. Heretofore, these facilities have been largely unregulated except for applicable sections of the housing and fire codes. These facilities will now be surveyed and assessed just as skilled care and intermediate care nursing homes. To provide for surveys and licensure, eight employees and $199,500 are requested for Fiscal Year 1979. For Fiscal Year 1978, one month's funding in the amount of $11,800 is requested.

Youth Diversion Home Project

A total of $44,000 is required to sustain the Youth Diversion program for the balance of Fiscal Year 1978 by supplementing the funds available thru a Federal Grant. On November 18, 1976, DHR accepted $142,000 as the initial award of a total subgrant award of $266,000, for the administration of the Diversion Program for Potential Youth Offenders. The application for this subgrant award and the subsequent acceptance, was consistent with the decision by the District of Columbia to participate in the "Juvenile Justice and Delinquency Prevention Act of 1974" (Public Law 93-415). As a part of its obligation, the District of Columbia agreed to deinstitutionalize at least 74% of the total number of the institutional population of status offenders in August, 1975. The City was given two years from that date to comply.

The District of Columbia developed a two-fold plan for meeting the basic objectives, as set forth in Public Law 93-415. The first was to completely close down Maple Glen, the City's institution for status offenders, and transfer all its residents to group homes. In order to assure the

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success of the deinstitutionalization process, the second objective was to establish a method for diverting status offenders from the Criminal Justice System. For this purpose, the Department of Human Resources developed and implemented the Diversion Home Program for Potential Youth Offenders.

The program has successfully completed its startup and, particularly since Maple Glen closed on August 1, 1977, it has proved to be a vital link in the City's service delivery system to status offenders and their families. The program consists of a Family Crisis Team staffed with Mental Health Specialists and a short-term (usually not to exceed 30 days) co-educational Residential Facility which accommodates 15 youngsters. From July 1 to December 31, 1977, the Diversion Program effectively served 110 youth and their families in the community. Only one of those youth was subsequently petitioned as a delinquent. Without the Diversion Home Program, many of the families would have undergone court action and their children adjudicated and perhaps institutionalized. Other families may not have received any service at all. Since the Diversion Home Program became operational, the PINS population in this City has significantly dropped. Status offenders are now referred to the Diversion Home Program rather than adjudicated as PINS. The community based strategy is working and there are strong and positive overtones relating to its cost effectiveness.

At a Juvenile Justice Advisory Group meeting on January 10, 1978, the Department of Human Resources was given notice that it would have to absorb the Diversion Home Program into its Fiscal Year 1978 budget. The department was advised that the maximum it could receive in Office of Criminal Justice Plans and Analysis funds in Fiscal Year 1978 was $95,000, rather than the amount needed to sustain the program through the fiscal year. The program is currently due to terminate on March 8, 1978. The $95,000 from the Office of Criminal Justice Plans and Analysis will extend the program through July, 1978. The department needs an additional $44,000 to sustain the program until the end of Fiscal Year 1978.

Alcoholic Treatment and Prevention Program

As a result of the lawsuit of "Burgos vs. Washington" the District of Columbia government is mandated to improve services to alcoholics. This court action addresses itself to a comprehensive program of services and specifies an increase in outpatient services. In carrying out this mandate, funds are requested in the following program areas:

a. Rehabilitation Center for Alcoholics. The Rehabilitation Center for Alcoholics is the primary, if not actually the only government operated intensive care facility for alcoholics. RCA was established by passage of the "Hagen Act" (Public Law 90-452) and is a primary target of the lawsuit, "Burgos vs. Washington." Improvement in the quality of care at RCA is a must and action in this area will be carefully scrutinized. The facility at its peak contained 780 beds. Budget restrictions reduced this to 500 beds and because of limited resources, a further reduction in bed capacity is a reality. This entire process of reduction has occurred during a period of increase in patient referral.

This request is not to increase capacity but to bring service up to an acceptable level and if this request is not approved, a reduction in beds is a virtual certainty. To adequately staff this facility, 22 employees and $554,700 is requested for the Fiscal Year 1979. For Fiscal Year 1978, $244,800 is requested for three months funding.

b. Alcoholism Halfway House. The number of community-based beds available to alcoholics is completely inadequate. It is far more therapeutic, and considerably less expensive to maintain alcoholic persons in halfway houses and other community living arrangements than it is to house them within an institutional setting. As the number of beds available in the community are increased, the number of beds necessary in the institutional setting will decrease, thereby providing higher quality care and in the long run causing a relative reduction in our budget. This request will allow the the contracting of approximately 45 to 50 halfway house beds. This will provide a significant increase and there is every reason to believe that the Court (re: lawsuit "Burgos vs. Washington") will accept this as such and therefore, will not take specific action against the City in this area.

c. Adams Mill Road Alcoholism Clinic. The Adams Mill Road Alcohol Clinic is the outpatient program for alcoholics within the Area B Community Mental Health Center. This program has seen an increase of referrals over the past few years with a concurrent decrease in staff resulting in less than satisfactory service as well as the inability to respond to referrals by other D.C. agencies (e.g., Department of Motor Vehicles). This situation places the City in direct conflict with the mandates of the "Burgos vs. Washington" lawsuit, especially in the area of outpatient services. However, the approval of this budget request will provide a significant response to the demands of the suit in this area. Five positions and $120,700 are requested for Fiscal Year 1979 to adequately staff this facility. For Fiscal Year 1978, $33,900 is requested for three months funding.

D.C. Village, Contractual Nursing Service

The funding requests will provide 35,000 hours of registered nurse coverage and 11,700 hours of licensed practical nurse coverage annually. For Fiscal Year 1978 three months funding is requested in the amount of $111,400. To continue this coverage in Fiscal Year 1979, $445,500 is requested.

D.C. Village provides long-term multidisciplinary rehabilitation and intermediate and skilled nursing care for geriatric patients mandated by Titles XVIII and XIX of the Social Security Act and other Federal and District of Columbia laws and regulations. These regulations mandate a wide range of services and the environment in which these services are provided.

The purpose of this request is to provide on a temporary and consistent basis, required contractual licensed nursing coverage on various skilled and intermediate nursing care units at D.C. Village. The objective is to meet certification requirements as stipulated by Federal and State Regulations (Titles XVIII and XIX and District Regulation 74-14) as they relate to required nursing staffing patterns.

Certificate of Need Program

D.C. Act 2-100 adopted by the City Council, and approved by the Mayor, is designed to control the proliferation of health care facilities, services and equipment and bring about containment of health care cost. This is to be accomplished by conducting surveys and reviewing institutional health care plans to determine the need for existing and additional or incremental health care services. These surveys and reviews will include programs, equipment services and capital construction. For example, providers will be required to secure certification by the District that a need for their proposed addition, restoration or construction of health care facility exists. $116,200 is requested in Fiscal Year 1979 and for Fiscal Year 1978, $31,100 is requested for three months to provide the D.C. Share for this 75% Federally Matched Program.

Public Assistance

When the Fiscal Year 1978 budget was formulated, a savings of $4.8 million was forecast in Public Assistance if favorable action on several budget requests for additional personnel for Eligibility Determination occurred. This amount would be applied towards payment of a 5% increase in the

payment level for nine months estimated to cost $2,720,000 and caseload increases in the AFDC and Medicaid programs of $1,468,500. This estimated savings has not been realized. Had the Fiscal Year 1978 budget been approved, the 180 workers would be coming aboard now and the budgeted caseload of 26,665 would be more of a reality.

In addition to the failure to realize the projected savings of $4.8 million, the Public Assistance budget has been further complicated by a base reduction of $4.0 million that occurred when the Fiscal Year 1978 supplemental was formulated. This base reduction now approved by the Congress had the effect of reducing the budgeted caseload from 26,665 to 24,065.

Since the actual caseload has fluctuated between 28,500 and 29,000 during the first half of the Fiscal Year 1978, it will be impossible to average out at the lower figure of 24,065 even with the more diligent efforts on the part of the eligibility determination workers. This request, therefore, will provide for a budgeted caseload of 28,065 which means that by year end the caseload must be reduced to 27,530.

For Fiscal Year 1979 the request was for a budgeted caseload of 25,887 AFDC regular cases. This request now provides for 26,942. The downturn forecast for Fiscal Year 1978 in the AFDC regular caseload continues through into Fiscal Year 1979. To average out at the budgeted caseload of 26,942, the caseload at the close of the Fiscal Year 1979 must be 26,354. The projected trend therefore, should make for a reduction in the caseload from the last actual figure of 28,906 (March 31 , 1978 to a projected caseload of 26,354 by September 30, 1979, on a decline of 2,552 over the next 18 months.

The budgeted caseload estimates for General Public Assistance were 3,313 for Fiscal Year 1978 and 3,960 for Fiscal Year 1979. The actual caseload on March 31, 1978 was 6,270 The estimates were predicated on the successful implementation of an amendment to D.C. Public Welfare Act that provided for periodic evaluation of the temporarily disabled and limited GPA eligibility to six months. This amendment has not had the intended results, the GPA caseload did not decline by half as forecast by the Fiscal Year 1977 budget. Instead, the caseload has fluctuated between 5,800 and 6,300 cases during the first half of Fiscal Year 1978. This request provides for a budget of 5,813 cases both for Fiscal Year 1978 and Fiscal Year 1979. Until an indepth review of the program and the governing laws and regulations can be done to determine why the amendment failed to impact the caseload in the way it was assumed it would, the budget for GPA must approximate the caseload we actually experience. Although this program meant to provide for

the person who is temporarily disabled and without resources, it may have become a catchall for assistance cases that do not fit precisely in other categories of assistance.

An increase of $8,814,400 is requested for Fiscal Year 1978. This request will fund the projected caseload and provides for an increase of 5% in the payment level effective July 1, 1978. The Fiscal Year 1978 budget enacted into law (P.L. 95-288) on June 5, 1978 provided for an increase in the payment level effective January 1, 1978. However, this increase was to be funded from savings related to reductions in the caseload. Because of the need for additional resources to provide for the caseload, additional funding is required for the payment level increase. This request funds the increase effective July 1, 1978.

An increase of $5,675,000 is needed for Fiscal Year 1979. The reduced Fiscal Year 1979 need reflects a decline in the caseload and a payment level increase of 5% effective April 1, 1979. This request does not amend that date.

FINANCIAL AID FISCAL YEAR 1978
SUPPLEMENTAL

Categories	Average Number of Cases Per Month	Payment 1/ Per Case	Total Program Cost	District Funds Required	Federal Reimbursement
AFDC					
Regular	28,065	3,016.30	84,652.5	42,326.2	42,326.3
UF	289	4,815.10	1,391.6	695.8	695.8
Supplementation	2,974	2,256.30	6,710.2	3,355.1	3,355.1
GPA	5,813	1,980.80	11,514.4	11,514.4	.....
Emergency Assistance Service					
AFDC	3,900 2/	.....	608.4	304.2	304.2
GPA	1,300 2/	.....	156.0	156.0	.....
SSI Supplementation					
Domiciliary Care	1,122 2/	.....	916.0	916.0	.....
Non-Domiciliary Care	900 2/	.....	270.0	270.0	.....
Total	.....	.....	106,219.1	59,537.7	46,681.4

1/ Provides for an increase of the payment level of 5% effective July 1, 1978.

2/ Annual number of cases.

FINANCIAL AID FISCAL YEAR 1979
FIRST AMENDMENT

Categories	Average Number of Cases Per Month	Payment 1/ Per Case	Total Program Cost	District Funds Required	Federal Reimbursement
AFDC					
Regular	26,942	3,238.10	87,244.1	43,622.0	43,622.1
UF	289	4,426.90	1,279.4	639.7	639.7
Supplementation	2,974	2,174.45	6,466.8	3,233.4	3,233.4
GPA	5,813	2,140.10	12,440.4	12,440.4	.....
Emergency Assistance Service					
AFDC	3,900 2/	.....	608.4	304.2	304.2
GPA	1,050 2/	.....	126.0	126.0	.....
SSI Supplementation					
Domiciliary Care	1,122 2/	.....	916.0	916.0	.....
Non-Domiciliary Care	300 2/	.....	59.4	59.4	.....
Total	.....	.....	109,140.5	61,341.1	47,799.4

1/ Provides for an increase in the payment level of 5% effective April 1, 1979.

2/ Annual number of cases.

Student Loan Fund

The Fiscal Year 1979 budget contains a request for $690,000 which together with the budget base of $110,000 was to provide for the state's 20% share of an estimated $4,000,000 in defaulted student loans. The District has now negotiated a settlement with the banks holding this defaulted debt that provides for the repayment out of current resources during the Fiscal Year 1978. It is requested that the Fiscal Year 1979 budget of $690,000 now be used to provide for a reserve equal to 5% of the estimated outstanding guaranteed debt.

This debt is estimated to peak at $13,800,000 during the Fiscal Year 1979. A reserve of $690,000 is required to provide for the state's share of guaranteed loans when default occurs.

Space Rental Funds

The FY 1978 budget request contained a transfer in of space rental funds in the amount of $1,445,500 for the Department of General Services. This transfer in was not approved by either subcommittee. The House Subcommittee on D.C. Appropriations indicated in its report on the FY 1978 budget that " . . . authority to enter into leases for the rental of space should be centralized in the Department of General Services. . ." (p. 19, House Report 95-596) This request, if approved, will restore the space rental funds to the Department of General Services.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Human Resources

CATEGORY: Executive Direction and Support

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory 8	9	10,11	Type of Increase 12	13,14	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1978 Positions (45 - 52)	Increase FY 1978 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Certificate of Need Program - Grant Match	6	0	3,9	R			...	.....	...	31.1	3	50	...
Community Residential Facilities													
Personal Services	6	0	1 1	R			...	.....	(8.0)	10.7	1	50	(0.8)
Related Benefits	6	0	2 0	R			...	.....	(8.0)	1.1	1	50	...
Total									(8.0)	11.8			(0.8
Total, EDS									(8.0)	42.9			(0.8

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: HUMAN RESOURCES

CATEGORY: PAYMENTS ASSISTANCE ADMINISTRATION

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code: Budget Unit / Subcategory (8 9 10 11 12 13 14)	Type of Increase	Schedule 5 Narrative Code	Available FY 1978: Positions (27 - 34)	Available FY 1978: Amount (36 - 43)	Increase FY 1979: Positions (45 - 52)	Increase FY 1979: Amount (54 - 61)	Increase FY 1979: Months Funded (63 - 64)	Increase FY 1979: D.C. Fund (66 - 67)	Increase FY 1979: Average Employment (69 - 73)
Financial Aid										
Grants and Subsidies	3 - 3 9 R					...	8,814.4	12	50	...

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: HUMAN RESOURCES

CATEGORY: SOCIAL REHABILITATION ADMINISTRATION

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code: Budget Unit / Subcategory (8 9 10 11 12 13 14)	Type of Increase	Schedule 5 Narrative Code	Available FY 1978: Positions (27 - 34)	Available FY 1978: Amount (36 - 43)	Increase FY 1979: Positions (45 - 52)	Increase FY 1979: Amount (54 - 61)	Increase FY 1979: Months Funded (63 - 64)	Increase FY 1979: D.C. Fund (66 - 67)	Increase FY 1979: Average Employment (69 - 73)
Diversion Program for Potential Youth Offenders										
Grant Match	2 - 3 9 R					...	44.0	3	50	...
Total, SRA						...	44.0			...

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: HUMAN RESOURCES

CATEGORY: MENTAL HEALTH ADMINISTRATION

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8 9 10 11 12 13 14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Adams Mill Road Alcoholic Clinic								
1 GS-14 Psychiatrist	2 - 1 0 P			(1)	9.4	3	50	.2
Related Benefits	2 - 2 0 P				.9	3	50	
1 GS-12 Psychologist	2 - 1 0 P			(1)	5.5	3	50	.3
Related Benefits	2 - 2 0 P				.5	3	50	
1 GS-11 Social Worker	2 - 1 0 P			(1)	4.6	3	50	.2
Related Benefits	2 - 2 0 P				.4	3	50	
1 GS-09 Nurse	2 - 1 0 P			(1)	3.8	3	50	.3
Related Benefits	2 - 2 0 P				.4	3	50	
1 GS-07 Counselor	2 - 1 0 P			(1)	3.1	3	50	.2
Related Benefits	2 - 2 0 P				.3	3	50	
Other Services	2 - 3 5 P				2.6	3	50	
Supplies and Materials	2 - 3 6 P				1.0	3	5,	
Equipment	2 - 3 8 P				1.4	3	50	
Total, Adams Mill Road Clinic	2			(5)	33.9	3	50	1.2

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: HUMAN RESOURCES

CATEGORY: MENTAL HEALTH ADMINISTRATION

1 A1 | 5 J A 4

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Budget Unit Subcategory Codes 8 9 10 11 12 13 14	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Alcoholism Halfway House										
Other Services	4 - 3 5 T						62.5	3	50	
Rehabilitation Center for Alcoholics										
2 GS-15 Psychiatrists	4 - 1 0 T					(2)	15.7	3	50	.5
Related Benefits	4 - 2 0 T						1.6	3	50	
2 GS-12 Psychologists	4 - 1 0 T					(2)	10.9	3	50	.5
Related Benefits	4 - 2 0 T						1.1	3	50	
1 GS-12 Medical Records Librarian	4 - 1 0 T					(1)	5.5	3	50	.2
Related Benefits	4 - 2 0 T						.5	3	50	
3 GS-11 Occupational Therapist	4 - 1 0 T					(2)	9.1	3	50	.5
Related Benefits	4 - 2 0 T						.9	3	50	
1 GS-11 Educational Therapist	4 - 1 0 T					(1)	4.6	3	50	.3
Related Benefits	4 - 2 0 T						.4	3	50	
2 GS-09 Nurses	4 - 1 0 T					(2)	7.6	3	50	.5
Related Benefits	4 - 2 0 T						.7	3	50	

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: HUMAN RESOURCES

CATEGORY: MENTAL HEALTH ADMINISTRATION

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8)	(9)	(10,11)	Type of Increase (12)	(13,14)	Schedule 5 Narrative Code	Available FY 1978 Positions (27-34)	Available FY 1978 Amount (36-43)	Increase FY 1979 Positions (45-52)	Amount (54-61)	Months Funded (63-64)	D.C. Fund (66-67)	Average Employment (69-73)
5 GS-07 Counselors	4	-	10	T					(5)	15.4	3	50	1.2
Related Benefits	4	-	20	T						1.5	3	50	
2 GS-07 Finance Clerks	4	-	10	T					(2)	6.2	3	50	.5
Related Benefits	4	-	20	T						.6	3	50	
5 GS-05 Nurinsing Assistants	4	-	10	T					(5)	11.4	3	50	1.3
Related Benefits	4	-	20	T						1.1	3	50	
Rent, Communications and Utilities	4	-	33	T						2.4	3	50	
Other Services	4	-	35	T						60.0	3	50	
Supplies and Materials	4	-	36	T						82.2	3	50	
Equipment	4	-	38	T						5.4	3	50	
Total, RCA									(22)	244.8	3	50	5.5
Total, MHA									(27)	341.2			6.7

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

(IN THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: HUMAN RESOURCES

CATEGORY: COMMUNITY HEALTH AND HOSPITALS

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8 9 10 11 12 13 14)	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
D. C. Village										
Contract nursing services	6 - 3 5 T						111.4		50	
Total, CHHA							111.4		50	
Total, DHR						(35)	9,353.9			(7.5)

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

(S THOUSANDS)

AGENCY: Department of Human Resources

CATEGORY: 1 A1 5 J A

D.C. FUNDS DETAIL OF ADJUSTMENTS

SCHEDULE 6-A OPERATING BUDGET

Items of Adjustment	Schedule 2 Expenditure Budget Unit Subcategory Code (8 9)	Type of Adjustment (10 11)	Schedule 4 Narrative Code (12 13 14)	Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Executive Direction and Support:								
Office of the Controller:								
Rent, communications and utilities					-80.4			
Office of Administration								
Rent, communications and utilities					-104.1			
Office of Planning and Evaluation:								
Rent, communications and utilities					-8.0			
Payments Assistance Administration:								
Office of the Administrator:								
Rent, communications and utilities					-539.3			
Social Rehabilitation Administration:								
Office of the Administrator:								
Rent, communications and utilities					-12.2			
Bureau of Youth Services:								
Rent, communications and utilities					-39.7			
Bureau of Family Services:								
Rent, communications and utilities					-257.8			

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

(S THOUSANDS)

D.C. FUNDS DETAIL OF ADJUSTMENTS

AGENCY: Department of Human Resources

CATEGORY:

SCHEDULE 6-A OPERATING BUDGET

Items of Adjustment	Schedule 2 Expenditure Budget Unit Subcategory Code (8 9 10)	Type of Adjustment (11)	Schedule 4 Narrative Code (12 13 14)	Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Social Rehabilitation Administration - continued								
Bureau Rehabilitation Services:								
Rent, communications and utilities					-163.1			
Mental Health Administration:								
Bureau Mental Health Services:								
Rent, communications and utilities					-18.9			
Bureau of Alcoholism Treatment Prevention:								
Rent, communications and utilities					-62.0			
Community Health and Hospitals Administration:								
Bureau Prevention Services:								
Rent, communications and utilities					-8.0			
Bureau Clinical Services:								
Rent, communications and utilities					-152.0			
Total					-1,445.5			

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

AGENCY: Department of Human Resources

CATEGORY:

1 A1

5 J A

D.C. FUNDS DETAIL OF ADJUSTMENTS

SCHEDULE 6-A OPERATING BUDGET

Items of Adjustment	Schedule 2 Expenditure Code: Budget Unit / Subcategory	Type of Adjustment	Schedule 4 Narrative Code	Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
	8 9 10 11 12 13 14							
Redirections out:								
Social Rehabilitation Administration:								
Bureau Family Services				-2	-43.5			
Mental Health Administration:								
Bureau Mental Health Services				-1	-14.2			
Redirection in:								
Social Rehabilitation Administration:								
Bureau Family Services:								
Central Referral Bureau				+3	+57.7			

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Human Resources

CATEGORY: Executive Direction and Support

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
	8 9	10,11	12 13,14							
Certificate of Need Program - Grant Match	6 - 3 9	R		...	.....	...	116.2	12	50	...
Community Residential Facilities Regulation										
GS-12 Supervisory Social Worker	6 - 1 0	R		...	.....	1.0	21.9	12	50	1.0
Related Benefits	6 - 2 0	R				...	2.1	12	50	...
GS-11 Social Worker	6 - 1 0	R				2.0	36.5	12	50	2.0
Related Benefits	6 - 2 0	R				...	3.6	12	50	...
GS-09 Social Worker	6 - 1 0	R				3.0	45.3	12	50	...
Related Benefits	6 - 2 0	R				...	4.4	12	50	3.0
GS-09 Nutritionist	6 - 1 0	R				1.0	15.1	12	50	1.0
Related Benefits	6 - 2 0	R				...	1.5	12	50	...
GS-05 Clerk Typist	6 - 1 0	R				1.0	10.0	12	50	1.0
Related Benefits	6 - 2 0	R				...	1.0	12	50	...
Local Travel	6 - 3 1	R				...	.8	12	50	...
Printing and Reproduction	6 - 3 4	R				...	2.7	12	50	...
Supplies and Materials	6 - 3 6	R				...	1.1	12	50	...
Equipment	6 - 3 8	R				...	3.5	12	50	...

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Human Resources

CATEGORY: Executive Direction and Support

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8)	(9)	Type of Increase (10, 11)	(12, 13)	Schedule 5 Narrative Code (14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Total, Community Residential Facilities						...	...	8.0	149.5	12	50	8.0
Total, EDS								8.0	265.7			8.0

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: HUMAN RESOURCES

CATEG: PAYMENTS ASSISTANCE ADMINISTRATION

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8 9 10 11 12 13 14)	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Increase FY 1979 Months Funded (63 - 64)	Increase FY 1979 D.C. Fund (66 - 67)	Increase FY 1979 Average Employment (69 - 73)
Financial Aid										
Grants and Subsidies	3 - 3 9 H					...	5,675.0	12	50	...
Total, PAA	3 -						5,675.0			

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: HUMAN RESOURCES

CATEGORY: SOCIAL REHABILITATION ADMINISTRATION

SCHEDULE 6-B OPERATING BUDGET

Items of increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8 9 10 11 12 13 14)	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Division of Central Referral and Monitoring										
1 GS-13 Chief Social Service Officer	3 - 1 0 R					1.0	16.2	8	50	0.7
Related Benefits	3 - 2 0 R					...	1.6	8	50	...
1 GS-12 Assistant Chief, Social Service Officer	3 - 1 0 R					1.0	13.8	8	50	0.7
Related Benefits	3 - 2 0 R					...	1.3	8	50	...
1 GS-11 Supv. Public Health Nurse	3 - 1 0 R					1.0	11.5	8	50	0.7
Related Benefits	3 - 2 0 R					...	1.1	8	50	...
1 GS-09 Public Health Nurse	3 - 1 0 R					1.0	9.5	8	50	0.7
Related Benefits	3 - 2 0 R					...	0.9	8	50	...
4 GS-09 Social Workers	3 - 1 0 S					4.0	38.0	8	50	2.8
Related Benefits	3 - 2 0 R					...	3.6	8	50	...
2 GS-06 Secretary	3 - 1 0 R					2.0	14.0	8	50	1.4
Related Benefits	3 - 2 0 R					...	1.3	8	50	...
Local Travel	3 0 3 1 R					...	5.0	12	50	...
Rent, Utilities	3 0 3 2 R					...	3.0	12	50	...

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: HUMAN RESOURCES

CATEGORY: SOCIAL REHABILITATION ADMINISTRATION

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8)	(9)	(10,11)	Type of Increase (12)	Schedule 5 Narrative Code (13,14)	Available FY 1978 Positions (27-34)	Available FY 1978 Amount (36-43)	Increase FY 1979 Positions (45-52)	Increase FY 1979 Amount (54-61)	Increase FY 1979 Months Funded (63-64)	Increase FY 1979 D.C. Fund (66-67)	Increase FY 1979 Average Employment (69-73)
Division of Central Referral and Monitoring (Cont'd)												
Printing and Reproduction	3	-	3,4	R				...	6.5	12	50	...
Other Services	3	-	3,5	R				...	7.0	12	50	...
Supplies and Material	3	-	3,6	R				...	2.0	12	50	...
Total, Central Referral								10.0	136.3			7.0
Total, SRA								10.0	136.3			7.0

1090

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: HUMAN RESOURCES

CATEGORY: MENTAL HEALTH ADMINISTRATION

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8 9 10,11 12 13,14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Adams Mill Road Alcoholic Clinic								
1 GS-14 Psychiatrist	2 - 1,0 P			1.0	38.0	12	50	1.0
Related Benefits	2 - 2,0 P			...	3.7	12	50	...
1 GS-12 Psychologist	2 - 1,0 P			1.0	21.9	12	50	1.0
Related Benefits	2 - 2,0 P			...	2.1	12	50	...
1 GS-11 Social Worker	2 - 1,0 P			1.0	18.2	12	50	1.0
Related Benefits	2 - 2,0 P			...	1.7	12	50	...
1 GS-09 Nurse	2 - 1,0 P			1.0	15.1	12	50	1.0
Related Benefits	2 - 2,0 P			...	1.5	12	50	...
1 GS-07 Counselor	2 - 1,0 P			1.0	12.3	12	50	1.0
Related Benefits	2 - 2,0 P			...	1.2	12	50	...
Other Services	2 - 3,5 P			...	2.6	12	50	...
Supplies and Materials	2 - 3,6 P			...	1.0	12	50	...
Equipment	2 - 3,8 P			...	1.4	12	50	...
Total, Adams Mill Road Clinic	2			5.0	120.7	12	50	5.0

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: HUMAN RESOURCES

CATEGORY: MENTAL HEALTH ADMINISTRATION

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Increase FY 1979 Months Funded (63 - 64)	Increase FY 1979 D.C. Fund (66 - 67)	Increase FY 1979 Average Employment (69 - 73)
Alcoholism Halfway House										
Other Services	4 - 3.5	T				...	250.0	12	50	...
Rehabilitation Center for Alcoholics										
2 GS-15 Psychiatrists	4 - 1.0	T				2.0	82.0	12	50	2.0
Related Benefits	4 - 2.0	T				...	8.0	12	50	...
2 GS-12 Psychologists	4 01.0	T				2.0	43.8	12	50	2.0
Related Benefits	4 - 2.0	T				...	4.2	12	50	...
1 GS-12 Medical Records Librarian	4 - 1.0	T				1.0	21.9	12	50	1.0
Related Benefits	4 - 2.0	T				...	2.1	12	50	...
2 GS-11 Occupational Therapists	4 - 1.0	T				2.0	36.5	12	50	2.0
Related Benefits	4 - 2.0	T				...	3.5	12	50	...
1 GS-11 Educational Therapist	4 - 1.0	T				1.0	18.3	12	50	1.0
Related Benefits	4 - 2.0	T				...	1.8	12	50	...
2 GS-09 Nurses	4 - 1.0	T				2.0	30.2	12	50	2.0
Related Benefits	4 - 2.0	T				...	2.9	12	50	...

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: HUMAN RESOURCES

CATEGORY: MENTAL HEALTH ADMINISTRATION

1 A1 | 5 J, A4

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Budget Unit Subcategory Code 8	9	Type of Increase 10,11	12	Schedule 5 Narrative Code 13,14	Available FY 1978 Positions (27-34)	Available FY 1978 Amount (36-43)	Increase FY 1979 Positions (45-52)	Increase FY 1979 Amount (54-61)	Months Funded (63-64)	D.C. Fund (66-67)	Average Employment (69-73)
5 GS-07 Counselors	4	-	1,0	T				5.0	61.7	12	50	5.0
Related Benefits	4	-	2,0	T				...	6.0	12	50	...
2 GS-07 Finance Clerks	4	-	1,0	T				2.0	24.7	12	50	2.0
Related Benefits	4	-	2,0	T				...	2.4	12	50	...
5 GS-05 Nursing Assistants	4	-	1,0	T				5.0	49.8	12	50	5.0
Related Benefits	4	-	2,0	T				...	4.9	12	50	...
Rent, Communications and Utilities	4	-	3,3	T				...	2.4	12	50	...
Other Services	4	-	3,5	T				...	60.0	12	50	...
Supplies and Materials	4	-	3,6	T				...	82.2	12	50	...
Equipment	4	-	3,8	T				...	5.4	12	50	...
Total, RCA	4							22.0	554.7	12	50	22.0
Total, MHA								27.0	925.4			27.0

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: HUMAN RESOURCES

CATEGORY: COMMUNITY HEALTH AND HOSPITALS

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8 9 10 11 12 13 14)	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Increase FY 1979 Months Funded (63 - 64)	Increase FY 1979 D.C. Fund (66 - 67)	Increase FY 1979 Average Employment (69 - 73)
D.C. Village Contractual Nursing										
Other Services	6 - 3 5 T					...	445.5	12	50	...
Total, CHHA						...	445.5	12	50	...
Total, DHR						45.0	7,447.9			42.0

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Department of Transportation

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST	1,298	$24,395.7	1,030	$32,061.6
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Snow and Ice Control Program	...	1,836.9	...	.....
Electrical energy	...	500.0	...	.....
Administrative adjudication violation processing	...	.....	...	405.0
Improved Parking and Enforcement Program	(134)	3,258.2	...	.....
Streets for People	...	.....	...	-173.4
Subtotal, Supplemental and Amendment Items	(134)	5,595.1	...	231.6
TOTAL, REVISED FISCAL YEAR REQUEST	1,298	29,990.8	1,030	32,293.2

Analysis of Supplemental and Budget Amendment

Snow and Ice Control Program

The cost for snow and ice control in FY 1978 is $1,990,200. Funding available for this purpose is $303,300, therefore, an increase of $1,686,900 is required. The available funds are not sufficient because this winter with its unusually heavy snowfalls and icy conditions produced expenditures that were not anticipated. Costs by categories are: salt and sand - $952,300; overtime for the Departments of Trans-

portation and Environmental Services - $700,000; contractual services - $141,900; equipment - $100,000; and miscellaneous - $96,000.

Funds are also included for pothole repair. The revised estimated total costs for pothole repairs in FY 1978 is $375,000. This includes base available funds of $225,000 plus the supplemental increase of $150,000. This increase is needed to cover the additional costs of pothole repairs resulting from the heavy snowfalls, extreme weather changes, and amount of rain over the past two years which has been very destructive to the street and sidewalk surfaces of the City.

Electrical Energy

An increase of $500,000 is being requested for electrical energy in FY 1978. The amount being requested was approved by the Council but disallowed by the Congress in an earlier FY 1978 budget amendment request. In disallowing the request, it was indicated that the funding should be obtained from existing departmental resources. The Department has reviewed its financial status and has determined that there are no alternative means of financing the $500,000 disallowed without severely impacting those programs that provide direct services to the public and/or sustain the safety and mobility of persons within the City. Also, the District has an obligation to meet its legal requirements to PEPCO based on the prevailing rate structure as approved by the Public Service Commission. In addition, the Department has continued its review of the street lighting system and is unable to identify additional lights for removal that would be acceptable to the government and the public.

Administrative Adjudication Violations Processing - FY 1979

An increase of $405,000 is requested so that the Department of Transportation's computer can be purchased in September 1978, five months earlier than initially expected, to process traffic tickets. At the time of the submission of the Fiscal Year 1979 budget to the City Council, it was thought we would be able to use the Superior Court's computer during that five month period. Subsequently, it has been determined that the Superior Court's computer will be fully utilized for its internal requirements.

35-629 O - 78 - pt. 2 - 70

Improved Parking and Traffic Enforcement

The Fiscal Year 1978 budget supplemental includes funding of $3,258,200 for the implementation and operation of the Improved Parking and Traffic Enforcement Program. The program creates a civilian force to write an additional one million parking tickets annually, provides for increased towing and impoundment to keep traffic lanes clear and safe, increased booting activities to catch those who habitually refuse to pay tickets, and enables adjudicating parking and minor traffic violations in an administrative hearing. The amount requested would be used as follows: Administrative costs- $234,200; Ticketing operation - $470,600; Booting operation - $294,500; Towing operation - $1,359,100; Traffic adjudication - $30,700; Violation processing - $ 746,100; Traffic hearings - $123,000.

The first phase, Ticketing operation, would commence July 15, 1978. The other two phases, Towing and Booting would begin September 1 and September 15th, respectively. The administrative adjudication operation would begin as soon as possible after phase three.

Streets for People

This amount has been subtracted from the Fiscal Year 1979 request.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Transportation

CATEGORY:

1 A1 | 5 K,A

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory				Type of Increase		Schedule 5 Narrative Code	Available FY 1978		Increase FY 1978				
	8	9	10,11	12	13,14			Positions (27 - 34)	Amount (36 - 43)	Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Administration and Program Support (100)														
Travel for Training of New Improved Parking Personnel	2	-	3,0	R	-,-			---	---	---	4.7	03	50	---
Space Rental - Improved Parking	2	-	3,3	R	-,-			---	---	---	12.8	03	50	---
Telephone Rental - Improved Parking	2	-	3,3	R	-,-			---	---	---	2.6	03	50	---
Printing of Forms - Improved Parking	2	-	3,4	R	-,-			---	---	---	2.0	03	50	---
Uniforms - Improved Parking	2	-	2,6	R	-,-			---	---	---	27.6	03	50	---
Two Computer Systems Analyst - Improved Parking	4	-	1,1	R	-,-			---	---	2.0	10.9	03	50	.5
Related Benefits	4	-	2,0	R	-,-			---	---	---	1.6	03	50	---
Computer Communications - Improved Parking	4	-	3,3	R	-,-			---	---	---	3.0	03	50	---
Software Development - Improved Parking	4	-	3,5	R	-,-			---	---	---	450.0	03	50	---
Keypunching - Improved Parking	4	-	3,5	R	-,-			---	---	---	50.0	03	50	---
Computer Terminals, Cash Registers, & Printers, Parking	4	-	3,7	R	-,-			---	---	---	110.5	03	50	---
Total 100								---	---	(2.0)	(675.7)	---	---	(.5)
Construction and Maintenance (300)														
Two Mechanics - Improved Parking	4	-	1,1	R	-,-			---	---	2.0	2.9	01	50	.2
Related Benefits	4	-	2,0	R	-,-			---	---	---	.3	01	50	---

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Transportation

CATEGORY:

1 A1 | 5 K A

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1978 Positions (45 - 52)	Increase FY 1978 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Construction and Maintenance (300) (Cont'd)										
Vehicles - Improved Parking	4 - 3.7	R	- -	---	---	---	243.0	03	50	---
Salt, Sand, Vehicle Parts, Miscellaneous Supplies	6 - 3.6	X	- -	---	198.3	---	838.0	09	52	---
Overtime, Salting & Plowing	6 - 3.5	X	- -	---	105.0	---	748.9	09	52	---
Equipment for Snow Removal	6 - 3.7	X	- -	---	---	---	100.0	09	52	---
Street Repair Resulting from Adverse Weather	6 - 3.5	X	- -	---	250.0	---	150.0	09	52	---
Total (300)				---	(553.3)	(2.0)	(2,083.1)	---	---	---
Traffic Engineering & Operations (400)										
Energy for Street Lighting	2 - 3.3	X	- -	---	6,379.5	---	500.0	12	52	---
Electrical Energy - Improved Parking	2 - 3.3	R	- -	---	---	---	.8	03	50	---
Radios and Transmitter Station - Improved Parking	2 - 3.7	R	- -	---	---	---	139.8	03	50	---
Total 400				---	(6,379.5)	---	(640.6)	---	---	---
Parking Enforcement and Operations (A00)										
Three Positions	1 - 1.1	R	- -	---	---	3.0	19.8	03	50	.9

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Transportation

CATEGORY:

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Budget Unit Subcategory Code (6 9 10 11)	Type of Increase (12)	Schedule 5 Narrative Code (13 14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1978 Positions (45 - 52)	Increase FY 1978 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Parking Enforcement & Operations (A00) (Cont'd)										
Related Benefits	1 - 2 0	R	- -	---	---	---	1.9	03	50	---
121 Positions	2 - 1 1	R	- -	---	---	121.0	284.5	03	50	23.0
Related Benefits	2 - 2 0	R	- -	---	---	---	27.6	03	50	---
Printing of Two Stickers	2 - 3 4	R	- -	---	---	---	10.0	03	50	---
Space Modification & Operations	2 - 3 5	R	- -	---	---	---	180.9	03	50	---
Towing Contract	2 - 3 5	R	- -	---	---	---	84.4	03	50	---
Lot Modification & Maintenance	2 - 3 5	R	- -	---	---	---	1,100.4	03	50	---
Guard Service	2 - 3 5	R	- -	---	---	---	15.4	03	50	---
Trailer Hookups	2 - 3 5	R	- -	---	---	---	12.0	03	50	---
Office & Miscellaneous Supplies	2 - 3 6	R	- -	---	---	---	7.5	03	50	---
Office & Miscellaneous Furnishings & Equipment	2 - 3 7	R	- -	---	---	---	53.3	03	50	---
Immobilization Boots	2 - 3 7	R	- -	---	---	---	120.0	03	50	---
Total A00				---	---	(124.0)	(1,917.7)	---	---	(23.9)
Traffic Adjudication (B00)										
Three Positions	1 - 1 1	R	- -	---	---	3.0	22.1	03	50	.9

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Transportation

CATEGORY:

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8 9 10,11 12 13,14)	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1978 Positions (45 - 52)	Increase FY 1978 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Traffic Adjudication (BOO) (Cont'd)										
Related Benefits	1 - 2 0	R	- -	---	---	---	2.1	03	50	---
Printing of Citations	2 - 3 4	R	- -	---	---	---	19.5	03	50	---
Space Modification	2 - 3 5	R	- -	---	---	---	23.2	03	50	---
Computer Center Relocation	2 - 3 5	R	- -	---	---	---	120.0	03	50	---
Office & Miscellaneous Supplies	2 - 3 6	R	- -	---	---	---	1.0	03	50	---
Office Furnishing & Equipment	2 - 3 7	R	- -	---	---	---	8.5	03	50	---
MPD Communications - Upgrade	2 - 3 7	R	- -	--	---	---	21.5	03	50	---
Three Positions	3 - 1 1	R	- -	---	---	3.0	15.3	03	50	.9
Related Benefits	3 - 2 0	R	- -	---	---	---	1.5	03	50	---
Space Modification	3 - 3 5	R	- -	---	---	---	23.3	03	50	---
Office & Miscellaneous Supplies	3 - 3 6	R	- -	---	---	---	1.0	03	50	---
Offfice Furnishing & Equipment	3 - 3 7	R	- -	---	---	---	19.0	03	50	---
Total BOO				---	---	(6.0)	(278.0)	---	---	(1.8)
Total FY 1978 Increase				---	---	(134.0)	(5,595.1)	---	---	(26.2)

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

1 AT $

D.C. FUNDS DETAIL OF ADJUSTMENTS

AGENCY: Department of Transportation

CATEGORY:

SCHEDULE 6-A OPERATING BUDGET

Items of Adjustment	Schedule 2 Expenditure Code / Budget Unit / Subcategory 8	9	10 11	12	13 14	Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Administration and Program Support (100)										
Equipment Rental - Streets for People	2	-	3,3	-	-,-	---	- 3.4		50	---
Telephone Service - Streets for People	2	-	3,3	-	-,-	---	- 1.0		50	---
Sanitation - Streets for People	2	-	3,5	-	-,-	---	- 60.0		50	---
Special & Miscellaneous Services - Sts. for People	2	-	3,5	-	-,-	---	-102.0		50	---
Supplies & Material Miscellaneous - Sts. for People	2	-	3,6	-	-,-	---	- 7.0		50	---
Total (100)						---	(-173.4)			---

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Department of Transportation

CATEGORY:

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Administration & Program Support (100)										
Computer for Improved Parking	4 - 3,7	R	- -	---	---	---	405.0	05	50	---
Traffic Engineering & Operations (400)										

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency School Transit Subsidy

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....			...	$4,385.0
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Rail Transit Subsidy for Students.			...	214.3
Subtotal, Supplemental and Amendment Items			...	$214.3
TOTAL, REVISED FISCAL YEAR REQUEST			...	$4,599.3

Analysis of Supplemental and Budget Amendment

Rail Transit Subsidy for Students:

The original FY 1979 Budget request of $4.385 million reflected the school transit subsidy for students travelling on Metrobus only. Both the Executive and Legislative Branches of the District of Columbia Government have indicated that subsidized travel on Metrorail shall be available to school children beginning with the new school year in September, 1978. The additional subsidy requirement of $214,300 represents a total increase in the number of school transit trips as well as a higher subsidy rate for some school journeys. The higher subsidy rate for school journeys occurs when the student has to use both Metrobus and Metrorail to reach his destination. This travel pattern would require two separate fares and a subsidy for both modes.

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: School Transit Subsidy

CATEGORY:

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (1 / A1 / 5 / K,D)	Type of Increase (10,11)	Schedule 5 Narrative Code (12,13,14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1978 Positions (45 - 52)	Increase FY 1978 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Rail Transit Subsidy for Students		3	5 4				214.3	12	51	

1105

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Washington Metropolitan Area Transit Authority (WMATA)

(Amounts in Thousands)

	Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST	...	$30,945.0		$41,032.8
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Metrorail Debt Service Adjustment	...	-1,254.7		+1,254.7
Subtotal, Supplemental and Amendment Items	...	-1,254.7		.....
Total, Revised Fiscal Year Request	...	29,690.3		41,032.8

Analysis of Supplemental and Budget Amendment

Metrorail Debt Service Adjustment

The Fiscal Year 1978 supplemental requests a reduction of $1,254,700 to the pending Fiscal Year 1978 WMATA request. The revised increase of $382,500 is requested in the Fiscal Year 1978 budget to cover the District share of the interest requirement on Metrorail outstanding bonds. The WMATA Board approved a resolution to make the first of the semiannual interest payments from WMATA's internally generated funds that are in excess of those required for financing the Interim Capital Contributions Agreement. This relieved the local jurisdictions from having to make this payment. The amount of the District's share of this first payment is $1,254,700 which means that an increase of only $382,500 is needed now instead of the $1,637,200 previously requested. This revised amount plus the base amount of $1,132,400 equals $1,514,900, the total amount required to fund the debt service payment for July, 1978.

In Fiscal Year 1979 there is no change in the budget request. However, the $1,254,700 which was included in the adjusted allotment for Fiscal Year 1979 will now be treated as an increase.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Metropolitan Area Transit Authority

CATEGORY:

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (1 / A1 / 5 / K,E)	Type of Increase (8 9 10 11 12 13 14)	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Metrorail debt service							-1,254.7		50	

1107

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF ADJUSTMENTS

AGENCY: Washington Metropolitan Area Transit Authority

CATEGORY: Metrorail Debt Service

SCHEDULE 6-A OPERATING BUDGET

Items of Adjustment	Schedule 2 Expenditure Code / Budget Unit / Subcategory (1 / A1 / 5 / K,E)	Type of Adjustment (8 9 10 11 12 13 14)	Schedule 4 Narrative Code	Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Metrorail debt ser.ice - interest					-1,254.7		50	

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Washington Metropolitan Area Transit Authority

CATEGORY:

1 A1 | 5 K.E

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory	8	9	Type of Increase 10,11,12	13,14	Schedule 5 Narrative Code	Available FY 1978 Positions (27-34)	Available FY 1978 Amount (36-43)	Increase FY 1979 Positions (45-52)	Increase FY 1979 Amount (54-61)	Months Funded (63-64)	D.C. Fund (66-67)	Average Employment (69-73)
Metrorail Debt Service								2,714.7		1,254.7		50	

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Department of Environmental Services

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....	2,737	$59,382.0	2,738	$63,331.5
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Regulation of Community Residence Facilities.....	(4)	6.1	4	72.3
Electrical energy.....	...	1,143.6	...	.....
Rental of landfill compactors.....	...	70.0	...	.....
Subtotal, Supplemental and Amendment Items	(4)	1,219.7	4	72.3
TOTAL, REVISED FISCAL YEAR REQUEST	2,737	60,601.7	2,742	63,403.8

Analysis of Supplemental and Budget Amendment

Regulation of Community Residence Facilities

An increase of $6,100 is requested in 1978 and $72,300 in 1979 for environmental evaluation of community residence facilities. Legislation to regulate these residences became law on October 27, 1977. Up to 500 facilities may be involved. These semi-medical facilities have not received adequate medical or environmental supervision. This results in aged and feeble members of the community being exposed to conditions and

situations that endanger their health and lives. This request supplements funding for this program in the Department of Human Resources for the licensing program. Environmental evaluation which is performed by the Environmental Health Administration, Department of Environmental Services, in conjunction with licensing procedures, involves review and inspection of all facilities applying for licenses and those currently licensed. The requested staffing is based on four evaluations per facility per year of an estimated 350 to 500 facilities.

Electrical Energy

An additional $1,143,600 is required for electrical energy in Fiscal Year 1978. The requirement results from increasing rates and additional KWH demand from new facilities. In Fiscal Year 1977 88,990,000 KWH of electrical energy was used in Water Resources Management. The most recent rates charged per KWH were .057 sewer, .0454 water, and .041 in Wastewater Treatment. Assuming the same consumption will be maintained in Fiscal Year 1978, the estimated cost at the most current rates quoted above would be $4,044,244. Fiscal Year 1978 provides $2,813,800 or a shortfall of $1,230,444 of which $200,000 can be reprogrammed from existing resources. The balance needed is $1,030,444. In addition, with new facilities going into service in April at Blue Plains Treatment Plant, it is estimated that the KWH requirement will increase over 1977 by 2,760,000 KWH. This will require an additional $113,160 bringing the total need to $1,143,604. Conservation measures have been effected where possible; however, a reduction of KWH in 1978 does not appear at this time to be possible.

Rental of Landfill Compactors -- Lorton, Virginia

In Fiscal Year 1977 two sanitary landfill compactors received extensive damage rendering them inoperable as a result of fires started under the cabs of the units from what appears to be electrical problems. As the units were recently purchased and were under warranty, the District of Columbia is in the process of legal action in the attempt to hold the equipment supplier responsible for replacement of the units. Funds were reprogrammed from personal services dollars in Fiscal Year 1977 to cover rental of replacement compactors.

Final resolution of this matter is not anticipated until Fiscal Year 1979. However, the regional landfill cannot be operated without a compactor. It is necessary, therefore, to continue to rent replacement equipment to carry on with essential landfill service. Rental cost for this equipment is $150,000 of which $80,000 is reimbursable from other jurisdictions using the landfill. A total of $70,000 is requested to cover the City's share for Fiscal Year 1978.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF ADJUSTMENTS

SCHEDULE 6-A OPERATING BUDGET

AGENCY: Environmental Services

CATEGORY: Environmental Health Administration

Regulation of Community Residence Facilities

Items of Adjustment	Schedule 2 Expenditure Budget Unit Subcategory Code (8 9 10 11 12)	Type of Adjustment (13 14)	Schedule 4 Narrative Code Positions (45 - 52)	Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Transfer in:							
GS-11 Pharmacist			(+1.0)				
GS-9 Sanitarian			(+2.0)				
GS-5 Clerk-Typist			(+1.0)				

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Environmental Services

CATEGORY:

1 A1 5 L A

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1978 Positions (45 - 52)	Increase FY 1978 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
	B 9 10,11	12	13,14							
Environmental Health Administration										
GS-11 Pharmacist	3 - 1,0	A					1.5	1.0	50	
Related Benefits	3 - 2,0	A					.1	1.0	50	
GS-9 Sanitarian	3 - 1,0	A					2.5	1.0	50	
Related Benefits	3 - 2,0	A					.2	1.0	50	
GS-5 Clerk Typist	3 - 1,0	A					.8	1.0	50	
Related Benefits	3 - 2,0	A					.1	1.0	50	
Local Travel	3 - 3,1	A					.1	1.0	50	
Rent, Comm. and Utilities	3 - 3,3	A					.2	1.0	50	
Printing	3 - 3,4	A					.5	1.0	50	
Supplies	3 - 3,6	A					.1	1.0	50	
TOTAL							6.1			
Water Resources Management Administration										
Utilities - Electricity	5 - 3,3	K					26.1	4.0	54	
Utilities - Electricity	5 - 3,3	K					1,117.5	4.0	55	
TOTAL							1,143.6			

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Environmental Services

CATEGORY:

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8 9 10 11 12 13 14)	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1978 Positions (45 - 52)	Increase FY 1978 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Solid Waste Management Administration										
Contractual Service - Equip	3 - 3,5	H					70.0	12	50	
TOTAL							70.0			
TOTAL - DEPARTMENT							1,219.7			

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Environmental Services

CATEGORY: Environmental Health Administration

Regulation of Community residence facilities

1 A1 | 5 L, A

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code: Budget Unit / Subcategory (8 / 9, 10, 11)	Type of Increase (12)	Schedule 5 Narrative Code (13, 14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
GS-11 Pharmacist	3 - 1,0	A				1	18.3	12.0	50	
Related Benefits	3 - 2,0	A					1.8	12.0	50	
GS-9 Sanitarian	3 - 1,0	A				2	30.2	12.0	50	
Related Benefits	3 - 2,0	A					3.0	12.0	50	
GS-5 Clerk-Typist	3 - 1,0	A				1	9.9	12.0	50	
Related Benefits	3 - 2,0	A					1.0	12.0	50	
Local Travel	3 - 3,1	A					1.0	12.0	50	
Rent, Comm., and Utilities	3 - 3,3	A					.5	12.0	50	
Printing	3 - 3,4	A					3.0	12.0	50	
Supplies	3 - 3,6	A					.9	12.0	50	
Equipment	3 - 3,7	A					2.7	12.0	50	
TOTAL						4	72.3			

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Washington Aqueduct

	(Amounts in Thousands) Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST	310	$8,809.9		
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Electrical energy requirements	...	450.0		
Subtotal, Supplemental and Amendment Items	...	450.0		
Total, Revised Fiscal Year Request	310	$9,259.9		

Analysis of Supplemental and Budget Amendment

Electrical energy requirements

An increase of $450,000 is required in Fiscal Year 1978 for electric power to operate the pumping stations and treatment plants which collect, purify and transmit water. The Fiscal Year 1978 allocation for electric power does not reflect recent increases in costs for power. When the Fiscal Year 1978 budget submission was prepared, indications were that electric power rates had stabilized. As a result of approved rate increases, electric power costs will increase by about 20% in Fiscal Year 1978.

This increase was reflected in the Fiscal Year 1979 budget submission; this amendment is to provide the additional funds to pay for increases in electric power costs in Fiscal Year 1978 to assure the proper treatment and pumping of adequate quantities of water.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

(IN THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Washington Aqueduct Division, U.S. Army Engineer District, Baltimore

CATEGORY:

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 7 Expenditure Code / Budget Unit / Subcategory (8 9)	Type of Increase (10 11)	Schedule 5 Narrative Code (12 13 14)	Available FY 1978 Position (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1978 Position (45 - 52)	Increase FY 1978 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Electric Power Increase		3 3	K 1 0	...	1,660.0	...	450.0	12	54	...

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Personal Services

(Amounts in Thousands)

	Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....	...	$65,549.4	...	$69,300.0
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
October, 1977 Pay Raise Supplement	...	7,000.0	...	7,000.0
Subtotal, Supplemental and Amendment Items.....	...	7,000.0	...	7,000.0
Total, Revised Fiscal Year Request	...	72,549.4	...	76,300.0

Analysis of Supplemental and Budget Amendment

Most District of Columbia Government employees received a pay raise effective in October, 1977. The City's Fiscal Year 1978 and Fiscal Year 1979 budgets contain the amount of $32,104,000 for this pay action based on an increase rate of 5.0% estimated early in calendar year 1977. Actual increases were substantially higher (7.05 % for general schedule and 8.52% for most wage grade employees). Therefore, additional budget authority in the amount of $7,000,000 is required to meet the cost of the October, 1977 pay raise in both Fiscal Year 1978 and Fiscal Year 1979. The additional funding requirements are based upon review of actual personal services expenditures for the first quarter of Fiscal Year 1978 and personal services funding availability under the Fiscal Year 1978 Continuing Resolution. The additional personal services requirements for the October, 1977 pay action are as follows:

Pay Plan	Date	Increase Additional Amount
General Schedule	October 9, 1977	$1,780,000
Wage Board	October 23, 1977	780,000
Teachers' Salary Act	October 1, 1977	1,110,000
University Faculty and Administrative	October 1, 1977	190,000
Police and Firemen's Salary Act	October 9, 1977	3,140,000
	Amendment Request	$7,000,000

This increase amount when added to the original $65,549,400 for Fiscal Year 1978 provides a total personal services allocation of $72,549,400. The original Fiscal Year 1978 request is comprised of $31.9 million for October, 1976, pay actions, $1.5 million for February Executive pay actions and the $32.1 million for October, 1977, pay actions addressed in this amendment. The original $69,300,000 for Fiscal Year 1979 is comprised of the $32.1 million October, 1977, pay actions addressed in this amendment, and $37.2 million for a pay increase projected to be effective in October, 1978.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Personal Services

CATEGORY:

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8 9 10 11 12 13 14)	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Personal services						...	+7,000.0			

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Personal Services

CATEGORY:

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory (8 9 10 11 12 13 14)	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Months Funded (63 - 64)	D.C. Fund (66 - 67)	Average Employment (69 - 73)
Personal services						...	+7,000.0			

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Settlement of Claims and Suits

(Amounts in Thousands)

	Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST.....	...	.....	...	.....
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
For additional claims	...	21.8	...	250.0
Subtotal, Supplemental and Amendment Items	...	21.8	...	250.0
Total, Revised Fiscal Year Request	...	21.8	...	250.0

Analysis of Supplemental and Budget Amendment

For payment of property damage claims in excess of $1,500 and of personal injury claims in excess of $5,000, subsequently approved by the Mayor in accordance with the provision of the Act of February 11, 1929, as amended (45 Stat. 1160; 46 Stat. 500; 65 Stat. 131) as given on the attached sheet.

Legislation has been introduced in the Council (Bill number 2-300, dated March 7, 1978) to settle all claims against the District of Columbia arising out of the personal injuries sustained by Robert J. Pierce due to to the illegal takeover of the District Building on March 7, 1977. Funding in the amount of $250,000 is requested for Fiscal Year 1979; the legislation, as introduced, sets a ceiling of $480,000 relative to this settlement.

Claimant	Nature of Case	Amount claimed	Amount of settlement
Doris Schecter v. District of Columbia	Claim and lawsuit for personal injuries sustained (damage to teeth, cervical sprain, cuts and abrasions) when in vehicular collision with MPD vehicle on 12/15/72, on Georgia Avenue, near Quincy St., N.W.	$ 75,000.00	$10,000.00
Maurine T. Horton v. United States, et al.	Claim and lawsuit for personal injuries (face, right hand, right knee and spine) sustained from fall on sidewalk in the 400 block 2nd St., S.E., on 2/3/75.	75,000.00	10,000.00
Occidental Fire & Casualty Co. (Thurman Rainey)	Claim for damage to GMC dump truck when struck by Department of Environmental Services vehicle on the Ramp to the 11th Street Bridge, near Route 295 north, on 4/14/76.	3,535.06	1,792.53
	TOTAL	$153,535.06	$21,792.53

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Settlement of Claims and Suits

CATEGORY:

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Increase FY 1979 Months Funded (63 - 64)	Increase FY 1979 D.C. Fund (66 - 67)	Increase FY 1979 Average Employment (69 - 73)
Settlement of Claims and Suits, FY 1978							21.8		50	

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Settlement of Claims and Suits

CATEGORY:

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Code / Budget Unit / Subcategory	Type of Increase	Schedule 5 Narrative Code	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Increase FY 1979 Months Funded (63 - 64)	Increase FY 1979 D.C. Fund (66 - 67)	Increase FY 1979 Average Employment (69 - 73)
Settlement of Claims and Suits, FY 1979							250.0		50	

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

Agency Repayment of Loans and Interest

	(Amounts in Thousands) Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST	...	$125,668.5		
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Interim Quarter Adjustment	...	+475.8		
Subtotal, Supplemental and Amendment Items	...	475.8		
Total, Revised Fiscal Year Request	...	$126,144.3		

Analysis of Supplemental and Budget Amendment

Interim Quarter Adjustment

An additional $475,800 is requested to pay in full the one time, three month interest payment required because of the change in the fiscal year and the related extension of the repayment schedule for most outstanding loans. This request was not included in the Fiscal Year 1978 budget because U.S. Treasury notification of the amount dur for the three month interest payment was received in September, 1977.

DISTRICT OF COLUMBIA GOVERNMENT

FY 78

($ THOUSANDS)

D.C. FUNDS DETAIL OF INCREASES

AGENCY: Repayment of Loans and Interest

CATEGORY:

SCHEDULE 6-B OPERATING BUDGET

Items of Increase	Schedule 2 Expenditure Budget Unit Subcategory Code (8)	Type of Increase (9)	Schedule 5 Narrative Code (10, 11, 12, 13, 14)	Available FY 1978 Positions (27 - 34)	Available FY 1978 Amount (36 - 43)	Increase FY 1979 Positions (45 - 52)	Increase FY 1979 Amount (54 - 61)	Increase FY 1979 Months Funded (63 - 64)	Increase FY 1979 D.C. Fund (66 - 67)	Increase FY 1979 Average Employment (69 - 73)
Three month interest payment required because of change in fiscal year				...	.....	...	+475.8			

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

CAPITAL IMPROVEMENTS PROGRAM

BUDGET SUMMARY

(Amounts in Thousands)

	Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST	...	...	N/A	129,790.0
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Washington Metropolitan Area Transit Authority:				
SA-002 Metrobus Capital Contribution	...	...	N/A	+3,348.8
Department of Environmental Services:				
LA-140 Furnace Temperature Control and Update Air Quality Equipment	...	...	N/A	+1,330.0
Department of Transportation:				
KA-161 Relocation of Road Test Facility	...	...	N/A	+500.0
District of Columbia Obligations:				
ZC-1 D.C. Obligations	...	...	N/A	+326.0
Subtotal, Supplemental and Amendment Items	...	...	N/A	5,504.8
Total, Revised Fiscal Year Request	...	...	N/A	135,294.8

Analysis of Supplemental and Budget Amendment

The amendment proposes four increases totalling $5,504,800. The increases are $3,348,800 for the District's Metrobus Capital Contribution, an additional $1,330,000 for Furnance Temperature Control and Updating Air Quality Equipment at the Solid Waste Reduction Center No. 1, $500,000 to relocate the Road Test Facility from Judiciary Square to the old Harmony Cemetery Site, and $326,000 in additional funds for D.C. Obligations. The net effect of the budget amendment will increase the Fiscal Year 1979 capital Budget from $129,790,000 to $135,294,800.

Agency Washington Metropolitan Area Transit Authority

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST	...	$8,353.5	...	...
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Metrorail Capital Program	...	...	...	...
1. Friendship Heights Knockout Panel	...	...	...	...
2. Modifications to Faregates and Farecard Machines	...	...	...	...
Subtotal, Supplemental and Amendment Items	...	...	...	...
TOTAL, REVISED FISCAL YEAR REQUEST	...	$8,353.5	...	...

Analysis of Supplemental and Budget Amendment

1. Friendship Heights Knockout Panel: A revised FY 1978 Metrorail program is requested for Project No. SA-1 which will identify $80,000.00 within the project's present funding level for the design and construction of a Knockout Panel at the south end of the Friendship Heights Metro station. The total cost of the panel will be $400,000.00 of which 80% (or $320,000) will be funded by the Urban Mass Transit Administration. The funds provided by the District will represent the required 20% local match for those Federal funds.

2. Modifications to Faregates and Farecard Machines: The D.C. Department of Transportation has developed a reduced fare program for school children who ride Metrorail that offers a 50% discount from the regular adult fare in a manner similar to that already adopted for the elderly and the handicapped. Implementation of the program, which is expected to occur at the beginning of the academic year in September of 1978, requires that the faregates and farecard machines at the various Metro stations be modified as soon as possible. Approval of this requested change in the scope of work for the FY 1978 Metrorail Capital contribution will identify $60,000.00 within that project's present funding level for the changes that are necessary for the school fare program, and represents the full costs of modifying 381 faregates and 100 add-fare machines.

	(Amounts in thousands)			
	FY 1978		FY 1979	
	Pos.	Amount	Pos.	Amount
FISCAL YEAR 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST	...	...	...	...
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Metrobus Capital Program	...	...	...	+ 3,348.8
Subtotal, Supplemental and Amendment Items	...	...	...	+ 3,348.8
TOTAL, REVISED FISCAL YEAR REQUEST	...	...	...	+ 3,348.8

Analysis of Supplemental and Budget Amendment

At the time of the initial submission of the District's FY 1979 Budget request, a firm bus capital and equipment program had not been formulated. Since that time, the Board of Directors of the Washington Metropolitan Area Transit Authority has approved a bus capital and equipment program for FY 1979 totalling $34,911,800.00 which requires local funding of $7,040,720.00. The City's share of this local funding requirement is $3,348,800.00, based upon the Board approved formula of average weekly revenue miles per jurisdiction, This amount is necessary to fund continued improvement in the bus transportation program within the District of Columbia.

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

(In THOUSANDS)

CAPITAL IMPROVEMENTS PROGRAM PROJECT SCHEDULE

AGENCY: WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

Date of Preparation: February, 1978

SCHEDULE 11 CAPITAL BUDGET

Project Title	Project Number	Agency Priority	Estimated Occupancy Date
METROBUS - CAPITAL CONTRIBUTION	36-002	1	N/A

Project Location: CITY-WIDE

Square & Lot Numbers	N/A	Total Square Feet	N/A
Ward Number	CW	Cost Per Square Foot	N/A
Urban Renewal Area	N/A	Capacity of Facility	N/A
		Estimated Period of Usefulness	N/A

COST ESTIMATES

Phase	Total Cost	Prior Appropriations	Unobligated Balance	Appropriation Request FY 79	Future Appropriations(s) FY
Preliminary Design					
Site					
Construction Services					
Construction					
Equipment					
Total - D.C. Funds	16,769.0	13,420.2	0	3,348.8	
Federal Assistance					
Total Cost	16,769.0	13,420.2	0	3,348.8	

Cost Change from 1978 %

RELOCATION DATA

Families	0
Individuals	0
Businesses	0
Other	0
Total	0

Fund: GENERAL

OPERATING COST DATA

Category	Annual Cost (In FY 79 Dollars)
Current Operating Cost for Entire Facility (Resources Available)	N/A
Additional Operating Costs Following Completion of Project	
Personal Services	
Other	
Debt Service	
Non-Recurring Equipment Cost	
Total Operating Cost	N/A

FINANCIAL INFORMATION (ESTIMATED)

Fiscal Year	Loans	Bonds	Grants	Total Expenditures
1978 or Prior	13,420.2			13,420.2
1979	3,348.8			3,348.8
1980				
1981				
1982				
1983				
1984				
Beyond				
Total	16,769.0			16,769.0

PROJECT JUSTIFICATION:

SCOPE OF WORK:

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

CAPITAL IMPROVEMENTS PROGRAM PROJECT SCHEDULE

CONTINUATION

AGENCY WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

PROJECT TITLE & NUMBER METROBUS CAPITAL CONTRIBUTION 36-002

Date Prepared February, 1978

SCHEDULE 11 CAPITAL BUDGET

PROJECT JUSTIFICATION

The Washington Metropolitan Area Transit Authority was created effective February 20, 1967 through Interstate Compact among the District of Columbia, Maryland and Virginia. Public Law 92-517, dated October 21, 1972, authorized the Authority to acquire the operating assets of the original four area bus companies (D. C. Transit, Inc.; Washington Virginia and Maryland Coach Company, Inc.; Alexandria, Barcroft and Washington Transit Company; WMA Transit Company) and to operate regular route bus service and charter service. Takeover of the D. C. Transit and WV&M bus companies took place on January 14, 1973 and the AB&W and WMA bus companies were acquired on February 4, 1973. The funding of the acquisition of the companies was enabled by a Federal grant of two-thirds of the cost from the Urban Mass Transportation Administration of the Department of Transportation in the amount of $70,344,000 and the remaining one-third of the cost, $35,400,000, was provided by the local governments under an allocation formula adopted by the Authority.

On August 13, 1973, the Congress enacted the Federal-Aid Highway Act of 1973 which provided, among other things, Federal funding through the Urban Mass Transportation Administration, of 80 percent of capital grants towards mass transit improvements with the local jurisdictions contributing the remaining 20 percent.

The responsibility of the Authority is to operate an integrated bus/rail transportation system for the Washington Metropolitan Area, to provide a quality of service designated to attract increased ridership and in the long term provide to the metropolitan area the benefits of a high quality urban mass transportation service.

During fiscal year 1979, funds are requested to purchase approximately 150 replacement buses, provide for the acquisition of three maintenance facility sites and the design costs for these three facilities, purchase and installation of 100 bus shelters and 500 bus stop signs, purchase of 16 automobiles, and purchase of items of communications, bus maintenance, plant maintenance, marketing and miscellaneous equipment. The estimated total cost of the 1979 bus and equipment capital program is $34,911,800. Eighty percent of the cost of eligible items will be requested of UMTA through Section 3 grants (Federal Department of Transportation) and the remaining twenty percent along with 100 percent local funded items from the local governments. The District share amounts to $3,348,800.

Appropriation of these funds is requested to allow the Authority to continue to provide the necessary service improvements for better transportation in the Washington metropolitan area.

SCOPE OF WORK

The Washington Metropolitan Area Transit Authority has been authorized to operate regular bus route service and charter service within the Washington Metropolitan Area Transit Zone, made up of 1,485.5 miles within the District of Columbia, the cities of Alexandria and Falls Church and the Counties of Arlington and Fairfax in the Commonwealth of Virginia and the Counties of Montgomery and Prince George's in the State of Maryland. Subsequent to the acquisition of the four bus transit companies and other facilities, a program was initiated during 1973 to purchase 620 new air-conditioned buses to replace 369 buses and an additional 251 buses for use in restoring service to levels existing in 1968 and providing added service. Included in this program was the refurbishment of existing vehicles, modernization of garages and facilities acquired, purchase of 2,291 two-way radios, purchase and installation of 200 bus shelters, standardized bus stop signs, informational aids and fareboxes, and repainting of 500 existing buses.

The Authority's FY 1974 bus capital program provides for the purchase of 148 new buses to replace a like number of older buses, acquisition of two maintenance facility sites, design of the bus maintenance facility to be constructed on the above sites, purchase and installation of 125 bus shelters, purchase of 50 automobile replacements and 52 service vehicles, purchase and installation of 25 fareboxes, purchase and installation of 25 radios for the buses, the expansion of the Western Garage site and facilities at the Bladensburg Garage and site preparation for leased parking spaces.

The FY 1975 bus capital program includes the purchase of 124 replacement buses, 47 articulated buses and spare parts to replace 96 standard transit buses, renovation of existing garage facilities, construction of the Nicholson Lane garage, purchase and installation of 200 bus shelters, purchase of 20 automobiles and 15 service vehicles, purchase and installation of 275 fareboxes, 61 radios, and purchase of furniture for use in shops and garages. This program is estimated to be $38,179,000. The UMTA program does not include the construction of the garage. This will be added later when a site for the garages have been acquired.

The FY 1976 and 1977 bus capital programs have been combined in a single application to UMTA for Federal 80 percent funding. The final application has recently been approved by UMTA and provides for the purchase of 260 new buses to replace older buses in the fleet, environmental impact studies for the New Carrollton, Arlington and Southeastern garages, purchase and installation of 4,000 bus stop signs, purchase of 10 automobile replacements, 20 service vehicles, 12 information centers and one ticket sales outlet, emergency replacement of worn-out shop and garage equipment, and necessary furniture and equipment

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

CAPITAL IMPROVEMENTS PROGRAM PROJECT SCHEDULE — CONTINUATION

SCHEDULE 11 CAPITAL BUDGET

AGENCY: WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY — Date Prepared: February, 1978

PROJECT TITLE & NUMBER: METROBUS CAPITAL CONTRIBUTION 36-002

PROJECT JUSTIFICATION

SCOPE OF WORK

for offices, coin room, storerooms and print shop. The total estimated cost of the combined program totals $28,895,000.

The FY 1978 Metrobus and Equipment Capital Budget was approved in the amount of $18,363,000. This was the initial year in which this budget was expanded to include equipment and facilities of a capital nature formerly funded in the operation budgets of the Authority (Metrobus Operations, Metrorail Operations, Rail Construction Management). A preliminary application to UMTA for the Federal 80 percent funding is currently under review. The application includes approximately 115 replacement buses and authorized spare parts; 38 automobiles; 36 service vehicles; bus shop and garage replacement equipment; automated fuel and oil dispensing system; bus garage facilities improvements; 10 information centers; improved telephone information center communications equipment; revenue counting equipment; rail maintenance cost information system; and items of major equipment for rail and bus facilities. The budget also provides for the purchase of office furniture and equipment to be funded on a 100 percent basis by the local jurisdictions.

FY 1979 Program

The Metrobus and Equipment Capital Budget for FY 1979 represents a continuation of Authority efforts to improve the bus fleet and bus and rail facilities to provide those items necessary for efficient, comfortable, reliable and economical public transportation. The bus replacement program will continue to be patterned around maintaining a fleet of buses where none has an age over 12 years. Accordingly, the proposed capital program contains the following elements:

1. Purchase of 150 replacement buses and spare parts.
2. Purchase and installation of 100 bus shelters.
3. Purchase and installation of 500 bus signs.
4. Purchase and installation of 20 information center 10 bus platform directories and automatic call distribution equipment.
5. Purchase of 16 automobiles.
6. Acquisition of sites for new maintenance facilities for the New Carrollton, Arlington and Southeastern locations, plus associated architectural and engineering effort. The New Carrollton and Arlington sites were approved in previous budgets. However, the matching local funds paid were reprogrammed to provide the local requirement of the 1978 program.

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

CAPITAL IMPROVEMENTS PROGRAM PROJECT SCHEDULE — CONTINUATION

AGENCY WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

PROJECT TITLE & NUMBER METROBUS CAPITAL CONTRIBUTION 36-002

Date Prepared February, 1978

SCHEDULE 11 CAPITAL BUDGET

PROJECT JUSTIFICATION:

SCOPE OF WORK:

7. Items of communications equipment.

8. Items of bus maintenance, general plant maintenance and miscellaneous equipment.

9. Items of office furniture and equipment.

The total estimated cost of the 1979 program is $34,911,800 of which $34,838,850 is proposed to be funded on 80 percent Federal/20 percent local basis. The balance of the program cost, $72,950, for office furniture and equipment is proposed to be funded on a 100 percent local basis.

Accordingly, funding of the 1979 program is proposed as follows:

Federal Funding 80%		$27,871,080
Local Funding 20%	$6,967,770	
Local Funding 100%	72,950	
Total Local Funding		7,040,720
Total Proposed Funding		$34,911,800

Local Funding

District of Columbia	$3,348,773
Maryland	1,588,629
Virginia	2,103,318
Total Local Funding	$7,040,720

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

CAPITAL IMPROVEMENTS PROGRAM

Agency Department of Environmental Services

(Amounts in Thousands)

	Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST	...	...	N/A	270.0
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Solid Waste Reduction Center - Air Quality Improvements and Furnace Modifications, Project No. LA-140	...	...	N/A	+1,330.0
Subtotal, Supplemental and Amendment Items	...	...	N/A	+1,330.0
Total, Revised Fiscal Year Request	...	...	N/A	1,600.0

Analysis of Supplemental and Budget Amendment

The current request is for funds to add furnace temperature controls and to update the air quality equipment at the Solid Waste Reduction Center No. 1. As a result of a physical survey completed in October, 1977, it has been determined that immediate repairs and additional modifications are necessary to correct deficiencies to assure that mandated air quality standards are maintained. The net effect of this request will increase the Project No. LA-140 request from $270,000 to $1,600,000, an increase of $1,330,000.

DISTRICT OF COLUMBIA GOVERNMENT | FY 79 | In THOUSANDS

CAPITAL IMPROVEMENTS PROGRAM PROJECT SCHEDULE
Amendment to FY 1979 Project LA-140
AGENCY Department of Environmental Services — Date of Preparation February, 1978

SCHEDULE 11 CAPITAL BUDGET

Project Title	Project Number	Agency Priority	Estimated Occupancy Date
Furnace Temperature Control and Update of Air Quality Equipment	LA-140	8	N/A

Project Location: SWRC #1, 3200 Benning Road, N.E.

Square & Lot Numbers	N/A	Total Square Feet	N/A
Ward Number	6	Cost Per Square Foot	"
Urban Renewal Area	N/A	Capacity of Facility	"
		Estimated Period of Usefulness	

RELOCATION DATA

Families	N/A
Individuals	"
Businesses	"
Other	"
Total	"

Fund: General

OPERATING COST DATA

Category		Annual Cost (In FY 79 Dollars)
Current Operating Cost for Entire Facility (Resources Available)		
Additional Operating Costs Following Completion of Project		
Personnel Services		
Other		
Debt Service	141.2	141.2 **
Non-Recurring Equipment Cost		
Total Operating Cost		

COST ESTIMATES

Phase	Total Cost	Prior Appropriations	Unobligated Balance	Appropriation Request FY 79	Future Appropriation(s) FY
Preliminary Design					
Site					
Construction Services	446.0			145.5	300.5
Construction	4,462.0			1,454.5	3,007.5
Equipment					
Total - D.C. Funds	4,908.0			1,600.0	3,308.0
Federal Assistance					
Total Cost	4,908.0			1,600.0	3,308.0
Cost Change from 1978 %					

FINANCIAL INFORMATION (ESTIMATED)

Fiscal Year	Loans	Bonds	Grants	Total Expenditures
1978 or Prior	...			...
1979	345.5			345.5
1980	454.5			454.5
1981	1,108.0			1,108.0
1982	1,000.0			1,000.0
1983	1,000.0			1,000.0
1984	1,000.0			1,000.0
Beyond				
Total	4,908.0			4,908.0

PROJECT JUSTIFICATION:

The Department of Environmental Services hereby requests an amendment to the FY-79 capital outlay program for the purpose of replacing certain elements of the air pollution system and furnace equipment at Solid Waste Reduction Center No. 1

The previous request under Project Number LA-140 was for funds to add furnace temperature controls and to update the air quality control equipment at the Solid Waste Reduction Center No. 1. The cost estimate for the previous request was based upon a physical survey of the air quality control equipment made in November 1975 by the Wheelabrator Frye Corporation. A joint physical survey made in October 1977 by an incinerator consultant and the Wheelabrator Frye Corporation disclosed that the internal deterioration of the air pollution control equipment has accelerated badly, and as a consequence the consultant has recommended extensive repairs to this equipment plus additional modifications

SCOPE OF WORK:

The work for the air quality control upgrading will consist of demolition of the existing equipment and the furnishing of new equipment as follows:

a. Cooling chamber: sidewall refractory, hopper refractory, baffle refractory.

b. Mechanical collectors: insulation, bracing.

c. Induced draft fan: insulation

d. Precipitators: internal insulation, internal components, casing plates, wind bracing, outlet nozzle, external insulation, and lagging.

OBMS 11.1 Rev. 8/12/76

**FY 1979 Request Only

DISTRICT OF COLUMBIA GOVERNMENT | FY 79

CAPITAL IMPROVEMENTS PROGRAM PROJECT SCHEDULE
Amendment of FY 1979 Project LA-140

CONTINUATION | SCHEDULE 11 CAPITAL BUDGET

AGENCY Department of Environmental Services | Date Prepared February, 1978

PROJECT TITLE & NUMBER Furnace Temperature Control and Update of Air Quality Equipment - LA-140

PROJECT JUSTIFICATION:

to the furnace equipment to protect the furnaces and air pollution control equipment. The previous estimate (LA-140) was for $270,000. This request is for $4,908,000 ($1,600,000 in FY-79 and $3,308,000 in FY-80).

This specific request is for FY-79 funds to correct deficiencies in two of the six units currently in operation. Funds to correct the four remaining units will be requested in the FY-80 budget. Funds for all six units would have been requested at this time, except that it is not feasible to have more than one unit out of service at a time.

This amendment item meets the criteria of an emergency situation that requires unforeseen outlays for the preservation of life and property.

The following alternatives are not appropriate for funding this amendment item: a.) reprogramming is not permissible for capital outlay purposes; b.) there are no known federal grants in aid for this type of facility; c.) no changes in legislation would provide the required funding; d.) the facility is not subject to reimbursement by other District agencies.

The work required to upgrade the air pollution control equipment requires the demolition and replacement of most of the internal working mechanisms in the electrostatic precipitators, most of the internal and external insulation, and considerable replacement of structural members. The estimated construction cost for this work is $2,900,000.

The work required to modify the existing incinerator furnace trains is necessary to adequately control the temperatures of the system and thereby prevent further deterioration of equipment, in particular the air pollution control equipment which is very sensitive to high temperature corrosion. The existing overfire and underfire air systems permit only one possible air distribution setting with respect to the quality of the refuse being burned, and this results in wide variations in furnace temperatures with changes in the refuse quality. Modifications to both the overfire and underfire systems are desperately needed in order to obtain a satisfactory and safe operation with a reasonable life expectancy of the refractory enclosures. The estimated construction cost for the modifications to the overfire and underfire air systems, including instrumentation for temperature control and the removal of some existing ductwork is $745,000.

SCOPE OF WORK:

The work for the modifications to the furnace systems will be as follows:

a. Combustion Systems: removal of overfire and underfire systems, replace with new fans ductwork and instrumentation.

b. Furnace Modifications: removal of existing roof arches, replace with new roof arches.

c. Flue Gas Spray Systems: removal of existing piping, fans and ducts, replace with new spray systems.

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

CAPITAL IMPROVEMENTS PROGRAM PROJECT SCHEDULE

Amendment to FY 1979 Project LA-140

CONTINUATION

SCHEDULE 11 CAPITAL BUDGET

AGENCY Department of Environmental Services

Date Prepared February, 1978

PROJECT TITLE & NUMBER Furnace Temperature Control and Update of Air Quality Equipment - LA-140

PROJECT JUSTIFICATION:

Certain modifications to the interior configuration of the furnaces are also required as they are directly related to the system capacity and its air distribution. If these modifications are not made the continued rapid deterioration of the refractory enclosures will continue. The estimated construction cost for these modifications is $58,000.

The existing gas conditioning spray system is ineffective with the result that we cannot accomplish the desired cooling of the flue gas. It has been recommended that the spray systems be modified at an estimated cost of $115,000.

Unless the work described in the scope of work is accomplished the facility will be unable to meet mandated air quality standards which could result in a complete shutdown of the facility by the Environmental Protection Agency.

Shutdown would mean that 900 to 1000 tons per day of solid waste would have to be transferred to the I-95 landfill, and it is estimated that the resulting costs would be as follows:

Transfer vehicles, compactors and modifications to facility	$ 2,100,000
Additional annual operating costs	1,500,000
Share of landfill capital costs	390,000
	$ 3,990,000
Plus 6 mos. rental of trucks during construction of modifications to facility and procurement of transfer trucks. (40 open top vehicles @ $40/hr. x 10 hr/day x 130 days) *	$ 2,080,000
Total alternate cost	$ 6,070,000

* Of the above costs only the purchase of additional rolling stock and the rental costs would not be recurring costs. It should be noted that the transfer rolling stock has a life cycle of approximately five years. The above described alternate method disposal would reduce the useful life of the I-95 landfill by 30% (4 to 5 years).

In conclusion, failure to upgrade the air pollution control equipment and make the recommended system improvements to the furnaces at SWRC #1 would be shortsighted and would result in operating costs far in excess of the amortized capital costs requested.

SCOPE OF WORK:

DISTRICT OF COLUMBIA GOVERNMENT

FY 79

CAPITAL IMPROVEMENTS PROGRAM PROJECT SCHEDULE

CONTINUATION

SCHEDULE 11 CAPITAL BUDGET

Amendment to FY 1979 Project La-140

AGENCY Department of Environmental Services

Date Prepared February, 1978

PROJECT TITLE & NUMBER Furnace Temperature Control and Update of Air Quality Equipment - LA-140

PROJECT JUSTIFICATION

The Department of Environmental Services considers this request essential and of an emergency nature. It is imperative that this work be initiated in the very near future; any further delay will, result in a more costly restoration at a later date.

SCOPE OF WORK

55-829 O - 79 - pt. 2 - 72

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

CAPITAL IMPROVEMENTS PROGRAM

Agency Department of Transportation

(Amounts in Thousands)

	Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST				
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
Project No. 28-161 Relocation of Road Test Facility	...	...	...	500.0
Subtotal, Supplemental and Amendment Items	...	...	...	500.0
Total, Revised Fiscal Year Request	...	...	...	500.0

Analysis of Supplemental and Budget Amendment

The District of Columbia Government is proposing to convey Square 491 to the Pennsylvania Avenue Development Corporation in accordance with Bill No. 2-132 approved January 13, 1978. The site will subsequently be sold to the Canadian Government for eventual development of the Canadian Chancery. The Department of Transportation Road Test Facility is located in Square 491 and is proposed for relocation to the old Harmony Cemetery Site adjacent to the Rhode Island Metro Station. The funds requested will provide for the construction of a new facility to include installation of butler type buildings; grading, shaping, and paving of roadway and lot; lot and roadway lighting, fencing, and drainage; and construction of sidewalks and steps.

DISTRICT OF COLUMBIA GOVERNMENT | FY 79 | $ THOUSANDS

CAPITAL IMPROVEMENTS PROGRAM PROJECT SCHEDULE

AGENCY: Department of Transportation

Date of Preparation: February, 1978

SCHEDULE 11 CAPITAL BUDGET

Project Title: Relocation of Road Test Facility	Project Number: KA-161	Agency Priority:	Estimated Occupancy Date: August, 1979

Project Location: Brentwood Road, South Avenue, and Adjacent to Rhode Island Metro Station (Old Harmony Cemetery Site)

Square & Lot Numbers	N/A	Total Square Feet	N/A
Ward Number	5	Cost Per Square Foot	N/A
Urban Renewal Area	N/A	Capacity of Facility	
		Estimated Period of Usefulness	30+ years

RELOCATION DATA

Families	0
Individuals	0
Businesses	0
Other	0
Total	0

Fund: General

OPERATING COST DATA

Category		Annual Cost (in FY 79 Dollars)
Current Operating Cost for Entire Facility (Resources Available)		
Additional Operating Costs Following Completion of Project		
Personal Services		
Other		
Debt Service	44.1	44.1
Non-Recurring Equipment Cost		
Total Operating Cost		

COST ESTIMATES

Phase	Total Cost	Prior Appropriations	Unobligated Balance	Appropriation Request FY 79	Future Appropriation(s) FY:
Preliminary Design					
Site					
Construction Services	45.5	...	...	45.5	...
Construction	454.5	...	...	454.5	...
Equipment					
Total - D.C. Funds	500.0	...	...	500.0	...
Federal Assistance					
Total Cost	500.0	...	...	500.0	...

Cost Change from 1978 %:

FINANCIAL INFORMATION (ESTIMATED)

Fiscal Year	Loans	Bonds	Grants	Total Expenditures
1978 or Prior				
1979	350.0			350.0
1980	150.0			150.0
1981				
1982				
1983				
1984				
Beyond				
Total	500.0			500.0

PROJECT JUSTIFICATION:

The District of Columbia Government is proposing to convey Square 491 to the Pennsylvania Avenue Development Corporation for eventual development of the Canadian Chancery. The Department of Transportation Road Test Facility is located in Square 491 and is proposed for relocation to the old Harmony Cemetery Site adjacent to the Rhode Island Metro Station.

The current and proposed development of the Judiciary Square area makes for a less than ideal road testing situation. The move to a site outside the congested downtown area will provide for improved on-street portions of road tests and convenience for people expected to use the new facility. It will also benefit people who will still come to the Municipal Center for services as a result of reduced traffic, less competition for parking spaces, etc.

SCOPE OF WORK:

Conversion of the Harmony Cemetery Site to the new road test facility will require the following:

- Relocation and installation of butler type building
- Grading and shaping
- Paving of roadway and lot
- Lot and roadway lighting
- Fencing
- Drainage
- Installation of sidewalk and steps

SUPPLEMENTAL FOR FISCAL YEAR 1978 AND FIRST AMENDMENT FOR FISCAL YEAR 1979

CAPITAL IMPROVEMENTS PROGRAM

Agency D.C. Obligations

(Amounts in Thousands)

	Congressional Submission			
	Fiscal Year 1978		Fiscal Year 1979	
	Pos.	Amount	Pos.	Amount
Fiscal Year 1978 ALLOTMENT/FISCAL YEAR 1979 REQUEST	...	...	...	1,247.6
FISCAL YEAR SUPPLEMENTAL AND AMENDMENT ITEMS:				
St. Elizabeths Hospital	...	...	...	+326.0
Subtotal, Supplemental and Amendment Items	...	...	...	+326.0
Total, Revised Fiscal Year Request	...	...	...	1,573.6

Analysis of Supplemental and Budget Amendment

St. Elizabeths Hospital

The District is required by law to reimburse St. Elizabeths Hospital for the District's share of capital construction costs. The District's share is calculated by developing an annual depreciation charge based on the cost of construction and the estimated life of the improvements. The ratio of District patients to other patients is the basis for calculating that part of the annual depreciation charge for which the District is liable. The $700.0 request included in the District's Fiscal Year 1979 capital budget for St. Elizabeths Hospital is an estimated amount. Based on the end of the year analysis of recent construction the actual amount is $1,026,000, or an increase of $326,000 over the estimated cost.

This analysis was done after the close of the Fiscal Year 1977 and provides the City's pro-rata share based on the actual cost of new construction projects, and actual annual depreciation calculated on all construction projects with a depreciable life.

SUBCOMMITTEE RECESS

Senator LEAHY. We will stand recessed, subject to the call of the Chair.

Thank you very much, ladies and gentlemen.

[Whereupon, at 11:12 a.m., Wednesday, July 19, the subcommittee was recessed, to reconvene at the call of the Chair.]

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