S. HRG. 111–156

LEGISLATIVE BRANCH APPROPRIATIONS FOR FISCAL YEAR 2010

HEARINGS

BEFORE A

SUBCOMMITTEE OF THE

COMMITTEE ON APPROPRIATIONS
UNITED STATES SENATE

ONE HUNDRED ELEVENTH CONGRESS

FIRST SESSION

ON

H.R. 2918/S. 1294

AN ACT MAKING APPROPRIATIONS FOR THE LEGISLATIVE BRANCH FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2010, AND FOR OTHER PURPOSES

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LEGISLATIVE BRANCH APPROPRIATIONS FOR FISCAL YEAR 2010

THURSDAY, APRIL 23, 2009

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

The subcommittee met at 2:33 p.m., in room SD–138, Dirksen Senate Office Building, Hon. Ben Nelson (chairman) presiding.

Present: Senators Nelson, Pryor, Tester, and Murkowski.

U.S. SENATE

OFFICE OF THE SECRETARY

STATEMENT OF HON. NANCY ERICKSON, SECRETARY OF THE SENATE

ACCOMPANIED BY:

SHEILA DWYER, ASSISTANT SECRETARY OF THE SENATE
CHRIS DOBY, FINANCIAL CLERK

OPENING STATEMENT OF SENATOR BEN NELSON

Senator NELSON. The subcommittee will come to order.

First of all, good afternoon, everyone, and welcome. We are glad to have you here. We meet this afternoon to take testimony on the fiscal year 2010 budget requests for the Secretary of the Senate, the Senate Sergeant at Arms, and the U.S. Capitol Police.

This is my first hearing as chairman of this subcommittee, and I look forward to working closely with my ranking member, Senator Murkowski, and the other members of the subcommittee, Senator Pryor and Senator Tester, who we hope will be able to join us before we are concluded.

And I must admit I was surprised having this be my first opportunity as the chairman to see an overall request for the legislative branch totaling $5 billion, or a 15 percent increase over the current year. So needless to say, I look forward to working with all of the legislative branch agencies on ways that we can help try to reduce these numbers.

I understand that this subcommittee, for example, received an 11 percent increase in fiscal year 2009, but I hope that we don't expect double-digit increases this year.

I also want to welcome our three witnesses today. Nancy Erickson, who is Secretary of the Senate. Nancy, we are glad to have you here. Terry Gainer, Senate Sergeant at Arms. Terry, thank you for being here. And Chief Phillip Morse of the Capitol

Police. Chief, we are very happy to have you here, and Chief Nichols with you as well and Gloria Jarmon.

I want to first acknowledge the dedication and hard work of all of your staff. The Senate isn't an easy place to work, and we take a lot for granted here. But we do owe a debt of gratitude to all of you for keeping the Senate running safely and smoothly on a daily basis. And to the extent that it doesn't, I assure you it is not your fault.

And Chief Gainer, I note with sadness the passing of one of your valued staff, Steve Mosley, after a dedicated 32-year career with your agency. The entire Senate community joins you in mourning the loss of this outstanding individual and dedicated public official. We were grateful for his dedication and commitment to this institution. I know you may want to make a statement about that just a little bit later.

But first, I want to welcome you, Nancy. We are pleased to have you here this afternoon. We are anxious to hear your testimony. Among many others on your staff, I want to especially acknowledge Chris Doby of the Disbursing Office for his fine work.

Your office is requesting a budget of $27.8 million, which is an increase of roughly $1.7 million, or 7 percent above the current year. I look forward to hearing about the specifics of your request.

Chief Gainer, the Sergeant at Arms request for 2010 totals $243.5 million, a 10 percent increase over fiscal year 2009. I realize that your request is laden with technology upgrades for the Senate community, which tend to be expensive, and I look forward to discussing those with you just a little later.

And finally, Chief Morse, the fiscal year 2010 Capitol Police budget request totals $410 million, or 34 percent over the enacted fiscal year 2009 level, and I realize also that the bulk of your increase is related to the radio project and the Library of Congress police merger. But that is a fairly significant and perhaps even massive increase. So I want to discuss these and other issues with you today.

And Chief Morse, in closing, I would like to congratulate you on the clean opinion your agency received on your 2008 financial statements. Your agency has obviously come a long way, and we appreciate getting to this point. And we on this subcommittee appreciate your personal efforts and the efforts of your chief administrative officer, Gloria Jarmon.

Now I would like to turn to the ranking member of the subcommittee, my good friend Senator Murkowski, for her opening remarks.

STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Well, thank you, Mr. Chairman.

And I look forward to working with you on the issues that face us as we deal with the legislative branch appropriations. We have not had an opportunity to do much work together. So I am sure that this is the beginning of a long and fine relationship and look forward to that.

But I also appreciate hearing your comments this morning as we work to address the needs of the legislative branch. I think it is important that we exercise fiscal discipline and that we lead by example. And I think that that is very key for us all.

I want to welcome our witnesses as well. The Secretary of the Senate Nancy Erickson, Sergeant at Arms Terry Gainer, Chief Phillip Morse, their deputies Sheila Dwyer, Drew Willison, Dan Nichols, the Senate financial clerk Chris Doby, and the Capitol Police chief administrative officer Gloria Jarmon.

We had had some meetings scheduled earlier in the week that I had to cancel because I am still working on a little bit of a knee issue, but we will have plenty of opportunity to spend quality time together and I look forward to that.

I do appreciate the very good work that you and your staffs do, the parliamentarians, the legislative professionals, many working very, very late nights here in the Senate, the police officers who protect the Capitol complex, the Sergeant at Arms employees that ensure that our mail is safe, the folks who develop the emergency plans, the doorkeepers, the phone operators, the technology specialists, and there are just so many that you can't even mention, all those who make this place operate smoothly.

Your agencies contributed a great deal in the last year to many, many important events, including the Presidential Inauguration, the opening of the Capitol Visitor Center (CVC), and yet you did all this while still maintaining the day-to-day functions. And I think that speaks highly of you, and we appreciate all of your efforts there.

Now the chairman has mentioned the legislative branch request for fiscal year 2010, a total of over $5 billion, an increase of nearly 15 percent over fiscal year 2009. And I, too, am looking forward to hearing about and understanding more the needs of the legislative branch agencies. But as I have just stated, I do believe that we here in the legislative branch should serve as a model for the rest of Government. I am not convinced that a 15 percent increase does set a good example.

So I would like to look at those ways that we can, through prioritization and just working together, figure out how we set that better standard. I will be honest with you. I am one who questions the need for continued growth in the size of legislative branch agencies. I would like to explore some of these concerns today and through the process.

But again, Mr. Chairman, I look forward to the opportunity to work with you to meet the needs of these very, very important agencies. And while we do this, we will tighten our belts where possible.

So thank you so much.

Senator NELSON. Well, it seems like we are going from tight, tighter, to perhaps tightest.

I turn now to my friend Senator Pryor and ask if he might have any opening remarks.

Senator PRYOR. Thank you, Mr. Chairman.

I will just submit my statement for the record because I am ready to go ahead and hear from the witnesses.

Thank you for your leadership, as well as the ranking member. Thank you as always. You all do great work around here.

Thank you.

Senator NELSON. Appreciate it.
[The statement follows:]

PREPARED STATEMENT OF SENATOR MARK PRYOR

Thank you Chairman Nelson and Ranking Member Murkowski for holding this hearing concerning the budget requests for the Secretary of the Senate, the Senate Sergeant at Arms, and the United States Capitol Police.

I look forward to having the opportunity to work with my colleagues on this subcommittee to consider the budget requests put forward by organizations within the Senate and the Legislative Branch of Government.

As this subcommittee works toward producing the 2010 Legislative Branch Appropriations bill, I want to work to keep the Legislative Branch of government operating efficiently and as wise stewards of the taxpayers' money.

I thank the Honorable Nancy Erickson, Secretary of the Senate; the Honorable Terrance W. Gainer, Senate Sergeant at Arms; and Phillip D. Morse, Sr., Chief of the United States Capitol Police, for testifying today before the subcommittee.

I look forward to hearing your testimony and having the opportunity to ask questions.

Senator NELSON. Now we will begin with the witnesses and, if we could, keep the opening statements perhaps to about 5 minutes, and then that will give us more time for questions. So, Ms. Erickson, we will start with you. And then we will hear from Terry Gainer and then Chief Morse.

Nancy.

SUMMARY STATEMENT OF NANCY ERICKSON

Ms. ERICKSON. Chairman Nelson, Senator Murkowski, and Senator Pryor, I appreciate this opportunity to provide testimony. I ask that my statement, which includes our department reports, be submitted for the record.

With me today is Sheila Dwyer, the assistant secretary, and Chris Doby, the Senate financial clerk, who is no stranger to your subcommittee staff.

Our budget request for fiscal year 2010 is $27,790,000, of which $25,790,000 is salary costs and $2 million is operating costs, which is the same level of operating funds we received for the current fiscal year. Our department leaders have demonstrated wise stewardship of our financial resources in a way that has maximized the services we provide to the Senate.

Since 1789, when the Senate first convened in Federal Hall in New York City, the Secretary of the Senate has been tasked with legislative, administrative, and financial responsibilities to support the Senate. For me, there is no more notable moment for our office this year than the tribute paid to Dave Tinsley, the chief legislative clerk and director of our legislative floor staff, who retired from the Senate after 32 years of public service.

The moving statements of Majority Leader Reid and Republican Leader McConnell were followed by a standing ovation by the full Senate. I believe the well-earned tribute to Dave Tinsley was also recognition of the other public servants in my office who work effectively behind the scenes to support this institution, its members, and its staff. I am very proud of their work.

I am confident that our legislative department with its cadre of veterans and eager new hires will continue to serve the Senate in an exemplary manner. During fiscal year 2010, they will continue to focus on cross-training, evacuation exercises, and continue discussions with the House clerk, the Government Printing Office, and the White House on the transmittal of legislation in an emergency to bring life to our continuity of operation plans (COOP) and ensure chamber support under any circumstance.

Our administrative departments provide a variety of services to the Senate, ranging from the Senate library, which is now led by a woman for the first time in its 138-year history, to the Senate page school whose faculty provide an excellent education to our Senate pages, beginning at 6:15 a.m. each day.

As the subcommittee knows, for 17 years, our stationery room has effectively managed the $1.5 million Metro subsidy program for the Senate. Metro's recent transition to electronic smart benefits has opened new opportunities to better serve the Senate community, and the stationery room hopes to meet the requests of our customers by investing in technology that will provide an e-commerce option for Senate offices.

In fiscal year 2007, the Senate gift shop initiated a program to require certification by vendors to address potential instances of lead in children's products and jewelry. Following passage of the Consumer Product Safety Improvement Act of 2008, thanks to Senator Pryor, the gift shop has increased its program to evaluate its products and ensure compliance with the new heightened standards and bans of the act.

Webster, the Senate's internal Web site, was launched in 1995, and I am pleased to report that our goal to redesign the site to better serve Senate users has been accomplished with the site's other stakeholders.

Collaborative planning began almost 2 years ago between our staff and the Architect of the Capitol's staff to commemorate the 100th anniversary of the Russell Senate Office Building, which was completed in 1909. Their efforts produced a wonderful publication, a Web site on Senate.gov, exhibits, informational kiosks, commemorative merchandise in the Senate gift shop, as well as the first-ever comprehensive survey of the Senate's inventory of historic Russell furniture.

I know that transparency is important to this subcommittee, and I would like to bring attention to the Office of Public Records, which was given an enormous responsibility to implement the Honest Leadership and Open Government Act, or HLOGA, resulting in substantial changes to the Lobbying Disclosure Act. The frequency of reporting doubled from semi-annually to quarterly, and HLOGA required mandatory electronic filing.

This past year, the office implemented the bill's final filing requirement, known as section 203, which requires lobbyists to semiannually report their political contributions to Members as well as contributions to any event that honors a covered official. Now the public has more sophisticated access to public lobbying records, as well as information on Member and staff travel and lobbying restrictions for Members and staff who have left the Senate.

Finally, I am pleased to report that our Senate disbursing office, which works closely with your subcommittee in formulating the budget for the United States Senate, is moving forward in its efforts to institute a paperless voucher system. An initial prototype was implemented last year, and it was met with great success.

Next, a pilot project will feature new technology, including imaging and electronic signatures. Not only will the system green the Senate by reducing paper usage, it will also enable the continuation of voucher processing operations from an alternate location should an emergency occur.

PREPARED STATEMENTS

We appreciate your consideration of our budget request for fiscal year 2010. I believe it appropriately focuses on several of the Senate's priorities—continuity of operations, archival, education, implementation of HLOGA, and the paperless voucher pilot program. We are grateful for your support of our efforts to support this institution.

Thank you.

Senator NELSON. Thank you.

[The statements follow:]

PREPARED STATEMENT OF NANCY ERICKSON

Mister Chairman, Senator Murkowski, and Members of the Subcommittee, thank you for your invitation to present testimony in support of the budget request of the Office of the Secretary of the Senate for fiscal year 2010.

It is a pleasure to have this opportunity to draw attention to the accomplishments of the dedicated and outstanding employees of the Office of the Secretary. The annual reports which follow provide detailed information about the work of the 26 departments of the office, their recent achievements, and their plans for the upcoming fiscal year.

My statement includes: Presenting the fiscal year 2010 budget request; implementing mandated systems, financial management information system (FMIS) and legislative information system (LIS); continuity of operations planning; and maintaining and improving current and historic legislative, financial and administrative services.

PRESENTING THE FISCAL YEAR 2010 BUDGET REQUEST

I am requesting a total fiscal year 2010 budget of $27,790,000. The request includes $25,790,000 in salary costs and $2,000,000 for the operating budget of the Office of the Secretary. The salary budget represents an increase of $1,770,000 over the fiscal year 2009 budget as a result of the costs associated with the annual cost of living adjustment and targeted merit awards that are associated with our Employee Feedback and Development Plans. The expense operating budget remains the same as our request in fiscal year 2009.

The net effect of my total budget request for 2010 is an increase of $1,770,000.

Our request is consistent with the amounts requested and received in recent years through the Legislative Branch Appropriations process. This request will enable us to continue to attract and retain talented and dedicated individuals to serve the needs of the United States Senate.

OFFICE OF THE SECRETARY APPORTIONMENT SCHEDULE

Items	Amount available fiscal year 2009, Public Law 111–8	Budget estimates fiscal year 2010	Difference
Departmental operating budget:			
Executive office [1]	$550,000	$550,000	....
Administrative services	$1,390,000	$1,390,000	
Legislative services	$60,000	$60,000	....
Total operating budget	$2,000,000	$2,000,000	....

[1] Includes the Executive, Information Systems, Page School, Security, and Web Technology offices.

IMPLEMENTING MANDATED SYSTEMS

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

Financial Management Information System (FMIS)

The Financial Management Information System, or FMIS, is used by approximately 140 Senate offices. The Disbursing Office continues to modernize processes and applications to meet the continued demand by Senate offices for efficiency, accountability and ease of use. The Disbursing Office remains committed to and continues working toward an integrated, paperless voucher system, improving the Web FMIS system, and making payroll and accounting system improvements.

During fiscal year 2008 and the first half of fiscal year 2009, specific progress made on the FMIS project included:

—Web FMIS was upgraded twice, once in June 2008 and again in September 2008. This system is used by office managers and committee clerks to create vouchers and manage their office funds, by the Disbursing Office to review vouchers and by the Committee on Rules and Administration to sanction vouchers. The two releases provided both technical and functional changes. The primary change in the June release was the conversion of all employee vendor numbers to use the 9-digit employee identification number assigned by the payroll system instead of an employee vendor number that included a partial Social Security Number. With this release, Disbursing also began three pilots: providing payroll reports online, prototype of an online review of imaged vouchers and supporting documentation, and use of electronic invoicing by which electronic credit card data was made available for importing into vouchers. In addition, a number of Web FMIS user-requested functionality was implemented in this release. Disbursing added display of office name to the master vendor file and the ability to search the master expense category list by words in the expense category description field. Finally, in preparation for the new fiscal year, Disbursing implemented a budget function that enables configuring the new budget based on a previous fiscal year.

—The computing infrastructure for FMIS is provided by the Sergeant at Arms (SAA). Each year the SAA staff upgrades the infrastructure hardware and software. During 2008, the SAA implemented one major upgrade to the FMIS infrastructure: upgrading the Z/OS mainframe operating software from version 1.7 to version 1.9. In addition, the SAA implemented quarterly micro-code updates and the application of maintenance releases on a more regular basis, both of which will keep the infrastructure more current. During 2008, maintenance was applied to Z/OS and DB2 in March and to DB2 in August. Because the Z/OS upgrade was accomplished as a stand-alone activity, IT tested all FMIS subsystems in a testing environment and validated all FMIS subsystems in the production environment after the implementation.

—Disaster recovery operation services for FMIS are provided at the Alternate Computer Facility (ACF). During December 2008, at the Disbursing Office's request, the SAA conducted an FMIS-only disaster recovery test. This is the second year in which a FMIS-only test was conducted. The longer time allotted for this test enabled a more complete functional testing, allowed for the running of more reports than in previous tests, and permitted the testing of the critical payroll and FAMIS batch processes. While the Disbursing IT staff organized the functional test plan, the actual testers included Disbursing IT staff, payroll staff, contractor support staff, and SAA Finance staff. No major problems were encountered and because of the longer testing window any issues encountered were thoroughly investigated and resolved.

During the remainder of fiscal year 2009 the following FMIS activities are anticipated:

—Implementing a Web FMIS release with a re-writing of the FMIS checkwriter functionality and a new file upload format for the mainframe.

—Testing credit card data file transfer and implementing "electronic invoice" functionality.

—Transferring all SAVI-system users to the new Web FMIS "staffer functionality" for creating online expense summary reports (ESRs) and viewing payment information.

—Completing analysis of the appropriate hardware/software acquisition strategy for electronic signatures, imaging of supporting documentation, and beginning acquisition.

—Implementing online distribution of monthly ledger reports through Web FMIS.

—Attending payroll system demonstrations and completing software acquisition strategy.
—Implementing two mainframe micro-code and several system maintenance updates.
—Participating in the yearly disaster recovery exercise at the ACF.

During fiscal year 2010, the following FMIS activities are anticipated:

—Conducting a pilot with chief clerks and office managers of the technology for paperless payment. This assumes identification of satisfactory hardware and software for electronic signatures and imaging of supporting documentation, and resolution of related policy and process issues.
—Continuing the implementation, performance tuning of tables and the required updates to the Hyperion financial management application to provide the Senate the ability to produce auditable financial statements.
—Continue the implementation of online financial reports and Web FMIS reporting enhancements.

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

LEGISLATIVE OFFICES

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

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

Summary of Activity

The Senate completed its legislative business and adjourned sine die on January 3, 2009. During 2008, the Senate was in session 184 days and conducted 215 roll call votes. There were 452 measures reported from committees and 589 total measures passed. In addition, there were 1,812 amendments processed.

Cross-Training and Continuity of Operations (COOP) Planning

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

Additionally, each office and staff person within the Legislative Department participated in numerous COOP discussions and exercises throughout the past year. These discussions and exercises have been conducted by a joint effort of the Office of the Secretary and the Office of the Sergeant at Arms.

Online Congressional Record Corrections Program

The Congressional Record currently appears in three formats: the daily print version, the online version and the permanent bound version. Both the daily and online versions of the Record reflect the previous day's session.

In order to provide the Senate and the public with the most accurate, up-to-date version of the Record, procedures have been put into place to correct clerical/typographical errors in the online version of the Record. This program is specifically designed to address clerical errors that occur. The responsibility to correct the online Record is shared between the Secretary's legislative staff, who submit corrections of clerical errors as needed, and the GPO, which updates the online Record on a regular basis. Corrections to the online Record will appear on the page on which the error occurred, and will be listed after the History of Bills and Resolutions section of the printed version of the Congressional Record Index for print-only viewers of the Record.

Succession Planning

Among the Secretary's Legislative Department supervisors, the average length of Senate service is 18 years. This is a very good situation for the Senate. Due to the unique nature of the Senate as a legislative institution, it is critical to attract and keep talented employees, especially the second tier of employees just behind the current supervisors. The complex practices and voluminous precedents of the Senate make institutional experience and knowledge extremely valuable.

BILL CLERK

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

Legislative Activity

The Bill Clerk's office processed into the database more than 1,000 additional legislative items and more than 150 additional roll call votes than in the previous Congress, for an overall percentage increase of almost 9 percent. In fact, only three legislative categories (Senate Bills introduced, Senate Concurrent Resolutions submitted, and House Bills received) saw a decline in activity between the 109th Congress and the 110th Congress. For comparative purposes, below is a summary of the second sessions of the 109th and 110th Congresses, and then a summary of the entire 109th and 110th Congresses:

	109th Congress, 2nd Session	110th Congress, 2nd Session	Percent change	109th Congress	110th Congress	Percent change
Senate Bills	1,953	1,217	−37.686	4,122	3,741	−9.243
Senate Joint Resolutions	14	19	−35.714	41	46	+12.195
Senate Concurrent Resolutions	48	43	−10.417	123	107	+13.008
Senate Resolutions	287	311	+8.362	634	729	+14.984
Amendments Submitted	2,544	1,812	−28.774	5,239	5,704	+8.876
House Bills	325	427	+31.385	611	940	+53.846
House Joint Resolutions	8	4	−50	19	13	−31.579
House Concurrent Resolutions	77	93	+20.779	165	186	+12.727
Measures Reported	233	452	+93.991	519	880	+69.557
Written Reports	157	274	+74.522	369	528	+43.089
Total Legislation	5,646	4,652	−17.605	11,842	12,874	+8.715
Roll Call Votes	279	215	−22.939	645	657	+1.86
House Messages [1]	225	283	+25.778	([2])	546	([2])
Cosponsor Requests [3]	7,000	7,306	+4.371	....	....	....

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

[2] The number of House Messages is not available prior to the 109th Congress, 2nd Session; therefore, this figure is not available.

[3] This number reflects how many cosponsors were input and subsequently appear in the ''Additional Cosponsors'' section of Morning Business in the Congressional Record. This number does not include the cosponsor requests for ''original'' cosponsors which are added on the same day of introduction and do not appear in the ''Additional Cosponsors'' section of the Record.

Assistance from the Government Printing Office (GPO)

The Bill Clerk's staff maintains a good working relationship with the Government Printing Office (GPO) and seeks to provide the best service possible to meet the needs of the Senate. GPO continues to respond in a timely manner to the Secretary's requests, through the Bill Clerk's office, for the printing of bills and reports, including the expedited printing of priority matters for the Senate chamber. To date, at the request of the Secretary through the Bill Clerk, GPO expedited the printing of 46 measures for floor consideration by the Senate during the second session of the 110th Congress, and 129 measures during the entire Congress.

CAPTIONING SERVICES

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

General Overview

Captioning Services strives to provide the highest quality closed captions. For the 15th year in a row, the office has achieved an overall accuracy average above 99 percent. Overall caption quality is monitored through daily translation data reports, monitoring of captions in realtime, and review of caption files on Webster.

The realtime searchable closed caption log, available to Senate offices on Webster, continues to be an invaluable tool for the Senate community. In particular, legislative staff continue to depend upon its availability, reliability and content to aid in the performance of their duties. The Senate Recording Studio is in the process of upgrading the closed caption log software, which has not been updated since it was developed more than a decade ago. The new system should be in place during calendar year 2009.

Continuity of operations (COOP) planning and preparation continues to be a top priority to ensure that the staff are prepared and confident about the ability to relocate and successfully function from a remote location in the event of an emergency. The staff participates with the Senate Recording Studio in an off-site location exercise at least once a year.

Capitol Visitor Center Update

Captioning Services relocated to new offices in the Capitol Visitor Center during the month of August 2008.

DAILY DIGEST

The Office of the Senate Daily Digest is pleased to transmit its annual report on Senate activities during the second session of the 110th Congress. First, a brief summary of a compilation of Senate statistics:

Chamber Activity

The Senate was in session a total of 184 days, for a total of 988 hours and 31 minutes. There were 3 quorum calls and 215 record votes. (See the following chart, "20-Year Comparison of Senate Legislative Activity.")

20-YEAR COMPARISON OF SENATE LEGISLATIVE ACTIVITY

	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998
Senate Convened	1/3	1/23	1/3	1/3	1/5	1/25	1/4	1/3	1/3	1/27
Senate Adjourned	11/21	10/28	1/3/92	10/9	11/26	12/01	1/3/96	10/4	11/13	10/21
Days in Session	136	138	158	129	153	138	211	132	153	143
Hours in Session	1,003′19″	1,250′14″	1,200′44″	1,091′09″	1,269′41″	1,243′33″	1,839′10″	1,036′45″	1,093′07″	1,095′05″
Average Hours per Day	7.4	9.1	7.6	8.5	8.3	9.0	8.7	7.8	7.1	7.7
Total Measures Passed	605	716	626	651	473	465	346	476	386	506
Roll Call Votes	312	326	280	270	395	329	613	306	298	314
Quorum Calls	11	3	3	5	2	6	3	2	6	4
Public Laws	240	244	243	347	210	255	88	245	153	241
Treaties Ratified	9	15	15	32	20	8	10	28	15	53
Nominations Confirmed	45,585	42,493	45,369	30,619	38,676	37,446	40,535	33,176	25,576	20,302
Average Voting Attendance	98.0	97.47	97.16	95.4	97.6	97.02	98.07	98.22	98.68	97.47
Sessions Convened Before 12 Noon	95	116	126	112	128	120	184	113	115	109
Sessions Convened at 12 Noon	14	4	9	....	6	9	2	15	12	31
Sessions Convened after 12 Noon	27	17	23	10	15	17	12	7	7	2
Sessions Continued after 6 p.m	88	100	102	91	100	100	158	88	96	93
Sessions Continued after 12 Midnight	9	13	6	4	9	7	3	1	....	....
Saturday Sessions	1	3	2	2	2	3	5	1	1	1
Sunday Sessions	....	2	....	....	....	....	3	....	1	....

20-YEAR COMPARISON OF SENATE LEGISLATIVE ACTIVITY—Continued

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Senate Convened	1/6	1/24	1/3	1/23	1/7	1/20	1/4	1/3	1/4	1/3
Senate Adjourned	11/19	12/15	12/20	11/20	12/9	12/8	12/22	12/9	12/31	1/2
Days in Session	162	141	173	149	167	133	159	138	189	184
Hours in Session	1,183′57″	1,017′51″	1,236′15″	1,042′23″	1,454′05″	1,031′31″	1,222′26″	1,027′48″	1,375′54″	988′31″
Average Hours per Day	7.3	7.2	7.1	7.0	8.7	7.7	7.7	7.4	7.2	5.37
Total Measures Passed	549	696	425	523	590	663	624	635	621	589
Roll Call Votes	374	298	380	253	459	216	366	279	442	215
Quorum Calls	7	6	3	2	3	1	3	1	6	3
Public Laws	170	410	136	241	198	300	169	248	142	318
Treaties Ratified	13	39	3	17	11	15	6	14	8	30
Nominations Confirmed	22,468	22,512	25,091	23,633	21,580	24,420	25,942	29,603	22,892	21,785
Average Voting Attendance	98.02	96.99	98.29	96.36	96.07	95.54	97.41	97.13	94.99	94.36

Sessions Convened Before 12 Noon	118	107	140	119	133	104	121	110	156	147
Sessions Convened at 12 Noon	17	25	10	12	4	9	1	4	4	4
Sessions Convened after 12 Noon	19	24	21	23	23	21	36	24	32	33
Sessions Continued after 6 p.m.	113	94	108	103	134	129	120	129	144	110
Sessions Continued after 12 Midnight	......	......	2	3	8	2	3	3	4	2
Saturday Sessions	3	1	3	......	1	2	2	2	1	3
Sunday Sessions	......	1	......	......	1	1	2	......	1	1

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

Committee Activity

Senate committees held a total of 823 meetings during the second session, compared to 1,005 meetings during the first session of the 110th Congress.

All hearings and business meetings (including joint meetings and conferences) are scheduled through the Office of the Senate Daily Digest and are published in the Congressional Record, on the Digest's Web site (http://www.senate.gov/pagelayout/committees/b__three__sections__with__teasers/committee__hearings.htm), and entered in the web-based applications system (Legislative Information System). Meeting outcomes are also published by the Daily Digest in the Congressional Record each day and continuously updated on the Web site.

Computer Activities

The Digest completed the installation of its Word-based system, which shortened the time it takes to create the Digest and send it to the Government Printing Office (GPO). Computer Center staff, working closely with Daily Digest staff, developed a Daily Digest Authoring System which is a Microsoft Visual Basic for Applications (VBA) system designed to provide the Daily Digest with structured methods for creating, editing, and managing files.

The Digest continues the practice of sending a disc along with a duplicate hard copy to GPO. GPO receives the Digest copy by electronic transfer long before hand delivery is completed, which promotes the timeliness of publishing the Congressional Record. The Digest staff continues to feel comfortable with this procedure, both to allow the Digest Editor to physically view what is being transmitted to GPO, and to allow GPO staff to have a comparable final product to cross reference.

The Digest staff continues to work closely with the Sergeant at Arms computer staff to refine the LIS/document management system. The Digest is pleased to report that all refinements made to the Senate Committee Scheduling application have been successfully implemented.

Government Printing Office

The Daily Digest staff continues the practice of discussing with the Government Printing Office problems encountered with the printing of the Digest; with the onset of electronic transfer of the Digest copy, occurrences of editing corrections or transcript errors are infrequent. Discussions with GPO continue regarding page references inserted by GPO.

ENROLLING CLERK

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

During the 110th Congress, the Enrolling Clerk's office prepared the enrollment of 135 bills (transmitted to the President), 8 enrolled joint resolutions (transmitted to the President), 14 concurrent resolutions (transmitted to the National Archives) and 95 appointments (transmitted to the House of Representatives). In addition, approximately 462 bills from the House of Representatives (including 12 appropriations bills and the budget concurrent resolution) were either amended or acted on in the Senate, thus requiring action on the part of the staff of the Enrolling Clerk's office.

A total of 852 pieces of legislation were passed or agreed to during the 110th Congress. Many other Senate bills, including over 350 resolutions and 229 engrossed Senate bills, were placed in the calendar by the Senate and were processed in the Enrolling Clerk's office. The office is also responsible for keeping the original official copies of bills, resolutions and appointments from the Senate floor through the end of each Congress. At the end of the second session of each Congress, the Enrolling Clerk's staff carefully prepares all official papers for storage at the National Archives.

During the 110th Congress, the Enrolling Clerk delivered 210 messages to the House Chamber and 58 messages to the House Clerk's office. The Enrolling Clerk also prepared and transmitted 95 appointments to the House of Representatives, informing the House of Senate actions on legislation passed or amended.

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

EXECUTIVE CLERK

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

Nominations

During the second session of the 110th Congress, there were 1,008 nomination messages sent to the Senate by the President, which transmitted 22,090 nominations to positions requiring Senate confirmation and 43 messages withdrawing nominations sent to the Senate. Of the total nominations transmitted, there were 3,124 nominees in the following "civilian list" categories: Foreign Service, Coast Guard, National Oceanic and Atmospheric Administration, and Public Health Service. An additional 508 nominees were for other civilian positions. Military nominations received this session totaled 18,674 (5,931 Air Force; 6,425 Army; 4,752 Navy; and 1,566 Marine Corps). The Senate confirmed 21,785 nominations this session. Pursuant to the provisions of paragraph six of Senate Rule XXXI, 478 nominations were returned to the President during the second session of the 110th Congress.

Treaties

During the second session of the 110th Congress, there were 13 treaties transmitted by the President to the Senate for its advice and consent to ratification. These were ordered printed as treaty documents for the use of the Senate (Treaty Doc. 110–11 through 110–23).

The Senate gave its advice and consent to 30 treaties with various conditions, declarations, understandings and provisos to the resolutions of advice and consent to ratification.

Executive Reports and Roll Call Votes

There were 19 executive reports relating to treaties ordered printed for the use of the Senate during the second session of the 110th Congress (Executive Report 110–10 through 110–28). The Senate conducted seven rollcall votes in executive session, all on or in relation to nominations and treaties.

Executive Communications

For the second session of the 110th Congress, 4,608 executive communications, 202 petitions and memorials and 31 Presidential messages were received and processed.

Paper Reduction

In an effort to save money and eliminate unnecessary paper, the Executive Clerk reduced the printed copies of the Executive Calendar each day from over 1,000 to 685. Additionally, the office reduced the copies of nominations printed for the committees by 75 percent and some committees have requested electronic copies of the appropriate paperwork, rather than paper copies.

Legislative Information System (LIS) Update (Projects)

The Executive Clerk consulted with the Sergeant at Arms throughout the year concerning ongoing improvements to the LIS pertaining to the processing of nominations, treaties, executive communications, presidential messages and petitions and memorials.

JOURNAL CLERK

The Journal Clerk takes notes of the daily legislative proceedings of the Senate in the "Minute Book" and prepares a history of bills and resolutions for the printed Journal of the Proceedings of the Senate, or Senate Journal, as required by Article I, Section V of the Constitution. The content of the Senate Journal is governed by Senate Rule IV. The Senate Journal is published each calendar year. The 2008 Senate Journal is expected to be sent to the Government Printing Office at the end of 2009.

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

In keeping with the Office of the Secretary's commitment to continuity of operations programs, the Journal Clerk undertook an effort to digitally scan the Minute Book pages, dating from 2004 to the present, into a secure directory. Although the Minute Books for each session of a Congress are sent to the National Archives one year after the end of a Congress, having easily-retrievable files will ensure timely reconstitution of the Minute Book data in the event of damage to, or destruction of, the physical Minute Book.

OFFICIAL REPORTERS OF DEBATES

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

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

Each day, roughly 90 percent of transcript production for GPO is done electronically, thus significantly reducing the time required by GPO to retype materials for presentation in the Congressional Record by the next day. In 2008, there were no delays in the overnight production of the Congressional Record

The project to provide online Congressional Record corrections, which was launched in 2007, ended its pilot phase and was brought online in early 2008. When a significant error, caused by this or any other office under the Secretary of the Senate, is identified in the Congressional Record, GPO is notified of such mistake and a correction in the online Record is made shortly thereafter. This error is automatically corrected in the printing of the permanent Record.

PARLIAMENTARIAN

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

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

The parliamentarians serve as the agents of the Senate in coordinating the flow of legislation with the House of Representatives and with the President, and ensure that enrolled bills are signed in a timely manner by duly authorized officers of the Senate for presentation to the President. The parliamentarians monitor all proceedings on the floor of the Senate, advise the Presiding Officer on the competing rights of the Senators on the floor, and advise all Senators as to what is appropriate in debate. The parliamentarians keep track of time on the floor of the Senate when time is limited or controlled under the provisions of time agreements, statutes or standing orders. The parliamentarians keep track of the amendments offered to the legislation pending on the Senate floor, and monitor them for points of order. In this respect, the parliamentarians reviewed more than 800 amendments during 2008 in order to determine whether they met various procedural requirements, such as germaneness. The parliamentarians also reviewed thousands of pages of conference reports to determine what provisions could appropriately be included therein.

The office is responsible for the referral to the appropriate committees of all legislation introduced in the Senate, all legislation received from the House, and all communications received from the executive branch, state and local governments, and private citizens. In order to perform this responsibility, the parliamentarians do extensive legal and legislative research. During 2008, the Parliamentarian and his assistants referred 1,496 measures and 4,842 communications to the appropriate Senate committees. The office worked extensively with Senators and their staffs to advise them of the jurisdictional consequences of particular drafts of legislation, and evaluated the jurisdictional effect of proposed modifications in drafting. In 2008 as in the past, the parliamentarians conducted several briefings on Senate procedure to various groups of Senate staff, on a non-partisan basis.

During all of 2008, the parliamentarians were deeply involved in interpreting the ethics reform proposals adopted in 2007, especially the language dealing with earmark accountability and scope of conference.

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

In 2008 and early 2009, as is the case following each general election, the parliamentarians received all of the certificates of election of Senators elected or re-elected to the Senate, as well as those Senators appointed to fill vacancies, and reviewed them for sufficiency and accuracy, returning those that were defective and reviewing their replacements. In addition, as is the case in all Presidential election years, the parliamentarians reviewed all certificates of ascertainment and certificates of votes submitted by the states and counseled the Vice President on his responsibilities in presiding over the joint session of Congress to count the electoral ballots.

FINANCIAL OPERATIONS

DISBURSING OFFICE

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

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

Executive Office

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

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

This year the Executive Office assisted in the coordination of the closing of all suspense accounts as mandated by Treasury. Since Automated Clearing House (ACH) and check advances were charged to this account, it was necessary to perform an in-depth review and implement required system changes in the way the Disbursing Office accounts for travel advances in a short period of time.

As a result of the November elections, the Executive Office issued more than 300 letters to staff explaining the requirements of displaced staff as authorized by applicable Senate resolutions.

The Executive Office coordinated a meeting with several Treasury Department representatives to discuss required reporting changes for non-Treasury disbursing offices (NTDOs) under the Government-wide Accounting and Reporting (GWA) modernization project. The agenda included a discussion of Treasury's requirements, as well as the challenges these new reporting requirements will present to the Disbursing Office and any NTDO agency.

On a monthly basis, the Financial Clerk and the Assistant Financial Clerk continue to attend Legislative Branch Financial Managers Council (LBFMC) meetings to share issues that affect other Congressional managers. In addition, the Financial Clerk and the Assistant Financial Clerk, along with Disbursing Office staff and the Sergeant at Arms (SAA) technical support staff, participated in meetings for the procurement of a new payroll system. The meetings resulted in the development of current system requirements and parameters, which will be used to help determine requirements for the new system.

The Disbursing Office was also involved in transitioning the Capitol Guide staff from the Senate payroll to the Architect of the Capitol's (AOC), as well as transitioning the Special Services staff to the newly created Office of Congressional Accessibility Services. Disbursing staff continues to work with both groups to transfer fiscal year 2009 funds and complete the transfer of all the personnel benefits files.

Disbursing representatives also attended several meetings with staff from the Majority Leader's office, the Committee on Rules and Administration, the Select Committee on Ethics and other interested parties to finalize the procedures and requirements needed to get the Congressional Oversight Panel up and running. The Congressional Oversight Panel was established by the Emergency Economic Stabilization Act of 2008, Public Law 110–343.

Deputy for Benefits and Financial Services

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

General Activities

After year-end processing of payroll for calendar year 2007, cost of living adjustments (COLAs) for 2008 were processed in a timely manner. The Disbursing Office issued W–2 forms promptly and made them immediately available on the Document Imaging System (DIS). During the year, other minor changes were made to the Human Resources Management System (HRMS) as a result of changes in regulations and policy.

A major initiative during 2007 and 2008 was to eliminate the use of employee Social Security Numbers (SSN) wherever possible, thereby increasing the security of personal information for members and employees of the Senate. This "Social Security Number Migration" project was successfully completed in June of 2008. The "key field" within the payroll system was changed from the SSN to a randomly generated employee identification number (EID). This limits use of the SSN only to those entities who have a legitimate need to receive it. After extensive research and coordination, the deputy, the Payroll Department and SAA technical support developed requirements and established guidelines and strategies for the payroll system migration. Because the payroll system provides data to so many internal and external entities, great care and planning were devoted to the coordination with users. This project required significant research, programming changes and modifications, testing and feedback. Post migration, anticipated minimal fine-tuning and troubleshooting occurred. Successful transmissions and extracts to other entities occurred without interruption or incident.

In continuing efforts to comply with continuity of operations (COOP) initiatives, reduce unnecessary use of paper and lessen physical storage needs, the Disbursing Office undertook a project to provide payroll reports to Senate offices electronically rather than on paper. The deputy and Payroll Department worked with Disbursing's Information Technology group and several SAA technical support groups to proceed with development and implementation of this project. After the completion of requirements and development, extensive testing and feedback were required. The electronic Payroll Reports were rolled out to a pilot group during the summer and full implementation throughout the Senate was achieved in October 2008. Feedback on this new resource has been very positive.

As part of continuing efforts to achieve full COOP compliance, the office identified a need to accomplish complete document imaging for all Senate employee personnel folders. Document Imaging System (DIS) programming modifications and upgrades were determined and implemented in preparation for this project. Necessary hardware was obtained and imaging procedures were drafted and finalized. In August of 2008 a new, temporary staffer was hired specifically for this task, which is anticipated to be a 2-year project. The document imaging is proceeding on schedule. Approximately 15 percent of the employee documents have been imaged to the DIS. As an added benefit, this project provides the opportunity to conduct an audit and reconciliation of hard-copy personnel folders.

The Disbursing Office, in tandem with SAA Technical Support, began initial research into the procurement of a new payroll system. In addition to determining current system requirements and parameters, Disbursing Office staff and SAA technical support drafted, edited and ranked future system requirements. They also attended initial vendor demonstrations and drafted and edited demonstration scripts for future software vendor demonstrations. Because of the specific laws and regulations governing the services and programs administered by the payroll system, particular attention was paid to those areas where systems will need to be tailored to the Senate. Vendor demonstrations are anticipated in 2009, which should be followed by a software selection. Following that, the next phase will be to determine the requirements and criteria that will further tailor the product to meet the needs of the system's users, as well as aid in the selection of an implementation vendor. The Disbursing Office will work with representatives of member and committee offices to define user requirements.

This office assisted with technical guidance on the impact of legislation drafted in support of the new Capitol Visitor Center on pay and benefits. As a result of the legislation, the Capitol Guides were transferred en masse from the Senate payroll to the payroll of the Architect of the Capitol (AOC) in November. This required coordination with the Guide Service and AOC personnel in order to prepare for the data transfer and ensure a smooth transition for the affected employees. The preparation and compilation of employee records, which will be transmitted to the AOC, will continue into the new year.

Front Office—Administrative and Financial Services

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

General Activities

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

Received and processed more than 24,700 checks, totaling over $1,900,000.

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

Maintained brochures for 15 federal health insurance carriers and distributed approximately 4,300 brochures to new and existing staff during the annual Federal Employees Health Benefits (FEHB) Open Season.

Provided 33 training sessions to new administrative managers.

The Front Office continues its daily reconciliation of operations and strengthening of internal office controls. Security was further enhanced this year by the use of pens that help identify counterfeit currency presented to Disbursing during cash transactions. Training and guidance to new administrative managers and business contacts continued and was enhanced by the revamping of training materials provided to newly authorized business contacts. Disbursing staff received many positive comments regarding the use of the Document Imaging System, which immediately reproduces W–2 and other forms for employees who request duplicates. The staff continued to place a major emphasis on assisting employees in maximizing their Thrift Savings Plan (TSP) contributions and making them aware of the TSP catch-up program. The Front Office continued to provide the Senate community with prompt, courteous, and informative advice regarding Disbursing Office operations.

Payroll Section

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

General Activities

In January 2008, the Payroll Section conducted all year-end processing and reconciliation of pay records and produced W–2 forms for employees and state tax agencies, which are also maintained in the Document Imaging System (DIS). In addition, an employee cost of living adjustment (COLA) of 4.49 percent was administered. Statutory rates and program caps were updated in the HRMS. The Payroll Section maintained the normal schedule of processing TSP election forms.

Payroll allowance, expenditure and projection reports are provided to all Senate offices on a monthly basis. In 2007, guidelines and requirements for the provision of electronic payroll reports were developed. The Payroll Section participated with the deputy, Disbursing's IT section, and SAA technical support staff to implement, test and trouble-shoot the electronic payroll reports project. Following the participation of a pilot group, the payroll reports were first distributed electronically in October 2008. Payroll now maintains responsibility for the review and release of these reports on a semi-monthly basis. All feedback to this new process has been positive.

The Payroll Section participated in the testing and implementation of the Social Security Number Migration project that took place in 2008. It was instrumental in the follow-up testing and trouble-shooting that occurred after the implementation. The Payroll Section participated in the development of procedural changes required to accommodate the change to the "key field" within the payroll system.

The Payroll staff participated in the initial research regarding the procurement of a new payroll system. They provided job and task summaries, records of reports and system output, and attended numerous strategy sessions to determine both current system requirements and parameters and future system requirements. They attended and reviewed vendor demonstrations and participated in the drafting of demo scripts for future software vendor demonstrations.

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

In 2008, the Payroll Section staff continued to work diligently with the SAA technical support staff and external entities in order to eliminate the use of paper and tape-driven correspondence. In August, the Payroll Section began electronically transmitting all Treasury tapes to the Federal Reserve in Kansas City. With regards to its correspondence and transmissions with the TSP and the Federal Reserve, Disbursing now operates completely paper-free and tape-free.

As a result of the elections, the Disbursing Office staff looked into the specifics of applicable Senate resolutions to determine their impact, if any, on outgoing and potentially outgoing staff in order to ensure that current procedures allowed for the proper administration of the resolutions. The Payroll staff provided guidance to staff on those resolutions. In addition, the Payroll Section administered the transfer of all Capitol Guides to the AOC.

The Payroll Section continues to participate in disaster recovery testing. This year, testing was conducted in December. The Alternate Computing Facility (ACF) processing equipment operated the payroll system from the Hart Building while SAA programmers ran trial payrolls from remote sites. As part of the test, members of SAA Production Services had to produce the payroll output from printers located at the ACF. The payroll system test proved very successful.

Employee Benefits Section (EBS)

The primary responsibility of the Employee Benefits Section is the administration of health insurance, life insurance, TSP, and all retirement programs for members and employees of the Senate. This includes counseling, processing paperwork, researching, disseminating information and interpreting retirement and benefits laws and regulations. EBS staff is also expected to have a working knowledge of the Federal Flexible Spending Account (FSA) Program, the Federal Long Term Care (LTC) Insurance Program and Federal Employees Dental and Vision Insurance Program (FEDVIP). In addition, the sectional work includes research and verification of all prior federal service and prior Senate service for new and returning employees. EBS provides this information for payroll input. Staff also verify the accuracy of the information provided and reconcile, as necessary, when official personnel folders and transcripts of service from other federal agencies are received. Senate transcripts of service, including all official retirement and benefits documentation, are provided to other federal agencies when Senate members and staff are hired elsewhere in the government. EBS is responsible for the administration and tracking of employees who are placed in Leave Without Pay (LWOP) as a result of leaving to perform military service or being appointed to an international organization. EBS participates fully in the Centralized Enrollment Clearinghouse System (CLER) Program, which is sponsored by OPM and is used to reconcile all FEHB enrollments with carriers through the National Finance Center on a quarterly basis. EBS is also responsible for ordering inventory and maintaining forms and brochures for TSP, retirement, and all other benefits. EBS processes employment verifications for loans, bar exams, and entities such as the FBI, Office of Personnel Management, and Department of Defense, among others. Employees may complete unemployment claim forms and receive counseling as to their eligibility. EBS reviews billings for unemployment compensation paid to Senate employees by the Department of Labor, as well as employee fees associated with FSAs, and submits vouchers to the Accounting Section for payment EBS staff processes and checks designations of beneficiary for life insurance, retirement, and unpaid compensation.

General Activities

Many employees changed health plans during the annual Federal Benefits Open Season. These changes were processed and reported to carriers very quickly. The Disbursing Office continues to provide Senate employees with access to the online “Checkbook Guide to Health Plans” in order to research and compare FEHB plans. This tool will remain available to staff throughout the year. The Disbursing Office also hosted an Open Season Federal Benefits Fair, which was well-attended. The Benefits Fair included representatives from most of the local and national FEHB plans, as well as representatives from LTC, FSA, FEDVIP, and The Consumers Checkbook Guide. OPM announced a "belated enrollment opportunity," which extended through January 31, 2009.

Many retirement, death, and disability cases were also processed throughout the year. There was a great deal of employee turnover in 2008, including the transition of the Capitol Guides to the payroll of the AOC, which resulted in appointments to be researched and processed, retirement records to be closed-out, termination packages of benefits information to be compiled and mailed out, and health insurance enrollments to be processed. Transcripts of service for employees going to other federal agencies, and other tasks associated with employees changing jobs, were at a high level this year. These required prior employment research and verification, new FEHB, FEGLI, FSA, FEDVIP, Civil Service Retirement System (CSRS), Federal Employees Retirement System (FERS) and TSP enrollments, and the associated requests for backup verification.

EBS conducted agency-wide seminars on CSRS and FERS and, as a result of the many ongoing changes to the TSP Program, attended interagency meetings. EBS participated in a number of meetings with other Disbursing staff and the SAA technical staff to help assess the needs and parameters for selecting a new payroll system.

Disbursing Office Financial Management

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

Accounting Department

During 2008, the Accounting Department approved 51,215 expense reimbursement vouchers and 27,700 certification and vendor uploads, and processed 1,350 deposits for items ranging from receipts received by the Senate operations, such as the Senate's revolving funds, to cancelled subscription refunds from member offices. General ledger maintenance also prompted the entry of thousands of adjustment entries, which include the entry of all appropriation and allowance funding limitation transactions, all accounting cycle closing entries, and all non-voucher reimbursement transactions such as payroll adjustments, COLA budget uploads, stop payment requests, travel advances and repayments, and limited payability reimbursements. The department continues to scan all documentation for journal vouchers, deposits, accounting memos, and letters of certification to facilitate both storage concerns and COOP backup.

This year the Accounting Department assisted in the validation of various system upgrades and modifications, including two Web FMIS releases. Web release number 2008–2 introduced an imaging prototype for the submission and approval of paperless vouchers. Development continues so that imaging may be tested and become functional. Web release 2008–3 concentrated on reporting and budget upgrades, as well as implementation of the employee identification number conversion. For expense purposes, employees are no longer identified by Social Security number (SSN). They are now identified by a system generated number which contains no part of their SSN.

During January 2008, the Accounting Department completed the 2007 year-end process to close and reset revenue, expense, and budgetary general ledger accounts to zero. The Treasury passed a new requirement that all suspense accounts be zeroed out and closed. This required significant changes to accounting methodology, as suspense accounts were used to clear checks from Front Office accountability, credits, and stop payment requests, which resulted in replacement checks, check and ACH advances, and payroll adjustments. This change required a revamping of the travel advance accounting process, which was tested and implemented in a very short period of time.

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

This year, the Accounting Department transmitted all federal tax payments for federal, Social Security, and Medicare taxes withheld from payroll expenditures, as well as the Senate's matching contribution for Social Security and Medicare to the Federal Reserve Bank. The department also performed quarterly reporting to the Internal Revenue Services (IRS) and annual reporting and reconciliation to the IRS and the Social Security Administration. Payments for employee withholdings for state income taxes were reported and paid on a quarterly basis to each state with applicable state income taxes withheld. System modifications installed in the previous year to allow electronic (ACH) payment of quarterly state taxes has resulted in a 50 percent participation rate by taxing jurisdictions. Numerically, 21 of 42 tax jurisdictions are receiving their quarterly state tax payments via ACH. Monthly reconciliations regarding the employee withholdings and agency matching contributions for the TSP were performed with the National Finance Center.

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

The Accounting Department, in conjunction with the deputy for Financial Management and the Assistant Financial Clerk, continues to work closely with the SAA Finance Department to complete a new draft of the Senate-wide financial statements for past fiscal years, in accordance with OMB Bulletin 01–09, "Form and Content of Agency Financial Statements" and any updates required by OMB Circular A–136, "Form and Content of the Performance and Accountability Reports". Work to finalize the implementation of the fixed asset system continues. The financial management software has been upgraded and the license renewed for 2009. Statements and other issues and priorities are discussed in monthly accounting meetings.

Accounting also has a budget division whose primary responsibility is compiling the annual operating budget of the United States Senate for presentation to the Committee on Appropriations. The budget division is responsible for the preparation, issuance and distribution of the budget justification worksheets. Despite working under a continuing resolution in fiscal year 2008, the budget justification worksheets were mailed to the Senate accounting locations and were processed in November. The budget baseline estimates for fiscal year 2009 were reported to OMB in mid-January. The budget analyst is also responsible for the preparation of 1099's and the prompt submission of forms to the IRS before the end of the January.

Accounts Payable: Vendor/Senate Automated Vendor Inquiry Section

The Vendor/Senate Automated Vendor Inquiry (SAVI) Section maintains the accuracy and integrity of the Senate's central vendor (payee) file for the prompt completion of new vendor file requests and service requests related to the Disbursing Office's Web-based payment tracking system, which is known as SAVI. This section also assists the information technology (IT) department by performing periodic testing and by monitoring the performance of the SAVI system, including the conversion from SAVI to Staffer Functionality. Currently, more than 16,300 vendor records are stored in the vendor file, in addition to approximately 10,000 employee records. Daily requests for new vendor addresses or updates to existing vendor information are processed within 24 hours of receipt. Besides updating mailing addresses, the

Vendor/SAVI section facilitates the use of ACH by switching the method of payment requested by the vendor from check to direct deposit. Whenever a new remittance address is added to the vendor file, a standard letter is mailed to vendors requesting tax and banking information, as well as contact and e-mail information. If a vendor responds indicating they would like to receive ACH payments in the future, the method of payment is changed.

SAVI is a Web-based payment tracking system, but it has been replaced by a Web FMIS based system referred to as Staffer Functionality. This conversion was necessary so that employees did not need to sign on to multiple systems to create and track their payments. All Web FMIS users have been moved into the Staffer Functionality and new offices are automatically established with it. Senate employees can electronically create, save, and file expense reimbursement forms, track their progress, and get detailed information on payments. The most common service requests are for system user identification and passwords and for the reactivation of accounts. Employees may also request an alternative expense payment method. Employees can choose to have their payroll set up for direct deposit or paper check, but can have their expenses reimbursed by a method that differs from their salary payment method. Approximately 1,800 employees needed to have new Staffer Functionality ID's and passwords assigned.

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

The Vendor/SAVI section electronically scans and stores all supporting documentation of existing vendor records and new vendor file requests. When this section receives replies asking for ACH participation, Vendor/SAVI staff ask whether the vendors wish to be notified by e-mail when payments are sent. Currently, over 2,000 of the 2,600 ACH participants also receive e-mail notification of payment.

During 2008, the Vendor/SAVI section processed over 2,300 vendor file additions, completed more than 2,200 SAVI service requests, mailed over 1,100 vendor information letters, and converted more than 500 vendors from check payment to direct deposit.

Accounts Payable: Disbursements Department

The Disbursements Department is the entry and exit point for voucher payments. The department physically and electronically receives all vouchers submitted for payment. It also pays all of these vouchers, as well as the items submitted by upload and the various certifications and adjustments that are submitted periodically. The department received 156,900 vouchers and paid an additional 27,700 uploaded expenses. All of these items were paid by the department via Treasury check or ACH. Multiple payments to the same payee are often combined. As a result, 22,355 checks were issued, while 60,785 ACH payments were required. The decreased check volume and increased ACH volume is a desired result as the department continues its efforts to substantially reduce reliance on paper checks.

After vouchers are paid, they are sorted and filed by document number. Vouchers are grouped in 6-month "clusters" to accommodate their retrieval for the semi-annual Report of the Secretary of the Senate. Files are maintained in-house for the current period and two prior periods, as space is limited. Older documents are stored in the Senate Support Facility (SSF). The inventoried items are sorted and recorded in a database for easy document retrieval. Several document retrieval missions were successfully conducted, and the department continues to work closely with warehouse personnel.

A major function of the department is to prepare adjustment documents. Adjustments are varied, and include re-issuance of items held as accounts receivable collections, re-issuance of payments for which non-receipt is claimed, and various supplemental adjustments received from the Payroll Department. Such adjustments are usually disbursed by check, but an increasing number are now handled electronically through ACH. Paper payroll check registers were replaced by an electronic version in 2006. The department maintains a spreadsheet that tracks cases of non-receipt of salary checks, including stop payment requests and re-issuance.

While experiencing an increase in ACH payments, Disbursing also experienced an increase, though small, in the number of ACH returns. Returns are usually the result of receiving incorrect account or routing information and are easily corrected with payee contact. Some returns result from account closings or non-participating financial institutions and, while a bit more difficult, these items are resolved either by receiving updated information or simply converting the payment to a check. All rejected items are logged into an ACH reports folder. They are classified as either Payroll or Accounts Payable, and the actual daily reports are also scanned into the folder. Once logged in, the payroll items are forwarded to the Payroll Department, and the non-payroll items are forwarded to Vendor/SAVI to determine appropriate corrective action. The department prepares accounting memos outlining the actions to be taken, and makes adjustments as warranted.

The department also prepares the stop payments forms as required by the Department of Treasury. Stop payments are requested by employees who have not received salary or expense reimbursements, and vendors claiming non-receipt of expense checks. During this year, the A/P Disbursement supervisor and the Accounts Payable manager continued using the Department of Treasury—Financial Management Service (FMS) online stop pay and check retrieval process known as PACER. The PACER system allows the department to electronically submit stop-payment requests and provides online access to digital images of negotiated checks for viewing and printing. Once a check is viewed, it is printed and may be scanned. Scanned images are then forwarded to the appropriate accounting locations via e-mail. During 2007, over 500 requests were received for check copies. PACER saves the Disbursing Office a $7.50 processing fee for each request. PACER is now Web-based and accessible from multiple workstations in Disbursing, enabling staff to conduct research using the internet rather than the previously-used, slower mainframe system.

Treasury created a new streamlined application called the Treasury Check Information System (TCIS) to aid PACER. All Disbursement staff and designated staff from the Payroll section are authorized to use TCIS to retrieve copies of cancelled checks. Since implementation in July of 2008, there have had more than 500 requests for copies of checks.

Disbursements performed the initial scanning for the imaging prototype. Two Senate offices participated in the project, and in coordination with the Committee on Rules and Administration, Disbursements was able to determine what was needed for the effort. Also, Disbursements continues to play an active role in processing upload certifications and vendor payments as well as providing frequent assistance to the Front Office.

Accounts Payable: Audit Department

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

A major function of the section is monitoring the fund advances for travel and petty cash. Late in 2006, phase 1 of a new advance module for issuing and tracking advances was placed into service. The module is now completely operational and all phases have been completed. The system accommodates the issuance, tracking, and repayment of advances. It also facilitates the entry and editing of election dates and vouchers for Senators-elect. In addition to other functionality, an advance type of petty cash was created and is being tested. Regular petty cash audits are performed by the department; all petty cash accounts were successfully audited in 2008.

The Accounts Payable Audit Section processed more than 156,900 expense vouchers in 2008, as well as 27,700 uploaded items. Audit sanctioned more than 89,000 vouchers under authority delegated by the Senate Committee on Rules and Administration. This translates to roughly 16,800 vouchers processed per auditor, and 30,000 vouchers posted per certifier. The voucher processing consisted of providing interpretation of Senate rules, regulations and statutes and applying the same to expense claims, monitoring of contracts, and direct involvement with the Senate's central vendor file. On average, vouchers greater than $100 that do not have any issues or questions are received, audited, sanctioned electronically by the Senate Committee on Rules and Administration using Web FMIS, and paid within 8 to 10 business days.

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

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

The Disbursing Office has sanctioning authority for vouchers of $100 or less, subject to post-payment audit by the Committee on Rules and Administration. These vouchers comprised approximately 57 percent of all vouchers processed and are usually paid within 5 business days. As in the previous year, Disbursing passed two post-payment audits performed by the Senate Committee on Rules and Administration.

Additionally, advance documents and non-Contingent Fund vouchers are now posted in Audit. Currently, there are three certifying accounts payable specialists who handle the bulk of the sanctioning responsibilities within the group.

The Accounts Payable Audit Group provided training sessions in the use of new systems, the process for generation of expense claims, and the permissibility of an expense; and participated in seminars sponsored by the Secretary of the Senate, the SAA, and the Library of Congress. The section trained 16 new administrative managers and chief clerks and conducted four informational sessions for Senate staff through seminars sponsored by the Congressional Research Service (CRS). The Accounts Payable group also routinely assists the IT department and other groups as necessary in the testing and implementation of new hardware, software, and system applications. Web FMIS 2008–2 and 2008–3 were implemented, a prototype for imaging of expense vouchers was tested and used for two Senate offices, and the employee number conversion was successfully accomplished. Advances and previously submitted vouchers needed to be closely monitored so that employees were properly paid for expenses submitted prior to and after the conversion.

In 2008, the cancellation process for advances was upgraded and streamlined again, and collection times for outstanding advances have decreased significantly.

Disbursing Office Information Technology

Financial Management Information System

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

Responsibilities of the department include: supporting current systems; testing infrastructure changes; managing and testing new system development; planning; managing the FMIS project, including contract management; administering the Disbursing Office's Local Area Network (LAN); and coordinating the Disbursing Office's disaster recovery activities.

The Disbursing Office is the "business owner" of FMIS and is responsible for making the functional decisions about FMIS. The SAA Technology Services staff is responsible for providing the technical infrastructure, including hardware (e.g., mainframe and servers), operating system software, database software, and telecommunications; technical assistance for these components, including migration management and database administration; and regular batch processing. The office's contract support team, along with the SAA, is responsible for operational support and is also under contract with the Secretary for application development. The three organizations work cooperatively.

Highlights of the year include:

—implemented two releases of FMIS;

—eliminated the use of Social Security Numbers in employee vendor numbers by converting all employee vendor numbers to the number assigned by the payroll system;

—conducted a prototype pilot of online review of imaged vouchers and supporting documentation;

—made payroll reports available online through Web FMIS;

—transferred almost all SAVI-system users to Web FMIS "Staffer Functionality" for creating online expense summary reports (ESRs) and viewing payment information;

—conducted a pilot of Web FMIS "Electronic Invoice" functionality by which office managers and chief clerks were able to import credit card charges to create vouchers for payment;
—implemented revised travel advance accounting that eliminates the use of suspense accounts;
—supported the Disbursing Office staff in remitting quarterly state tax payments via direct deposit;
—prepared for re-writing the FMIS checkwriter functionality;
—tested infrastructure changes that included upgrades to the mainframe operating system (Z/OS), the database (DB2), and Web Sphere;
—coordinated and participated in a FMIS-only disaster recovery exercise at the ACF;
—supported the Senate Committee on Rules and Administration's post payment audit of a statistically valid sample of vouchers of $100 or less;
—installed new Disbursing Office local area network servers;
—upgraded PC software (MS Office 2007 and Adobe) throughout the Disbursing Office;
—installed new wide PC monitors throughout the Disbursing Office; and
—conducted monthly classes and seminars on Web FMIS.

Supporting Current Systems

The DO IT department supports FMIS users in all 140 accounting locations, Disbursing's Accounts Payable (A/P), Accounting, Disbursements, Vendor/SAVI and Front Office sections, and the Senate Committee on Rules and Administration Audit staff. The activities associated with this responsibility include:
—User support—provide functional and technical support to all Senate FMIS users; staff the FMIS "help desk"; answer hundreds of questions; and meet with chiefs of staff, administrative managers, chief clerks, and directors of various Senate offices as requested;
—Technical problem resolution—ensure that technical problems are resolved;
—Monitor system performance—check system availability and statistics to identify system problems and coordinate performance tuning activities such as those for database access optimization;
—Security—maintain user rights for all ADPICS, FAMIS, and Web FMIS users;
—System administration—design, test and make entries to tables that are at the core of the system;
—Support of accounting activities—perform functional testing and production validation of the cyclic accounting system activities. This includes rollover, the process by which tables for the new fiscal year are created, and archive/purge, the process by which data for the just lapsed fiscal year is archived for reporting purposes and removed from the current year tables;
—Support the Senate Committee on Rules and Administration post payment voucher audit process—provide the data from which the Rules Committee audit staff selects a statistically valid sample of vouchers for $100 or less. In this way, the Committee on Rules and Administration audit staff review vouchers sanctioned under authority delegated to the Financial Clerk;
—Upload bulk financial transactions directly to FAMIS—upload documents, such as certifications and vouchers from the Keeper of Stationery, directly into FAMIS. These documents, submitted via spreadsheets, are reviewed by the DO A/P and/or Accounting sections prior to upload; and
—Training—provide functional training to all Senate FMIS users.

Continuing Projects

As part of its normal tasks to support current systems, Disbursing created 95 new Web FMIS user accounts and an additional 55 new ADPICS/FAMIS user accounts. Additionally, the office staff created new organization, department and location codes for the Senator-elect accounts and the new Senators in the 111th Congress. Through the "rollover" process, Disbursing created the tables necessary for two new fiscal periods—fiscal year 2009 (for all FMIS users), and Resolution 89D (for Committees), which began October 1, 2008. The two queries for the Committee on Rules and Administrations's post-payment audit of documents $100 and less identified 24,864 records for the period October 1, 2007 to March 31, 2008 and 25,383 for the period April 1, 2008 to September 30, 2008. The office uploaded over 325 files of multiple documents such as certifications, vouchers from the Keeper of Stationery, SAA budget entries, and journal entries. Finally, the Disbursing Office IT staff offered Web FMIS classes once a month.

New Projects

IT completed a number of new tasks to support current systems this year:

—organized quarterly user group meetings for the Disbursing Office's A/P staff in order to hear concerns and feedback regarding their Web FMIS system use;
—added materials to the online documentation available via Web FMIS, including 20 administrative forms and 10 documents related to creating vouchers;
—implemented procedures to create documents for infrequently-used (i.e., Reception of Foreign Dignitaries and Senators-elect) in Web FMIS instead of ADPICS, which simplified the processing of these documents by the A/P and Accounting staff;
—managed the election moratoria dates for Senators running for reelection. When the expenses are being submitted, this alerts the voucher preparer that the expenses cannot be paid because they were incurred during the 60 day period before an election in which the Senator is a candidate is held;
—updated the voucher preparation documentation for Senators-elect; and
—participated in the selection of a new credit card vendor for the Senate and worked with that vendor to obtain a nightly data file of posted charges in a format usable by the Web FMIS "Electronic Invoicing" function.

Testing Infrastructure Changes

The SAA provides the infrastructure on which FMIS operates, including the mainframe, the database, security hardware and software, and the telecommunications network. During 2008, the SAA implemented one major upgrade to the FMIS infrastructure by upgrading the mainframe operating software. In addition, the SAA implemented quarterly micro-code updates and applied "maintenance" releases on a more regular basis, both of which will keep the infrastructure current.

Managing and Testing New System Development

During 2008, the DO IT department supervised development, performed extensive integration system testing, and implemented changes to FMIS subsystems. Each implementation and production verification was completed over a weekend in order to minimize system down time to users. Since 2006, multiple sub-system upgrades have been consolidated into two releases each year. This reduced the amount of regression testing required. In order to accurately reflect the variety of changes in each release, the releases are now numbered by fiscal year. During 2008, Disbursing implemented two major releases and two problem correction releases. The two major releases were: FMIS r2008–2, implemented in June 2008; and FMIS r2008–3, implemented in September 2008.

The items were selected for development and implementation in response to Treasury mandates, and were based on user requests and suggestions from the SAA technical staff and the IT department. The planned schedule was substantially rearranged this year in order to respond to the needs of the DO Accounting staff upon learning that the Treasury Department was requiring the Senate to eliminate the use of suspense accounts, which were used substantially in the Senate's travel advance process. In order to have the new behind-the-scenes accounting in place by October 1, 2008, the implementation of FMIS r2008–3 was moved from November to September.

The DO IT Department staff meet regularly with users through scheduled user group meetings. The department continued to meet with the ADPICS/FAMIS users group (primarily SAA users) almost every month and met monthly with the DO Accounting Section in order to address their concerns in a user group format. In addition, the department initiated a quarterly meeting with the DO A/P Section.

FMIS 2008–2

Web FMIS 2008–2 was implemented in June 2008. The primary change in this release was the conversion of all employee vendor numbers to use the 9-digit employee identification number (EID), which is assigned by the payroll system, instead of an employee vendor number that included a partial Social Security Number (SSN). The old SSN-based employee vendor numbers were deactivated and the new employee vendor numbers were made available. In addition, old SSN-based employee vendor numbers used on already-created vouchers were masked so that the SSN portion was not visible.

The most popular change in this release was enlarging the itinerary field, which previously had been limited to 254 characters. The larger itinerary field was made available in both Web FMIS "Staffer Functionality" (the SAVI replacement) and in Web FMIS Document/Create, so that a long itinerary could be created on an ESR and either imported into a voucher or created directly on the voucher.

Three pilots began with this release: online payroll reports, prototype of online review of imaged vouchers and supporting documentation, and electronic invoicing (making electronic credit card data available for importing into vouchers). Access to online payroll reports was granted to specifically-authorized Web FMIS users. The pilot allowed Disbursing to provide these reports twice a month instead of once a month, and eliminated tasks associated with manual distribution of paper reports. The first reports for fiscal year 2009 (i.e., reports for the end of October 2008) were distributed to Senators' offices, committees, the Secretary's office, and the Sergeant at Arms' office. The second pilot was a prototype of online review of imaged vouchers and supporting documentation for vouchers from several offices. The goal of this prototype was to provide DO A/P and Accounting staff with hands-on experience in reviewing and marking-up documents entirely online. As such, Disbursing did not request that the offices do anything differently. Instead, Disbursing staff imaged the voucher and supporting documentation, which was then filed so as to be available for review if needed. This was intended to encourage online review, and the documents were reviewed by DO A/P, Rules Audit, and Disbursing Accounting online. The prototype ran from June until the middle of October; and feedback from the Disbursing Office staff who participate in the pilot will be useful as the project proceeds. The third pilot enabled offices to see credit card charges from the credit card vendor and select some or all to be imported into a voucher. This reduces the possibility of paying a credit card charge more than once and reduces the work required to create a voucher for these charges. The pilot ran from the summer of 2008 to the winter of 2008 and has stopped temporarily due to the change in the new Senate credit card vendor in November 2008. Disbursing has been working with the new credit card vendor to obtain the same kind of electronic data and make it available to Web FMIS users. Once successful, there will be a short pilot before the functionality is made available to all Senate offices.

FMIS 2008–3

This release was originally titled FMIS 2009–1 and was scheduled for implementation in November 2008, but the date was moved up to the beginning of September 2008, and therefore the release name was changed. The timing and priorities for this release were shifted in order to accommodate the changes necessary to eliminate use of a suspense account in the travel advance accounting, as required by Treasury by October 1, 2008 (fiscal year 2009). The Senate received notification of this requirement at the end of March 2008. Other NTDOs were notified in June 2007.

A number of Web FMIS user-requested features were also implemented in this release. These included a new "analysis by traveler" report that displays detailed information by vendor (or employee) for only travel-related expenses. The display of office name to the master vendor file was also added. This enabled users to pick the John Smith who works for Senator Jones instead of accidentally picking the John Smith who works for Senator Walker. Additionally, users now have the ability to search the master expense category list by words in the expense category description field. Finally, in preparation for the new fiscal year, Disbursing also implemented a budget function that enables configuring the new budget based on a previous fiscal year.

Planning

The Disbursing IT department performs two main planning activities:

—Schedule coordination—planning and coordinating a rolling 12-month schedule; and

—Strategic planning—setting the priorities for further system enhancements.

Schedule Coordination

In 2008, this department continued to hold two types of meetings between Disbursing and the SAA to coordinate schedules and activities. These were:

—project specific meetings—a useful set of project-specific working meetings, each of which has a weekly set meeting time and meets for the duration of the project (e.g., archive/purge meetings and Web FMIS budget function meetings); and

—technical meetings—a weekly meeting to discuss the active projects, including scheduling activities and resolving issues.

As part of planning activities for fiscal year 2009, Disbursing decided to increase the planning timeframe from 12 months to 8–24 months in order to adequately include both FMIS functional releases and the infrastructure changes (i.e., software upgrades, maintenance, and micro-code updates).

Strategic Planning

The FMIS strategic plan has a longer time horizon than the rolling 12-month timeframe of the technical meeting schedule. It is designed to set the direction and priorities for further enhancements. In 2002 a strategic plan was written by the Disbursing IT and Accounting staff for Disbursing Office Strategic Initiatives. This detailed description of five strategic initiatives formed the base for the Secretary of the Senate's request in 2002 for $5 million in multi-year funds for further work on the FMIS project. The five strategic initiatives are:

—*Paperless Vouchers—Imaging of Supporting Documentation and Electronic Signatures*.—Beginning with a feasibility study and a pilot, this will implement new technology, including imaging and electronic signatures, in order to reduce the Senate's dependence on paper vouchers. This will enable the continuation of voucher processing operations from an alternate location should an emergency occur;

—*Web FMIS*.—Respond to requests from the Senate's accounting locations for additional functionality in Web FMIS;

—*Payroll system*.—Respond to requests from the Senate's accounting locations for online real time access to payroll data;

—*Accounting Subsystem Integration*.—Integrate Senate-specific accounting systems, improve internal controls, and eliminate errors caused by re-keying of data; and

—*CFO Financial Statement Development*.—Provide the Senate with the capacity to produce auditable financial statements that will obtain an unqualified opinion.

Managing the FMIS Project

The responsibility for managing the FMIS project was transferred to the Disbursing IT department during the summer of 2003, and includes developing the task orders with contractors, overseeing their work and reviewing invoices. In 2008, one new task order was executed—Service Year 2008 extended operational support, which covers activities from September 2008 to August 2009.

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

—Imaging and signature design and electronic invoicing enhancement continuation;

—Web FMIS Reporting enhancements;

—Funds Advance Tracking System; and

—Service year 2008 extended operational support (covered activities from September 2007 to August 2008).

Administering the Disbursing Office's Local Area Network (LAN)

Disbursing continued to administer its own local area network (LAN), which is separate from the network used by the rest of the Secretary's Office. Upkeep of the LAN infrastructure, including performing routine daily tasks and replacing equipment regularly, is critical to providing services. During 2008, LAN administration activities included: maintaining and upgrading the Disbursing Office's LAN; installing specialized software; and maintaining projects for the payroll and benefits section.

Maintaining and Upgrading the Disbursing Office LAN

Disbursing maintained the existing workstations with appropriate upgrades including: installing new DO LAN servers; upgrading PC software (MS Office 2007 and Adobe) throughout the Disbursing Office; installing new wide PC monitors throughout the Disbursing Office; and managing blackberry devices, including upgrading three devices and installing four more.

Installing Specialized Software

Disbursing uses a variety of specialized software that is critical to workflow processes. In 2008, Disbursing:

—installed Treasury Check Information System (TCIS) to replace PACER. This system enables Disbursing staff to obtain an imaged copy of negotiated checks; and

—upgraded the Fixed Asset System (FAS), used by the office to obtain the depreciated value of the Senate's fixed asset records maintained by the SAA.

Maintaining Projects for Payroll and Employee Benefits Sections

Disbursing continued to support the Payroll/Benefits Imaging system developed by SAA staff. This system electronically captures and indexes payroll documents submitted at the front counter, and is critical for the Payroll and Employee Benefits sections. During 2008, a new digital sender was installed on the Disbursing network for use on this project.

Coordinating the Disbursing Office's Disaster Recovery Activities

At the request of the Disbursing Office, the SAA conducted a FMIS-only disaster recovery test in December. This is the second year in which a FMIS-only test was conducted. The longer time allotted to this test enabled more complete functional testing, (including following single documents from data entry in ADPICS and Web FMIS through payment in FAMIS), running more reports than during other tests, and testing the critical payroll and FAMIS batch processes. While the Disbursing IT staff organized the functional test plan, the actual testers included Disbursing IT staff, payroll staff, contractor support staff and SAA Finance staff. No major problems were encountered, and because of the longer time allotted for this test, the problems that were encountered were investigated.

ADMINISTRATIVE OFFICES

CHIEF COUNSEL FOR EMPLOYMENT

The Office of the Senate Chief Counsel for Employment (SCCE) is a non-partisan office established in 1993 at the direction of the Joint Leadership after enactment of the Government Employee Rights Act (GERA), which allowed Senate employees to file claims of employment discrimination against Senate offices. With the enactment of the Congressional Accountability Act of 1995 (CAA), as amended, Senate offices became subject to the requirements, responsibilities and obligations of 12 employment laws. The CAA also established the Office of Compliance (OC). Among other things, the OC accepts and processes legislative employees' complaints that their employer has violated the CAA.

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

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

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

Litigation; Mediations; Alternative Dispute Resolutions

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

Compliance with the OSHA and the ADA

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

The SCCE provides legal assistance and advice to every Senate office to ensure that they are complying with the OSHA and the ADA. The SCCE also represents each Senate office during the OC inspections, advises them on the preparation of the OC's home state OSHA/ADA inspection questionnaires, assists offices in the preparation of emergency action plans, and advises and represents each Senate office when a complaint of an OSHA or ADA violation has been filed against the office with the OC or when a citation has been issued.

In 2008, the SCCE pre-inspected 224 Senate offices to ensure compliance with the ADA and the OSHA. Inspections included 82 member offices and 43 committee and leadership offices in the Hart, Dirksen and Russell buildings; 67 SAA offices in the Capitol and Hart, Dirksen, Russell and Postal Square buildings; and 36 Secretary of the Senate offices in the Capitol and Hart, Dirksen and Russell buildings. Senate offices had no significant OSHA or ADA problems and no citations.

Management Training Regarding Legal Responsibilities

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

In 2008, the SCCE gave 90 legal seminars to Senate offices. The seminars included, among others:

—The Congressional Accountability Act of 1995: Management's Rights and Obligations;
—Laws You Must Follow when Setting Up and Managing Your Office;
—Understanding Sexual Harassment in the Workplace;
—Dealing with Harassment Complaints and Avoiding a Hostile Work Environment;
—A Manager's Guide to Complying with the Family and Medical Leave Act;
—Amendments to the Family and Medical Leave Act Related to Military Service;
—Avoiding Legal Landmines in Your Office 2008;
—Labor-Management Overview; and
—An Office's Legal Obligation to Ensure that All New Hires are Qualified to Work in the Senate: Complying with I–9 and E-Verify laws.

The SCCE also developed and conducted a series of 11 monthly seminars covering all major employment laws that govern Senate offices. The purpose of the seminars was to educate all Senate management staff about their responsibility to ensure that their respective offices comply with the CAA. The series was open to all chiefs of staff, staff directors, administrative directors, chief clerks and office managers. Individuals who completed the series received a certificate of completion signed by the Secretary of the Senate. The following topics were covered:
—An Overview of the Congressional Accountability Act;
—Are You Meeting Your Legal Requirements under the I–9 and E-Verify Laws?;
—Overtime Pay: Who is Owed It, and How is It Calculated?;
—The Equal Pay Act;
—How to Interview, Check References, Give References and Check Backgrounds;
—The Family and Medical Leave Act: When Do Employees Get It, and How Much Do They Get?;
—Evaluating, Disciplining and Firing Employees without Violating the Law;
—The Americans with Disabilities Act: What Managers Must Know about Complying with the Law;
—Dealing with Harassment Complaints and Avoiding a Hostile Work Environment; and
—Common Employment Law Mistakes Managers Make.

Legal Advice

The SCCE meets daily with Members, chiefs of staff, administrative directors, office managers, staff directors, chief clerks and counsel at their request to provide legal advice. For example, on a daily basis, the SCCE advises Senate staff on matters such as interviewing, hiring, counseling, disciplining and terminating employees in compliance with the law; handling and investigating sexual harassment complaints; accommodating the disabled; determining wage law requirements; meeting the requirements of the Family and Medical Leave Act; management's rights and obligations under union laws and the OSHA; management's obligation to give leave to employees for military service and to reinstate them at the conclusion of that service; and management's obligation to verify with Department of Homeland Security and Social Security Administration that each new hire is legally eligible to work in the United States. In 2008, the SCCE had over 2,558 such meetings.

Also, the SCCE provides legal assistance to Senate offices to ensure that their employee handbooks and office policies, supervisors' manuals, intern policies, job descriptions, interviewing guidelines and performance evaluation forms comply with the law. In 2008, the SCCE prepared or significantly revised 204 employee handbooks, supervisors' manuals, and intern manuals for member offices.

Union Drives, Negotiations and Unfair Labor Practice Charges

In 2008, the SCCE trained managers and supervisors regarding their new legal and contractual obligations under union contracts that were ratified in 2007.

SCCE Web Site

Working with the Office of Web Technology, the SCCE designed and launched an SCCE Web site. The site informs Senate offices of their legal obligations under the CAA, provides Senate offices access to legal forms and documents, and alerts Senate offices of upcoming SCCE seminars. To assist the offices of new members, the SCCE, working with chiefs of staff and administrative directors, added a section to the site that provides legal advice, legal forms and practical information to new Senate offices to assist them in setting up their offices.

Environmental Concerns

In 2001, the SCCE became the first Senate office to convert to a "paperless" office, which greatly reduced paper usage by minimizing the need for copying documents and storing hard copies. The SCCE accomplished the conversion by installing a document management system and scanning all documents the office receives. In 2008, the SCCE began upgrading its systems to stay current with technological advances and to allow its staff to utilize the document management system and to access all office documents from COOP computers and BlackBerry devices.

CONSERVATION AND PRESERVATION

The Office of Conservation and Preservation develops and coordinates programs directly related to the conservation and preservation of Senate records and materials. Initiatives include the deacidification of paper and prints, phased conservation for books and documents, and completion of collection surveys, exhibits, and matting and framing for Senate leadership.

For more than 25 years this office has bound a copy of Washington's Farewell Address for the annual Washington's Farewell Address ceremony. In 2008, a volume was bound for Senator Mark L. Pryor who was selected to deliver the address before the Senate.

Senate Library

As mandated in the 1990 Senate Library Collection Condition Survey, the staff continued to conduct an annual treatment of books identified by the survey as needing conservation or repair. In 2008, the staff completed conservation treatments for 41 volumes of a 7,000 volume collection of House hearings. Specifically, treatment involved recasing each volume as required, using alkaline end sheets, replacing acidic tab sheets with alkaline paper, cleaning the cloth cases, and replacing black spine title labels of each volume as necessary. The Office of Conservation and Preservation will continue preservation of the remaining 3,653 volumes.

The office assisted the Senate Library with books sent to the Government Printing Office (GPO) for binding. The GPO has been returning books to the Senate Library on schedule. Additionally, the conservators assisted the Senate Library with two exhibits located in the Senate Russell building basement corridor.

Preservation

The Office of Conservation and Preservation staff rebound 166 volumes of House and Senate hearings for the Senate Library. These books were rebound with new end sheets and new covers using the old spines when possible.

Objectives for 2009

The Office of Conservation and Preservation staff continues to assist Senate offices with conservation and preservation of documents, books, and various other items. For example, the office staff continues to monitor the temperature and humidity in the Senate Library storage areas, including the vault and Senate Support Facility, for preservation and conservation purposes. Furthermore, staff will continue to train Senate Library staff in conservation and repair techniques.

CURATOR

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

Collections: Commissions, Acquisitions, and Management

A painting of Senator Thomas A. Daschle was presented in the Old Senate Chamber on April 22, 2008, as part of the Senate Leadership Portrait Collection. Additionally, work continued on the painting of Senator Trent Lott, and a portrait of Senator Bill Frist was commissioned.

Sixty-seven objects were accessioned into the Senate collection, including: an 1868 ticket to the Andrew Johnson Impeachment Trial; seven stereographs depicting interior views of the Capitol; six historic prints; nine Senate Chamber gallery passes; four tickets to either joint sessions or joint meetings of Congress; several study sketches related to the oil on canvas portrait of Senator Robert C. Byrd; and seven historic furnishings built for the Russell Senate Office Building.

Throughout the year, the office worked in close cooperation with the Sergeant at Arms's (SAA) Cabinet Shop to replicate one of the most historic pieces in the Senate collection: the 19th century Senate Chamber desk once occupied by Daniel Webster. The reproduction, requested for display in the Capitol Visitor Center (CVC) Exhibition Hall, afforded the Curator's Office a unique opportunity to create an exact replica using original 1819 construction and finishing techniques. The project was launched in February when design software was used to create drawings from exacting measurements taken of the desk on the Senate Chamber floor. During the construction, Senate Curatorial Advisory Board member Donald Williams gave presentations to the Cabinet Shop on historic practices of hide glue and shellac finish. Mr. Williams also provided invaluable expertise throughout the project and later returned to apply the finish to the desk himself, using traditional materials and techniques. Once it has properly cured, the replica will be displayed in the CVC Exhibition Hall. A short documentary film on the desk's construction will be developed by the Curator's Office.

Forty-four new foreign gifts were reported in 2008 to the Select Committee on Ethics and transferred to the Curator's Office. In accordance with statute, the Office of Senate Curator received the gifts for deposit on behalf of the Secretary of the Senate. They were catalogued and are maintained by the office in accordance with the Foreign Gifts and Decorations Act. Following established procedures, the office effected appropriate disposition of 36 foreign gifts.

The office conducted an extensive physical inventory of original Russell Senate Office Building furniture located in Senate spaces of the Capitol, Russell, Dirksen, Hart, and five other office buildings. The goal of the survey was to systematically document the number of remaining furnishings purchased (approximately 3,082 were made) for the Senate's first office building. The survey was conducted by a contract conservator, and the 1,133 pieces found during the survey were placed on the Historic Furnishings Inventory. Additionally, 38 Russell furnishings were identified in private collections, museums, and libraries.

During the summer, a professional photographer took pictures of various historic furniture, several small objects, and a portrait to be loaned to the CVC for exhibition.

Work continued on the two new curatorial spaces located in the CVC, which were designed to provide customized preservation storage for the Senate collection. Museum quality storage equipment was installed in the two rooms, as well as an electronic monitoring system that tracks and records temperature and relative humidity and checks for the presence of water. The Curator's staff worked with the Architect of the Capitol's (AOC) transition team to adjust the HVAC units in each room in order to maintain a consistent preservation environment. The units are functioning, and need to be fine-tuned.

In preparation for the collection move into the new CVC storage spaces, staff identified the Senate's collection of 1,400 historic prints as a first priority for archival re-housing. A storage system was developed and archival materials identified for implementing the new storage system. The historic prints will be moved once the CVC HVAC units have been properly adjusted and the environments are stable.

The office expanded its comprehensive maintenance program for collections and historic spaces to include a monthly inspection component, and initiated the distribution of "art cards" to provide staff with information on monitoring and reporting problems. Along with the established daily and weekly inspections, the monthly inspections and the "art cards" help to avert potential damage by monitoring conditions of Senate art and historic spaces and educating Senate staff on their care.

A detailed assessment of the Senate's historic timepieces was conducted by a clock conservator. Based upon the results, a two-part plan was developed to provide regular reports and related maintenance for the clocks and to address any condition identified as high priority. This work will proceed in 2009. Much valuable information was gained through the assessment, and training was provided to in-house staff to improve clock winding practices.

The discovery of mercury beads on one of the Senate's historic overmantel mirrors prompted the Curator's Office to undertake extensive research and develop treatment guidelines for mirrors with mercury amalgam glass. With the objective of preserving in place any mercury amalgam mirrors, the office outlined safe methods for identification, tracking, handling, prevention, and containment. The guidelines were reviewed by the AOC's Safety Office and conservators, and have been used successfully.

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

Conservation and Restoration

Conservation cleaning treatment was completed on the monumental sculpture, *Mountains and Clouds*, by Alexander Calder, located in the atrium of the Hart Senate Office Building. A facility cleaning company, under contract with the AOC, carried out the treatment, and a sculpture conservator hired by the Curator's Office supervised the treatment. Specialized equipment was used to access all surfaces of the nine story sculpture for cleaning. The Curator's Office worked with a National Gallery of Art designer to create new protective measures in the form of metal strips installed on the ground around the perimeter of the sculpture. These strips provide an unobtrusive boundary for visitors. In collaboration with the Superintendent of the Senate Office Buildings, an ongoing care and maintenance program for the piece is under development.

Conservation treatment continued for the painting, *Henry Clay in the U.S. Senate*, by Phineas Staunton. Due to the painting's size (11 feet by 7 feet, unframed) and many complicated condition problems, painstaking treatment procedures were necessary for both the painting and the frame. The results have been dramatic. As coordinated with the Senate Committee on Rules and Administration, the painting will be installed in the East Brumidi Stairwell in 2009. Lighting has been designed specifically for the stairwell, which will enhance viewers' appreciation of the painting.

An objects conservator was hired to evaluate the exhibition mounts and display conditions for seven Senate objects scheduled for display in the CVC Exhibition Hall. This step was taken to ensure the objects were safely displayed while on long-term loan.

During the Russell furniture survey, the Curator's Office identified a mahogany flat top desk, swivel arm chair, easy chair, davenport, side chair, and arm chair for conservation. The conservator is applying original refinishing and re-upholstery protocols for the pieces as developed by the manufacturer. Including the three chairs restored in 2003, the Senate will have preserved ten of the fourteen pieces made in 1909 for a Senator's suite. The restored furnishings will be preserved in the Senate collection and temporarily displayed in the Russell basement rotunda for the building's centennial anniversary from March 2009 through September 2009.

The office completed conservation treatment on five mirrors as part of the ongoing program to address the most critical conditions in the Senate mirror collection. Two were restored off-site, while the other three were treated on-site. The on-site treatments addressed localized damage, thus preventing further loss of original fabric. The frames restored off-site required comprehensive conservation: poor quality repairs and bronze powder paint were removed; losses were replaced; and the frames were cleaned, consolidated, and gilded. Additionally, the Curator's staff formally incorporated the mirrors into the maintenance program, and eight frames were cleaned on-site by staff. The office also worked with the AOC to investigate and address six cases of installation hardware issues.

The Curator's staff participated in training sessions for the Capitol Police regarding the care and protection of art in the Capitol, and continued to educate the housekeeping personnel on maintenance issues related to the fine and decorative art collections.

Historic Preservation

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

The staff worked with the Office of the Republican Whip to create and install the state seal for the incoming leader. The placement of the seal on the historic ceiling in S–210, filling framed spaces left blank by the ceiling's original artist, dates to 1987 and continues to be a responsibility of the Senate Curator.

The challenging Senate Reception Room restoration and rehabilitation project, developed by the Senate Curator and the Curator for the AOC, has successfully moved forward. A significant accomplishment was the completion of a paint analysis report. While some additional analysis and exposures will be necessary before specifications can be developed, the major work is completed. In addition to the paint analysis, the Curator's staff developed a project goal and preservation philosophy to apply to the elements in the room, and undertook a room and furniture use survey along with occupant interviews.

Historic Chambers

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

By order of the U.S. Capitol Police, the Old Senate Chamber was closed to visitors after September 11, 2001. Eighty-six requests were received from members of Congress requesting admittance to the chamber during the day; 62 requests were received from members for after-hours access. During seven Senate recesses the historic room was opened to Capitol Guide and staff-led tours.

During the fall of 2008, the Curator's staff conducted a survey of traffic flow in and around the Old Supreme Court Chamber. Data generated by this survey will assist the Curator in determining whether any changes to furniture or interpretive signs could help alleviate congestion in the area.

As a final, yet critical, component to the documentation of the Old Senate Chamber and Old Supreme Court Chamber, the Curator's staff supplemented detailed room drawings produced in 2007 with large-format photographs that meet the Secretary of the Interior and the Historic American Building Survey's standards. These photographs were accepted by the Historic American Building Survey for its collection and will be available online and at the Library of Congress. Together with the drawings, the photographs provide a baseline for planning and research and help facilitate interpretation, especially when public access is limited.

Electronic monitoring systems, similar to those in the curatorial storage spaces in the CVC, were installed in the Old Senate and Old Supreme Court Chambers. Because the rooms are open to the public for tours, it is more difficult to maintain stable environments. The new systems will document the temperature and humidity fluctuations in the rooms, which will allow the staff to better monitor the condition of historic objects in order to aid in their preservation.

Loans To and From the Collection

A total of 50 historic objects and paintings are currently on loan to the Curator's office on behalf of Senate leadership and officers in the Senate wing of the Capitol. The staff returned four loans, coordinated three new loans, and renewed loan agreements for 31 other objects. Over 30 loans are projected to be renewed next year, including coordination of the loan of the painting, eagle podium, and Lincoln table for use at the 2009 Presidential Inaugural Luncheon.

The official Senate chinaware was inventoried and used at 26 receptions for distinguished guests, both foreign and domestic.

Publications and Exhibitions

The Curator's staff continued to coordinate and participate in projects and planning for the 100th anniversary of the Richard B. Russell Senate Office Building, which opened its doors in March 1909. Work proceeded on the design and construction of a series of exhibition pylons to be placed in various locations in the Russell Building to educate members, staff, and visitors about the architecture and history of the building. Additionally, Curator's staff, Historical Office staff, and the Senate Webmaster developed a Web site highlighting some 250 photographic images of the building and selections from the graphic art collections of the Senate and the Library of Congress. Other centennial projects include a furniture exhibit in the Russell rotunda basement, and an accompanying brochure and poster.

Another Web site under construction will highlight the rediscovery, history, and conservation of the monumental painting, *Henry Clay in the U.S. Senate*, by Phineas Staunton. The site will include short video segments on the conservation effort. A 15-minute documentary on the painting will also be produced.

An exhibition on the history of presidential inaugurations, *I Do Solemnly Swear: A Half Century of Inaugural Images*, was designed and installed on the first floor of the Senate wing in celebration of the 2009 inaugural ceremonies. The exhibit features graphic art images from the Senate's collection of 19th century news magazine illustrations.

In continuing support of the training for staff-led tours, the office updated and expanded its presence on the congressional intranet that began with the 2007 posting of the online Guide to Staff-Led Tours. Working with the Senate Historical Office, AOC, and House Curator, the staff updated and restructured this site to provide concise up-to-date information for participants in the CVC's Congressional Historical Interpretive Training Program (CHIP).

As part of an ongoing program to provide more information about the Capitol and its spaces, the office completed the production and distribution of a brochure for the Democratic Leader's suite. In addition, all of the Commission on Art brochures were updated and added to the Senate.gov Web site. The Curator's staff continued to be a significant contributor to Unum, the Secretary of the Senate's newsletter.

Collaborations, Educational Programs, and Events

The Curator's Office assisted the National Archives with two small exhibits for display in the vault at the Center for Legislative Archives. In February, objects related to Isaac Bassett, a 64-year employee of the Senate, were on view. In December, objects from the Senate's inaugural collection were installed. Also this year, the staff installed 17 objects from the Senate collection in the new CVC exhibition space.

The Curator and staff assisted with numerous CVC-related projects throughout the year. At the request of the CVC oversight committees (the Committee on House Administration and the Committee on Senate Rules and Administration), the Curator worked closely with the House Curator and AOC Curator to review products and publications for the CVC gift shop. A total of 1,100 products were reviewed in a 3 month period. Additionally, the Curator and Associate Curator assisted with CHIP by attending planning meetings and developing a lecture to present to congressional staff at the 1-day and 2-day programs. The Curator's staff participated in ten programs in a 3 month period. The Curator continued to assist the AOC Curator and staff of the Joint Committee on the Library to finalize the plan for the National Statuary Hall statues in the CVC.

The staff worked closely with the staff of the Senate Gift Shop to develop a series of magnets, note cards, and other gifts commemorating the Russell centennial.

Other joint congressional projects included the following: planning and reviewing for the Rosa Parks statue; participating in the Slave Labor Task Force Working Group, which was assigned to develop an implementation plan for Congress's recommendations to honor slave labor in the Capitol; and assisting the Joint Congressional Committee on Inaugural Ceremonies with the 2009 inauguration. Joint projects with outside organizations included work with the Smithsonian Institution's Department of Entomology to research the insects depicted in the Brumidi Corridors.

The Senate Curator and staff gave lectures on the Senate's art and historical collections to various historical groups and art museums. The staff also assisted the Secretary with the Senate staff lecture/tour series.

Office Administration and Automation

The Curator's Office Records Task Force completed work on a master records disposition matrix and began its implementation. The new matrix allows for standardization and more consistent records collation. As part of the matrix, the Task Force created a fully-searchable digital record of each file in the office, as well as a protocol for project close-out procedures to ensure that each concluded project will generate a thorough and consistent set of records. The File Task Force also developed detailed document life-cycle and disposition recommendations for the most critical and fastest-growing record types.

The Curator's continuity of operations (COOP) plan was tested with an extensive in-house tabletop exercise conducted in August. The office was also asked to participate in the Secretary of the Senate's Living Data Recovery Planning System pilot COOP program, and two staff members participated in the initial trial run. Training on the full system was completed in the first quarter of 2009.

All objects stored in the Senate Curator's non-museum space at the Senate Support Facility were added to a new inventory system called Asset Management. Implementation of the system allows the Curator's staff to track all objects, confirm locations, and verify quantities.

All current loan agreements were digitized in portable document format and stored on flash drives for easy retrieval in the event of an emergency. A list of all working fireplaces was also completed. This information is now added to loan agreements in order to provide full disclosure on environmental conditions for lenders. The office's collection database was reviewed to assess the stability and efficiency of the system, and a plan was developed for updating and reorganizing specific information.

Based on periodic requests to reproduce the Senate Chamber desks for educational purposes, procedures were developed and implemented for approving all future requests. Since 1979, ten institutions have been granted permission to replicate Senate Chamber desks.

In conjunction with the staff of the Office of Web Technology, the staff continued work on implementing a major redesign of the Senate art Web site. Extensive redesign and programming has yielded a new site that, when launched in 2009, will provide visitors with more intuitive access to the Senate's art, historical collections, and online exhibits and publications. A major accomplishment of this initiative is the successful development of a new programming paradigm which facilitates the automatic generation of a wide variety of subject-related collection lists using information imported directly from the Curator's automated collections management database. This method ensures that all information displayed on the Web site is current and accurate, eliminates the redundancy of information, and safeguards against inaccuracies that might occur as a result of such redundancy. The first list completed is a comprehensive roster of all individuals depicted in every portrait and group portrait in the Senate collection, spanning the mediums of paintings, sculpture, and graphic art. Additionally, the graphic designs and textual elements of the new navigation interface pages have been completed and will be published in 2009.

Objectives for 2009

Now that the Curator storage rooms in the CVC are available, staff will work with representatives from the CVC, AOC, the Office of Senate Security and the SAA to establish and test the environmental, security, access, and fire suppression systems. Additional equipment and supplies needed to prepare collection objects for storage will be assembled, and plans for transferring objects to the new storage rooms will be finalized. Once all facility systems are operating as intended to provide secure preservation conditions for the collections, objects will be moved to the spaces. Highlights of the new storage include specialized racks for hanging paintings and custom cabinets for storing paper-based collections, such as historic prints and ephemera.

Conservation and preservation concerns continue to be a top priority. Following conservation priorities identified through a historic clock assessment, the Curator will seek proposals for treatment reports and related treatment of four clocks. In addition, an ongoing program will be developed to provide routine reports and related maintenance for the historic clock collection.

The office will move forward with critical mirror conservation priorities, pursuing both on-site and off-site projects that will treat at least two mirrors. In addition, the staff will continue to improve monitoring and maintenance of the mirrors. This work will include the placement of more identification signs on mantels, the installation of mantel clock cord clips, on-site cleaning by staff, and the establishment of a plinth program.

Following the completion of conservation treatment for the monumental painting, *Henry Clay in the U.S. Senate*, the painting will be installed in the East Brumidi stairwell. The office will work with a fine art services company to carry out this complicated installation in 2009.

Professional photography is scheduled for numerous objects in the Senate collection, including *Henry Clay in the U.S. Senate*, the restored Russell furniture, historic prints, and upcoming Senate leadership portraits.

Regarding historic preservation activities, the office will continue to confer with the AOC regarding preservation issues related to Senate restoration and remodeling projects, disseminate project information to the Senate, develop preservation projects at the request of the Senate, conduct condition inspections, and arrange necessary maintenance. The bulk of the office's project management will involve advancing the restoration and rehabilitation of the Senate Reception Room. Specific efforts to be addressed in 2009 include updating the advisory board on progress, studying the condition of the historic benches in the room, and initiating treatment of the Greek key borders on the walls.

The office will establish an ornamental fragment collection related to the documentation of architectural features and historic spaces. This new collecting initiative will acquire significant objects removed from the Capitol, as well as samples documenting the appearance of important rooms. These items will provide valuable information for the future about the architectural and decorative history of the Capitol.

The office will publish its redesign of the Senate art Web site in 2009. The new site will organize art works by subject, rather than by medium, as currently arranged. In addition to the reorganization, the newly launched site will include images from the Senate's graphic art collection.

A variety of new Web sites will be posted, including: information on the 2009 inaugural luncheon painting; a myth site addressing and dispelling frequently heard myths about Senate art and history; an extensive site illustrating the history and conservation of the Henry Clay painting by Phineas Staunton; and a site on the

Senate Leadership Portrait Collection, with specific information on the new portrait of Senator Trent Lott. The office will begin development of a historic spaces component to the Web site and highlight several special collections. Of particular note are the nearly 100 mirrors in the Senate's collection. Finally, the office will begin creating new artifact pages as part of a program to make the Senate's collection more publically accessible.

The Senate leadership portrait of Senator Trent Lott will be unveiled in 2009.

The office will install a comprehensive series of exhibit signs in the Hart Building Atrium to interpret Alexander Calder's *Mountains and Clouds*.

The staff will update its database to better document and store information on Senate objects. The office will also review collection data for consistency in preparation for the 2010 inventory publication.

The Curator's staff has completed the numerous projects for the March 2009 celebration of the Russell Senate Office Building centennial. Work included: installation of informational panels at various locations throughout the building; a publication and poster on the furniture; an exhibition showcasing nine restored original furnishings; an extensive Web site; various merchandise for sale at the Senate Gift Shop; and lectures and tours. In addition, the staff will continue investigating and documenting Russell furnishings located in other collections. The Curator hopes that the centennial celebration will bring a new awareness of these historic furnishings and result in the return of some of these "lost" pieces to the Senate.

EDUCATION AND TRAINING

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

Training Classes

The Joint Office of Education and Training offered 838 classes and events in 2008, drawing 11,366 participants. The registration desk staff handled over 25,000 e-mail and phone requests for training and documentation.

The Technical Training area conducted 270 classes with a total attendance of 1,074 students. An additional 707 staff received coaching in 247 sessions on various software packages and other computer-related issues. Professional Development held 381 classes with a total attendance of 3,795 students. The staff managed or assisted the staffs of the Employee Assistance Program, the Sergeant at Arms Office of Police Operations, Security and Emergency Preparedness, Disbursing Office, and the Senate Select Committee on Ethics with 157 training classes for 3,395 students.

The Joint Office of Education and Training works with teams on issues related to team performance, communication, and conflict resolution. During 2008, Professional Development fulfilled over 150 requests for special training and team building for 1,500 staff.

In the Health Promotion area, 2,865 staff participated in 25 health promotion activities throughout the year. These activities included lung function and kidney screenings, eight blood drives, the Health and Fitness Day, seminars on health-related topics, and the annual Senate Health Fair.

On an annual basis, the Joint Office of Education and Training provides a Senate Service Expo for Senate office staff. Thirty-five presenters from the offices of the Secretary of the Senate, the Sergeant at Arms, the Architect of the Capitol, the Capitol Police and the Library of Congress participated in this year's program.

State Training

Since most of the classes that are offered are only practical for staff based in Washington, DC, the Joint Office of Education and Training continues to offer the "State Training Fair," which began in March 2000. In 2008, two sessions of this program were attended by 79 state staff. In addition, 38 state administrative managers and directors attended the State Directors Forum, and 60 state staff participated in a Constituent Services Forum.

Education and Training has also implemented the "Virtual Classroom," an internet-based training library with more than 3,000 courses. To date, 412 state office and D.C. staff have registered and accessed a total of 1,300 different lessons and publications using this training option. Additionally, the office offered 37 video teleconferencing classes, which were attended by over 500 state staff. The Joint Office of Education and Training also provides 25 Senate-specific self-paced lessons which have been accessed by approximately 1,000 staff.

GIFT SHOP

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

The products available include a wide range of fine gift items, collectibles, and souvenirs created exclusively for the U.S. Senate. The services available include special ordering of personalized products and hard-to-find items, custom framing including red-lines and shadow boxes, gold embossing on leather, etching on glass and crystal, engraving on a variety of materials, and shipping nationally and abroad.

Facilities

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

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

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

Sales Activities

Sales recorded for fiscal year 2008 were $1,444,511.15. Cost of goods sold during this same period was $1,006,176.13, accounting for a gross profit on sales of $438,335.02.

In addition to tracking gross profit from sales, the Senate Gift Shop maintains a revolving fund and a record of inventory purchased for resale. As of October 1, 2008, the balance in the revolving fund was $2,549,720.48. The inventory purchased for resale was valued at $2,880,597.31.

Additional Activity

The Gift Shop performed major upgrades to both its back office and point of sale computer systems during the 2008 fiscal year.

Last year, Congress passed the Consumer Product Safety Improvement Act of 2008 (CPSIA). Additionally, in interpreting the law, the Consumer Product Safety Commission (CPSC) promulgated guidelines concerning the CPSIA's limits on lead and ban on phthalates in children's products, and certifications as required by law. The Gift Shop continues its vigilance of this important issue by maintaining its certification program in order to evaluate and monitor all products sold in its stores. This will continue to be a part of its regular business practice, especially as the Gift Shop considers the addition of new product lines.

Selected Accomplishments in fiscal year 2008

Official Congressional Holiday Ornaments

2008 marked the 15th year of the Congressional Holiday ornament. Each ornament in the 2006–2009 series of unique collectables depicts an image celebrating the day-to-day activities taking place on the Capitol grounds. The four images of the series are based on original oil paintings commissioned by the Gift Shop.

Sales of the 2008 holiday ornament exceeded 29,000 ornaments, of which more than 6,400 were personalized with engravings designed, proofed, and etched by Gift Shop staff. This highly successful effort was made possible by the combined efforts of the administrative, engraving, and store staffs. Additional sales of this ornament and ornaments from previous years are expected to continue for years to come.

Capitol Bookend

The Capitol Bronze Doors Bookend is a remarkably detailed recreation of the doors that were designed by Thomas Crawford and William H. Rinehart and cast as a single piece by James T. Ames in Chicopee, Massachusetts. The doors were installed in 1868. Marble recovered during the renovations to the east front of the Capitol was added to the building materials, making the piece truly unique.

Capitol Wooden Box

These new boxes were designed and created using the wood of trees felled from the Capitol complex during the construction of the Capitol Visitor Center. A selection of three different images, reproduced on porcelain stone tiles and inlayed into the lids of the boxes is available. Varieties of wooden pens were also created from the rescued trees and have been made available as a regular product in the store. Both the wooden boxes and the wooden pens include an insert card, printed on recycled paper and in a soy-based ink, describing the history of the recovered wood.

Projects Recently Produced/New Initiatives for 2009

Senate Photography Studio

In partnership with the Senate Photography Studio, the Gift Shop will offer prints of original photos taken by Senate photographers. These images will be made available for sale in the Gift Shop and be offered in several sizes and formats. Professional matting and framing will be available.

Senate Staff China

In late 2008 the Gift Shop received its first shipment of fine china designed for Senators and Senate staff. This product, manufactured by Pickard China, a manufacturer of fine china in Illinois, depicts a pattern based on a Brumidi ceiling fresco. The china pattern, “Brumidi Rinceau,” is available by special order and may be personalized with the staffer’s name or respective office on the reverse. Cups and saucers, dinner plates, salad plates and assorted serving pieces are available.

Wilton Armetale

As a complement to the Senate staff china, the Gift Shop has also designed and produced a collection of metal service pieces with Wilton Armetale Company of Columbia, Pennsylvania. The border design depicted on these pieces is “Brumidi Rinceau” and, as with the china, replicates the borders of a series of vignettes decorating the ceiling of the Capitol’s North Brumidi Corridor.

Senate Scarves

The Gift Shop has recently received new scarf designs depicting various elements of Constantino Brumidi art. The ceiling of the Lyndon Baines Johnson Room and other Brumidi corridor frescos are the inspiration for this product. The Echo Design Group of New York is providing the product.

United States Senate Shawls

Through an agreement with LR Paris Company in Washington, DC, the Gift Shop has produced shawls in red, charcoal, brown and tan. These shawls, a silk and wool blend, depict an artistic design element found in the encaustic Minton tiles located in the Capitol just outside the third floor entrance to the Senate gallery.

Senate Ties

New Senate ties have also been designed by LR Paris and are available for sale. This product contains design elements found within the Capitol and is produced in two styles and three color variations.

Musical Jewel Box

The Gift Shop, working with the Splendid Music Box Company of New York, has completed the development of a Senate music box. The box, which depicts a highly detailed image of the Capitol West Laylight, recently became available for sale in the store. The laylight was designed by the Philadelphia architect Thomas U. Walter and is located in the ceilings of both of the grand staircases.

Brumidi Stemware

Working with Evergreen Crystal Company of Montrose, Colorado, the Gift Shop developed and began selling a new style of crystal stemware. Each glass in this set of four wine glasses depicts a different bird taken from the frescoes in the Brumidi corridor.

Russell Centennial

The celebration of the Russell Building centennial in March 2009 presented the Gift Shop with an opportunity to work with the Office of the Senate Curator for the purpose of creating commemorative gift items appropriate for the occasion. The Gift Shop developed bookmarks, jewelry and note cards to complement the celebratory activities that took place.

HISTORICAL OFFICE

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

Editorial Projects

Pro Tem: Presidents Pro Tempore of the United States Senate since 1789

To honor the important role played by the Senate's president pro tempore (PPT) since 1789, the Historical Office published a 120-page history of the office and its occupants in early 2008. A biographical profile of each of the 87 individuals who have served in the office highlights their PPT service along with their non-Senate careers, includes commentary by contemporaries, historians, and biographers, and presents a photographic likeness of the individual. Divided into four chronological sections, the book includes contextual essays that explain the evolution of the office, its changing duties and responsibilities, its place in the line of presidential succession, and the unique role played by these leaders in Senate history.

United States Senate Chamber, 1859–2009

This 25-page richly illustrated booklet commemorates the 150th anniversary of the Senate Chamber. It highlights the Chamber's construction, physical features and furnishings, and some of the landmark events that have taken place there since 1859. Nearly 50 color and black and white photographs and illustrations chronicle the Chamber's history, from the first session held there during the 35th Congress to the official photograph of the 110th Congress. *United States Senate Chamber, 1859–2009* was made available to Senators on January 6, 2009, to mark the anniversary.

Russell Senate Office Building, The First Century

In preparation for the centennial of the Russell Senate Office Building's March 5, 1909, opening, the Historical Office produced a 32-page illustrated booklet highlighting the facility's design, construction, and subsequent evolution. The Historical Office assisted the Senate Curator, Architect of the Capitol, and Senate Library in planning exhibits and a companion Web site, Senate.gov/RSOB.

"States in the Senate"

In this collaborative project, which will be featured on Senate.gov, staff historians continued to research and write timelines and selected illustrative images for each of the 50 states, highlighting persons and events of the state's history that relate to the U.S. Senate. This online project has now entered the design stage. When complete, it will present an interactive timeline for each state, with links to relevant documentary and visual material. It is designed to inform Senators, staff, and constituents about their state's historical role in the Senate.

Administrative History of the Senate

Throughout 2008, the assistant historian continued to research and write this historical account of the Senate's administrative evolution. This study traces the development of the offices of the Secretary of the Senate and Sergeant at Arms, considers 19th and 20th century reform efforts that resulted in reorganization and professionalization of Senate staff, and looks at how the Senate's administrative structure has grown and diversified.

Joint Congressional Committee on Inaugural Ceremonies

In 2008, Historical Office staff assisted the Joint Congressional Committee on Inaugural Ceremonies (JCCIC) with developing the inaugural theme, and wrote and edited content for printed materials, including the platform program, luncheon program, and the commemorative edition of *Inaugural Addresses of the Presidents of the United States*. Historical Office staff researched precedents and compiled historical data on previous inaugurations in response to queries by the JCCIC, the media, and the general public.

Rules of the United States Senate, Since 1789

In 1980, Senate Parliamentarian Emeritus Floyd M. Riddick, at the direction of the Senate Committee on Rules and Administration, prepared a publication containing the eight codes of rules that the Senate adopted between 1789 and 1979. In the 1990s, the Senate Historical Office, in consultation with Dr. Riddick, developed a project to incorporate an important feature not contained in the 1980 publication. Beyond simply listing the eight codes of rules, *Rules of the United States Senate, Since 1789* is to show how—and why—the Senate's current rules have evolved from earlier versions. This work, to be completed during 2009, will contain eight narrative chapters outlining key debates and reasons for significant changes. Appendices will include the original text of all standing rules and, for the first time in one publication, all changes adopted between each codification.

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

Since publication of the 2005 print edition of *The Biographical Directory of the United States Congress*, the historians have added new biographical sketches and bibliographical citations that incorporate recent scholarship to the work's online database (http://bioguide.congress.gov). The assistant historian and historical writer work closely with the staff of the House Office of History and Preservation to maintain accuracy and consistency in the joint Senate-House database, and to promote this valuable resource among historians, teachers, students and the public. To enhance the online site, the Historical Office currently is selecting printed obituaries for 19th century Senators for inclusion in their online profile. Office staff collected and scanned images of more than 100 obituaries from historical newspaper databases and the Office's biographical files and will build on this collection in the coming year.

Oral History Program

The Historical Office conducts a series of oral history interviews to provide personal recollections of various Senate careers. Interviews were completed with Keith Kennedy, former staff director of the Senate Appropriations Committee, and with Mario D'Angelo, a Senate barber. Other interviews are ongoing with former Senators Charles McC. Mathias (R-MD) and Paul Laxalt (R-NV), Tim Profeta, former legislative assistant to Senator Joseph Lieberman (ID-CT) and Robert B. Dove, former parliamentarian. In addition, the office continued to seek and conduct interviews with current and former Senate spouses. It also expanded on its collection of interviews highlighting the role of women on Capitol Hill, completing interviews with Virginia Saunders, a congressional documents expert who has been employed at the Government Printing Office since 1945. The complete transcripts of 26 interviews conducted since the 1970s have been posted on Senate.gov. Each month, that site features a different oral history interview series, including digital audio clips along with the interview transcripts. Unum, the Secretary of the Senate's newsletter, has also begun a regular series entitled "Senate Voices," which includes excerpts from the oral histories.

Member Services

Members' Records Management and Disposition Assistance

The Senate archivist assisted members' offices with planning for the preservation of their permanently valuable records, emphasizing the importance of managing electronic records and transferring valuable records to a home state repository with a digital asset management system. Meetings continued with offices closing at the end of the 110th Congress. The archivist revised the *Handbook for Closing a Senator's Office* and the pamphlet, *Senators' Papers: Management and Preservation Guidelines*.

To enhance communication within the Senate regarding archival preservation, the archivist led brown-bag lunch discussions and contributed to a listserv that promotes archival training for staff, efficient records management, and historical records preservation. A video seminar was developed for Senate state offices. The Senate archivist continued to work with staff from all repositories receiving senatorial collections to ensure adequacy of documentation and the transfer of appropriate records with adequate finding aids. Advice on access restrictions also was provided. The archivist conducted a seminar on records management for Senate offices and participated in the Sergeant at Arms' Senate Services Fair.

Committee Records Management and Disposition Assistance

The Senate archivist provided each Senate committee with staff briefings, record surveys, guidance on preservation of information in electronic systems, and instructions for the transfer of permanently valuable records to the National Archives' Center for Legislative Archives. During the fall, the archivist met with representatives of nearly all committees to ascertain the status of their electronic archiving. The archivist distributed information on best practices for managing electronic records and encouraged committee chief clerks, systems administrators, and chief counsels to consider hiring professional archivists to focus on electronic archiving. As a result, several committees have hired, or are in the process of hiring, archival staff.

The Senate archivist oversaw the transfer to the National Archives of 729 accessions of Senate records and provided numerous training sessions to Senate interns tasked with archiving committee records. The archivist and assistant archivist responded to approximately 197 requests for loans of records back to committees, totaling nearly 1,000 boxes. The archivist worked with the Foreign Relations Committee to transfer classified transcripts to the National Archives. The archivist worked with the Senate Committee on Rules and Administration and the Senate Recording Studio to transfer televised recordings of committee hearings to the National Archives. The archival assistant continued to provide processing aid to committees and administrative offices in need of basic help with noncurrent files. A project continues to scan committee National Archives' transfer sheets dating from 1982 through 2004 into the OnBase document management system, which is supported by the Sergeant at Arms. To date, records of the Committees on Agriculture; Appropriations; Armed Services; Banking, Housing and Urban Affairs; Budget; Energy and Natural Resources; Environment and Public Works; Finance; Foreign Relations; Health, Education, Labor and Pensions; and Homeland Security and Governmental Affairs have been processed. This information is provided to the National Archives on electronic media, both as a security measure and to enhance future access as the records become open for research.

Educational Outreach

"Senate Historical Minutes"

The Senate historian continued a series of "Senate Historical Minutes," begun in 1997 at the request of the Senate Democratic Leader. In 2008, he prepared and delivered a "Senate Historical Minute" at 18 weekly Democratic Conference meetings. These 450 word "Minutes" enlighten members about significant events and personalities associated with the Senate's institutional development. More than 300 of them are available as a regularly expanded feature on Senate.gov ("Historical Minute Essays"). An illustrated compilation was published in 2006 as *200 Notable Days: Senate Stories, 1787–2002*.

Senate.gov

Much of the Historical Office's correspondence with the general public takes place through Senate.gov, which has become an indispensable source for information about this institution. Office staff maintain and frequently update the Web site with timely reference and historical information. In 2008, the office responded to more than 1,400 inquiries from the general public, the news media, students, family genealogists, congressional staffers, and academics, through the public e-mail address provided on the site. The diverse nature of their questions reflects varying levels of interest in Senate operations, institutional history, and former members. Research assistance provided by Historical Office staff was enhanced by the comprehensive scanning of the office's subject files into the OnBase document management system, allowing staff to search the full text of these files electronically. Staff provided seminars on the general history of the Senate, Senate committees, women Senators, Senate floor leadership, relations between the press and the Senate, and the U.S. Constitution. The historians also participated in Senate staff seminars and members' office retreats, and conducted dozens of briefings for specially scheduled groups.

Photographic Collections

The photo historian continued to ensure history-focused photographic coverage of the contemporary Senate by photographing every committee once each Congress, collecting formal photo portraits of new Senators, and capturing significant Senate events in cooperation with the Senate Photography Studio. The photo historian also enhanced the office's publications on Senate presidents pro tempore, the Russell Building's centennial, and the Senate Chamber's sesquicentennial by selecting images to illustrate the respective texts, working closely with the historical editor and the Government Printing Office to design and publish these three volumes. As a member of the Russell Building centennial planning committee, the photo historian helped create the official centennial logo and bookmarks, in addition to the centennial booklet, and worked closely with the National Archives staff to arrange for the scanning of a large collection of early 20th century historical photographs donated to the office, thus adding hundreds of rare images to the collection.

The photo historian assisted with several presidential inaugural projects, including the selection of images for the commemorative inaugural luncheon book. The photo historian also transferred more than 40,000 photographic negatives of Senators to their appropriate archival repositories. These negatives had been languishing at a Senate storage site for decades. With the assistance of the archival assistant, the photo historian arranged for the transfer of 63 historic Capitol Police record books to the National Archives.

The photo historian also maintained the office's continuity of operations (COOP) plan, updated the backup copies of the office's vital electronic records, and prepared the office's remote access test plan which will enable staff members to fulfill their vital functions from an off-site location.

Advisory Committee on the Records of Congress

This 11-member permanent committee, established in 1990 by Public Law 101–509, meets semiannually to advise the Senate, the House of Representatives, and the Archivist of the United States on the management and preservation of the records of Congress. Its membership representing the Senate includes the Secretary of the Senate, who chaired the panel during the 110th Congress; the Senate historian; and appointees of the secretary and the majority and minority leaders. The Historical Office provides support services for the advisory committee's regular meetings.

Capitol Visitor Center

Staff historians continued to provide information and guidance to Capitol Visitor Center staff on matters related to the educational component of the exhibition gallery. The historians participated in multiple planning sessions for a new training program for staff-led tours. Beginning in October, they have made regular presentations on the history of the Senate in both 2-day and 1-day training seminars for Senate staff and interns. They have also assisted in the training of visitor assistants who guide visitors through the Capitol and exhibition gallery.

HUMAN RESOURCES

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

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

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

Recruitment and Retention of Staff

Human Resources staff have the ongoing task of advertising new vacancies or positions, screening applicants, interviewing candidates, and assisting with all phases of the hiring process. Human Resources staff coordinate with the Sergeant at Arms (SAA) Human Resources Department to post all SAA and Secretary vacancies on the Senate intranet, Webster, so that the larger Senate community may access the posting from their own offices. In an effort to reach a larger and more diverse applicant pool, the department uses multiple posting forums to reach potential applicants for employment. As a result, the Human Resources Department processed more than 2,500 applications for vacancies in the Secretary's Office, including review of applications, coordinating scheduling of candidates for interview, sending out notices to both successful and unsuccessful candidates, and finalizing new hire paperwork.

Training

In conjunction with the Senate Chief Counsel for Employment, staff continues to develop and deliver training for department heads and staff. Training topics include sexual harassment, interviewing skills, Family Medical Leave Act administration, and an overview of the Congressional Accountability Act.

Interns and Fellows

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

Combined Federal Campaign

The office has again taken an active role in the Combined Federal Campaign (CFC) for the Senate community at-large. The office staff serve as co-directors of the program. The staff participates in kick-off meetings, identifies key workers in each office, and disseminates and collects necessary information and paperwork.

INFORMATION SYSTEMS

The staff of the Department of Information Systems provides technical hardware and software support for the Office of the Secretary of the Senate. Information Systems staff also interface closely with the application and network development groups within the Sergeant at Arms (SAA), the Government Printing Office (GPO), and outside vendors on technical issues and joint projects. The department provides computer-related support for all location area network (LAN) servers within the Office of the Secretary of the Senate. Information Systems staff provide direct application support for all software installed workstations, initiate and guide new technologies, and implement next generation hardware and software solutions.

Mission Evaluation

The primary mission of the Information Systems Department is to continue to provide the highest level of customer satisfaction and computer support for the Office of Secretary of the Senate. Emphasis is placed on creating and transferring legislative records to outside departments and agencies, fulfilling Disbursing Office financial responsibilities to the member offices, and complying with office mandated and statutory obligations.

Fiscal Year 2008 Technology Summary

—Successfully migrated all departments to the Senate-wide Active Directory/Messaging Architecture (ADMA) and upgraded Mail Server architecture in fiscal year 2008.
—Completed fifteen major Legislative Information System (LIS) software upgrades and installed LIS application software in the legislative clerk offices, Senate Library, alternate computing facility, and offsite staff laptop locations.
—Completed phase two of the Gift Shop and Stationery Room project, which involved updating all server and workstations for each department.
—Completed installation testing of Disbursing backup servers at the Alternate Computer Facility (ACF).
—Upgraded all handheld mobile device hardware (Blackberry) for essential staff. All staff now can use the devices as modems to access the Senate network if required.
—Completed installation of a development SharePoint Server for the Office of Senate Security allowing continuity of operations (COOP) related documents to be readily available through a web-based secure network connection.

—Participated and provided direct technical support for all COOP exercises in 2008. The most notable exercises included the National Level Exercise and Alternate Chamber Exercise in May 2008, and department pandemic testing exercises conducted in third and fourth quarters of 2008.
—Deployed the Government Printing Office public key infrastructure (PKI) software for successful transmission of the 2008 and 2009 White House budget. Information System staff "virtualized" the software installation for the deputy chief of staff avoiding the purchase of an additional workstation, thus allowing any workstation to accommodate the transfer of the digital certificate document.
—Reduced space and power consumption by updating printer operations in 19 departments with multi-functional scanner/copier/fax devices. Using all-in-one devices to perform multiple tasks reduces energy, hardware costs, and long term hardware support costs.
—Installed virtualized server architecture for the LIS Information Project Office.
—Augmented the Bill Clerk Amendment Tracking System (ATS) process to continue to process submitted amendments in the event that network scanning is not available. This ensures that submitted and proposed amendments continue to reach the ATS Web server site for Senate distribution.
—Purchased and installed server hardware and network configuration in support of the Senate Library taxonomy project.
—Relocated the departmental operations for the offices of Senate Security and Captioning Services from the Capitol building to the Capitol Visitor Center expansion space.
—Redesigned and enhanced the operation of member accountability application used during COOP exercises by implementing a virtualized desktop process to run the application. Standardized the application and provided to both Democratic and Republican Cloakroom staff. Added this process to ensure high availability by installing on an "always-on" secure hardware platform at the ACF.
—Finalized the Living Disaster Recovery Planning System (LDRPS) in fiscal year 2008. Initial user training began in February 2009.
—Upgraded workstation hardware and software operations in the Executive Office of the Secretary and the Office of Senate Security.
—Upgraded Microsoft Office Software applications, Adobe Acrobat software, and web browser operations in fifteen Secretary departments. Timeframe to complete legislative offices will coincide with updated SAA LIS application support in the second quarter of 2009.
—Initiated Parliamentarian indexing software project to migrate operation to a new hardware platform. End results will allow a virtualized environment to index precedent information without a specific laptop or personal computer hardware vendor requirement. Estimated completion is the second quarter of 2009.

In 2007, forty five e-mail security alerts were issued from the SAA Security Operations Center alerting Secretary staff of a possible virus or malicious code installed on their staff workstations. Information Services staff "clean" each compromised workstation. This process can take up to three hours to correct the possible problem. In 2008, this number was reduced by 50 percent.

—Upgraded to Microsoft Office 2007 Groove collaboration software in the offices of Information Systems, Senate Security, Senate Library, Web Technology, Historian, and the Executive office. This application continues to provide critical information to dispersed staff members who might be offsite or relocated out of the office. Streamlined application deployment by utilizing an improved web management console to install the application remotely.
—Update the People Trak database operation in the department of Human Resources to allow staff to enter time and attendance sheet records via the Secretary Intranet web portal. Project implementation to be determined by HR Director.

Ongoing and Future Projects

—Extend Member Status application support to both cloakroom staff during a COOP event
—In collaboration with the Office of Legislative Counsel, design a "Virtual Desktop Infrastructure" (VDI) allowing staff to access desktop applications in a secure manner. VDI reduces the cost in purchasing new computers, centralizes the software management in the ACF data center, provides a reduction in electricity costs, and provides fewer application compatibility problems associated with multiple applications.

INTERPARLIAMENTARY SERVICES

The Office of Interparliamentary Services (IPS) has completed its 27th year of operation as a department of the Secretary of the Senate. IPS is responsible for administrative, financial, and protocol functions for all interparliamentary conferences in which the Senate participates by statute, for interparliamentary conferences in which the Senate participates on an ad hoc basis, and for special delegations authorized by the Majority and Minority Leaders. The office also provides appropriate assistance as requested by other Senate delegations.

The statutory interparliamentary conferences are:

—NATO Parliamentary Assembly
—Mexico-United States Interparliamentary Group
—Canada-United States Interparliamentary Group
—British-American Interparliamentary Group
—United States-Russia Interparliamentary Group
—United States-China Interparliamentary Group
—United States-Japan Interparliamentary Group

In May, the 49th Annual Meeting of the Canada-U.S. Interparliamentary Group was held in New Mexico. In June, the first meeting of the United States-Japan Interparliamentary Group meeting was held in Washington, DC. In July, the United States-Russia Interparliamentary Group meeting was also held in Washington, DC. IPS staff handled arrangements for these successful events.

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

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

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

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

Planning is underway for the 48th Annual Meeting of the Mexico-U.S. Interparliamentary Group which will be held in the United States in 2009. Preparations are also underway for the 2009 British-American Parliamentary Group meeting and the spring and fall sessions of the NATO Parliamentary Assembly. IPS will also undertake advance work, including site inspection, for the Canada-U.S. Interparliamentary Group conference to be held in the United States in 2010.

LEGISLATIVE INFORMATION SYSTEM (LIS) PROJECT

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

Background: LISAP

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

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

LISAP: 2008

Early in 2008, the Senate and House deployed a module developed by the Government Printing Office (GPO) for creating, editing, and printing tables in an XML document. This new table tool improves the process and provides another module that is common to LEXA and the House application.

Also in the first quarter of 2008, Senate, House, and GPO software developers each upgraded their respective installations of the Microsoft.Net framework. This upgrade allowed GPO to substantially decrease the time it takes to compose large documents for printing. The printing component is developed and maintained by GPO and is common to both the Senate and House applications.

Throughout 2008 the SLC used LEXA to create 99 percent of measures drafted. The SLC provided valuable feedback on new features and required fixes to the software. The Senate Enrolling Clerks also used LEXA for the bulk of their production of engrossed bills and amendments and enrolled measures.

The production staff of the Appropriations Committee used LEXA to convert XML documents to locator when needed, and provided their requirements regarding using LEXA to draft appropriations committee prints and bills in XML. The production staff will begin using LEXA in 2009 to prepare the bills for fiscal year 2010. The LIS Project Office participated in meetings with the House, GPO, Appropriations, and the Office of Management and Budget to work toward exchanging and round-tripping, or transferring back and forth, XML data among the various entities.

Support for LEXA users remains an important concern. The LIS Project Office provides support for LEXA through the LEXA HelpLine and LEXA Web site. The Web site (http://legbranch.senate.gov/lis/lexa) is also used to distribute updates of the application to GPO and provide access to release notes, the reference manual, and other user aids. The 2004 legislative branch appropriations act directed GPO to provide support for LEXA much as they have for XyWrite. GPO continues to work toward augmenting the support provided by the LIS Project Office.

GPO maintains and supports the printing and table tool software, and they also develop and maintain the stylesheet that is used on LIS (http://www.congress.gov) and Thomas (http://thomas.loc.gov) to display the XML bills. The LIS Project Office worked with the House and GPO in 2008 to resolve any remaining XML tagging issues and HTML display issues so that the XML versions of Senate measures will be made available on LIS and Thomas starting with the 111th Congress. The HTML version produced from the XML data more closely resembles the printed document. This improved HTML format will eventually replace the HTML version currently available on the Web.

LISAP: 2009

The LIS Project Office will continue to work with the SLC and the Enrolling Clerk to refine and enhance LEXA so that all of the legislative measures produced by those offices will be done in XML. The office will also support the Appropriations Committee production staff as they begin producing appropriations bills in XML. The LIS Project staff will monitor the use of the tagging structures created for appropriations language to determine if they provide a sufficiently complete description so that appropriations bills can be created as XML documents. XML tags and LEXA functions will be added as needed to create the appropriations bills using LEXA. The LIS Project Office will also continue to participate in the project to exchange and round-trip budget and appropriations data in XML.

The LIS Project Office will continue to work with the House, GPO, and the Library of Congress on projects and issues that impact the legislative process and data standards for exchange. These groups are currently participating in two projects with GPO—one to define requirements for replacing the Microcomp composition software and another to improve the content submission and exchange processes. Both the Senate and House will need to test and implement Vista-compatible versions of the XML applications.

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

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

LIBRARY

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

The year 2008 brought much change to the Senate Library, with the retirement in February of the prior Senate Librarian, Greg Harness, and the arrival of Mary Cornaby, the first woman to serve as Senate Librarian, in April. Other changes included adoption of a new audio books program to help meet the needs of visually challenged patrons, increased statistical benchmarking, and increased focus on instruction and outreach. The Library's expanded use of Web technology, online resources, and electronic mail requests continues to meet the Senate's increasing demand for information.

Notable Achievements

Rollout of the new version of the Webster intranet in October 2008 included extensive Library staff participation on taxonomy, indices, and content development, improving Web information delivery, functionality, and stability.

The Senate Library increased its service statistics this year, serving every Senator's office and all Senate committees. The Library showed a 69 percent increase in the number of requests handled, including Web-based inquiries, from 2007.

Focus on new and more frequent Library instructional classes resulted in a 23 percent increase in Library instructional offerings in 2008.

The new audio books program, which assists in serving patrons with diverse needs, proved wildly successful at bringing Senators and staff into the Library. All titles are checked out, and many have a waiting list.

Partially as a result of the success of the audio books program, 2008 saw a 73 percent increase in online book requests.

An effective book stack rearrangement program will delay the need for new book stack space in the Russell Building for 10 years.

An emphasis on careful negotiation or renegotiation of vendor contracts and purchases has already saved over $352,000 in database expenses over the next 4 years.

An effort to register new library users included a 37 percent increase in staff accounts, a 560 percent increase in intern accounts, and a 155 percent increase in Senate page accounts.

Senate Library Inquiries, Online Book Requests, and Patron Accounts

The rise in electronic requests for materials, the availability of new and enhanced electronic database offerings, and the expanded availability of resources on the Web, combined with efficient content management, have all increased Library inquiries dramatically. Prior to the availability of Web-based information, Library inquiries totaled 46,368. Inquiries for 2008 totaled approximately 2.5 million.

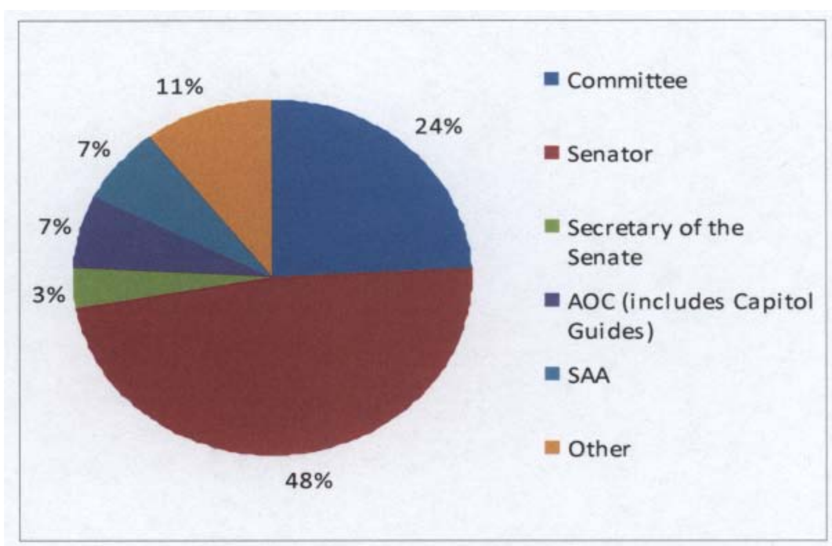
SENATE LIBRARY INQUIRIES

Year	Traditional	Web			Total	Increase From Prior Year (in percent)
		Webster	LIS	Senate.gov		
2008	27,283	37,940	29,468	2,429,380	2,524,071	+69
2007	26,309	31,065	32,121	1,392,947	1,491,442	−8
2006	31,032	15,478	20,156	1,561,138	1,627,804	+90
2005	33,080	13,713	26,775	782,588	856,156	+35
2004	33,750	(1)	20,749	581,487	635,986	+61
2003	46,234	(1)	18,871	329,327	394,432	[2] +751
2002	40,359	(1)	6,009	(1)	46,368	(3)

[1] NA.
[2] Web inquiry statistics, first available in 2003, increased the total from the previous year by 751 percent.
[3] Baseline.

A 73 percent increase in online book requests for 2008 can be attributed not only to the successful advertising campaign for audio books, but also to the direct link between titles in the new books list and the catalog record containing the link to the online request form.

Of the 1,432 library patrons currently registered to borrow materials, the breakdown by entity is as follows:



In 2008, a drive to create library and computer accounts for interns, working through office managers as the responsible party, combined with high visibility of the new audio books program, resulted in higher public recognition of the Library, expansion of its client base, and direct contact with all committee and Senators' offices. The result was a 560 percent increase in intern accounts, and a 37 percent increase in staff accounts. Efforts to assist Senate Page School teachers with tours, a reserve collection, and reference assistance resulted in a 155 percent increase in page account registrations.

Senate Knowledge Base

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

Webster Modernization

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

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

Usage statistics for the five taxonomy-based indexes total 276,129 for 3 months, indicating that this new resource is well-used by staff.

WEBSTER TAXONOMY USAGE STATISTICS, OCT–DEC 2008

Taxonomy	Usage
Services	81,376
Leadership	27,896
Legislative	55,655
News & Research	55,574
About the Senate	55,628
Total Taxonomy Usage	276,129

The improved Webster-enterprise search functionality is popular with staff; there have been 30,114 searches since the redesign launched. Library staff help improve search results by analyzing monthly statistics and matching popular search terms with pages. During the new site's first 3 months, 315 "keymatches" were established. To date, 845 document records and 1,120 term records in the Senate knowledge base are supporting the Webster search and taxonomy projects

Floor Schedule

Repurposing of authoritative, standardized and timely Senate floor schedule data expanded this year, helping to make Senate operations more efficient. Floor schedule information is the key component of the new Senate intranet and is being used to keep Capitol Visitor Center information kiosks up-to-date. Plans to distribute floor schedule data in a format that can be displayed on Senate BlackBerry devices are in the exploration phase. Floor schedule data are published in XML by the Library after each Senate meeting adjourns.

Senate Library Webster Site

Management of the Senate Library Webster site was transitioned to a content management system (CMS) in December, significantly improving efficiencies in publishing and editing timely information for Senate staff. CMS-published data can also be repurposed for Senate.gov, further economizing staff time and labor. The Senate Library site on Webster is a research service and information portal for Senate staff. The Library's site design team began redesign of the user interface of the site in December and is expected to finish in 2009. The team continues to identify technology tools that will make delivery services and information to Senate staff more timely and efficient.

Senator Biography Database

The Senate knowledge base currently contains biographical data records for the more than 1,900 people who have served as Senators. Increased uploading of data records and a refinement/redesign of the knowledge base for this purpose will continue in 2009.

Instruction and Professional Outreach

In order to target the needs of Senate staff, the Library now offers two new classes in addition to a renamed class (Beyond Google). Increasing the number of sessions taught allowed the librarians to teach to smaller groups, increasing interaction and retention.

SENATE LIBRARY CLASSES

Subject	Students	Classes
Insider's Guide to Webster	10	5
LIS Savvy	190	32
Research Tips and Tricks	103	15
Beyond Google	20	4
Services of the Senate Library and Got Questions Tours	459	20
Totals	782	76

The number of classes taught and the number of sessions taught rose; specifically, there was a 23 percent increase in 2008 in Library educational offerings and a slight increase (2 percent) in Senate staff trained in 2008.

SENATE LIBRARY CLASSES BY CALENDAR YEAR

Year	Attendees Total	Increase From Prior Year (in percent)	Classes Total	Increase From Prior Year (in percent)
2008	782	2	79	23
2007	770	49	64	7
2006	518	25	60	114
2005	416	([1])	28	([1])

[1] Baseline.

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

Collection Development

Audio Books Program

The Library's Acquisitions Committee and the Technical Services Department worked collaboratively to create and maintain a new service to the Senate Community in the Library's adoption of an audio books lending program. Designed to assist users with diverse needs, including those who may be visually challenged, as well as to draw patrons into the library, the program proved popular in its first year. Of the 55 titles acquired in 2008, most were checked out multiple times, with audio book titles accounting for 50 percent of the holds on the wait list, even though they account for less than one percent of the collection.

New Digital Resources

The Library provides a number of digital resources to the Senate. In an effort to reduce purchase and subscription costs, the Library acquired, with considerable negotiation, the U.S. Congressional Retrospective Hearings from Lexis-Nexis and the Gale Nineteenth Century Newspapers database. The Library also negotiated a reduced price subscription to the Oxford English Dictionary, for a total savings of $352,000 over the next 4 years. These resources provide staff with desktop access to two centuries of important legislative documents. In addition, the Gale e-book Countries of the World and, after many committee staff requests, the journal Health Affairs, are also available to the Senate community.

Expansion of Special Collections

Summer interns reviewed and collated all versions of every House and Senate bill and resolution from the 109th Congress. The project resulted in the addition of 188 new bill volumes to the collection and identification and mounting of missing full-text documents on GPO Access for use in LIS and Thomas.

As a participant in the Government Printing Office's (GPO) Federal Depository Library Program (FDLP), the Library receives selected categories of legislative, executive, and judicial branch publications. The Library received 11,231 government publications in 2008, the majority of which were received through the FDLP. In response to the trend of issuing government documents in electronic format, 3,184 links were added to the library catalog, bringing the total to more than 25,976. The links provide Senate staff with desktop access to the full-text of each document.

Library staff scanned and created archival print and digital copies of Senate Rules for the years 1820, 1849, 1877, 1882, and 1890. These were cataloged and bound for the Library's permanent collection with links to the digital copies.

ACQUISITIONS

Category	Total
Congressional Documents	8,234
Executive Branch Publications	2,997
Books	901
Electronic Links	3,184
Total Acquisitions	15,316

Cataloging

The Library's cataloging staff draws on years of experience to produce and maintain a catalog of more than 200,000 bibliographic items. During 2008, 7,596 new titles were added to the catalog, a 14 percent increase in cataloging over the prior year. The catalog is updated nightly to ensure that Senate staff will retrieve accurate and current information on Library holdings. The addition of book jacket images for the new titles enhanced visual appeal and utility.

A project to review nomination hearings from the 103rd–105th Congress in order to enhance existing catalog records with the addition of name subject headings for all nominees was completed.

Catalogers created 633 bibliographic records for Senate hearings not yet printed from information in the Congressional Record Daily Digest and the combined hearings schedule on Webster. These records remain in the catalog until the printed hearing is received and cataloged.

General topical retrieval for the audio book collection was enhanced with the addition of genre headings, including biographical fiction, legal stories, historical fiction, mystery fiction, political fiction, and war stories. These headings were also retrospectively applied to catalog records for titles in the print fiction collection.

Catalogers also completed a project to improve the information organization, access, and retrieval of library material regarding the offices under the Secretary of the Senate and the Sergeant at Arms. Catalogers created and implemented specific classification schemes based upon Library of Congress (LC) classification schedules, creating specific classification numbers for each of the distinct offices. The need for greater specificity in classification reflects the depth of the library's collection, which was unanticipated by LC classification.

Library Automation

Support was provided to the Senate knowledge base project by working with the Secretary of the Senate Information Systems office to configure and install a server for the software underlying the knowledge base. The Library's Head of Technical Services worked with the system vendor and the Office of Web Technology to install and test the database server, update database files, edit Web files, and test the data transfer function to the content management system and Webster.

The Library assumed management of a proxy server to manage computer accounts for the library patron computer workstations from the Secretary of the Senate Office of Information Systems. Local management of the accounts allows the Library to maintain the information more efficiently.

Preservation, Binding and Collection Maintenance

Technical Services staff and summer interns boxed a large portion of the library's books collection for transfer to the Library's space at the Senate Support Facility (SSF), as well as reshelving material in climate-controlled storage. Once additional shifting is completed, this effort will yield 10 years of growth storage space in the Russell Building book stacks.

Discovery of a mold bloom in the Library's book stacks, a flood from a malfunctioning HVAC pump, and two substantial leaks from overhead plumbing all highlighted the vulnerability of the Library's collections in the Russell Building. The Technical Services staff and the AOC provided a quick response in working together to balance existing environmental monitoring systems. The AOC also made modifications to the HVAC system to regulate temperature and relative humidity in the book stacks.

Technical Services staff continued to participate in book repair training sessions led by the Director of the Office of Conservation and Preservation. Trainees repaired 153 historic volumes, an increase of 425 percent from 2007, making significant progress in the preservation of the Library's bound book collection.

An archival flat file map storage cabinet was purchased for installation at the SSF. As a result, for the first time, the Library can preserve and store properly flat maps from the United States Congressional Serial Set.

Budget

In addition to the substantial savings in the purchasing of new databases, budget savings from cancellation of subscriptions in 2008 totaled $4,225; and, after 11 years of budget monitoring, the amount of total savings is $81,076.86. This continual review of purchases eliminates materials that do not meet the Senate's current information needs. This oversight is also critical in offsetting cost increases for core materials and in acquiring new materials.

Special Projects

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

Unum, the Secretary's quarterly newsletter, has been produced by Senate Library staff since October 1997. It serves as an historical record of accomplishments, events, and personnel in the Office of the Secretary of the Senate. The newsletter is distributed throughout the Senate, and to former staff and Senators. Highlights from the 2008 Unum issues include articles on the greening of Secretary's offices and emergency preparedness; new online resources such as the Chicago Manual of Style and the revamped Webster Web site; new publications produced by Secretary offices, such as the President Pro Tem book by the Historical Office; annotated bibliographies of books and audio books in the Senate Library; leadership portrait unveilings; and reaccreditation of the Page School.

Exhibitions

In November 2008, the Library created an imaginative display on presidential campaigns, including books, campaign buttons from past presidential campaigns, and a multimedia PowerPoint presentation of photographs, drawings, and new articles from past campaigns.

National Library Week

The National Library Week events were well-attended, with 205 people attending the opening dessert reception, nearly doubling the prior year's participation. The talk by James L. Swanson on his book, *Manhunt*, drew 125 attendees, the largest group ever.

Cooperative Projects

Library staff completed a pilot project to enter House and Senate report titles for the 110th Congress into the Library of Congress's LIS system. This project, begun in July 2008 at the request of LIS staff, contributed 361 report titles to the database. This project will be continued for the 111th Congress.

Working in cooperation with the Senate Historical Office and the Curator's office, Library staff digitized 221 Senate seating charts to enhance historical information about the Senate chamber on Senate.gov, the Senate's public Web site.

Library staff worked with LIS staff to test modifications to the data management system (DMS) for the entry of multi-part hearing numbers. The update was intended to standardize the treatment of part numbers and to provide better automated URL link matching.

In 2008, Library staff made significant contributions to the celebration planned for the Russell Building Centennial in 2009. Work has been completed in logo design and bookmark design, and significant progress has been made on the Library's four display cases. Informational displays are planned to highlight the Caucus Room, the Russell building's architectural features, a historical chronology of events that have taken place in the building, and a look back at office life in the oldest Senate Office Building. There was also a special issue of Unum to celebrate the Russell Building's centennial.

On a weekly basis, hearing URL data from the Library catalog is exported in order to provide LIS and Thomas with full-text links to Senate hearings for the 110th Congress. The Senate Library contributed 428 new Senate hearing links to the LIS database during 2008.

The Library's head of Technical Services worked with Joint Committee on Taxation staff on a small pilot project to supply bibliographic records for a set of committee documents submitted for scanning at the Federal Scanning Center at the Library of Congress. The scanning center will extract the data needed to enhance retrieval of the scanned documents on its public digital archive site.

Major Library Goals for 2009

Completing the Library's contribution to Webster other than maintenance contributions; enlarging the data store and bringing the Senators' biography portion of the Senate knowledge base to a wider Senate audience; and upgrading the Senate Library Webster page.

Assuming co-direction of the Senate Information Services Program in preparation for transition to full direction at the end of 2010.

Developing online courses and research and reference guides for Senators' state office staff.

Offering a program of in-house training courses for library staff.

Outreach to all new senators and their staffs in 2009.

SENATE LIBRARY ACQUISITIONS FOR CALENDAR YEAR 2008

	Books		Government Documents		Congressional Publications				Total
	Ordered	Received	Paper	Fiche	Hearings	Prints	Bylaw	Reports/ Docs	
January	25	51	150	68	298	18	62	304	951
February	10	57	217	33	375	14	89	420	1,205
March	29	84	197	77	289	11	102	309	1,069
1st Quarter	64	192	564	178	962	43	253	1,033	3,225
April	27	56	199	62	306	13	79	322	1,037
May	16	56	158	74	267	15	68	391	1,029
June	36	99	141	58	280	12	56	370	1,016
2nd Quarter	79	211	498	194	853	40	203	1,083	3,082
July	17	50	168	89	309	12	66	337	1,031
August	22	56	178	69	287	11	82	367	1,050
September	101	66	116	11	286	4	85	265	833
3rd Quarter	140	172	462	169	882	27	233	969	2,914
October	21	91	161	93	433	7	53	336	1,174
November	23	115	128	99	263	3	41	83	732
December	4	120	387	64	238	9	46	141	1,005
4th Quarter	48	326	676	256	934	19	140	560	2,911
2008 Total	331	901	2,200	797	3,631	129	829	3,645	12,132
2007 Total	306	822	2,734	1,433	9,396	576	967	3,797	19,725
Percent Change	+8.17	+9.61	−19.53	−44.38	−61.36	−77.60	−14.27	−4.00	−38.49

SENATE LIBRARY CATALOGING STATISTICS FOR CALENDAR YEAR 2008

	S. Hearing Numbers Added to LIS	Report Titles Added to LIS	Bibliographic Records Cataloged								Total Records Cataloged
			Books		Government Documents			Congressional Publications			
			Paper	Audio/E-Books	Paper	Fiche	Electronic	Hearings	Prints	Docs./Pubs./Reports	
January	30	....	20	....	7	1	14	439	1	10	492
February	79	....	30	3	16	....	24	489	....	7	569
March	30	....	26	....	20	6	15	405	2	11	485
1st Quarter	139	....	76	3	43	7	53	1,333	3	28	1,546
April	3	....	97	2	29	....	17	666	4	2	817
May	3	....	26	....	16	....	9	611	12	16	690
June	43	....	22	1	2	....	19	488	14	8	554
2nd Quarter	49	....	145	3	47	....	45	1,765	30	26	2,061
July	9	57	20	1	8	....	24	677	7	8	745
August	15	84	34	18	13	....	20	468	4	8	565
September	22	79	31	11	16	2	7	604	4	44	719
3rd Quarter	46	220	85	30	37	2	51	1,749	15	60	2,029
October	12	119	48	26	4	3	24	497	2	40	644
November	5	....	123	1	15	2	9	464	5	....	619
December	20	22	114	1	9	....	32	524	1	16	697
4th Quarter	37	141	285	28	28	5	65	1,485	8	56	1,960
2008 Total	271	361	591	64	155	14	214	6,332	56	170	7,596
2007 Total	687	....	451	....	84	57	267	5,580	74	136	6,649
Percent Change	−60.55	....	+31.04	....	+84.52	−75.44	−19.85	+13.48	−24.32	+25.00	+14.24

SENATE LIBRARY DOCUMENT DELIVERY FOR CALENDAR YEAR 2008

	Volumes Loaned	Materials Delivered	Facsimiles	Micro-graphics Center Pages Printed	Photocopiers Pages Print-ed
January	167	289	22	256	5,969
February	333	335	31	810	7,209
March	378	371	32	246	7,665
1st Quarter	878	995	85	1,312	20,843
April	518	445	24	417	5,873
May	309	260	27	315	8,048
June	303	291	27	49	8,362
2nd Quarter	1,130	996	78	781	22,283
July	308	294	30	301	22,415
August	322	208	....	58	5,900
September	466	175	9	117	9,517
3rd Quarter	1,096	677	39	476	37,832
October	463	260	18	610	9,941
November	411	232	21	130	4,667
December	359	245	17	204	4,700
4th Quarter	1,233	737	56	944	19,308
2008 Total	4,337	3,405	258	3,513	100,266
2007 Total	2,547	3,319	416	2,926	101,533
Percent Change	+70.28	+2.59	−37.98	+20.06	−1.25

PAGE SCHOOL

The United States Senate Page School provides students with an academically and experientially sound program, within the limits of the constraints imposed by their work for the Senate, during their stay in the nation's capital. The Page School also strives to provide a smooth transition from and to the students' home schools,

Summary of Accomplishments

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

Two page classes successfully completed their semester curriculum. Closing ceremonies were conducted on June 6, 2008, and January 23, 2009, the last day of school for each semester.

Orientation and course scheduling for the Spring 2008 and Fall 2008 pages were successfully completed. The semester schedules were determined by the needs of incoming students.

Each semester, faculty administered an English Usage pre- and post-test to students and reviewed the results to determine what usage instruction or remediation was needed.

Faculty and staff provided extended educational experiences to pages, including twenty-four field trips, seven guest speakers, opportunities to play musical instruments and vocalize, and foreign language study with the aid of tutors. As an extension of the page experience, eight field trips to educational sites were provided for summer pages. National tests were administered for qualification in scholarship programs as well.

The community service project embraced by pages and staff in 2002 continues. Students, staff and faculty collected items for gift packages, which were assembled and shipped to military personnel in Afghanistan and Iraq. Pages included letters of support for the troops.

Historical Power Point Presentations from Colonization to Present was purchased for use in U.S. History classes.

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

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

In May 2008, 16 Senate pages took Advanced Placement tests in 7 subjects. There were 27 pages in the Spring 2008 page class.

Summary of Plans

Goals include:

—Teachers will continue to offer individualized small group instruction and tutoring on an as-needed basis.
—Foreign language tutors will provide assistance to students.
—The focus of field trips will be sites of historic, political, and scientific importance which complement the curriculum.
—An English Usage pre- and post-test will be administered to students each semester to assist faculty in determining needs of students for usage instruction.
—Staff development options include attendance at seminars conducted by Education and Training and subject matter and/or educational issue conferences conducted by national organizations.
—The community service project will continue.

PRINTING AND DOCUMENT SERVICES

The Office of Printing and Document Services (OPDS) serves as liaison to the Government Printing Office (GPO) for the Senate's official printing, ensuring that all Senate printing is in compliance with Title 44, Chapter 7 (Congressional Printing and Binding) of the U.S. Code as it relates to Senate documents, hearings, committee prints and other official publications. The office assists the Senate by coordinating, scheduling, delivering and preparing Senate legislation, hearings, documents, committee prints and miscellaneous publications for printing, and provides printed copies of all legislation and public laws to the Senate and the public. In addition, the office assigns publication numbers to all hearings, committee prints, documents and other publications; orders all blank paper, envelopes and letterhead for the Senate; and prepares page counts of all Senate hearings in order to compensate commercial reporting companies for the preparation of hearings.

Printing Services

During fiscal year 2008, OPDS prepared 3,970 requisitions authorizing GPO to print and bind the Senate's work, exclusive of legislation and the Congressional Record. Because the requisitioning done by OPDS is central to the Senate's printing, the office is uniquely suited to perform invoice and bid-reviewing responsibilities for Senate printing. As a result of this office's cost accounting duties, OPDS is able to review and ensure accurate GPO invoicing, as well as play an active role in helping to provide the best possible bidding scenario for Senate publications.

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

—Semi-Annual Report of the Secretary of the Senate
—Tributes to Retiring Senators
—U.S. Senate Leadership Portrait Collection brochure
—U.S. Senate Foreign Relations Committee brochure
—U.S. Senate Appropriations Committee brochure
—U.S. Senate Republican Leader's and Democratic Leader's Suite brochures
—Senate Chamber 150th Anniversary brochure
—Russell Building Centennial and building furniture brochures
—Senate Sergeant at Arms and Doorkeeper brochures
—Capitol Visitor Center tour tickets and informational brochures
—2009 Inaugural Ceremony materials

Hearing Billing Verification

Senate committees often use outside reporting companies to transcribe their hearings, both in-house and in the field. OPDS processes billing verifications for these transcription services, ensuring that costs billed to the Senate are accurate. OPDS utilizes a program developed in conjunction with the Sergeant at Arms Computer

Division that provides improved billing accuracy and greater information gathering capacity, adhering to the guidelines established by the Senate Committee on Rules and Administration for commercial reporting companies to bill the Senate for transcription services. During 2008, OPDS provided commercial reporting companies and corresponding Senate committees a total of 855 billing verifications of Senate hearings and business meetings. Over 63,000 transcribed pages were processed at a total billing cost of $408,467.

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

The office continued to process all file transfers and billing verifications among committees and report companies electronically, which ensures efficiency and accuracy. Department staff continues to train in today's expanding digital technology in order to improve performance and services.

Secretary of the Senate Service Center

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

Document Services

The Document Services Section coordinates requests for printed legislation and miscellaneous publications with other departments within the Secretary's office, Senate committees, and GPO. This section ensures that the most current version of all material is available, and that sufficient quantities are available to meet projected demands. The Congressional Record is one of the many printed documents provided by the office on a daily basis. Additionally, the office processed and distributed 7,450 distinct legislative items during the second session of the 110th Congress, including Senate and House bills, resolutions, committee and conference reports, executive documents, and public laws.

The demand for online access to legislative information continues to be strong. Before Senate legislation can be posted online, it must be received in the Senate through OPDS. An improved database allows the office to report the receipt of all legislative bills and resolutions received in the Senate. These bills and resolutions are then made available on Web sites such as the Legislative Information System (LIS) and Thomas, which are used by Congressional staff and the public.

Customer Service

The primary responsibility of OPDS is to provide services to the Senate. During 2008, more than 15,000 requests for legislative material were received at the walk-in counter, through the mail, by fax, and electronically. Online ordering of legislative documents and the Legislative Hot List Link, where Members and staff can confirm arrival of printed copies of the most sought-after legislative documents, continued to be popular. The site is updated several times daily as new documents arrive to the Document Room from GPO. In addition, the office handled thousands of phone calls pertaining to the Senate's official printing, document requests and legislative questions. Recorded messages, fax, and e-mail operate around the clock and are processed as they are received, as are mail requests. The office stresses prompt and courteous customer service while providing accurate answers to Senate and public requests.

On-Demand Publication

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

Accomplishments and Future Goals

Over the past year, OPDS has continued to provide new services for customers and improve existing ones. The office is committed to help "green" the Senate. The office has made improved quality 100 percent recycled copier and letterhead paper available to all Senate offices, and orders for those products have increased tenfold over the previous year. The office works diligently to track document requirements by monitoring print quantities and reducing waste and associated costs. The office continues to use the electronic proofing procedures that were implemented in 2006; over four hundred new and revised print jobs were routed electronically for customer approval, improving turnaround time and efficiency. Additionally, blank paper orders, now transmitted electronically to GPO as they are processed, save time and move toward the office's goal of paperless ordering.

The office's future goals include working with GPO to improve efficiency and help answer the evolving needs of the Senate, as well as developing online ordering of all stationery products for Senate offices. The office will continue to focus on COOP and its emergency preparedness. OPDS staff continue to seek new ways to use technology to assist Members and staff by adding services and improving access to information.

PUBLIC RECORDS

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

The office provides for the inspection, review, and publication of these documents. From October 2007 through September 2008, the Public Records office staff assisted more than 2,300 individuals seeking information from reports filed with the office. This figure does not include assistance provided by telephone, nor help given to lobbyists attempting to comply with the provisions of the Lobbying Disclosure Act of 1995. A total of 125,160 photocopies were sold in the period. In addition, the office works closely with the Federal Election Commission, the Senate Select Committee on Ethics, and the Clerk of the U.S. House of Representatives concerning the filing requirements of the aforementioned Acts and Senate rules.

Fiscal Year 2008 Accomplishments

The office implemented major parts of S. 1, the Honest Leadership and Open Government Act (HLOGA), which amended the Lobbying Disclosure Act of 1995 and the Senate Code of Conduct. The work entailed updating the written guidance for the lobbying community and posting two versions of four new public databases.

Plans for Fiscal Year 2009

The Public Records office is working with the staff of the Clerk of the House of Representatives on updating the Lobbying Disclosure Act (as amended) guidance as needed, and is concentrating on compliance issues that have arisen as a result of HLOGA.

Automation Activities

During fiscal year 2008, the Senate Office of Public Records worked with the Sergeant at Arms to design a new lobbying database, new public query programs for Senate.gov, and a new page design for Senate.gov.

Federal Election Campaign Act, as Amended

The Act requires Senate candidates to file quarterly and pre- and post-election reports. Filings totaled 4,232 documents containing 253,527 pages.

Lobbying Disclosure Act of 1995

The Act requires semi-annual financial and lobbying activity reports. As of September 30, 2008, there were 5,073 registrants representing 19,799 clients. The total number of individual lobbyists disclosed on 2008 registrations and reports was 14,247. The total number of lobbying registrations and reports processed was 89,738.

Public Financial Disclosure

The filing date for Public Financial Disclosure Reports was May 15, 2008. The reports were made available to the public and press by Friday, June 13, 2008. Public Records staff provided copies to the Select Committee on Ethics and the appropriate state officials. A total of 3,885 reports and amendments were filed containing 23,321 pages. There were 383 requests to review or receive copies of the documents.

Senate Rule 35 (Gift Rule)

The Senate Office of Public Records received 301 reports during fiscal year 2008.

Registration of Mass Mailing

Senators are required to file mass mailings on a quarterly basis. The number of pages was 625.

STATIONERY ROOM

The mission of the Keeper of Stationery is to:
—Sell stationery items for use by Senate offices and other authorized legislative organizations;
—Select a variety of stationery items to meet the needs of the Senate community on a day-to-day basis and maintain a sufficient inventory of these items;
—Purchase supplies utilizing open market procurement, competitive bid and/or GSA Federal Supply Schedules;
—Maintain product supply and order capability during Continuity of Operation incidents;
—Maintain individual official stationery expense accounts for Senators, Committees and Officers of the Senate;
—Render monthly expense statements;
—Ensure receipt of reimbursements for all purchases by the client base through direct payments or through the certification process;
—Make payments to all vendors of record for supplies and services in a timely manner and certify receipt of all supplies and services; and
—Provide delivery of all purchased supplies to the requesting offices.

	Fiscal Year 2008 Statistics	Fiscal Year 2007 Statistics
Gross Sales	$4,547,290	$5,456,125
Sales Transactions	41,704	45,608
Purchase Orders Issued	6,224	7,356
Vouchers Processed	6,832	8,078
Office Deliveries	6,985	7,305
Number of Items Delivered	160,538	153,813
Number of Items Sold	503,238	587,529
Cartons Received at SSF	19,637	31,678
Mass Transit Media Sold	70,766	91,569
$20.00	54,905	75,922
$10.00	8,781	6,955
$5.00	7,080	8,692
Public Transportation Users	2,006	1,763

Fiscal Year 2008 Highlights and Projects

Computer Modernization Upgrades

The Stationery Room began fiscal year 2008 preparing for major application upgrades to its Microsoft Business Dynamics Retail Management System and Great Plains accounting application software. These upgrades involved the installation and configuration of new workstations and server hardware, along with upgrades to the Microsoft Sequel database engine. Project and implementation planning were paramount in making this process smooth and transparent. The upgrade process began in mid-July and concluded on October 23, 2008 after successful system acceptance and testing.

Recycling Initiatives

The Stationery Room continues to monitor the marketplace for office products that are suitable, sustainable and environmentally friendly in order to promote recycling programs. In conjunction with the Senate Superintendent, the Stationery Room launched a battery recycling program approximately 2 years ago. Since that time, approximately 70 gallons of battery product have been captured and recycled through the Superintendent's recycling sources.

The Stationery Room also continues to promote the Senate Superintendent's recycling program for safe disposition of printer, fax and copier cartridges. This effort was initiated to eliminate the disposal of these materials in landfills. Users are encouraged to drop these materials off at the Superintendent's drop-off site in the Dirksen Building.

Senate Support Facility (SSF)

The facility continues to be a major asset for Stationery Room operations. During fiscal year 2008, the Senate Sergeant at Arms Central Operations Division transported 19,637 cartons of product from the U.S. Capitol Police screening facility to the SSF for processing and distribution to the Senate campus. This process has virtually eliminated most commercial vehicular traffic coming to the Senate campus in support of Stationery Room operations. The Senate Sergeant at Arms' (SAA) Central Operations Division is to be commended for the support and "team effort" they provide to the Stationery Room operation in meeting its responsibilities to the Senate community.

Public Transit Subsidy Program

As reported last fiscal year, the Washington Metropolitan Transit Authority (WMATA) announced that they would be discontinuing the Metrochek paper media at the end of 2008 and transitioning agencies to the SmartBenefit SmarTrip Card. In order to facilitate this process, the Stationery Room, in coordination with WMATA and the Senate Committee on Rules and Administration, held four workshops to demonstrate self-program management tools in order for participating offices of the Public Transportation Subsidy Program to continue offering the subsidy in an accountable electronic format.

WEB TECHNOLOGY

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

—the Senate Web site (Senate.gov)—available to the world;

—the Secretary's internal Web site (Webster.senate.gov/secretary)—covering functions of the office, available to the Senate Staff;

—the central portion of Senate intranet (Webster.senate.gov)—available to the Senate Staff; and

—the Senate Legislative Branch Web site (Legbranch.senate.gov)—available to the Senate, House of Representatives, Library of Congress, Architect of the Capitol, Government Accountability Office, Government Printing Office, Congressional Budget Office, and U.S. Capitol Police.

The Senate Web Site—Senate.gov

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

Major Additions to the Site in 2008

United States Senate Expulsion and Censure Cases (http://www.senate.gov/artandhistory/history/common/briefing/Expulsion__Censure.htm);

Senators Who Changed Parties During Senate Service (Since 1890) (http://www.senate.gov/artandhistory/history/common/briefing/senators__changed__parties.htm);

History of the Senate Chamber (http://www.senate.gov/pagelayout/history/h__multi__sections__and__teasers/Senate__Chamber.htm);

Senators Representing Third or Minor Parties (http://www.senate.gov/artandhistory/history/common/briefing/senators__thirdParties.htm);

Votes to Break Ties in the Senate (http://www.senate.gov/pagelayout/reference/four__column__table/Tie__Votes.htm);

16 Historical Minute Essays added (http://www.senate.gov/pagelayout/history/b__three__sections__with__teasers/essays.htm);

4 Oral History Interviews (http://www.senate.gov/pagelayout/history/g__three__sections__with__teasers/oralhistory.htm);

Breaking New Ground—African American Senators (http://www.senate.gov/pagelayout/history/h__multi__sections__and__teasers/Photo__Exhibit__African__American__Senators.htm);

Senator Dole's and Senator Daschle's leadership portrait unveilings;

13 new Virtual Index Pages; (http://www.senate.gov/pagelayout/reference/b__three__sections__with__teasers/virtual.htm);

10 Bibliographies available internally and externally; (http://www.senate.gov/pagelayout/reference/a__three__sections__with__teasers/biblio.htm);

XML data of popularly requested information (Senators' contact information and committee assignments); and

Public Disclosure Online Tutorials (http://www.senate.gov/legislative/Public__Disclosure/Training.htm).

Homepage Feature Articles Published

What is All this Talk About Sessions;
A U.S. Senate Tradition: Washington's Farewell Address;
Recording the Senate's Debates: The Congressional Record;
Historical Minutes: Stories about Senate History;
Classic Senate Speeches: Great Orators of the Senate's Past;
"We the People" Celebrating the Constitution;
The Senate's President Pro Tempore; and
The Senate Chamber: 1859–2009.

Secretary's Web site—Webster.senate.gov / secretary

The department launched a new intranet Web site (http://webster.senate.gov/secretary) covering the office of the Secretary. This replaced the previous site, which had existed for over a decade. The new site uses the CMS to maintain all content that exists on the site and is now in XML. The new design implements a universal banner on all Webster pages. For the first time, each of the Secretary's 26 departments has a presence on the site and supplied input to meet specific office needs. In the next year, maintenance of the individual pages will be transferred to the distinct departments, as desired, leveraging the CMS.

Webster Central Web site—Webster.senate.gov

In conjunction with the SAA, Chaplain, and the Senate Committee on Rules and Administration, the Secretary, through the Web Technology Department, completed a 2-year effort to publish a new Senate Intranet, Webster.senate.gov (Webster). As these organizations represent the stakeholders that manage Webster, they enacted a formal management strategy, the Webster Administrative Group (WAG), to develop a mission statement, determine operating guidelines and enlist feedback from Senate staff for the site.

Collectively, the WAG established components desired by Senate staff and developed solutions to deliver the information in an efficient and timely matter. Throughout its development, the WAG continually involved Senate staff in the process through exhaustive user testing and surveys. The newly added components are:

—*Floor Schedule*.—The data for this section is derived from several other files already used to populate the public Web site, Senate.gov, and the Capitol Visitor Center museum kiosks. The data is updated both automatically from the Secretary's Content Management System (CMS), through integration with the Legislative Information System, and manually by Senate librarians.

—*Events*.—A calendar display of activities of interest to staff that occur around the Capitol Hill Complex, such as Committee Hearings, training classes, and special Senate activities. Senate staff can now easily add and edit information to display on the calendar.

—*Announcements*.—Revamped this component from the old site so that designated staff from the four stakeholders may easily create their own announcements and manage its display.

—*Did You Know*.—A rotating section that allows all stakeholders to advertise services that may be of special interest.

—*Image of the Week*.—Each week a piece of artwork or a photograph from either the Curator's office or the Historical office is highlighted. This content is managed through the CMS and reuses graphics and data posted on Senate.gov.

—*Tabs*.—Assisted the Senate Library in the creation, delivery, and maintenance of five advanced indices organizing Senate related information: Services, Leadership, Legislative, News & Research, and About the Senate. The tabs are populated through XML feeds from the Montague Knowledge Base which catalogs relevant pages by establishing relationships to terms through a taxonomy and integrated through the CMS.

—*Search*.—Established, built, and maintained a virtual server to implement the advanced features of the Google Search Appliance, Onebox. The new search uses information supplied from the Senate Library's knowledge base to assist users in quickly finding their desired information through the established taxonomy. The search is now implemented site-wide and is a vast improvement over the previous search. The now-established architecture may be expanded for additional advanced functionality.

—*Common Header*.—Established and implemented a consistent header to be used across all Webster.senate.gov pages, regardless of stakeholder, to ensure that the focus is service-based instead of department-based.

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

A new Legbranch server was installed, replacing obsolete hardware. The Department of Web Technology worked in conjunction with the SAA to ensure all preexisting content was transported and functional on the new system. Web Technology also built and maintained a simple internal Web site for a Capitol Hill e-mail messaging working group. In the upcoming year, the server will be used to share more information with other Capitol Hill entities.

Accomplishments of the Office of Web Technology in 2008

Led online Congressional Research Service (CRS) publication project, fulfilling a request of the Senate Committee on Rules and Administration to enable offices to easily publish CRS reports online and ensure that the reports posted are always the most current version. Completed the project through collaboration with CRS, the Committee on Rules and Administration, and Senate SAA. The CRS Publishing application (http://webster.senate.gov/crsapplication) is now available to all Senate offices and is being utilized.

Created virtualized development server for the Secretary's intranet in conjunction with integration into the CMS. The processes for controlling content for the Secretary's intranet now mimic that of Senate.gov, facilitating the content authors with procedures in which they are well versed and increasing their ability to train others. Created, populated, and launched a new Secretary Intranet site in conjunction with all 26 departments and the Webster Administrative Group based on the new backend architecture.

Vastly expanded the functionality of the Google Search Applicance used for internal searching on Webster.senate.gov through taking advantage of Google's Onebox technology. Worked with the SAA to set up a virtual server to run a Onebox application used on the new Webster search, which can be easily expanded to incorporate more complex search requests. The search is now integrated with portions of the taxonomy maintained in the Senate Library's knowledge base.

Worked with the Curator's Office and the Government Printing Office in the design of three custom sites: the Henry Clay portrait unveiling, Senate myths, and the Russell Senate Office Building Centennial.

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

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

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

Worked with new Senate Offices to establish and maintain temporary web pages, including a picture, biographical, and contact information, until they are able to establish permanent Web sites.

Conducted user testing with Senate Staff and interns to increase understanding of current Web site desires and best practices. User testing was conducted for the Curator's Senate Myths exhibit, the newly launched Webster Central, and the Legislative reorganization of Senate.gov.

Incorporated the use of handles established by the Library of Congress for legislation, ensuring functional links to pieces of legislation regardless of changes to other systems. Handles are now used on the many different statistical tables maintained by the Senate Library, and reflect information on currently active legislation, cloture motions, nominations, and vetoes. Also, summary tables were created for the various data sets to further ensure the accuracy and usability of data reported.

Created a secure custom Web site for the Senate Chief Counsel for Employment (SCCE) along with a separate and secure search. Also reviewed current security practices and options with the SAA and validated the current methodology for SCCE's Web site is most apt.

Established a new system for the Senate Placement Office to post employment offerings online. Collaborated with the Sergeant of Arms in the development of a web-based application that integrates with the CMS and a newly created display of job postings via XML. Having the data in XML will allow for the integration of all job postings from the Secretary's Office and the SAA into one comprehensive list which may be sorted.

Worked with the Office of Public Records, Secretary's Counsel, and the SAA to maintain and enhance newly established reporting requirements relating to public disclosure on Senate.gov. Also, collaborated with staff from the House of Representatives and the Senate Recording Studio to set up streaming tutorial videos in various formats ensuring accessibility.

Incorporated various LIS/DMS streams to produce XML data requested by the Capitol Visitor Center to populate kiosks displaying member information. Worked with the Legislative Clerk and staff to ensure the correctness of this data. Worked with LIS/DMS group to transition to committee hearings being reported in XML and shared with the Capitol Visitors Center. Additionally, floor Schedule information is now maintained by the Senate Library in XML in order to facilitate needs of the Capitol Visitor Center and Webster Central.

Established a back-up server for the CMS at the Alternate Computer Facility (ACF) with the SAA, vastly improving continuity of operations planning (COOP). The newly built server is an exact replica of the production system and has been thoroughly tested to serve as a real time replacement should the production server become inoperable.

Participated and helped organize Capitol Hill-wide webmaster meetings, where best practices were shared among various entities. Regularly gave presentations and facilitated conversations during meetings.

Worked extensively with the Senate Library in the development and implementation of taxonomies utilizing the Montague Knowledge Base system. Currently, the knowledge base is used to populate the tabs on the front page of Webster, allowing staff to easily find appropriate services and resources, regardless of the provider. Aided in data capturing and reporting of senator data through the knowledge base.

Senate.gov Usage Statistics

In 2008, over 275,000 visitors per day, on average, accessed the Senate Web site. Twenty-one percent of them entered through the main Senate homepage of the central site (http://www.senate.gov) while the majority came to the site through a bookmarked page (possibly directly from their Senator's site) or to a specific page from search results, consistent with previous years.

Title of Web Page	2007 Visits/ Month	2008 Visits/ Month	2007–2008 Percent Increase
Visits—Entire Site	8,196,662	8,521,779	4
Senate.gov	1,704,675	1,704,697	....

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

MOST VISITED PAGES IN 2008

Top Pages	2007 Visits/ Month	2008 Visits/ Month	Percent Change
Senators Contact Information List	448,301	546,847	+21
Roll Call Votes	242,122	182,691	−25
Committees	91,451	78,810	−14
Legislation & Records	63,544	64,010	+1
Votes Home	62,578	58,277	−7
Active Legislation	36,730	37,860	+3
Senate Leadership	18,104	19,981	+10
Committee Hearings Scheduled	18,232	16,668	−8

By a huge margin, the most popular page on Senate.gov is the list of Senators with links to their Web sites and comment forms. Visitors also continue to be interested in legislative matters, with Roll Call Vote Tallies, the Active Legislation table, Committee assignments and schedules being particularly popular. The visits per month did decrease across some of the most visited pages on the site. The decrease is most likely attributed to the information on the pages being consumed by other Web sites and then being redisplayed. Additionally, some of the most sought information was offered in XML for the first time in 2008, making the consumption and dissemination faster and easier. Thus, although the actual visits to Senate.gov decreased on some pages, it is likely that more people actually utilized the information being provided.

PREPARED STATEMENT OF CHRISTOPHER J. DOBY, FINANCIAL CLERK OF THE SENATE

Mr. Chairman, I appreciate the opportunity to present to your Committee, the Budget of the United States Senate for fiscal year 2010.

Mr. Chairman, the fiscal year 2010 budget estimates for the Senate have been included in the Budget of the United States Government for fiscal year 2010. This Budget has been developed in accordance with requests and proposals submitted by the various offices and functions of the Senate. The total budget estimates for the Senate are $1,015,431,000 which reflect an increase of $114,975,000 or 12.77 percent over the amount appropriated for fiscal year 2009 and does not reflect any adjustments to these estimates which may be presented to your Committee during these hearings. The total appropriations for the Senate for fiscal year 2009 are $900,456,000. An individual analysis of the budget estimates for all functions and offices has been included in the Senate Budget Book, previously provided to your Committee.

The budget estimates for fiscal year 2010 are divided into three major categories as follows:

	Amount
Senate Items	$194,995,000
Senate Contingent Expense Items	814,245,000
Senate Joint Items	6,191,000
TOTAL	1,015,431,000

Specifically, Mr. Chairman, the fiscal year 2010 budget estimates reflect increases over the fiscal year 2009 enacted levels as a result of: (1) the anticipated 4.0 percent cost-of-living adjustment including locality pay for fiscal year 2010, and the annualization costs of the fiscal year 2009 4.78 percent cost-of-living adjustment; (2) the cumulative under funding of previous fiscal years in the Senators' Official Personnel and Office Expense Account due mainly to increases in population categories of various states and increases in the Administrative and Clerical Assistance Allowance authorized by the Legislative Branch Appropriations Acts 1999, 2000, 2002, 2003, 2004, 2005, 2006, 2007, 2008 and 2009; (3) personnel adjustments, other than the cost-of-living; (4) increases in agency contributions applicable to the cost-of-living adjustments and other personnel increase requests; and (5) other miscellaneous and administrative expense increases.

Mr. Chairman, I submit for the consideration of your Committee, the Budget of the United States Senate for fiscal year 2010.

SERGEANT AT ARMS AND DOORKEEPER

STATEMENT OF HON. TERRY GAINER, SERGEANT AT ARMS

ACCOMPANIED BY DREW WILLISON, DEPUTY SERGEANT AT ARMS

Senator NELSON. Terry.

Mr. GAINER. Thank you, chairman and ranking member and members of the subcommittee. I appreciate the opportunity to testify today.

I have a brief statement about the progress that our office has made in our plans to enhance our contribution to the Senate in the coming year. I ask that my written statement be made part of the record.

Senator NELSON. It shall be.

Mr. GAINER. On behalf of our nearly 900 employees, I would like to take just a few moments to describe the breadth of services we provide to the Senate community. My deputy, Drew Willison, often describes our roles as that of city managers. I think he is correct.

We provide most of the nonlegislative and nonpayroll, back-of-the-house services that are required to keep the Senate running smoothly every day. From BlackBerries and cell phones to parking and haircuts and ID badges and the pages, the Sergeant at Arms organization cuts a pretty broad path.

My written testimony covers many of the specifics in great detail. I would like to provide some context very quickly here.

Kim Winn, our chief information officer, runs our largest organization. All our phones, BlackBerries, computer servers, firewalls, and other activities related to the Senate network infrastructure are handled through Kim's shop.

Esther Gordon runs central operations. Our Capitol facilities unit is charged with cleaning and maintaining the Senate wing of the Capitol, and I think it is spotless. She also oversees the printing, graphics, and direct mail shop that handles everything from your constituent newsletter to the posters you use during debates on the floor.

Our customer service staff that your office managers rely on every day work within Esther's organization, as do the folks who handle your State office leases. Esther also oversees one of the finest cabinet shops in the country. Your Senate chair was handmade by these craftsmen, and the maintenance of all the desks and furniture on the floor are under their watchful eyes and hands. All the Senate surface parking lots are also run by Esther's team, as is the Senate hair care facility.

Rick Edwards runs our Capitol operations organization. His shop includes the doorkeepers office, the Senate post office, the recording studio, the media galleries, and the Senate appointments desk. The doorkeepers not only assist with keeping order on the floor, they also assist the thousands of visitors to the galleries each year.

The recording studio produces our floor feed, provides live coverage of nearly all the Senate committee and subcommittee hearings, and assists all 100 Members in sending your messages home.

The appointments desks in the Capitol, Russell, and the CVC ensure that official visitors to the Capitol get where they need to be quickly and efficiently. The post office delivers millions of pieces of mail the Senate receives each year, screened and safe.

The police operations, security, and emergency preparedness organization is under the command of Mike Heidingsfield. Mike's team is charged with working with the United States Capitol Police and others to ensure our evacuation plans work, that we are able to shelter in place, if necessary, and able to communicate with Members and their staff here or anywhere else, regardless of conditions.

Mike Heidingsfield's team has led a huge effort in recent years to make sure that the 450 State offices, your offices, for all the Members and your staff are as safe as possible. That team is responsible for the COOP operations—continuity of operations, continuity of Government, and enduring constitutional Government, the relationship between the other two branches.

Peggy Greenberg runs our joint office of education and training, along with the Secretary of the Senate. Her team provides hundreds of in-person and remote classes per year. She facilitates retreats and oversees a number of health promotions. And she mentioned with some pride, Senator Tester, this past summer when she visited you in Montana, getting up on your tractor in order to accomplish her work.

Elizabeth Roach is the director of the page program. And while the Secretary of the Senate is responsible for the page school, Elizabeth and her staff handle logistics of housing, meals, and taking care of them. And yes, keeping them out of the kind of trouble only 16 year olds can dream up.

Christy Prietsch facilitates our Employee Assistance Program and does a fantastic job of meeting the needs of our large and varied community.

Pat Murphy directs our human resource shop and ensures that the vast majority of our positions are competed, that annual written performance appraisals for all are completed on time, and that position descriptions are updated frequently to reflect changes to work required and work performed. He is also charged with ensuring that our merit-based salary system is fully implemented.

And finally and most important, Chris Dey, our chief financial officer (CFO). He and his team are responsible for our budget and contracting systems. I have worked with many CFOs during my career, and Chris is, without a doubt, the best I have encountered at keeping our books straight, managing contracts, insisting on competitive awards, and offering solid policy advice.

So there you have it, a rather quick Senate Sergeant at Arms 101. As we like to say, if all of us are having a good day and everything is going just right, you barely notice we are here. To the extent that happens, it is a tribute to the hard-working men and women who serve this institution every day. They exceed the expected.

Mr. Chairman, as you know, many Capitol Hill offices experience pretty high turnover. It is natural and has always been the case. A lot of young staff coming and going from graduate school, campaigns, and the administration. We are very different. Our average tenure for nonpatronage employees is well over 10 years. Retirements of 20, 30, and 40 years are not unusual.

We work very hard to create a workplace where someone can come to find challenging work, promotional opportunities, and the ability to build a career. The sheer scope of what we do helps us to ensure that we are always—there are always opportunities available.

Our budget for fiscal year 2010, we respectfully request a total budget of $243 million, representing an increase of just over $23 million, or 10.5 percent over fiscal year 2009. This request will allow more than mere maintenance, but leads to improvement in the level of service we provide to you and your staff and your community.

The general operations and maintenance expense budget for the existing and new services is $91.7 million, which is an increase of $8.2 million, or 9.9 percent over 2009. Major factors contributing to the expense budget increase are equipment and software maintenance costs for enterprise storage, professional services, software purchase, and technical support for information technology (IT) security and smartcard badges for the ID office.

One of our information technology priorities in fiscal year 2010 is upgrading the Secretary's payroll system. We are requesting contract support at the cost of $2 million and upgrading our data network to keep up with the ever-increasing demands for network-based services at a cost of $4.7 million.

We are also requesting $5 million for the Senate recording studio, to upgrade committee rooms, an activity we have undertaken for years with end-of-year funds. But this year, we are requesting it in our budget.

Our budget submission requested five new FTEs. We need the particular job sets. However, after discussions with your staff and meeting with you, Mr. Chairman, on Tuesday, I withdraw the request for five FTEs and will work with your staff to further trim our headcount through the elimination of some vacancies and reclassification of vacant positions.

As you know, the Sergeant at Arms serves on the Capitol Police Board, this year as chairman. As the chief law enforcement officer of the Senate, I work closely with Chief Morse and his valiant team. They do a great job. I am proud to have served with them.

But in that agency, there is nearly a singular point of failure—radio communications. The funds necessary to leap to the 21st century are included in the supplemental, and I request your support of that need and recognize that there will be substantial discussions about it.

With the exception of our police operations, security, and emergency preparedness created after 9/11, generally the scope of our office has not changed significantly since 2001. But the depth of the responsibilities has expanded materially, and our information technology budget has continued to increase as we try to keep up with the ever-changing ability of bigger, better, and faster technology.

Today, unlike a few years ago, all printing equipment is digital, networked, and computer controlled, improving resource use. We went from computer servers in closets to virtual servers. As more processes can be automated and managed electronically, we have added those applications to our inventory, improving customer service, management of processes, and enabling new services to be offered in a cost-effective manner.

Our efforts are closely tied to our strategic plan in which we have captured performance measures that help us assess our work—performance measures that can identify in the areas of customer satisfaction, timeliness of service, employee satisfaction, employee personal development, and competitive contracts. Plans are underway for assessing performance for these measures in the calendar year 2010.

I have an outstanding senior management team led by Drew Willison, who serves as my deputy. The Office of the Sergeant at Arms works closely with other organizations in the support of the Senate. The Secretary of the Senate, Nancy; the Architect of the Capitol; the Office of the Attending Physician; and the United States Capitol Police are partners. We coordinate our efforts with the House of Representatives and the agency's executive branch where possible.

Finally, let me say this. The employees of the Office of the Sergeant at Arms are among the most committed and creative in Government. They are quiet, effective, and dedicated to you and your staffs. They spend their working life careers with us.

And I would just like to point out one special individual, Mr. Chairman, that you mentioned, and that is Steve Mosley. Early this morning, we were notified that Steve, a 32-year employee of the Senate Sergeant at Arms office, died of an apparent heart attack.

He spent 32 years with us. He was a wonderful husband and a father. I talked to his wife, Michelle, this morning, and she was still in shock, and the hurt was very raw. She appreciated the comments and well wishing from our office. But Steve was a friend to everybody and known throughout the Capitol. He will be deeply missed.

We joked that he was a diehard Redskins fan. I don't think any of our meals that we have and different holiday seasons will ever be the same without him. And he is truly representative of the type of employees that I have the opportunity to lead. And I just wanted to affirm what you said. He was a wonderful man and will be a terrible loss to the Senate community.

PREPARED STATEMENT

Thank you. And I will be happy to answer questions when appropriate.

Senator NELSON. Thank you.

[The statement follows:]

PREPARED STATEMENT OF THE HONORABLE TERRANCE W. GAINER

INTRODUCTION

Mr. Chairman and Members of the Subcommittee, thank you for inviting me to testify before you today. I am pleased to report on the progress the Office of the

Sergeant at Arms (SAA) has made over the past year and our plans to enhance our contributions to the Senate in the coming year.

For fiscal year 2010, the Sergeant at Arms respectfully requests a total budget of $243,505,000—an increase of $23,104,000 (or 10.5 percent) over the fiscal year 2009 budget. This request will allow us to maintain and improve the level of service we provide to the Senate community. It will also fund the development and maintenance of business and network security applications, among other support services. Appendix A, accompanying this testimony, elaborates on the specific components of our fiscal year 2010 budget request.

In developing this budget and our operating plans, we are guided by three priorities: (1) ensuring the United States Senate is as secure and prepared for an emergency as possible; (2) providing the Senate with outstanding service and support, including the enhanced use of technology; and (3) delivering exceptional customer service to the Senate.

This year I am pleased to highlight some of this office's activities, to include the furtherance of our efforts towards our United States Senate Sergeant at Arms Strategic Plan, in which we have captured performance measures that help us assess our work. During the past fiscal year we clearly lived up to our motto: "Exceptional Public Service . . . Exceeding the Expected." Most recently, performance Measures have been identified in the areas of Customer Satisfaction, Timeliness of Services, Employee Satisfaction, Employee Professional Development, and Competitive Contracts. Plans are underway for assessing performance for these measures in calendar 2010.

Our accomplishments in the areas of security and preparedness, information technology, and operations are impressive. Recent months have brought great successes with the opening of the Capitol Visitor Center (CVC), affecting a safe January Presidential Inauguration, as well as ensuring a secure Presidential address to a Joint Congress. Our office has been involved with the CVC since its inception, and scores of hours were spent preparing for the operations and security of the Center.

Our men and women working in IT Support Services, Technology Development, and Process Management & Innovation continued to improve our cyber security efforts by not only reducing the amount of spam and phishing e-mail messages, but by enhancing the reliability of core IT systems. They automated more of the Senate's business processes, made www.Senate.Gov more functional, helped implement the Honest Leadership and Open Government Act of 2007, and improved wireless access on Capitol Hill. The greening efforts of the CIO team stepped up this year with substantial power savings due to the implementation of the Virtual Machine Infrastructure and the elimination of the costly creation of CD–ROMs through ISO server software delivery.

Continuing to progress, yet taking longer than we had expected, the telecommunications modernization project experienced some setbacks as the vendor had several personnel changes, replaced some of the originally-proposed system components, and had to rewrite design documents. We are very close to the end of the final engineering and design phase of the project and we currently are reviewing the proposed design to ensure it meets the Senate's needs. Once we accept the final design, we will begin a testing phase that will extend through this summer. Assuming that testing goes well, the production system will be installed later this year in preparation for pilot tests in offices to start early next year. The work that has been completed thus far has been under a fixed-price contract, so the cost to the Senate has not increased even though the effort has clearly taken longer than expected. We will work with the vendor to identify every opportunity to compress the remaining work to roll out the enhanced system as soon as possible.

We had over 250,000 visitors to the Senate galleries; handled over 100,000 official appointments; increased the ability to simultaneously broadcast Senate hearings from three to twelve hearings; and tested and delivered 10 million pieces of mail while reducing mail processing time, costs, and personnel. These efforts were accomplished through improved processes, teamwork, and the desire to improve.

Our Employee Assistance Program (EAP) offered a variety of services to staff, Pages, interns, and family members. EAP expanded outreach programs through updated materials, the Web and Page training, and provider resource development. It expanded the Peer Support Team training functions, and is exploring additional work/life benefits for Senate employees, including child care and nanny locator, advocacy support for children with special needs, backup child care placement, and elder care support and referral services.

Our Education and Training personnel introduced several online, self-paced training programs, provided hundreds of customized classes and consultations for Senate staff, and led the Senate's participation and certification in the mandatory Code of Conduct training. They lead retreats in state offices, delivered in-office Systems Administrator training, add certification courses, such as Web Development, and are deeply involved in new Senator orientation programs.

We have several new initiatives during this next fiscal year. In emergency preparedness efforts, the Senate and House will participate in a joint Contingency Legislative Processes exercise that will test our ability to transfer various legislative documents between the House, Senate and the White House during an emergency. We also plan to conduct a Continuity of Government tabletop exercise that will include participants from the Sergeant at Arms, Secretary of the Senate, Clerk of the House, House Sergeant at Arms, and House Chief Administrative Officer organizations. Additionally, we plan to exercise our Briefing Centers, Emergency Operations Centers, and Leadership Coordination Centers within the Washington, DC area. These exercises will not only test the sites, but also the personnel responsible for setup and operation.

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

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

I am very proud of all the men and women of the Sergeant at Arms team who help keep the Senate running. While serving as Sergeant at Arms, I have seen their great work and devotion to duty. The employees of the Office of the Sergeant at Arms are among the most committed and creative in government. We are continuously building on the success this organization has experienced in recent years.

None of our efforts would be accomplished, though, without the guidance of this Committee and the Committee on Rules and Administration. Thank you for the support you consistently demonstrate as we work to serve the Senate.

SECURITY AND PREPAREDNESS

(Protecting the Senate and Planning for the Unknown)

In our security and preparedness programs, we work collaboratively with organizations across Capitol Hill to secure the Senate. We also rely upon Senate Leadership, this Committee, and the Committee on Rules and Administration for guidance and support.

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

- —Successful execution of law enforcement support and coordination.
- —Access credentialing of the Senate community, appropriate staff from other government agencies, and members of the press.
- —Security of the Senate as both an institutional body and a campus.
- —Protection of Members and staff in the District of Columbia and respective state offices.
- —Counterterrorism measures taken to physically guard against attack.
- —Continuous Senate operations during minor or major disruptions.
- —Necessary testing, training, and exercising in preparation for any catastrophic event.

Formerly composed of the standalone Office of Security and Emergency Preparedness and the Office of Police Operations and Liaison, these offices have been re-titled and restructured as Contingency and Emergency Preparedness Operations (CEPO) and Law Enforcement and Security Operations (LESO) in an effort to merge all SAA homeland security efforts under a single operational umbrella. This restructuring was undertaken in the fall of 2008 and continues to mature, creating enhanced efficiency, unity, and collaborative lines of authority.

Contingency and Emergency Preparedness Operations

Emergency Notifications and Communications

A robust number of effective notification and communications programs have been designed to ensure devices and systems are ready to support the Senate during emergencies. The Dialogic Communicator NXT system now functions as the primary alert and notification system (Senate Alerts) to provide a single interface for delivering emergency e-mail, PIN, and voice messages to the Senate population. Message templates and customized distribution lists allow quick dissemination of important information and a staff training package includes step-by-step activation procedures, visual aids, and login instructions. We provided support to the USCP Command Center during the Democratic and Republican National Conventions by configuring the Dialogic system with convention-specific alert and notification information.

Monthly Senate Alerts tests for staff and biannual tests for Senators are conducted in coordination with the USCP, Secretary of the Senate, party secretaries, and other stakeholders. These tests are designed to ensure our emergency messaging system is reaching all intended recipients and are transmitted through e-mail, PIN, voice, annunciator, and public address systems. Other means we have developed for distributing emergency messaging services to the Senate community include the Chyron Emergency Alert System. This is a text and/or voice messaging service broadcast over the Senate cable television network. We recently upgraded the system's capacity to include new cable channels 37 through 60. Requirements for installing modulation equipment were finalized in December and modulators which will separate House and Senate channels and allow exclusive Senate emergency notification broadcasts were ordered in February; equipment delivery is expected to be completed in early April, and the system is forecast to be operable at the end of April.

Accountability

The ability to account for Senators and staff remains a priority in all emergency plans and evacuation drills. Several years ago, we undertook an initiative to improve procedures for offices to report accountability information to the USCP and the SAA quickly and accurately using proximity card-enabled laptops and a BlackBerry-based application that allows office emergency coordinators to account for staff remotely. In 2008, we focused on training coordinators to use these programs flawlessly. The backbone of this capability is the Accountability and Emergency Roster System (ALERTS), which allows each office to manage staff rosters and designate individuals receiving e-mail and phone alerts. We train Senate staff and USCP personnel to use ALERTS during individual and classroom sessions.

Training

Three distinct themes serve as the foundation of our emergency planning training program and provide essential knowledge to the Senate community regarding office emergency coordinator responsibilities, emergency preparedness basics, and escape hood use. Additional training courses focus on the specialized features of emergency preparedness on Capitol Hill. We collaborate with Senate offices to deliver personalized training specifically designed to meet staff needs by covering such topics as emergency equipment use, emergency action planning, emergency coordinator responsibilities, and preparedness basics. During the past year we conducted 249 sessions with 4,359 attendees.

Emergency Plans, Operations, and Facilities

We continue to implement emergency plans that emphasize life safety and continuity of operations to address Senate needs after a disaster. We assisted all new Member offices in developing emergency action procedures, taking into account that many of them were initially assigned to temporary office spaces. As a result, each of the new offices has functional emergency action plans, established primary and secondary evacuation routes, mobility impaired evacuation procedures, and a complete collection of emergency contact records.

Senate SAA and House planners joined forces with the USCP's Emergency Management Division and the Architect of the Capitol to establish procedures in response to respiratory threats requiring the use of internal relocation sites. Select facilities throughout the Capitol complex have been structurally improved and modified to allow for short-term (2–3 hour) sheltering. We will continue to focus on police procedures, signage, and subsequent staff training to fully implement this capability.

We participated in the Emergency Management Task Force with the USCP, House SAA, House Office of Emergency Preparedness Planning and Operations, and Architect of the Capitol to prepare the Capitol Visitor Center for opening. The group's primary focus was to develop emergency preparedness plans, procedures, and joint training for the CVC by preparing USCP officers and Capitol Guides, creating safety outreach material, training staff and visitors, and developing general facility emergency plans. Our role was to review egress capacities in stairwells, identify potential chokepoints, and create visitor emergency preparedness facts to be published on the CVC website and included in brochures and guided tours. Layouts of the new facility have been added to the Senate Emergency Action Plan and Member Office Visitor Guide. To date, eight emergency phones for two-way communication with the USCP Command Center have been installed and a mobility impairment evacuation guide has been developed in conjunction with House counterparts. We assisted Senate offices with moving into the facility's expansion space by conducting 13 individual emergency evacuation walkthroughs with more than 230 staff members. These offices were also supplied with emergency equipment and received assistance updating emergency action plans.

Exercises

Our comprehensive exercise program is structured to ensure Senate plans are practiced and validated regularly. Every year, the SAA and Secretary of the Senate conduct exercises in coordination with the USCP, Architect of the Capitol, party secretaries, and other key stakeholders. This year's exercise plan outlines a series of diverse events to maintain and strengthen our existing capabilities, while addressing emerging needs. A key area of emphasis over the last several years has been the integration of several joint exercises with the House of Representatives and other Legislative Branch entities.

We continue to conduct "no-notice" exercises to test select functions at various locations. During fiscal year 2009, we conducted exercises in partnership with the USCP, Office of the Attending Physician, Secretary of the Senate, Architect of the Capitol, Committee on Rules and Administration, and the House of Representatives. The general exercise format included functional capabilities demonstrations and tabletop scenarios. These exercises are designed to test the Senate's ability to function during an event that requires relocating the federal government. After-action reports are generated to document lessons learned and improve future plans.

The Senate Chamber Protective Actions Exercise is a notable event we led in concert with the USCP, Secretary of the Senate, party secretaries, and other key stakeholders. This was the largest and most complex chamber protective action exercise to date. The exercise used two protective actions (evacuation due to an air threat and shelter-in-place) to examine life-safety procedures and validate the new Chamber Emergency Actions Guide. The guide coordinates staff action on the Senate floor and areas surrounding the chambers. As a result of the exercise, several areas of our plan requiring improvement are being addressed. Three joint exercises are being planned with the House of Representatives and other Legislative Branch organizations: Contingency Legislative Processes, Continuity of Government, and Shelter in Place.

Office Support

Providing responsive customer support through training, equipment, exercises, planning, and outreach to Senate offices and support organizations continues to improve overall individual readiness. Readiness equates to developing appropriate continuity plans and emergency procedures, making necessary equipment available, and training individuals on execution and use. Readiness involves ensuring the Senate community is alert and able to react to any emergency event, whether it be a minor service outage or a serious fire incident.

Each office receives an array of emergency equipment that is distributed, inventoried, and maintained by emergency preparedness staff on an annual basis and includes escape hoods, Victim Rescue Units, Wireless Emergency Annunciators, and Emergency Supply Kits. Our inventory ensures equipment accountability and functionality resulting in the replacement of all expired batteries, food, and water in Emergency Supply Kits during fiscal year 2009.

Another initiative has been to increase staff awareness and personal preparedness outside the workplace. We developed a Personal Preparedness Plan Tutorial allowing users to create, update, and store a personal preparedness plan. The tutorial provides step-by-step planning instructions and allows each user to create a customized plan.

A variety of security and emergency preparedness brochures and publications have been developed and disseminated to continuously educate the Senate community. Recent additions and updates include:

—*Capitol Visitor Center Staff-Led Tours Z Card*.—In order to reach each staff member conducting tours, a foldout card was developed to address safety procedures when dealing with visitors. The Z Card lists prohibited items, evacuation routes, shelter-in-place locations, alternatives for mobility-impaired individuals, and safety measures to consider before embarking on a tour. The Z Card also contains maps of all three facility floors with stairwells, evacuation elevators, and exits depicted.

—*U.S. Senate Emergency Annunciator System*.—We recently switched from a wideband frequency to a narrowband frequency due to a National Telecommunications and Information Administration directive requiring transmissions to be on a narrowband system by 2008. While the USCP maintains a wireless annunciator system used to disseminate emergency information and situational updates, we are responsible for maintaining and replacing units throughout Senate office buildings including the Capitol and Capitol Visitor Center. We surveyed the entire complex to replace these units and updated the accompanying pamphlet.

—*Equipment*.—Over 18,800 SCape CBRN30 Escape Hoods are currently deployed throughout the Senate. This number includes both adult and baby escape hoods located in Senate offices and public caches. We continue to conduct over 80 courses to train hundreds of staff members to use this equipment appropriately.

More than 1,590 Wireless Emergency Annunciators are deployed throughout the Senate complex. These devices allow the USCP to provide verbal instructions to staff during significant events and provide periodic updates. Our office provides daily troubleshooting support for these devices.

There are 1,229 Victim Rescue Units positioned alongside escape hood bags throughout Senate offices, in public caches, and included in each Emergency Supply Kit.

We have additionally developed a program to review existing continuity of operations plans that are more than 2 years old. This initiative has resulted in more than 80 percent of D.C. Member offices being equipped with modern plans that will allow operations to continue in the event of a relocation. A program has also been initiated to provide assistance in developing and executing tabletop exercises for D.C. Senate offices to test their published plans. This program allows offices to discuss individual roles and responsibilities that must be performed in order to continue legislative and constituent operations offsite. The Living Disaster Recovery Planning System is a new automated program that is being tested and piloted, which will allow offices to quickly develop Continuity of Operations (COOP) plans that capture all aspects of essential functions and personnel electronically.

Law Enforcement and Security Operations

Smart Card Programs

The implementation of Homeland Security Presidential Directive (HSPD) 12—Policy for a Common Identification Standard for Federal Employees and Contractors will significantly impact Senators and their staff whose offices are located in federal buildings across the country. While Legislative Branch adoption of HSPD–12 is optional, compliance will allow Members and staff unhindered access to work freely within these facilities. We are currently collaborating with our Executive Branch counterparts to implement compatible access cards during the 111th Congress.

Sophisticated Smart Card credentials can provide multiple functions beyond current "flash pass" identification badges. The primary movement towards Smart Cards is a result of Executive Branch programs like HSPD–12, but potential uses within the Senate community include secure network logins, digital signatures for financial documents, and encrypted personal identification information. Although a substantial cost is associated with system architecture, we will continue to explore the advantages of Smart Card deployment.

The First Responder Authentication Credential system launched under the auspices of the Department of Homeland Security outlines issuing cards to individuals who require access to controlled areas during emergencies. We envision limited Senate staff receiving these badges during the 111th Congress and are engaged with our Legislative Branch partners and other program administrators within the National Capital Region to determine the Senate's involvement in this program.

State Office Security and Preparedness Programs

The goal of this program is to provide a level of security and preparedness in state offices similar to Senators' Washington, DC offices. We provide equipment, training, and consulting for secure reception areas, access control, and duress and burglar alarms. With over 400 state offices varying from single to multiple staff offices, located everywhere from commercial storefronts to federal courthouses, this is no easy task. However, these programs remain critical and have been well received by state staff, even with their voluntary implementation status.

We initiated the State Office Preparedness Program in January 2008 to provide an all-hazards risk assessment to each state office, a basic set of emergency supplies, online and video teleconferencing training tools, and a template to build customized office emergency plans. Offices have the opportunity to verify compliance with Congressional Accountability Act requirements when they utilize this program, and all Senate offices have received basic equipment and general program briefings.

Through the State Office Security Enhancement Program established in 2002, we have conducted over 700 onsite physical security surveys of state offices throughout the country. The results of these surveys are shared with Senate offices along with recommendations for improvement. State offices open, close, and relocate throughout the year, and sometimes offices that have already received remediation choose to relocate and require our services more than once. There are currently 433 state offices, of which 294 are located in commercial space and 139 are located in federal buildings. We have provided security remediation in 73 percent of commercial offices and 57 percent of those located in federal buildings. These state programs have received accolades from Senate offices and we continue striving to provide a higher level of customer service.

Senate Campus Access Accommodations

Our team collaborated with the USCP in fiscal year 2009 to coordinate and approve 211 requests for vehicles requiring special access to the Senate campus. This total does not include military and government arrivals, which we also coordinate. Requests for access continue to grow with the opening of the new Capitol Visitor Center. Our office works closely with House counterparts to coordinate access on both sides of Capitol Hill for groups with special needs who wish to visit their Members or attend functions hosted by them. This service involves working directly with Member offices and their constituents to help resolve accessibility issues and create memorable, meaningful, and safe trips to the Hill without compromising security. We recently approved a new webpage designed to better facilitate accessibility requests from Senate offices.

Campus Security Vulnerabilities

Our office continues to address security vulnerabilities throughout the Senate complex. We anticipate continued analysis of various campus security and vulnerability studies conducted by the USCP, U.S. Secret Service, and the Defense Threat Reduction Agency to develop and enhance security measures. Our office employs area-specific security experts dedicated to identifying vulnerabilities and implementing solutions. The Senate's physical presence extends well beyond Capitol Hill, making it critical to engage in continued research, deliberate planning, and exploration of emerging security technologies. We expect our security role to continue to grow in fiscal year 2010.

Mail Handling

Last year, the Senate processed, tested, and delivered nearly 15,000,000 safe items to Senate offices, including over 9,400,000 pieces of U.S. Postal Service mail; over 5,200,000 pieces of internal mail that were routed within the Senate or to or from other government agencies; almost 111,000 packages; and over 130,000 courier items. The total volume of mail for the past 2 years has been significant and represents an 8.2 percent increase in the mail that we delivered as compared to the previous 2 years.

We continue to seek improvements in mail processing and have worked with this Committee to identify avenues to reduce our costs. Last year, we began processing packages that previously had been processed by a contractor. This move reduced our expenses by over $200,000 annually, and improved our security as zero suspicious packages were delivered to Senate offices.

This year, we further reduced our costs by leveraging technology and improving our processes. We were able to reduce the Senate Post Office FTEs by four, without compromising safety or customer service.

Recently, we employed a technology solution to replace the manual "clip and jog" process that has been employed for the past 7 years. We worked with our science advisors to create a solution that is less damaging to letter mail, without compromising safety to Senate offices.

We also worked with this Committee and the Committee on Rules and Administration to build and operate one of the best facilities within the government to process time-sensitive documents that are delivered to the Senate. In August 2006, we opened the Courier Acceptance Site to ensure all same day documents are x-rayed, opened, tested, and safe for delivery to Senate offices. The number of time-sensitive documents addressed to Senate offices is significant. Last year, we processed almost 131,000 courier items to ensure safe and timely delivery to Senate offices.

Last year, our Senate Post Office and our Office of Security and Emergency Preparedness worked collaboratively with our science advisors to develop and introduce the first device designed to provide Senate staff who work in state offices a level of protection when handling mail. To date, 52 Senate state offices across the country have the Postal Sentry mail processing device in place. We have offered this device to all Senate state offices and we remain ready to assist and install the Postal Sentry in any office that requests one.

INFORMATION TECHNOLOGY

(Enhancing Service, Security and Stewardship)

We continue to embrace and enhance the role of technology to improve upon physical and information security and life safety, to prepare for emergencies and to support the entire Senate's information technology needs. As in our other areas, we also emphasize stewardship—the careful use of all our resources, including the funding we are provided, our personnel, and the external resources that we consume—in all aspects of our information technology operation.

As we do each year, we have updated and are performing under our 2-year Information Technology Strategic Plan. The current revision, under which we will be operating in fiscal year 2010, continues to emphasize our five strategic information technology goals and their supporting objectives that drive our information technology programmatic and budgetary decisions:

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

Our strategic goal of a customer service culture top-to-bottom starts with our own staff. Our Chief Information Officer (CIO) organization, in particular, is dedicated to ensuring that we foster mutual respect and teamwork where every customer and employee is a valued member of the Senate team. Major accomplishments in the information technology area during the past year include:

—Making it easier for our customers to obtain cellular telephones and BlackBerry devices by continuing to upgrade and improve our online ordering system to meet the changing needs of our customers. With the introduction of touch screen devices, we implemented a loaner program to enable customers to "try before you buy" ensuring that they are comfortable and able to adapt to the usage differences required by the new devices. Offices are then allowed to switch back to a more traditional device with no financial penalty should the touch screen device not meet their needs.
—Improving the ability of Senators, staff, and visitors to communicate by increasing the capacity of our infrastructure that supports cellular telephone, BlackBerry devices, and wireless data networks into the Capitol and the Senate expansion space in the Capitol Visitor Center. As part of our Inauguration efforts, we temporarily increased system capacity on the West Front of the Capitol to improve the probability that guests could successfully use their wireless devices.
—Improving the experience of office staff as they accommodate the required physical inventory of Senate assets by expanding the use of barcode scanning technologies and developing electronic reports that are immediately available to the office as the inventories are completed. In keeping with our effort to implement solutions based on supporting the Senate, work is also underway to include features in TranSAAct that will allow offices to maintain the user names and locations associated with their equipment.
—Continuing to progress toward the implementation of our new telephone system while ensuring that the existing phone system meets the existing needs of our customer base. As the final design moves toward approval, plans are in place to operate both systems concurrently to ensure no loss of service.
—Making it easier for office administrative personnel to manage their offices by deploying additional functionality within TranSAAct, our Web-based system for managing office functions. Some of the added features include access to Verizon Wireless bills and accounts, which eliminates the need for paper statements and allows office administrative staff to makes account changes that formerly required SAA staff to handle; access to indoor and outdoor parking allocations and permits; and the ability to grant floor privileges and authorization to make charges from the Recording and Photographic studios.

—Improving the functionality and reliability of Senate Conference Services and Senate Fax Services.

—Ensuring that we maintain a responsive infrastructure for secure communications by successfully completing the audit of secure communications equipment that was mandated by the National Security Agency.

ENHANCING SERVICE TO THE SENATE

(Customer Service, Satisfaction, and Communications)

Our strategic plan stresses customer service as a top priority, and we actively solicit feedback from all levels and for all types of services. For instance, we solicit customer feedback for every Help Desk ticket opened. In major contracts that affect our customers, we include strict service levels that are tied to the contractors' compensation—if they do well, they get paid more; if they do poorly, they get paid less. For instance, during the past year, the percentage of on-time arrivals for the IT installation team never dropped below 99.1 percent. The percentage of Help Desk calls that were resolved during the initial call averaged 47 percent, and 96 percent of customer surveys rated the IT Help Desk and installation services as either very satisfactory or excellent.

We continue to stress effective communications with our customers through a well-developed outreach program that includes information technology newsletters, periodic project status reviews, encouraging customer participation in information technology working groups, weekly technology and business process review meetings with customers, and joint monthly project and policy meetings with the Committee on Rules and Administration, the Senate Systems Administrators Association, and the Administrative Managers' Steering Group.

Keeping Senators and Staff Informed

The Senate Information Services program continues to deliver premium, vital online information services to Senators and staff. These services range from the Senate's own near-real-time news tool, NewsWatch, to mission-critical external research services providing far-reaching current and archived news and general information, historical newspapers dating back as far as the 18th century, federal and state statutes and case law, regulatory and judicial updates, Congressional news and current policy issues analysis, information technology policy developments, and daily updated directories of personnel in government, business, media, and professional associations. Senators and staff accessed more than 3.5 million real-time news stories and almost 2 million pages of Congressional news and current policy analyses throughout 2008. During the same period, staff conducted more than 15,000 hours of legal research, read more than 39,000 historical newspaper and journal articles, researched contact and biographical information for 53,000 professionals in wide-ranging disciplines, and reviewed newspaper content contained in almost 22,000 images from more than 400 local daily newspapers from the United States and around the world.

Robust, Reliable and Modern Communications

The Senate data network supports the vast majority of our information technology. As with other information technology services, the data network is a constantly evolving entity that must be scalable and robust enough to more than meet the increasing needs for information technology services and solutions. Most critically, it must remain available to ensure these services are reachable.

We have undertaken extensive efforts this past year to ensure that the core of the data network environment is in position to meet the rapidly increasing needs for more centralized data services. Our efforts included enhancing the overall availability of critical services such as e-mail and access to the Internet and World Wide Web by increasing network capacity within the core and data center environments, using a robust optical network between our primary and alternate computing facilities. We also improved our ability to react quickly to restore services following failures by decreasing the number of exposure points outside the Senate's internal data network. Consolidating the number of "border" points to a geographically dispersed set of firewalls has allowed us to eliminate several processes that previously required manual interaction that delayed service restoral. We increased the level of availability of critical services by dispersing them between two distinct sites. In addition to enhancing our overall security posture, we have also more than doubled our capacity for Internet services this past year by being able to use what was once idle bandwidth at the Alternate Computing Facility. This increase then provided the opportunity for adding services such as high-quality video streaming of Senate committee hearings without degrading the level of service our customers have come to expect.

To ensure we maintain a secure information infrastructure, the data network and information security teams increased their level of collaboration to ensure a more proactive and rapid approach to identifying and resolving network-based vulnerabilities, as well as to remain vigilant on the issues of protecting both the perimeter and internal components of the data network. The collaboration has resulted in more rapid notification and reaction to evolving threats, as well as a more comprehensive assessment of security vulnerabilities affecting major networking components. We also remain vigilant in our approach to maintaining network-based access controls and, during the next year, will be assessing technologies to further enhance our security posture for managing remote access clients.

The Senate led a collaborative effort with the other Legislative Branch agencies during the latter part of 2008 to enhance the capabilities and resiliency of the common backbone between the agencies—Capnet. This included the creation of a new common network at the Alternate Computing Facility using optical connections from each agency to the facility and dynamic failover mechanisms to ensure availability and provide a more secure environment for inter-agency communications. All Legislative Branch agencies participated in a successful full-scale failover exercise in October 2008. This coming year, efforts will continue among the agencies to facilitate an increase in communication services over Capnet and to take advantage of its high-speed conduit to enhance continuity of operations capabilities such as alternate office space.

The network team completed the installation of wired and wireless data network services to the Capitol Visitor Center this past year, in preparation for the recent opening of this facility. An added benefit of the work in the Capitol Visitor Center was to add resiliency to the networks supported within the Capitol by dispersing the two main distribution points supporting these networks and using diverse fiber-optic paths to increase redundancy.

This coming year, the focus will be on further preparing the campus network for the anticipated support of the Senate's new IP-based phone system as part of the Telecommunications Modernization Program. Already-planned enhancements to the resiliency of the access layer switches and will give them the ability to power the IP-based telephone sets much like traditional telephone sets are powered by the telephone switch today. We will also refresh other network hardware, which will be the first major refresh of this equipment since we acquired it in fiscal year 2004.

At the end of calendar year 2008, we introduced a virtual server environment to support the new class of Senators initially, with the anticipation of expanding participation to all interested offices. The centralized server environment provides great benefits, and it will increase the bandwidth requirements on the data center network. To accommodate those increases, we have begun upgrades to increase capacity there and will continue this year with the overall backbone network. Combined with the planned upgrade efforts to the access layer, we will be in position to enhance the capacity to these locations as necessary. This is not solely due to the virtualization effort, but is needed to ensure support for a growing number of network-based services that extend outside the individual offices' networks.

The wide-area network supporting state offices, commonly referred to as the WAN, has also been a focus this past year in terms of upgrading network hardware to meet expanding business requirements and position the Senate for future capabilities. We upgraded the hardware in almost 75 offices this past year and, overall, have completed router and switch upgrades in more than 200 sites. In addition to the immediate benefit of providing higher-speed access to staff in the state offices, the new hardware positions us for future technologies such as a secure wireless solution for state offices. This past year we also installed higher speed service at the Alternate Computing Facility to support the aggregation of WAN circuits, which provided a threefold increase in available bandwidth. This positioned us to pursue relocating replication servers from state offices to the alternate computing facility, including 18 sites this past year and 40 offices overall, thus preserving bandwidth to these sites for more critical services.

We have continued to emphasize visibility and proactive management of network services as key to the success of ensuring the availability of network resources. We have increased our focus on change and configuration control processes this past year. That focus will continue to increase as more services become dependent on the data network, including the advancement of IP-based telephony. The Network Operations Center, which manages the network change process, received more than 1,000 network-related change requests in 2008 and serviced more than 950 requests for LAN connections, the majority of which are associated with changes in the data center environment. These requests range from minor modifications to major buildouts of new services and does not include the various moves, adds, and changes within the office environments that occur on a daily basis. The continuing evolution of our data network further instills the need to continue properly documenting and reviewing changes to the networking environment, especially when supporting less-tolerant applications such as voice and video.

The entire Senate enjoys the benefits of a modern, robust, reliable, and scalable messaging infrastructure that includes built-in options for continuity of operations, design choices, and a platform for leveraging modern technologies to improve collaboration, mobility, and communications. During this past year, we upgraded the messaging system to the latest software version that provides additional features and benefits for electronic mail users and reduces by half the number of messaging servers required. We also provided single sign-on capabilities and changes that allow us to deploy many solutions centrally where they are available to all offices, thus reducing development, deployment, and support costs. This year we leveraged this ability to deploy Microsoft's Office Communications Server to allow instant messaging and collaboration within the Senate and messaging to external clients without the risks associated with other instant messaging clients. More than 2,500 users in at least 30 offices currently use the service.

We continue to make progress toward modernizing the Senate's entire telecommunications infrastructure to provide improved reliability and redundancy in support of daily operations and continuity of operations and government, as well as to take advantage of technological advances to provide a more flexible and robust communications infrastructure. While conducting the final engineering and design phase of the Telecommunications Modernization Project, we determined that some of the proposed components should be replaced to better serve the Senate and meet our functional requirements. Concurrently with this effort, we asked a third party to conduct an independent verification and validation of the proposed solution. After replacement products were identified, the independent vendor endorsed the overall architecture with some caveats and suggested additional considerations and best practices before deploying the solution. These best practices include process and operational changes, security recommendations, and the suggestion to migrate our systems deliberately to ensure adequate time for lessons learned and feedback regarding the impact of this transformative technology. We are working to incorporate those suggestions into the project. In late January, we received a design for the system and have continued to work with our vendor to further clarify and refine several design elements. We expect to be performing proof-of-concept testing into late spring or early summer. The outcome of that testing will result in a decision on implementing the solution.

To help ensure systems are kept updated, we deployed a server to better make available software updates that come on disk. This solution eliminates the need for mass duplication of system update disks by providing the necessary files for offices to create disks on their own or download the files directly without creating a disk. This solution makes updates available faster and at a time of the offices' choosing.

In the past year we have significantly enhanced our videoconferencing infrastructure by upgrading the systems which handle video traffic routing. This upgrade has increased redundancy and will enable us to further enhance the stability of the network through load balancing traffic between infrastructure at the primary and alternate computing facilities. This move also prepares our infrastructure to support future converged technologies, which will use a new standard for communications. Additionally, we have enhanced the scalability of our infrastructure to handle up to 5,000 individual video call registrations, a tenfold improvement.

Web-based and Customer-Focused Business Applications

Working with the other major stakeholders (the Secretary of the Senate, the Committee on Rules and Administration, and the Senate Chaplain), we launched a restructured version of Webster, the Senate's intranet. The new Webster provides a more functional front page, a new banner, and an improved look and feel. Included in the site is a new method of categorizing information to improve search results and content layout, making information easier to find and significantly improving the user experience.

This year, we completed the third phase and began the next phase of TranSAAct, which is our platform for moving business online. Based on the business requirements of offices and the Committee on Rules and Administration, we continue to develop TranSAAct to eliminate paper-based manual processes and move them to the Web. Through TranSAAct, administrative managers and chief clerks can manage and track invoices for SAA services through a modern Web interface, and have single sign-on access to 14 Web-based applications, including the ALERTS emergency notification database, package tracking, and the Capitol Facilities ordering system. The latest additions to TranSAAct provide the ability to request services online and use electronic signatures for approvals, eliminating paper requests and significantly streamlining the previously manual processes. In addition to the processes for granting floor privileges and authorizations to request services from the Recording Studio, we added the processes for granting authorizations to request services from the Photo Studio, real-time consolidated view of outdoor and garage parking space allocations and permit issuance, access to Verizon Wireless billing, and a comprehensive set of over 20 links to the services that administrative managers use the most. Because it is built on an extensible modern database framework, TranSAAct allows indefinite expansion as new requirements are fulfilled. We look forward, over the coming months and years, to moving additional business process to the Web, reducing the time, paper, and errors associated with the current manual processes.

We developed and deployed several Web-based tools in support of the 56th Presidential Inauguration, including applications to manage the credential approval process and help the Joint Congressional Committee on Inaugural Ceremonies manage seating during the ceremony and the luncheon afterward. Our efforts streamlined the credentialing and press ticketing process by allowing the Joint Congressional Committee on Inaugural Ceremonies, the Capitol Police and the Media Galleries to approve requests for credentials for all applicants. The credentialing application managed the entire approval process, including name and personal information submission, data export for background investigations, notifying appropriate parties of approval status, allowing selection of broadcast position or access area, photo acquisition and data export to the Government Printing Office for badge printing. Overall, 10,137 credentials were processed and distributed utilizing our application in advance of the Inaugural ceremony.

The seating management application provided Joint Committee staff the ability to enter and manage data on guests of the 56th Presidential Inauguration via a secure internal website, and to generate custom reports and event timelines from that data. The Joint Committee staff extensively used the application and this effort contributed to the success of the Inaugural ceremonies with 1,578 seats assigned. More than 1,250 guests were processed, including 148 packages or groups of guests, and 186 rooms were scheduled for the event.

We also developed and deployed a new and improved version of the Rules Committee room reservation system. The application allows offices to view the 25 rooms under the jurisdiction of the Rules Committee and request a reservation. The application has an approval process and room availability schedule that allows the Rules Committee staff to view and approve requests.

Finally, we deployed the infrastructure to support streaming the video of committee hearings and other events in higher quality using Flash Media, and developed Web-based tools that allow the Senate Recording Studio to post archived committee hearings and send committees the links to their archived hearings.

Showcasing and Promoting Modern Information Technology in the Senate

This past year, we continued to highlight new technologies in the Information Technology Demonstration Center through a series of well-attended demo days. After products are tested and validated in our technology assessment laboratory, they are then available for offices to try in the Demo Center. The demo days feature live demonstrations of new and emerging technologies. Just to name a few of the new products and technologies that we recently brought to the Senate, in the past year we introduced the Office Application Manager, a secure Web-based, user-friendly application that provides Senate offices the ability to create and manage online forms such as service academy nominations, flags, internships, and fellowships; a service that provides information to system administrators about the computers in their offices and the status of applicable security updates; an e-mail archiving solution that provides an alternative to larger mailboxes through a software application that archives and indexes aged e-mail messages and attachments; and Research in Motion's latest 3G network-hosted BlackBerry devices, the Bold and Storm.

In order to perform technology assessments, feasibility analysis, and proof of concept studies to ensure we are considering technologies that will directly support the Senate's mission, we continue to improve the capabilities in our technology assessment laboratory. Technologies and solutions are vetted and tested here prior to being announced for pilot, prototype, or mass deployment to the Senate. To ensure we focus on the most relevant technologies and solutions, the CIO-sponsored Technology Advisory Group, consisting of CIO staff and our customers, performs high-level requirements analysis and prioritizes new technologies and solutions for consideration for deployment in the Senate. Some of the new technologies evaluated and/or recommended for support through our lab testing during the current fiscal year include:

—Enterprise class server virtualization to reduce the number of physical servers we require;
—Tier 2 enterprise class storage, which greatly reduces the cost of highly available, highly reliable centralized data storage;
—Enterprise instant messaging, a critical business communication tool that provides all the customary instant messaging capabilities, without sacrificing enterprise class reliability and security;
—More than 34 new Hewlett-Packard, Fujitsu, and Apple portable or desktop computer offerings;
—16 new Hewlett-Packard workgroup printers;
—10 new document imaging scanners;
—Nearly 600 Microsoft critical software security patches; and
—24 office productivity suite applications.

We will continue or intensify these efforts in fiscal year 2010 to ensure that the Senate is always well equipped to perform its functions. To keep our customers informed of our efforts, we publish the results of our studies on the emerging technology page of the CIO's area on Webster.

We continue to seek ways to improve our offerings to the Senate community for their correspondence systems. Working together with our users, we developed new, updated requirements for the Constituent Services Systems to help keep them responsive to changing office needs. By using new technologies to freshen the application mix, we are ensuring that these applications reflect the evolving Senate enterprise needs.

Enhancing Security with Accessible, Flexible and Reliable Systems

We continue to seek ways to improve the security of our technology infrastructure in order to protect data, respect privacy, enable continuous Senate operations, and support our emergency and continuity plans.

This past year our CIO organization fully implemented a BlackBerry scanning program designed to detect security intrusions on wireless devices used during international travel. Increasing our education efforts allowed us to find some potential security compromises on BlackBerrys that were taken to foreign countries. A strong partnership with the National Security Agency helped to mitigate the risk to the Senate once the discrepancies were found. For staff looking for additional protective measures, we introduced tamper-evident storage bags into which they could place laptops or smaller wireless devices when leaving those devices in a non-secured location such as a hotel room. These relatively simple procedures have helped mitigate potential damage that might have occurred otherwise.

We successfully completed the first audit in 5 years of our secure communications equipment by the National Security Agency with high marks from the audit team. The audit team found no discrepancies and complimented us on our knowledge and control of secure communications equipment in the Senate. We also continued our efforts to stay ahead of end-of-life deadlines on certain secure equipment that will arrive within the next year. We have begun upgrading firmware and replacing secure key cards to ensure that, should an emergency arise, our community will suffer no denial of service and will be able to communicate securely with outside entities.

Alternate Sites and Information Replication

We are continuing to test our technology in scenarios in which our primary infrastructure and primary work locations have become inaccessible. This includes the simulated loss of our primary data and network facilities, as well as simulated loss of staff work spaces. All mission-essential Senate enterprise information systems continue to be replicated at our Alternate Computing Facility (ACF), using our upgraded optical network and storage area network technology. In December, working with staff from the Office of the Secretary of the Senate, we conducted a third failover exercise involving the Senate's financial systems. Our CIO organization, including staff from all departments and vendors, continued to conduct pandemic exercises. These exercises demonstrate the CIO's ability to support mission-essential systems with a minimum number of on-site personnel, and the ability to support substantial numbers of people working from home. As a means to further our commitment to ensuring customer service regardless of the situation, the Network Operations Center (NOC) remains vigilant in the organization's support of network resources by continuing to answer service calls once a week from the ACF and by conducting periodic "pandemic" testing where support staff operate through remote access. The NOC also rotates remote access and WAN services between the alternate and primary sites on a monthly basis as a means to continually test and ensure network availability and continue our mission to provide access to mission-critical information at all times. These exercises continue to be extremely successful and give us valuable insight into how we would provide our support in an emergency.

This past year, our CIO organization also continued helping offices protect their data by enabling them to replicate data to state offices or the ACF through the remote data replication program. To date, 57 Senate offices and 23 committees are taking advantage of this program, with 81 percent installed at the ACF and 19 percent installed in Senators' state offices. Remote data replication provides the Senate an unprecedented ability to access institutional data in the event of an emergency. Another system that is integral to emergency planning, particularly in the event of a mass telecommuting scenario such as a pandemic, is our video teleconferencing system. We continue to maintain a state-of-the-art level of services and offerings in our video teleconferencing infrastructure. We have improved infrastructure redundancy and functionality by incorporating seamless failover capabilities and support for high-definition video. Through this highly-successful project we have installed nearly 650 units in offices across the nation with usage rates in excess of 35,000 minutes per day when the Senate is in session.

Two (enterprise and hybrid) of the three architectural options we offer for electronic messaging provide complete replication of the office's electronic mail at our Alternate Computing Facility. Eighty-six percent of offices are now taking advantage of the continuity of operations capability inherent in the enterprise and hybrid options. Also, the recently deployed e-mail archiving system provides complete replication of electronic mail that has been archived to "near-line" storage media for long term storage.

Our previous virtual file server offering is reaching its end-of-life and is being replaced with newer virtual technology, which is addressed later in this testimony.

Securing our Information Infrastructure

As a result of the information security activities we described in last year's testimony, we now have much better insight into the dynamic nature of global cyber threats. This knowledge, combined with the flexible technologies we use in our information security operations centers, allows us to monitor and quickly respond to changes in IT operational risk present in the Senate environment. Our active prevention and detection capabilities continue to evolve. We are deploying technologies and processes that will help detect and prevent most malware infections and attempts to exploit vulnerabilities as they are attempted. Our capability to detect and prevent attacks in real time is crucial in light of the "zero-day" (previously undetected) attacks that frequently target our computing environment. These processes and technologies shield Senate information technology assets, reducing operational impact on offices and accompanying downtime and lowering remediation costs. We continuously adjust our controls in response to new threats and make security recommendations to offices and committees, thereby increasing the resiliency of the Senate's IT infrastructure to ensure continuity of government, even under duress.

Similar to security in the physical world, protecting information and technology resources requires constant vigilance and the capability to detect and deter attacks. We operate in an ongoing attack environment, as the threats to our information infrastructure are increasing in both frequency and sophistication. We continue to see not only "general" threats that affect all Internet-connected organizations, but also sophisticated, targeted attacks originating from numerous foreign and domestic sources. These attacks continuously target vulnerabilities in our systems using many different infection vectors and malicious programs, including viruses, worms, Trojan horses, spyware, spybots, adware, adbots, trackware, keyloggers, and rootkits. Countering this evolving threat environment requires situational awareness and robust processes, as well as continual research, testing and deployment of emerging security technologies. Recently, infections have been highly virulent in nature and difficult to detect because they exploit newly-identified or previously-unknown vulnerabilities. We have determined that these attacks are probably launched by determined and sophisticated adversaries, so we have very little advance notice of new types of attacks. Responding to these attacks requires significant investment in flexible security control structures and processes that can be rapidly revised and adjusted to respond to these sophisticated new threats. As part of this effort, we are cultivating external relationships to improve our overall awareness of Internet-based threats. As the global threat environment shifts and intensifies, we continually modify our processes and technologies to better protect the Senate's information and IT infrastructure. Over the next year, we will meet the challenge of managing a dynamic security environment by: (1) expanding our current security controls to enhance our incident handling capabilities; (2) expanding the technical capabilities of our information security operation centers; (3) collaborating with other federal agencies to enhance our situational awareness and incident response capabilities; (4) evaluating, testing, and deploying new security technologies and processes; and (5) enhancing communication with system administrators to help them improve the security posture of their own information infrastructures.

In 2008, we provided an increased level of computer security support to offices. We were increasingly called upon to help office system administrators properly configure desktop and server security controls and assist them in responding to security threats of which we had notified them. Through our outreach program, we conducted training for staff in nearly a dozen offices, regularly assisted with orientation sessions for our own new staff, and produced a number of new reference guides to assist staff in securing information and technology resources. We also continued to work with system administrators to promote staff awareness of threats to Senate information, and to help them understand what they can do to assist in reducing the risk from such threats. As part of the information sharing process, we produced numerous blog entries, articles, and user notices targeted at both system administrators and the general Senate user population. As the Senate continued to employ cutting edge technologies, we adjusted our processes and controls to ensure optimal product performance and service delivery. We augmented both our security services and security infrastructure. For example, over the past year we upgraded our security technology monitoring infrastructure to provide greater flexibility, improved utilization of our computing resources, and enhanced our continuity and disaster recovery capabilities. This infrastructure is very scalable, allowing us to expand capabilities while controlling costs.

This year we have continued development of our redundant information security operations centers. The mission of these centers is to identify and understand threats, assess vulnerabilities, identify failure points and bottlenecks, determine potential impacts, and remedy problems before they adversely affect Senate operations. We augmented these capabilities by collaborating with other federal agencies to ensure that we have the most up-to-date information and techniques for combating cyber threats. The combination of our information security operations centers, defense-in-depth capability, enterprise anti-malware programs, and centralized security update management service has proven effective.

As outlined earlier, we must continue to remain vigilant because the threat environment, as measured by detected security incident attempts, remains very high. For example, every day our security operations center detects approximately 28.6 million potential security threats targeting the Senate, less than 5 percent of which are characterized as high-risk based upon the possible severity or impact of the threat. Our SAA information security staff handles about 40 security issues each month. We have also improved our capability to monitor the Senate's information technology environment over the past year. For example, our ability to detect, analyze, and categorize security "events," defined as instances of network traffic that have the potential to cause a security breach, have dramatically increased from 7 to 9 million per month in 2008, to almost 860 million per month so far in 2009. During 2008, we upgraded existing equipment which provides richer data feeds on the Senate network. These improvements allow us to more clearly identify malicious activity, and thus, have resulted in an increase in the number of events we have observed. Looking ahead, we project that in-progress infrastructure improvements will allow our information security operations centers to evaluate many more events in a 24-hour period. This capability will help prevent our systems from being overwhelmed during a widespread malware outbreak or distributed denial of service attack, and will also allow for significant improvements to our security monitoring sensor network.

Our anti-virus controls detected and countered nearly 52,500 virus-related events on Senate computers during 2008. Similarly, our client-based firewalls detected and countered approximately 52,000 attempted exploits on Senate computers during the same period. Almost all offices use our managed anti-virus system to detect and prevent malware infections, and receive patches to repair critical software vulnerabilities from our software update servers. These systems protect more than 12,000 Senate computers from malicious software and other known software vulnerabilities that would otherwise allow attackers to compromise these systems. With this said, security controls best prevent against unsolicited network traffic, which is to say traffic that is not initiated from internal users. We have continued to see an increase in infection attempts brought about by users opening malicious e-mail attachments or visiting infected Web sites. While the Senate did experience an assortment of viral infections on multiple systems in 2008, our security controls prevented any of these isolated events from turning into a widespread outbreak. All our information security monitoring activities are in compliance with the SAA's information privacy policy.

Our new information security Watchstander role, patterned after similar security operations center positions in other agencies, requires around-the-clock availability of our information security staff. The position provides the Senate community a central point of contact when reporting and responding to IT security events. The Watchstander also reviews and responds to IT security alerts, suspicious activity bulletins, and warnings compiled by public and private sources. Watchstander services include responding to office complaints about e-mail spam, e-mail disruptions due to blacklisting by external Internet service providers, and phishing attempts. The Watchstander also creates user notices in response to warnings on new vulnerabilities, and responds to reports of suspicious network traffic identified by our information security operations center.

Emergency and Contingency Communications

This year we continued upgrading and testing our two Senate emergency response communications vehicles according to a monthly exercise plan. These assets are available for deployment with data network, telephone, and satellite connectivity and provide the ability to relocate significant information infrastructure virtually anywhere. We also continue to train and expand our deployment teams, and work to revise and refine our operations procedures for deployment of these vehicles in support of the Senate.

During the year we refined the in-building wireless infrastructure in the Capitol and the Capitol Visitor Center. This infrastructure provides coverage in areas where it was previously poor or non-existent and also allows Senate staff to connect back to their offices via wireless remote computing. The wireless infrastructure also supports the major cellular carriers, allowing Senators and staff to use the carrier of their choice with the device of their choice across the Senate campus.

As we continue to demonstrate during continuity of operation exercises, staff can work and communicate from virtually anywhere at any time. Because these capabilities are crucial to our ability to support the Senate in an emergency, we continue to enhance and expand these capabilities in order to support a potentially dispersed workforce with the ability to telecommute. It also allows us to provide employees with flexible work options on a daily basis and, by allowing those options, keeps their remote access skills honed and ready to use as needed.

Enhancing Stewardship through Fiscal and Environmental Responsibility

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

—Continuation of our virtualization efforts, where we now save $100,000 in annual energy costs and $975,000 in maintenance and support costs by running more than 150 servers/services in virtual environments. We will continue an aggressive campaign to virtualize more systems.

—During the past year we replaced all Internet e-mail gateway servers with new appliances. The appliances have a much smaller footprint than the servers that they replaced, use much less power, and provide more computing power than the older servers, which allowed us to reduce the number of servers. The appliances also come pre-configured so support is much less labor-intensive. Addition of new appliances or upgrades to existing appliances should also be easier. The overall effect of this replacement project is a "greener" computing center.

Metric	Pre-consolidation	Post-Consolidation	Difference (percent)
Power consumption	80,000W	32,760W	−59
Number of servers	25	20	−20
Rack space	100 rack units	40 rack units	−60
Heat dissipation	136,475 BTU/hr	59,464 BTU/hr	−56

—The newly implemented virtual machine infrastructure allows us to centrally host office file and application servers on shared hardware at our primary and the alternate facilities as well as consolidate the test and production servers we manage. The infrastructure greatly increases server hardware efficiency over both the previous virtual file server offering and in-office servers, and through system duplication and data replication, offers enterprise class data redundancy and recovery in the event of a critical local failure or crisis. The virtual solution will also relieve offices of considerable noise, excess heat, and will increase usable office working areas for staff. It removes the single point of failure from existing office servers and meets continuity of operations and data replication requirements for approximately half the cost of existing solutions. To date, we are hosting 28 Senate office file servers on our virtual infrastructure. Virtual servers running in the Data Center consume only 15 percent of the energy of a comparable number of physical servers. This means a reduction in power consumption and air conditioning requirements, saving Senate funds, while enhancing our ability to provide reliable and redundant services.

—Adding network services to copier maintenance contracts allows offices to consider purchasing a networked multi-function copier that can perform print, scan, and fax functions rather than having three separate machines. One machine doing the work of three decreases energy consumption as well as consumable costs. Because network services were previously a billable item for offices, the initiative to bundle network services into the maintenance contracts also reduces invoicing costs.

—We continue to upgrade and enhance the electronic fax system to encourage offices to use this as well. Senate Fax Services saves hundreds of thousands of pages of paper each year by allowing staff to dispose of unwanted fax messages electronically before they are printed, and reduces the need for fax toner cartridges, which again reduces the need for manufacturing and disposal of them, and saves tens of thousands of dollars a year on their purchase.

—Online Verizon Wireless billing through our TranSAAct system has eliminated a significant amount of paper. Each invoice was potentially several hundred pages long and at least three paper copies of each invoice were sent to the Senate.

—Scrutiny of our telecommunications bills for overcharges and incorrect items has saved us more than $100,000 in the current fiscal year.

We also ensure that the devices we recommend to the Senate meet the applicable EnergyStar guidelines, and where feasible, the guidelines for the responsible manufacture of information technology equipment.

IT security is, and will continue to be in the near term, a growth area. We anticipate that the trend of cyber attacks associated with geopolitical events will continue. In response, our operating model emphasizes speed and agility and the ability to bring needed resources to bear quickly. Our cyber security contract provides additional resources to support this operating model. We continually work to stay ahead of threats and put new safeguards in place to protect the Senate's information and computing infrastructure. In support of our efforts to increase both our analytical and defensive capabilities, we are filling two new full-time positions in our IT Security Branch approved in our fiscal year 2009 appropriations. We are also deploying additional security mechanisms and other protective technologies in the Senate network, which will enhance our ability to protect the Senate from cyber threats, malware, and other network-borne threats that originate from external networks. In addition, we are assisting in efforts to integrate sophisticated security products and technologies into the new telecommunications system, thus providing a monitoring, detection, and active prevention capability that will further protect us from current and future cyber threats and better satisfy the Senate's requirements for voice communications privacy and reliability

Capitol Visitor Center

Our office has been involved with the Capitol Visitor Center (CVC) since its inception. We have worked collaboratively on this bicameral project with representatives from Leadership, oversight committees and other agencies to ensure the design, construction and operational aspects of the facility achieve the desired results. Our participation and the challenges presented have been vast and varied, including but not limited to: security; hours of operation; transitioning the Capitol Guide Service; emergency preparedness; information technology; furnishings for the Senate side of the CVC; Senate Meeting Rooms design, set-up and maintenance; bus routes; Capitol tour routes; coat checks; official appointments; accommodating visitors to the Senate Gallery; broadcast media infrastructure; ATM service; telephone service and other communications infrastructure.

We have several departments that have been impacted by the CVC. Their operation and processes changed with its opening.

Senate Appointments Desks

To improve security and the flow of visitors to the Capitol, the Senate Appointments Desk added two desks in the CVC, one located near the main entrance and the other located outside of the Senate Meeting Rooms on the lower level. Our goal is to process approximately 80 percent of the people who have appointments at the Capitol through the CVC, reducing congestion within the Capitol and minimizing processing and waiting time for our guests. We have maintained scaled versions of the Capitol and the Russell Appointments Desks for visitors with appointments with Leadership and for those who have appointments in both the Senate office buildings and the Capitol. Our Appointments Desks staff expanded from six to ten and we researched avenues to fill these vacancies without increasing the Sergeant at Arms budget. The labor efficiencies we implemented in the Senate Post Office enabled us to transfer 4 FTEs to the Senate Appointments Desk team to fill the vacancies created by our expansion of services to the CVC.

Senate Gallery Visitors

We improved the visitor experience for those who want to witness Senate proceedings from the Gallery. We now process these guests through the CVC, rather than the Capitol's North Door. This process enhancement improved security, as well as the visitor experience, by eliminating the long lines and congestion that had been commonplace throughout the Capitol. Our Senate Doorkeepers team manages a staging room in the CVC that facilitates the collection of Gallery prohibited items and the movement of people in a secure manner. The staging room and the surrounding areas offer our guests numerous creature comforts and educational opportunities.

The number of visitors to the Senate Gallery has increased by nearly 300 percent during the first 2 months of the 111th Congress as compared to the same period during 2008. We expect this trend to continue throughout 2009 and beyond. Despite the significant increase, the feedback from our visitors has been extremely positive. Senate Gallery visitors have complemented our processes, including the elimination of long lines waiting outside in the elements, the speed of gaining access to the Gallery, and the educational opportunities afforded by the CVC.

This was another opportunity where our team was able to make significant improvements without adding FTEs. Despite the fact that our Doorkeepers' footprint of responsibility increased by over 70 percent, we were able to improve our performance with existing resources.

The opening of the CVC has had a major impact on the duties of Capitol Facilities. We procured and installed both modular and standard furniture and relocated other office goods to the Senate Expansion Space occupied by the Office of Police Operations, Security and Emergency Preparedness (POSEP), Senate Security, the United States Capitol Police (USCP), the Senate Curator's office, the Senate Recording Studio, and Closed Captioning Services. We also procured special event seating, tables and podiums to support ten meeting rooms in the CVC that fall under Facilities' purview.

Capitol Facilities is responsible for providing planning assistance for special event set-up, including tables, chairs, podiums, and easels. We provide daytime cleaning of space occupied by Senate Security, as well as the setup, take down and clean up for each special event in the Senate Meeting Rooms. Our Facilities team assisted in the conversion of vacated Capitol space due to CVC moves. This included the installation of new carpeting and furnishings, as well as furniture moving and deep cleaning of renovated spaces. Future expenditures can be anticipated as the useful life of furnishings and equipment will be determined by the frequency of use.

Virtually all of the Senate side of the CVC's IT infrastructure is supported by the SAA. Maintenance initially will be minimal and will not require additional FTEs. However, changes in requirements or technological enhancements could require significant time and resources. Additionally, as time passes, obsolescence and advances in technology become issues that have significant impact on costs.

Recording Studio

Our Recording Studio is responsible for providing gavel-to-gavel coverage of Senate floor proceedings, broadcasting Senate committee hearings, and providing radio and television production studios, and equipment for Senators' use. Last year, we televised all Senate floor proceedings, broadcast 1,309 radio and television productions, and 885 committee hearings. The committee hearing broadcasts represented a 17 percent increase versus 2007. This trend continues with the 111th Congress as, in the month of January, committee hearing broadcasts increased by 86 percent, and radio and television productions increased by 62 percent as compared to the previous year. This is another example of where we have increased productivity by utilizing process improvements and technology rather than adding FTEs. In coming years, the Recording Studio will require new cameras in the Senate Chamber and replacement of a satellite truck necessary for alternate chamber broadcasts and other COOP events.

Committee Hearing Room Upgrade Project

Demand for additional committee broadcasts has been continually increasing. In 2003, we began working with this Committee and the Committee on Rules and Administration to upgrade and install multimedia equipment in Senate committee hearing rooms. The project includes digital signal processing audio systems and broadcast-quality robotic camera systems.

To date, we have completed 21 hearing rooms, S–207, S–211, and we are currently working on SH–219. Room enhancements include improved speech intelligibility and software-based systems that we can configure based on individual committee needs. The system is networked; allowing committee staff to easily and automatically route audio from one hearing room to another when there are overflow crowds. Additionally, the system's backup will take over quickly if the primary electronics fail.

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

Migration to the Capitol Visitor Center

Our Senate Recording Studio was one of the first departments to move into the recently completed Capitol Visitor Center. We successfully moved from eight dispersed offices in the Capitol to our state-of-the-art facility in the CVC. This move enabled the Recording Studio to complete its upgrade to a fully digital, high definition facility, which began almost 10 years ago. The Studio completed the move of all aspects of its operation, including the engineering shops, the Senate Television operation, Studio production and post-production facilities, committee broadcast services, and all administrative and management offices to the CVC by September 2008, when the Senate returned to session.

Our new facility has received accolades from guests since its opening, including Senate Leadership, Senators and their staffs. The convenience of the Studio's location and proximity to the Senate Floor and Senate subway is a benefit to Senators and staff.

We completed the move on time despite the challenge of broadcasting ten pro forma sessions during August. We successfully used equipment designated for Continuity of Operations (COOP) events to broadcast these sessions, allowing us to exercise our COOP processes and equipment simultaneously.

Media Galleries

Our four Media Galleries experienced one of their busiest years on record and performed their tasks exceptionally well despite numerous challenges. Changes in technology have created significant issues for our Galleries as they seek avenues to accommodate the various new media that have been emerging over the past 10 years. All Galleries have worked to incorporate as many online and multimedia organizations as possible within the current rules and structure of each respective Gallery.

A significant accomplishment was expanding "Wi-Fi" to all rooms occupied by Gallery staff and media. This was done in an efficient and secure fashion. All involved worked very hard to maintain necessary firewalls while providing the wireless access.

The Media Galleries moved their respective gallery membership data files into online applications. This data is housed on more secure SAA servers, is easily accessible to Gallery staff, and is available for day-to-day credentials, as well as numerous upcoming special events.

Our Media Galleries work in some of the most beautiful areas of the Capitol. Last year we renovated the Daily Press Gallery with a complete remodeling of furniture, and installed the latest technology so that we may better serve our Members and the media who cover the Senate. The Senate Radio/TV Gallery Studio was also renovated in order to install the latest technology and provide a modern look for Senators' appearances on camera.

The historic 2008 election cycle was the major story that occupied much of the news over the past 2 years. The declaration of six sitting Senators seeking their respective party's Presidential nomination and the election of two sitting Senators as President and Vice President was significant and kept our Galleries busy. This story, coupled with the wars in Iraq and Afghanistan and the declining economic conditions created great interest among those in the media throughout 2008.

Election years require significant additional efforts from our staff who work in the Media Galleries because, in addition to their normal duties, the scope of their responsibilities is expanded to making media arrangements for the Democratic and Republican Conventions and the Inaugural Ceremonies. While our Media Gallery staff has worked diligently on the Presidential Conventions since 1904, that role was codified through legislation this past year.

Preparations for the 2008 Republican and Democratic Presidential Nominating Conventions in Minneapolis, Minnesota and Denver, Colorado began in January 2008. After months of working on preliminary arrangements, workspace assignments, screening applicants, press stand allocations, and numerous other logistics, staff were on-site at the convention cities from mid-August through the first week in September. Approximately 15,000 media attended the conventions. While onsite, the Media Galleries allocated approximately 200,000 square feet of workspace for news organizations. Additionally, they accredited press, oversaw workspace, assigned positions on press and camera stands, and distributed floor passes. This year, most arrangements for the Democratic convention had to be done twice, since the first three nights took place in the Pepsi Center Arena, and the final night was held at a second venue, the Denver Broncos football stadium.

As soon as the conventions ended, our Media Galleries immediately shifted their attention to the Inauguration. This year was extraordinary: we had approximately a 400 percent increase in the number of organizations who wanted to cover the Inaugural compared to 2005. Newspapers and reporters from all over the United States and from countries around the globe applied for credentials. Between the four galleries, roughly 5,000 media were on the Capitol's West Front for the swearing-in ceremony.

After January 20th, the work of the Galleries was not done. The first year of an Administration is always the busiest time for the media, and this one, like the conventions and Inauguration, has had more media interest than anything we have seen.

OPERATIONS AND SUPPORT

Capitol Facilities

Capitol Facilities serves the Senate community by providing a clean and professional work environment through its Environmental Services Division. The Furnishing Division provides creative framing services to all Senators and committees, custom cabinets and other high quality furniture, carpeting and draperies.

The Senate Expansion Space of the Capitol Visitor Center (CVC) has impacted both the Furnishings Division and the Environmental Services Division of Capitol Facilities. Through multi-year funding, furnishings were procured for the offices located in this space. The Environmental Services Division has accommodated the additional ten event spaces by providing meeting planning through our administrative division and room setup. Daytime cleaning is also provided for the Senate Security offices.

The Cabinet Shop designer has been instrumental in providing space planning for the Senate Expansion Space offices and the newly renovated Capitol offices. Through the use of computer aided design, floor plans were constructed easing the transition of Capitol offices into their new CVC spaces.

An online request system known as CAPFOR (Capitol Facilities Online Request) has been launched to provide online access for Capitol work requests. This system provides an instantaneous way for staff to make service requests and view photos of the office furniture inventory.

Capitol Facilities completed 5,000 service requests from staff; planned and provided 2,600 setups for special events; constructed 140 pieces of furniture; and matted and framed 1,900 documents, photos and memorabilia for Senators.

Central Operations

Printing Graphics and Direct Mail

The Printing, Graphics, and Direct Mail (PGDM) branch provides high-level, direct customer support to the Senate community in photocopying, print design, and production services. During 2008, PGDM responded to customer requests for color printing by utilizing digital and traditional full-color offset printing equipment to produce over 19.7 million full-color pages, an increase of 4 percent over 2007.

PGDM retained high levels of customer satisfaction through maintaining reliable, user-friendly copiers in convenient satellite copy centers which produced over 8.6 million copies in 2008. In response to many requests, PGDM expanded its very popular microfilm conversion service and produced over 551 CDs from microfilm, a 77 percent increase over 2007. PGDM also met growing Senate office requests for report printing and produced 2.8 million pages, up 16 percent over 2007.

As a good steward of its own resources and that of others, PGDM saved the Senate over $2.2 million in postage costs (53 percent more than 2007) by pre-sorting 10.9 million pieces of Senate franked mail, a 126 percent increase over 2007. PGDM's commitment to teamwork and to excellent customer service extends to our Senate partners as well. The department's collaborative work with the Architect of the Capitol (AOC) fulfilled 65,000 flag requests during 2008 and in tandem with the Government Printing Office, delivered over 1 million documents (Pocket Constitutions, Our Flag, Our American Government, etc.) to requestors.

PGDM's Senate Support Facility upheld the SAA mission for operational security by receiving 65,425 items from the United States Capitol Police Off-Site inspection facility and transferring them to the Senate Support Facility in 2008. This eliminated 619 truck deliveries to the Capitol complex.

Parking Office

The Senate Parking, Transportation and Fleet Office is a leader in "green" initiatives:

—The fleet includes 22 flex-fuel vehicles, two hybrid vehicles and one electric car. In a collaborative agreement with the AOC, eleven E85-compatible Senate vehicles have access to the AOC E85 fuel station.

—Six motorcycle parking spaces were added on the Northwest Lower Drive in 2008. In combination with 28 motorcycle spaces on Lot 16 and 12 spaces on Lot 12, this gives Senate staff more choices when considering their commuting options.

—Solar panel lighting was added to Lot 18 to provide heightened security and energy efficient illumination for customers.

Photography Studio

The Photography Studio provides photography and imaging services for Senate offices, capturing 75,000 photo images and producing more than 100,000 photo prints in fiscal year 2008. The Photography Studio's popular image archiving service was used to scan, organize, and transfer more than 113,000 photo images to portable hard drives for departing Senators.

The Photography Studio is currently replacing the Photo Browser application. After extensive research and evaluation of numerous commercial off-the-shelf products, a selection was made and application installation began in December 2008. North Plains Telescope is a fully supported Digital Asset Management (DAM) product that is well-architected and meets all modern, open architecture programming standards. General Dynamics is working with North Plains and Photo Studio staff to identify design and configuration requirements, and plans to test the new application by June 2009.

Senate Hair Care

Following careful market research, Senate Hair Care increased prices on selected services in July 2008. Within the following 7 months, revenue increased by $18,565 (7 percent) over the same period in 2007. After listening to customers, services and retail product offerings were also expanded to include more personal care products and travel-sized items which keep customers compliant with Transportation Security Administration security. Customers are responding positively to the new services and retail products offered in Senate Hair Care.

CONCLUSION

We take our responsibilities to the American people and to their elected representatives seriously. The composition of the Office of the Sergeant at Arms is comparable to a number of small businesses, each with its own primary mission, each with its own measures of success, and each with its own culture. It has a fleet of vehicles that serves Senate Leadership, delivers goods, and provides emergency transportation. Our Photography Studio records historic events, takes official Senate portraits, provides a whole range of photography services, and delivers thousands of pictures each year. The SAA's printing shop provides layout and design, graphics development, and production of everything from newsletters to floor charts. The Office of the Sergeant at Arms also operates a Page dormitory, a hair salon, and parking lots. It provides many other services to support the Senate community, including framing, flag packaging and mailing, and intranet services. Each of these businesses requires personnel with different skills and abilities. One thing that they all have in common is their commitment to making the Senate run smoothly.

Over the past year, the staff of the SAA has kept the Senate safe, secure, and operating efficiently. This Committee and the Committee on Rules and Administration have provided active, ongoing support to help us achieve our goals. We thank you for your support and for the opportunity to present this testimony and respond to any questions you may have.

APPENDIX A—FISCAL YEAR 2010 BUDGET REQUEST

ATTACHMENT I—FINANCIAL PLAN FOR FISCAL YEAR 2010

EXECUTIVE SUMMARY: OFFICE OF THE SERGEANT AT ARMS—UNITED STATES SENATE

[Dollar amounts in thousands]

	Fiscal year 2009 budget	Fiscal year 2010 request	Fiscal year 2010 vs. fiscal year 2009	
			Amount	Percent Incr/Decr
Salaries	$66,800	$75,044	$8,244	12.3
Expenses	$83,472	$91,712	$8,240	9.9
Total General Operations & Maintenance	$150,272	$166,756	$16,484	11.0
Mandated Allowances & Allotments	$63,118	$55,114	($8,004)	–12.7
Capital Investment	$2,315	$15,185	$12,870	555.9
Nondiscretionary Items	$4,696	$6,450	$1,754	37.4
TOTAL	$220,401	$243,505	$23,104	10.5
Staffing	958	963	5	0.5

To ensure that we provide the highest levels and quality of security, support services and equipment, we submit a fiscal year 2010 budget request of $243,505,000, an increase of $23,104,000 or 10.5 percent compared to fiscal year 2009. The salary budget request is $75,044,000, an increase of $8,244,000 or 12.3 percent, and the expense budget request is $168,461,000, an increase of $14,860,000 or 9.7 percent. The staffing request is 963, an increase of five.

We present our budget in four categories: General Operations and Maintenance (Salaries and Expenses), Mandated Allowances and Allotments, Capital Investment, and Nondiscretionary Items.

The general operations and maintenance salaries budget request is $75,044,000, an increase of $8,244,000 or 12.3 percent compared to fiscal year 2009. The salary budget increase is due to the addition of five FTEs, a COLA, and merit funding. The additional staff will support increased demand for services, as well as advancing technology.

The general operations and maintenance expenses budget request for existing and new services is $91,712,000, an increase of $8,240,000 or 9.9 percent compared to fiscal year 2009. Major factors contributing to the expense budget increase are equipment and software maintenance costs for enterprise storage, $1,235,000; professional services, software purchase and technical support for IT Security, $1,094,000; escalating costs of the IT Support Contract and other IT Support agreements, $844,000; smart card badges for the ID Office, $650,000; and system design costs for the Senate services portal, $600,000; system design services for admin systems, $553,000; and telephone system maintenance, $551,000.

The mandated allowances and allotments budget request is $55,114,000, a decrease of $8,004,000 or 12.7 percent compared to fiscal year 2009. This budget supports state office rents, $17,644,000; voice and data communications for Washington, DC and state offices, $13,200,000; purchase of computer equipment, $12,315,000; procurement and maintenance of office equipment for Washington, DC and state offices, $4,665,000; maintenance and procurement of Member mail systems, $4,500,000; and state office security enhancements, $2,700,000.

The capital investment budget request is $15,185,000, an increase of $12,870,000 or 555.9 percent compared to fiscal year 2009. The fiscal year 2010 budget request includes funds for audio and video upgrades for committee hearing rooms,

$5,000,000; hardware for network upgrades, $2,500,000; equipment purchases for the storage area network, $1,600,000; replacement of printing equipment, $1,540,000; and state office wide area network hardware, $1,150,000.

The nondiscretionary items budget request is $6,450,000, an increase of $1,754,000 or 37.4 percent compared to fiscal year 2009. The request funds three projects that support the Secretary of the Senate: contract maintenance for the Financial Management Information System, $3,427,000; costs related to the replacement of the Senate Payroll System, $2,150,000; and maintenance and necessary enhancements to the Legislative Information System, $873,000.

ATTACHMENT II—FISCAL YEAR 2010 BUDGET REQUEST BY DEPARTMENT

The following is a summary of the SAA fiscal year 2010 budget request on an organizational basis.

[Dollar amounts in thousands]

	Fiscal year 2009 budget	Fiscal year 2010 request	Fiscal year 2010 vs. fiscal year 2009	
			Amount	Percent Incr/Decr
Capitol Division	$31,307	$39,566	$8,259	26.4
Operations	$42,827	$47,120	$4,293	10.0
Technology Development	$47,877	$62,523	$14,646	30.6
IT Support Services	$81,752	$75,368	($6,384)	–7.8
Staff Offices	$16,638	$18,928	$2,290	13.8
TOTAL	$220,401	$243,505	$23,104	10.5

Each department's budget is presented and discussed in detail on the next pages.

CAPITOL DIVISION

[Dollar amounts in thousands]

	Fiscal year 2009 budget	Fiscal year 2010 request	Fiscal year 2010 vs. fiscal year 2009	
			Amount	Percent Incr/Decr
General Operations & Maintenance:				
Salaries	$17,537	$19,612	$2,075	11.8
Expenses	$10,970	$12,254	$1,284	11.7
Total General Operations & Maintenance	$28,507	$31,866	$3,359	11.8
Mandated Allowances & Allotments	$2,700	$2,700		
Capital Investment	$100	$5,000	$4,900	4,900.0
Nondiscretionary Items				
TOTAL	$31,307	$39,566	$8,259	26.4
Staffing	287	287		

The Capitol Division consists of the Executive Office, the Office of Police Operations, Security and Emergency Preparedness, Post Office, Recording Studio and Media Galleries.

The general operations and maintenance salaries budget request is $19,612,000, an increase of $2,075,000 or 11.8 percent. The salary budget increase is due an expected COLA and merit increases, and other adjustments.

The general operations and maintenance expenses budget request is $12,254,000, an increase of $1,284,000 or 11.7 percent primarily in support of the new smart card badges for the ID Office.

The mandated allowances and allotments budget request for state office security initiatives is $2,700,000.

The capital investments budget request of $5,000,000 will fund hearing room audio and video upgrades.

OPERATIONS

[Dollar amounts in thousands]

	Fiscal year 2009 budget	Fiscal year 2010 request	Fiscal year 2010 vs. fiscal year 2009	
			Amount	Percent Incr/Decr
General Operations & Maintenance:				
Salaries	$18,509	$20,358	$1,849	10.0
Expenses	$6,876	$7,028	$152	2.2
Total General Operations & Maintenance	$25,385	$27,386	$2,001	7.9
Mandated Allowances & Allotments	$16,992	$17,744	$752	4.4
Capital Investment	$450	$1,990	$1,540	342.2
Nondiscretionary Items	....	....	....	....
TOTAL	$42,827	$47,120	$4,293	10.0
Staffing	305	307	2	0.7

The Operations Division consists of the Central Operations Group (Director/Management, Parking Office, Printing, Graphics and Direct Mail, Photo Studio, and Hair Care Services), Facilities, and the Office Support Services Group (Director, Customer Support, State Office Liaison, and Administrative Services).

The general operations and maintenance salaries budget request is $20,358,000, an increase of $1,849,000 or 10.0 percent. The salary budget increase is due to an expected COLA, merit increases, two new FTEs to support increased service levels, and other adjustments.

The general operations and maintenance expenses budget request is $7,028,000, an increase of $152,000 or 2.2 percent. This increase is primarily due to increases in equipment maintenance costs.

The mandated allowances and allotments budget request is $17,744,000, an increase of $752,000 or 4.4 percent due to increased commercial and federal office rents.

The capital investment budget request is $1,990,000, an increase of $1,540,000 or 342.2 percent. This request includes funds for a color network printer, $500,000; laser printer, $400,000; copy center copiers, $200,000; and servers, $200,000; a digital printing and processing machine, $200,000.

TECHNOLOGY DEVELOPMENT

[Dollar amounts in thousands]

	Fiscal year 2009 budget	Fiscal year 2010 request	Fiscal year 2010 vs. fiscal year 2009	
			Amount	Percent Incr/Decr
General Operations & Maintenance:				
Salaries	$13,922	$16,306	$2,384	17.1
Expenses	$27,594	$31,572	$3,978	14.4
Total General Operations & Maintenance	$41,516	$47,878	$6,362	15.3
Mandated Allowances & Allotments	....	....	....	....
Capital Investment	$1,665	$8,195	$6,530	392.2
Nondiscretionary Items	$4,696	$6,450	$1,754	37.4
TOTAL	$47,877	$62,523	$14,646	30.6
Staffing	146	149	3	2.1

The Technology Development Services includes the Technology Development Director, Network Engineering and Management, Enterprise IT Operations, Systems Development Services, Information Systems Security and Research Services.

The general operations and maintenance salaries budget request is $16,306,000, an increase of $2,384,000 or 17.1 percent. The salary budget increase is due to the addition of three FTEs, an expected COLA and merit funding for fiscal year 2010. Technology Development requires three FTEs in support of wireless network services and to provide expertise in mass distribution of software solutions in the SAA LAN environment.

The general operations and maintenance expense budget request is $31,572,000, an increase of $3,978,000 or 14.4 percent. This increase is due to equipment and software maintenance costs for enterprise storage, $1,235,000; professional services, software purchase and technical support for IT security, $1,094,000; and systems design services for admin systems, $553,000.

The capital investment budget request is $8,195,000, an increase of $6,530,000 or 392.2 percent. This request includes data network upgrade project, $2,500,000; data network engineering, $2,200,000; upgrade of the Storage Area Network (SAN), $1,600,000; and state office wide area network hardware, $1,500,000.

The nondiscretionary items budget request is $6,450,000, an increase of $1,754,000 or 37.4 percent. The request consists of three projects that support the Secretary of the Senate: contract maintenance for the Financial Management Information System, $3,427,000; replacement of the Senate Payroll System, $2,150,000; and maintenance and necessary enhancements to the Legislative Information System, $873,000.

IT SUPPORT SERVICES

[Dollar amounts in thousands]

	Fiscal year 2009 budget	Fiscal year 2010 request	Fiscal year 2010 vs. fiscal year 2009	
			Amount	Percent Incr/ Decr
General Operations & Maintenance:				
Salaries	$6,916	$7,669	$753	10.9
Expenses	$31,310	$33,029	$1,719	5.5
Total General Operations & Maintenance	$38,226	$40,698	$2,472	6.5
Mandated Allowances & Allotments	$43,426	$34,670	($8,756)	–20.2
Capital Investment	$100	....	($100)	– 100.0
Nondiscretionary Items	....	....	....	....
TOTAL	$81,752	$75,368	($6,384)	–7.8
Staffing	113	113	....	....

The IT Support Services Department consists of the Director, Office Equipment Services, Telecom Services and Desktop/LAN Support branches.

The general operations and maintenance salaries budget request is $7,669,000, an increase of $753,000 or 10.9 percent. The salary budget will increase due to an expected COLA and merit funding for fiscal year 2010.

The general operations and maintenance expenses budget request is $33,029,000, an increase of $1,719,000 or 5.5 percent. This increase is primarily due to escalating costs of the IT Support Contract and other IT support agreements, $844,000; telephone system maintenance, $551,000; and upgrade of Postal Square voice and data cabling, $354,000.

The mandated allowances and allotments budget request is $34,670,000, a decrease of $8,756,000 or 20.2 percent. This budget supports voice and data communications for Washington, DC and state offices, $13,200,000; computer equipment, $12,315,000; procurement and maintenance of office equipment for Washington, DC and state offices, $4,665,000; and maintenance and procurement of Member and Committee mail systems, $4,500,000.

The capital investment budget request is $0.

STAFF OFFICES

[Dollar amounts in thousands]

	Fiscal year 2009 budget	Fiscal year 2010 request	Fiscal year 2010 vs. fiscal year 2009	
			Amount	Percent Incr/ Decr
General Operations & Maintenance:				
Salaries	$9,916	$11,099	$1,183	11.9
Expenses	$6,722	$7,829	$1,107	16.5
Total General Operations & Maintenance	$16,638	$18,928	$2,290	13.8
Mandated Allowances & Allotments				
Capital Investment				
Nondiscretionary Items				
TOTAL	$16,638	$18,928	$2,290	13.8
Staffing	107	107		

The Staff Offices Division consists of Process Management & Innovation, Education and Training, Financial Management, Human Resources, Employee Assistance Program, and Special Projects.

The general operations and maintenance salaries budget request is $11,099,000, an increase of $1,183,000 or 11.9 percent. The salary budget increase is due an expected COLA, merit funding and other personnel adjustments.

The general operations and maintenance expenses budget request is $7,829,000, an increase of $1,107,000 or 16.5 percent. This increase is primarily due to system design costs for the Senate services portal, $600,000.

UNITED STATES CAPITOL POLICE

STATEMENT OF PHILLIP D. MORSE, SR., CHIEF

ACCOMPANIED BY:

DAN NICHOLS, CHIEF OF OPERATIONS AND ASSISTANT CHIEF OF POLICE

GLORIA JARMON, CHIEF ADMINISTRATIVE OFFICER

Senator NELSON. Chief Morse.

Chief MORSE. Good afternoon, Mr. Chairman and Ranking Member Murkowski, Senator Pryor, Senator Tester. It certainly is an honor for me to be here today.

I do have written testimony that I would like to submit for the record.

Senator NELSON. It will be received.

Chief MORSE. I also have a brief opening statement, if that would be okay with you?

Senator NELSON. That would be fine. Thank you.

Chief MORSE. First, I would like to make just two introductions. First, to my left is the chief of operations, our assistant chief of police Dan Nichols. And to his left is our chief administrative officer, Gloria Jarmon.

Over the past year, several years, the department has undergone many changes. While all of these are necessary to move the department forward, I believe that our focus for the next fiscal year will be one of leveling out our operational and administrative activities.

FUNDING EFFICIENCIES AND ADDRESSING DEFICIENCIES

My direction to my management team is to focus on finding efficiencies and addressing longstanding deficiencies to meet the department's core mission as well as focus on institutionalizing and standardizing repeatable business practices.

The Government Accountability Office (GAO) and the Office of Inspector General has made over 169 recommendations since 2005, which were intended to improve the department's operations, and most of these were geared toward the administrative operations. These administrative operations encompass more than just how we manage our finances.

The audit recommendations cover how we maintain our physical inventory, how well we control privacy information, how well we secure our information systems, as well as how efficiently and effectively we recruit, select, train, and pay our employees. I am pleased to report that, again, we have made significant progress.

We have now closed over one-half of all these recommendations. This is despite the addition of 40 additional recommendations this past year alone. We currently have just 85 of 169 still open and are in the process of implementing corrective actions to close these in the near future.

Recently, we closed 16 Office of Inspector General recommendations dealing with property management, the memorial fund, hiring standards, and the student loan repayment program. We also anticipate closing many GAO recommendations in the coming months.

The department, as you mentioned, produced a fiscal year 2008 financial statement in time for a complete independent audit, which resulted in the department receiving a clean opinion on our financial statements for the first time in our history.

We received reaccreditation from the Commission of Accreditation in Law Enforcement after undergoing an extensive onsite evaluation to review operations and supporting documentation to verify that we have maintained compliance with standards over the 3-year accreditation review period. This confirmed the fact that we achieved mandatory compliance for almost 300 accreditation requirements.

We issued our updated strategic plan and strategic human capital plan, which will improve our ability to link our human resources programs to our strategic goals and enable us to measure out our staffing needs and progress much more efficiently and effectively. We implemented effective business practices and internal controls in our financial and human capital resources, facilities, and information technology.

We reconciled our financial management and property management systems and performed a complete physical inventory. We aligned our salary and benefits data with the National Finance Center. We revised our budget justifications to incorporate strategic objectives, accomplishments, and schedules consistent with executive and other legislative branch agency budgets.

Finally, on the operational side of the mission, again, our police officers and our operational civilians have once again done an outstanding job representing our police department and protecting the legislative process and all its members, staff, visitors, and dignitaries. And I want to thank them today for a job well done.

PREPARED STATEMENT

At this time, sir, I will answer any questions that you have.

Senator NELSON. Thank you.

[The statement follows:]

PREPARED STATEMENT OF PHILLIP D. MORSE, SR.

Chairman Nelson, Ranking Member Murkowski, and Members of the Committee, I am honored to be here to testify before you today. With me today are Dan Nichols, our Chief of Operations, and Gloria Jarmon, our Chief Administrative Officer.

Over the past several years, the Department has undergone many changes. While all of these were necessary to move the Department forward, our focus for the next fiscal year will be one of "leveling out" our operational and administrative activities. My direction to my management team is to focus on institutionalizing standard and repeatable business practices, finding efficiencies, and addressing longstanding deficiencies to meet the Department's core mission set. To do so, we have developed a budget proposal that I believe meets my vision.

Our total budget request for fiscal year 2010 is $410.1 million. This represents a requested increase of $104.3 million. Of this increase, about 69 percent or about $71.6 million is for modernization of our radio system and 20 percent or about $18 million is for items over which we have no control such as cost of living and salary adjustments, costs associated with the merger of the Capitol Police with the Library of Congress Police, plus uncontrollable inflation increases. The remaining portion of our requested increase is primarily to cover additional positions to help us reduce the overtime that we need to properly cover everyday post requirements, as well as to address the lifecycle replacement of systems that have been deferred in previous fiscal years. Due to the time critical nature of the radio modernization project, we have also requested that the same $71.6 million be included in the President's fiscal year 2009 Supplemental Request.

I would like to take a few minutes to expand on some of these areas and provide you with the highlights for some of our accomplishments over the last year.

RADIO MODERNIZATION PROJECT

First, let me address our request for funding to support the new radio system. There are three critical life and safety tools that our officers need in the performance of their duties. They are reliable radio communications, weapons, and protective equipment. The radio system currently in use is the only one of these three that we believe may present an unacceptably high risk to the life and safety of our officers, Members of Congress, their staff, family, and visitors, as well as to our ability to properly respond to emergency situations on Capitol Hill. Since the attacks of 9/11, the threat posed to the Congress, the Capitol, and the Complex has changed significantly. It has become much more critical for us to have reliable radio communications that provide for interoperability between the Department and our other federal, state and local law enforcement partners in the area. As the scope of this increased threat on the Congress has evolved, it has become increasingly apparent that our current radio system, which is over 20 years old and experiencing multiple regular failures, is not capable of providing the reliable communication capability that we need.

In addition, we have recently received notice from the manufacturer of our dispatch consoles that they will no longer be providing us technical support because of the age of our equipment. These circumstances create a substantive risk to our ability to properly carry out our mission, especially during a time of emergency. Increasing that risk is our lack of an interoperable system able to communicate with other first responding organizations such as the Secret Service, the Metropolitan Police, the Metropolitan Fire Department and the U.S. Park Police. We believe this risk to be significant and immediate. Another area of vulnerability is the lack of encryption for our current radio system. This lack of encryption enables our adversaries, the press and others to monitor our radio transmissions, which has potential to compromise our mission.

To address this risk, the U.S. Capitol Police plans to procure a VHF trunked radio system in order to achieve adequate on street, in-buildings, garages, basements and in-tunnels radio coverage throughout the Capitol Complex as well as our extended area of operation. Therefore, we are requesting a total of $71.6 million in multi-year funding for this project.

Because of the criticality of this requirement, we have expedited our request for this funding by asking that it also be included in the President's fiscal year 2009 Supplemental Request. The sequence that we would otherwise follow would require us to complete the detailed design and hopefully obtain funding in fiscal year 2010, and then procure the necessary equipment and services. If funding is delayed (by a CR, for example) due to circumstances beyond our control we would need to suspend procurement activity until such time as funding could be made available, and that would slip project completion dates accordingly.

If we could get supplemental funding in fiscal year 2009 rather than in fiscal year 2010 it would permit us to begin the acquisition process for segments of the project as soon as the detailed engineering design is completed for each segment rather than having to delay all procurement activities until we are able to obtain funding in fiscal year 2010. By doing so we could begin to roll out these segments much sooner than we would otherwise be able to do and consequently may be able to shave several months off the time required to fully implement a new system. Given the increased risks associated with the continued problems we are experiencing with an aging system, we believe it prudent for us to expedite our new system implementation as much as we can.

We believe that the nature of the radio modernization project comports with the intent of emergency supplemental bills, which frequently fund "pressing domestic needs." This new system is critical to our ability to effectively address anti-terrorism, and the continuity of government operations. The initial funding of $10 million for this project was provided in the fiscal year 2007 emergency supplemental bill because of the urgency associated with beginning the planning and detailed engineering design of the new system as quickly as possible. We believe that urgency still exists and justifies our request that funding for the project be included in the pending supplemental.

The requested amount of $71.6 million for the radio project includes $4 million for the build out or construction of a mirror or alternate site; $31.1 million for equipment hardware costs; $20.1 million for subscriber equipment; $9.9 million for travel equipment, encryption, and professional services; and $6.5 million for contingency funds for unforeseen conditions with strict controls on the use of such funds. However, the Department's funding requirements for a new radio system are estimated at $89.6 to $97.6 million, which includes the $10 million previously provided by the Congress for this purpose and the $71.6 million included in this request. The remaining $8 to $16 million, which is expected to be requested in fiscal year 2011, relates to the indoor coverage requirements, which cannot be finalized until after the completion of the design engineering, plus project contingency requirements.

The Department has evaluated a number of alternatives regarding how to proceed with this critical procurement. We have also sought the advice of various independent experts, who have advised us to enlist the project management and related services of an outside government agency with considerable expertise in technical procurements of a similar magnitude. For this reason, we have established an interagency agreement with the Naval Air Systems Command (NAVAIR). NAVAIR's Special Communications Requirements Division has accomplished numerous communications efforts for other U.S. government agencies, to include the White House Communications Agency, the U.S. House of Representatives, the U.S. Senate, the Department of Homeland Security's Office of Emergency Communications and various other classified efforts.

For this effort, they have already begun to develop a detailed design engineering study of each building, garage, tunnel, and outdoor site so we will have complete technical specifications for the project once we have the funding and are ready to proceed.

OVERTIME/STAFFING

Our other area of requested growth is related to additional sworn personnel, whom we would use to help us reduce the Department's dependence on overtime in meeting our normal mission requirements. Over the last year, we have continued to analyze and evaluate posts and other staffing needs and have concluded that we could increase operational efficiency through the addition of sworn personnel.

The Department has continued to approach its sworn manpower requirements through a three-pronged approach. This approach includes the assessment of threats against the Capitol Complex using the risk matrix we designed in collaboration with the Government Accountability Office, the physical security surveys we have conducted on the Capitol Complex buildings under our jurisdiction, and the alignment of available sworn staff to meet the threats.

The Department began the first step in this effort in fiscal year 2007 with a review of our overtime utilization in relation to mission requirements. The review resulted in a manpower study that was performed for us by Enlightened Leadership Solutions (or ELS).

We have begun to use the ELS study as a guiding management tool for the alignment of functions and the deployment of personnel, but this study does not represent a complete analysis of our sworn manpower requirements. We will also need to assess the staffing requirements for the Library of Congress and Capitol Visitor Center, since these missions were added subsequent to the completion of the ELS study. As a result, we are continuing to analyze ELS data, current threat assessment data and the ability of our infrastructure to support sworn growth, in order to establish and validate an appropriate staffing level for the Capitol Police, as well as an appropriate level of overtime. We expect this analysis to be completed no later than our fiscal year 2012 budget submission. In the meantime, we believe that our fiscal year 2010 sworn staffing request represents a reasonable first step toward the proper balance of overtime and full-time sworn staff and can be supported within our current infrastructure.

This year's request is an important step in an ongoing evaluation that we will use to identify an overtime level that will be balanced and more efficient.

New Sworn Positions

Therefore, we have requested an increase of 89 sworn positions in fiscal year 2010, which includes 76 to help us to fulfill our current mission while enabling us to begin reducing our use of overtime. The other 13 sworn positions are requested in our Protective Services Bureau for counter surveillance and investigative intelligence gathering in order to conduct basic surveillance detection and field collection operations across the Complex. This will bring the sworn positions to 1,888 by the end of fiscal year 2010.

Our plan is for the new sworn officers we are requesting to enable us to reduce the amount of overtime worked by most of our sworn positions once recruit training is completed. Of course, there will always be a need for overtime to cover uncontrollable protective details of Members and certain intermittent work requirements, such as scheduled events like the Fourth of July celebration. In addition, unpredictable overtime to support events, such as unplanned late Congressional sessions, Congressional delegations, unplanned special events, unplanned major demonstrations, and emerging threats, will also be needed. Scheduled and unscheduled events such as these will continue to be staffed by using overtime, as they reasonably should be.

New Civilian Positions

In fiscal year 2010, we have also requested 48 new civilian positions. Twenty-one of these positions are for civilian employees who were formerly LOC officers, transferring to the USCP as a result of the Capitol Police and Library of Congress Police merger. Several of the remaining positions would eliminate our need to use contractors to accomplish critical mission sets, as well as to address outstanding audit findings. Additionally, four of these positions are to support the Department's Office of the Inspector General.

Highlights

We recognize that our requested salaries and general expenses increases are significant in today's fiscal environment, but we believe these funds are critical to the Department's ability to efficiently, effectively and—most importantly—safely perform our mission.

However, I believe that when an agency is making such a request for increased budgetary consideration, we must also demonstrate to you the value we bring to the overall community. Therefore, I would like to provide some brief highlights of these operational and mission support efforts to you.

Over the last year, the Department has made significant efforts to review its operations for efficiency, standardize its business practices, address its management and fiscal shortcomings and address outstanding audit recommendations and findings. During this same period, we also provided law enforcement operations for a number of high profile activities, while continuing to provide for the safety and security of the Capitol Complex.

Operational Activities

Nearly 400 officers and support staff participated in the law enforcement and security activities associated with the Republican and Democratic Conventions. These efforts included dignitary protection and protective intelligence.

The Department played a key role in the planning and execution of the law enforcement support for the 56th Presidential Inauguration. By any measure, the Inauguration of President Barack Obama was historic with an unprecedented 1.8 million people gathered to witness and experience this historic event.

In addition:

—We provided security and counter-intelligence support for 63 Head of State arrivals, 34 Presidential and Vice Presidential Motorcades, the State of the Union, the Papal Visit, the 2008 Concert Series and over 2,000 VIP arrivals to include Supreme Court Justices, Cabinet Members and other U.S. and foreign dignitaries.

—We screened 8.7 million staff and visitors to the Complex, including the Capitol Visitor Center (CVC) that opened in December 2008.

—As a result of law enforcement actions, we confiscated several handguns, an AK–47, a number of .22 Caliber Rifles, shotguns, a BB rifle, ammunition, a sword, a night stick, several knives, a bayonet, a machete, a hatchet, a stun gun, metal pipes, grenades, pepper spray, mace, box cutters and razor blades, a sling shot, a table leg and a baseball bat.

—We conducted over 163,000 K–9 security sweeps.

—We screened over 32,000 vehicles at our offsite facility.

—We conducted over 24,000 Transportation Interdiction Group Emergency Response Team (T.I.G.E.R.) vehicle screenings, which resulted in 11 vehicles being refused access to the Complex, 3 arrests and 104 citations.

—We conducted 3,500 foundation checks of the buildings on the Complex utilizing the Department's mountain bike patrols yielding 9 arrests, and 532 Notices of Interest.

—We conducted 3,800 hazardous materials/weapons sweeps and responded to over 150 suspicious package and substance incidents.

—We conducted 90 emergency evacuation drills in conjunction with the House, Senate and the Architect of the Capitol to ensure that the Congressional Community is trained to respond to emergencies.
—We completed 5,664 preventative maintenance checks on security equipment, up from 2,229 checks in 2007, partially due to delays in lifecycle replacement.
—We completed 7,172 checks on Barriers, up from 2,263 in 2007, partially due to delays in lifecycle replacement.
—We performed 3,697 Magnetometer calibrations, up from 1,997 in 2007, partially due to delays in lifecycle replacement.

Administrative Activities

Over the last year, we have also provided a significant level of mission support to the overall operational mission, and we improved upon our administrative capabilities.

As you know, both the Government Accountability Office and our Inspector General have made 169 recommendations since 2005 intended to improve the Department's operations, and most of these are geared toward administrative operations. These administrative operations encompass more than just how we manage our finances. The audit recommendations cover how we maintain our physical inventory; how well we control privacy information; how we secure our information systems; as well as how efficiently and effectively we recruit, select, train, and pay our employees. Responding to these recommendations with limited staff has been a challenge for us, but we are pleased to report that we have made significant progress.

We have now closed about half of all these recommendations—this despite the addition of 40 recommendations in the past year alone. We currently have just 85 of the 169 still open and are in the process of implementing corrective actions to close these in the near future. Recently, we closed 16 OIG recommendations dealing with property management, the Memorial Fund, hiring standards, and the Student Loan Repayment Program. We also anticipate closing many GAO recommendations in the coming months. We believe we are beginning to get ahead of the curve on improving our administrative operations, and while we realize we have a lot of work ahead of us, we anticipate more improvement as the year proceeds.

Some of the best progress we have made in the past year has been in the financial management arena. In order to achieve these results, we focused on the hiring of a Chief Financial Officer (CFO), Deputy CFO, Budget Officer, Deputy Procurement Officer, as well as several other professional positions within the Office of Financial Management. The hiring of these highly qualified managers allowed the Department to benefit from their experience, talent, knowledge and understanding, along with a high level of integrity that is critical to agency operations. They have federal—as well as considerable legislative branch—expertise, and we are optimistic that with this team we can establish the practices, policies and procedures that (as this Committee has noted in the past) we have been lacking. The professional administrative oversight from these individuals, as well as the many other professional and technical civilians within the Department, has enabled us to begin to institutionalize an administrative operation in the U.S. Capitol Police that will be as responsive, accountable, and transparent as any in the federal government.

To this end, we have recently completed classes in appropriation law for all of the Department personnel who have any impact on appropriated funds. This makes it the perfect time for us to continue to examine our procurement and budgeting standard operating practices to ensure we comply with all mandates. In addition, we are now ascribing salary data to the Bureaus and Offices that directly benefit, and thus in the future, we will be better able to project salary data and trends. Having tied our strategic goals to spending of our general expenses appropriation in the fiscal year 2010 budget request, we will be able to do this with our salary appropriation, as well, for the fiscal year 2011 budget cycle.

Other administrative accomplishments and enhancements within the past year have included the following:
—The Department produced an fiscal year 2008 financial statement in time for a complete independent audit, which resulted in the Department receiving a clean opinion on our financial statement for the first time in the Department's history.
—We received reaccreditation from the Commission on Accreditation of Law Enforcement Agencies (CALEA) after undergoing an extensive on-site evaluation to review operations and supporting documentation to verify that we have maintained compliance with standards over the 3 year accreditation review period. This confirmed the fact that we achieved mandatory compliance for all of the almost 300 accreditation requirements and resulted in the Department receiving its third accreditation award.

—We issued our updated Strategic Plan and our Strategic Human Capital Plan which will improve our ability to link our human resources programs to our strategic goals and enable us to measure our staffing needs and progress much more efficiently and effectively.
—We implemented effective business practices and internal controls into our financial, human resources, facilities, and information technology operations.
—We reconciled our financial management and property management systems, and performed a complete physical inventory.
—We aligned our salary and benefit data with the National Finance Center budget object codes to be able to respond to Committee requests with more precision.
—We revised our budget justification to incorporate strategic objectives, accomplishments, and schedules consistent with Executive and other Legislative Branch agency budget reports.

Even with these significant achievements, the Department continues to struggle to level off its administrative operations. One of our biggest concerns is the retention of professional talent within our civilian staff that we know to be necessary to move the Department forward. We simply cannot sustain the turnover rates in critical civilian positions that we have experienced in the past. By continuing this level of attrition, we lose far too much in productivity, institutional knowledge and employee morale. We need to be able to provide the same flexibilities for our civilian employees that other federal government agencies provide.

While we have authorization and often funding to provide recruitment and retention bonuses, as well as to administer a Student Loan Repayment Program and tuition reimbursement program, the Department has either not had sufficient program staff onboard to develop, implement and manage a best-practices program for each of these areas, or the onboard staff has been overburdened with workloads necessary to maintain other areas of the Department.

Additionally, we do not have alternate work schedule or telework programs or an incentives awards program that provides for cash and time off incentives, programs for which many federal civilian employees have grown accustomed in their workplace.

All of these factors have contributed to the Department's challenges in recruiting qualified candidates or retaining those we currently have onboard. In fact, during our attempts to fill some of the current civilian vacancies, the process has proceeded to the point of selection, only to have the selectee decline the job offer when they found out that the Department could not offer workplace benefits or quality of life programs similar to those of other federal entities.

To address these challenges, the Department is working on policies to administer these programs in accordance with applicable laws, regulations and consistent with best practices. However, the Department wants to be thoughtful in its rollout, so that the programs are not compromised, which could result in additional audit findings and stakeholder recommendations.

Additionally, we are planning our first all-employee customer satisfaction survey, and have begun regularized exit interviews for terminating employees to better understand how to improve the workplace in order to retain our talented sworn and civilian workforce.

Another area in which we also hope to achieve greater efficiencies is in fleet management. We are completing a comprehensive analysis of our fleet services, including a cost-benefit analysis of leasing versus buying vehicles, which we plan to present to the Committees for funding consideration. This plan will focus on providing justification for the fleet requirements, demonstrating areas where we have reduced or plan to reduce the fleet, and it will provide for a 5-year fleet management plan to meet the validated fleet requirements. This plan will also address our efforts to make the fleet more energy efficient.

CONCLUSION

In conclusion, I believe that there is much work left to be undertaken, but we expect that the combined efforts of many of our dedicated staff will result in the continued transformation of the Department into a more efficient and accountable organization.

Recognizing that the Committees have expressed concerns over the last several years about the Department's leadership, internal controls, and financial management, we have placed significant emphasis on addressing these shortcomings.

Under the leadership of Gloria Jarmon, the Department achieved a clean opinion on its financial statements 2 years earlier than expected; our Office of Financial Management has become more efficient and it has achieved staffing stability; we have addressed numerous oversight studies and inquiries; we have developed a comprehensive plan to procure and implement a new radio system; we have redesigned our budget development and execution processes; we have completed appropriations law training for all Department personnel who have any impact on appropriated funds; and we have resolved numerous audit and oversight findings and recommendations.

On our Operational side, under the leadership of Dan Nichols, the Department has continued our efforts to find efficiencies in sworn staffing and the utilization of those personnel resources. This effort has resulted in a savings in the Department's overtime utilization.

All these achievements have been accomplished while supporting the operational mission of protecting the Capitol Complex, providing security for two national political conventions and supporting a Presidential Inauguration of historic size and capacity.

It is through this leadership and the dedication of our employees that the Department has been able to realize these achievements, even with a large number of civilian vacancies and under a continuing resolution. With a continued focus on addressing our civilian staffing needs, balancing the optimum sworn personnel levels against overtime requirements and resolving audit recommendations and findings, I believe that the next year will see even greater efficiencies and effectiveness from our team.

I believe that our fiscal year 2010 budget request supports the goals I have stated here today. Please be assured that this management team, with the continued support of the Capitol Police Board and our stakeholders, is committed to moving the Department forward to meet these operational and administrative goals.

I am happy to answer any questions you may have.

Senator NELSON. Senator Tester, do you have any opening remarks you might like to make before we go to the questions?

Senator TESTER. Thank you, Mr. Chairman.

I just want to thank you for the work you do, and we will grill you on the budgets here in a bit.

So, thank you.

Senator NELSON. Thank you.

Ms. Erickson, can you discuss the project that you are now working on jointly with the Sergeant at Arms to replace the current Senate payroll system? How that will work and how it will be improved, what it will cost, and how long it will take to complete?

Ms. ERICKSON. Sure thing. Our payroll system has served us well over the years, but it has been what we call patched and updated to meet the growing demands of the system. And it was actually brought to my attention by the Sergeant at Arms IT staff that there are concerns that the technology—our payroll system uses a mainframe technology—has a declining market share these days. And as a result, there is declining vendor support.

I felt that it was prudent to look ahead at other options for our payroll system and had asked our financial clerk to work with his counterpart, Jay Moore, in the Sergeant at Arms IT shop to begin the process of looking at what is available out there for technology that would meet the increasingly complex demands of the Senate community.

Senator NELSON. In the improvement of that, will there be some cost savings that are identifiable? In other words, will it be not only more efficient, but will that efficiency translate into lesser costs?

Ms. ERICKSON. Yes, I believe over the long run, it will be a more efficient system. And as this subcommittee well knows, our payroll system is highly customized to meet the requirements of Federal statutes, title II. We have a unique semi-monthly or 24-pay cycle. We have shared employees often between Senate offices and committees. And we don't have a uniform pay scale. We also have unique minimum and maximum salaries.

So it is a very highly customized system, but I am confident, Mr. Chairman, that the system will in the long run be efficient.

Senator NELSON. I know that Senator Pryor is worried that his check will come on time.

I am sure that you can assure us that there won't be any slowdown in pay?

Ms. ERICKSON. I promise. I promise.

Senator NELSON. Good. For both Ms. Erickson and Mr. Gainer, a question on evacuation drills. I know that we have from time to time tried to go through evacuation drills to keep everybody aware of what is necessary in the case of an emergency. And it seems like it is a better process than the first time that I heard officers running through the Capitol—near the Senate chamber yelling, "Get out of the building," which was fairly mundane compared to what I think we are perhaps able to do today.

Can you tell us where we are on the security that would be involved to get people out of the Capitol in an organized, prompt, and safe manner?

Mr. GAINER. Senator, thank you.

We have come a long way, I think, since the—one of the first mass evacuations after 9/11 when I was the Chief of the Capitol Police, when we had the incoming aircraft, Senator, at Reagan's funeral——

Senator NELSON. That is the one I was referring to.

Mr. GAINER [continuing]. Which didn't go as smooth as it would today. And what it meant was between the Chief's office and our office and others was to put together programs and practice those programs that would get as orderly an evacuation as you can when everybody is pretty terrorized.

So we have plans. We work with your offices and staff so that they understand those. There are plans for each one of the offices, and we have been drilling those. And in fact, next month there will be another drill on the Senate floor, where we will exercise staying in place or evacuating. And we work very closely with the floor staffs to do that and your office and Nancy's and the police departments.

And we just had a meeting in the Secretary's office yesterday, I believe, with the other officers of the Senate, and we will come to each one of your luncheons—the Democratic luncheon and the Republican luncheon—to give a little bit more focused information for you as we do with your staff. So I think we are actually in a pretty good place on it.

Senator NELSON. I have a question that was submitted to us from Senator Inouye, the chairman of the Appropriations Committee. He says that a few years ago, the offices submitted in conjunction with the Senate Rules Committee, a contract for a study of the Senate employees childcare center. Based on the findings of this study, do we have a shortfall of adequate childcare available to Senate employees, or is it okay? If it isn't, what is the next step in addressing that challenge?

Ms. ERICKSON. Well, the Senate Rules and Administration Committee asked my office in 2007 to conduct a childcare survey, and it was the first survey that was done since the childcare center opened in 1984.

And if my memory serves me correctly, I believe we had roughly 3,500 Senate employees, including State staff employees, who participated in the survey. And to my recollection, there were roughly 850 people who responded who indicated that they were using childcare services or plan to in the very near future.

We do have a problem, particularly with infant care. There are only nine infant slots. I have someone on my staff who has put her name in the Senate childcare center and was told there was a waiting list of 99 people for infant care with the Senate childcare center.

It has been a problem for a long time. My baby, who is now 14, was on the waiting list back in 1994. He never got off the waiting list. So I am empathetic to the young parents in the Senate community who are trying to get into the center.

Some of the options that the study looked at were possibly expanding the facility; collaborating with other childcare centers, particularly those on Capitol Hill; purchasing slots for Senate employees; providing specialized referral services for our staff, as well as looking at other family friendly policies; and providing folks, when applicable, telecommuting opportunities.

My staff was asked to look at some property. There is a townhouse located next to the childcare center that is currently for sale. The assistant secretary and my chief of staff went to look at the property. A follow-up visit was done by the Architect of the Capitol's staff, who determined that the row house would not be feasible for a childcare center.

One positive result of the study, I will say, is that it prompted the Senate childcare center, which is a nonprofit run by a parent cooperative board, to retool their admission policy, which now gives preference to Senate employees.

Another promise that was made by the childcare center is that they would increase transparency in their waiting list. Unfortunately, a promised Web site that would give people who apply to the childcare center a sense of where they are at on the wait list hasn't been launched yet.

But I am, again, very empathetic to the situation. It is a problem, and I am grateful for Senator Inouye's and all of your interest in this issue and advocacy on behalf of young parents in the Senate.

Senator NELSON. Thank you.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Nancy, you had mentioned in response to the chairman's inquiry on the payroll system, explaining the importance of it and the need to advance with the Sergeant at Arms. I didn't hear if you mentioned what the estimated cost is for that new system.

Ms. ERICKSON. I believe $2 million. Is that——

Mr. GAINER. If I may?

Ms. ERICKSON. Go ahead.

Mr. GAINER. Well, the initial funds we are asking you for is $2 million. I think the total cost for its full implementation won't be known until the first quarter of fiscal year 2010. But we have discussed with the Secretary if that is the case, if it gets much beyond where we are at, then we will sit down collaboratively and see how we can come up with those funds and perhaps not have to come back to you.

So we are aware it could be more, and we just wait to see that final price.

Ms. ERICKSON. And I would also add we are obviously consulting with your subcommittee, keeping you posted as we learn more about the potential costs for such a system.

Senator MURKOWSKI. Okay. So at this point in time, we are just in the process of identifying——

Ms. ERICKSON. The very beginning.

Senator MURKOWSKI [continuing]. What it is that we are looking at there.

Ms. ERICKSON. The very beginning.

Senator MURKOWSKI. I appreciate that.

Terry, let me ask you, you had indicated that after conversations with the chairman—and this is as to the staffing within the Sergeant at Arms office—that you were now prepared to perhaps pull back on some of the full-time equivalents (FTEs) that you had advanced. Now I just want to have a clear sense as to what the staffing issues and needs are within the Sergeant at Arms office.

You are proposing an increase in the salary budget of over 12 percent, and as I understand, you are requesting 878 employees, and expect to have approximately 824 onboard this year. I can very clearly see, as you look at the numbers advancing since the year 2001, you can clearly appreciate the need for additional staffing.

But talk to me a little bit about why we would continue to expect to see an increase. Since 9/11, it was about a 35 percent increase is what I understand. In view of that and recognizing that at some point you expect to be tapering off, tell me why I should expect to see continued increase in staffing with each subsequent year?

Mr. GAINER. Sure. Thank you, ma'am.

We looked at it, and actually, over the last 6 years or so, we have grown by nearly 100 positions. And it is something that we continue to wrestle in this organization, as I have in the others, and what I wanted and was provided a breakdown of where those positions went. And the largest majority, as I recall, 60 went to our IT group.

And with this ever-increasing technology, there is the requirement to manage it and care for it. So, in some respects, to an old sociologist like myself—and cop—it would seem that as we get the better technology, we should have fewer people.

Senator MURKOWSKI. Right.

Mr. GAINER. But it just requires more sophisticated people to take care of those things, and we keep adding IT requirements. So, for instance, over those years, I think it may have been the year 2000, I am not sure we had many BlackBerries. We initially distributed 100 or so to the Members. We now have 6,000 BlackBerries distributed to staff.

So when you add the computers and the BlackBerries and the servers and all that is required, and especially the other area is the security issue of our technology. We have expanded that shop.

And I was reading in the New York Times today that the New York Police Department indicated—this is related to security—had 70,000 attempts per day to hack into their computer system. In talking to our chief information officer, we may have 10 times that a day, people trying to hack into our system.

So we really have set up a large shop to counter those types of activities. Now that is just an example, and we will continue to work with you and your staff to point those out.

Other areas, 20 people went into the operations division, and they went into printing and graphics. As I mentioned, it was just a few short years ago that we had monstrous machines not unlike that you see at the Government Printing Office, and now it is technology driven. But with that technology and maintenance, it requires a more sophisticated individual, and those are where those people have gone.

And when I looked at these five, and again, based on conversations as recently as Tuesday with the chairman, as he did when he was Governor and I worked for my Governor, you have to take some of this out of hide. So we went back and looked. We saw that last year, we asked you for 19. I believe you gave us 19.

We actually only hired 15 of those 19. One more I think is in the pipeline someplace. So I challenged our own staff to say we didn't even hire all the ones we asked for last time. Let us take a look at what we are doing. As of this morning, we had about 38 vacancies in our staff. I said, okay, let us see if we can see where and how long we have gotten away with not filling those and see if we can convert those to some of the new positions.

So technology actually is driving the more people.

Senator MURKOWSKI. Which seems counterintuitive.

Mr. GAINER. Yes.

Senator MURKOWSKI. You think that if we have got the smart technology, you don't need to have as many human beings behind it. I would be curious to see a little bit more in terms of the breakdown and where it is going. Just because the four of us have new BlackBerries doesn't mean that we have got to have one person to check up on each of the equipment that is out there.

Let us have a discussion, though, about these vacancies. Now it was my understanding that there is somewhere around 50 vacancies throughout the organization. You say perhaps it is closer to 38. And I appreciate the fact that you are doing a specific assessment as to those vacancies. How long have they been vacant? Can you do without them? How much funding could we save if, in fact, we reprogrammed to other priorities?

Within these areas of vacancies, where are you seeing that? You are saying that they are not in the IT area specifically. So what aspect of the organization——

Mr. GAINER. Sure. Actually, I was looking this morning at a spreadsheet, and I will provide that to you and your staff to spell it out. One of the things I learned was we really got behind with the—where our budget wasn't approved for about 6 months so we couldn't hire. That is how we got behind in some areas.

And I think these positions are spread throughout the agencies. And as I sit here, ma'am, I can't recite those. I have a spreadsheet, and I will give it to you and your staff.

Senator MURKOWSKI. Well, I have just been handed a spreadsheet here, and it looks like there is a lot in tech development and support services. But I think that would be important to take a look at those and determine if we need more folks now in the IT and tech support, okay, are there other areas that are perhaps dated now? I think that is going to be important as we look at the staffing.

I also understand that there have been funds available from prior years, fiscal year 2006 through 2008, totaling over $17 million that aren't needed for the purposes for which they were appropriated. Can you tell me a little bit about the status of those funds? Why, what do you propose to be doing with them? And do you anticipate that any of the funds provided in fiscal year 2009 not to be needed for the purpose for which they were initially appropriated?

Mr. GAINER. Well, the easy answer to the last one is, first, we need to work with your staff to see how we can best utilize those funds. And the other question we asked, Drew and I did, how did we get to that position?

So, over the 5 years, we have developed that extra funds, but also we should keep in mind that over those 5 years, we were actually dealing and managing a budget of $750 million of $1 billion. So some analysts might say a 3 percent overage is a reasonable ballpark and has added up.

But I did get some specific breakdowns in unexpected reductions in the volume of local and especially long distance calls. So as I talk about those 6,000 BlackBerries, the upside of the 6,000 are people are making fewer telephone calls. We ended up saving $5 million in the last 3 years just on that alone.

In the performance incentives in our IT contracts, when we let those contracts, we assume that contractors will meet or exceed the expectations so that there are performance awards in there. And to the extent they don't, that again produces money. And that was to the tune of about $2 million.

So I, of course, said to my CFO, well, are we bad estimators or are we contracting improperly? And appropriately, they educated me on the fact that the best business practice is to assume that your contractor is going to meet all those requirements, come in under funds, and come in early, and we will owe them the incentive. So our preference would be to continue to budget like that and not underbudget what a contract may be.

Let us see, $1.5 million, a customer requirements change, the cost of the equipment changed. And so sometimes, blessedly, as the process is delayed from the day you order it, envision it to 3 years later, it becomes cheaper. And we have picked up some funds that way.

But clearly, that is money we all need to look at to see if that can help all of us out in this fiscal year.

Senator MURKOWSKI. Mr. Chairman, I have other questions for Chief Morse, but in deference to my colleagues, I will yield to them at this time.

Senator NELSON. Thank you.

Senator Pryor.

Senator PRYOR. Thank you, Mr. Chairman.

Now I understand that Senator Tester may have to leave at 3:30 p.m.? Do you want to—why don't you go first?

Senator TESTER. If you would be so kind? Thank you very much. I owe you—hopefully not too much.

RADIO MODERNIZATION PROGRAM

The question I have deals about the radio modernization program. Terry, you talked about it in your testimony. Chief Morse, you talked about it in your testimony. Where is the money? Which budget is it coming out of?

Chief MORSE. Thank you, Mr. Tester.

We have also requested funding for the radio modernization program in the supplemental. The reason that we have——

Senator TESTER. Is that the $71.6 million?

Chief MORSE. Yes, sir.

Senator TESTER. Okay.

Chief MORSE. The reason we have requested in the supplemental is due to the criticality of the system itself. It is one of our critical life safety tools, communication. And the immediacy in which we can begin to purchase technical equipment and such, the supplemental would help us to do that in a more timely fashion.

Senator TESTER. And that takes care of the entire project? Is there money that comes out of your budget for 2010 also, or is it just the supplemental dollars?

Chief MORSE. The supplemental dollars take care of the project.

Senator TESTER. Okay. Any out of your budget, Terry?

Mr. GAINER. No, sir.

Senator TESTER. Okay. If you look at your budget, Nancy, it shows an increase of about $2 million, if I am correct——

Ms. ERICKSON. Actually, sir, I am not requesting an increase in my operating budget. It will remain the same at $2 million.

Senator TESTER. Okay.

Senator NELSON. No increase, yes.

Ms. ERICKSON. But an increase in the salaried portion of the budget, roughly $1.7 million.

Senator TESTER. Okay. So the budget for—let us go this way. The budget for fiscal year 2010 is at $27.790 million, includes $25.790 million in salary costs and $2 million for operating budget. And then the salary budget increases of about $1.770 million. That is outside the $2 million for the operating budget?

Ms. ERICKSON. Yes.

Senator TESTER. Okay. All right. What was your budget in 2009?

Ms. ERICKSON. Our budget for operating costs was at $2 million. So we are requesting the same level of funding that we requested last year.

Senator TESTER. Okay, and what was your salary?

Ms. ERICKSON. And the salary budget is $1.7 million more this year, which consists of providing a cost-of-living (COLA) benefit for employees.

Senator TESTER. Right. So your budget this year is $1.7 million higher than over last year?

Ms. ERICKSON. Roughly a 7 percent——

Senator TESTER. Seven percent? Seven percent, is that what the——

Ms. ERICKSON. Right.

Senator TESTER. All right. The issue of the five FTEs, what kind of savings does that represent of budget?

Mr. GAINER. Approximately, I think the salary savings was $400,000. That would——

Senator TESTER. Is there any other savings that will accrue from that, those five FTEs that you are going to pull out?

Mr. GAINER. I am guessing out-year merit issues and other pay adjustments would be affected by that. But the basic salary and the COLA would be saved. So probably just close to $500,000.

Senator TESTER. Oh, okay. All right. Thank you.

The payroll system, if I heard the answer to the question of Senator Murkowski, was that this was going to be a study to see what kind of payroll system you needed?

Ms. ERICKSON. Right. I think it is important that we not rush ahead, that we take our time.

Senator TESTER. As do I. The question is, is how old is the one you have got now?

Ms. ERICKSON. Chris, how old?

Mr. DOBY. Twenty plus years.

Ms. ERICKSON. Twenty plus years.

Senator TESTER. Twenty plus years. All right. And do you—and this applies to all three of the entities. Do you do long-range planning for these kind of things? In other words, payroll is something that is going to be around for a while. And your payroll system, once you get this one in, it is going to be obsolete after *x* number of years.

The same thing could be said about the radios. The same thing could be said just about everything. I mean, it all is going to wear out. It is going to become obsolete. Do you have those kind of things within your budget that you set aside so much for obsolescence?

Ms. ERICKSON. Well, the payroll issue was brought to my attention this last year. But——

Senator TESTER. I should ask to begin with, can you even do that?

Ms. ERICKSON. Can I do that? Well, the two systems that I would think of that would be our payroll system and then our financial management information system (FMIS) system, which is a Web-based system for creating and processing vouchers.

But I do think that we can do a better job of long-range planning, and that is my concern with the payroll system is that it is an old system. And I would hate to have the Senate in a position where something happens to the system and we hadn't done our job to look ahead.

Senator TESTER. Right. I understand. But currently, it is not a matter of practice to—and this is a revolving thing. You don't have this job forever. So, I mean, but there is not a system in place where you plan for that right now, at least not in your office?

And I mean, it is not a negative thing if that is the way it is. But if that is the way it is, that is the way it is. I am just curious.

Ms. ERICKSON. Yes. I think we can do a better job of long-range planning.

Senator TESTER. Okay. Terry.

Mr. GAINER. Yes, we do. And in fact, as part of this budget, I am trying to do some quick numbers on your question. It might be as much as $10 million is built in there to replace and upgrade equipment or replace printing equipment or other items. And I can get more specific.

Senator TESTER. Okay.

Mr. GAINER. And we do have kind of a 5-year vision of how those affects——

Senator TESTER. Is that public information? Can I get that?

Mr. GAINER. Yes. You sure can, Senator.

Senator TESTER. Okay.

[The information follows:]

FINANCIAL PLAN FOR FISCAL YEAR 2010—EVERGREEN BUDGET BY EXPENSE TYPE

[Dollars in thousands]

	111th Congress		112th Congress		113th Congress	
	Fiscal year 2009	Fiscal year 2010	Fiscal year 2011	Fiscal year 2012	Fiscal year 2013	Fiscal year 2014
Operations and Maintenance:						
Salaries	66,800	75,044	80,414	86,225	92,260	98,719
Expenses	83,472	91,712	97,867	101,388	96,722	100,762
Total Operations and Maintenance	150,272	166,756	178,281	187,613	188,982	199,481
Allowances and Allotments	63,118	55,114	55,460	55,826	56,591	57,291
Capital Investments	2,315	15,185	7,982	12,100	8,800	5,821
Nondiscretionary Items	4,696	6,450	9,982	10,073	6,145	6,210
Grand Total	220,401	243,505	251,705	265,612	260,518	268,803
Staffing	958	963	964	966	966	966
Totals:						
Salaries	66,800	75,044	80,414	86,225	92,260	98,719
Expenses	153,601	168,461	171,291	179,387	168,258	170,084
Total Salaries and Expenses	220,401	243,505	251,705	265,612	260,518	268,803

Senator TESTER. Chief Morse.

Chief MORSE. Yes. We strategically plan in our budget for lifecycle replacement with the things that we know will become obsolete or wear out. The radio system, of course, is a more robust system that lasts longer than most technology.

Senator TESTER. I understand. Do you have the same kind of situation as Terry has? Do you have a 5-year plan or a 10-year plan or longer than that as far as replacement of equipment in your agency?

Chief MORSE. We do. It may be equipment or technology specific, but we do look at each item and strategically plan for when it will need to be replaced in the budget.

Senator TESTER. Is that something I can lay my hands on?

Chief MORSE. Yes.

Senator TESTER. And it is not that I want to micromanage anybody's agencies. I don't. I just am curious to see where you guys put your priorities.

Chief MORSE. Okay. Thank you.

Senator TESTER. Thank you very much.

Thank you, Mr. Chairman.

Senator NELSON. Now Senator Pryor.

Senator PRYOR. Thank you, Mr. Chairman.

Let me start, if I may, with you, Ms. Erickson, about the daycare center. The Rules Committee, which we are members of, asked was it last year to review and evaluate what is going on with the daycare center and to come back with some recommendations. What is the current policy about former staff members being able to have their children in the daycare center?

Ms. ERICKSON. Well, it is my understanding that the policy, the current policy is that Senate—a sibling of a current Senate employee's child or Senate childcare employee's child already in the center has preference, followed by a child of Senate or childcare center employees. After that preference is given to a sibling of a child already enrolled in the center who has a parent employed by another legislative branch agency, followed by a child of an employee of another legislative branch agency. Children whose parents are not employed by the legislative branch are further down on the order of preference.

But that wasn't the case before the study. So you had the situation where former staffers who had left the Hill and were lobbyists, for example, had their children enrolled in the center ahead of current Senate employees.

Senator PRYOR. My understanding, though, is there are still 22 children enrolled that are children of former staffers. Do you know?

Ms. ERICKSON. I can get that information and follow up with you. But I believe that there are children that have worked their way up into the system that are still there.

Senator PRYOR. That are of former staffers?

Ms. ERICKSON. Yes.

Senator PRYOR. Okay, yes, I would like to know that. But the policy is that if they are former staffers, they shouldn't be there. Am I wrong on that?

Ms. ERICKSON. Well, that would be a decision for the parent board, the cooperative board that runs the childcare center with oversight of the Senate Rules Committee.

Senator PRYOR. Okay. I would like to know——

Ms. ERICKSON. But I would share your—I mean, my personal opinion is obviously that the current Senate employees should be given preference.

Senator PRYOR. Right. Yes, I would like to know the facts on that, if I may? If you could provide that, I would appreciate it.

[The information follows:]

[From Senate Employee's Child Care Center Parent Handbook—2009–2010 School Year]

ENROLLMENT AND WAIT LIST INFORMATION

Applications for enrollment will be considered without regard to race, color, national origin, religion, sex, or disability.

A wait list has been established to accommodate the demand for child care. Placement on the wait list is determined by (1) priority ranking, which is based upon where the parent(s) are employed; (2) registration date, which is the date your check for your wait list registration fee and your annual Corporation membership fee are received at the SECCC (details below); and (3) the age range of the vacancy to be filled. Unfortunately, not all applicants will be able to enroll because the demand for child care exceeds the current availability. Parents are therefore encouraged to place their child, expected child, or adoptive child (completed or in a formal adoption process) on the wait list at the earliest possible date to increase the likelihood that a space will be available at the Center when needed. You must have a child, be pregnant or be in a formal adoption process to apply for the wait list. Once a space becomes available for a child, the parents will be contacted by the Director and given two business days to decide whether to enroll their child at the Center. If a position is declined, the child will remain in his or her current position on the wait list as long as the family remains current with annual Corporation dues. Failure to pay annual Corporation dues in a timely manner results in removal of a child from the wait list.

Priority for enrollment is given in the following manner:

—Sibling of a U.S. Senate employee's child or SECCC employee's child already enrolled in the Center;
—Child of a U.S. Senate or SECCC employee;
—Sibling of a child already enrolled in the Center who has a parent employed by another entity of the legislative branch of the Federal Government;
—Child of an employee of another entity of the legislative branch of the Federal Government;
—Sibling of a child already enrolled in the Center whose parents are not employed by the legislative branch of the Federal Government; and
—Child of parents not employed by the legislative branch of the Federal Government.

A Senate employee is classified as someone who receives his or her paycheck from the Secretary of the Senate. A legislative branch employee is classified as an employee of the U.S. House of Representatives, the Library of Congress, the Capitol Police, the Architect of the Capitol, the U.S. Government Accountability Office, the Office of Technological Assessment, the Government Printing Office, and any other legislative branch activity and spouses of such employees.

In the unlikely event that wait list children have the same registration date, the same priority ranking, and the same age range, wait list placement will be differentiated additionally by a random drawing.

In order to facilitate transparency of the wait list and assist families in making child care decisions, the SECCC offers online wait list access to Senate families. The system is accessible through the SECCC website and allows individuals to:

—Enroll as members of the Corporation;
—Register their child(ren) to be on the wait list;
—Modify contact and employment information; and
—Monitor their position on the wait list.

The online system does not have the capability of accepting payments. Therefore, new families that enroll as members of the Corporation and register to be on the wait list must deliver or mail a check for their wait list registration fee and annual Corporation fee to the SECCC in order to activate their account and be assigned a registration date. The registration date is the date Corporation membership and wait list registration fees are received at the SECCC.

Non-Senate families may contact the Director to apply and monitor their placement on the wait list.

Families must keep the Center updated with current home, work and cell phone numbers, address, employment status and preferred email address to ensure that the Center is able to contact families with Center information and in the event that a space becomes available for a child.

RADIO FUNDING IN SUPPLEMENTAL BILL

Senator PRYOR. Chief Morse, let me ask you about your radio system. There is $71 million in the supplemental for that. That seems awfully high to me.

I know that Arkansas went through this process a few years ago where they put in a statewide system that was interoperable, that the idea was that all the counties and all the local first responders and all that could tie into the same system. I think the cost to do that system statewide was $94 million, and that was covering 53,000 square miles. And you know, you are covering more like 300 acres. So tell me why it is so expensive.

Chief MORSE. Certainly. The system and our operations are rather unique. In most municipalities, State organizations, and some of our Federal partners, there is probably about 80 percent external use of a radio system, with about 20 percent being internal. Here, it is just the opposite. Eighty percent of it is internal, and about 20 percent is external.

That drives the cost because of the infrastructure and engineering design that takes place to have adequate coverage subterraneally in our garages, subways, and basement areas. So that drives the costs. Whereas in an external system, you would not have that significant cost.

Senator PRYOR. I can understand how that would drive the cost, but not to $71 million. That is an enormous amount of money for a radio system.

Chief MORSE. I do have some of the technical experts with me. But I believe our coverage would be about 100 square miles of area covering a 25-mile radius, which is specific to our responsibility for continuity of Government, continuation of operations. And perhaps not in this forum, but sidebar, I could and the Sergeant at Arms could brief you specifically on that.

But our operations do not just exist here within the Capitol campus. It does reach out far beyond that, and that also drives the cost of a system of this nature.

Senator PRYOR. Do you have a breakdown of the costs?

Chief MORSE. Yes, sir. I do.

Senator PRYOR. Do you have a contractor already in place that is doing this?

Chief MORSE. No, sir. We do not. This will be an RFP, an open competitive bid that will be put out once our engineering design is complete for the system.

Senator PRYOR. All right. I would like to see the breakdown. Again, not in this forum because I don't want to waste my colleagues' time on that, but I would like to look at that.

SPECIFICATIONS OF THE RADIO SYSTEM

And also I am curious about the life expectancy of this system. It is like what Senator Tester was asking a few moments ago about long-range planning. What is the life expectancy on a system like this?

Chief MORSE. The life expectancy of this particular system is about 10 to 15 years.

Senator PRYOR. And do I understand that it is going to be encrypted?

Chief MORSE. Yes, sir. That is one of the pieces of the uniqueness of our operations.

Senator PRYOR. Why? Why does it have to be encrypted?

Chief MORSE. Currently, our system is not encrypted. Therefore, anyone in the public, press, or another adversary could listen to any of our operations. In order to mitigate any circumstance that we would have in a critical incident, it is imperative that we be able to communicate without others listening in or knowing what it is that we are doing to mitigate the crisis that we are dealing with.

So encryption is necessary to protect the legislative body as well as visitors and staff that we are trying to protect. If we were giving direction to, for instance, shelter in place or relocate, and the adversary knew where that was, then it would be adverse to the action that we are trying to take.

Senator PRYOR. Do you know how much the encryption adds to the cost?

Chief MORSE. I don't have the figure with me, but we do have a specific figure for that.

Senator PRYOR. Okay. And I would like for you to provide that to the subcommittee, if you could?

[The information follows:]

ENCRYPTION

The table below (excerpted from the USCP budget request) specifies the encryption costs associated with designing a radio communication system for USCP.

Encryption.—OTAR, Secure Cards for each Console, Packet Data Gateways—$1,300,000.

Notes:

OTAR (Over-The-Air-Rekeying) is the common name for the method of changing encryption keys in a two-way radio system over the radio channel ("over the air").

Packet Data Gateways (PDGs) integrate alternative Internet protocol (IP) access networks into the mobile core and enable delivery of services over the IMS (IP multimedia subsystem) control layer. IMS is a unified service architecture for all networks.

Senator PRYOR. And I will note that my understanding is—I am getting this from just some research I have done—that when the District of Columbia went to a new system, in the District, it was about $40 million. And I think, to me, $71 million just seems way out of line with—and I understand the uniqueness, and I understand the challenges, and I understand the old buildings and the subterranean nature of some of the things you have to do. But that just seems very, very expensive.

ADDITIONAL PERSONNEL REQUEST

And I would like to look at your requirements that you have in mind, and I would like to look at that and work with you, with the chairman's permission, because that just seems awfully high. And I need to look more closely at your budget, but are you adding police officers as well?

Chief MORSE. Yes, sir. We are.

Senator PRYOR. And how many are you adding?

Chief MORSE. We are adding 89.

Senator PRYOR. And why?

Chief MORSE. Seventy-six of those are to apply to our deployment for our mission in order to reduce the overtime.

Senator PRYOR. Are you basing that on this most recent year? How do you make—I mean, is that what you are averaging in overtime, the equivalent of 76 additional officers?

Chief MORSE. No, actually, we have had to do a comprehensive manpower survey to give us a template in which to assess the manpower that we need versus the threat that we face. So one of our first bites at the apple with this new template is—with the other things that we have to deal with—for instance, attrition and the ability to have facilities to train—is to try to reduce overtime with the new 76.

The remaining 13 is an enhancement that we are asking for with the ability to detect or deter any criminal activity or terrorist activity.

Senator PRYOR. Is that counterintelligence?

Chief MORSE. Yes, sir.

Senator PRYOR. Okay. I have a concern about doing counterintelligence as well. I am not trying to be a naysayer on the Capitol Police because I appreciate what you all do, and it is a very important mission. But tell me why you think the U.S. Capitol Police should be doing counterintelligence work.

Chief MORSE. First, we—the police department has had countersurveillance capability since probably about 2003. We know that in terrorist planning for any sort of operation that they must first come and surveil. They must first actually come to the location and to review the type of operation that they are going to do at the facility that they are going to do it.

One of the ways that law enforcement has found most effective in deterring that or discovering that is through countersurveillance activities as well as strengthening the training and observation and vigilance of our police officers. So we believe that with the program that we currently have, making it more robust is a benefit to detecting or deterring any type of criminal or terrorist activity that may be planned for our facilities.

Senator PRYOR. When you talked about that I think you said 76 or 79 additional officers?

Chief MORSE. Seventy-six.

Senator PRYOR. Are you talking about actually officers in uniform that are going to be patrolling the area, or is that administrators as well?

Chief MORSE. Those are sworn police officers in uniform to be deployed in the field for the various post assignments.

Senator PRYOR. And you already have 1,799 officers?

Chief MORSE. That is correct. That is our current authorized strength.

Senator PRYOR. And basically, those 1,800 officers—I mean, is it fair to say that they are basically covering about a 300-acre area?

Chief MORSE. Yes, sir. With also protective operations with Members of Congress throughout the United States.

Senator PRYOR. Let me ask, and again, I understand the unique mission that the U.S. Capitol Police have and the unique circumstances in which you serve and what your responsibilities are, but is there—give me a sense of a city that has about 1,800 police officers right now. I mean, can you point to a city or some cities around the country that have about that many police officers?

Chief MORSE. I would say probably the county, some of the larger counties in the metropolitan area would come close to that.

Mr. GAINER. Senator, would you mind if I just chimed in a little bit? Chief.

Senator PRYOR. Sure.

Mr. GAINER. Because having run the Illinois State Police for 9 years, I remember when I came here and had the chance to get the chief's job before Phil. Many of the Members of Congress said, jeepers, you have a police department up here larger than our State police or larger than our county police or larger than our city for a substantially smaller area.

So over these 7 years that I have been around, we continue to wrestle with this, and it is not just the officers per acre, but it is the demands we put on them. And I can tell you from my office now, with Phil, I have made demands on your behalf. And I will just give you some for instances.

The CVC, which I think many thought was going to be the panacea for security, really resulted in more doors open for the Capitol Police and for the responsibilities of the Senate now Sergeant at Arms. Not another single door in this institution closed. That just opened more doors.

And when we look around at all the millions of dollars that Congress has given the police department and the Sergeant at Arms office to put up the physical security, we take a look at Hart and the Hart building, and it is not any top secret issue about the openness of Second Street and the vulnerabilities of the Hart building.

So it wasn't too long ago that while the chief and his deputies struggled with how to tighten security, that we in the Sergeant at Arms office, on behalf of the Senate, said you just have to operate different. And they ended up putting, I don't know, a dozen or two dozen officers in and around the Hart on the streets, on A Street, on Second Street, to try to minimize the risk from suicide bombers, improvised explosive devices, and trucks.

And the number of doors that we, the Senate or the House, require to be open for the convenience and the egress of Members have encumbered that. And so, over the years, the Police Board or others have said there are a lot of ways to save officers up here. And we could close a lot of doors to do that, but there has never been the will on the part of people to inconvenience themselves in some respects on door openings and in other respects because we have the place open 24/7 to provide the access that everybody has.

Senator PRYOR. Well, I will tell you what. I still—my sense is that we are heavy in this area, and we are expensive in this area. And again, the radio system is a prime example of that.

So what I would like to do is at some point in the future, you know, fairly soon, sit down with you and really download on the specifics of what your requests are, what your needs are. And if you think that we need to close doors, I need to know that. You maybe have already mentioned that to the Rules Committee or something like that.

But if you think we need to change some things around here, I would like to hear that from you. So let us just set up a time sometime in the next week or two where we can really visit in detail about it.

Thank you, Mr. Chairman.

Senator NELSON. Thank you.

INCREASE IN STAFF AND EFFECT ON OVERTIME

Let us stay with the police issue for the moment. Chief, your force has grown in manpower by 38 percent since 2000, and the overtime has continued to grow steadily as well. In fact, between 2006 and 2008, the sworn staff increased by 25 percent, and overtime still increased by 80,000 hours.

I know there is always an argument to be made that it is the amount of staff that will dictate whether or not there is overtime. But it appears that staff and overtime continue to grow at about the same level, and there is another countervailing theory that overtime becomes part of regular compensation just as a normal happening.

There does seem to be some correlation between the increases here. One would have thought that the increase in staff would have decreased the overtime, but that is not occurring. Can you help us understand that?

Chief MORSE. Yes, sir. And I don't know that I will be able to do that in the limited time that we have. So——

Senator NELSON. Well, we can plan to talk about it further, too.

Chief MORSE. But I would like to just sort of give you a broad brush of what might be able to answer the question. Is that one of the most significant tragedies in my career here at the Capitol Police occurred in 1998 with the loss of our two police officers.

And since that time, we have had 9/11, anthrax, and ricin. And with each of these incidents have really come new missions. Some of the missions have been related to physical securities. Some have been related to post standing, and many have been related to technology. So the increase that I have seen, as a police officer here since 1985, has been directly related to posting of new posts, new technology, and physical securities.

A lot of our overtime certainly is generated by things that we cannot control, and sometimes that is affected by the environment in which we live. For instance, last year we had many war demonstrations that we did not expect. We have had many significant demonstrations this year. One most recent, the Power Plant. And I just learned recently there will be a significant event on May 30 down at the Lincoln Memorial.

So there are many unexpected events that take place here on the Capitol grounds as well as off the grounds that Capitol Police have authority and responsibility for.

What I do want to assure you is that the Capitol Police, my managers, the professionals who are sitting behind me, do have a plan to be as efficient and effective as we can with our people. We, as I mentioned earlier, have recently gone through a manpower study. That manpower study gives us a template that is—its foundation is threat based, which came through our GAO recommendations.

What we are trying to do now is apply that to every program that we have and every facility that we have. Two facilities that are—one is most recent to us and one that will be coming in October, the CVC and the Library of Congress. We have not yet been able to apply that template, but we will.

In addition to that, we have looked at many programs where technology can replace people, and we are working on doing that as well. So not only does the Enlightened Leadership Solutions (ELS) study help us—the manpower study by ELS helped us to better effectively ask you for people, but it could also result in decreasing the size.

So this is really a very lengthy process. It is one that we take very seriously. We understand the sensitivity of the growth and the budget, and we are working very hard to not only minimize over time, but have the most effective and efficient use of our people for the safety and security of the complex.

Senator NELSON. Well, I hope the report will enlighten us because if I understand the numbers right, by adding 55 FTEs, you will save $2.5 million. However, the cost of the 55 FTEs is $3.7 million. So we get worse off under those numbers by adding individuals. We would be better off to spend $2.5 million rather than $3.7 million.

So I hope that as you work through this manpower study that you will be able to help us better understand how there will be true reductions, bottom-line reductions.

Chief MORSE. Yes, sir, Mr. Chairman. We will do that.

Senator NELSON. Thank you.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Chief Morse, I want to go back to questions about the radio system that Senator Pryor was discussing with you. We are talking about a total cost now of $71.6 million. I would agree it seems extraordinarily high, and I think it is important that we fully understand and appreciate all that is going into this.

How confident, though, are we really about this as a cost estimate? It is my understanding that when you were first looking at this, there was a rough estimate back in 2007 that the total of this radio system would be about $35 million. So we have essentially doubled it in a 2-year period. So is $71.6 million a number that we can really believe in?

Chief MORSE. $71.6 million was the request that we had in the 2010 budget and for the supplemental. There is an engineering design study taking place right now for the infrastructure of the building, and we could expect to ask for $8 million to $16 million more in the 2011 budget, depending on the results of the engineering design and coverage for the system itself.

So we are still what we have done is with the current $71.6 million request is had many people review the technical requirements and the technology associated with that, and we are comfortable that those figures are accurate.

Senator MURKOWSKI. Accurate, but what you are saying is that it could be anywhere from $8 million to $16 million in addition to the $71.6 million after we get this engineering design proposal back?

Chief MORSE. Yes, ma'am.

Senator MURKOWSKI. So it is getting worse.

Chief MORSE. The cost will rise, yes.

MANAGEMENT OF THE RADIO PROJECT

Senator MURKOWSKI. Okay. How are we going to ensure that we will have proper management of the procurement to ensure that once we identify what that cost is that we stay on budget and on time?

Chief MORSE. Let me first just add one other figure—that we did receive $10 million back in the 2007 supplemental to go toward the radio system.

But to answer your second question, we have designed a five-phase approach to this. It is a 36-month project. We have through the Economy Act looked at Naval Air Systems Command (NAVAIR) systems, who have expertise not only with some of the existing technologies here on Capitol Hill, but also the procurement capabilities and the expertise in that field to augment our staff. They have a team and integrated approach and will be our consultants.

In addition to that, we have had the RFP and the technical requirements as well as the engineer design reviewed by the Government Accountability Office as a safeguard that we are on track and doing things right.

Senator MURKOWSKI. Let me ask about some of the administrative issues, and I will echo what was said earlier in recognizing the accomplishment of a clean opinion from the auditors on the financial statements.

I do understand that we do have some areas of improvement. But there are some 85 open recommendations from GAO or the inspector general on the need for improved internal controls, whether it is improved asset management, control of travel vouchers, payroll processing, information security.

And you ticked off a few of those areas that have been closed out, but given what you have outstanding, what would you say are your biggest challenges in resolving these administrative deficiencies? Where are your highest priorities here?

Chief MORSE. Well, we do prioritize our recommendations. We try to go for the low-hanging fruit, the ones that don't cost us a lot of money, and get those out of the way first.

Our biggest challenge is really the people to get this done. We have been struggling with that. Most of our folks who are working on this, working very hard on this, have other duties and responsibilities within the agency. But they work very hard to prioritize this. Our chief administrative officer works very closely with the Office of Inspector General. We have a great working relationship with the Government Accountability Office.

And we try to prioritize these recommendations based on risk to our organization. So the ones with the most risk we go after first. So we keep track of this. We can actually produce a document for the record or for your review that can see how we manage the recommendations, how we go about closing them, and how we interact with the GAO——

ONGOING ADMINISTRATIVE ISSUES

Senator MURKOWSKI. Well, I would appreciate that. If we have got 85 that are outstanding that need to be resolved, it is one thing to go after the low-hanging fruit, but if you have issues out there that are problematic and have been problematic for a period of time, I know that the inspector general has recently reported that you didn't have adequate spending controls on travel. And I don't know whether or not those controls are being put in place.

I also understand that there were problems with the payroll processing, the need to make sure that we have got timekeeping records that are adequate. And following in the chairman's concern about overtime, is this an issue and an area that needs to be placed higher on the priority list?

Can you just speak to these two? If, in fact, your auditor has indicated that with the payroll processing that this is a material weakness for you, when do you get to that point where you implement those recommendations from the audits?

Chief MORSE. Well, let me just start by saying that by getting that clean financial statement, we very aggressively went after the recommendations in our financial management. That was our most risk to our organization. And I think the fact that we were able to obtain clean financial opinion a year earlier than we were directed to do so shows the aggressiveness in which we go after these recommendations.

Many of the recommendations that you just mentioned, for instance, the travel vouchers, et cetera, we are actively working on closing those recommendations as well as many other GAO recommendations. We——

Senator MURKOWSKI. Do you think you are going to have a clean report again this year?

Chief MORSE. Absolutely. And our Office of Inspector General and the Capitol Police Board, we really work together to make—to find out what we need and prioritize what we need as an organization, what the Board would like the Capitol Police to expound upon, and what the Capitol Police needs.

We work together so that we are not overwhelmed or inundated by audits. So we try to work closely together. We try to identify what causes most risk to the organization, and we are very transparent about that. We accept the fact that we have weaknesses. We accept the fact that we have challenges, and we work together to address them.

So we would be happy to show you how we do that and much of the accomplishment that we have had in the last 2 years.

CIVILIAN STAFFING

Senator MURKOWSKI. Let me ask one more question before I turn it back to my colleagues here, and this is on the civilian staffing. I understand that you currently have about 75 civilian vacancies, about 15 in the Office of Human Resources. Another 21 civilian positions have been requested in fiscal year 2010. Tell me why you need these additional positions and the prioritization, if you will, for these slots.

Chief MORSE. With respect to some of the civilian positions, they are ones that will be coming to us from the Library of Congress. There are 23 new positions, 19 of which were submitted in previous budgets, and 4 of those are related to the radio system, technical experts to do the radio system.

We also have been working very hard as a part of our audit is to reevaluate each position and, in some cases, rewrite position descriptions, which has added some delay in those positions. Currently, of the 79, we have 25 of which are in the hiring phase right now, along with 25 which are currently being announced, and we are preparing advertisements for 22 others and then the——

Senator MURKOWSKI. And in what areas would those be, these new ones that you are announcing?

Chief MORSE. Those are already approved positions.

Senator MURKOWSKI. Okay.

Chief MORSE. So of the new 23——

Senator MURKOWSKI. These are not the 21 that you are then requesting in fiscal year 2010?

Chief MORSE. That is correct.

Senator MURKOWSKI. Okay. So you have got these 23 that you are filling that have already been authorized, and you are seeking then an additional 21?

Chief MORSE. Yes, ma'am.

Senator MURKOWSKI. And in what areas would these additional 21 be?

Chief MORSE. They would be helping us with the audit findings. Those are specific to the audit findings or the intelligence enhancement, or radio engineering. We have requested one diversity officer and training coordinators, which are for another program we are working on within our Training Services Bureau, a budget analyst, an accountant, legal administrative assistant, and then a mission assurance bureau person. So some are related to audit findings to help us improve in those areas. Some are related to the radio and information technology, and others are related to the Training Services Bureau and our finances.

Senator MURKOWSKI. Well, Mr. Chairman, I know that the GAO has been closely involved in reviewing these administrative—not only the administrative problems, but some of the staffing issues. I would like to hear what their recommendations are on the need for these additional positions and just understand.

It seems to me that at this time we don't need to be necessarily adding more and more and more in terms of staffing, we are doing that in very many areas, and I will express my concern about it. I would like to understand the need more.

Senator NELSON. I believe we can probably obtain that information. Is that accurate?

Chief MORSE. Yes.

Senator NELSON. Well, let us do that. Let us get that distributed to the subcommittee for our review.

Senator MURKOWSKI. Appreciate it.

Senator NELSON. Thank you, Senator.

We understand that the number for the radio project is well established. Now I am a little unclear because I heard you say $71.6 million as the base, but that is after $10 million that has already been put in. So this is a multiyear process. What I am trying to find out is the additional $8 million to $16 million, this is the total as it all comes together so that it won't change? Is that fair?

I am just trying to understand that the costs are established and they have been because it is a multiyear process that is going on here. Is that accurate?

Chief MORSE. Once we do the engineering design phase within the infrastructure of the buildings, the additional cost for indoor requirements could be $8 million to $16 million.

Senator NELSON. Eight to 16.

Chief MORSE. There was $10 million given to us in 2007.

Senator NELSON. Right.

Chief MORSE. And then the request for $71.6 million.

Senator NELSON. Does not include that $10 million already received or the additional of $8 million to $16 million?

Chief MORSE. That is correct.

Senator NELSON. There is not another part of the project that is not included within those numbers?

Chief MORSE. That is correct.

Senator NELSON. Okay. I just want to get that for the record so we have the total numbers. I was unclear. I appreciate that.

Let us see now. If you didn't have the radio project in place and you didn't have that capability that the radio project is going to give you when it is complete, what are the implications for security on the campus?

Chief MORSE. Let me just give you real quick the status of our current system. We are unable with our current system to be interoperable with any of our partners who would respond here to assist us in the event of an emergency.

Senator NELSON. And they would be who, the partners?

Chief MORSE. It would include the fire departments, the local police, and other Federal agencies. The other concern is that we most recently were contacted from one of the vendors on our dispatch technology who said they could no longer service it because it was outdated.

And we have experienced pretty routinely both software and hardware failures with our system, and at one point within the last 3 years, we had a complete failure of the system. Therefore, it would cripple our ability to communicate with each other in a critical incident situation should that system fail, which is, like I mentioned before, is one of the three critical life safety tools for a police officer, and a life safety tool for the legislative process.

So we are obviously very concerned about that. That is why we brought it as a priority. This was originally looked at in 2005 to begin the process of replacing the system.

OVERTIME AND ADDITIONAL STAFFING

Senator NELSON. Switching now, going back to the overtime and additional staff question, let me just see if I am clear here. Is your goal to eventually eliminate the use of overtime in your day-to-day operations, or are you intending to use a combination of overtime and onboard staff? And have you established what positions are better utilized through the use of overtime if you plan to continue to have overtime?

Chief MORSE. We plan to use a combination. As I mentioned before, in some cases, we are using technology, and I could provide that information to you in a sidebar. But we are using technology that will decrease the number of officers we need to do a specific mission. Therefore, we can put them back into the field.

In other instances, by adding, for instance, the 76, we can perhaps downsize the amount of overtime that we are using and enhance our capability with our mission. So we are using a combination of technology as well as redeployment of our personnel.

We have also worked very closely with our oversight committees in detail, for instance, we're checking how many people come through a specific door during a specific time. And the committees have worked with us, for instance, at adjusting the hours of those doors.

So we have done things on the very low level and on the very high level to try to lower the amount of overtime and have the most efficient and effective use of our police officers. So it is a challenge. I don't know that we could ever eradicate overtime because there are so many variables that come with that. For instance, the special events and demonstrations, et cetera, that I had mentioned before, just to name a few.

Senator NELSON. It appears you are having some difficulty attracting and retaining civilian personnel, some in positions that are quite critical to your mission. How many civilian openings would you have at the present time and why?

Chief MORSE. There are 79 or 78 vacancies that are currently open. As I was saying earlier, in some cases, we are reevaluating the need or the position description or reclassifying it to meet our current mission. Many of the recommendations that we receive change the way we do business. We are trying to do business more efficiently.

So some of the delays have been with redoing the position descriptions. But as I mentioned before, many of these are in the hiring process currently, and they passed me a note that most recently we just hired four additional personnel. But 16 are in the hiring process. Twenty-five have vacancy announcements out right now.

So as fast as we can make sure or ensure that these personnel are the positions that we need, that we have the right person in those positions, then we will, in fact, fill them.

As far as retention is concerned, there is a turnover, and some of that has been remedied by simply answering recommendations and gaining control and organization over these entities and ensuring that we have a strategic plan for where it is that we are going to go. And one example of that is our Office of Financial Management, where we have current tremendous leadership, which resulted in a positive thing for the police department.

But in hiring some of these additional personnel and some of the reclassifications, we will do some of the things that the other Federal agencies do with regard to retention benefits, where we could be more attractive to those from the private industry as well as other Federal agencies.

Senator NELSON. Well, my final question is relating to those 13 additional officers for counterintelligence. Have you considered in some way partnering with the Department of Homeland Security (DHS) or some other agency, perhaps even the Federal Bureau of Investigation (FBI), to attract that kind of capability rather than try to develop it within the police department yourselves?

Chief MORSE. Well, first, let me say that we have wonderful relationships with our area law enforcement agencies. We do have liaisons at the major intelligence organizations as well as DHS, the FBI, Central Intelligence Agency, the Defense Intelligence Agency, the metropolitan police fusion center. So we work very closely with them. And I won't speak for any one of those agencies specifically, but the countersurveillance capability is taxing on their own specific mission.

We are, as you know, the only Federal law enforcement agency who has authority and responsibility for protecting this branch of Government. And we feel that it is our responsibility to recommend that a more robust countersurveillance operation would minimize the risk of any criminal or terrorist activity that could be planned for our facility. And certainly no one is more dedicated to protecting this legislative body than the men and women of the United States Capitol Police.

Senator NELSON. Senator Murkowski.

Senator MURKOWSKI. One final. The President's budget is about an 8 percent increase over last year, if I remember correctly. What would happen if we were to set that standard within the legislative branch? Right now, we are looking at about a 15 percent increase.

What would that mean to you in terms of your budget and your priorities if you were told you got about 8 percent increase over last year? Where would you go? We will start with you, Ms. Erickson.

Ms. ERICKSON. Well, I think I am in the best——

Senator NELSON. You would have to raise yours, yes.

Senator MURKOWSKI. Yes. We will start with the easy one.

Ms. ERICKSON. I think I am in the best shape of the three of us. My operating budget has remained the same, and I will say we look for every opportunity to cut costs, down to our Senate librarian who just renegotiated some vendor contracts and saved $352,000 over 4 years.

I personally look at every voucher, and I can say our chief employment counsel's attorneys have cut back on their travel or look for conferences that are held in Washington, DC, rather than traveling across the country. So we take that responsibility very, very seriously.

The budgetary impact for our operation would be salary and that would mean that I would not be able to offer a COLA to our employees or implement our employee performance program for merit pay, which, with few exceptions, is capped at 3 percent. So that would be the impact for the Secretary of the Senate's employees.

Senator MURKOWSKI. What is the longevity of the employees within——

Ms. ERICKSON. We have very low turnover. We have I think it is 3,000—if you add up the total, we have 3,000 years of Federal experience, 238 employees. So there isn't a lot of turnover, but there are employees who have a great deal of institutional expertise that we hope to keep for a long time.

Senator MURKOWSKI. Terry, how would you reprioritize if you had to?

Mr. GAINER. I would eliminate the $2 million that I have asked for Nancy.

Seriously, I wouldn't do that because she pays us, too.

Most of what we do, aside from the salary issues, are really for your benefit and your offices. So, number one, we would work with you and see how to scale that back.

But it is really, I think, adjusting the Members' and their staffs' and your 450 State offices' expectations so that each year, for instance, when we add money in to try to get more bandwidth so that your computer works quicker in your home State, we would scale that back. And rather than have someone come and repair the computer in your office within 30 minutes, it might take 2 days.

So we can adjust that, and we would work with you to try to figure that out.

Senator MURKOWSKI. Chief Morse.

Chief MORSE. Well, it would certainly take some very serious analysis to prioritize what we would lose by that. I would fear that a lot of our lifecycle replacement that we talked about earlier in our technology that helps safeguard the campus would be at jeopardy, along with hiring.

We certainly talked about a significant amount with the radio system that is critical to the life safety not only for our police officers and employees, but for the legislative process. And if we were to still go with the radio project, then that would significantly impact other areas of the police department.

Our employees are certainly here and dedicated to you under any condition, and I would be remiss if I didn't say that I would want to take care of them first.

So I think that a lot of the significant areas of concern would be mostly with the technology, the lifecycle replacement, the radio system, and hiring, which I think would probably cascade on us as the years went on. We would probably never be able to recover from the not hiring.

Senator MURKOWSKI. Appreciate your responses.

Thank you, Mr. Chairman.

Senator NELSON. Thank you.

ADDITIONAL COMMITTEE QUESTIONS

And I would like to personally thank our witnesses for attending today's hearing and providing us with their excellent responses.

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

QUESTIONS SUBMITTED TO TERRY GAINER

QUESTIONS SUBMITTED BY SENATOR BEN NELSON

FISCAL YEAR 2010 BUDGET REQUEST

Question. If the Legislative Branch Appropriations bill for fiscal year 2010 is held to current year levels, what will be the impact to your agency's operations and on the day to day operations of the Senate?

Answer. We understand that the Committee may face challenges in preparing the fiscal year 2010 Appropriation. If we are held at the current level, we will examine all of our initiatives and establish priorities that reflect the funding allowed. We will review spending on capital investments and maintenance; we will defer expenditures for new equipment to the extent that we can. We will work with Committee staff to ensure that all Senate priorities are funded.

Question. Your organization has requested a 10 percent increase—to $243.5 million in fiscal year 2010. As we have discussed, increases are going to be very difficult in a tight budget year. Regardless, the SAA has grown from an enacted budget of $109 million in fiscal year 2000 to well over $200 million in the current year. I, like most Members, have a great deal of respect and gratitude for the work your organization does around here—but do you mind spending a couple of minutes telling us how you got from there to here in terms of budget and staffing? Where do you see the trend line moving in the next few years?

Answer. Our organization has changed dramatically since 2000. To set the stage, in 2000 our budget was just about $100 million. In fiscal year 2009, our budget is $220 million. We had 780 employees then and have 958 now. In almost all respects, we no longer are the same organization. Let me give you some specifics of the changes.

With the exception of POSEP (formerly OSEP), generally, the responsibilities of the SAA have not changed since 2001. However, the scope of those responsibilities has expanded materially. Our goal is to support Senate offices to enable Members and staff always to more effectively manage their business and communicate with their constituents. It takes people and money to initiate, implement, operate and maintain the infrastructure that provides the systems and services to the Senate. In a sense, we do this so that you don't have to. More specifically, here are some of the changes that have occurred over the years.

Post Office—receipt and delivery of mail in 2001. Today, receipt, inspection and delivery of all mail and packages to Senate offices. We have our own offsite facility for mail and package inspection.

Warehouse—in 2001, we operated four warehouse locations. We now have a central facility double the size if the four locations that is modern and functional for all of our needs.

PGDM—in 2001, old press model. Since then, all equipment is digital and run by computer operation. This improves resource use and quality of printed products.

Recording Studio—complete conversion to digital High Definition since 2001 replacing an infrastructure that was entirely film based. Combined with the Hearing Room upgrade project, we can remotely manage and broadcast about 12 hearings at the same time. Previously, we were able to film three at once.

CIO Organization—small infrastructure in 2001 with limited backup capabilities. Today, we have a fully operational alternate computer facility that serves as a real time back up site for all major Senate applications and for data storage for many Senate offices. Our primary service contracts are all performance based. We have very high performance standards which the contractors regularly meet. This is, of course, costly.

We also have state-of-the-art network monitoring capabilities that protect the Senate networks from attack. This Security Operations Center also has a back up at the ACF.

As more processes can be automated and managed electronically, we have added those applications to our inventory. These applications improve customer service, management of our processes and enable new services to be offered in a cost effective manner. Applications that come to mind include TranSAAct (for managing parking and ID requests, floor privileges and SAA billings), MCS (for requesting BlackBerry and cell phone services) and the IT Catalog (for ordering computer equipment). All Senate offices use these systems.

In addition to BlackBerrys and cell phones, there are other wireless technologies that are expected to expand in the future and we must be prepared to support wireless services demanded by Senate offices.

Additionally, we have the ability to set up an alternate Senate site, chamber and offices, through the use of satellite and communications vehicles. Prior to 2001, there was no such capability.

POSEP—in 2001, the office did not exist. Since then, the office provides nationwide office outreach for security planning and response. POSEP leads the Senate's COOP program and coordinates with other agencies in the planning and development of COOP and other exercises and training events.

Question. I recently received tea bags in the mail, as did many of my colleagues as a result of the organized tax day protests last week. Obviously, these envelopes had been subjected to a significant amount of screening. Do you mind updating me on the mail and package screening processes utilized here in the Senate?

Answer. All United States Postal Service (USPS) letter mail addressed to the Senate zip code 20510 is irradiated by a USPS contractor. After irradiation, all mail is x-rayed, opened and tested for contaminants at an offsite facility operated by Senate Post Office employees, prior to delivery to the Senate office. The mail is quarantined, awaiting clear test results.

Packages are not irradiated. All packages addressed to the Senate zip code 20510 are delivered to the same offsite facility operated by Senate Post Office employees. Packages are x-rayed, opened and tested for possible contaminants, prior to delivery to the Senate office. The packages are quarantined, awaiting clear test results.

The Senate Post Office operates an on-campus facility for expected courier deliveries to Senate offices. The items are x-rayed, opened and tested for contaminants. Expected items are delivered by the Senate Post Office, after the items have clear test results.

Under no circumstances should anyone bring mail and/or packages into the Capitol or Senate buildings that have not undergone the Senate's mail and package testing protocols. Tested items are clearly marked and are delivered by uniformed Senate Post Office employees bearing a Senate ID.

We provide safe mail handling training for Senate state offices. Additionally, our science advisors developed the Postal Sentry, a device designed to contain contaminants that a terrorist could send in an envelope.

Question. Your expense budget includes an increase of $15 million—or 10 percent this year. Yet your office has identified substantial multi-year unobligated balances and savings—much of that resulting from savings in your Information Technology investments. Can you take advantage of prior year savings to reduce your fiscal year 2010 request?

Answer. Yes. We will work with the Committee to use these funds in a manner that meets your needs.

Question. Most of the Legislative Branch agencies—including yours have requested significant increases for technology development upgrades this year. Since most of your prior year unobligated balances reflect savings in IT what can you do to improve budgeting for these large-ticket items?

Answer. In some cases, we have already refined our budgets for the items that produced the savings. In the other cases, we are reviewing our cost estimates and contracts to determine if we can improve our budget processes.

Question. You are requesting funding for five new FTEs—bringing your total FTE up to 963. What is your current on-board staffing level? Will you work with my staff to arrive at a fiscal year 2010 funding level that better addresses your on-board staffing level?

Answer. We withdraw the request for the additional five positions. Our managers will prioritize positions and fill those most necessary to complete their respective missions. We have 905 on board at the end of April 2009. And we will work with Committee staff to refine our salary funding needs for fiscal year 2010 that addresses current and expected staffing levels.

Question. I understand the Senate has invested some $20 million on a new telephone system, but that it has been somewhat delayed. What is the status of the $20 million telecom modernization project—when will it be complete?

Answer. The Telecom Modernization Project is nearing the end of the Final Engineering and Design phase. While this phase took much longer than expected, it served its purpose in that we have modified the proposed design to better meet the Senate's needs. To begin addressing operational issues, we will implement a new voicemail system this fall.

We are currently preparing for a testing phase to validate the design. Upon successful completion of testing, we will order and install the equipment which will take about 6 months. We expect to be piloting the solution within the Sergeant at Arms organization in the spring of 2010 and making it available to offices in the summer. The time it takes to migrate all offices to the new system will depend on the willingness of the offices to migrate, and could take as long as 3 years.

Question. Your salary budget increase totals nearly 13 percent which is very high. In your budget submission you used a 4.5 percent increase as your COLA base. Other Legislative Branch agencies used a 2.9 percent formula for their COLA. Why was yours higher?

Answer. We base our COLA on the most recent base COLA amount plus an estimate of the locality adjustment. At the time the fiscal year 2010 budget was prepared, the general base COLA was 2.99 percent to which we added an estimate of locality of 1.5 percent. That resulted in the 4.5 percent amount used in the fiscal year 2010 budget. We included the COLA for 9 months of 2010 (January through September).

Question. Your fiscal year 2010 request includes $5 million for hearing room upgrades. How much have we invested in this effort so far and how much longer will this item be included in your request?

Answer. The Committee on Rules and Administration selects the rooms and identifies the requirements for this project. Since 2003, 21 hearing rooms have been completed and $25.4 million has been funded for this project. Another 11 rooms have been identified as future rooms for renovation and upgrades. We anticipate that, with our funding request for fiscal year 2010, we will complete the hearing room upgrades that we have been tasked to do.

Questions Submitted to Phillip D. Morse, Sr.

Questions Submitted by Senator Ben Nelson

RADIOS

Question. We understand that the engineering design for the radio project is scheduled to be complete at the end of 2009. If you obtain supplemental funding for this project would you be able to accelerate the purchase of any portion of this project prior to December?

Answer. Yes, if we could get supplemental funding in fiscal year 2009 it would permit us to begin the acquisition process for segments of the project as soon as the detailed engineering design is completed for each item; this would permit us to roll out these segments much sooner than we would otherwise be able to do. We believe that the nature of the radio modernization project comports with the intent of emergency supplemental bills, which frequently fund “pressing domestic needs”. This new system is critical to our ability to effectively address anti-terrorism, and the continuity of government operations.

Question. Would there be any advantages to acquiring increments of this system prior to the completion of the final design?

Answer. As the design engineering study progresses, and technical issues are identified, we would be able to begin to contract to acquire the technology to meet the specifications the engineering study indicates (such as purchasing certain antennas, repeaters, cabling, etc.). Additionally, contracting can commence once a final determination on the mirror site has been recommended and approved. The principal advantage of being able to proceed with procuring increments of the project would be overall implementation several months sooner than if we were to wait to begin any procurement activity until all of the engineering design is complete. The procurement process itself can be lengthy. The sooner we are about to begin that process the sooner the radio system will be able to go live.

Question. Can you briefly outline for me what vulnerabilities or disadvantages we continue to have in the Capitol Complex by not having this technology in the event of an emergency?

Answer. The most significant vulnerability is our current inability to effectively communicate with other first responders as well as some of our Legislative Branch partners. In addition, the reliability of the current 20-year-old system presents an unacceptable risk of a complete system failure during an emergency situation. Also, there are places in the Capitol Hill complex (e.g., the Capitol Visitor Center, new tunnels, garage areas and other subterranean locations) that the current system was not designed or intended to cover and where reliable radio communication cannot be expected.

There are three critical life safety tools for a law enforcement agency: proper weapons, protective equipment, and reliable communications. Our current communications system is an antiquated analog system without interoperability capabilities, and it is not encrypted. In many cases, it has been failing us both in the hardware and software areas. We most recently had one of our vendors call us to say that they could no longer service our dispatch equipment or technology because of its age. In the threat environment in which we work after 9/11, it is critical that we be able to communicate with our partners in a critical incident situation, which we currently cannot do. Additionally, we have experienced dead spots with our current system. This makes us unable to receive subterraneous communications in some of our garage areas, tunnel systems, subways, etc. Part of the reason for this is the lack of cabling, antennas, etc., in areas where essential communication could not have been foreseen over 20 years ago when the system was put in place. In view of the these issues, we believe it is critical that we move towards modernizing our radio system as soon as possible to ensure the continued safety of Members, staff and visitors on the Capitol Complex.

OVERTIME

Question. You are requesting $3.7 million for 55 FTE to reduce your overtime to about 10 percent. What percent of overtime are you utilizing right now? Is your overtime in a “pool” where officers who want to work overtime can do so while officers who prefer not to can elect to defer? Aren’t some of these officers depending on overtime to augment their salaries?

Earlier this year USCP worked with the GAO to review and validate our methodologies in the computation, management and reporting of OT and utility of officers. The ACOP was notified by the GAO that the methodologies were using were consistent and measurable to allow proper management and control of its personnel and distribution of OT across USCP for controllable OT.

In the utilization of Load Leveling USCP uses this methodology in conjunction of its Officer Voluntary Reassignment Program (OVRP) to staff division so that there is fairness in the use overtime across its divisions. USCP staffs most of its divisions between 80 percent-90 percent to regular requirements and available and qualified personnel, the remainder requirements are staffed with overtime.

Regular requirements include the following:

—The difference between the total Uniformed Services Bureau (USB) post hours and the total USB officer availability (USCP has deemed that each available officer is available 1560 hours per year).

—The difference between the average usage of overtime used by specialty assignments and the total specialty assignment officer availability (USCP has deemed that each available officer is available 1560 hours per year).
—Specialty assignments include Containment Emergency Response Team (CERT), Dignitary Protection Division (DPD) (in-town), Hazardous Devices Section (HDS), Hazardous Materials Response Team (HMRT), Security Services Bureau (SSB)) and a minimal amount of supervisory overtime.
—46 K–9 handlers are currently receiving handler pay; handler pay is 30 minutes of additional duty per day paid to the handler to provide care for the K–9 after normal duty hours.

USCP must also abide in the distribution and assignment of OT based on statutory Pay Caps and agreements stated in the Collective Bargaining Agreement (CBA). The Office of Human Resources (OHR) and Office of Financial Management (OFM) continuously monitor and control this area to ensure that no officers exceed these amounts. Additionally, Officers direct supervisors determine whether an Officer is operationally qualified, eligible and authorized to stand any overtime.

In fiscal year 2009 USCP has had several variable and unscheduled OT requirements which are monitored through coding in the time and attendance system. USCP has some control of the use of overtime in these areas but a majority of these requirements for OT are event, risk and threat or member driven and are staffed to maintain the appropriate levels of protection and security for the facilities and personnel. Some examples are DPD out of area OT, Extended Sessions, House and Senate Codels, additional post to the Opening of the CVC, Earlier opening of the CVC, special events such as the Capitol Power Plant Protest, and ANSWER Demonstration. The level of staffing for the above mentioned items are based on the risk and threat associated with them.

Overtime is allocated evenly within organizational units, but some units are required to work more overtime by the nature of their assignment. For example, House and Senate Chambers are required to stay when Congress is in session late, as is the Dignitary Protection Division. However, officers who don't want to work overtime (or overtime at the particular time they are scheduled to work) can ask someone else to work their hours. Therefore, there is substantial variance in how much overtime officers earn per year, although the majority earn less than $10,000.

We have not conducted any analysis to determine whether and to what degree officers rely on income from overtime to augment their salaries.

Question. Your budget request suggests we will realize a savings in overtime of $2.5 million if we fund the additional 55 FTE you've requested for this purpose. Yet the 55 FTE will cost $3.7 million. This seems like a negative savings to me if we spend $3.7 million to save $2.5 million of taxpayers' money. Can you explain your rationale in making this request?

Answer. In the first year of funding for additional FTE, it is true that adding them would cost more. The cost of recruiting and outfitting the new officers alone is substantial, and benefits add to the cost. However, not all of the benefit that would derive from decreasing overtime would be realized in the first year of the additional recruits' tenure, since they would be in training for approximately 6 months. The full benefit in terms of reducing overtime happens once they complete their training, in 2010, 2011, and thereafter.

In addition, although we have not directly analyzed how working prohibitively long hours, or sequential shifts, may affect the effectiveness of the officers who are protecting the Capitol and its inhabitants, it stands to reason that rested officers will do the job better than their tired counterparts, with faster response times in the event of a true emergency. A sufficient work/family balance will also help sustain the morale that is essential in a police force with such a critical mission.

Question. Your force has grown in manpower by 38 percent since 2000 and yet your overtime has continued to grow steadily as well. In fact, between fiscal year 2006 and fiscal year 2008 your sworn staff increased by 25 percent and still overtime increased by 80,000 hours. So there doesn't seem to be a trend that shows that more staff equals less overtime. What can you do to better manage your overtime usage?

Answer. Since 2000, the Department's mission load has increased, which has outpaced the sworn staffing provided to meet these mission requirements. Additionally, the Department has conducted numerous threat assessments and we have utilized the outcomes from these assessments to deploy our workforce to meet the threats. The staffing gap between the required sworn staffing and the mission load requirements must be met through the use of overtime.

To manage our resources while meeting our mission requirements, we are also employing various efficiencies Department-wide to reduce overtime. To this end, we have:

—Conducted load leveling of Operational units to ensure proportionate staffing across the Department.
—Standardized breaks across divisions to a 1-to-4 ratio.
—Audited the K–9 function. K–9 has undertaken a 4/10 work schedule for better efficiency in meeting its mission set.
—Approved revisions to the CP–1301 system to better manage overtime by improving how we draft and manage assignments. While the CP–1301 process modification has been approved, the assignment of overtime is currently being reviewed and negotiated as part of the Fraternal Order of Police Union Contract.
—Included 76 new sworn officers in the fiscal year 2010 budget request in order to reduce overtime and increase capability to address threats.
—Audited and reorganized the Truck Interdiction Program (TIPS), in order to return officers to posts.
—Directed TIPS midnights staffing reductions.
—Increased the utilization of technology at the Offsite Delivery Center, in order to return officers to other priority post requirements.
—Migrated the Security Services Bureau (SSB) to a 4/10 work schedule for better efficiency in meeting their mission.
—Migrated the Mission Assurance Bureau to a 4/10 work schedule for better efficiency in meeting their mission.
—Incrementally increased DPD to reduce overtime utilization and better meet the mission. Although DPD is not staffed to the ELS recommendation level, we are migrating to that point based on threat analysis and evolving mission.
—Assigned recruit officers to USB directly from officer training for distribution following their field training.
—Assigned HMRT to conduct random sampling of deliveries at the Offsite Delivery Center to leverage their staffing and mission capabilities.

We have also instituted several cross-training initiatives to achieve additional efficiencies. We have:

—Trained over 1,000 sworn in x-ray security screening protocols to better identify and address threats.
—Trained all recruit classes in detecting surveillance techniques to enhance officers" ability to detect individuals conducting surveillance, to elicit information from the individuals during conversations, and to determine what actions to take based on the information obtained.
—Directed the integration of all divisions within the Patrol Mobile Response Division (PMRD) into one holistic operation, rather than focused units like heavy motors, mountain bikes, TIGER, etc.

We are continuing several works in progress to reduce overtime and increase our overall efficiency. We are completing a staffing gap analysis for Uniformed Services Bureau Divisions. Gap analyses from all divisions within the Uniformed Services Bureau are due by June 1, 2009. We have also directed that a study be conducted to review civilization of the USCP Command Center. We are looking at using the Wounded Warrior program for this purpose.

Finally, we are implementing upgrades to version 8.3 of Workbrain, so we can adopt electronic scheduling in fiscal year 2010.

Question. Is your goal to eventually eliminate the use of overtime in your day to day operations? Or do you want to use a combination of overtime and on-board staff? What positions are better utilized through the use of overtime?

Answer. Our goal is to utilize the findings of the ELS Manpower Study and current risk and threat analyses for the Capitol Complex to determine the proper mix of full-time sworn staffing, overtime utilization, outsourcing, civilianization and technology to meet the mission requirements facing the Department.

As a part of this effort, we believe we must balance the cost-effectiveness of full-time staffing against the cost and efficiency of overtime in meeting mission. In our current configuration, the Department has limited long-term infrastructure, such as physical space, with which to support additional sworn and civilian personnel. Therefore, we believe that any new personnel must be directed at normal post requirements for which we currently do not have full-time sworn staffing. These post requirements are driven by threat and have pre-determined sworn staffing requirements against which to manage personnel deployment.

Because many events such as demonstrations, Congressional hearings, extended sessions of Congress and other unplanned events on the Complex are unpredictable, we believe these are the sworn assignments that are best covered using overtime. Additionally, because our dignitary protection responsibilities are often unpredictable, we believe that we must utilize a balance of sworn staffing and overtime to meet these mission requirements.

Additionally, as a part of our ELS Study implementation, we are reviewing normal post requirements to determine any that might be candidates for technology implementation, civilianization or outsourcing, rather than utilizing sworn personnel or overtime to meet the need.

We do not believe that we could or should eliminate overtime utilization to meet mission requirements. Rather, we must find the correct balance for its utilization as a part of achieving our overall mission or protecting the legislative process.

Question. Have you conducted an employee survey recently to determine your employees' level of satisfaction?

Answer. USCP has recently taken aggressive steps to gather data from its employees regarding satisfaction with their work lives.

More comprehensive in nature is USCP's effort to gather feedback with its Human Capital Survey (Climate Survey), which is currently underway. Open for participation throughout the months of May and June, this completely online survey will be the first Department-wide examination designed to give insight into employees' work life perceptions. So far, more than 33 percent (almost 700) of the employees have submitted their responses, and we're continuing to encourage their participation.

CIVILIAN STAFFING

Question. You are apparently having significant difficulty attracting and retaining civilian personnel—some in positions critical to your mission. How many civilian openings do you currently have and why?

Answer. We currently have 78 civilian openings. We are planning to fill 51 of these by the end of this fiscal year. In the past year, we had management challenges in our Office of Human Resources, and we also had the need to review job descriptions and classifications carefully before posting positions. We also recently issued a Human Capital Workforce Plan and are conducting an employee survey for the first time. Both of these initiatives, along with others designed to enhance our human capital programs, should assist in our efforts to hire and retain highly qualified civilian personnel.

It is also unusually time-consuming to hire civilian employees at the U.S. Capitol Police. Prospective employees are required to undergo a background investigation, and it is required that they be approved by House and Senate oversight committees. Not infrequently, we find that fact that many of the people who apply for civilian jobs actually find other jobs before we get the approvals necessary to make them an offer.

Question. With regard to the Library of Congress merger—you are obtaining approximately 21 former Library officers who do not meet the criteria to become Capitol Police officers. What will these employees be doing and can they help in addressing your request for new civilian FTE?

Answer. There are currently 23 LOC sworn officers who have been determined to be ineligible for consideration to transfer to the USCP as sworn officers, because they cannot meet the statutory requirement for 20 years of "continuous" Federal service prior to becoming 60 years of age. These individuals will transfer to Department as civilians (i.e., as "civilianized" former officers) on October 11, 2009, which is the 1st day of the 1st pay period following the completion of the merger transition period.

The Department is also finalizing the positions that may be civilianized in order to support the transition of the Library of Congress sworn to civilian employees. The positions being considered are:

—LOC Dispatchers (Currently a sworn assignment)
—LOC Call Takers
—LOC Computer Emergency Notification System (CENS) Messengers
—LOC Deaf Pager Notifications
—LOC Fire Panel Monitors
—Firearms Range Instructors (Currently a USCP sworn assignment)
—LOC Exit Inspections (Currently a sworn assignment. Two positions and one relief position)
—CVC Exit Inspection Post
—Cannon/Madison Tunnel Exit Post
—LOC Division Support

We plan to have decisions on the civilianization of these positions by mid-June, 2009. These employees will transition into civilian positions on October 11, 2009 in accordance with the merger statute.

Currently, the Library of Congress utilizes sworn officers to staff their dispatch operation. This operation is intended to continue to reside within the LOC until the

USCP's new radio system is implemented. Therefore, we intend to look at utilizing up to 16 of these civilianized employees for this purpose. This will allow us to reallocate the sworn resources currently used for this purpose to meet other critical security requirements upon the merger transition completion. We also intend to consider these civilianizing employees for exit screener positions at the LOC, as well as for monitoring of the exits to ensure that collection materials are not removed from the LOC, and to support the LOC division. Additionally, two civilianized employees are certified firearms instructors and will be considered for placement at the USCP firearms range. Finally, any transferring civilian employee who does not get placed into any of these opportunities, because of a lack of knowledge, skills and abilities necessary to meet the position requirements, will be placed at the time of transition into a mission support function within the Department where their knowledge, skills and abilities are better suited.

Those LOC sworn officers eligible for sworn consideration who do not successfully meet the prescribed hiring standards will transfer as civilian employees in accordance with the statute and will be placed according to the mission needs of the Department at the time of transfer.

COUNTER-INTELLIGENCE

Question. You are requesting 13 additional officers for "counter-intelligence" work. I don't want to "reinvent the wheel" here. Are you currently coordinating with the Department of Homeland Security and the Federal Bureau of Investigation on assessing threats to the National Capitol Region—and to Capitol Hill in particular?

Answer. The Department has three USCP liaisons assigned to coordinate with both the FBI and the Department of Homeland Security. We currently have agents assigned to the FBI's Joint Terrorism Task Force and the FBI's National Joint Terrorism Task force. These agents work closely with their counterparts in the FBI, other Federal agencies as well as State and local law enforcement agencies in the national capitol region. The USCP has one Intelligence Research Specialist assigned to the Department of Homeland Security and this analyst provides analysis on international and domestic terrorist threats toward the U.S. Congress.

The 13 additional counter surveillance agents would provide broader coverage within the USCP jurisdiction and be primarily assigned to the detection of hostile surveillance towards the congressional campus, Members of Congress and congressional staff. Their primary assignment would be the Legislative Branch of the government, as opposed to other agency counterparts for whom Congress, its Members, visitors and staff represent collateral interests. The current agents assigned perform collateral duties outside of the counter surveillance scope to include demonstrations, protective operations for congressional leadership visiting dignitaries and special congressional events. There are currently nine agents assigned to complete all of these tasks.

Question. What will you do if this committee does not fund these additional FTE for counter-intelligence?

Answer. Should the Department not receive additional sworn FTE to meet this mission need, we will continue to run the risk of not having the necessary counter-intelligence information necessary to address threats against the legislative process. If additional sworn resources are not provided, the Department may need to utilize overtime or detail sworn officers from other mission activities to address this risk.

QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

Question. If your agency were to receive only half of the requested increase for fiscal year 2010, what would be the impact and what changes would you make to your budget?

Answer. If USCP were to receive only half of the requested increase (excluding the radio project funding and LOC merger effect), we would adjust our projected hiring to focus on replacing attrition and hiring the most critical civilian positions including most of the backfills and those needed to civilianize the dispatch and alarm monitoring program, training managers, and radio technicians. Most of this increase would be used to cover mandatory personnel costs including COLAs. We would also cover some of the infrastructure and/or lifecycle replacements.

We would not be able to fund all of the infrastructure and/or lifecycle replacement projects included in our request for security systems (about $3 million was included), information technology (about $3.8 million included in our request), vehicle replacements, and other infrastructure projects. We would also not be able to hire all of the critical civilians we have included in our request, nor new sworn officers, and as a result our overtime would once again increase.

Question. What were the results of the ELS staffing study completed a year ago? Did it result in any efficiencies or improvements in operations?

Answer. The Department views the Enlightened Leadership Solutions (ELS) Manpower Study ("the Study") as a living document of guidelines and methodologies from which the Department can develop and manage its sworn manpower requirements.

Because the threats facing the Capitol Complex are ever changing, items may be added to the list of recommendations as these threats and mission requirements change. Likewise, recommendations may be removed, because they are completed, determined as not feasible or overcome by events.

Built into the Study are new security protection and response protocols, as well as reviews and recommendations from previous security studies. After the Study was reviewed by the Government Accountability Office and others, additional processes were added, such as budgeting via a threat-based approach, in order to ensure holistic analysis, consideration and implementation.

As a first step in implementing the Study's recommendations, the Chief of Operations reviewed and prioritized its recommendations based on the current threat level facing the Capitol Complex. The Department is in the process of documenting this decision making process in the recommendation action and tracking matrix described below.

As a result of his review, the following mission sets received top priority for review and implementation of recommendations: the Capitol Division (CD), to include the Capitol Visitor Center (CVC), the Hazardous Incident Response Division, the Protective Services Bureau's Intelligence operation, the Containment Emergency Response Team (CERT), and the Truck Interdiction Program.

Many of the changes we have made or that we will make to theses areas are done by optimizing the staffing resources that we have currently, which is what we are currently doing within the Capitol Division to our assigned personnel. In addition, we are realigning the Civil Disturbance Unit (CDU) and Hostage Negotiation Team (HNT) to the Mission Assurance Bureau (MAB) in an effort to group mission responsibilities for efficiency. Neither action requires additional resources to accomplish these recommended efficiencies.

The Department has implemented many ELS recommendations or taken actions in order facilitate the future implementation of recommendations in both the USB and other organizational elements throughout the Department. (Some of these also assist us in reducing our reliance on overtime, and are included in the response to Question #6 above.) These include:

Mission Efficiencies

Conducted load leveling of Operational units to ensure proportionate staffing across the Department.

Standardized breaks across divisions to a 1-to-4 ratio.

Changed the CODEL footprint, so that roles are performed during deployment in line with how they are performed on the Capitol Complex. For example, MAB now operates the Command Vehicle when deployed for CODELs.

Reviewed the requirements for a podium camera program and are working toward the implementation of the program.

Restructured the Capitol Division in order to address the additional threats resulting from the Capitol Visitor Center operations.

Implemented the assignment of Protective Services Bureau intelligence/threat agents traveling with the Speaker's detail.

Standardized the make up of leadership protective details with Dignitary Protection Division to seven agents, except for the Speaker's detail.

Audited the K–9 function. K–9 has undertaken a 4/10 work schedule for better efficiency in meeting its mission set. The Chief of Operations is evaluating K–9 stopping its search and rescue program and the patrol dog program, implementing a vapor wake detection program to meet emerging threats.

Directed that all POAs and Operation Orders go through MAB and the Office of the Chief of Operations to create a historical record of activities and operational decision-making, as well as to standardize the process for developing and implementing them.

Trained over 1,000 sworn in x-ray security screening protocols and podium training to better identify and address threats.

Reviewed and revised the screening standard operating procedures and training for barrier access, and entry points and doors, in order to standardize the processes across the Complex. We have also reviewed and revised the directive addressing screening and it is now being vetted as a part of the Department's directives modernization project.

Purchased and installed computer x-ray image interpretation software on division computers to enhance the officer's ability to detect threats in x-ray images.

Training all recruit classes in detecting surveillance techniques to enhance officers' ability to detect individuals conducting surveillance, to elicit information from the individuals during conversations, and to determine what actions to take based on the information obtained.

Staffing Efficiencies

Approved revisions to the CP–1301 system to better manage overtime (OT) by improving how we draft and manage assignments. While the CP–1301 process modification has been approved, the assignment of overtime is currently being reviewed and negotiated as part of the Fraternal Order of Police Union Contract.

Established a standardized positioning of officers at security screening posts (doors) to ensure the officer are optimally positioned for mission effectiveness and officer safety reasons, and to ensure consistency of operations.

Included 76 new sworn officers in the fiscal year 2010 budget request in order to reduce overtime and increase capability to address threats.

Reassigned outside patrols to the House and Senate Divisions for better efficiency and effectiveness in addressing threats.

Audited the CERT function—the Assistant Chief has provided tentative approval to restructure CERT.

Audited the Hazardous Materials Response Team (HMRT) program—Letters are being prepared for the Capitol Police Board's concurrence to reorganize this function to meet the current threats facing the Complex.

Audited and reorganized the Truck Interdiction Program (TIPS), in order to return officers to posts.

Directed TIPS midnights staffing reductions.

Directed the integration of all divisions within the Patrol Mobile Response Division (PMRD) into one holistic operation, rather than focused units like heavy motors, mountain bikes, TIGER, etc.

Increased the utilization of technology at the Offsite Delivery Center, in order to return officers to other priority post requirements.

Automated the Officer Voluntary Reassignment Program.

Migrated the Security Services Bureau (SSB) to a 4/10 work schedule for better efficiency in meeting their mission.

Migrated the Mission Assurance Bureau to a 4/10 work schedule for better efficiency in meeting their mission.

Interim Steps Necessary To Implement Recommendations

Incrementally increased the Dignitary Protection Division (DPD) to reduce overtime utilization and better meet the mission. Although DPD is not staffed to the ELS recommendation level, we are migrating to that point based on threat analysis and evolving mission.

Included the intelligence capability business case in the fiscal year 2010 budget request. (This was previously requested in fiscal year 2009, but not funded.)

Assigned recruit officers to USB directly from officer training for distribution following their field training.

Implemented revised protocol, so that officers can transfer into Patrol Mobile Response Division (PMRD) without a formal selection process. This has added to better efficiencies in addressing emerging staffing requirements in a timely manner.

Assigned HMRT to conduct random sampling of deliveries at the Offsite Delivery Center to leverage their staffing and mission capabilities.

Work in Progress

Completed the gap analysis for the House Division.

Conducted an assessment of applying a 4/10 shift to the Chambers, but this analysis determined that there would be offsetting staffing needs, so implementation has been suspended at this time.

Directed that a study be conducted to review civilization of the USCP Command Center. To accomplish this effort we are looking at using the Wounded Warrior program for this purpose.

Approved the movement of Civil Disturbance Unit to the Mission Assurance Bureau (MAB). The Department is currently working on the implementation.

Approved the movement of the Crisis Negotiation Team to MAB. The Department is also working on this implementation.

Reviewing operational requirements for the staffing of the Communications activities. Originally the Department considered the civilianization of Communications, but based on additional analysis, we decided to make Communications all integrated sworn activity. These sworn officers will rotate between duties within Communications to better utilize available resources and achieve efficiency in the delivery of the mission set.

Implementing upgrades to version 8.3 of Workbrain, so we can adopt electronic scheduling.

To better document the Department's ongoing efforts to utilize the Study's recommendations and methodology to determine the staffing and overtime requirements necessary to meet the various subsets of our mission, as well as achieve business process reengineering, we are implementing a formal tracking matrix for the recommendations contained in the Study. This matrix will be used to assist the Department in our evaluation and prioritization of initiatives to be considered in our annual budget formulation.

We plan to catalog each of the recommendations contained in the Study on this matrix, as well as add new recommendations based on emerging threat or mission requirements. We also plan to capture the outcome of the feasibility review conducted on each recommendation, the management decisions or authorities governing the implementation, the preliminary list of resource requirements, training and competencies required, and the status of the implementation effort.

Question. In preparing your staffing request, how were the results and recommendations of the ELS study factored into your analysis and what type of risk and threat assessments were performed to arrive at the number and mix of staff requested for fiscal year 2010?

Answer. In developing the Department's fiscal year 2010 budget request, we looked at several factors in determining the number of new sworn and civilian positions that were requested. Because the Department is undertaking a three pronged approach to reviewing, validating and implementing the ELS study recommendations, the fiscal year 2010 sworn staffing request was a limited step forward toward this end.

The Department views the Enlightened Leadership Solutions (ELS) Manpower Study (the Study) as a living document of guidelines and methodologies from which the Department can develop and manage its sworn manpower requirements. Because the threats facing the Capitol Complex are ever changing, items may be added to the list of recommendations as these threats and mission requirements change. Likewise, recommendations may be removed, because they are completed, determined as not feasible or overcome by events.

Built into the Study are new security, protection and response protocols, as well as reviews and recommendations from previous security studies. After the Study was reviewed by the Government Accountability Office, House Appropriations Surveys and Investigations and others, additional processes were added, such as budgeting in a threat-based approach in order to ensure holistic implementation.

In order to balance the sworn staffing requirements versus the need for overtime and/or technology to address mission requirements, the Department believes it must validate the total number of sworn personnel necessary to achieve the Department's mission. To do so, we plan to use the ELS Manpower Study data as a baseline for reviewing each post against current threat and mission requirement. This validation will determine the total number of staff hours necessary to achieve the mission and the best methods for achieving these requirements, such as the appropriate ratio for sworn staffing, overtime, outsourcing, and the utilization of technology.

The 13 sworn positions that were requested for enhanced counter-intelligence capability were directly related to recommendations contained within the ELS study. This request is also directly linked to continued threat analysis conducted for the Capitol Complex.

The 76 requested sworn positions were intended to address existing core mission post requirements for which we do not currently have sworn staffing. The addition of these sworn positions, once deployed, would directly reduce overtime utilization necessary to address normal post requirements as determined by our continued threat and risk analyses for the Complex. Additionally, these sworn positions when deployed would begin to address ELS recommendations as the feasibility for each recommendation is validated for implementation. In determining the number of sworn positions to request in our fiscal year 2010 budget, the Department also had to consider our ability to support recruit training activities, as well as our ability to provide the long-term infrastructure necessary to support the deployment of these sworn personnel.

The 23 civilian positions were intended to address several critical areas, such as positions currently staffed by contractors, positions directly related to addressing audit findings and positions necessary to support the new radio system and training transformation efforts.

Question. When will you complete a risk assessment and staffing analysis for the CVC and LOC?

Answer. The Department plans to undertake a risk assessment of the Library of Congress (LOC) following the transition of the law enforcement functions from the LOC to the USCP in October 2009.

This LOC review will include a threat analysis, as well as a facility security survey, of the LOC's facilities to determine the risk and threat levels requiring mitigation. These findings will be applied to a gap analysis to determine the appropriate staffing levels required to staff the LOC mission under the USCP's sworn staffing model, as well as potential alternate staffing models for Capitol Police Board consideration. Based on the identified threats facing the LOC facilities, the USCP may utilize its existing sworn staffing model or an alternate model which best mitigates the identified and validated risks. We believe that this threat analysis will be completed during the second quarter of fiscal year 2010.

Similarly, the Capitol Division will undertake a staffing review and gap analysis of the CVC to review the current sworn staffing pattern against the identified threats and known mission requirements. Since opening to the public in the fall of 2008, the CVC's operating assumptions have changed and the alignment of posts was altered from the original planning assumptions. To address these changes—many of which resulted in new posts or extended/expanded hours of operations, the Capitol Division has had to realign staffing within the Division and utilize overtime to meet the mission. We believe that this staffing and gap analyses will be completed by the end of June 2009.

Both of these assessments will be conducted using the methodology developed in the ELS Manpower Study.

Question. What are the positions you intend to assign the LOC officers transferring as civilians to USCP? How will you take advantage of their sworn experience?

Answer. There are currently 23 LOC sworn officers who have been determined to be ineligible for consideration to transfer to the USCP as sworn officers, because they cannot meet the statutory requirement for 20 years of "continuous" Federal service prior to becoming 60 years of age. These individuals will transfer to Department as civilians on October 11, 2009, which is the 1st day of the 1st pay period following the completion of the merger transition period.

The Department is also finalizing the positions that may be civilianized in order to support the transition of the Library of Congress sworn to civilian employees. The positions being considered are:

—LOC Dispatchers (Currently a sworn assignment.)
  —Call Takers
  —Computer Emergency Notification System (CENS) Messengers
  —Deaf Pager Notifications
  —Fire Panel Monitors
—Firearms Range Instructors (Currently a USCP sworn assignment)
—LOC Exit Inspections (Currently a sworn assignment. Two positions and one relief position)
—CVC Exit Inspection Post
—Cannon/Madison Tunnel Exit Post
—LOC Division Support

We plan to have decisions on the civilianization of these positions by mid-June, 2009 and will begin meeting with the affected employees shortly thereafter. These employees will transition into civilian positions on October 11, 2009 in accordance with the merger statute.

Currently, the Library of Congress utilizes sworn officers to staff their dispatch operation. This operation is intended to continue to reside within the LOC until the USCP's new radio system is implemented. Therefore, we intend to look at utilizing up to 16 of these civilianized employees for this purpose. This will allow us to reallocate the sworn resources currently used for this purpose to meet other critical security requirements upon the merger transition completion. We also intend to consider these civilianizing employees for exit screening positions at the LOC, as well as for monitoring of the exits to ensure that collection materials are not removed from the LOC, and to support the LOC division.

Additionally, two civilianized employees are certified firearms instructors and will be considered for placement at the USCP firearms range. Finally, any transferring civilian employee who does not get placed into any of these opportunities, because of a lack of knowledge, skills and abilities necessary to meet the position requirements, will be placed at the time of transition into a mission support function within the Department where their knowledge, skills and abilities are better suited.

Question. Please provide a list of all light duty posts.

Answer. Please see below table, which includes 27 employees on light duty, 5 of whom are pregnant, and 7 are on Workers' Compensation. Recently, the bureaus were authorized to assign light duty officers to administrative positions within the organization.

RESTRICTED DUTY EMPLOYEES

Name	Detail to
T.D.	PD–K9
J.T.	LOC
R.H. (Sgt.)	DPD
D.S.	DPD
D.C.	Training
T.H.	Training
J.J.	HD–2
D.P.	WC
M.D.	Cap Div
L.B.	PD
H.E.	PD
S.G.	LOC
D.S.	Sen Div
E.W.	Sen Div
M.R.	Sen Div
E.R. (Lt.)	Comm
L.H. (Sgt)	CC–1
B.R.	DPD
S.W.	House Div
R.E.	FRU–2
D.N.	Veh Maint
K.G.	Veh Maint
E.V. (civ.)	PD
L.W.	Spec Event
C.Y.	Cap Div–1
A.B.	OHR
A.M.	House Div

Question. What is the status of reorganizing the Hazardous Materials Response Team, and what specific changes will be made to this unit?

Answer. The Department has reviewed the mission requirements for the Hazardous Materials Response Team (HMRT) and has determined that the scope of the HMRT's role, duties and responsibilities should be reorganized to better support the Department's protective mission in accordance with our Strategic Plan.

To guide this effort, a broadly representative task force was established within the Hazardous Incident Response Division (HIRD) to develop recommendations and mission-driven proposals for improving the Department's Chemical, Biological, Radiological and Nuclear Law Enforcement (CBRN–LE) program.

The Department is recommending the following changes to the Capitol Police Board for consideration:

—Reallocation of duties of the HMRT Manager, the Planning and Readiness Manager, and the HMRT Operations Supervisor to improve leadership and quality management within the organization.

—Elimination of the Level "B" Response Team (LBT) program and incorporation of those members into the Advanced Law Enforcement Response Team (ALERT) program, which will expand the ALERT program to approximately 160 members.

—Training for all sworn officers and officials to the Hazardous Materials Operations level through a combination of on-line and roll call training.

—Issuance of new and improved highly portable and compact protective masks to all sworn officers and officials. This will enable USCP officers to quickly evacuate a contaminated environment, establish a secured perimeter and effectively assist others in an emergency situation.

—Creation of an Integrated Response Team (IRT) under the command of the HDS Commander.

—Rotation of ALERT officers through the HIRD facility four times per year (one week per quarter) for fit testing of equipment, medical screening, classroom training and practical training with the Integrated Response Team.

—Unification of ALERT management functions under the command of HIRD Management.

—Centralize training at the HIRD Headquarters offices, including review of current training, development of ALERT training modules, and creation of USCP Executive Management Overview training to be provided to Captains and above.
—Creation of a permanent hazardous materials screening team at the Off-Site Delivery Center (OSDC) tasked with conducting random vehicle screening and responding to requests to inspect suspicious mail at the Senate mail handling facility.

Upon concurrence of the Capitol Police Board, the Department will request the appropriate committee approvals to effect the reorganization of the Hazardous Incident Response Division, to include the Hazardous Materials Response Team.

Question. What are you doing to ensure overtime is used only where it is truly necessary? What controls have been put in place to better manage overtime in the last year?

Answer. In an effort to align overtime usage to the budget allocation, several measures were taken to reduce overtime without adversely affecting our ability to meet our mission.

The following Department-wide guidelines have been set in place in order to efficiently manage necessary post assignments, enabling our continued reduction and management of overtime.

—Training that is not mission critical or requires back fill by overtime is not authorized, which is a continuation of how the Department has operated during the continuing resolution.
—Handgun qualifications will continue at the RHOB Range instead of Cheltenham. When handgun requalifications are held at Cheltenham, the officers are removed from the field and must be replaced with overtime for 16 hours per year per officer. When the handgun requalifications are held at our RHOB Range, the officers are not removed from the field and accomplish their requalifications during their tours of duty, requiring no overtime.
—Restricted Duty personnel will be utilized on Sections 1 and 3 for administrative duties in lieu of officers being paid overtime.
—Personnel will be relieved when the need for overtime dissipates. Instead of keeping officers for an entire 8-hour tour of duty when they are working overtime, the officers will be sent home if their overtime assignments end prior to the end of their tours of duty.
—Bureaus are to ensure a 1:4 break ratio for fixed posts.
—Overtime for sergeants, lieutenants, and their civilian equivalents is to be approved by Division Commanders.
—No officers are to be assigned to administrative offices. The duties performed by these officers are being assumed by civilian employees or restricted duty officers.
—Day off allocations are to be adjusted to decrease the scheduling OT on any one particular day.
—Line reduction posts will not be staffed.
—Emergency Responder posts are not staffed on Section 1. Uniformed Services Bureau (USB) sergeants and Patrol Mobile Response Division (PMRD) sergeants will assume these duties.
—House and Senate Office Buildings outside foot patrols staffed by the House and Senate Divisions were eliminated. PMRD will assume these patrols as collateral duties.
—For out of town protectees, we will request that the local law enforcement agencies begin their D checks as soon as the protectee arrives at their residence, instead of at 2300 hours as they do currently.
—Officers in the Field Training Officer (FTO) Program (trainee) will be used as the 2nd officer at posts. Previously, trainees shadowed their FTO and were not included in the staffing for the Section. Now they are assigned a post but must always work with their FTO present.

In addition to the above Department-wide guidelines, the Department has taken several measures at the Division level to control or reduce overtime utilization. Because the posts described are law enforcement sensitive, the list of post reductions will be provided to the Committee separately.

Question. Please provide a breakout of your total officer staffing request by division.

Answer. See table below.

OFFICER COUNTS (ON-BOARD AS OF 5/15/09)

Bureau name/Division name	Title/rank	# of officers	Fiscal year 2009 additional sworn	Fiscal year 2009 projected attrition—PP 10 to year-end	Additional officers requested (fiscal year 2010) [1]	Fiscal year 2010 projected attrition	Projected total at fiscal year 2010 year-end
Chief Of Police	COP	1					
	CAPTAIN	1					
	LIEUTENANT	1					
	SERGEANT	7					
Total, Chief Of Police		10					
Chief Of Operations	COO	1					
	INSPECTOR	1					
Total, Chief Of Operations		2					
Long Term Absence							
OHR—OPERATIONS DIVISION	LIEUTENANT	1					
	PRIVATE FIRST CLASS	18					
	PRIVATE W/TRAINING	5					
	SERGEANT	2					
Total, Long Term Absence		26					
Office Of Human Resources							
OHR—PROGRAMS DIVISION	LIEUTENANT	1					
	SERGEANT	1					
	PRIVATE FIRST CLASS	2					
Total, Office Of Human Resources		4					
Mission Assurance Bureau							
MAB	INSPECTOR	1					

	CAPTAIN	4	...	...	...	...	...
	LIEUTENANT	6	...	...	...	...	...
	SERGEANT	20	...	...	...	...	...
	PRIVATE FIRST CLASS	52	...	...	...	...	...
	PRIVATE W/TRAINING	1	...	...	...	...	...
	SPECIAL TECHNICIAN	1	...	...	...	...	...
	TECHNICIAN	1	...	...	...	...	...
TOTAL, MAB—OPERATIONS (DIVISION)	...	86	...	...	...	...	...
MAB—SPECIAL EVENTS (OFFICE)	LIEUTENANT	1	...	...	...	...	...
	PRIVATE FIRST CLASS	5	...	...	...	...	...
	SERGEANT	1	...	...	...	...	...
TOTAL, MAB—SPECIAL EVENTS (OFFICE)	...	7	...	...	...	...	...
Total, Mission Assurance Bureau	...	93	...	...	...	...	...
Office of Policy and Management Systems	PRIVATE FIRST CLASS	2	...	...	...	...	...
Operational Services Bureau							
PATROL DIVISION	DEPUTY CHIEF	1	...	...	...	...	...
	SERGEANT	1	...	...	...	...	...
	DETECTIVE	3	...	...	...	...	...
	INSPECTOR	1	...	...	...	...	...
	LIEUTENANT	5	...	...	...	...	...
	PRIVATE FIRST CLASS	84	...	...	...	...	...
	SERGEANT	18	...	...	...	...	...
	TECHNICIAN	2	...	...	...	...	...
	TECHNICIAN K–9	43	...	...	...	...	...
TOTAL, PATROL DIVISION	...	156	...	...	...	...	...
HAZARDOUS INCIDENT RESPONSE DIVISION (HIRD)	CAPTAIN	1	...	...	...	...	...

OFFICER COUNTS (ON-BOARD AS OF 5/15/09)—Continued

Bureau name/Division name	Title/rank	# of officers	Fiscal year 2009 additional sworn	Fiscal year 2009 projected attrition—PP 10 to year-end	Additional officers requested (fiscal year 2010) [1]	Fiscal year 2010 projected attrition	Projected total at fiscal year 2010 year-end
	INSPECTOR	1					
	LIEUTENANT	1					
	SERGEANT	2					
	DETECTIVE	1					
	PRIVATE FIRST CLASS	9					
TOTAL, HIRD		15					
Total, Operational Services Bureau		173					
Protective Services Bureau							
PSB	DEPUTY CHIEF	1					
INVESTIGATIONS DIVISION	CAPTAIN	1					
	DETECTIVE	2					
	LIEUTENANT	1					
	SERGEANT	3					
	PRIVATE FIRST CLASS	21					
TOTAL, INVESTIGATIONS DIVISION		28					
DIGNITARY PROTECTION DIVISION (DPD)	INSPECTOR	1					
	CAPTAIN	1					
	LIEUTENANT	2					
	SERGEANT	11					
	DETECTIVE	2					
	SPECIAL TECHNICIAN	1					
	PRIVATE FIRST CLASS	116					
TOTAL, DIGNITARY PROTECTION DIVISION		134					
Total, Protective Services Bureau		163			13		

Security Services Bureau							
SSB	LIEUTENANT	1					
	SERGEANT	2					
TOTAL, SSB		3					
PHYSICAL SECURITY DIVISION	SERGEANT	1					
	PRIVATE FIRST CLASS	5					
TOTAL, PHYSICAL SECURITY DIVISION		6					
TECHNICAL COUNTERMEASURES DIVISION	DETECTIVE	1					
Total, Security Services Bureau		10					
Training Services Bureau							
TSB	DEPUTY CHIEF	1					
	INSPECTOR	1					
	LIEUTENANT	4					
	SERGEANT	8					
	PRIVATE FIRST CLASS	2					
TOTAL, TSB		16					
ENTRY LEVEL TRAINING DIVISION	PRIVATE	151					
5700—PHYSICAL SKILLS (DIVISION)	LIEUTENANT	1					
	SERGEANT	5					
	PRIVATE FIRST CLASS	3					
TOTAL, PHYSICAL SKILLS DIVISION		9					
Total, Training Services Bureau		176					
Uniform Services Bureau							
USB	DEPUTY CHIEF	1					

OFFICER COUNTS (ON-BOARD AS OF 5/15/09)—Continued

Bureau name/Division name	Title/rank	# of officers	Fiscal year 2009 additional sworn	Fiscal year 2009 projected attrition—PP 10 to year-end	Additional officers requested (fiscal year 2010) [1]	Fiscal year 2010 projected attrition	Projected total at fiscal year 2010 year-end
	LIEUTENANT	1					
	DETECTIVE	1					
	PLAINCLOTHESMAN	1					
TOTAL, USB		4					
USB/LOC	INSPECTOR	1					
	LIEUTENANT	1					
	SERGEANT	4					
	PRIVATE FIRST CLASS	58					
	PRIVATE W/TRAINING	6					
TOTAL, USB/LOC		70	87				
HOUSE DIVISION	INSPECTOR	1					
	CAPTAIN	3					
	LIEUTENANT	6					
	SERGEANT	27					
	DETECTIVE	2					
	PRIVATE FIRST CLASS	243					
	PRIVATE W/TRAINING	44					
TOTAL, HOUSE DIVISION		326					
SENATE DIVISION	INSPECTOR	1					

	CAPTAIN	2					
	LIEUTENANT	4					
	SERGEANT	19					
	TECHNICIAN	1					
	DETECTIVE	1					
	PRIVATE FIRST CLASS	177					
	PRIVATE W/TRAINING	65					
TOTAL, SENATE DIVISION		270					
CAPITOL DIVISION	INSPECTOR	1					
	CAPTAIN	3					
	LIEUTENANT	9					
	SERGEANT	37					
	PRIVATE FIRST CLASS	250					
	PRIVATE W/TRAINING	105					
TOTAL, CAPITOL DIVISION		405					
Total, Uniform Services Bureau		1,075	93		76		
Total		1,734	[1] 93	28	[2] 229	140	1,888

[1] Total includes 61 LOC Sworn Transfers, 26 LOC Sworn Backfill and 6 USCP Backfill.
[2] Total includes 89 new sworn positions requested in the fiscal year 2010 budget request and 140 USCP Sworn Backfill

Question. Please provide a list of additional closures that could be made in posts that are underutilized, and the annual savings that would be associated with these closures.

Answer. Over the last 2 years, the Chief and Assistant Chief have continually realigned assignments, looked for efficiencies, and eliminated and added posts based on threat conditions and stakeholder requirements. This is a business process to which we are committed to continuing.

To meet fiscal year 2009 budgetary requirements, the Department has developed a plan to adjust post requirements to the Capitol complex. "Round 1" cuts will have no or minimal impact on the Capitol complex. The posts identified are not necessarily underutilized, but we have determined that the requirements may be better absorbed through other divisions or posts picking up the workload as a secondary responsibility to their primary responsibility. It should be noted that if security conditions change these post may have to be reinstated.

By executing the Round 1 cuts the USCP expects to save 1,177 hours or $61,511 per week in overtime. These cuts were executed at the beginning of Pay Period 9 and are expected to decrease our overtime requirement for the remainder of fiscal year 2009 by $1.35 million. Further, we have included these cuts as an offset for our revised fiscal year 2010 overtime request of $25.5 million.

Because the posts described above are law enforcement sensitive, the list of post reductions will be provided to the Committee separately.

Question. Please provide a list of all new posts created in the last year, costs for each, and who directed the creation of the post.

Answer. The majority of posts that were added to USCP in fiscal year 2009 are attributed to the opening of the Capitol Visitor Center (CVC). In fiscal year 2008 and fiscal year 2009, the Congress authorized and appropriated funds for 31 new sworn positions for the CVC based on a proposed staffing plan. This staffing plan was proposed prior to the final security assessment or the opening of the CVC.

Since this time additional posts have been required for the CVC and posts that the Department thought would be eliminated were retained. This equated to an additional 1,811 hours of overtime per week or an additional $4 million from the beginning of fiscal year 2009 Pay Period 24 until the end of fiscal year 2009. Additionally, requirements for the CVC to open at 8:30 a.m., 30 minutes prior to the original planned opening were added, which required an additional 349 hours per week or an additional $780,000 from fiscal year 2009 Pay Period 24 until the end of fiscal year 2009.

Below is a more detailed description of the additional posts added as part of CVC that were not projected in the initial staffing plan:

- —Nine mandatory life safety posts required during evacuations (this does not include two funded and anticipated life safety posts or ERs, patrols, or perimeter officers). Life safety posts are staffed only during operating hours of the CVC—additional overtime is incurred for late night receptions/events based upon anticipated guest participation.
- —Two officers Upper Level of the CVC at base of escalators, Monday–Friday 0700–1630; one officer, Saturday 0830–1630; and one officer for late sessions of Congress.
  - —The escalators leading to the U.S. Capitol from the upper level of the CVC are the major pedestrian/visitor access point between the two buildings. As such, in order to ensure the security of the U.S. Capitol Building and prevent unauthorized access into the building, additional officers were assigned in this area, which were not originally planned. Specifically, during business hours, special events and late sessions of Congress, it is necessary to post a minimum of five additional officers—two in the area of the CVC upper level escalator base, one at the Crypt/top of the escalators, one on the second floor of the Capitol/Rotunda entrance, one on the third floor East Front Corridor.
- —One officer at the Rotunda Door interior, Monday–Saturday 0800–1630.
- —One officer at the 3rd floor East Front Corridor, Monday–Friday 0800–1630 or until the House and Senate adjourn.
- —Two officers, working 24/7 at the CVC Main Entrance exteriors to monitor multiple fire doors.
- —Two officers working 24/7 to monitor new West Front egress fire doors.
- —Two officers working 24/7 to monitor Law Library and Memorial Doors.

In addition to the new unplanned posts outlined above, the Department estimated that 89 sworn FTE would be realized by reassigning sworn personnel from posts that would close upon the opening of the CVC. However, some of these closures have not been realized, these include:

- —North Screening/North Door has remained open after CVC opening, which requires six officers to operate the post.

—S–407 continues to be a 9–5 post which is an unplanned expenditure.
  —40 hours per week for an additional 47 weeks in fiscal year 2009 for a cost of ($100,000).
—Five officers are required to prevent early morning/late night access into the Capitol from the CVC i.e., tunnels, etc. (CVC opens 30 minutes prior to the Capitol and often has late night, unescorted events.)
—When the CVC fence was taken down, several doors leading into the Capitol Building had to be staffed because the doors were not alarmed or secured. This was a departure from our CVC staffing plan.

Additionally, requirements for the protection of Leadership positions of Congress were placed on USCP during fiscal year 2009.

—During the presidential campaign, the Dignitary Protection Division (DPD) was required to place protective details on Senator John McCain and Then-Senator Barack Obama while they were within the Capitol Complex.
—Due to a staffing shortage, DPD was required to work additional overtime to cover leadership travel. We could not anticipate this staffing shortfall.

Further, we have had additional requirements, which are:

—We are staffing two new Truck Interdiction Posts (2nd and D Street, NE, 3rd and C Street, NE).
  —Staffed M–F 0900–1700 or until Senate goes out of session and on weekends when Senate in session; average 80 hours per week or $4,180 per week. Normally when Senate is in session posts are open until about 2100 or an additional 40 hours per week in session or an additional $2,100 per week.
  —It is projected in one fiscal year that Congress is in session 39 weeks per year and 13 weeks out of session.
—The money for the overtime required to replace LOC officer during their transition training ($900,000) was not included in our 2009 budget.
  —The requirement for this was that each officer eligible for transfer form the LOC would be required to attend 10 weeks of training at Cheltenham. This equated to approximately 57 officers that required backfill or approximately 17,000 hours to backfill with USCP Officers.

Question. A total of $19 million is requested for the Security Services Bureau, an increase of $3.9 million or 26 percent over fiscal year 2009. Please explain the need for this increase, and the impact of deferring or eliminating any of the new items proposed for fiscal year 2010. How frequently does security equipment need to be refreshed?

Answer. The $3.9 million increase in fiscal year 2010 would support a combination of programs aimed at ensuring that Congressional facilities meet current USCP standards and compliance with the LOC merger legislation. It is also intended to minimize security vulnerabilities, and assist us in maintaining equipment and systems at manufacturer suggested lifecycle standards for optimum performance.

The $3.9 million increase in fiscal year 2010 (over fiscal year 2009) breaks out as follows:

—$1.37 million to install technical security systems in the Alternate Computer Facility (ACF) to meet current USCP security standards;
—$928,000 to design and install Emergency Call Boxes and CCTV cameras throughout the stairwells, areas of refuge, and safe havens for Congressional Office Buildings (a new initiative recommended and approved by the Capitol Police Board);
—$718,000 for LOC access control system and CCTV integration (steps required to undertake security responsibilities per statutory merger language); and
—$923,000 for LOC lifecycle replacement of various systems.

All security equipment has lifecycle replacement guidelines per manufacturer recommendation and industry best practices. When equipment does not get replaced in a timely manner per these guidelines, equipment performance slips, downtime increases, and vulnerabilities are more likely. In addition the LOC does not use the same screening standards so if the equipment is not procured more officers may be required to support screening. By not funding these programs, important security equipment such as explosive detectors and x-ray machines would be prone to more outages, causing a ripple effect of having to spend more resources on repair, rather than proactive preventive maintenance.

Question. Please provide the Department's comments and concerns with legislation passed by the House making technical and other changes to USCP statutes.

Answer. The Department has coordinated with the House Administration and Senate Rules Committees on the legislation passed by the House making technical and other changes to USCP statutes. The Department has no significant comments or concerns with this legislation.

Question. For fiscal year 2009 USCP proposed funding to recruit 264 officers, with classes planned for October and November 2008, January, February and May 2009. What is the status of recruit classes for this year? How many new recruits do you anticipate?

Answer. As of May 15, 2009, USCP hired 163 recruits and have lost 19 (11.66 percent) recruits in training. We are expecting an additional 32 sworn personnel to start training on June 4th, and have adequate qualified candidates to fill the August class with an additional 24 hires. Altogether, we could add 56 more recruits to the 163 we've already hired totaling 219 for fiscal year 2009. We are monitoring our staffing levels closely to stay within our authorized positions.

Question. Last year USCP estimated it would require $6,956,503 for costs associated with the LOC merger in fiscal year 2009. (DM#406860) This included $618,453 in salaries, $3,120,000 in transfers from LOC, and $3,218,050 in general expenses. What are the current estimates? LOC estimated overtime and benefits to cover mission during training of the transferring LOC sworn personnel at $400,000. What is the current estimate?

Answer. When this document was created, 73 individuals had been identified as being eligible for consideration to transfer to the USCP as sworn officers. This was based on an initial review of Federal service time and other requirements of the U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007. In addition, 21 LOC sworn officers were determined not to be eligible for consideration to transfer to the USCP as sworn officers at the end of the transition period pursuant to the U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007.

Another assumption when this document was created was that the Department would be able to absorb the overtime necessary to backfill for the LOC sworn officers who are eligible for consideration to become USCP sworn officers while they attended transition training. The Department believed at the time that with the efficiencies we were realizing in overtime management that additional overtime funding would not be necessary for this activity. However, this did not come to pass.

Currently, there are 61 LOC sworn officers who have been determined to be eligible for consideration to transfer to the USCP as sworn officers based on the statutory requirements. This total may decrease based on the final certification of eligible sworn transferees against the standards set by the Capitol Police Board.

Likewise, there are currently 23 LOC sworn officers who have been determined to be ineligible for consideration to transfer to the USCP as sworn officers, because they cannot meet the statutory requirement for 20 years of "continuous" Federal service prior to becoming 60 years of age. These individuals will transfer to Department as civilians (i.e., as "civilianized" former officers) on October 11, 2009, which is the 1st day of the 1st pay period following the completion of the merger transition period. There are also 11 additional LOC sworn vacancies requiring backfill.

To address the backfill requirements for this mission set, the Department is conducting a recruit officer class in June 2009, in which we will hire 26 new recruit officers for this purpose. Following the conclusion of the transition, the Department may need to request authorization and funding for the eight remaining sworn complement for this purpose, which are currently vacant.

The current estimates for fiscal year 2009 are:

—The Department received $279,000 in transferred funds from the LOC to cover the salaries for the four civilians that transferred from the LOC to the USCP on October 1, 2009.

—The Department projects receiving $88,099 transferred salary funding from the LOC to cover the salaries, benefits and overtime from September 27–30, 2009 for the 61 anticipated sworn transfers.

—The Department will expend $149,000 in general expenses to conduct the sworn transition training.

—The Department will utilize an estimated $1.615 million in general expenses to provide uniforms, equipment and weapons for the certified sworn transferees.

The projected estimates for fiscal year 2010 are:

—The Department requires $4,688,582 in salaries and benefits to annualize for the 61 sworn officers transferring to the USCP in the last 3 days of fiscal year 2009.

—The Department requires $1,998,412 in salaries and benefits to annualize for the 26 LOC backfill officers hired in the June 2009 Recruit Officer Class.

—The Department requires $2,184,000 in salaries and benefits for the 23 current LOC sworn officers who transfer to the USCP on October 11, 2009 as civilians pursuant to the U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007 and the three civilians currently with the Department.

(Salaries for these three civilians were transferred to the USCP form the LOC appropriation for fiscal year 2009.)

—Benefits and a 2.9 percent COLA for the positions noted above are $2,973,557 and $192,944 respectively.

—$1.42 million in overtime to cover the backfill for the 26 recruit officers in the recruit officer class until they are deployed in January 2010 as well as overtime to cover backfill for the remaining eight LOC sworn vacancies until they are authorized and funded.

—$873,000 for overtime for normal post requirements that are currently funded with LOC appropriated salaries funding.

—The Department has requested $1.966 million in general expenses funding to support the first phase of technical security integration for the Library buildings when they fall under the Capitol Buildings and Grounds jurisdiction on October 1, 2009.

Question. Last year USCP estimated (DOC#409916) it would require $3,064,958 for the 2009 Presidential inaugural, including $2,080,958 for overtime and $984,000 for expenses. What is the current estimate?

Answer. The overtime estimate was revised multiple times up to and including the $1,646,800 we referenced in our reprogramming request dated October 3, 2008. That amount was based on the number of hours employees would work for the Inauguration itself, Inauguration rehearsals, and the extra hours we planned to work for Inauguration ticket pickup. We spent approximately $1.2 million in overtime for all of the Inauguration events combined. There are several contributors to this variance, the most significant among them that we have not charged "holiday pay" to the Inauguration funding—although it had been included in the estimates—since it is not strictly overtime.

As recently as January 2, we still anticipated using virtually all of the general expenses funding we had budgeted for the Inauguration (i.e., $945,700), the same amount referenced in the October 3 reprogramming request. We ultimately used almost $500,000 of the total. The reason for the variance was the strict control exerted by the Inauguration Task Force over what expenditures were intrinsic to the Inauguration, and which were desirable but not absolutely necessary for that purpose.

Question. Last year USCP estimated (DOC#409919) it would need an increase of $7,300,000 for the Capitol Visitor Center salary costs. Total FTE required to meet the mission was estimated at 155 sworn FTE, of which 134 were offset through previous authorization and reassignments. What is the current estimate? What additional requirements have been experienced that were not planned for the CVC?

Answer. The current salaries and benefits costs projected for the CVC is approximately $2.1 million for the 31 sworn positions provided to support the staffing shortfalls identified at the time of these estimates. The current overtime estimate for fiscal year 2009 is $2.191 million, which includes overtime to support the early opening time for the facility and new post requirements, including life and safety posts, as well as reduced offset posts following the opening of the CVC.

In fiscal year 2010, the Department is continuing its load leveling efforts to evenly spread workloads and overtime impacts across the Department. In doing so and accounting for new CVC post requirements, as well as planning assumption changes for the operation of the facility, the Capitol Division, which includes the CVC, will have a higher overtime allocation than previously estimated.

The current general expenses projected costs to support the 31 new sworn officers are $575,000 for uniforms, equipment and weapons.

Since opening to the public in the fall of 2008, the CVC's operating assumptions have changed and the alignment of posts was altered from the original planning assumptions. To address these changes—many of which resulted in new posts or extended/expanded hours of operations, the Capitol Division has had to realign staffing within the Division and utilize overtime to meet the mission. To determine the full impact of these staffing assumption changes, we are conducting a staffing and gap analysis which will be completed by the end of June 2009.

Additional posts added as part of CVC that were not projected previously:

—Nine mandatory life safety posts required during evacuations (this does not include two funded and anticipated life safety posts or ERs, patrols, or perimeter officers). Life safety posts are staffed only during operating hours of the CVC—additional overtime is incurred for late night receptions/events based upon anticipated guest participation.

—Two officers Upper Level of the CVC at base of escalators, Monday–Friday 0700–1630; one officer, Saturday 0830–1630; and one officer for late sessions of Congress.

—One officer at the Rotunda Door interior, Monday–Saturday 0800–1630.

—One officer at the 3rd floor East Front Corridor, Monday–Friday 0800–1630 or until the House and Senate adjourn.
—Two officers, working 24/7 at the CVC Main Entrance exteriors to monitor multiple fire doors.
—Two officers working 24/7 to monitor new West Front egress fire doors.
—Two officers working 24/7 to monitor Law Library and Memorial Doors.

In addition to the new unplanned posts outlined above, the Department estimated that 89 sworn FTE would be realized by reassigning sworn personnel from posts that would close upon the opening of the CVC. However, some of these closures have not been realized, these include:

—North Screening/North Door has remained open after CVC opening, which requires six officers to operate the post.
—S–407 continues to be a 9–5 post which is an unplanned expenditure.
—Five officers are required to prevent early morning/late night access into the Capitol from the CVC i.e., tunnels, etc (CVC opens 30 minutes prior to the Capitol and often has late night, unescorted events.)

Question. Please provide a prioritization of FTEs requested in fiscal year 2010, and explain whether any of those requested are a higher priority than those for which vacancies currently exist.

Answer. Realizing that the fiscal year 2010 budget allocation for the Legislative Branch will not allow for double digit increases for the Department, we have reprioritized our total salary and general expenses requirements and determined that it will be more efficient for the Department to meet its sworn staffing shortages through overtime in fiscal year 2010, rather than with new sworn officers. While we will not be able to immediately staff for an increased intelligence capability, we plan to utilize our overtime and other resources to meet these and other critical mission requirements.

Likewise, the Department plans to refocus its efforts on hiring the currently authorized and funded civilian positions during fiscal year 2010. As a part of this effort, we plan to seek authorization to reallocate some vacant civilian positions to critical mission requirements that would have been filled by the new civilian positions included in our fiscal year 2010 budget request. Additionally, we will be seeking authorization to reallocate current vacant positions to meet mission needs currently met through outsourcing, such as communications and dispatch.

Because of reduced benefits costs for overtime and a reduction in general expense outlays for new positions; we believe we can better meet our mission requirements, as well as critical infrastructure and lifecycle needs, within a single digit increase, by utilizing overtime to meet sworn staffing shortages.

Question. How much overtime has been expended to date on the power plant utility tunnel project? What is required for fiscal year 2010?

Answer. As of Pay Period 8, the USCP has not yet expended overtime to support the Architect of the Capitol (AOC) Tunnel Project in fiscal year 2009. The requirement for overtime is based on the project plan presented by AOC. Based on AOC estimates for fiscal year 2009, the Department is projecting to expend $280,000 in fiscal year 2009 for this purpose.

Recently, the AOC presented USCP with its proposed project plan for the remainder of fiscal year 2009, as well as for fiscal year 2010. We are working with the AOC to determine the security requirements, both in terms of physical security and the physical presence of a USCP Officer to provide security and protection due to direct access to the Capitol Complex. Once the AOC has finalized its project plan and implemented mitigating physical security elements, we will be able to provide estimates for the overtime needed to support this project in fiscal year 2010.

Question. USCP generally loses approximately 10 percent of recruits in any given class for a variety of reasons. What is the cost associated with this “drop-out” rate? What is USCP doing to improve its ability to recruit those individuals who have a high probability of graduating from FLETC and becoming USCP officers?

Answer. In terms of human resources costs, the average cost per recruit who drops from training (which includes removal from training up to the last day):

—Recruiting/Background Investigation Cost: $8,496 (not including any salaries for any USCP employee working in recruiting or Background Investigations (BI) or staffing, etc.)
—Average Salary Cost (loss): $27,169
—Average Overtime Cost: $4,079.

Thus, the OHR drop cost total is $40,122.

Additionally, there are offsetting losses to overtime reductions for recruits who “drop-out” during training. This offset is based on the recruit officer’s contribution to meeting mission requirements going forward from their time of actual deployment. Because this contribution varies within a fiscal year dependant on when recruit classes occur and actual recruit officer deployments take place, it is hard to determine exact costs within a fiscal year resulting from this loss recruit officer contribution.

In order to continue to improve our ability to recruit those individuals who have a high probability of graduating from FLETC, we are doing the following measures.

—Recruiting and BI operations include a rigorous testing and evaluation system that includes testing of cognitive skills and evaluation of psychological, medical, polygraph, and personal history as well as a personal interview with an investigator.

—Applicants who meet the highest of standards in each category then have their packages reviewed by a panel of USCP senior leaders at the rank of Inspector, who make recommendations to the Chief of Police on the best qualified candidates for hire.

—The Chief of Police reviews these recommendations and makes a final determination of the best candidates to send forward for hiring approval.

—From there, each individual is approved for hire by the Committee on House and the Senate Committee on Rules and Administration Chairs after first passing through the Capitol Police Board.

We believe this rigorous multi-faceted, multi-phased approach has so far yielded consistent results in effectively prescreening applicants prior to the appointment to the USCP.

Additionally, the Department is drafting updated sworn hiring standards, which will include physical fitness aptitude testing, for the consideration of the Capitol Police Board. Because many recruit officers either "drop-out" or are recycled into future recruit classes are as a result of physical injury resulting from the recruit's inability to meet the rigorous physical fitness requirements of training, we felt it was important to recommend the implementation of a physical fitness aptitude test prior to hiring a recruit officer.

SUBCOMMITTEE RECESS

Senator NELSON. The subcommittee will stand in recess until 2:30 p.m. on May 7, 2009, when we will meet in room SD–124 to take testimony on the fiscal year 2010 budget requests of the Architect of the Capitol and the Office of Compliance.

We are recessed.

[Whereupon, at 4:19 p.m., Thursday, April 23, the subcommittee was recessed, to reconvene at 2:30 p.m., Thursday, May 7.]

LEGISLATIVE BRANCH APPROPRIATIONS FOR FISCAL YEAR 2010

THURSDAY, MAY 7, 2009

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

The subcommittee met at 2:35 p.m., in room SD–138, Dirksen Senate Office Building, Hon. Ben Nelson (chairman) presiding.

Present: Senators Nelson, Pryor, and Murkowski.

ARCHITECT OF THE CAPITOL

STATEMENT OF STEPHEN T. AYERS, ACTING ARCHITECT OF THE CAPITOL

OPENING STATEMENT OF SENATOR BEN NELSON

Senator NELSON. We will come to order.

We will begin. I will get through the opening statement, and then we will take care of Senator Murkowski's opening statement when she gets here.

Good afternoon, and we are happy to have so many people here. We are meeting this afternoon to take testimony on the fiscal year 2010 budget requests for the Architect of the Capitol (AOC) and the Office of Compliance (OOC).

It is my pleasure to welcome shortly the ranking member and my good friend Senator Murkowski, and Senator Pryor is here and will return. And I believe Senator Tester is also planning to be here.

I want to welcome our witnesses today—Stephen Ayers, Acting Architect of the Capitol and Tamara Chrisler, the Executive Director of the Office of Compliance. We welcome both of you. It is good to have you here, and we look forward to hearing from you.

If it is possible to keep your opening statements brief, around 5 minutes, and submit the rest of your testimony for the record, it probably would work best for us. And I now welcome my ranking member, Senator Murkowski, and Senator Pryor to the hearing.

One thing that I think, hopefully, we established at our first hearing a couple weeks ago is that we are not eager to increase the overall legislative branch budget. We certainly intend to address your agencies' needs, but this is not the year for the "nice to haves."

This subcommittee received an 11 percent increase in fiscal year 2009, but I seriously doubt that we are going to see anything near a double-digit increase this year.

AOC APPRECIATION

Mr. Ayers, I would like to first extend my personal gratitude to your entire staff for their hard work in maintaining the Capitol complex on a daily basis. You have got a very dedicated workforce. We are aware of that. We see it every day. And in particular, I would acknowledge the great service provided to us here in the Senate, led by the Senate Superintendent Robin Morey.

It was interesting to note that while we recently celebrated the 100th birthday of the Russell Senate Office Building, the House is estimating a cost of about $753 million to remodel the Cannon House Office Building, which was built just 1 year earlier. So I think it says an awful lot for AOC's Senate folks who truly do a great job, and we appreciate all of your efforts.

Mr. AYERS. Thank you, Mr. Chairman.

Senator NELSON. You are welcome.

The Architect of the Capitol's fiscal year 2010 budget request totals $644.6 million, a 20 percent increase over current year. And as we discussed in my office a few weeks ago, an increase like this is going to be quite a challenge, especially following the 28 percent increase your agency received in fiscal year 2009.

Now I realize what you are going to face in maintaining working historical buildings with all the aging infrastructure while being held to mandated energy reductions. But we are going to have to work closely in identifying your most critical needs in crafting the 2010 appropriations bill.

I also want to welcome Tamara Chrisler from the Office of Compliance. Your budget totals $4.4 million, a 10 percent increase over current year, including one additional employee, who brings your agency to a total of 22 full-time employees (FTEs). I look forward to hearing more about your agency mission and your fiscal year 2010 request.

Now I would like to turn to my ranking member, Senator Murkowski, for her opening remarks.

STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Thank you, Mr. Chairman.

I add my welcome to both of you here this afternoon. Ms. Chrisler and Mr. Ayers, we appreciate the work that both of you have done over the years.

Mr. Ayers, I think your agency's accomplishments as you have dealt with the opening of the Capitol Visitor Center (CVC), preparing the Capitol for the President's inauguration, keeping the facilities in good condition, we appreciate your efforts, that of your staff. And again, thank you for that.

I understand that the AOC is moving forward with a variety of energy-related projects. I look forward to hearing a little bit more about those initiatives this afternoon.

As the chairman has mentioned, we have seen with this legislative branch request for fiscal year 2010 a total of over $5 billion, an increase of nearly 15 percent over fiscal year 2009. And Mr. Chairman, as I said in my last hearing and you have repeated, I am in favor of the legislative branch serving as a model for the rest of the Government. My questions today will seek to determine how we can accomplish that goal.

AOC BUDGET REPRESENTATION

As you have indicated, the AOC budget represents a 20 percent increase, while the budget resolution, which we just passed, calls for a 7 percent increase in discretionary spending.

Now I think we do appreciate here in the Capitol—we see it as we walk through—there is a backlog of projects within the AOC, primarily, because of the age of our buildings and the fact that we are still playing some catchup with implementing fire and life safety standards.

But it is my understanding that some of the projects in the budget request probably wouldn't make it into the General Services Administration's (GSA) budget, for instance, because the legislative branch is held to a higher standard than the executive branch. And I understand the Congressional Accountability Act (CAA) enables the Office of Compliance to apply standards that would not ordinarily be applied to historic buildings.

Now I want to be clear that I am very supportive, absolutely supportive of having strong fire and strong life safety standards. But I do have to question whether applying a gold standard to the legislative branch is appropriate. I think we need to be pragmatic, and I think we need to operate within a risk-based framework.

I do believe that we need to do some paring back, and we will need your help, Mr. Ayers and Ms. Chrisler, to ensure that we meet the highest priorities and we fund those projects that really do give us the most bang for the buck, if you will. But I appreciate your good work, and I look forward to your testimony this afternoon.

Senator NELSON. Senator Pryor, you waive your opening statement?

Senator PRYOR. I have no opening statement, Mr. Chairman.

Senator NELSON. But not questions?

Senator PRYOR. Exactly.

Senator NELSON. All right. Thank you.

Well, first of all, Mr. Ayers, please, if you would, your opening remarks?

SUMMARY STATEMENT OF STEPHEN AYERS

Mr. AYERS. Thank you, Mr. Chairman and Senator Murkowski and members of the subcommittee, for the opportunity to testify today regarding the AOC's fiscal year 2010 budget.

First, I would like to thank the subcommittee for your support of our fiscal year 2009 budget to make the Capitol a safer, greener, and more efficient place. This year, we are requesting $644 million to support the maintenance, care, and operations of the buildings and grounds of the Capitol complex. We have developed our budget request to reflect the massive challenge of addressing the need to preserve the historic infrastructure on Capitol Hill while also recognizing the need to be fiscally responsible.

AOC CHALLENGES—NEEDS VS. RESOURCES

One of our biggest challenges is to maintain the aging infrastructure in this city within a city here on Capitol Hill. In March, we celebrated the 100th anniversary of the Russell building, and last year, we marked the 100th anniversary of the Cannon House Office Building.

These buildings are historic and iconic, and require extensive maintenance in order to preserve them while, at the same time, keeping pace with new technologies, increased security requirements, and the necessary visitor amenities.

Mr. Chairman, our needs far exceed the available resources, and we have developed an excellent project prioritization process to enable the Congress to make the best possible and informed decisions. Every project is evaluated on its importance, its urgency, and its category. These are really important, so I would like to take a moment to explain them.

PROJECT PRIORITIZATION

First, each project is categorized as deferred maintenance, capital renewal, capital improvement, or capital construction. Our budget requests are driven by the large number of deferred maintenance projects, as we believe it is most important to care for what you have before constructing new. So, in fact, 63 percent of our budget is focused on these deferred maintenance projects, and only 12 percent is focused on capital renewal projects.

Next, each project's urgency is determined by independent consultant assessments of our facilities. Projects are ranked as immediate, high, medium, or low urgency.

Finally, each project's importance is carefully evaluated based upon a set of predetermined criteria, including historic preservation, fire and life safety, mission, economics, physical security, and energy and sustainability. We take all of these factors and bring them all together in a composite rating guide and, ultimately, deliver to the Congress a list of prioritized projects, top to bottom.

AOC'S FISCAL YEAR 2010 PROJECT REQUESTS

For fiscal year 2010, this list totaled $350 million worth of projects, and we have decided to request $168 million worth of those projects, which are only the highest, most urgent, and most important of all of those on the list. The choice to fund more projects or fewer projects is easy and is as simple as moving up or down on this priority list, depending upon the bottom line we need to achieve.

We have continued to refine the data on which our planning is based. For example, over the past 5 years, we have conducted these independent facility condition assessments throughout the Capitol complex. These assessments identified the most critical issues in the facilities, and the objective data collected during this process helps us to identify which urgent needs must be done expeditiously.

Specifically, the data continues to show that immediate and high-urgency deferred maintenance and capital renewal projects will increase significantly over the coming years. If these conditions are not addressed within a reasonable period of time, they will continue to deteriorate to the point where they can, and will, impact congressional operations.

Last year, thanks to the subcommittee's commitment for funding to reinvest in the Capitol complex facilities, we were able to make a significant step toward buying down much of this deferred maintenance work. This includes improving life safety conditions throughout the Capitol complex.

CAPITOL COMPLEX'S ENVIRONMENTAL FOOTPRINT

We have been aggressively working to reduce the Capitol complex's overall energy consumption and its environmental footprint. In fiscal year 2008, our energy conservation efforts resulted in reducing the Congress' energy consumption by 10.7 percent, exceeding the 2008 requirement of 9 percent.

While these steps are significant, in moving forward, our goal is to make the Capitol complex more sustainable and energy efficient. There is still much work to do in furthering our sustainability practices.

Mr. Chairman, the U.S. Capitol is the people's house, and for that reason, it is imperative that we do everything we can to continue to protect and preserve the Nation's icon for generations to come.

PREPARED STATEMENT

Thank you, and I would be happy to answer any questions you may have.

Senator NELSON. Thank you.

[The statement follows:]

PREPARED STATEMENT OF STEPHEN T. AYERS

Mr. Chairman, Senator Murkowski, and members of the Subcommittee, thank you for the opportunity to testify today regarding the Office of the Architect of the Capitol's (AOC's) fiscal year 2010 budget request.

I want to thank the Subcommittee for your support of our fiscal year 2009 budget request and the programs and priorities we set out in that submission, as well as for your guidance as we continually work to achieve our goals to serve Congress with a commitment to excellence.

The past 6 months have been an extraordinary time for the AOC as the U.S. Capitol once again served as the Nation's stage. On December 2, the doors to the Capitol Visitor Center (CVC) were opened to the public for the first time. Since that day, we have seen record numbers of daily visitors—just 2 weeks ago we saw our first day of more than 19,400 guests. Over the past 5 months, we have seen visitation at the Capitol double over the number of guests received last year.

Just 6 weeks after the CVC opened, the eyes of the world again turned to the Capitol Building for the historic 56th Presidential Inauguration. The AOC's involvement dates back to the 1860s when the Presidential Inauguration became a decidedly public event, and arrangements were made to allow the President to be closer to the people when taking the oath of office. We are honored to shoulder the responsibility for making all the infrastructure arrangements that are necessary to accommodate this event every 4 years.

Given the magnitude of this event, we knew there was no room for error—the President-elect must be sworn-in at noon on January 20. Our capable team rose to the challenge; working countless hours to ensure that the Presidential platform was constructed, the seats on the West lawn were in place, and all of the final details were completed to ensure that the ceremony was successfully supported.

As we worked to accommodate modern technologies into the Inaugural ceremonies, we also stayed true to our daily mission, which is to protect and preserve the national treasures entrusted to our care. Standing on the Inaugural platform, I couldn't help but think of the responsibility we have to ensure that the President-elect will be able to take his or her oath of office on January 20, on the West Front of the U.S. Capitol—the iconic symbol of our representational democracy—for generations to come.

With this in mind, the AOC has developed its budget request for the past several years to reflect the massive challenge of addressing the need to preserve the historic infrastructure on Capitol Hill, while recognizing the need for fiscal responsibility.

In fact, our fiscal year 2010 budget has been structured around four focus areas. They are:

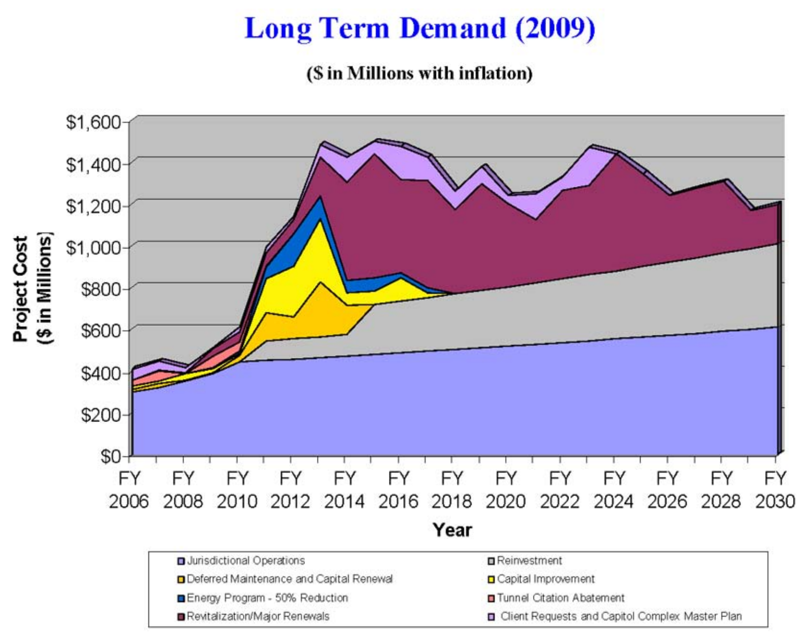
—Solving the Deferred Maintenance and Capital Renewal backlog;
—Following the Capitol Complex Master Plan process;
—Meeting Federally-mandated and Leadership energy goals;
—Managing and caring for the AOC work force.

As I have discussed with this Subcommittee at prior hearings, we must continually manage the backlog of Deferred Maintenance and Capital Renewal projects, and have put into place a process by which to prioritize these projects.

Not only do we face the challenge of the upkeep of aging buildings, we need to keep pace with new facility maintenance and building technologies, as well as increased security requirements. Last year, the Cannon House Office Building reached its 100th anniversary, and in March, we celebrated the 100th anniversary of the Russell Senate Office Building. These buildings are historic and iconic, and require extensive maintenance in order to preserve them, as well as ensure that they continue to serve as functioning, professional working environments for years to come.

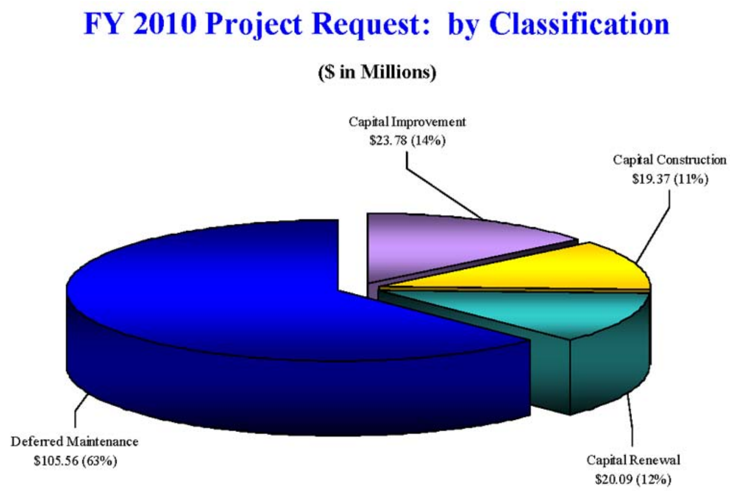
The following chart—the "bow wave" chart—clearly shows that ongoing facilities requirements and new mandates have created a significant increase in resource requirements. Our fiscal year 2009 budget request, and subsequent appropriation, was a significant step in buying down a portion of the bow wave. This includes addressing stringent, modern-day fire and life-safety standards, and abating Office of Compliance citations to improve safety conditions throughout the complex. Life-safety projects are very high priorities for our Agency.

However, we must continue to work on and to invest resources in projects that will prevent our critical facilities from further deterioration and failure. If we continue to defer these projects, the bow wave will move out and costs will increase over the long run.



Capital Budget Request and Project Planning Process

Therefore, we are requesting $644.6 million for fiscal year 2010. We again utilized our program development process, which relies on the recommendations in the Capitol Complex Master Planning process, in structuring this budget request. This process assesses all the requirements of a project; determines the best way to implement these projects, including the option of "phasing" large projects over several years to manage costs and schedules; and prioritizes projects so that those of the greatest urgency are addressed immediately. We also took into consideration the need for fiscal restraint, and the challenge of executing the required programs efficiently throughout this process.



As the above chart demonstrates, we continue to invest our resources in the areas that have an "immediate" urgency rating: Deferred Maintenance and Capital Renewal projects.

We continue to refine the data on which our planning is based. For example, for the past 5 years we have conducted independent Facility Condition Assessments throughout the Capitol complex. These assessments identify the most critical issues in the facilities, and the objective data collected during this process helps us to identify the urgent needs that must be addressed expeditiously. Specifically, the data continues to show that "immediate" and "high" urgency Deferred Maintenance and Capital Renewal requirements will increase dramatically over the next several years. If these conditions are not addressed within a reasonable amount of time, they will continue to deteriorate to the point where they can, and will, impact Congressional operations.

The Facility Condition Assessments also are used to determine a Facility Condition Index based on the backlog of Deferred Maintenance work. The Facility Condition Assessments and Facility Condition Indexes are used to predict the positive effect of investment and the negative effect of deferring work. Our assessments are showing that, at current funding levels, Capitol complex facilities are trending toward a "poor" rating.

Tied into the overall planning process is the Line Item Construction Program. During this process, projects are evaluated based upon an objective set of criteria.

These criteria include:

—Preservation of historic or legacy elements or features of buildings or entire historic structures;

—Fire and life-safety, code compliance, regulatory compliance, and statutory requirements;

—Impact on mission including client urgency, and accommodation of new or changed missions;

—Economics, including value, payback, life cycle costs, and cost savings;

—Physical security, including protection of facilities and people;

—Energy efficiency and environmental aspects.

The projects are further evaluated based on the conditions of the facilities and their components, and the urgency to correct the deficiencies.

As we developed our fiscal year 2010 budget, we considered more than $350 million worth of projects, and are requesting $168.8 million for Line Item Construction Program projects. This prioritized list includes 36 projects; 32 of which are categorized as being of "immediate" urgency. The remaining four are categorized as "high." An additional 85 projects remain on the deferred list.

Of particular note is a "high" urgency renewal design project: the Taft Memorial Renewal ($240,000). The Taft Memorial was constructed in 1958 and requires significant renewal. Its Tennessee marble façade has shifted, and the stonework is in need of major repair. Included in the design are plans to make the surrounding plaza ADA compliant. If the major deficiencies in this landmark memorial are not addressed expeditiously, structural and system failures could lead to the loss of a historically significant structure.

The Senate Underground Garage has been identified by the Facility Condition Assessments as having serious deficiencies. It is rated "poor" in terms of its Facility Condition Index, and it is nearing the end of its useful life. The planned study would examine options for providing parking to meet anticipated future needs; address infrastructure issues and mechanical, electrical, and fire prevention systems that have reached their life expectancies, as well as improve energy efficiency.

Other key capital projects included in the AOC's fiscal year 2010 budget request are:

—Interim Painting of the Capitol Dome (part of ongoing rehabilitation project);
—Sprinkler System Design, Thomas Jefferson Building;
—Various egress, fire door, and ADA restroom improvements for Library of Congress buildings;
—Independence Avenue repaving;
—Cannon House Office Building Whole Building Renewal;
—Upgrading physical security at the Capitol Power Plant;
—Purchase Hazardous Device Unit and Vehicle Maintenance Facility for U.S. Capitol Police;
—Invest in Capitol Power Plant infrastructure;
—Construct Book Storage Module 5 for Library of Congress;
—Energy Conservation projects, such as Senate Office Building computer server closet cooling, HVAC controls replacement, and other projects identified by energy audits.

Mr. Chairman, I would like to call to the Subcommittee's attention one project that has benefited from our comprehensive planning process—the Utility Tunnel Improvement Program. Last year, we requested $126.6 million for the program based on preliminary studies so that we could meet the 5-year completion schedule per the agreement with the Office of Compliance. After submitting the fiscal year 2009 request, we re-evaluated the program, examined phasing and contract options, and employed innovative new construction technologies to increase the pace of the work.

Based on the excellent progress made during the ongoing engineering work, we also evaluated and re-validated our approach to the project work, and refined our budget projection accordingly. We downsized our fiscal year 2009 request to $56.4 million. In fiscal year 2010, we are requesting $45.8 million to maintain our aggressive schedule to meet the settlement terms by 2012. All told, we were able to reduce the total projected cost of the Utility Tunnel Improvement Program from $235 million to $186.4 million—more than a 20 percent decrease. And, we remain on schedule to meet the settlement agreement terms by June 2012.

This past year, we have repaired and expanded the existing communications system to ensure continuous communications capability in the tunnels. As a result, the Office of Compliance approved the closure of this citation in January 2009.

We also are engaged in an aggressive program to abate friable asbestos pipe insulation from steam, condensate, and chilled water lines in the tunnels. Completion of this work is anticipated in 2010. In addition, the removal of spalling concrete is on schedule. With regard to tunnel temperatures, we have re-insulated all steam and condensate lines, the major cause of high heat conditions in the tunnels; improved the existing ventilation system to further reduce temperatures, and designed a new ventilation system to further improve temperatures. In addition, we've upgraded existing egresses, and we are installing new egresses where needed.

ENERGY CONSERVATION AND SUSTAINABILITY PROGRAMS

The AOC has been aggressively working to reduce the Capitol complex's environmental footprint, and its overall energy consumption. In 2008, the AOC increased its use of natural gas; purchased renewable energy; and installed more than 14,000 compact fluorescent light bulbs. According to our analysis for fiscal year 2008, these efforts resulted in the Congress reducing its energy consumption by 10.7 percent; exceeding the fiscal year 2008 requirement of a 9 percent reduction as compared to the fiscal year 2003 baseline. For fiscal year 2009, the AOC is required by law to meet a cumulative 12 percent reduction under the Energy Independence and Security Act of 2007; the Green the Capitol Initiative requires a 16.5 percent reduction.

To meet these requirements to further reduce energy consumption, we have requested $17 million in fiscal year 2010 for Energy Program management, metering, and design and development of energy conservation projects. In addition, we have requested more than $11 million for capital projects that were submitted and considered because they implement sustainability practices and/or contain projected energy savings.

However, the fiscal year 2010 request is only a down payment on the investment needed to meet the requirements of the Energy Policy Act of 2005 (2 percent per year for a total of 20 percent by 2015); Energy Independence and Security Act (3 percent reduction per year for a 30 percent reduction by 2015); and the goals of the Green the Capitol Initiative (50 percent energy reduction for the House Office Buildings, Capitol Building, and Capitol Visitor Center, and 31 percent reduction at the Capitol Power Plant by 2017). Based on what is known today, to meet the Energy Independence and Security Act goals, we estimate current and future funding requirements of more than $320 million.

To better identify and evaluate energy savings opportunities in Capitol complex facilities, we have been using energy audits since fiscal year 2007. To date, the AOC has invested nearly $2.5 million toward these audits, and the data collected will help us realize better cost-benefit results.

We also are implementing alternative funding strategies such as Energy Saving Performance Contracts. Under these contracts, companies invest their own capital to complete energy saving construction projects, and are then reimbursed from the savings generated by the installed projects. The AOC plans to use seven Energy Saving Performance Contracts across the Capitol complex to include individual contracts for the Capitol Building, House Office Buildings, Senate Office Buildings, Library Buildings and Grounds, Capitol Power Plant, Botanic Garden/Office of Security and Police Buildings, and Capitol Grounds.

However, the Energy Saving Performance Contracts alone will not be able to achieve the energy reductions goals mandated. We continue to purchase Renewable Energy Credits (RECs) and have requested an increase in fiscal year 2010 funding to purchase the equivalent of 100 percent of our electricity in RECs. In addition, we are continuing our efforts to complete the program to install steam, electricity, natural gas, chilled water, potable water, and condensate meters across the Capitol complex. This is a key effort in terms of being able to measure current consumption, look for improvement opportunities, and measure energy savings results.

Because the Capitol Power Plant plays a critical role in our long-term energy conservation strategy, we are continually working to improve and upgrade operations there. For example, we are developing a Strategic Energy Plan, with the assistance of the National Academies of Science, which will influence our future Energy Program planning. Another step we took was to move toward maximizing the use of natural gas at the Capitol Power Plant.

In February, following the direction of Senate and House Leadership, we took immediate steps at the Capitol Power Plant (CPP) to further reduce the production of carbon dioxide, and we are now refining the engineering strategy for equipping the CPP to meet peak steam demands using only natural gas.

Specifically, I directed the CPP staff to begin its seasonal conversion to natural gas operations immediately. In previous years this conversion did not occur until late May. Assuming the weather remains mild and we do not experience any major equipment issues, we do not expect to burn coal for the remainder of this fiscal year.

As a result of this action, we anticipate achieving a fuel ratio of 75 percent natural gas and 25 percent coal for fiscal year 2009. This significant decrease in the amount of coal used compared to fiscal year 2008 will reduce carbon dioxide levels by approximately 6,700 tons. We plan to fund the purchase cost for the additional natural gas in fiscal year 2009 from available appropriations.

We are also looking at various options for continued energy efficiencies that have emerged throughout the development of the draft Capitol Power Plant Strategic Energy Plan, which we plan to share with this Subcommittee and Congressional Leadership in the coming weeks.

Over the past several years we have been working to create a healthy and productive workplace where environmental awareness and sustainability are the normal ways of doing business in the Capitol complex. There are a number of initiatives that the AOC has been engaged in, and we continue to see results in our efforts to improve energy efficiency.

The following is a list of just a few of our ongoing energy-saving/sustainability initiatives.

—We opened an ethanol (E-85) fueling station to Legislative Branch Agencies in October 2008, for use by official flex-fuel vehicle fleets.
—We replaced more than 14,000 conventional incandescent light bulbs with compact fluorescent lamps (CFLs) across the Capitol complex.
—We implemented a policy requiring the purchase or leasing of alternate fuel vehicles when replacing aging vehicles in the AOC fleet.
—We installed dimmable ballasts in 21 Senate/Committee office suites. The program typically saves 11,400 kilowatt hours per week or 40 percent of lighting energy used in an office suite.
—We installed a renewable, solar energy source for lighting in Lot 18 in fall 2008. These new solar-powered lights save approximately 1,825 kilowatt hours per year.
—We launched our energy awareness program: Power to Save in October 2008. We are providing tools and tips on our Power to Save Web site to encourage Capitol Hill offices to conserve energy. www.aoc.gov/powertosave.
—We more than doubled total tonnage of recycled waste from 1,400 tons to 3,100 tons from fiscal year 2002 to fiscal year 2008. Contamination rates remain at zero.
—We recycled 100 percent of all AOC computer and electronic waste which includes monitors, keyboards, computers, printers, laptops, and other types of computer hardware over past 3 years.
—We are using food waste, garden clippings, and other green waste, and repurposing it as compost for flower beds and to sustain other plantings throughout the Capitol complex.

ANNUAL OPERATING BUDGET REQUEST

Our fiscal year 2010 annual operating budget request for $423.6 million provides funding for continuing the routine activities of operating and maintaining the infrastructure which supports the Congress, other Legislative Branch agencies, and the public, as well as other AOC essential mission support services. Some of these services include financial management, safety, human resources, project and construction management, planning and development, communications, information technology, procurement, and central administration.

As I mentioned earlier, one of our four focus areas is the managing and caring for the AOC work force—our greatest asset. A budget priority for fiscal year 2010 is providing the proper training for our people. Unfortunately, the AOC lags behind the industry standards in terms of automated facility management tools. Receiving the requested funds in this area would bring us closer to that standard, and increase our ability to manage facilities utilized by Congress and the American public.

Other operating cost increases lie outside the control of the AOC. Utility rates have risen, the cost of leases has increased, recycling and bulk waste removal contracts are now more expensive, and mandatory pay raises combined with the increase in transit subsidy benefits have added to the cost of our day-to-day operations.

Additional funding is being requested for development and technical skills training for staff; to provide uniforms for employees of our Construction Division to ease recognition of staff and reduce potential security issues within the Capitol complex; to provide training, equipment, materials, and services in preparation for and response to emergency events; and to purchase necessary safety apparel such as hard hats, safety glasses, gloves, steel-toe shoes, and hearing protection for project management staff.

CAPITOL VISITOR CENTER OPERATING BUDGET REQUEST

Our past budget requests for the Capitol Visitor Center (CVC) included funding for its construction. In fiscal year 2010, construction costs are no longer part of our CVC budget. We are requesting $24.6 million for CVC operations and administration, to include payroll for the Capitol Guides, who have been integrated into our organization, and are an integral part of our team. We also are requesting an additional 25 FTEs to support CVC full-year operations to include additional staff to coordinate greater than anticipated requests for use of the CVC rooms and restaurant services, and specialized maintenance personnel to perform furniture repairs and sheet metal repairs in the coat check rooms and the Congressional auditorium.

The mission of the Capitol Visitor Center is to provide enhanced security for all persons working in or visiting the U.S. Capitol, and a more convenient place in which to learn of the work of Congress and about the Capitol. Since December 2, 2008, when the CVC was officially opened to the public, we have been very successful in achieving our goal to make the visitor experience at the U.S. Capitol one that is safe and enjoyable for all who come here.

Instead of standing in line for hours, visitors now pass through security quickly and are able to enjoy the amenities and the exhibits housed in the CVC. To date, we have welcomed more than 800,000 visitors. In late April, we hosted more than 19,470 guests in a single day, and thanks to the efforts of the U.S. Capitol Police and our Visitor Assistants, the average wait time to enter the facility was 6 minutes. In addition, every staff-led tour request during this time was accommodated.

As we continue this next year in "test and adjust" mode, Ms. Terrie Rouse, Chief Executive Office for Visitor Services, and her team continue to adapt to changing situations and make accommodations for Members of Congress as necessary. For example, they have made improvements to the tour schedule and various policies to help Members accommodate constituents who visit their offices who may not have tour reservations. She also has initiated "Congressional staff listening sessions" where staff may share ideas and thoughts about Capitol tour operations.

The Congressional Historical Interpretive Training (CHIP) Program has also been updated since last fall based on feedback from Members' offices. Our team's ongoing review of the pilot program's curriculum since its implementation in fall 2008 has allowed it to grow and improve to meet participants' needs. Thus far, more than 2,000 Congressional staff have participated in the program. We're happy to report that the CHIP Program has greatly enhanced the tour experience for Members' constituents, and that staff-led and Capitol tours have worked in parallel, thereby reducing security risks and optimizing safety concerns of visitor flow within the Capitol Building. Most importantly, the training has successfully met its goal to aid in the accuracy and consistency of the information provided to all visitors.

As a point of interest, I would like to add that on April 13, we introduced 50 new documents into the CVC's Exhibition Hall. The new items, which include the December 11, 1941, resolution declaring war against Germany, one of only two printed drafts of the U.S. Constitution discussed during the 1787 Constitutional Convention, and a list of supplies requisitioned by Meriwether Lewis prior to his historic Lewis and Clark Expedition, will be on display through October 1, 2009.

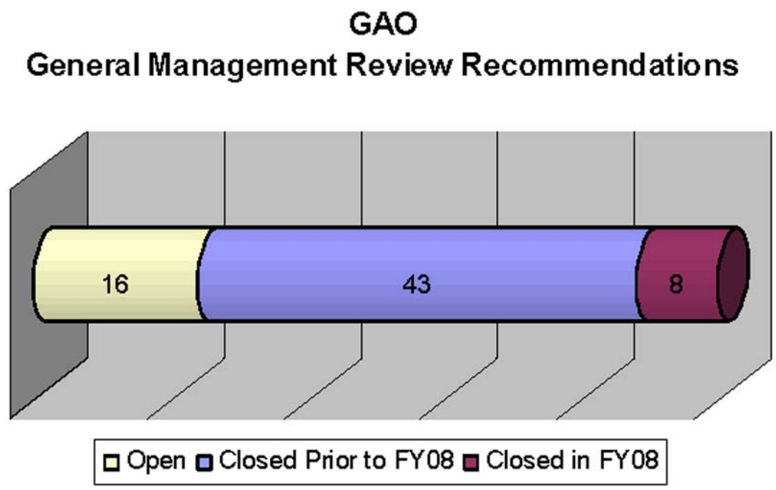
AOC ACCOMPLISHMENTS

Mr. Chairman, as I discussed earlier, the past year has been one full of significant achievements for the AOC, in addition to the public opening of the Capitol Visitor Center and supporting the Presidential Inauguration. I would like to sum up my testimony by listing a few of our many accomplishments.

—We conducted our annual Building Services Customer Satisfaction Surveys, and in fiscal year 2008, we maintained more than 90 percent customer satisfaction rating. Customer satisfaction continues to increase annually.

—We completed 24 Senate Office moves in April. We also moved 184 House Offices and 2 House Committees in less than 1 month's time, and achieved a customer satisfaction level of 96 percent.

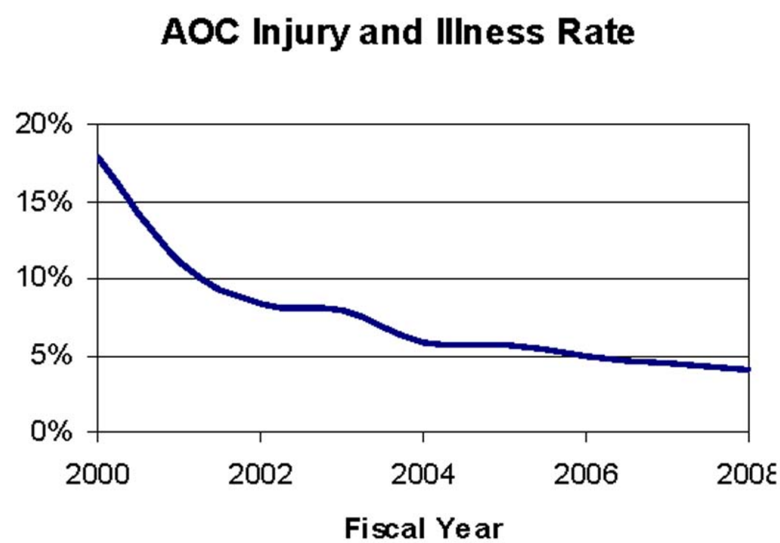
—The Government Accountability Office provided the AOC with 67 recommendations to help improve its strategic management since 2003. Nearly 75 percent of those recommendations have been fully implemented, closed, or incorporated into new recommendations (as of February 2009).



—We continued to improve our cost accounting procedures and internal controls, and received our sixth consecutive clean audit opinion on our financial statements. The Capitol Visitor Center also received a clean audit opinion.

—We conducted employee focus group sessions in April 2008 to gather observations on topics ranging from customer service and internal procedures to our mission and our work environment.

—Participants noted that the AOC has made tremendous progress over the past few years. Specifically, 54 percent of participants responded that they were satisfied or very satisfied with their jobs versus 35 percent in 2004. Those who said they were very dissatisfied with their jobs dropped from 21 percent in 2004 to just 4 percent in 2008.



—We decreased our Injury and Illness Rate for 9th year in a row. We dropped to 4.06 cases per 100 employees in fiscal year 2008; the lowest rate the AOC has ever sustained.
—We closed 71 of 99 items from Office of Compliance citations (80 percent), as of February 2009, and we have submitted a request to close seven additional items.
—United States Botanic Garden (USBG) has achieved accreditation from the American Association of Museums (AAM), the highest national recognition for a museum. Of several hundred public gardens in North America, the U.S. Botanic Garden is 1 of only 19 that have been awarded accreditation.
—The West Refrigeration Plant Expansion project at the Capitol Power Plant was selected as 2009 Craftsmanship Award Winner in the mechanical category for HVAC-Piping by the Washington Building Congress.
—The Washington Building Congress also recognized the AOC's Painting and Plastering team in the "Specialty Painting" category for relocating the Statue of Freedom model from the Russell Senate Office Building to Emancipation Hall in the CVC.
—Our stone mason team that worked to restore the marble floors in the Jefferson Building, while installing electrical conduits to support the new Visitors Experience project was also recognized by the Washington Building Congress with a 2009 Craftsmanship Award.

CONCLUSION

Every brick, every floor tile, every element of the U.S. Capitol is saturated with our Nation's art, history, and politics, and coming here is one of the best ways Americans can see and understand themselves, their country, and their government.

We are all part of the brick and mortar of our Nation, and this Capitol belongs to each and every one of us. For that reason, it is imperative that we do everything we can to succeed in our mission to protect and preserve our Nation's icon and a symbol of representative democracy for generations to come.

The AOC is committed to being good stewards of the Capitol complex, and in that regard, we have accomplished much and experienced numerous successes. These achievements can be directly attributed to the dedicated, professional individuals that make up the AOC team. In my role as Acting Architect for the past 26 months, I have been honored and privileged to work along side them. Because of their efforts and commitment to excellence, we continue to provide exceptional service to Congress and the visiting public.

Once again, thank you for this opportunity to testify today. Mr. Chairman, we look forward to working with this Subcommittee, the House Subcommittee on Legislative Branch, and our Oversight Committees to address the backlog of maintenance and repair projects, and continue to protect and preserve the U.S. Capitol for generations to come. I would be happy to answer any questions you might have.

OFFICE OF COMPLIANCE

STATEMENT OF TAMARA E. CHRISLER, ESQ., EXECUTIVE DIRECTOR

Senator NELSON. Ms. Chrisler.

Ms. CHRISLER. Thank you, Mr. Chairman, Ms. Murkowski, and Mr. Pryor.

I am honored to appear before you today on behalf of the Office of Compliance in support of our 2010 budget request.

There are really three major items from our budget request that I would like to highlight in my opening statement, and they involve the funding and authorization of an occupational safety and health (OSH) program supervisor, funding for the already authorized and unfunded compliance officer position, as well as funding for a contract fire safety specialist.

A HEARTFELT THANKS

Before I get to those three items, though, I would like to thank this subcommittee for the support of the efforts of the Office of Compliance. Specifically, in fiscal year 2009, the subcommittee's support allowed the office to improve our operational infrastructure, provide salary levels reflecting the outstanding performance of our staff, as well as provide technical assistance to the covered community.

Because of the support of this subcommittee, the Office of Compliance has been able to work collaboratively with the Office of the Architect of the Capitol, the Senate Sergeant at Arms, Senate Chief Employment Counsel, and the Senate Superintendent to improve the safety and health conditions on Capitol Hill and in Senate offices.

During the last two Congresses, safety and health hazards in Senate office buildings has dropped by over 50 percent, and that is due to the support of this subcommittee. So we thank you.

OOC FISCAL YEAR 2010 BUDGET REQUEST

Our 2010 budget request recognizes the economic difficulties of this country and the fiscal constraints of this subcommittee. And we have refrained from renewing old requests from fiscal year 2009 that went unfunded, and we really did some reevaluating of how we can perform the work that we need to perform with the minimal resources. So I present to you the most critical of those needs that we have.

The most critical item that I present to you today is the funding and authorization of an OSH program supervisor. Currently, that duty is being performed by a detailee from the Department of Labor. This detailee retires in calendar year 2010. The individual has over 30 years' experience in safety and health.

He is a certified industrial hygienist, and what he does is supervises the safety and health inspectors, works with outside OSH experts, and provides technical advice, expert technical advice to our general counsel. This position is critical to the success of our safety and health program.

After having spoken with some of the staff over at the Department of Labor, we have been informed that not because the Department of Labor doesn't want to, but they are going to find it very difficult to replace that individual with another nonreimbursable detailee of the same experience with the same credentials.

Through attrition, through retirement, they have lost a lot of their senior staff, and they are having a hard time servicing their needs. And they are very doubtful that they will be able to replace this position with a nonreimbursable individual.

So we are looking to have the authorization and funding to bring this position on staff. Having the position within our staff will bring accountability within our office and within the legislative branch, where it really should be, and ensure consistency with our operations.

FTE FUNDING AUTHORIZATION

The second item that I would like to discuss with you today is funding for a compliance officer. In fiscal year 2008, this subcommittee supported the authorization of a compliance officer position for our office. And what this position would do is verify the abatement schedule of existing hazards, making sure that nothing falls through the cracks. And this is a critical position that the office is seeking funding for during this fiscal year.

CONTRACT SERVICES

Third, as we have discussed a little bit already today, is fire safety. And we are seeking funding for a fire safety specialist.

In fiscal year 2009, the Office of Compliance requested the authorization and funding for an FTE for these services. Having reevaluated our needs and really taking into consideration the economic difficulties that are facing us today, we are seeking only a portion of that funding and not the FTE. We are looking to see how we can meet the needs with contract services.

What this position would do is ensure that longstanding fire hazards are abated and that they are done so timely.

Outside of not renewing the request for an FTE for the fire safety specialist position, the Office of Compliance has also not renewed requests for the trainer and the ombudsman that we did request in fiscal year 2009. We are mindful of the situation, the financial crisis that the country faces. We are mindful that this year is not the year for the "nice to haves," and we are presenting to you what we critically need.

We have also taken efforts to share services with sister agencies to reduce our costs in our mediation and our hearing program. And that effort is very successful.

So we continually strive to provide the needed services with minimal, though adequate, resources. And it is our hope that this budget request that we submit to you reflects such effort.

I thank you for the opportunity to appear before you, and I welcome any questions that you have.

Senator NELSON. Thank you.

[The statement follows:]

PREPARED STATEMENT OF TAMARA E. CHRISLER

Mr. Chairman, Ms. Murkowski, and distinguished Members of the Subcommittee, I am honored to appear before you today on behalf of the Office of Compliance ("OOC"). Joining me today are General Counsel Peter Ames Eveleth, Deputy Executive Director Barbara J. Sapin, Deputy General Counsel Susan M. Green, and Budget and Finance Officer Allan Holland. Collectively, we present to you the agency's request for appropriations for fiscal year 2010, and we seek your support of our request.

Before I get to next year, though, I want to express our appreciation for your support of our Office during fiscal year 2009. The Subcommittee's support for the mission and efforts of the OOC was reflected in the funding level authorized for the OOC in fiscal year 2009. Thanks to the Subcommittee's support, the agency is able to increase its efforts to provide technical assistance to employing offices and employees, both on Capitol Hill and in remote offices; offer training programs tailored to the specific needs of the covered community; improve its operational infrastructure; and provide its talented workforce with salary levels that reflect their level of performance. We appreciate the continued support of the Subcommittee and thank you for your assistance in ensuring a fair and safe workplace for our covered community.

Your support continues to demonstrate results. Over the past two Congresses, safety and health hazards in Senate Office Buildings have dropped by over 50 percent. We expect this progress to continue when we inspect Senate Buildings in the current Congress. Those inspections will begin during the August recess. We attribute these results to your support for our collaborative efforts with the Senate Chief Counsel for Employment, Senate Sergeant at Arms, and the AOC/Senate Superintendent.

For our fiscal year 2010 operations, the Office of Compliance is requesting $4,474,475—an increase of $402,475 or 9.88 percent over our fiscal year 2009 funding level. Like all of us in this room, we are mindful of the economic difficulties confronting the country and the Federal Government. We know that this Subcommittee faces real fiscal constraints. Accordingly, we are not renewing our request for a number of items from our 2009 appropriations request: namely, three FTEs—the fire safety specialist, the trainer, and the ombudsman. We recognize our responsibility to make more efficient our operations to meet the government's current fiscal challenges while at the same time fulfilling our mission.

Despite our funding challenges, however, we continue to perform our statutory duty. For example, we are working closely with the Office of the Architect of the Capitol ("AOC") staff to implement the Capitol Power Plant Utility Tunnel Settlement Agreement. Our full-time tunnel liaison has an excellent working relationship with AOC officials. As a consequence, our offices cooperate extremely well in ensuring that the life-threatening hazards that characterized the tunnels in the past are being abated in a timely fashion. In particular, asbestos has been removed from four of the tunnels and is being removed from a fifth. Assuming continued funding, we anticipate that all asbestos will be removed from all tunnels by the summer of 2010. Structural repairs are continuing. Emergency egress is being improved. Heat stress is being reduced. We are very pleased with the progress so far, and look forward to continued cooperation with the AOC, until the Settlement Agreement is completely fulfilled.

We are also proud of our accomplishments in resolving employment disputes in the legislative branch. In fiscal year 2008, we processed more than 100 claims raised by covered employees through our use of alternative dispute resolution, resulting in 18 formal settlements. Some of these claims were resolved with monetary awards, but many were not. The OOC played a significant role in fostering creative settlements that included non-monetary terms tailored to meet the needs of the disputants. This type of resolution is significant as it often results in a win-win situation for both parties, and it is also a cost-savings measure for the government.

Looking forward, we want to continue to report accomplishments and meet our statutory mandates, but we cannot accomplish our mission without adequate resources. In light of the current economic situation, we are not requesting three FTEs that we asked for in the last fiscal year. But changed circumstances have highlighted the need for us to add one new position to our ranks.

Since 1997, the agency has benefited from the services of an employee on a non-reimbursable detail from the Department of Labor. This long-time OSH program supervisor and special assistant to the General Counsel is a certified industrial hygienist with over 30 years' experience in occupational safety and health matters. His duties include supervising our safety and health inspectors, working with outside OSH experts, and providing expert technical advice to the General Counsel and guidance to OGC staff regarding the application of OSHA standards. In short, he is critical to our operation. But this detailee plans to retire in January 2010, and it is unlikely that we will be able to replace him with another non-reimbursable detailee. Moreover, these types of duties are best performed by an employee on staff with the agency, who is accountable to the very agency where the duties are performed. For these reasons, we are requesting the authorization for and funding of an OSH program supervisor FTE. Because the current supervisor will not retire until calendar year 2010, we have presented our request with a prorated amount of funding.

In fiscal year 2008, the Subcommittee authorized a compliance officer FTE. The Subcommittee recognized the agency's need to monitor the abatement schedules of employing offices and ensure that employing offices have taken appropriate steps towards resolution of identified hazards and violations. Indeed, in fiscal year 2006, this very Subcommittee reminded the agency that mechanisms and personnel are necessary to better assure efficiency and timeliness in our monitoring program. Because of financial constraints, however, the position was authorized without funding in fiscal year 2008 and remained unfunded in fiscal year 2009. The agency requests in our fiscal year 2010 submission funding for this very critical position. Receiving funding for this position will allow the Office to perform its statutory duty by providing technical assistance to employing offices in abating complex hazards, assuring timely abatement of hazards identified in the OSH biennial inspections and requestor-initiated inspections, and ensuring compliance with OSH-related citations.

In our fiscal year 2009 request, the OOC sought funding to support our "prevent and reduce" initiative. This initiative was created to reduce the number of incidents giving rise to allegations of violations of the Congressional Accountability Act ("CAA"). It was contemplated that three additional FTEs—a fire safety specialist, a trainer, and an ombudsman—would provide technical fire safety expertise, as well as assist employees and employing offices to resolve complaints at the earliest opportunity, resulting in taxpayer savings. The agency remains convinced that these FTEs would provide the covered community with essential technical assistance and allow for early and amicable resolution of workplace disputes. However, given our current financial situation, we have explored other ways of providing these services to the covered community. Consequently, we have removed these FTEs from our fiscal year 2010 request and only seek minimal funding for contracted fire safety services.

We are all aware that fire safety continues to be a critical concern for the legislative branch. Significant, long-standing fire hazards remain in Senate and House Office Buildings, the Capitol, and Library of Congress facilities. These buildings present special challenges due to their historic nature, innate beauty, and ongoing heavy usage. Through collaboration with the AOC, the OOC has made significant progress in developing abatement plans to resolve fire safety Citations that have been pending since 2000 and 2001. However, because of the challenges presented by the beauty and history of these buildings, the efforts to abate the hazards may continue for years before complete abatement is achieved. As our efforts at accelerating abatement activity have increased, the demands on our fire protection engineer and legal staff have significantly expanded.

As the agency is staffed with only one inspector with specialized expertise in fire safety issues and one attorney who spends a large portion of his duties addressing matters other than fire safety concerns, the agency is limited in its resources to address these critical hazards. We recognized the need for additional resources in this area and requested an FTE in fiscal year 2009. Although the need for additional resources continues, the agency has reexamined exactly how to meet that need. As a result, the agency requests fiscal year 2010 appropriations for the contractual services of a fire safety specialist. We expect that this Specialist will serve a function similar to that of our tunnel liaison, and devote full-time efforts to resolving the very serious fire hazards present in the legislative branch. Removing, the request for an FTE results in a savings of almost $25,000.

In an effort to reduce costs for our mandated dispute resolution program, the OOC has entered into an interagency Memorandum of Understanding with the Merit Systems Protection Board ("MSPB"). This Memorandum allows the agency to utilize

MSPB mediators and hearing officers to conduct proceedings that are required by the CAA. Further plans are being made to enter into additional interagency agreements with other agencies. Such agreements allow the OOC to reduce costs because they typically provide for more favorable rates for contracted services. The OOC realizes that our mediation and hearing services contain certain elements beyond our control: the agency cannot dictate either the number of claims presented for mediation or the number of complaints filed for hearing. We do have control over the costs for services, however, and it is those costs that we are continually working to reduce.

CONCLUSION

The agency approaches fiscal year 2010 with heightened fiscal responsibility and an understanding that only minimal funding essential to meeting our mission may be available. We have reexamined our programs in conjunction with our statutory mandates, and we have made significant efforts to streamline our appropriations request to reflect the country's and the government's current economic difficulties. With that understanding, we present to the Subcommittee only those items necessary to meet our statutory mandates. There are a number of items requested in our written budget justification that we submit for your consideration. The ones mentioned today, though, are those that we would like to highlight for the Subcommittee: an OSHA program supervisor, funding for the previously authorized compliance officer FTE, and contractual funding for a fire safety specialist. Funding for these items will allow the agency to continue to provide needed services and technical assistance to the covered community.

On behalf of the Board of Directors and the entire staff of the Office of Compliance, I thank you for your support of this agency. I would be pleased to answer any questions.

Senator NELSON. Six or seven minute questions? Seven?

Senator MURKOWSKI. Yes.

Senator NELSON. Seven, okay.

Well, first of all, as I have not had an opportunity to visit with you, Ms. Chrisler, I have got a couple of questions. I have already spent some time grilling poor Mr. Ayers, but I will hold that for second.

BIENNIAL INSPECTIONS

But I understand that your organization conducts what are called biennial inspections of the legislative branch facilities. Now are there biennial inspections conducted on the rest of the Federal Government, or is it just on the legislative branch, if you know?

Ms. CHRISLER. Well, the way that the Congressional Accountability Act was written was inclusive of a mandate that our office conduct inspections of the covered community once every Congress. So, yes, we are required to conduct these once every Congress.

Whether the OSH office and the executive branch or in the private sector have a similar mandate is something that I am not aware. But I do know that this is the way that the CAA was written for us.

Senator NELSON. Well, I don't know that that is what was intended, but we are going to take a look into that because it does seem, from what we are hearing from other branches of Government, that we are being held to a higher standard. I don't know that we ought to be held to a low standard. I am not suggesting that.

But there ought to be a comparable standard. Safety is just as important in the other branches of Government as it is in ours. And so, I think that is something that we are going to have to look into because if we are being held to a higher standard, it can affect the budgets, obviously.

But I don't want to imply in any way that we don't want a high standard. We just want to make sure that there is equity and fairness as well as comparability in the standards that other branches are held to.

Ms. CHRISLER. If I may, Mr. Nelson?

Senator NELSON. Sure.

Ms. CHRISLER. It is my understanding that the standard, the OSH standard that is applied to the legislative branch, is the same standard that is applied to the private sector. Not the executive branch. The way that the CAA was written was that the standards, same standards are applicable in different manners, and the manner that it is to be applied to the legislative branch is that of the application to the private sector.

GOVERNMENT BRANCH COMPARABILITY

Senator NELSON. Okay. What do you know about the difference, let us say, that would apply to the executive branch? I know it is a different branch of Government, but once again, comparability, I think, would be important here. Do you know what the standard is there?

Ms. CHRISLER. I do know that the way that the CAA is written, the comparability was to that of the private sector. As I understand it, the application of the standard to the executive branch is less restrictive than it is to the private sector. But as the CAA was written, Congress chose to apply the standard to itself as it does to the private sector.

Senator NELSON. I understand that.

Ms. CHRISLER. Okay.

Senator NELSON. We have old buildings, and we have new buildings. Are the same requirements applied to, let us say, the Jefferson building and the Russell building as for fire and safety as they might be in the case of a new construction?

Ms. CHRISLER. As I understand it, the standards are what they are. What our office does consider is the historicity of the buildings, the significant challenges that we have with respect to very old buildings, historical buildings, beautiful buildings that are significant in our Nation's history.

So we recognize that. We understand the challenges that are faced with respect to addressing some hazards that may exist for virtue of the building's age. And we work collaboratively with the covered community. We work very well with the Office of the Architect of the Capitol.

And in understanding the challenges and the hurdles that we face in addressing the hazards, we apply the standards. Yes, so we do take into consideration some of the challenges that we have because of the age of the buildings.

Senator NELSON. And you may not have the specifics on this, but, for example, addressing the egress stairwells in the Jefferson building, which would cost more than $12 million to require, causing major disruption to both staff and visitors when it is questionable whether it is necessary, when 98 percent of the building is equipped with sprinklers, 100 percent of the building is equipped with smoke detectors, and it is fully staffed with security, Government security during the occupancy periods.

HISTORICAL AUTHENTICITY

How does that square with ordinary requirements for, as you say, historicity?

Ms. CHRISLER. What I understand with respect to the Jefferson building is that it contains the page school, the House page school. And one of the hazards that our office has discovered is that there are egress challenges with respect to the students exiting the building from the page school if there were to be a fire inside the school.

With respect to abating the hazard, our office is working collaboratively, again to ensure that before the permanent abatement can take place that interim measures are put into place. So we understand that the abatement may not be able to be achieved immediately. Though the hazard still exists, we have recommended and suggested and are working toward implementing interim measures to protect the safety of the students and the visitors to the building while other considerations are being made.

Senator NELSON. Okay. Well, thank you very much. My time is about out.

Senator Murkowski.

HIGH PRIORITY PROJECT FUNDING

Senator MURKOWSKI. Well, we will keep you on the hot seat here for a few more minutes, Ms. Chrisler.

I am trying to understand exactly how much flexibility there is built into all of this. As I understand, the AOC puts the highest priority—and I appreciate, Mr. Ayers, you kind of walking through how you prioritize what you are dealing with as you look at these projects. But we understand that AOC puts the highest priority on funding for the projects that have received a citation.

I also understand that there have been over 9,000 findings in the draft report for the 110th Congress for the last biennial inspection. Nine thousand is a lot to prioritize. And the question that I would have, and it follows on what Senator Nelson has addressed with regard to the Jefferson building, do you have flexibility to either work with the Office of the Architect here to not issue that citation so that you can work through some interim measures?

HAZARD FUNDING—NOTIFICATION PROGRESS

Are you required to issue a citation first and then ask questions later? How do you proceed with that?

Ms. CHRISLER. It is our intent and our effort to work very hand-in-hand.

Senator MURKOWSKI. But what are you required to do?

Ms. CHRISLER. We are required to make Congress aware of existing hazards.

Senator MURKOWSKI. By way of a citation?

Ms. CHRISLER. No, not necessarily.

Senator MURKOWSKI. Okay.

Ms. CHRISLER. So the finding that is made, the hazard that is uncovered is—we tell the employing offices about their hazards through a finding. Once the finding is shared, we work with the employing office to abate the hazard. So that the citation is not something that is required unless there is no cooperation from the employing office, unless there is not significant improvement toward abating the hazard.

ISSUED CITATION NOTIFICATIONS

Senator MURKOWSKI. So, in 9,000 cases, there was either not cooperation or there wasn't significant improvement?

Ms. CHRISLER. There were 9,000 hazards that were uncovered. There were not 9,000 citations. In the past——

Senator MURKOWSKI. I stand corrected. Yes. Of those 9,000 findings, how many citations do you figure were issued?

Ms. CHRISLER. Well, what I can tell you, that in the last 6 years, I believe our office has only issued 16 citations. So, within the 9,000, it is probably less than 10.

Senator MURKOWSKI. So there is the ability to work through these?

Ms. CHRISLER. Right.

Senator MURKOWSKI. There is an effort to provide for some level of abatement. So what we are working to do then is to prioritize those areas where there is highest risk, as opposed to chronologically we need to take care of all these things because they have been sitting out on a list for too long.

But if you have got a high-risk issue, a life safety issue, that is prioritized as more immediate. Is that a correct statement?

Ms. CHRISLER. I beg your pardon?

Senator MURKOWSKI. Is that a correct statement, that the issue would be given higher priority, based on a risk assessment?

Ms. CHRISLER. What we—what our role is, is to discover the findings and provide the information and work with the employing office to abate the hazards. What we are hoping to do, what our general counsel's office is striving for, is to be of assistance and a resource in staging the abatement of these hazards.

So the employing office would make the determination as to which hazards they can abate first, based on a number of considerations. And what we are looking to do as a resource and as a tool and servicing the agency is to help them in staging their abatement.

HAZARD ABATEMENT

Senator MURKOWSKI. Well, then let me give you a specific example. It is my understanding that the AOC is working to remedy a citation. This is a citation in the Cannon building, and it is going to be relatively expensive. I don't recall exactly how much it was, but it was a considerable amount. And yet, the Cannon building is scheduled for whole building renovation in a couple of years.

Why in the world would we spend the money to fix this now when 2 years from now, we may have a whole building renovation?

Ms. CHRISLER. Sure, and this is actually the example that you use of something that we were just discussing. As much as——

Senator MURKOWSKI. $7 million.

Ms. CHRISLER. Pardon?

Senator MURKOWSKI. Apparently, it is the Cannon stairwell enclosure for $7 million?

Ms. CHRISLER. Yes. And this is something that our office has discovered as a hazard and is working with the appropriate personnel to abate the hazard. Hopefully, in the——

ABATEMENT CLARIFICATION

Senator MURKOWSKI. What do you mean when you say "abate the hazard?" What will you do for this enclosure?

Ms. CHRISLER. It depends on the discussions that the technical experts have. I don't know if it is because of the renovation that will be occurring in 2 years if it is prudent to do a complete abatement or if it is prudent to incorporate interim measures to provide for the safety of the employees and visitors while the renovation is upcoming and pending.

So there are different steps, and we are working to make sure that the smart thing and the right thing is done and not that we are making any improvements or abating the hazard to say, okay, this is done. Now let us all tear it down because we are going to build the building again.

Senator MURKOWSKI. Well, I would hope that we would agree that spending $7 million is not the prudent thing to do if we are going to do a whole building renovation in 2 years.

Ms. CHRISLER. Well, certainly, our office has been engaged in discussions with the folks that will be——

Senator MURKOWSKI. Again, this gets me back to my question about how much flexibility you have. You have got a citation. You are trying to work on it. But you know that in a very short time period here, you are going to be doing a wholesale remodel.

And so, it really doesn't make much sense to do a full-on roof here. Let us just patch the roof until we can really address the bigger problem. Are we in agreement that that is not the approach that we need to take?

Ms. CHRISLER. Absolutely. And we are all—we, the Office of Compliance, are all in favor of finding an appropriate and a safe interim measure depending on the circumstances. And in the example that you provide, the circumstances include a complete building renovation. So we would work toward providing a safe mechanism in the interim.

Senator MURKOWSKI. Ms. Chrisler, can you tell me when this particular citation was actually issued? Has this been outstanding for a while?

Ms. CHRISLER. This has been outstanding since 2000.

Senator MURKOWSKI. Okay. Mr. Chairman, my time is up.

Senator NELSON. Thank you, Senator.

Senator Pryor.

Senator PRYOR. Thank you, Mr. Chairman.

And actually, believe it or not, I have a lot of questions for Mr. Ayers here.

But since these other two have asked about you, I do have a few follow-ups on what they said. I hope it doesn't take all my time. But let me try to move very quickly.

CANNON BUILDING STAIRWELL HAZARD

Just for my—I am new to the subcommittee, and I am trying to get a handle on this, and I apologize for this. But the example that we have been talking about, the stairwell in the Cannon building, what is the hazard there?

Ms. CHRISLER. They are open stairwells that don't block off, if you will, the fumes and smoke and fire if there were to be a fire in the building. So enclosed stairwells provides extra protection and ensures that there is—ensures a cutoff so that the fire is contained, smoke is contained, and the fumes are contained so that it doesn't spread as quickly.

Senator PRYOR. And do you have a design on a fix for that?

Ms. CHRISLER. I do believe that there is a design for a fix. Correct.

Senator PRYOR. Okay. And you talked about these 9,000 findings.

Ms. CHRISLER. Right.

CATEGORIZED ITEM BREAKDOWN

Senator PRYOR. Are there large categories of items you are looking for, like fire issues and like plumbing and whatever type issues? ADA-type compliance. I mean, are there broad categories?

Ms. CHRISLER. Yes. Yes, we go in and we look for everything. We look to——

Senator PRYOR. And do you have a breakdown of all that and what the findings are? As I understand it, you go through each office even and look and see if maybe too many things are plugged into one electrical outlet.

Ms. CHRISLER. Right.

Senator PRYOR. Is it your experience that when you bring those to the attention of the individual offices, they get fixed?

Ms. CHRISLER. Absolutely. There are in the previous Congress—if you will just indulge me for a moment. There were a number of hazards that were discovered that are abated right on the spot.

In the 110th Congress, there were 63 percent of the hazards that were open were closed, and 80 percent actually of the findings that were—the hazards that were found in the Senate, 80 percent were abated. And some of them, a large majority of them are abated right on the spot.

Senator PRYOR. Okay. And, but it does sound like there are some hazards like the Cannon stairwell that doesn't go away, that you have to just at some point work through that?

Ms. CHRISLER. Yes.

Senator PRYOR. And I think, let us see, that may be all I had on you.

CAPITOL POWER PLANT

So if I have a few more minutes, Mr. Ayers, let me ask you. Let me start with one of the big-ticket items that I know you are working on in terms of a long-range plan, and that is the Capitol Power Plant. Tell me, if you can, one of your requests is to convert maybe one boiler from, what, coal to gas. Is that right?

Mr. AYERS. That is correct.

Senator PRYOR. And what will the mix of the fuel be then at that point that will be available to the Capitol, you know, the source of the energy?

Mr. AYERS. We will be able to burn 100 percent natural gas with sufficient backup capacity.

Senator PRYOR. Okay. And is there a long-term plan on the Power Plant? I mean, do you know what you want to do with that? Or do you just want to keep it and convert it to gas, or are you looking for other options? Give us the update on that.

Mr. AYERS. Well, we have a team of consultants in place today that are looking at a 20-year and longer outlook for the plant. We have developed that scenario looking at 16 different possible options of what to do with the plant in the future. That study is about 75 percent complete.

We are currently having it peer reviewed by the National Academy of Sciences, and that peer review is scheduled to be finished this month. So we will take those peer review comments, we will fold them back into the report and then finalize it. This will be completed in another 2 or 3 months after that.

POSSIBLE AVAILABLE OPTIONS

Senator PRYOR. Okay. And these, what did you say, 16 or 17 options?

Mr. AYERS. There are 16 different options that they are currently looking at.

Senator PRYOR. Does that mean like one of them might be, say, for example, geothermal? One of them might be just going all natural gas? One of them might be to totally get away from the Power Plant completely? I mean, what are you talking about there?

Mr. AYERS. Things like co-generation of electricity, things like biofuels.

Senator PRYOR. And long term, are you looking at replacing the heating and air systems throughout the Capitol complex?

Mr. AYERS. Well, certainly, we heat and cool the Capitol campus through a centralized distribution system. The Power Plant itself provides all of the heat through steam and chilled water for cooling all of the buildings on the Capitol campus.

We will send that steam and chilled water out through every building, and then each of those buildings will take that steam and chilled water and run it through mechanical systems to heat and cool each space. So, ultimately, over the course of time, all of these mechanical units have a certain lifespan, maybe 20 or 30 years, and we will be replacing those.

For example, right now, we have recently awarded a contract to replace the mechanical equipment in this building, the Dirksen building. You will see that starting here in the next couple of weeks.

Senator PRYOR. You just heard Ms. is it “Chry-sler” or “Chrisler?”

Ms. CHRISLER. It is Chrisler. Thank you.

CITATION-RELATED PROJECTS

Senator PRYOR. Chrisler. Sorry about that. Ms. Chrisler, just heard her testimony a few moments ago. How much money in your proposed appropriation, how much money are you requesting for citation-related projects?

Mr. AYERS. Just give me a moment to add that. I would suspect it is over $50 million.

Senator PRYOR. Okay. And I may have that breakdown. I don't see it. But what are some of the big-ticket items there?

Mr. AYERS. The seven highest projects on our consolidated priority list are for citations. The first one is the utility tunnels that I spoke of earlier.

Senator PRYOR. Right. Right.

Mr. AYERS. That is $45 million for that program. The next biggest one is for ADA compliance issues in the restrooms of the John Adams Building at $3 million. And some door issues as well in the John Adams Building at $1.5 million, some egress improvements in the Thomas Jefferson Building, design work for about $2 million.

ENERGY CONSERVATION

Senator PRYOR. Let me ask one question about energy conservation, and this will be my last question because I am out of time here. But I think you are requesting $11 million worth of projects in fiscal year 2010 for energy reduction. How long does it take that to pay for itself?

Mr. AYERS. Each of those has an individual payback. There really is no good rule of thumb. So a photovoltaic system is going to have a far different payback than equipment replacement. I have to go specifically with each individual project to get you an accurate figure.

Senator PRYOR. But you can't say, well, we are going to spend $11 million, and then we will make that money back over a 3-year period? You don't have it broken down that way?

Mr. AYERS. We do have it broken down that way. I don't have that at my fingertips, but I would be happy to submit that for the record. For our projects we do a comprehensive lifecycle projection to determine if it is an appropriate payback. If it is not, we don't do it.

Senator PRYOR. Right. Mr. Chairman, thank you.

[The information follows:]

Payback periods for each project are summarized in the following table. It is important to note that some fiscal year 2010 requests are for construction and others are for design. The projected simple payback period for construction projects (numbers one, two, three, and five in the table below) totals $9.5 million, and is for a period of less than 3 years.

FISCAL YEAR 2010 CIP—PROPOSED ENERGY PROJECTS SUMMARY

Project Title	Project Cost	AOC/AE Design Fee	Energy/Water Cost Savings	Energy Savings		Economic Summary		
				mmBtu Savings	Percent Reduction (Fiscal Year 2003 Complex)	Simple Payback	LCCA [1]	SIR [2]
Computer Server Closet Cooling, Phase 1	[3] $2,010,000	$196,789	$1,593,838	57,986	2.09	1.3	$24,082,037	12.7
Computer Server Closet Cooling, Phase 3	[3] 4,430,000	429,533	1,246,189	45,332	1.63	3.6	15,911,191	4.5
HVAC Controls Replacement	[3] 2,260,000	336,130	618,675	17,872	.64	3.7	6,876,642	4.0
Economizer Additions to Air Handling Units	8,601,521	[3] 830,000	809,050	55,000	1.98	10.6	2,571,247	10.6
Capitol Police Jurisdiction Energy Saving Projects	[3] 800,000	116,872	56,000	2,713	.10	14.3	....	....
Botanic Gardens Sustainable Design	....	[3] 380,000	....	....	....	....	....	....
Total	18,101,521	2,289,324	4,323,752	178,903	6.44	....	....	....

[1] LCCA is the sum of the present values of initial investment, O&M, replacement, and energy and/or water costs.
[2] SIR (Savings to Investment Ratio) is the ratio of the total savings to the total investment cost over the life cycle of the project.
[3] Indicates request amount.

Notes:

Projects are ranked by priority according to LCCA (Life Cycle Cost Analysis) in descending order.

LCCA and SIR calculated with NIST's Building Life Cycle Cost Program (BLCC 5.3–08), in accordance with 10 CFR 436. Subpart A.

Combined simple payback of Projects 1, 2, 3 and 5 is 2.70 years.

Project #4, Economizer Additions to Air Handling Units, is currently proposed for design in fiscal year 2010. Projected simple payback is 10.6 years.

Senator NELSON. Thank you, Senator.

CANNON STAIRWELL RENOVATION

Mr. Ayers, in that money that you have set aside for citation matters, do you have any money in there for the Cannon stairwell?

Mr. AYERS. No, sir. I think the Cannon stairwell money has already been appropriated.

Senator NELSON. But not spent apparently?

Mr. AYERS. I believe——

Senator NELSON. The project hasn't——

Mr. AYERS [continuing]. That work is underway now.

Senator NELSON. Oh, the work is underway?

Mr. AYERS. I am sorry. The design is underway. The physical construction is not underway yet.

Senator NELSON. Well, then if the design is underway, construction hasn't begun, what is the possibility that that design will mesh with what overall renovation is going to be required for the Cannon? Will it be totally consistent with it? Will it be something that will fit in, or will it be outside the range of what the remodeling is, if you know, Ms. Chrisler?

Ms. CHRISLER. The question, Senator, is whether the design meets——

Senator NELSON. Yes, if we are spending money for design and we are going to redo the building in 2 years, are they copasetic? Will the design fit in with what is going to be done overall, or do we even have the overall plan, design plan for the remodeling, the total remodeling in place to compare it to?

CANNON HAZARD ABATEMENT

Ms. CHRISLER. Sure. Our office's involvement in the design of or the abatement plan is focused on ensuring that the hazard is abated or that interim measures address the hazard that is found. Now what makes sense to me is that fixing the stairwells will mesh with the overall renovation, and doing it early makes sense.

But whether the particular details of the design plan that is in place is very difficult for me to answer. That is not something that is within the area of our expertise. Our expertise is in providing technical assistance in abating the hazard.

Senator NELSON. Well, will you have looked at the design that is being developed right now and being paid for for that abatement? Will you look at that before the design is completed?

Ms. CHRISLER. We certainly hope to be included in the design process, and we hope that our input is requested and received.

DESIGN ABATEMENT RESOLUTION

Senator NELSON. So you are not really throwing a flag, like a referee throws a flag? You are going to make certain that whatever the design is works and cures the problem that you have identified?

Ms. CHRISLER. As I say, we work very collaboratively. So we welcome the opportunity to sit down and talk about the abatement, what is necessary, what is being planned, what is in place, and how those two things can come together to ensure safety.

Senator NELSON. Mr. Ayers, will we be able to deduct from the total remodeling cost of the Cannon building the cost of the repair of this stairwell? Will it be consistent? Will it be compatible? Do you know at this point?

Mr. AYERS. I think we certainly can deduct that, and certainly, another option is to postpone that actual construction work and roll it into that comprehensive building renovation if ultimately——

Senator NELSON. Will she pick up the flag if you do that?

Mr. AYERS. She might. We work pretty well together.

Senator NELSON. Oh, okay. I think everybody understands where we are going with this, and I think you understand and I am sure you share the view that it doesn't make any sense to make a pie a piece at a time here when we have an opportunity to do the whole thing.

Ms. CHRISLER. That is right.

STAIRWELL CITATION RANKING

Senator NELSON. Yes. Okay. Well, maybe enough on that, but I think it is enlightening us. And I hope that in working together, the 30,000-foot view down is looked at as well as the on-the-ground view because it is important. It would be important in any particular budget, but particularly this one.

So the 16 citations over 6 years, if you were to rate them in priority, how much would you rate the stairwell issue in Cannon? How high would that be within those 16 citations?

Ms. CHRISLER. If you will allow me to confer?

Senator NELSON. Oh, sure. Sure.

Ms. CHRISLER. Thank you.

Of the 16 citations, the most important are the fire hazards, as we can all imagine. There are about seven or so of the citations that are fire hazards. Ranking those hazards within themselves is difficult to do because a fire hazard is significant in itself. But of the 16, we would say about 7 are those that are fire hazards.

Senator NELSON. How many fires—apart from some that were lit by someone in the Capitol Police over here a few years ago, how many fires have we really had in the Senate office buildings and in the House office buildings, if you know?

Ms. CHRISLER. I do have some understanding of some of those numbers. I would be happy to provide them for you for the record. Within the last few years, without including the one that you mentioned, there appear to be two within the last couple of years.

In 2005, there was a Capitol, the fire in the Capitol. In 2005, there was the substation explosion and fire at the Power Plant.

Senator NELSON. Okay. How extensive was the fire in the Capitol? How much damage was done, and how at risk were employees there?

Ms. CHRISLER. I am happy to research that for you and provide that for the record.

Senator NELSON. Was it significant, or was it de minimis? You can research it. I am not trying to put you on the spot.

Ms. CHRISLER. I appreciate the opportunity to do that. Thank you.

[The information follows:]

See Appendix A on pages 208–212 for a complete listing.

CANNON VERSUS RUSSELL STAIRWELL COMPARISON

Senator NELSON. And in terms of the stairwells, without running the risk of more citations here, how would the stairwell in the Cannon building compare with the stairwells, let us say, in the Russell building?

Ms. CHRISLER. They are similar. The similarity is that they are both unenclosed. So the same risks that are involved in having an unenclosed stairwell in Cannon are the same risks that are involved in the Russell building.

Senator NELSON. Well, if I might just ask this question as a follow-up? Why is it a more significant risk to have a citation in Cannon, but not necessarily in Russell?

Ms. CHRISLER. I believe that there is a citation for the stairwells in the Russell building as well.

Senator NELSON. Oh, there is? Okay. But we are going to take care of the House Members before we take care of the Senators?

Thank you. My time is up.

Senator MURKOWSKI. I just can't let a good thing drop here. I understand that here on the Senate side, the Rules Committee has asked for some kind of a blue ribbon panel to come together to actually review the situation with the citation, the Russell stairwell, recognizing that it is a 100-year-old building, and it is made out of granite or marble or something pretty impervious to fire. That it is fully alarmed, fully sprinklered.

CITATION FLEXIBILITY

And I guess it gets back to my initial question, which is about flexibility when we issue citations and then, how we respond by way of abatement. At what point in time does the reasonable and prudent standard come into place?

Ms. CHRISLER. Yes.

Senator MURKOWSKI. And I will give you an example, and I am going to detract for just a minute. We dealt with a situation in my home State where an individual built a hotel out of ice. And he was shut down by the fire department because he didn't have a sprinkler system in it.

Now, think about it. In a way, and I don't mean to be trite and flip here with safety, but I think we do need to appreciate that if we have made reasonable and prudent efforts to make sure that the life safety issues are fully addressed, if we haven't checked off the boxes that somebody has detailed in an office somewhere else and we are still not in compliance, and then we are forced to spend $7 million, whether it is the Cannon or whether the Russell, I guess I get a little frustrated because I want us to exercise good common sense.

I want us to have buildings that are strong and safe and are beautiful and are historic, but I think we also need to use a little bit of common sense in how we address the issue. And we have been going on about the stairwells for a long time, Mr. Chairman. But why would we move forward with a blue ribbon panel to look at the issue in the Russell and then on the House side make a decision that we are going to go ahead with a similar project?

HOUSE BUILDINGS VERSUS SENATE BUILDINGS

You have indicated, Ms. Chrisler, that you are working together to deal with some kind of abatement situation, but yet if you guys are moving forward with design and you are asking or you are saying we would be happy to be included at the table, it doesn't sound to me like we are all really talking here.

And I don't know whether that is a rhetorical question, or just putting it out on the record, I would be happy to hear responses from either one of you. But I am curious to know as to why we would treat the House building different than the Senate building on this.

Mr. Ayers, do you want to comment on that, why we would be treating them different?

Mr. AYERS. Well, I do know that we certainly move those projects forward at different times, as they are separate and different appropriations. So they may be moved forward just a little bit at different times. The Cannon building was funded before the Russell building.

In the Russell building, as we moved forward and requested our authorizing committee's authorization to spend that money, they asked us to take a step back and take a second look at this design. They really questioned whether this was an appropriate use of funds and an appropriate interpretation of the building codes, and they warned us to assemble a blue ribbon panel to look at all of the issues surrounding this, and advise them with this panel whether this work is required or not.

I received a letter from the chairman and ranking member of that committee this week, and we will be moving now to undertake that blue ribbon panel expeditiously.

Senator MURKOWSKI. So does that kind of put that particular citation on hold, in your opinion, as this blue ribbon panel reviews this?

ENERGY PROJECTS

Mr. AYERS. From my perspective, it does. Yes.

Senator MURKOWSKI. Let me ask you a question about some of the energy projects that we have going, following on Senator Pryor's comments. This relates to the boiler. As you know, I am on the Energy Committee, and most of my day is focused on energy and how we can be reducing our emissions and be responsible stewards of the environment. I am pleased with the direction that we have been able to take in reductions of emissions and our carbon footprint.

But if I understand until last year, coal was used for about 45 percent of the fuel mix. Then the decision was made to discontinue the use of coal at the Power Plant, and you are retrofitting one of the seven boilers this summer. I am told that by next year, you will be able to operate at 99 percent using natural gas. Is that correct?

Mr. AYERS. That is correct, with three caveats, if I could?

Senator MURKOWSKI. Okay.

Mr. AYERS. Those caveats are, first, that our utility provider, and our gas provider needs to make some improvement to the service line to the Capitol Power Plant to enable us to do that. We expect that to be done this summer.

Second, if we don't have a severe winter, we will be able to achieve that 99 or 100 percent. Similarly, if we have no equipment outages, we will be able to achieve that.

So with those caveats, yes, that is correct.

Senator MURKOWSKI. I am then told to get to a clear 100 percent level of using natural gas year-round that we need an additional $10 million in the fiscal year 2010 budget to retrofit another boiler. Is that correct?

Mr. AYERS. That is correct.

Senator MURKOWSKI. So I just want to make sure that we all understand that for one last percentage, so that we can say we absolutely, positively are not using coal, we are going to spend $10 million to retrofit this last boiler?

Mr. AYERS. I think that 1 percent, your analysis is correct, as well as, similarly, in powerplant business, it is not realistic to assume all of your equipment is going to run all of the time. It just doesn't happen, and powerplants don't operate that way.

But if it is acceptable to the Congress that we fall back to burning coal and fuel oil if we have an equipment issue, then we could save $10 million.

Senator MURKOWSKI. Save $10 million. And if we have got a tough, cold winter, to have that in reserve. I just wanted to make sure that I understood that.

My time has expired, Mr. Chairman.

Senator NELSON. Thank you.

ARCHITECT OF THE CAPITOL/GOVERNMENT PRINTING OFFICE SIMILARITIES

Mr. Ayers, both the AOC and the Government Printing Office (GPO) provide a number of similar industrial-type functions, for example, electrical, carpentry, masonry, and those related functions. And since the AOC is already using space at the GPO, is it possible that somehow that you could achieve economies of scale by combining some of these functions?

Mr. AYERS. That is an excellent idea and, quite frankly, one I had not considered before. If you would give us an opportunity to work with the Public Printer and do an analysis of the pros and cons of that, we would be happy to.

Senator NELSON. Sure.

Mr. AYERS. A great idea.

Senator NELSON. Well, occasionally, we come up with one. So it could possibly at the same time free up some space in the Senate and the House office buildings as well. What we don't want to do is we wouldn't want to see a decline in service, but certainly I would hope that you could take a look at what that would mean and what the effect would be of some combination or sharing the responsibilities.

Mr. AYERS. I am happy to do that.

BENEFIT/RISK ASSESSMENT

Senator NELSON. If the committee that you are putting together comes back and says that it is not the best expenditure of money in terms of risk assessment, and I always try to look at things in cost benefit/risk assessment, through that lens, what would that mean? Would that mean if they said that on the stairwells that it is not worth doing that, the risk is not great enough to justify that kind of expenditure, that you would make the decision not to do it?

Or what would be the next step in the process? The Rules Committee? I happen to sit on the Rules Committee. So would it come to us? What would be the next step?

Mr. AYERS. Yes, I think it would come to the Rules Committee. They are the requester of this blue ribbon panel. So we would assemble that panel and facilitate that and deliver that deliverable back to the Rules Committee, who ultimately, I think, will certainly work collaboratively with all of the stakeholders to come to a common course of action.

Senator NELSON. And I am not trying to prejudge the outcome of whatever that committee does, I have no idea what they are going to determine. But as a hypothetical at least, that is what could happen. Would that have any effect on the Cannon building and the stairwell there?

Mr. AYERS. Well, I think it could. I think—and maybe that is something Ms. Chrisler and I should talk about in the coming days about this blue ribbon panel, which I don't believe she knows about. We have not transmitted that letter to her.

So maybe that is something she and I should talk about in the next couple of days and get back to the subcommittee on how that might affect the Cannon building.

Senator NELSON. Sure. I think that is a good idea. I assume that would work well with you as well, Ms. Chrisler?

Ms. CHRISLER. It certainly would. Thank you.

Senator NELSON. Sure, sure. Senator Murkowski may have asked you when you expect to have the report. I don't know that I heard when you expect the committee to have completed its work?

Mr. AYERS. I think assembling a group of blue ribbon experts like that, from my experience, is something that will take at least 6 months to pull them together, develop a report, have that report reviewed a couple of times and, ultimately, agreed upon. Usually, it is a several month effort.

PROJECT RECOMMENDATION TIMELINE

Senator NELSON. So in approximately 6 months, we ought to have the suggestions that they are going to make regarding many of these different projects or their overall view of what risk assessment should consist of?

Mr. AYERS. Yes, sir.

Senator NELSON. Okay. Let us see, I don't know that I have any further questions.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

I think I am down to the cats and dogs collection here, too. Just a few questions all over the map here.

STAFF-LED TOURS

Let us start with the staff-led tours because I think when other Members found out that I was part of the legislative branch appropriations, they all came to me with their complaints about what is going on with the staff-led tours.

I want to start, Mr. Ayers, by commending those of you that are involved and the efforts of the Capitol Visitor Center. When you opened that facility, you figured out how to move mass numbers of people through, I think, in a very efficient way. You are to be commended for that.

Mr. AYERS. Thank you.

Senator MURKOWSKI. And so, I am a little bit hesitant to even bring it up, but that is what these forums are for.

I have heard concerns from other Members that they feel that on some of the staff-led tours, the staff members have been treated in a discourteous manner by those that are in the Capitol Visitor Center, the "red coats" as we call them, and that there has not been sufficient oversight in making sure that people are saying the right things. I have heard numerous stories, and I don't know that they bear repeating here.

My question to you is what are we doing to make sure that all of our visitors, whether they come through the CVC or through our respective staff-led tours, are being accommodated respectfully? Because I think it does really reflect back on all of us, and the public doesn't make the distinction as to whether it is staff-led or CVC-led.

CAPITOL VISITOR CENTER STAFF MANAGEMENT

Mr. AYERS. That is really an important question. We really strive to hire the very best people that are both knowledgeable in the history of the Capitol building, are knowledgeable in visitor services and learning techniques, but most importantly, are personable and respectful of visitors. Clearly, treating someone with disrespect or some other fashion is obviously unacceptable.

We are doing a couple of things. One, we are really trying to hire the very best people. Second, when we do get feedback about a particular behavior that a guide displayed or visitor assistant demonstrated in a particular tour, every single day we get that group together from 8 to 8:30 in the morning in one of the theaters. And our management team comes in and sort of describes or sort of conducts a hot wash from the previous day. Here is this, and here is that, and here is how we can say that a little better and adjust your speech here.

So I think that is important. And on a broader scale, Ms. Rouse, our Chief Executive Officer for the Capitol Visitor Center, is holding monthly listening sessions with the Congress. These sessions are open to congressional staff and Members to discuss what's on their minds or has had a good experience or bad experience. Once a month we are getting together with all of them and listening to what those concerns are so we are sure we will hear them and we can fold those back into the visitor services operation.

CAPITOL VISITOR CENTER FTE STAFFING REQUEST

Senator MURKOWSKI. Now do I understand correctly that with your request, you are seeking another 25 employees?

Mr. AYERS. That is correct.

Senator MURKOWSKI. What areas would they be staffing?

Mr. AYERS. These are 25 employees for the Capitol Visitor Center. First is five red coats or guides. Today, we think the number of tour guides is low because our tours at our peak periods will have about 50 people on each tour. We think that is way too many to have an effective and engaging tour.

So the five new tour guides will help reduce that number of people on a given tour. We think that is really important for quality of service.

On top of that, there are 15 visitor assistants. And I think the key there is way finding, one, and two——

Senator MURKOWSKI. I have to ask about way finding.

Mr. AYERS. Sure.

Senator MURKOWSKI. Because there is a new person at the base of the escalator as you go from the little trolleys up north. I haven't any idea what that person does except direct traffic. And we have got all kinds of security that is around, not that it is particularly their job to direct traffic. But why are we paying a person to perch at the base of the escalator?

Mr. AYERS. I think you really hit the nail on the head that much of it is a security concern. Instead of posting a police officer there, which used to be the case for a very long time, we are now posting that with a visitor assistant.

Senator MURKOWSKI. I think we still have police there.

Mr. AYERS. No.

Senator MURKOWSKI. No? Okay, I will double check. I go through there frequently.

Mr. AYERS. There are really two reasons that that person is there. First and foremost, I think it is a Member service. If we had all of the staff-led tours going up those escalators and moving through where those bank of six elevators are right there, we believe that it is going to be too congested, and Members will not be able to get to votes when they need to move quickly and get on an elevator and up to the floor.

That bottleneck right there is too much for staff-led tours or most of the staff-led tours to go that way. So that person's job is to see everyone who gets off the subway and everyone who has a CVC badge on that, at that end of the tunnel, are directed to the doors of the Capitol Visitor Center.

Senator MURKOWSKI. We couldn't use a sign?

Mr. AYERS. A sign could do that. From our experience, it would be ignored.

The second thing, and this is important as well, that we really want people to go through the Capitol Visitor Center to enter the Capitol. That is primarily because the Capitol has egress deficiencies, and we need to carefully monitor how many people are in the Capitol building at any one time.

The way we do that is getting them to enter through the Capitol Visitor Center so we have a steady count of who is going into the building and who is coming back out.

So those are the two reasons that that person is there.

Senator MURKOWSKI. I am still not convinced, but I appreciate the explanation.

OOC FTE STAFFING REQUEST

Ms. Chrisler, you had mentioned, and I apologize, I know that you had indicated that you were looking for the Occupational Safety and Health Administration (OSHA) not staff director, but compliance——

Ms. CHRISLER. Program supervisor.

Senator MURKOWSKI [continuing]. Supervisor, but then did you also indicate that there were two other positions? There was a fire safety position. How many positions are you seeking to fill?

Ms. CHRISLER. Right. We are seeking one FTE, the authorization and funding for an OSH program supervisor to replace the nonreimbursable detailee that will be retiring soon.

Senator MURKOWSKI. So the others were not new adds in terms of hires?

Ms. CHRISLER. Not in terms of authorization. The second was the compliance officer, which has already been authorized. We are seeking funding for that. The third is a fire safety specialist, which we are not seeking the authorization for an FTE for, just funding for contract services.

Senator MURKOWSKI. But you currently have a total of 21 employees?

Ms. CHRISLER. That is correct.

Senator MURKOWSKI. And does that include your detailee?

Ms. CHRISLER. No, it does not.

Senator MURKOWSKI. Okay. So what is it that you can't do with 21 that you need to have these additional 3?

Ms. CHRISLER. Well, the person that is going to be—that is one additional position that we are requesting, and that position is currently being filled by someone from another agency. And once he retires, we won't have the performance of those duties any longer.

OOC FTE STAFFING JUSTIFICATION

Senator MURKOWSKI. And I can appreciate that because I think we have all had good detailees in our respective offices. But it would seem to me that given the responsibilities within the Office of Compliance, to have a good, solid 21 full-time employees is pretty good. So I guess I am asking what are you not able to accomplish with the individual staff level that you have?

Ms. CHRISLER. Right. The 21 FTEs is wonderful, and it is not where the office has been before, and we are very appreciative of what this subcommittee and the committee as a whole has supported us in doing.

What we are looking to do—what we are struggling doing right now is monitoring a lot of the safety and health findings that we have found. The hazards that are outstanding, the fire and safety, the safety and health fire hazards that we have documented since 2000 and 2001, the abatement needs to be monitored.

The 9,000 violations that were found in this past Congress and the 13,000 in the prior Congress need to be monitored as well to ensure that the abatement is on track and to ensure that progress is being made and to ensure that nothing falls through the cracks. That is where these positions would be instrumental.

Senator MURKOWSKI. Mr. Chairman, I am just going to look quickly and see if there is anything else that I wanted to ask our witnesses here.

RENEWABLE ENERGY

Oh, there was a fair amount of controversy I guess it was last year, it may have been 2 years ago, when we purchased renewable energy credits. Are we still doing that?

Mr. AYERS. There was. I think there is often confusion between carbon credits and renewable energy credits, and they are very different.

Senator MURKOWSKI. But we were doing renewable energy credits, were we not?

Mr. AYERS. That is correct.

Senator MURKOWSKI. Right.

Mr. AYERS. Renewable energy credits enable us to purchase electricity through wind sources versus the carbon offsets, which is a relatively newer market that allows you to purchase carbon offsets, really different from electricity. So——

Senator MURKOWSKI. What are we doing, and how much are we spending?

Mr. AYERS. The Architect has not purchased carbon offsets. So that has not happened. But we do purchase renewable energy certificates, and that is required by the Energy Independence and Security Act of 2007 (EISA).

Senator MURKOWSKI. Do you recall how much we spend on that?

Mr. AYERS. No, ma'am, I don't. But I would be happy to get that for you for the record.

[The information follows:]

In fiscal year 2004, the AOC purchased 51,296,000 kWh of renewable energy credits from 75 percent national landfill gas resources, and 25 percent national wind resources at a unit price of $0.01081/kWh for a total expenditure of $554,510. In fiscal year 2008, AOC purchased 107,365,000 kWh of renewable energy credits from national wind resources at a unit price of $ 0.006/kWh for a total expenditure of $644,190.

In addition, beginning in fiscal year 2006, all electricity supplied through the GSA-managed electricity contract for government entities located in the District of Columbia requires renewable energy credits equivalent to 3 percent of the annual electricity usage. The unit price for the renewable energy credits is included within the base price of the contract and we cannot determine actual cost of these renewable energy credits.

EISA REDUCTION GOALS

Senator MURKOWSKI. Okay, the last question, and this also relates to the energy issues. We have set a goal through EISA for a 30 percent reduction by 2015. You indicate that you have made reductions of 12 percent since 2003. And you have done it through some of the low-hanging fruit.

So the question is, is how do we meet the goal? And since that time, the Speaker has kind of upped the ante even further, bringing it to a 50 percent reduction by 2017. What is the plan to meet that, and how are we budgeting to do that?

Because if you have taken the low-hanging fruit already and it has gotten us to 12 percent, how do we make it to 50 percent by 2017? And what do you figure it might cost us?

Mr. AYERS. Well, I think there are three steps to that, Senator Murkowski. First is it will continue to take direct appropriations to achieve some of those energy reductions, and you will see some of those in our 2010 budget, I think to the tune of almost $11 million. So that is first.

Second, we are using public-private partnerships; energy savings performance contracts. So, for example, in the next year or so, we will award several contracts where private companies will invest nearly $150 million in our facilities and be paid back by the energy savings they achieve through the implementation of their projects. So that is the second way.

The third way, I think, is really yet to be determined. But in my view, we need something big in the future to enable us to achieve those results. I am hopeful that the National Academy peer review of our long-term Capitol Power Plant efforts will yield a co-generation recommendation that we can then pursue through another public-private partnership and achieve some very significant savings through that.

I can tell you that National Institutes of Health has just done that, and the General Services Administration has just done that. They are achieving very significant energy reductions by a co-generation facility through a public-private partnership.

UTILITY REDUCTION COSTS

Senator MURKOWSKI. So we are seeing good results there, but do you think we will see a reduction in our utility cost? I mean going from coal to natural gas, we know that that was more expensive to do.

Mr. AYERS. Correct.

Senator MURKOWSKI. Will we see a leveling off in our utility costs, do you think?

Mr. AYERS. I don't believe we are going to see a leveling off in our utility cost. The key to an energy savings performance contract is we must continue to appropriate the same dollars for utilities, and the delta between your energy reduction and what you appropriate, that is the money that you use to pay your vendors for making that investment.

So, going forward, we are going to continue to pay the same kinds of utilities we pay today.

NATURAL GAS VERSUS COAL

Senator MURKOWSKI. I am looking at a chart that shows the differences, and if we were to use, say, 95 percent natural gas to 5 percent to zero coal, a cost of $25.6 million. If you were to change that mix so it is 45 percent natural gas, 50 percent coal, 5 percent fuel oil, your cost is just a little shy of $20 million. So it makes a difference.

Anyway, I am not going to belabor that point. One last question for you, and it is just to satisfy my curiosity. What is the sustainable site demonstration gardens?

BARTHOLDI FOUNTAIN

Mr. AYERS. Our Botanic Garden has partnered with the Lady Bird Johnson Wildflower Center to develop an industry standardized way of rating landscapes and gardens for sustainability, just like the U.S. Green Building Council has implemented the LEED standard that you may be familiar with—the LEED, leadership in energy and environmental design.

So we have partnered with them to develop standards for sustainability for landscapes, very similar to the buildings again, and it is our effort to begin to pilot that rating cycle here on Capitol Hill. So that is what that is, and we would intend to do that at the Botanic Garden or across the street at Bartholdi Park.

Senator MURKOWSKI. When is that fountain going to be done?

Mr. AYERS. It is probably 2 years before the fountain comes back on.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Thank both of the witnesses.

Senator NELSON. Thank you, Senator.

VISITOR ASSISTANTS/GUIDES FTE INCREASE

I do have a question. The 25 FTE increase for this budget, which includes 15 visitor assistants, although that is 5 additional guides only adds up to 20. But the additional visitor assistants, would this be for peak periods, or would it be level across the timeframe?

Mr. AYERS. It would be level across the timeframe, Mr. Chairman. The number one driver for these new visitor assistants are the very significant number of evening events we have in the Capitol Visitor Center, far more than we had anticipated, literally hundreds of them, and many going on every single night.

I was here just two nights ago with a group of students in the Capitol Visitor Center, and truly, I saw people going to events that were walking around all over the place. They had no idea where to go, how to get to their room. There was no one there to help them, and I found myself sort of doing the way finding for these people.

So that is really the key driver. We need some way finding people and organizing people for these evening events.

Senator NELSON. I assume it is not possible to do that, let us say, on a part-time basis because if you have shifts, are you going to stagger the shifts, or are you going to need as many people at night as you need during the day, for example?

Mr. AYERS. We should look carefully at a part-time option. We will do that.

Senator NELSON. Because it seems to me that you are not going to have as many people at night. I have only been over there at night a couple of times myself, but I haven't seen as many people at night as I have seen during the day time. Could be some exceptions to that, but perhaps not.

If you would, I think that would be helpful. That, once again, would cause us a little less heartburn on your budget.

ADDITIONAL COMMITTEE QUESTIONS

Well, I want to thank both of you today for spending the time and attending the hearing and answering the questions. We will be anxious to receive the answers that you are going to put together to get to us. We will make them part of the record. We appreciate your cooperation.

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

QUESTIONS SUBMITTED TO STEPHEN T. AYERS

QUESTIONS SUBMITTED BY SENATOR BEN NELSON

CAPITOL POWER PLANT

Question. Your request includes $10 million for the conversion of one of your boilers to burn natural gas instead of coal. What ratio of natural gas to coal are you currently burning in the Capitol Power Plant?

Answer. As part of its normal summer operations, the Capitol Power Plant burns 100 percent natural gas to facilitate scheduled boiler repairs and preventative maintenance work. This also reduces emissions during the heavy ozone season in the summer months. In March, the Capitol Power Plant ceased coal operations approximately 2 months earlier than in recent seasons. The result of this earlier cessation is that the projected fuel usage ratio for fiscal year 2009 is 75 percent natural gas and 25 percent coal. Although these percentages could vary slightly based on weather variables, which may drive an increased campus steam use, this earlier switch to 100 percent natural gas is projected to provide an approximate 10 percent reduction in coal use for fiscal year 2009.

Question. If we do not appropriate this $10 million in fiscal year 2010, what fuel mix will be used at the Capitol Power Plant?

Answer. In response to the February 26, 2009, letter from the Speaker of the House and the Senate Majority Leader, the Acting Architect directed the Capitol Power Plant to continue planned work to upgrade equipment and controls on one of the natural gas boilers to increase its efficiency. He also directed expanded maintenance projects this summer to test and fine tune the remaining natural gas boilers. These efforts will improve the efficiency and capacity of existing natural gas equipment to meet the steam requirements for the Capitol complex using only natural gas, barring three issues:

—Based on discussions with the natural gas utility provider, the supply line must be upgraded from a four-inch gas line to a six-inch gas line to ensure sufficient natural gas can be delivered during the winter months. The Architect of the Capitol is working with the utility provider to plan the upgrade of the gas line.

—Second, colder than normal weather during the winter months could cause the steam demand to exceed the capacity of the existing natural gas equipment which would drive a requirement to use coal as a fuel source in a boiler.

—Third, all existing natural gas equipment must be operating at capacity to meet steam requirements during the winter. Any equipment outages involving the gas boilers would necessitate the use of a coal boiler.

If any of the above issues are realized, coal would have to be used to meet demands. While impossible to predict with accuracy, we estimate this could be between zero and 3 percent coal usage. On an annual basis, it is estimated the Capitol Power Plant will provide 97 to 98 percent of the required steam generation for the Capitol complex using natural gas as a fuel source.

Question. I understand you have commissioned a long-range study on the Capitol Power Plant to look at a range of options for the Plant's future. Can you give us an update on the status of that study and what potential options are being discussed?

Answer. Earlier this year, leveraging our in-house experts and highly qualified consultants, the Architect of the Capitol prepared a draft Capitol Power Plant strategic energy plan which is completed to approximately the 70 percent level. This master planning process examined numerous options for the Plant to meet goals of improving efficiency and reliability, reducing environmental impacts, and controlling the cost of operations. The Architect of the Capitol enlisted the assistance of the National Academy of Sciences to review this draft plan. The National Academy of Sciences assembled a panel of industry experts who are currently conducting a thorough review of the options and strategies. In addition, the Architect of the Capitol requested that the U.S. Department of Energy's National Energy Technology Laboratory conduct a review of the plan. These reviews will provide very useful third-party perspectives on the plan to enable the Architect of the Capitol to chart a course that provides the greatest efficiency and cost benefits while meeting the needs of Congress. The options considered in the report for providing generation at the Capitol Power Plant are:

Options 1–3: Existing Configuration with Boiler Replacement

Existing configuration using 65 percent natural gas, 38 percent coal, and 2 percent fuel oil.

Existing configuration using 98 percent natural gas, and 2 percent fuel oil.

Existing configuration using 80 percent synthetic coal, 18 percent natural gas, and 2 percent fuel oil.

Options 4–6: Cogeneration with 33 Megawatts of Electricity Generation

Cogeneration using 85 percent natural gas, 13 percent coal, and 2 percent fuel oil.

Cogeneration using 98 percent natural gas, and 2 percent fuel oil.

Cogeneration using 85 percent natural gas, 13 percent synthetic coal, and 2 percent fuel oil.

Options 7–16: Construction of a New Plant

New circulating fluidized bed plant (a combustion technology that mixes gases and solids) using 65 percent natural gas, 38 percent coal, and 2 percent fuel oil.

New natural gas boiler plant using 98 percent natural gas, and 2 percent fuel oil.

New circulating fluidized bed plant using 80 percent synthetic coal, 18 percent natural gas, and 2 percent fuel oil.

New 20 megawatt fuel cell plant using 98 percent natural gas, and 2 percent fuel oil.

New coal gasification plant using 98 percent natural gas, and 2 percent fuel oil.

New waste-to-energy plant.

New plant with heat-recovery chillers.

New plant with a high temperature hot water system.

New nuclear plant.

New plant utilizing Department of Energy Super Boiler technologies.

The report also includes nine separate options for routing of the utility distribution system throughout the campus and six options to provide for decentralization, construction of a separate utility plant, or connection to the General Services Administration system. The final version of the plan is expected to be complete by the end of the fiscal year.

LIFE SAFETY PROJECTS

Question. As you know this subcommittee places a very high priority on funding life safety projects. In fiscal year 2009 we funded over $75 million worth of these projects including $56 million for the utility tunnel repairs. Is the fiscal year 2010 request of $45 million the last large installment of funding for this project?

Answer. The fiscal year 2010 request of $45.77 million will be reduced to $16.85 million due to revised project logistics, as well as savings achieved in asbestos abatement, use of in-house labor, and reduced contract costs. As a result of this reduction, some costs will be shifted to fiscal year 2011 and fiscal year 2012. The Architect of the Capitol is currently projecting a fiscal year 2011 request of $13.95 million, and a fiscal year 2012 request of $10.41 million. The revised funding profile will be sufficient to meet the June 2012 date mandated by the settlement agreement to abate all tunnel hazards.

Question. What other "citation-related" projects are included in the fiscal year 2010 request?

Answer. In addition to the utility tunnels, the citation-related requests for fiscal year 2010 are Sprinkler System, West Main Pavilion, 1st Floor, Thomas Jefferson Building; Egress Improvements, Phase II, Thomas Jefferson Building; Book Conveyor System Modifications, Library Buildings and Grounds; Monumental Exterior Exit Doors, John Adams Building; Fire Door Improvements, Library Buildings and Grounds; and Americans with Disabilities Act Bathroom Renovations, John Adams Building.

Question. In terms of life safety projects in general, is there some point when you expect the number of code deficiencies and citations to start going down as we address these issues each year?

Answer. Yes, the number of deficiencies and citations issued by the Office of Compliance has been declining. Since 1998, the Office of Compliance has issued 97 citation items to the Architect of the Capitol. Eighty-five of these (88 percent) were issued between 1998 and 2000. Since 2005, the Architect of the Capitol has been issued eight citation items, with just one citation issued since 2007. Of the total 97 citation items issued to AOC since 1998, 76 are closed and 21 remain open. AOC expects to close five citation items by the end of 2009, leaving nine fire and life-safety and seven utility tunnel citations open. The Architect of the Capitol biennial inspection deficiencies decreased 14 percent from the 109th Congress to 110th Congress, and further decreases are projected based on the early 111th Congress inspection process. The Architect of the Capitol attributes these deficiency and citation declines to a combination of factors including increased funding to address fire and life-safety deficiencies; implementation of facility condition assessments, safety programs, and periodic facility inspections; and improved communication and coordination with the Office of Compliance.

ENERGY REQUIREMENTS

Question. One of the drivers of this year's request is meeting energy reduction requirements from several different energy bills. While I think it is important to lead by example in this regard, I realize there are significant costs related to these efforts. What major actions have been taken to reduce our energy usage and how successful have you been in that regard?

Answer. The AOC has a number of ongoing initiatives to reduce energy consumption and meet legislative goals. Some of the biggest contributors to reduced energy consumption are:

—*West Refrigeration Plant Expansion Chillers*.—These new chillers are 20 percent more efficient and reduce the energy associated with chilled water production.

—*Capitol Power Plant Operational Changes*.—Since June 2008, the Capitol Power Plant has implemented improved operating procedures and equipment staging, and reduced chilled water supply temperatures in the winter. Combined with heating and air conditioning improvements made in the jurisdictions, the changes have resulted in a reduction in heating and cooling energy production by 20 percent.

—*Infrastructure Improvements*.—As a side effect of improving the tunnel conditions, the improved insulation was installed and significantly reduces leaks and other heating losses, resulting in a lower steam production requirement.

—*Jurisdictional Improvements*.—Each jurisdiction has implemented energy savings initiatives such as lighting upgrades, installation of occupancy sensors and compact fluorescent light bulbs, change-over to energy star equipment, and other low-cost/no-cost improvements. In addition, the Architect of the Capitol's energy awareness public outreach program educates individuals on energy savings techniques.

The above initiatives were instrumental in enabling the Architect of the Capitol to surpass legislated energy reduction goals (against the fiscal year 2003 baseline) as shown in the table below:

[In percent]

Fiscal year	Goal	Achieved
2006	2	6.5
2007	4	6.7
2008	9	10.7

Question. You are requesting $11 million worth of projects in fiscal year 2010 with an energy-reduction focus. What level of energy savings will these projects, if funded, achieve for the Capitol Complex?

Answer. The projected energy savings is estimated at 6 percent when the fiscal year 2010 requested projects are completed.

Question. The Architect of the Capitol is requesting $17 million for energy management programs, metering, and design/build development. Can you explain how these items tie in to your overall efforts?

Answer. The Architect of the Capitol plans to use $3.4 million for a contract to oversee the work being done by the Energy Savings Performance Contracts. The Energy Savings Performance Contracts will generate construction-type repair and replacement work across the Capitol complex. Some of the work involved may be located in areas that contain unique or historically important items. The Architect of the Capitol must ensure that the construction is properly managed and also must provide for third-party measurement and verification, and oversight of commissioning services for projects.

The use of Energy Savings Performance Contracts and currently-planned construction projects will not enable the Architect of the Capitol to continue to meet the mandated energy reduction goals. Additional energy reduction projects will be necessary. The requested $6.5 million to develop design/build packages will help bridge the gap between currently identified projects and the energy reduction goals.

Electrical, steam, and natural gas meters are required per Section 434 of the Energy Independence and Security Act of 2007. The $7.1 million metering request is sufficient to procure and install meters and infrastructure to fully meet this fiscal year 2015 requirement. In addition, metering compliments the entire energy program by enabling the detailed monitoring of energy usage, and will help the Architect of the Capitol to identify potential energy savings opportunities at the individual building level.

Question. How are you using Energy Savings Performance Contracts to help meet your energy reduction requirements?

Answer. The Department of Energy's Energy Saving Performance Contracts are being used as an alternative funding strategy to appropriated funds. Under these contracts, companies complete energy saving construction projects, and are then reimbursed from the funds that would have been used to pay for the energy that is no longer necessary due to savings generated by the installed projects. The Architect of the Capitol plans to use several Energy Savings Performance Contracts across the Capitol complex. These Energy Savings Performance Contracts are in various stages of evaluation and negotiation. Since the construction costs are financed through the Energy Savings Performance Contracts companies, the Architect of the Capitol will reimburse the companies for construction as well as financing costs over the next 20 to 25 years, if the companies' efforts realize energy savings.

OPERATING BUDGET

Question. The Architect of the Capitol is requesting a 10.4 percent increase in its operating budget in fiscal year 2010. That is a pretty significant increase for day-to-day operations, particularly given the significant capital project needs you are requesting. How much of the operating budget increase is "controllable"—that is, not related to pay increases or other inflationary changes?

Answer. The $39.9 million (10.4 percent) increase in operating budget includes $23.9 million in mandatory pay and inflationary increases (6.2 percent of the overall operating budget increase), $4.7 million (1.2 percent) in Capitol Visitor Center program increases, and $11.3 million (3 percent) in what could be called "controllable" operating budget increases. The Architect of the Capitol does not believe the increases for the Capitol Visitor Center should be considered controllable because the increases are driven by unforeseen demands and the first full year of operations funding. In addition, the $11.3 million (in increases that are not related to mandatory pay and inflation) includes critical mission items such as an internal control audit to prevent fraud, waste, and abuse; facility condition assessments for new inventory buildings such as the Library's book storage modules and the National Audio-Visual Conservation Center; critical program/project management tools; safety equipment and training; uniforms; replacement of a 20-year old cable television head-end switcher; an OSHA-required hazardous material survey; and the transit subsidy benefit increase. Although these items may not be required by law or directive, not funding them will impact the Architect of the Capitol's ability to meet mission requirements.

Question. You are asking for an additional 25 full time equivalents in fiscal year 2010 for the Capitol Visitor Center, including 15 Visitor Assistants and five additional Guides. Have you considered hiring these additional personnel on a part-time basis—for the peak visitor season—rather than full time?

Answer. Yes, we can develop a seasonal profile that will minimally meet the needs. Due to training requirements and the learning curve for these positions, temporary positions do not offer the same level of efficiency as full time staff.

Question. Is this increase in personnel due to unforeseen needs at the CVC? Could you explain this request and how you arrived at these numbers?

Answer. The Capitol Visitor Center had to convert a number of current Visitor Assistant positions to accommodate unforeseen operational needs such as a larger-than-anticipated phone call center, the need for a volunteer services coordinator, Congressional liaisons, and reservation clerks and a coordinator. The principal driver for the additional increase in Visitor Assistants is the greater-than-anticipated number of evening events in the CVC meeting spaces and the support requirements for these events. Visitor Assistants have been frequently called upon to help direct guests to event spaces, and also to enforce CVC policies (e.g. food restrictions in Emancipation Hall) during the evening hours and special Sunday events. It is also necessary to position Visitor Assistants at various points outside to provide directional way finding assistance to visitors. Visitor Assistants have also been called upon to provide additional support during normal operating hours for special Congressional events in and outside the Capitol such as the Inaugural, the Days of Remembrance ceremony in the Rotunda, and the unveiling of the Reagan statue. The Guide increase is driven by the size of tour groups. Currently, tour groups range in number from 40 to 60, depending on Guide availability and scheduling. The average size of a tour group would decrease to 40 with the addition of five Guides, providing a more manageable size from a logistics and security perspective.

GOVERNMENT PRINTING OFFICE SHARED RESOURCES

Question. Both the Architect of the Capitol and the Government Printing Office provide a number of similar industrial-type functions: electrical, carpentry, masonry, and related functions. Since the Architect of the Capitol is already using space at the Government Printing Office, could the Architect of the Capitol and the Government Printing Office take advantage of economies of scale by combining some of these functions?

Answer. The Architect of the Capitol is examining the feasibility of this, and will report back to the Subcommittee on its findings.

Question. Would combining some or all of these functions at GPO possibly free up space in Senate and House office buildings?

Answer. If this is a feasible option, the Architect of the Capitol will assess potential space availability based on specific functions and economies of scale.

PLANNING AND PRIORITIZING

Question. I know your agency has taken significant steps in recent years to establish a data-driven planning and prioritization process. I understand that you have developed, for the first time, a Capital Improvement Plan that's fully informed by facility assessments of each area of the Capitol Complex. Once you identify projects that are needed, what is the process you use to prioritize them for inclusion in your annual request?

Answer. The AOC developed a project prioritization process to evaluate every project in terms of importance, urgency, and classification. In this process, each project is categorized as deferred maintenance, capital renewal, capital improvement, or capital construction. Next, each project's urgency is determined by an assessment of several factors including the facility condition assessments, and the Capitol Complex Master Plan and associated Jurisdiction Plans. Projects are ranked as immediate, high, medium, or low urgency. Finally, each project's importance is carefully evaluated based upon a set of predetermined criteria, including historic preservation, regulatory compliance, mission accommodation, economics, and energy efficiency and environmental quality. All of these factors are used to derive a composite rating that is used to prioritize the projects, top to bottom.

Question. How did you decide where to establish the cut line on projects slated for inclusion in this year's budget request?

Answer. Understanding the fiscal constraints, the AOC included all executable, immediate priority projects in this year's budget request, and only critically-needed high priority infrastructure-related projects.

Question. Were any "immediate priority" projects left out of your fiscal year 2010 request? If so, why were they left out?

Answer. Three immediate priority projects were not included in the fiscal year 2010 budget request. The projects are: Alternate Life Safety Approach, Russell Senate Office Building; Bus Screening Facility, United States Capitol Police; and K–12 Fence Replacement, United States Capitol Police. The Alternate Life Safety Approach project does not have a fully matured solution and several issues must be resolved before it is ready for execution. At the request of the Senate, the Architect of the Capitol is forming a blue ribbon panel to review the project and its proposed solution more thoroughly. The Bus Screening Facility project was eliminated because a final decision to screen buses for the Capitol Visitor Center has not been made. Lastly, the Architect of the Capitol is examining potential solutions for the fence replacement and did not believe the project was ready to move forward at this point.

Question. Are the projects included in your fiscal year 2010 request aimed at addressing the worst deficiencies?

Answer. Yes. The Architect of the Capitol's project prioritization process was designed to identify the most immediate needs and prioritize those needs based on life-safety and regulatory compliance, security, mission, preservation, economics and energy.

QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

Question. The budget resolution calls for a 7 percent increase in nondefense discretionary spending. What would be the impact on your budget if we were to limit it to a 7 percent increase?

Answer. Limiting the AOC to a 7 percent increase would mean a reduction of over $67 million to our current budget request. This reduction would affect our ability to meet the focus areas identified in our budget request: solving the deferred maintenance and capital renewal backlog; following the Capitol Complex Master Plan process; meeting prescribed energy goals; and managing and caring for our people. We would have to make significant cuts to the Line Item Construction Program causing the backlog across the complex to continue to rise, and making mandated energy program goals even more difficult to achieve. In addition, the limitation would greatly reduce our capacity to satisfy requests from our clients.

Question. The AOC has completed facility condition assessments for most of its buildings and facilities. Ratings range from "poor" to "excellent." How does the condition of our buildings compare to other government facilities?

Answer. A uniform standard that would allow a "side by side" comparison of the condition of the Capitol complex facilities to that of other Federal agencies does not exist. The AOC uses a detailed component level review and assessment to determine Facility Condition Assessments (FCAs) of Capitol complex facilities. This methodology of FCAs identifies specific and detailed repair or renovation requirements and assists in the prioritization of these requirements. Other agencies either do not conduct FCAs at all, or base their FCAs on a very quick assessment of various building components. With the various methodologies of conducting FCAs, it is not possible to compare building condition of the Capitol complex with other government agencies' facilities.

Question. Citation-related work accounts for a large portion of your budget request. How much more work does AOC need to do to meet outstanding citations beyond fiscal year 2010, and at what cost? How many citations remain open? Are any citations anticipated in fiscal year 2009?

Answer. Citation-related projects that will be submitted in future year's budget requests include the following:

CITATION RELATED PROJECTS

Project	Projected Construction Cost Model
Tunnel Improvement Program [1]	$24,360,000
Alternate Life Safety Approach, RSOB [2]	$5,000,000–$10,000,000
Alternate Life Safety Approach, CHOB	$3,000,000
Book System Conveyor Projects, LB&G [3]	$10,000,000–$25,000,000
Egress Improvements, LB&G	$3,000,000
New Exit Stair (Stair B), TJB	$11,200,000
New Exit Stair (Stair E), TJB	$11,200,000
New Exit Stair (Stair F), TJB	$8,000,000
New Exit Stair (Stair G), TJB	$8,000,000
Fire Damper and Smoke Control System Modification, LB&G	$25,000,000 or greater
Fire Door Improvements, LB&G	$8,000,000

[1] The $24,360,000 assumes a reduced fiscal year 2010 tunnel program request from $45,770,000 to $16,850,000.
[2] The Senate has requested a blue ribbon panel to review the citation associated with this project; therefore, the project cost is subject to change pending the final determination.
[3] There are three projects associated with the citation for the Book Conveyor system. Portions of all three projects are required to abate the citation.

There are two projects currently funded that are associated with the citation for the U.S. Capitol Building. These projects were designed assuming that the U.S. Capitol Building would be fully sprinklered. A project to install sprinklers throughout the Capitol is currently on hold pending Leadership guidance associated with options for the Capitol Complex Master Plan study. The sprinkler project projected cost model is $24,000,000, but it is not included in the table above.

Currently, 26 citations remain open. The AOC is working to correct the open citations and expects to close 11 citations by the end of 2009. The 15 citations expected to remain open at the end of 2009 consist of seven for utility tunnels and eight involving fire and life-safety.

The Office of Compliance (OOC) has not communicated to the AOC any intention to issue a citation in fiscal year 2009. The AOC is working closely with the OOC on a Capitol Power Plant Occupational Safety and Health matter. In March 2009, AOC and OOC signed a legally binding agreement to provide additional time to address this matter and continue to work cooperatively. If this matter is not resolved to the satisfaction of the OOC, a citation may be issued.

Question. The AOC estimates that Energy Savings Performance Contracts (ESPCs) currently in place have a value of over $150 million. How do ESPCs work, and how do you ensure that the ESPCs result in a good "deal" for the government and the taxpayer?

Answer. An ESPC is a process by which Federal agencies leverage private funds to implement energy efficiency and renewable energy projects. Once the projects are completed, the guaranteed energy savings are used to repay the Energy Service Company (ESCO) for its investment.

To ensure that the ESPCs are technically and economically viable, significant time and effort is put into conducting the investment grade energy audit and formulating the list of Energy Conservation Measures (ECMs) in the Detailed Energy Survey. The ESCO guarantees that the improvements will generate savings sufficient to pay for the project over the term of the contract. The ESCO also is required to verify operation of the installed systems, calculate the previous year's energy and water savings, and compare verified and guaranteed savings. Rigorous measurement and verification (M&V) requirements document initial performance and assure persistent savings during the performance period.

The AOC is working with the Department of Energy (DOE) to ensure the successful implementation of this initiative. DOE has developed a program and refined procedures to ensure the government receives an equitable payback on every project, while optimizing the public policy purpose of the program by accelerating energy and water efficiency and renewable energy improvements to Federal facilities. These procedures are implemented with complete DOE guidance in the AOC projects. They include DOE program lessons learned, improvements required by statute, and recommendations based on Congressional audits.

A joint AOC/DOE panel is reviewing all aspects of the projects: a DOE-provided Project Facilitator reviews the details; a DOE National Lab technical expert reviews major aspects of the proposal with special attention to the measurement and verification elements. Measurement and verification is essential to assuring the avoided cost has been achieved each year before a payment is made to the contractor. In addition, the AOC is preparing business case and constructability analyses to provide a basis for negotiating cost and energy savings.

Question. The AOC contracted with the National Academy of Sciences to review options for the future of the Capitol Power Plant. One option being considered is the construction of a co-generation plant. Would this be a reasonable investment for us, with significant energy improvements? Can you give us some idea of the cost, and when you might seek appropriations? How could AOC use a public-private partnership to build a co-generation facility?

Answer. Our initial investigation into co-generation at the Capitol Power Plant indicates that it would be a very effective way to improve energy efficiency and increase utility reliability. However, the final system recommendations and associated cost estimates and schedules are not fully developed. Depending on the specific system installed, initial cost estimates range from $50 million to $250 million. The AOC also is looking at public-private partnerships or ESPCs as possible options for the implementation of co-generation.

Question. GAO has made recommendations in prior years regarding improving management of the Capitol Power Plant, including "right-sizing" the staff. What is the status of GAO's recommendations?

Answer. Based on the GAO recommendations, the AOC awarded a contract to perform a work force study in September 2008. The contract covers a workload survey of required tasks, skills, and man-hours for plant operations, maintenance, and management; recommendations for organization structure and skills needed; and flowcharts of key processes. Work Process Flow diagrams were submitted and reviewed in January 2009, and were finalized in February 2009. The Workload Model submitted in March 2009 is under revision to incorporate workloads from the finalized Work Process Flow diagrams. The AOC also has identified additional processes for incorporation into the model. The final report and recommendations are due by the end of June 2009. In addition to the workload study, GAO also recommended that the AOC establish procedures and guidelines for outsourcing and pursue a competitive sourcing strategy. The Capitol Power Plant (CPP) staff is working to develop a specific scope of work for this task and may modify the existing contract to accomplish the work.

As part of the AOC-wide skills survey scheduled to take place from June through September 2009 by the AOC's Office of Workforce Planning, current CPP employees will have their skills assessed against the identified requirements. The results of the skills survey will help develop the competitive sourcing strategy.

QUESTIONS SUBMITTED TO TAMARA E. CHRISLER

QUESTIONS SUBMITTED BY SENATOR BEN NELSON

Question. I understand that your organization conducts "biennial inspections" of the Legislative Branch facilities. Do these "biennial inspections" occur in the rest of the Federal Government?

Answer. No. The executive branch has annual inspections. See 29 CFR §1960.25(c).

When Congress enacted the Congressional Accountability Act ("CAA"), the result was to enforce the Occupational Safety and Health Act (OSHAct) in a manner similar to what is being done in the private sector. The OSHAct imposes a "General Duty" upon all employers (including executive branch departments) "to furnish a place of employment free from recognized hazards that are causing or likely to cause death or serious physical harm to employees" and requires employers to comply with regulations issued by the Secretary of Labor (OSHA Regulations). The Congressional Accountability Act (CAA) imposes this "General Duty Clause" upon each employing office and each covered employee. However, the CAA does not apply to the legislative branch the many specific mandates that the OSHAct imposes in the executive branch.

The OOC's evaluation function includes examining the performance of safety initiatives and safety professionals in the employing offices. The OOC's ability to conduct this evaluation function has been somewhat hampered by the failure to incorporate the provisions of 29 U.S.C. § 657(c) (relating to maintenance, preservation and availability of safety records) into the CAA [1]. The OOC's recent Section 102(b) Report to Congress (December 2008) proposes several legislative changes that would correct this problem proposes several legislative changes that would correct this problem by applying OSHA's recordkeeping and reporting requirements to the employing offices covered by the CAA. See OOC, *Section 102(b) Report*, p. 10 (December 2008). Under the current statutory scheme, unlike the executive branch or private employers, employing offices are not required to make, keep, and preserve, or provide to the OOC records deemed necessary for enforcement of OSHAct Section 5, including records on work-related deaths, injuries and illnesses, and records of employee exposure to toxic materials and harmful physical agents. Similarly, under the current scheme, the OOC is unable to consider any inspection findings of safety professionals in the employing offices because employing offices do not share their inspection findings with the OOC. OOC inspectors are observing a decrease in the number of identified hazards, as well as increased educational efforts from the employing offices, but without inspection data from the employing offices signifying that they have adequately examined and removed OSH hazards from the workplace, the OOC must continue to do what is necessary to ensure a safe and healthy workplace for covered employees. In addition, neither the AOC nor any other covered employing office provides the OOC with injury and illness records that are necessary for strategically determining what areas should be inspected more regularly or provided more technical assistance. This information is not required as part of the CAA, and without it, the OOC depends on its biennial inspections to provide information regarding safety and health conditions to Congress.

Even with these limitations, the OOC works cooperatively with safety professionals in the employing offices to improve conditions in those offices and also facilitates compliance by providing technical assistance and educational opportunities to these individuals. Some employing offices have decided to rely exclusively upon OOC inspections rather than having their own safety professionals conduct comprehensive inspections. In other cases, when necessary and practical, the OOC has also brought safety professionals together with other stakeholders to coordinate and develop solutions to safety concerns that are acceptable to all concerned.

[1] Under the CAA, the OOC's General Counsel is granted the same authority as the Secretary of Labor in subsections (a), (d), (e) and (f) of OSHAct § 8 (29 U.S.C. § 657) and all of the authority contained in OSHAct §§ 9 and 10. Unlike the OSHAct, 29 U.S.C. § 657(c), the CAA does not require legislative offices to keep and provide records to the OOC necessary to develop information regarding the cause and prevention of accidents and illness; records on work-related deaths, injuries and illnesses; and records of any large exposure to toxic materials. Furthermore, unlike the OSHAct, 29 § 657(b), the CAA does not give the OOC investigatory subpoena power that Congress found in enacting the OSHAct to be "customary and necessary for the proper administration and regulation of an occupational, safety and health statute." Report No. 91–1291 of the House Committee on Education and Labor, 91st Congress, 2nd Session, p. 22; Report No. 91–1291 of the Senate Committee on Labor and Public Welfare, 91st Congress, 2nd Session, p. 12, to accompany S. 2193 (OSHAct) ("a power which is customary and necessary to the proper administration and enforcement of a statute of this nature.").

The OOC is in the process of conducting its next full-scale inspection of covered facilities. The 111th Congress Inspection is crucial to developing a strategy for future inspections because it provides the OOC with three independent data sets to form the beginnings of a trend analysis. The OOC had a picture from the data garnered from the 109th Congress Inspection, and utilized the 110th Congress Inspection data to begin looking for trends. However, with the information from the 111th Congress, the OOC will be able to implement a more thorough trend analysis and focus future inspections more effectively upon the areas with greatest risk. This means that some areas may not be included in certain inspection cycles if previously identified hazards have been abated and the likelihood of recurrence is low. In other words, provided the data supports it, the trend analysis would allow OOC to sample areas randomly to determine that hazards are not being created rather than actually inspecting every administrative space and office on campus. By doing so, the OOC will be able to devote more resources to reviewing employing office safety and health programs, to focusing inspections on high risk work areas and procedures, to developing new educational materials, and to providing more detailed technical assistance.

While the general duty imposed upon all employers (private sector, executive branch and legislative branch) is the same—compliance with Section 5 of the OSHAct by furnishing a place of employment free from hazards—the specific mandates imposed upon the executive branch are quite extensive due to the provisions of OSHAct § 19 and 29 CFR § 1960. The following table illustrates the differences between the OSH requirements for the executive branch (as mandated by 29 CFR § 1960) and the requirements for the legislative branch.

To comply with Section 5 of the OSHAct (as mandated by 29 CFR § 1960), executive branch departments are required to: Submit to inspection by agency safety and health inspectors at least annually. Designate an "Agency Safety and Health Official" (holding the rank of Assistant Secretary or equivalent) who will carry out provisions of 29 CFR §1960, Executive Order 12196, and Section 19 of the OSHAct. A principal role for this official is to provide "adequate budgets and staffs to implement the occupational safety and health program at all levels" Establish safety and health officials at each appropriate level with sufficient authority and responsibility to plan for and assure funds for necessary safety and health staff, materials, sampling, testing, analyses, travel, training and equipment required to identify, analyze and evaluate unsafe or unhealthful working conditions and operations Ensure that performance evaluations of management and supervisory officials measure their effectiveness in meeting the requirements of the occupational safety and health program Make available the agency's occupational safety and health plan to employees and employee representatives upon their request Post a conspicuous notice informing employees of the Act, Executive Order and agency occupational safety and health program, and relevant information about safety and health committees Adopt emergency temporary or permanent supplementary standards appropriate for application to working conditions of agency employees for which there exist no appropriate OSHA standards Provide safety and health inspectors with safety and health hazard reports, injury and illness records, previous inspection reports, and reports of unsafe and unhealthful working conditions Post notices of unsafe or unhealthful working conditions that are identified by the agency's internal safety and health inspectors. These posters must remain until after the hazard has been abated Investigate working conditions, which employees have reported unsafe or unhealthful, within 24 hours to 20 working days, depending on the potential seriousness of the conditions. These investigations must be made available to the employee within 15 or 30 working days depending on the condition's severity Investigate each accident that results in a fatality or in the hospitalization of three or more employees Establish procedures to follow up, to the extent necessary, to verify that hazardous conditions have been abated Prepare an abatement plan that includes a proposed timetable for abatement, an explanation of any delays in the abatement, and a summary of interim steps to abate the hazard Regularly inform established committees and/or employee representatives of the progress on abatement plans Either establish safety and health committees or be subject to unannounced inspections by OSHA. These committees, which have equal representation by management and non-management employees, monitor the performance of agency-wide safety and health programs Participate in the Safety, Health, and Return-to Employment (SHARE) Initiative which requires: (1) the establishment of goals and plans for reduction of injuries and illness; and (2) reporting on progress made toward meeting the established goals. The goals for 2004–2009 were to: (1) reduce by 3 percent the total number of employee injuries per year; (2) reduce by 3 percent the annual lost time due to worker injuries, and (3) reduce by 1 percent the total number of annual lost production days due to worker injuries. (Established by Presidential Memoranda on 1/9/2004 & 9/29/2006)	To comply with Section 5 of the OSHAct, legislative offices are required to: Submit to inspection by the OOC at least biennially.

In addition, many executive agencies apply more stringent definitions and other national standards for safety, health and fire prevention, which have not been implemented by OSHA. For example, the Department of Defense instruction on hearing conservation defines a more protective (lower) level of hazardous noise than the OSHA standard. In some cases for which no OSHA standard is appropriate, the executive branch has adopted emergency temporary or permanent supplementary standards. By contrast, the OOC does not apply any standards more stringent than those adopted by OSHA.

The CAA also requires the OOC to perform inspections in response to a written request by an employee, just as OSHA inspectors respond to written requests by executive branch employees. At executive branch workplaces that have not established a safety and health committee, OSHA is also authorized to make unannounced inspections. In contrast, the OOC does not conduct unannounced inspections of any type. Although the OOC's procedural rules permit the use of unannounced inspections, the OOC's General Counsel, exercising his authority under OOC Procedural Rule §§4.06(3) and (4), has determined that giving advance notice of inspections is "necessary to assure the presence of the representatives of the employing office and employees needed to aid in the inspection" and will "enhance the probability of an effective and thorough inspection." For these reasons, the OOC does not make unannounced biennial inspections. Most employing offices are not only notified of the inspection well in advance, but are provided with reminder notices shortly before the actual inspection.

Question. If not, doesn't this hold the Legislative Branch to a higher standard than the rest of the government? I do not think that was the intent of the Congressional Accountability Act and I certainly don't personally think it is appropriate.

Answer. The legislative branch is not held to a higher standard as the rest of the government. As explained above, the general duty imposed upon all employers (including the executive and legislative branches) is the same—compliance with Section 5 of the OSHAct by furnishing a place of employment free from hazards. However, the specific mandates imposed upon the executive branch are far more extensive than those imposed on the legislative branch due to the provisions of OSHAct §19 and 29 CFR §1960, as illustrated in the table provided above.

Question. Does your organization work closely with the Architect of the Capitol—taking into account the Architect's Capital Improvement Plan and Capitol Complex Master Plan when conducting its biennial inspections to ensure that redundancies in work are avoided?

Answer. Yes. OOC and AOC work collaboratively to conduct the biennial inspections. The biennial inspection schedule is an integral part of the interim protection methods implemented to reduce the risk to occupants of buildings having serious safety deficiencies. The OOC is very conscious of budgetary concerns and works closely with the AOC concerning plans that involve safety improvements. As features of the Master Plan have received approval and funding, the OOC and the AOC have worked closely together to avoid redundancies in work and to maintain cost effectiveness. Due to the costs of the improvements recommended by AOC in its plan to abate hazards originally discovered in 2000, the OOC is working closely with the AOC to implement interim fire prevention and fire protection methods to lower risks in those buildings with serious safety deficiencies.

The OOC also works with the AOC to conduct biennial inspections so as to cause minimal disruption of building operations. The OOC has daily contact with AOC staff and conducts regularly-scheduled meetings with the AOC to coordinate efforts. Prior to any inspection, a pre-inspection conference is held to determine how the inspection can be conducted in the most efficient and effective manner. Prior to the physical inspection of an employment site, the OOC will review any office records regarding self-inspections and other safety initiatives to avoid redundancies and to focus the inspection efficiently on areas of concern.

OOC Communications with Building Superintendents.—The OOC and the AOC have also been working on improving communication with the Superintendents' Offices regarding the hazards that have been identified during inspections. OOC and AOC representatives are working cooperatively to develop a regular agenda and to otherwise share information with the Superintendents' Offices that will better prepare them for the OSH Biennial Reports and future inspections. The additional information to be shared includes: OOC inspection priorities and changes in priorities, most common hazards, most serious hazards, inspection trends, and OOC inspector observations of existing conditions. This joint effort will benefit both the AOC and the OOC because information will be relayed to decision makers on a weekly or biweekly basis so that common hazards can be addressed, and employees in areas yet to be inspected can be informed of what the inspectors are expecting to find. This regular communication enhances overall education and protects covered employees more effectively.

Contested Findings.—In addition, the OOC provides a procedure for the AOC and other employing offices to contest Biennial Inspection findings. Every cover letter sent with the OOC's *Hazard Summary Report* includes the following language:

"As to any identified hazards your office or agency wishes to contest, please clearly identify those findings in your responses by writing CONTESTED in the response area in line with the Finding ID and explain the rationale and related standards for the contest. If you object to any of the findings, please be as specific as possible in identifying the basis of your contest, e.g. the level of the RAC assessment, if you think the finding is not a hazard, if you dispute the location of the finding, or contest responsibility for correcting the hazard, etc."

This procedure ensures that any dispute over a finding, no matter what the reason, will be presented to the General Counsel for review. The General Counsel responds in writing to any contested finding filed by an employing office.

Cannon Building Project.—The Cannon building project does not entail redundant or wasted work; the OOC has not required the installation of expensive stairwell enclosures only to be torn out during future remodeling. First, the OOC citation issued in 2000 does not mandate a specific abatement solution; instead the OOC's role is to evaluate whether the abatement measures proposed by the AOC will adequately abate the hazard pursuant to the OSHAct and fire protection standards. Second, the OOC has assisted AOC in an efficient implementation of the AOC's current plan for the Cannon Building. Stairwells 3–7 are already enclosed or in the process of being enclosed and will remain so in the new design. The alternate life-safety measures (creation of separate life-safety zones) to account for the unclosed rotunda stairways (1 and 2), if funded, will not be installed until 2012, after the design for the renovation has been completed. The renovation design plans are likely to incorporate these measures. If not, any necessary modifications to the fire safety measures can be made prior to any construction. If there are any delays in construction, the OOC has agreed to work with the AOC to identify and implement interim fire prevention and protection methods.

Question. Does your office consider whether work that is required by a citation may be addressed in phases so that the impacts of the work on occupants and budgets may be minimized?

Answer. Yes. When the OOC issues a citation, it only identifies hazards; it does not mandate particular ways in which the AOC is required to abate the hazard. The covered offices are given maximum flexibility to develop, consider and implement various corrective measures. For example, the citations regarding unenclosed stairwells contain the following abatement instructions: "evaluate alternatives to reduce the danger posed by open stairwells and develop plan to reduce danger, taking into account costs, benefits, and historic preservation." The OOC provides technical guidance and assistance to the covered offices regarding various solutions that are being considered. As the technical expertise of the Office has expanded, more assistance has been provided. Although the CAA requires that violations be corrected "as soon as possible" and no later than "the end of the fiscal year following the fiscal year in which the citation is issued" [2 U.S.C. § 1341(c)(6)], the OOC works with the employing offices to implement interim safety measures when abating a citation will require expensive alterations and take more than one Congress to complete. See, GAO's Briefing for Congressional Staff, *AOC's Process for Prioritizing Capital Projects* (September 2008).

An example of such interim safety measures is the installation and enclosure of stairwells. Most of the AOC's current proposals regarding the installation and enclosure of stairwells in various buildings arose out of OOC inspections conducted in 2000. Improving fire prevention is a recognized interim measure that can allow occupancy of buildings with deficient fire protection. A biennial inspection is a comparatively inexpensive, interim measure. In buildings with inadequate fire protection, it is essential that the inspection focuses on the following: eliminating electrical hazards posed by extension cords and overloaded or inadequately protected circuits; minimizing egress hazards associated with open fire doors and obstructions in exit pathways; examining the functioning of all alarms, detectors and fire suppression systems; insuring adequate training regarding evacuation procedures and plans; and reducing the danger posed by a building's total fuel load by encouraging prudent paper storage methods. Due to relatively high employee turnover rates in legislative offices, biennial inspections are needed to keep the new staff well informed about fire prevention methods. Such fire prevention methods go a long way towards reducing the probability of fires altogether, as well as the severity of a fire should it occur.

In other cases of addressing the abatement of hazards, the OOC has acted as a facilitator by bringing together interested stakeholders so that all viewpoints can be considered and a cost-effective solution can be found. An example of this type of cooperative decision making involved the House Page School, located in the attic of the Thomas Jefferson Building. The Page School lacks safe emergency egress—a serious safety hazard. The OOC, together with the AOC, brought together representatives, of all of the interested parties including the Clerk of the House, the Capitol Police, House Employment Counsel, the Library of Congress and the Committee on House Administration. Working cooperatively with the AOC and the OOC, these parties were able to devise a cost-effective, interim solution that addresses some of the most significant safety hazards and allows the Page School to continue operating at this location in relative safety until a permanent fix can be accomplished.

Question. Do the historical buildings in our complex, such as the Capitol, the Jefferson Building, and the Russell Building have different requirements for fire and life safety than say a building being built today?

Answer. Yes. The *Code for Fire Protection in Historic Structures* (NFPA 2001) implements a performance-based approach to fire safety in historic buildings where rigid adherence to a modern code might adversely affect historic integrity. This performance-based approach, however, still recognizes that historic buildings must provide reasonably equivalent fire and life safety protection for their occupants. Older buildings that were not built in accordance with modern building codes are more challenging to inspect and require more oversight when known hazards remain unabated. Fire departments often perform inspections on older buildings more frequently than biennially since the risk of fire in buildings with old electrical and gas systems is greater and the methods of egress are not as safe as in newer buildings. NFPA *Fire Protection Handbook*, pp. 7–216—7–219 (2003). The use of frequent inspections is a common interim “fire prevention” method that allows occupation and use of a building that would otherwise be unsafe because known hazards remain unabated.

Other interim measures in buildings with inadequate egress focus on providing more time for occupants to evacuate a building. Increasing fire suppression and fire detection systems (e.g., sprinklers and smoke detectors) can help offset the threat posed by inadequate egress. Ultimately, however, all buildings need to provide safe egress to keep occupants out of danger. The answer to the question below offers a more detailed explanation as to why this is so.

Question. Why would we need to add egress stairwells to the Jefferson Building—which would cost more than $12 million and cause major disruptions to both staff and visitors—when 98 percent of the building is equipped with sprinklers, 100 percent of the building is equipped with smoke detectors, and it is fully staffed with Capitol Police in the event that a fire did occur?

Answer. After five fires [2] in Capitol Hill buildings during 1998 and 1999, the OOC began a comprehensive review of fire and life safety systems in all legislative buildings. The OOC inspection of the Jefferson Building in 2000 revealed serious life-threatening hazards pertaining to unenclosed stairwells and unprotected exit pathways that would expose school children, staff, and visitors to smoke and toxic gasses in the event of a fire. While developing a plan to abate the identified hazards, the AOC hired outside consultants, including Gage-Babcock & Associates, to evaluate egress from the building. The resulting studies led the AOC to conclude that adequate egress could best be achieved by adding additional stairwells rather than merely enclosing existing exit stairwells and pathways. The AOC’s plan for the Jefferson Building is acceptable to the OOC because, not only does it address the problems posed by unenclosed stairwells and exposed exit pathways, but it greatly improves egress throughout the building.

In assessing alternatives, the OOC and the AOC have been particularly concerned about the inadequate egress for the House Page School located in the building’s attic. The proposed new stairwell for the House Page School is the least expensive of those being proposed for the building.

The Need for Safe Egress.—While sprinklers, smoke detectors, and trained staff can provide more time for occupants to evacuate a building, buildings with these features still must provide safe egress to keep occupants out of danger. As noted

[2] In March 1998, a fire in the O’Neill Building (no longer in existence) sent sixteen Capitol Police officers to the hospital for treatment. In April 1998, seven Capitol Police officers were overcome by smoke while attempting to put out a fire in Longworth. In May 1998, a grease fire in the Longworth food court sent three kitchen workers to the hospital for treatment. In July 1998, Ford and Hart were both evacuated because of smoke. An April 1999 electrical fire in the Library of Congress’ Madison Building seriously injured one employee, and required evacuation of the entire building.

in the NFPA *Fire Protection Handbook*, p. 4–65(2003): “Under no condition can manual or automatic fire suppression be accepted as a substitute for the provision and maintenance of a proper means of egress.” Improving egress for fire safety also improves egress during other types of emergencies (including attacks on the Capitol). The Capitol Hill campus is known to be a prime target for an attack. National Commission on Terrorist Attacks on the United States, *The 9/11 Commission Report* (New York: W.W. Norton, 2004). Ensuring the safety of the nation’s leaders during a time of national emergency is a paramount national security concern. *Id.* Buildings need to have better egress when evacuation takes longer due to congestion, confusion, and slower walking speeds because they contain public assemblies, strollers and wheelchairs, young visitors unfamiliar with the layout, and occupants over the age of 65. NFPA *Fire Protection Handbook*, pp. 4–58—4–59, 13–64 (2003).

Sprinklers.—Sprinkler systems do not prevent fires but help control fires after they occur. NFPA, *Fire Protection Handbook*, p. 13–56 (2003). Fires often start in utility closets, electrical cabinets and other locations that do not contain sprinklers. NFPA, *Fire Protection Handbook*, p. 13–52 (2003). Sprinklers do not control fires that start in locations outside of the water distribution pattern due to obstructions (such as under desks and tables). NFPA, *Fire Protection Handbook*, p. 10–201 (2003). Fire risk in a building is determined by the “fire load” or “fuel load,” which measures the amount of combustible material in the building. NFPA, *Fire Protection Handbook*, p. 2–42 (2003). Buildings that contain tons of paper and wooden furnishings have larger fire loads than many industrial buildings. NFPA, *Fire Protection Handbook*, p. 6–347 (2003); Robert J. Fischer and Gion Green, *Introduction to Security*, p. 216 (7th ed. 2004). Combustible materials, like paper, store heat and act like ovens during fires even if there is no ignition. Robert J. Fischer and Gion Green, *Introduction to Security*, p. 216 (7th ed. 2004). Sufficient heat can be generated by un-ignited combustible material to destroy everything inside a building. Robert J. Fischer and Gion Green, *Introduction to Security*, p. 216 (7th ed. 2004).

Smoke Detectors.—While smoke detectors can alert occupants to the presence of smoke, these devices do not eliminate the dangers posed by smoke, heat, toxic gas, explosion and panic. Smoke, heat, toxic gas, explosion and panic are more frequent killers during fires than flames. NFPA, *Fire Protection Handbook*, p. 2–42 (2003). “Best estimates are that two-thirds of all fatal injuries in fires are due to smoke inhalation, possibly in combination with other fire effects, with more than half of such deaths attributable to smoke inhalation alone.” John R. Hall, “Burns, Toxic Gases and Other Fire-Like Hazards in Non-Fire Situations,” p. 2 (NFPA 2004). During a fire, un-ignited combustible materials generate smoke. *Fire Protection Handbook*, p. 8–23 (2003). Smoke can reduce visibility to zero within 2 minutes of a fire’s ignition. A test subject was unable to find a stairway located less than 2 feet away. Robert J. Fischer and Gion Green, *Introduction to Security*, p. 218 (7th ed. 2004). The danger of unenclosed stairways is that, without floor-to-floor separations, smoke and fire can easily spread from the floor of origin to other areas of the building, thereby increasing the risk of disability and death due to obscured visibility, asphyxiation, and panic. NFPA, *Fire Protection Handbook*, p. 12–99 (2003). By providing isolation from smoke, fumes, and flames, enclosed stairways also provide safe egress that minimizes the risk of panic. The risk of panic is greater in buildings such as the Jefferson Building which contain frequent assemblies and many visitors unfamiliar with its layout and evacuation plans. NFPA, *Fire Protection Handbook*, p. 13–36 (2003).

Capitol Police.—Trained personnel, such as members of the Capitol Police, can provide valuable assistance to occupants during a time of fire or other emergency. Panic can easily erupt in facilities such as the Jefferson Building, which receive frequent visitors who are unfamiliar with the building’s layout and evacuation procedures. Trained personnel can help instill calm by providing direction and assistance as needed. Providing trained personnel, however, is not a substitute for providing a safe method of egress.

Fire safety is still a serious problem that must be continually addressed on the Capitol Hill campus. There have been at least 48 fires in Capitol Hill buildings since 1985. A list of these fires has been included in the accompanying Appendix A. There have been 22 fires since 2000.

APPENDIX A.—IDENTIFIED CAPITOL COMPLEX FIRES; 1985 TO PRESENT

The Office of Compliance has identified the following fire events as having occurred within the Capitol Complex between 1985 and 2009. This list has been reviewed by the AOC for accuracy.

(IN REVERSE CHRONOLOGICAL ORDER)

Date: 4/26/2009
Facility: DSOB
Location: Northeast corner Generator Room
Description: Generator Fire

Date: 1/27/2009
Facility: Madison Building
Location: Conservation Lab
Description: Trash can fire

Date: 9/6/2008
Facility: Capitol Power Plant
Location: West Refrigeration Bldg.
Description: Arc Flash Explosion and fire (localized to a capacitor cabinet) destroyed electrical equipment; plant evacuated; D.C. Fire Dept. called to scene.

Date: xx/xx/2008
Facility: Capitol Power Plant
Location: (unspecified)
Description: Electrical circuit fire to a chilled water pump; damage minimal.

Date: 4/7/2008
Facility: House Page Dorm Bldg.
Location: Laundry room
Description: Electrical fire; building evacuated; one USCP officer suffered smoke inhalation and was transported to hospital (treated and released).

Date: 11/2/2007
Facility: DSOB
Location: Restroom
Description: Building evacuated.

Date: 10/31/2007
Facility: DSOB and HSOB
Location: Dirksen basement stairway
Description: Buildings evacuated.

Date: 10/3/2007
Facility: DSOB and HSOB
Location(s): Various women's restrooms
Description: Four separate suspicious fires in women's restrooms (3 fires in Dirksen and 1 in Hart). Fires extinguished by USCP.

Date: 9/28/2007
Facility: HSOB
Location: Women's restroom
Description: Suspicious fire (presumed arson). Fire extinguished by USCP.

Date: 9/26/2007
Facility: HSOB
Location: Women's restroom
Description: Suspicious fire (presumed arson). Fire extinguished by USCP.

Date: 2/27/2007
Facility: LHOB
Location: Credit union
Description: Small computer fire.

Date: 11/07/2005
Facility: Jefferson Bldg
Location: Stack control room
Description: Electrical transformer fire.

Date: 10/8/2005
Facility: Power Plant
Location: (unspecified)
Description: Electrical substation explosion and fire; near total loss of affected equipment; shut down of power plant for several hours.

Date: 06/09/2005
Facility: RHOB
Location: Concealed pipe chase

Description: Smoldering fire in concealed pipe chase caused by hot work on roof; building evacuated; minimal damage and no injuries.

Date: 5/11/2005
Facility: Capitol
Location: Office (unspecified)
Description: Fire in office space (localized); believed to have been caused by smoking materials.

Date: 1/6/2005
Facility: Capitol
Location: Office (unspecified)
Description: Fireplace improperly lit; extensive smoke migration throughout building; temporary evacuation of the building. DCFD called to scene for investigation and smoke removal.

Date: 10/13/2004
Facility: RHOB
Location: Sub-basement
Description: Fire in corridor (cause believed to be smoking materials) with extension to three storage rooms; facility evacuated; dense smoke conditions reported; two USCP officers treated for smoke inhalation at the scene.

Date: 07/06/2003
Facility: RSOB
Location: Exterior transformer vault
Description: Significant electrical fire atop transformer.

Date: 1/24/2003
Facility: Madison Bldg
Location: 7th Floor
Description: HVAC filters caught fire; building evacuated for hours; smoke accumulation in remote locations throughout building (due to HVAC involvement).

Date: 6/29/2002
Facility: Capitol
Location: Ventilation system; 4th floor
Description: Electrical motor fire; complete building evacuation; burning oil created dense smoke conditions that spread through the ductwork to other parts of the Capitol. Fire extinguisher used to put out fire.

Date: 5/9/2001
Facility: RHOB
Location: Member's office
Description: Fire caused by lit candles in bathroom. Building evacuated for several hours during the incident. Minor damage to the bathroom.

Date: 6/20/2002
Facility: Jefferson Bldg
Location: Elevator mechanical room
Description: Electrical fire; moderate damage.

Date: 9/1/2000
Facility: DSOB
Location: Display case
Description: Fire caused by defective light ballast; minimal damage and disruption.

Date: 8/10/2000
Facility: Capitol
Location: Rotunda
Description: Damage to statue and minor smoke throughout building; tours delayed several hours until smoke cleared.

Date: 2/25/2000
Facility: CHOB
Location: Staff office
Description: Total destruction of office; smoking materials believed to be cause of the fire.

Date: 4/6/1999
Facility: DSOB
Location: Kitchen

Description: Total loss of the involved cooking equipment and food materials. Food service area shut down for several days for repair and clean up.

Date: 4/3/1999
Facility: Madison Bldg
Location: Substation A
Description: Electrical explosion; two workers injured (one in critical condition); building evacuated.

Date: 1/13/1999
Facility: Capitol
Location: West front steps and walkway
Description: Incendiary device ignited by demonstrators.

Date: 11/20/1998
Facility: HSOB
Location: Garage
Description: Vehicle in garage caught fire; loss of vehicle was total; adjacent vehicles sustained moderate to severe damage. Building evacuated for several hours until incident was cleared and smoke was removed from the building's garage levels.

Date: 7/29/1998
Facility: CHOB
Location: 4th floor
Description: Fire incident to construction operations; damage to window area and adjacent office space.

Date: 7/16/1998
Facility: Ford HOB
Location: Elevator machine room
Description: Fire in elevator machine room; building evacuation; loss of elevator motor and elevator.

Date: 5/14/1998
Facility: LHOB
Location: Sub-basement elevator machine room
Description: Extensive smoke and water damage to area; several USCP officers injured by smoke.

Date: 5/6/1998
Facility: LHOB
Location: Cafeteria kitchen
Description: Grease fire; suppression system activated; food line shut down for the day for repair and clean up.

Date: 4/23/1998
Facility: LHOB
Location: West elevator machine room on the sub-basement level
Description: Developed fire in elevator machine room. USCP response officers attempted to extinguish—unsuccessful (fire ultimately controlled by D.C. Fire Dept). Ten USCP officers suffered smoke inhalation and received medical treatment. Smoke concentrations reached the top floor of the building.

Date: 1/23/1998
Facility: Botanic Garden's Administration Bldg
Location: Office #115
Description: Fire in office HVAC Equipment heating system (cause: fan coil unit's motor overheated).

Date: 7/11/1997
Facility: Madison Bldg
Location: Loading dock
Description: Fire began on dock with spread to nearby stored materials and trash compactor.

Date: 5/2/1997
Facility: HOB Annex I
Location: Page Dorm
Description: Total loss of room contents. Fire effects penetrated from 6th floor to 7th floor.

Date: 3/27/1997
Facility: HOB Annex I
Location: Page Dorm; 3rd floor Page room

Description: 50 percent loss in room (cause: portable electric fan on floor). Pages evacuated.

Date: 1/13/1997
Facility: Capitol
Location: (unspecified)
Description: Exterior fire (arson).

Date: 9/27/1995
Facility: CHOB
Location: Basement mechanical equipment room
Description: (not available).

Date: 10/1/1994
Facility: House warehouse
Location: (unspecified)
Description: Arson fire; loss estimated at $100,000 + artifacts.

Date: 7/8/1992
Facility: Jefferson Bldg
Location: (unspecified)
Description: Fire during renovation project (finishing materials used in the renovation project ignited).

Date: 10/2/1990
Facility: DSOB
Location: 4th Floor trash cart
Description: Smoke migration throughout building.

Date: 7/29/1988
Facility: CHOB
Location: 4th floor office
Description: Fire consumed part of office and window.

Date: 5/6/1988
Facility: LHOB
Location: Speakers private office suite (2nd floor)
Description: Electrical fire in kitchen and reception areas. Estimated damage $500,000. Required extensive restoration. Two USCP officers treated for smoke inhalation at the scene.
(It is OOC's understanding that after this fire, the Congress directed the AOC to install fire alarms in all of the major Capitol Hill Buildings. Congress also established the House Select Committee on Fire Safety to investigate the condition of fire protection features in the House Office Buildings and Capitol.)

Date: 5/5/1988
Facility: LHOB
Location: Cafeteria
Description: Fire suppressed by fixed extinguishing system. Food line shut down for several days for repair and clean-up.

Date: 5/29/1986
Facility: Adams Bldg
Location: 4th floor; corner room
Description: Most materials and ceiling insulation in room destroyed. Heavy smoke conditions throughout the floor.

Date: 2/28/1985
Facility: RSOB
Location: Senator's suite
Description: Computer equipment fault resulting in fire.

Question. How would you compare the OOC system of occupational safety and health inspections to the inspections done by OSHA in executive branch agencies?

Answer. The table comparing the two systems should be responsive to this question. In addition, I would like to add that OOC inspections are very similar to "wall to wall" OSHA inspections. The inspection procedure used by the OOC is actually more "agency friendly" than OSHA's procedure because, unlike OSHA inspections which are almost always unannounced, OOC biennial inspections are only performed after notice of the inspection is provided to the employing offices. This practice provides the employing offices with an opportunity to inspect and correct any known hazards prior to an inspection—and many do.

Question. How much do you rely on the Occupational Health and Safety Administration or other executive branch agencies to do your work? If you rely on a decision or opinion of OSHA or some other Executive branch office, is this allowed under the Congressional Accountability Act? Does OSHA itself conduct inspections in Congressional facilities?

Answer. The OOC attempts to apply OSHA regulations as they are interpreted across the federal government and the private sector. OSHA also publishes directives and issues decisions interpreting its standards which provide useful guidance to the OOC's General Counsel in exercising his statutory authority under the CAA. OOC's hearing officers are also guided by judicial decisions interpreting OSHA as mandated by the CAA. 2 U.S.C. § 1404(h). Currently, a detailee from the Department of Labor provides technical assistance and assists in supervising the inspectors; however, he reports directly to the General Counsel and is under his direct supervision. The other inspectors are either CAA employees or contractors. The CAA permits the Department of Labor to detail, upon request, personnel to the OOC as may be necessary to advise and assist the OOC in carrying out its OSHA-related duties under the CAA. 2 U.S.C. § 1341(e)(4).

As indicated in the OOC's fiscal year 2010 budget request, the detailee from the Department of Labor (OSHA) is scheduled to retire during the current fiscal year and OSHA has indicated that it cannot furnish a comparable or similar replacement detailee. See, OOC, *Budget Justification Request for the Committee on Appropriations*, p. 13 (fiscal year 2010). The fiscal year 2010 budget proposal has requested funding to replace this vital employee.

Congress did not adopt the substantive occupational safety and health regulations that were proposed by the OOC in 1996. The CAA requires that any regulations issued by the OOC be the same as substantive regulations promulgated by the Secretary of Labor except to the extent that a modification of such regulations would be more effective for the implementation of the rights and protections under CAA § 215. See 2 U.S.C. § 1341(d)(2). With respect to any OOC proceeding, if no regulations are issued, the CAA requires the OOC to apply "the most relevant substantive executive agency regulation promulgated to implement the statutory provision at issue in the proceeding." See 2 U.S.C. § 1411. These provisions suggest that the OOC can properly consider decisions and opinions from OSHA when interpreting the safety and health provisions of the CAA.

The OOC is also in the process of developing regulations that will be consistent with the current OSHA regulations and will include the same requirements now followed by OGC during its biennial inspections.

OSHA will inspect Congressional facilities only with respect to a private contractor performing services on the campus. To the best of the OOC's knowledge, OSHA has conducted inspections only in response to complaints regarding private contractors performing services on the campus.

Question. How do you see your responsibilities and role vis-a-vis safety professionals in the employing offices? Do you give their own OSH inspections any credit or deference when deciding what needs inspection?

Answer. The OOC's evaluation function includes examining the performance of safety initiatives and safety professionals in the employing offices. The OOC's ability to conduct this evaluation function has been somewhat hampered by the failure to incorporate the provisions of 29 U.S.C. § 657(c) (relating to maintenance, preservation and availability of safety records) into the CAA[1]. The OOC's recent Section 102(b) Report to Congress (December 2008) proposes several legislative changes that would correct this problem proposes several legislative changes that would correct this problem by applying OSHA's recordkeeping and reporting requirements to the employing offices covered by the CAA. See OOC, *Section 102(b) Report*, p. 10 (December 2008). Under the current statutory scheme, unlike the executive branch or private employers, employing offices are not required to make, keep, and preserve, or provide to the OOC records deemed necessary for enforcement of OSHAct Section 5, including records on work-related deaths, injuries and illnesses, and records of employee exposure to toxic materials and harmful physical agents. Similarly, under the current scheme, the OOC is unable to consider any inspection findings of safety professionals in the employing offices because employing offices do not share their inspection findings with the OOC. OOC inspectors are observing a decrease in the number of identified hazards, as well as increased educational efforts from the employing offices, but without inspection data from the employing offices signifying that they have adequately examined and removed OSH hazards from the workplace, the OOC must continue to do what is necessary to ensure a safe and healthy workplace for covered employees. In addition, neither the AOC nor any other covered employing office provides the OOC with injury and illness records that are necessary for strategically determining what areas should be inspected more regularly or provided more technical assistance. This information is not required as part of the CAA, and without it, the OOC depends on its biennial inspections to provide information regarding safety and health conditions to Congress.

Even with these limitations, the OOC works cooperatively with safety professionals in the employing offices to improve conditions in those offices and also facilitates compliance by providing technical assistance and educational opportunities to these individuals. Some employing offices have decided to rely exclusively upon OOC inspections rather than having their own safety professionals conduct comprehensive inspections. In other cases, when necessary and practical, the OOC has also brought safety professionals together with other stakeholders to coordinate and develop solutions to safety concerns that are acceptable to all concerned.

The OOC is in the process of conducting its next full-scale inspection of covered facilities. The 111th Congress Inspection is crucial to developing a strategy for future inspections because it provides the OOC with three independent data sets to form the beginnings of a trend analysis. The OOC had a picture from the data garnered from the 109th Congress Inspection, and utilized the 110th Congress Inspection data to begin looking for trends. However, with the information from the 111th Congress, the OOC will be able to implement a more thorough trend analysis and focus future inspections more effectively upon the areas with greatest risk. This means that some areas may not be included in certain inspection cycles if previously identified hazards have been abated and the likelihood of recurrence is low. In other words, provided the data supports it, the trend analysis would allow OOC to sample areas randomly to determine that hazards are not being created rather than actually inspecting every administrative space and office on campus. By doing so, the OOC will be able to devote more resources to reviewing employing office safety and health programs, to focusing inspections on high risk work areas and procedures, to developing new educational materials, and to providing more detailed technical assistance.

Question. By what criteria does your office decide to issue a citation or a complaint? Do you or your deputies review each of these citations before they are issued?

Answer. *Criteria and Process Used to Issue a Citation*.—If the safety and health specialist and attorney assigned to evaluate a certain finding believe that a citation should be issued, they prepare a report and make recommendations to the General Counsel. In formulating their recommendations, they often consult outside specialists at OSHA, GSA, NIOSH or other entities with expertise in the subject matter. The General Counsel reviews each and every report submitted and makes an independent determination as to whether a citation should issue. A citation is only issued if the hazard is particularly serious or creates an imminent risk to legislative branch employees or the public; when the hazard constitutes a "repeat" or similar or related violation of the type found in past inspections or which a broad, systematic remedy may be required; when an employing office fails to take appropriate and timely steps to correct a hazard; or when it is otherwise necessary to effectuate the purposes of the occupational safety and health laws.

Communication of Process to Employing Offices.—The processes followed by the General Counsel's office with respect to the issuance of citations are well documented. This information has been previously communicated both in writing and in face-to-face conversations with employing offices. For example, *Biennial Report on Occupational Safety and Health Inspections for the 108th Congress*, pp. 7–11 (October 2005); *Biennial Report on Occupational Safety and Health Inspections for the 108th Congress*, pp. 4–5 (April 2008). See also, letter to Terrell G. Dorn, P.E. from Peter Ames Eveleth, April 21, 2008, describing our citation processes (previously provided to the Committee, most recently on February 3, 2009). The General Counsel issues citations only infrequently, 67 in the 13-year history of this Office. Moreover, only a single complaint has been filed—that challenging the AOC's failure to abate long-standing, life-threatening safety and health hazards in the Capitol Power Plant utility tunnels. In contrast, during that period, many thousands of hazards have been identified in the hazard findings reports issued to the employing offices by the OGC following the inspection of each facility without issuance of a citation—13,140 in the 109th Congress biennial inspection and 9,336 in the 110th Congress inspection. The responsible employing office's obligation to abate any hazard identified by the General Counsel applies whether or not a citation has been issued.

No Routine Issuance of Citations.—Both OSHA and the OOC's General Counsel are required to issue citations for every serious hazard identified by inspections. Unlike OSHA, which immediately issues a citation and imposes monetary penalties for every serious hazard identified by its inspections, the General Counsel only issues citations when less formal, non-adversarial means have failed to abate a hazard. The General Counsel notifies the employing offices of hazards requiring abatement rather than routinely issuing citations. Given the vast number of hazards discovered during inspections, the General Counsel has determined that this procedure achieves more expeditious and voluntary abatement of hazards. The decision to issue a formal citation or to follow a more informal process lies within the statutory discretion of the General Counsel.

Only One Complaint Has Ever Been Issued.—As indicated previously, only one complaint has been issued in the history of the OOC. This was issued due to the AOC's failure to abate long-standing, life-threatening safety and health hazards in the Capitol Power Plant utility tunnels. A complaint will only be issued when little or no effort has been made to abate similar long-standing, life-threatening safety and health hazards.

Question. Does the risk assessment code that you give to an OSH matter, such as those highlighting possibly deficient egress points in a building, include a consideration of the cost and difficulty of corrections and possible disruptions to a building's occupants? How might a risk-based analysis of safety citations affect your work?

Answer. The risk assessment code (RAC), developed and applied by OOC inspectors working cooperatively with the AOC, is in fact a risk-based analysis of safety hazards based upon the degree of harm and probability of occurrence. The employing or correcting office determines how to abate the hazard and takes into account cost, disruption of operations, and historical consistencies. The role of the OOC is to determine whether the abatement options proposed by the offices are adequate and timely.

As noted earlier, the OOC's primary function is to provide an objective evaluation of the hazards found in legislative branch buildings and to provide technical assistance to employing offices when solutions are being considered. The employing offices customarily consider the cost and difficulty of corrections and possible disruptions to a building's occupants when evaluating and proposing different abatement options.

The risk assessment codes (RACs), which the OOC began to use in coordination with the Architect of the Capitol's Director of Safety, Fire and Environmental Programs, are a version of the RACs used by the Department of Defense. These codes do not include costs or disruptions in operations. They have been established to reflect the relative risk, viewed as a combination of the likelihood of an exposure to a hazard and the severity of the resulting injury or illness.

The Department of Defense Instruction, DOD Safety and Occupational Health Program, DODI 6055.1, August 19, 1998, uses the RAC in conjunction with a Cost Effectiveness Index (CEI) to determine an Abatement Priority Number (APN). The CEI is the cost of correction divided by an effectiveness index, which has been derived from an analysis of DOD accident experience. In the Department of Defense, the APN is used to establish the priority of the funding for abatement projects. That accounts for the risk, the cost and the effectiveness of the proposed abatement plan.

To the best of the OOC's knowledge, none of the employing offices covered by the CAA uses the APN system to prioritize based upon cost effectiveness. In its fiscal year 2010 budget request, the OOC has requested funding for a Compliance Officer who would be able to help the employing offices establish cost-effective abatement measures. See, OOC, *Budget Justification Request for the Committee on Appropriations*, p. 13 (fiscal year 2010). In addition, the OOC's recent Section 102(b) Report to Congress (December 2008) proposes several legislative changes that might assist in determining relative abatement priorities. These changes involve adoption of OSHA's record keeping and reporting requirements regarding accident experience. See OOC, *Section 102(b) Report*, p. 10 (December 2008). Effective abatement priorities cannot be determined without information about accident experience.

Question. Do you give priority to facilities that may be lacking certain safety features, such as fire sprinklers, or having a greater number of occupants exposed to safety issues?

Answer. Yes. The OOC, in conjunction with the AOC, prioritizes the safety hazards in and among facilities by taking into consideration the existence of safety features such as automatic fire suppression systems and building occupancy rates. For instance, in deciding whether a building's egress deficiencies would merit the issuance of a citation, the OOC's General Counsel would consider the number of occupants in the building when determining whether the hazard was so serious as to require a citation.

Question. Does your office consider whether corrections that a citation lists may be spaced over time so that the impacts of the corrections on occupants and budgets may be minimized?

Answer. Yes. The Office of Compliance already works with the AOC in a flexible manner to ensure that its abatement efforts are focused on the highest risks, i.e., the fire and life safety hazards that the Office identified in the U.S. Capitol, Senate and House Office Buildings, and Library of Congress Buildings. The OOC identified these hazards in 2000 and 2001; they are the subject of open Citations 16–19 and 29–30.

We recognize that abating these citations presents many challenges. The projects are designed to correct critical safety and health hazards that confront Members, employees and visitors. The buildings affected are historic structures with powerful symbolic importance that must simultaneously accommodate ongoing legislative work, supporting services, and visitor access. And, of course, securing adequate funding given many competing demands is always a knotty problem. These factors complicate the OOC's already-difficult task of evaluating the effectiveness of hazard abatement proposals offered by the AOC.

The AOC's task is more challenging still. While, in this context, the OOC is charged "only" with enforcing the safety and health protections of the Congressional Accountability Act, the AOC also must consider other priorities: building maintenance, historic preservation, initiatives such as "Green the Capitol," and many more.

In light of these many important and sometimes-conflicting missions, our Office has commenced a comprehensive risk analysis. We are working closely with the AOC to identify projects where temporary adjustments can minimize life safety risks until permanent structural corrections can be made. Together, our offices have begun by pinpointing interim measures for the House Page School in the Thomas Jefferson Building. Those measures are designed to ensure that students and faculty have evacuation routes that minimize the risk of injury until an enclosed exit stairway is constructed. We will continue to work with the AOC to identify other infrastructure hazards whose risks can be reduced by interim abatement measures.

We are also examining AOC's fire prevention programs, which include the installation of sprinklers in legislative branch facilities. Fire prevention is particularly important in historic structures, where repair or replacement is difficult if not impossible. These programs reduce but cannot eliminate the risk that a fire may occur. Accordingly, to protect lives, it is essential permanently to correct hazards such as inadequate exit capacity, stairways not protected from fire and smoke infiltration and the like.

Effective interim measures may not be feasible in every facility. Even the best fire prevention programs cannot guarantee safe evacuation from a structurally-deficient building. Significant, permanent alterations to existing facilities will be required in order to ensure that Capitol Complex occupants may escape a fire safely. No credible risk analysis can overlook these facts. We look forward to continued cooperation with the AOC and other stakeholders to develop an analysis that accounts for these and all other relevant concerns.

We are hopeful that the AOC–OOC risk analysis will be complete by September 1, 2009. Thereafter, the AOC and the OOC look forward to presenting that analysis to the Senate and House Appropriations Subcommittees, as well as to our oversight Committees. Our goal is to provide this and other Committees with the information necessary to ensure that funding is directed toward the highest risks.

Question. Your Board adopted OSH standards in January 1997. Are these the standards that your office applies when you decide to issue a notice of deficiency or a citation? What is the difference between notices of deficiency and citations? Do you hear or review the employing office's responses contesting the merits of these findings? If not you, who, may review these responses? If the response describes a matter that boils down to a difference of opinion or judgment, what deference do you give to the thoughts of the employing office representatives? Is there a way for an employing office to appeal to a higher authority such as a neutral expert or the OOC Board?

Answer. The OOC goes to great lengths to "get it right." It provides multiple opportunities for employing offices to provide information, opinions, suggestions, and criticisms.

Deficiency Notices.—Congress did not adopt the OSH regulations proposed by the OOC Board. The OOC does not issue so-called "notices of deficiency." If an imminent danger is discovered during an inspection the OOC issues a "Notice of Serious Deficiency." The Notice of Serious Deficiency requires the responsible office to abate the hazard within 24 hours; the AOC routinely complies with such a Notice and abates the hazard accordingly. If the hazard does not present so immediate a threat, the OOC instead includes it in the list of hazard "findings" that are included in the final inspection report forwarded to the employing office. This procedure allows employing offices to develop a plan voluntarily to abate the hazard. The vast majority of hazards are abated using this procedure.

Consideration of Employing Offices' Responses.—As noted earlier, the OGC initially allows employing offices to contest any hazard finding found during a Biennial Inspection. Every cover letter sent with the OOC's *Hazard Summary Report* includes information regarding how to contest the finding. If there is a dispute over a finding, for whatever reason, an employing office can appeal to the General Counsel for review. The General Counsel will respond in writing to the employing office and inform them that the hazard has been marked as abated, removed from the list of identified hazards, or remains open because the General Counsel has determined that there is sufficient justification for the finding.

The General Counsel will also afford the employing office an opportunity to set forth its position on the merits of a hazard finding, in writing or face-to-face, if he is considering whether to issue a citation. Even after the citation is issued, the employing office is given the opportunity to present additional information to the General Counsel. The General Counsel gives significant consideration to the information presented by employing offices. A typical citation contains the following language:

"*Informal Conference*.—At the request of the affected employing office, employee, or representative of employees, the General Counsel may hold an informal conference for the purpose of discussing any issues raised by an inspection, citation, or notice, including the abatement date. If you decide to request an informal conference, please mail or fax the request to the General Counsel within 10 working days of your receipt of this Citation. See Office of Compliance Rules of Procedure, §4.15.

"During such an informal conference, you may present any evidence or views which you believe would support an adjustment to the citation. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far."

Citations.—Under the CAA, the OOC's General Counsel has the authority to issue a citation to any employing office responsible for correcting an OSH violation. 2 U.S.C. section 1341(c)(2). The "history factor," that is, whether the hazard constitutes a "repeat" or similar/related violation of a type found in past inspections, is one of several factors taken into account in deciding whether to issue a citation. Other factors that the General Counsel considers include whether the identified hazard is particularly serious, or creates an imminent risk to legislative branch employees or the public; whether a broad, systemic remedy may be required; whether an employing office fails to cooperate in an investigation or to take appropriate and timely steps to correct a hazard; or whether the General Counsel determines it is otherwise necessary to effectuate the purposes of the occupational safety and health laws. These criteria were published in the General Counsel's Biennial Report on Occupational Safety and Health Inspections for both the 108th Congress (issued October 2005, pp. 10–11) and 109th Congress (issued April 2008, pp. 4–6).

Appeal Procedure.—While the CAA does not contain an appeal procedure allowing review of the General Counsel's discretionary decision to issue a citation or a complaint [2 U.S.C. §§ 1341(b)(2) and (3)], nevertheless, as indicated previously, employing offices are provided with multiple opportunities, both before and after a citation is issued, to respond by presenting information and evidence to the General Counsel for consideration. In addition to these informal procedures, the CAA provides a formal procedure in the event that a citation is elevated to a complaint. An independent hearing officer has the authority to decide whether a complaint issued by the General Counsel has any merit. See 2 U.S.C. § 1341(c)(3) and 2 U.S.C. § 1405(g). The hearing officer's decision can be appealed to the OOC Board. 2 U.S.C. § 1406.

Variance Requests.—An employing office can also request from the Board an order granting a variance from a standard being applied. See 2 U.S.C. § 1341(c)(4). The Board's final decision is subject to judicial review if a party is aggrieved by the decision. 2 U.S.C. § 1341(c)(5).

Question. If a citation ends up in the issuance of a complaint, do you have access to OSHA experts to serve as hearing officers to judge whether the citation must be obeyed?

Answer. Yes. In the only complaint that has been issued in the history of the OOC, an OSHA expert was contracted to hear the case, but the case was resolved through a comprehensive settlement agreement reached by the parties. I am in the process of developing a master list of experts in technical matters relating to occupational safety and health matters to serve as hearing officers.

QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

BIENNIAL INSPECTIONS

Question. The Office of Compliance conducts biennial inspections of the Capitol complex. I understand that there are over 9,000 findings in the draft report for the 110th Congress biennial inspection. What are the most serious deficiencies which have been identified? To what extent have these deficiencies been identified in prior inspections? Does it make sense to continue to conduct full-scale biennial inspections, now that the OOC has conducted major campus-wide inspections for the past three Congresses? What is the cost of conducting a biennial inspection?

Answer: *Most Serious Deficiencies Identified*.—During the 110th Congress Biennial Inspection, the OOC inspection team identified 19 extremely serious safety violations—those classified as Risk Assessment Code (RAC) 1 hazards—the most dangerous category. Those deficiencies included unenclosed stairwells, penetrations in fire barriers, unrated or under-rated fire doors, and other obstructions exposing evacuating employees and visitors to toxic smoke and gasses; deficient emergency notification systems; and failure to provide effective fall protection. Nearly 2,000 other findings were classified as RAC 2 violations. These findings involved (1) damaged or deteriorating transite boards[3] (exposing employees and visitors to asbestos fibers); (2) missing, damaged or defective covers, outlets, switches, electrical cords, electrical panels, and plugs (causing risk of electrical shock and fire); (3) lack of effective emergency lighting; and (4) defective or missing machine guards.

Extent that Deficiencies were Identified Previously.—Approximately 90 percent of the RAC 1 hazards identified during the 110th Congress inspection were attributable to previously identified hazards that remained unabated. Between 1,200 and 1,600 of the RAC 2 hazards are related to previously identified hazards, which occur when an employing office abated an identified hazard, but did not address its cause. For example, in response to a hazard finding, the employing office may have encapsulated asbestos from broken transite boards without removing the transite boards themselves. As employees continue to roll heavy carts over these boards, additional cracks develop and more of the asbestos becomes friable (causing further exposure to employees). While the previously identified hazard may have been abated, the cause of the exposure remains unaddressed and exposure to the hazardous substance continues. Other "new" hazards may be similar to previously identified hazards. For example, a GFCI outlet added to a circuit to abate a previously identified hazard may be found to be nonfunctional during a subsequent inspection.

The Need for Major Campus-Wide Inspections.—There is still a need to conduct biennial inspections, but the OOC intends to limit the scope and scale of these inspections in future Congresses.

Comprehensive campus-wide inspections have only occurred during the past two Congresses. The Office of Compliance has just begun its third full-scale, wall-to-wall inspection of the Capitol complex. With the completion of this third inspection, there will exist three independent sets of data that will enable the OOC to conduct a trend analysis of safety and health conditions in the legislative branch. Such an analysis will allow the OOC to determine where progress is being made, what requires closer attention, etc. Further, in jurisdictions where adequate OSH Act mandated safety programs and procedures are in place to protect workers, the risk of serious illness or injuries and, consequently, the necessity for frequent inspections may be substantially reduced as well. Such a risk-based approach will result in more targeted deployment of inspector resources, whether in the nature of the more focused inspections to ascertain the root causes of repeat hazards or the provision of technical and educational assistance to employing offices. Future inspections can be more effectively concentrated on areas presenting the greatest potential risk of illness, death or injury. Some areas may not have to be inspected during each inspection cycle, if previously identified hazards have been abated and the likelihood of recurrence is low. Other high hazard areas may necessitate more frequent inspections to assure abatement has been promptly accomplished. This is particularly important where the continued existence of a hazard may contribute to the creation or exacerbation of a fire hazard in a facility that lacks protected evacuation routes or sufficient egress capacity in the event of a fire. If the data support it, the OOC may not need to inspect every administrative space and office on campus, but rather random sampling may be sufficient to ascertain whether or not new hazards are being created or old hazards repeated. This will permit the OOC to devote more resources to reviewing employing office safety and health programs, focusing inspec-

[3] A building material used in flooring composed of cement and asbestos that becomes friable when broken.

tions on high risk work areas and procedures, developing new educational materials, and providing more in-depth technical assistance. In making these determinations, it is important that employing offices make, keep and preserve, and provide to the OOC, data which will be needed to develop information regarding the causes and prevention of occupational injuries and illnesses, an OSH Act requirement, 29 U.S.C. 657(c), applicable to the private sector and executive branch agencies, but not required under the Congressional Accountability Act.

The OOC currently lacks sufficient financial resources and necessary statutory authority to fully track and verify abatement information provided by employing offices and then target its inspections accordingly. In its fiscal year 2010 budget request, the OOC has requested funding for a Compliance Officer who would be able to assist in the development and implementation of such a system. See, OOC, *Budget Justification Request for the Committee on Appropriations*, p. 13 (fiscal year 2010). The OOC's recent Section 102(b) Report to Congress (December 2008) proposes several legislative changes that would assist in the development of a targeted inspection system. These changes involve adoption of OSHA's record keeping and reporting requirements. See OOC, *Section 102(b) Report*, p. 10 (December 2008).

The OOC has informed employing offices that future inspections will include a review of the written safety and health programs required by the OSH Act. Due to the number of hazard findings identified in each of the last two Congresses, the OOC believes that many of these hazards could be prevented if needed safety programs were operational in the legislative branch. The inspection team has observed many hazards attributable to the lack of effective OSHA-mandated safety and health programs. Similar hazards recur because employees lack a clear understanding of what the OSHA regulations require of them. We hope that employing offices will cooperate by furnishing information regarding their written safety and health programs. However, as noted, if the CAA were amended as proposed in our *Section 102(b) Report*, the OOC would have access to injury and illness records that we could use to determine whether existing programs are effective in reducing injury, illness, and accident rates as well as a substantially savings in worker compensation and other associated costs.[4]

During the 111th Congress Biennial Inspection, the inspection team is finding fewer hazards as well as increased educational efforts by the employing offices. However, without data from the employing offices showing that they have adequately discovered and abated OSH hazards, the OOC must continue to do what is necessary to ensure a safe and healthy workplace for covered employees. In addition, as noted earlier, the employing offices do not provide the OOC—or perhaps may not make, keep or preserve—injury and illness records that would help us identify the most hazardous areas for more regular inspections and/or offers of technical assistance. Without this information, the OOC must rely upon its biennial and requestor-initiated inspections to provide information regarding workplace safety and building conditions in its biennial report to Congress. Without biennial inspections and the biennial report, Congress would not have the information required to exercise its oversight and appropriation functions.

Finally, the biennial inspection schedule is a relatively inexpensive safety measure. Together with the safety measures implemented by the Architect of the Capitol in recent years, the biennial inspection allows continued and safer occupancy of buildings that have very serious fire and safety deficiencies. Due to the large costs involved in making building modifications that will provide protected egress in the event of a fire or other emergency condition, the OOC has worked closely with the AOC and other covered entities to implement some interim prevention and protection measures to reduce the level of risk to employees and visitors in these buildings with open unprotected stairwells and deficient egress capacity. Improving fire prevention is such a recognized interim measure. The biennial inspection schedule is an integral part of such interim protection because it permits periodic training of a continually changing workforce about emergency procedures and fire prevention measures being implemented in each building. Further, by removing hazards that contribute to the creation or spread of a fire, such as improper wiring, accumulation

[4] During fiscal year 2008, the OOC commenced a study of injury rates and associated costs in employing offices in the legislative branch based upon limited injury rate data available from the Office of Worker Compensation Programs. The Library of Congress, the first office reviewed, implemented safety programs that appeared to contribute to lowering the number of new injuries occurring over the last 7 years. From the preliminary information available to this office, it appears that the LOC achieved significant cost avoidance—in excess of $11 million—during this period that otherwise would have been incurred but for that agency's efforts to reduce lost time injuries. See *Office of Compliance, Fiscal Year 2008 Annual Report* (March 2009), pp. 13–14.

of paper and other fuel sources, penetration of fire walls, inadequate or damaged fire doors, and blockage of sprinklers, fire prevention is enhanced.

Cost of Conducting a Biennial Inspection.—Most of the funds expended by the Office of the General Counsel are related to the biennial inspection process. The cost of conducting a biennial inspection is difficult to calculate with precision, given the multiple and overlapping elements of the process. We estimate that during fiscal year 2009, the OOC will spend roughly $1.4 million on the biennial inspection process.

Two FTE's—one inspector and one management analyst—and three contractors are engaged in the inspection process. This process includes (1) inspection preparation, such as reviewing past inspection notes, hazard findings, condition assessments and abatement records; (2) scheduling and coordinating inspections with employing offices; (3) travel time; (4) physically inspecting over 17 million square feet of legislative branch facilities; (5) post-inspection data entry of inspection findings; (6) reviewing data for quality control; (7) preparing Hazard Findings Reports; (8) communicating with employing offices and the AOC about findings and proposed abatement dates; (9) reviewing and resolving disputes over any findings contested by employing offices; and (10) reviewing proposed abatement measures and abatement dates.

In addition, an Administrative Assistant (FTE) and a contract clerical assistant are engaged nearly full time in inspection-related responsibilities. Three FTE attorneys also spend significant time on inspection-related work. Attorneys and inspectors provide technical assistance to employing offices concerning abatement measures, and the development and implementation of OSH-mandated safety programs and procedures. The attorney and inspection staff prepare statutorily-required reports to Congress regarding the biennial inspections. Inspectors, attorneys, and support staff contribute to the preparation of these reports, including reviewing employing office comments on the draft reports in advance of publication. At least 70 percent of the General Counsel and Deputy General Counsel's efforts are related to OSH matters.

The OOC spends funds on equipment used in the inspection, such as electrical testers, industrial hygiene equipment, door pressure gauges and slope meters. Maintaining the FMA database also requires the expenditure of funds.

The value added from these inspections has been proven by the reduction in the number of identified hazards in the last 5 years. The number of hazards dropped by roughly 30 percent between the 109th and 110th Congresses. Moreover, in the 111th Congress, the OOC is already observing a 75 percent reduction of hazards in Member offices compared to the 109th Congress. Because hazards tend to remain unabated absent oversight, we believe it unlikely that such reductions would have been achieved without our biennial inspections. Finally, as noted earlier, the biennial inspection schedule is a relatively inexpensive interim measure that substantially contributes to lowering the risk to occupants of facilities having serious fire and safety deficiencies.

CITATIONS

Question. As you know, AOC puts the highest priority on funding for projects that have received a citation from the Office of Compliance. Are projects with citations necessarily those posing the highest risk to health and safety throughout Capitol facilities?

Answer. Yes. The General Counsel issues a citation when there is a hazard posing a potentially high risk to health and safety. Citations are issued infrequently, 67 in the 13-year history of this Office, particularly given the large number of hazard findings issued during our biennial inspections. Moreover, only a single complaint has been filed—that challenging the AOC's failure to abate longstanding, life-threatening safety and health hazards in the Capitol Power Plant utility tunnels. In contrast, during that period, the OGC has notified the employing offices of many thousands of hazards following the inspection of each facility—13,140 in the 109th Congress biennial inspection and 9,336 in the 110th Congress inspection—all without issuance of a citation.

Both OSHA and the OOC's General Counsel are required to issue citations for every serious hazard identified by inspections. Unlike OSHA, which immediately issues a citation and imposes monetary penalties for every serious hazard identified by its inspections, the General Counsel only issues citations when less formal, non-adversarial means have failed to abate a hazard. The General Counsel notifies the employing offices of hazards requiring abatement rather than routinely issuing citations. Given the vast number of hazards discovered during inspections, the General Counsel has determined that this procedure achieves more expeditious and voluntary abatement of hazards. The decision to issue a formal citation or to follow a more informal process lies within the statutory discretion of the General Counsel.

Question. I understand your office has been attempting to do more outreach to the AOC and work in a more cooperative manner. How does OOC decide whether to work with the AOC or issue a citation?

Answer. The OOC goes to great lengths to "get it right." It offers multiple opportunities for the AOC and other employing offices to provide information, opinions, suggestions, and criticisms. As indicated above, citations are not regularly issued. In fact, only one citation has been issued since December 2006. The OOC is continually exploring with the AOC and other offices creative ways to work more cooperatively. The OGC offers employing offices the opportunity to contest any hazard finding found during a biennial Inspection. Every cover letter sent with the OOC's *Hazard Summary Report* includes information regarding how to contest the finding. If there is a dispute over a finding, for whatever reason, an employing office can appeal to the General Counsel for review. The General Counsel responds in writing to the employing office and informs them that the hazard has been marked as abated, removed from the list of identified hazards, or remains open because the General Counsel has determined that there is sufficient justification for the finding.

The General Counsel also affords the employing office an opportunity to set forth its position on the merits of a hazard finding, in writing or face-to-face, if he is considering whether to issue a citation. Even after the citation is issued, the employing office is given the opportunity to present additional information to the General Counsel. A typical citation contains the following language:

"*Informal" Conference*.—At the request of the affected employing office, employee, or representative of employees, the General Counsel may hold an informal conference for the purpose of discussing any issues raised by an inspection, citation, or notice, including the abatement date. If you decide to request an informal conference, please mail or fax the request to the General Counsel within 10 working days of your receipt of this Citation. See Office of Compliance Rules of Procedure, §4.15.

During such an informal conference, you may present any evidence or views which you believe would support an adjustment to the citation. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far."

As indicated above, the General Counsel will only issue a citation when the identified hazard is particularly serious or creates an imminent risk to legislative branch employees or the public; when the hazard constitutes a "repeat" or similar or related violation of the type found in past inspections or when a broad, systematic remedy may be required; when an employing office fails to take appropriate and timely steps to correct a hazard; or when he determines it is otherwise necessary to effectuate the purposes of the occupational safety and health laws.

Question. Can OOC do more to work with AOC in a flexible manner—without jeopardizing serious health and safety considerations—to ensure we fund those projects that are truly aimed at the highest risks?

Answer. Yes. The Office of Compliance does work with the AOC, as well as other offices, in a flexible manner to ensure that its abatement efforts are focused on the highest risks, i.e., the fire and life safety hazards that the Office identified in the U.S. Capitol, Senate and House Office Buildings, and Library of Congress buildings. The OOC identified these hazards in 2000 and 2001; they are the subject of open Citations 16–19 and 29–30. The AOC historically has determined what to include in its budget request. It is the AOC that has set funding priorities among citation abatement projects. The OOC traditionally has not been involved in the AOC's process of setting priorities among those projects.

At the request of staff from this Subcommittee and their counterparts in the House, the OOC and AOC recently have begun an effort to assess the relative risks posed by these open citations, with the goal of informing the process of setting funding priorities. We are working closely with the AOC to identify projects where temporary adjustments can minimize life safety risks until permanent structural corrections can be made. For example, our offices began by pinpointing interim measures for the House Page School in the attic of the Thomas Jefferson Building, which can be evacuated only via a spiral staircase. The interim measures are designed to ensure that students and faculty have evacuation routes that reduce the risk of injury until an enclosed exit stairway is constructed.

We will continue to work with the AOC to identify other infrastructure hazards whose risks can be reduced by interim abatement measures. We are hopeful that the AOC–OOC risk analysis will be complete by September 1, 2009. Thereafter, the AOC and the OOC look forward to presenting that analysis to the Senate and House

Appropriations Subcommittees, as well as to our respective oversight Committees. Our goal is to provide this and other Committees with the information necessary to ensure that funding is directed toward the highest risks.

Our analysis will include an examination of AOC's fire prevention programs, which include the installation of sprinklers in legislative branch facilities. Fire prevention is particularly important in historic structures, where repair or replacement is difficult if not impossible. These programs reduce but cannot eliminate the risk that a fire may occur, and if occurring, may be contained in scope. Accordingly, to protect lives, it is essential permanently to correct hazards such as inadequate exit capacity, stairways not protected from fire and smoke infiltration and the like.

Effective interim measures may not be feasible in every facility. Even the best fire prevention programs cannot guarantee safe evacuation from a structurally deficient building. Significant, permanent alterations to existing facilities will be required in order to ensure that Capitol Complex occupants may escape a fire safely. No credible risk analysis can overlook these facts. We look forward to continued cooperation with the AOC and other stakeholders to develop an analysis that accounts for these and all other relevant concerns.

Question. Under current law, can OOC take into consideration the importance of undertaking projects in a coordinated, risk-based manner?

Answer. As noted above, despite the time limitations imposed by the CAA, and understanding the importance of undertaking projects in a coordinated, risk-based manner, the OOC has worked with the AOC to implement interim measures to reduce the degree of risk to occupants of buildings with known safety and fire hazards requiring expensive alterations that will take more than one Congress to complete. Ordinarily, a citation sets forth the date by which abatement must be completed by the office responsible for correcting the hazard. In setting that date, the General Counsel takes into account whether full or partial abatement is achievable within that timeframe. The employing office may challenge the time set by the citation by submitting a request for modification of abatement, and if the request is not granted, an enforcement proceeding may resolve that issue. The GAO addressed this question in a Briefing for Congressional Staff, *AOC's Process for Prioritizing Capital Projects* (September 2008) as follows:

While it is clear that AOC is statutorily required to correct violations of health and safety standards, it is not clear as to when the statutory compliance requirement begins if new appropriated funds are needed because of the statutory enforcement framework regarding the OOC process for citations, complaints, and orders. While 2 U.S.C. §1341(c)(6) sets a deadline using "the end of the fiscal year following the fiscal year in which the citation is issued or the order requiring correction becomes final and not subject to further review," the OOC GC sets a time limit for corrective action consistent with OOC's regulations in its citations, complaints, and orders, which could be longer than the statutory timeframe. For example, to resolve the complaint for hazards in the Capitol Power Plant utility tunnels issued by OOC GC, the OOC GC and AOC entered into a settlement agreement that set a 5 year time limit for corrective action by May 2012, which a hearing officer ordered the AOC to comply with, whereas a literal interpretation of the statutory timeframe would require corrective action by October 1, 2008. For budgetary decisions, it is unclear whether AOC has to correct the violations: using the date of the citation or order, or the date stipulated by the OOC in citation or order. Using either time limit though, AOC must take steps to obtain sufficient funding to correct the violations, such as including amounts in its budget request; however, Congress is not required to appropriate funds to cover the corrective actions.

Question. Are there statutory changes needed to ensure we aren't holding the Legislative Branch to a higher (or different) standard than GSA or private sector buildings? Please be specific.

Answer. The OSHAct imposes a "General Duty" upon all employers (including executive branch departments and private employers) "to furnish a place of employment free from recognized hazards that are causing or likely to cause death or serious physical harm to employees" and requires employers to comply with regulations issued by the Secretary of Labor (OSHA Regulations). The Congressional Accountability Act (CAA) imposes this "General Duty Clause" upon each employing office and each covered employee. However, the CAA does not apply to the legislative branch the many specific mandates that the OSHAct imposes in the executive branch.

While the general duty imposed upon all employers (private sector, executive branch and legislative branch) is the same—compliance with Section 5 of the OSHAct by furnishing a place of employment free from hazards—the specific mandates imposed upon the executive branch are quite extensive due to the provisions of OSHAct § 19 and 29 CFR § 1960. The following table illustrates the differences between the OSH requirements for the executive branch (as mandated by 29 CFR § 1960) and the requirements for the legislative branch.

To comply with Section 5 of the OSHAct (as mandated by 29 CFR § 1960), executive branch departments are required to: Submit to inspection by agency safety and health inspectors at least annually. Designate an "Agency Safety and Health Official" (holding the rank of Assistant Secretary or equivalent) who will carry out provisions of 29 CFR §1960, Executive Order 12196, and Section 19 of the OSHAct. A principal role for this official is to provide "adequate budgets and staffs to implement the occupational safety and health program at all levels" Establish safety and health officials at each appropriate level with sufficient authority and responsibility to plan for and assure funds for necessary safety and health staff, materials, sampling, testing, analyses, travel, training and equipment required to identify, analyze and evaluate unsafe or unhealthful working conditions and operations Ensure that performance evaluations of management and supervisory officials measure their effectiveness in meeting the requirements of the occupational safety and health program Make available the agency's occupational safety and health plan to employees and employee representatives upon their request Post a conspicuous notice informing employees of the Act, Executive Order and agency occupational safety and health program, and relevant information about safety and health committees Adopt emergency temporary or permanent supplementary standards appropriate for application to working conditions of agency employees for which there exist no appropriate OSHA standards Provide safety and health inspectors with safety and health hazard reports, injury and illness records, previous inspection reports, and reports of unsafe and unhealthful working conditions Post notices of unsafe or unhealthful working conditions that are identified by the agency's internal safety and health inspectors. These posters must remain until after the hazard has been abated Investigate working conditions, which employees have reported unsafe or unhealthful, within 24 hours to 20 working days, depending on the potential seriousness of the conditions. These investigations must be made available to the employee within 15 or 30 working days depending on the condition's severity Investigate each accident that results in a fatality or in the hospitalization of three or more employees Establish procedures to follow up, to the extent necessary, to verify that hazardous conditions have been abated Prepare an abatement plan that includes a proposed timetable for abatement, an explanation of any delays in the abatement, and a summary of interim steps to abate the hazard Regularly inform established committees and/or employee representatives of the progress on abatement plans Either establish safety and health committees or be subject to unannounced inspections by OSHA. These committees, which have equal representation by management and non-management employees, monitor the performance of agency-wide safety and health programs Participate in the Safety, Health, and Return-to Employment (SHARE) Initiative which requires: (1) the establishment of goals and plans for reduction of injuries and illness; and (2) reporting on progress made toward meeting the established goals. The goals for 2004–2009 were to: (1) reduce by 3 percent the total number of employee injuries per year; (2) reduce by 3 percent the annual lost time due to worker injuries, and (3) reduce by 1 percent the total number of annual lost production days due to worker injuries. (Established by Presidential Memoranda on 1/9/2004 & 9/29/2006)	To comply with Section 5 of the OSHAct, legislative offices are required to: Submit to inspection by the OOC at least biennially.

The legislative branch is also required to comply with fewer mandates than the private sector. Unlike private sector employers, the employing offices covered by the CAA are not required to comply with OSHA § 8(c) [29 U.S.C. § 657(c)]. That provision requires employers to maintain and provide to the Secretary of Labor records regarding employee injuries and illnesses.

The OOC's recent Section 102(b) Report to Congress (December 2008) proposes to apply OSHA's recordkeeping and reporting requirements to the employing offices covered by the CAA. See OOC, *Section 102(b) Report*, p. 10 (December 2008). Under the current statutory scheme, employing offices are not required to make, keep, preserve, or provide to the OOC records deemed necessary for enforcement of OSH Act Section 5, including records on work-related deaths, injuries and illnesses, and records of employee exposure to toxic materials and harmful physical agents. Similarly, under the current scheme, the OOC is unable to consider any inspection findings of safety professionals in the employing offices because employing offices do not share their inspection findings with the OOC. In addition, neither the AOC nor any other covered employing office provides the OOC with injury and illness records that are necessary for strategically determining what areas should be inspected more regularly or provided more technical assistance. This information is not required to be compiled or disclosed under the CAA, and without it, the OOC depends on its biennial inspections to provide information regarding building conditions and workplace safety to Congress.

RISK-BASED APPROACH TO SAFETY WORK

Question. How do you prioritize your safety-related inspections work? Are you able to give priority to facilities that may be lacking certain safety features, such are fire sprinklers, or having a greater number of occupants and visitors exposed to safety issues? If not, are legislative changes needed?

Answer. As noted above, the OOC has just begun its third comprehensive, wall-to-wall inspection of the Capitol complex. This inspection will provide a third set of data which will be used to develop a more focused risk-based inspection schedule. As also noted above, under the current statutory scheme, employing offices are not required to make, keep, and preserve, or provide to the OOC, records deemed necessary for enforcement of OSHAct Section 5, including records on work-related deaths, injuries and illnesses, and records of employee exposure to toxic materials and harmful physical agents. Requiring the employing offices to maintain and disclose such records would greatly assist the OOC in strategically planning what areas should be inspected more regularly or provided more technical assistance. This is a legislative change the OOC has previously suggested in its *Section 102(b) Report*, p. 10 (December 2008).

Under the CAA, the OOC is also required to inspect and investigate places of employment in response to a written request from an employing office or a covered employee. CAA § 215(c)(1), 2 U.S.C. § 1341(c)(1). Requestor-initiated inspections are therefore also given priority regardless of whether the building has sprinklers or low occupancy rates.

Finally, in buildings with known fire and safety hazards, the OOC and the employing offices have implemented interim prevention and protection measures to provide relatively safe occupancy. These interim safety measures often include frequent inspections and training. Buildings that lack sprinkler coverage in whole or in part, and/or have higher occupancy rates, are given a higher priority when determining the frequency of these types of inspections.

SUBCOMMITTEE RECESS

Senator NELSON. The subcommittee will stand in recess until 2:30 p.m. on May 21, 2009, when we will meet to take testimony on the fiscal year 2010 budget requests of the Government Accountability Office, the Government Printing Office, and the Congressional Budget Office.

It is recessed. Thank you.

[Whereupon, at 3:55 p.m., Thursday, May 7, the subcommittee was recessed, to reconvene at 2:30 p.m., Thursday, May 21.]

LEGISLATIVE BRANCH APPROPRIATIONS FOR FISCAL YEAR 2010

THURSDAY, MAY 21, 2009

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

The subcommittee met at 2:30 p.m., in room SD–138, Dirksen Senate Office Building, Hon. Ben Nelson (chairman) presiding.

Present: Senators Nelson and Murkowski.

GOVERNMENT ACCOUNTABILITY OFFICE

STATEMENT OF GENE L. DODARO, ACTING COMPTROLLER GENERAL

OPENING STATEMENT OF SENATOR BEN NELSON

Senator NELSON. The subcommittee will come to order.

Good afternoon to everybody, and welcome. We meet this afternoon to take testimony on the fiscal year 2010 budget request for the Government Accountability Office (GAO), the Government Printing Office (GPO), and the Congressional Budget Office (CBO). We will welcome our ranking member just as soon as she is able to be here.

And I want to welcome our witnesses today—Gene Dodaro, Acting Comptroller General; Robert Tapella, Public Printer; and Doug Elmendorf, Director of the Congressional Budget Office. It is good to have you all here, together with staff, and we look forward to your remarks.

If it is possible to hold those opening statements brief, maybe around 5 minutes, and submit the rest of your testimony for the record, which we will receive, I think we will be able to ask more questions as a result of that.

One thing that we have established at the first two hearings of this subcommittee, and I think it bears repeating, is that we are not eager to increase the overall legislative branch budget this year. We are looking for your guidance in helping us to address your agencies' needs in fiscal year 2010, but this really isn't the year for extras.

The subcommittee received an 11 percent increase in fiscal year 2009, but I seriously doubt that we are going to see anything near a double-digit increase this year. You can almost bet the opposite.

First, Mr. Dodaro, I want to thank you for your service to our country as the Acting Comptroller General of the GAO. I think you have done an outstanding job in this role over the last year. And according to yesterday's Washington Post, GAO ranked among the best Federal Government agencies to work for in a survey conducted by the Partnership for Public Service.

Congratulations on a wonderful piece outlining what a terrific place it is to work. And I wish you and your colleagues continued success and the continued great relationship.

I especially appreciate the efforts of your agency in assisting Congress during our country's current economic crisis and your oversight of both the Troubled Asset Relief Act and the American Recovery and Reinvestment Act. And of course, I look forward to discussing your latest findings on these activities as well as your fiscal year 2010 budget, which shows an increase of 7 percent over fiscal year 2009 and includes 109 additional full-time equivalents (FTEs).

I also want to welcome Bob Tapella from the Government Printing Office. Your budget total is $166 million, an 18 percent increase over the current year, which I understand includes large increases for both building repairs and technology upgrades.

And finally, I want to welcome Doug Elmendorf, Director of the Congressional Budget Office. Congratulations on your recent appointment to this position, and your fiscal year 2010 budget total is $46.3 million, an increase of 5.2 percent and 12 additional FTEs.

And now, it is my pleasure to turn to my ranking member, Senator Murkowski, for your opening remarks. And let me say it has been a pleasure working with you. This is a subcommittee that shows and knows no partisanship, and we want to continue to be able to work that way.

STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Well, thank you, Mr. Chairman. I appreciate your kind remarks.

I want to welcome the gentlemen before us today, and thank you all for your work in your respective areas.

As you have mentioned, Mr. Chairman, you have talked a little bit about the realities of the budget that we are facing and our efforts to try to be perhaps a little more lean and mean. I don't like the mean part, but nothing wrong with a little leanness here.

And recognizing that the jobs that are requested are difficult, and we have a tendency to complicate probably your lives often times with the requests that come from Members here. But in order for us to do our jobs, of course, we rely on you and what you provide, and we appreciate that.

As you have mentioned, Mr. Chairman, the agencies before us today are requesting a combined total of $780 million for fiscal year 2010. This is an increase of $64 million, or 9 percent over last year. Each agency is requesting additional staffing on top of the usual cost-of-living increases, and for the Government Printing Office, significant increases are requested for investments in information technology and systems development, as well as repairs to GPO's buildings.

I do recognize, fully recognize that these three agencies perform very important functions, serve the entire Federal Government, not just the legislative branch. And it is important to keep that in perspective. I do look forward to understanding fully the needs of each agency, but I would agree with you, Mr. Chairman, that I am skeptical about the need for large increases for the legislative branch.

With respect to the Government Accountability Office, I would like to note that GAO has traditionally performed a very important role for this subcommittee in its oversight of its sister agencies. GAO has done extensive work over the past decade in reviewing management and organizational issues at the Capitol Police, at the Architect of the Capitol, as well as the Library of Congress. And this work has been invaluable, particularly to this subcommittee, as we attempt to promote the improvements in each of these agencies, and I would certainly hope that that would continue.

Staff discussions have been underway in recent weeks regarding the Capitol Police overtime and their staffing issues, and I would hope that GAO would place a high priority on this work as we wrestle with the need for Capitol Police staffing requirements.

There have also been discussions in the past year on the Architect of the Capitol's prioritization of its construction work, with particular emphasis on the impact of the Office of Compliance citations. We had a very interesting hearing on that a couple of weeks ago. We will need to continue to have GAO's assistance to ensure that we allocate funds to these projects so that we truly do get the most bang for the buck. So we appreciate that.

Again, appreciate the good work that is done and want you all to know that we value the important work that you do, look forward to your comments here this afternoon.

Thank you, Mr. Chairman.

Senator NELSON. Thank you.

Now we will proceed, first, to Mr. Dodaro, who will be followed by Mr. Tapella, and last, but not least, Dr. Elmendorf.

Mr. Dodaro.

SUMMARY STATEMENT OF GENE L. DODARO

Mr. DODARO. Thank you very much Mr. Chairman, Senator Murkowski. It is a pleasure to appear before you this afternoon to discuss our 2010 budget request.

First, Mr. Chairman, I want to thank you for your kind words and the recognition of GAO as the number two best place to work in the Federal Government. We are very proud of that, and making GAO a good place to work helps us serve the Congress better. So we are very committed to doing both.

And Senator Murkowski, among the work that we consider to be a high priority is our work that supports the legislative branch and its important activities. So I can assure you that we will continue to give that work high priority.

I would like to thank the Congress and the subcommittee for the support that we had received in 2009. That has helped us be in a good position to help support the Congress. Our 2010 request is intended to help ensure that we are in the best position possible to help all the committees throughout the Congress tackle very important national issues, as well as some difficult challenges.

SUMMARY OF GAO WORKLOAD

We support every standing committee in the Congress and about 80 percent of the subcommittees. Now among the difficult challenges, as you mentioned, Mr. Chairman, is the work that we are doing to help in the financial markets and with the economic downturn. In addition to providing reports every 60 days on the implementation of the Troubled Asset Relief Program, we are also the auditors, as of last year, of the Federal Housing Finance Administration, which is now the conservator and the regulator for Fannie Mae and Freddie Mac.

And we are also working on proposals to help the Congress make decisions on how those entities ought to go forward once they come out of conservatorship status. We are also the auditors of the Bank Insurance Fund, and of course, they have had a lot of difficult challenges, some of the most difficult since the savings and loan crisis in the 1980s and 1990s.

We have also done work on the need to modernize our outdated and fragmented regulatory system. We added that on the high-risk list for Congress so that it receives congressional attention. We have issued reports. It is very important for us to continue to help the Congress modernize the financial regulatory system so we address the root causes of how we got into this situation in the first place and make sure it doesn't happen again.

Part of our request for additional resources is directed toward helping us bolster our capability to help Congress decide what system should be put in place, but also that it works effectively and that there is adequate monitoring going forward. So, that is a very important role for us.

Also, on the American Recovery and Reinvestment Act, we have a range of responsibilities that the Congress has assigned to us, including bimonthly reviews of the use of the funds by selected States and localities. We have picked 16 States and the District of Columbia, which will receive over two-thirds of the funds being provided to State and local governments. We will be doing a longitudinal study over the next 2 or 3 years, as the Recovery Act funds are distributed to the States and localities, to assess how they use the money and whether or not the act is achieving its objectives over time.

Our request is also intended to support a wide range of other issues, ranging from the U.S. efforts in Iraq, Afghanistan, and Pakistan to the 2010 census to healthcare issues to energy issues and across the full breadth of the Federal Government's activities going forward.

SUMMARY OF GAO REQUEST

As you mentioned, Mr. Chairman, we are asking for a 6.9 percent increase. This would allow us to increase our staffing by 109 FTEs, or 3.5 percent, in order to help respond to the estimated 1,200 requests that we receive from the Congress every year. The Congress was very kind to us last year. We were able to increase our staffing a bit, but we are still near the lowest level we have ever been in GAO's history at a time where our services are being required more and more.

PREPARED STATEMENT

We believe our request is a prudent one. We have carefully thought about it. I understand perfectly the situation that you are in. I know you will give careful attention to our request. I appreciate that very much, and I look forward to responding to any questions that you may have.

[The statement follows:]

PREPARED STATEMENT OF GENE L. DODARO

Mr. Chairman, Ranking Member Senator Murkowski, and Members of the Subcommittee, I appreciate the opportunity to be here today to discuss the U.S. Government Accountability Office's (GAO) budget request for fiscal year 2010. At the outset, I want to thank the subcommittee for its support of GAO. We appreciated your efforts in appropriating a fiscal year 2009 amount that provides GAO with the resources to better allow us to assist the Congress in a timely way to address the many difficult challenges facing the Nation. I also want to acknowledge the professionalism, talents, and dedication of our GAO workforce in supporting the Congress and improving government for the American people.

In fiscal year 2008, GAO delivered advice and analyses to the Congress in response to requests from all of the standing committees of the House and the Senate, as well as over 80 percent of their subcommittees. The hard work of our staff yielded significant results across the government, including expert testimony at over 300 congressional hearings, hundreds of improvements in government operations, and billions in financial benefits.

I submit for your consideration a request for a fiscal year 2010 appropriation of \$567.5 million to support 3,250 full-time equivalent (FTE) staff. This request represents an increase of \$36.5 million, or 6.9 percent, over our fiscal year 2009 funding level, which would support a 3.5 percent increase over our 2009 FTE level. Importantly, almost 70 percent of our requested increase is needed for mandatory pay and uncontrollable cost increases. While our fiscal year 2009 funding level allows us to make progress in responding to new congressional requests sooner, our fiscal year 2010 request would enable GAO to make greater progress in addressing the issues of greatest interest to the Congress and the American public during these challenging times, which is our highest priority. I am also requesting authority to use \$15.2 million in offsetting collections, as detailed in our budget submission.

GAO DELIVERS RESULTS ON AN INCREASING RANGE OF FEDERAL PROGRAMS

The Congress continues to rely on GAO's nonpartisan, objective analysis and recommendations and has given us new responsibilities and opportunities to play key roles in addressing a number of emerging issues. We are addressing challenges in the financial markets and broader economy through our work overseeing the Troubled Asset Relief Program (TARP), created in 2008. We continue to monitor and report, every 60 days, on the status of the implementation of TARP, and we plan to conduct an annual financial audit of the \$700 billion authorized for the program.

Additionally, GAO is carrying out a range of responsibilities overseeing spending related to the 2009 American Recovery and Reinvestment Act (ARRA)—including bimonthly reviews of how selected States and localities across the country are using the billions of dollars of funds provided to them—and providing targeted studies in several areas, such as small business lending, education, and expanded trade adjustment assistance.

Over the next several years, our work will encompass critical areas, including

—reviewing progress in implementing key activities for the 2010 Census;

—helping to support the Congress's consideration of changes in the regulatory structure for financial markets and institutions, including the establishment and implementation of controls to help avoid a future financial crisis of the magnitude the Nation faces today;

—reviewing the revised governance structure for the housing market and providing targeted analyses to inform decision makers working to restore the functioning of the mortgage market and resolve the ultimate disposition of Fannie Mae and Freddie Mac;

—supporting health care reform efforts and control of health care costs through analysis of expenditures and payment structures in Medicare, Medicaid, the State Children's Health Insurance Program, and other health programs;

—reviewing the impact of drawing down our resources in Iraq, providing more resources in Afghanistan, and retooling our operations in Pakistan;

—providing balanced and objective assessments of the use of emerging technologies in the context of Federal programs and public policy issues, such as green energy, energy efficiency, health information technology, homeland security technologies, climate change, science and math education programs, as well

as the technical challenges of developing sophisticated space and defense systems;
—reviewing initiatives to enhance protection of cyber assets;
—assessing contractor management, sourcing strategies, and contracting reforms; and
—helping the Congress tackle both new and continuing high-risk areas, such as protecting public health through enhanced oversight over medical products, food safety, and toxic chemicals.

Finally, as part of fulfilling our commitments under the Presidential Transition Act, as amended, GAO is serving as a key resource for the Congress and the administration on major challenges needing the attention of the 28 largest departments and agencies across government, as well as 13 other issues facing our Nation that require urgent attention and continuing oversight. In addition to those already mentioned, these include
—preparing for public health emergencies,
—improving the U.S. image abroad,
—protecting the homeland,
—caring for service members, and
—defense spending and readiness.

Our work receives great interest not only from the Congress but from the American people. For example, while our reports routinely receive media and public interest, in the first half of fiscal year 2009, 12 GAO reports were downloaded over 10,000 times each from our external Web site, www.gao.gov. These reports covered an array of important issues, including
—veterans' health care and the challenges of recruiting and retaining inpatient nurses,
—Medicaid outpatient drug reimbursements and comparisons with retail pharmacy acquisition costs,
—private equity and the risk of leveraged buyouts,
—the outdated financial regulatory system and the need for a modernized framework, and
—defense logistics and the need for better analyses and cost data to support performance-based decisions.

In addition to our work in response to congressional requests, GAO also issues products that provide agencies with guidance and best practices, or that otherwise support greater accountability and oversight in government. In the first half of fiscal year 2009, 13 of these products were downloaded over 10,000 times each from our external Web site. The top five picks were (1) special publications on the principles of appropriations law, (2) the 2009 high-risk update, (3) updated guidance on government auditing standards, (4) the GAO cost estimating and assessment guide, and (5) highlights of our May 2007 health care forum focusing on steps needed to meet future challenges.

I am pleased by the recognition GAO receives from ordinary Americans and civil servants alike as a continuing source of reliable, unbiased information about how government operations can be improved.

HIGH CONGRESSIONAL DEMAND FOR GAO SERVICES

GAO is an invaluable resource for helping the Congress provide oversight, accountability, and transparency in government. The demand for GAO services continues to remain high as a direct result of the high quality of our work, and this high demand is an indication of the Congress's desire for timely and objective analyses and professional advice. In each of fiscal years 2007 and 2008, GAO received over 1,200 requests and mandates. The number of congressional mandates, our highest-priority work, more than doubled from fiscal year 2007 to 2008. In addition, as evidenced above, our work covers more and more complex issues across a broad range of Federal programs, requiring more in-depth analysis to complete.

This congressional demand for GAO studies also has affected our ability to respond promptly to congressional requests. For instance, in fiscal year 2008, GAO delayed starting work on 21 percent of our accepted requests due to staff unavailability. The average time we took to initiate congressionally requested engagements was almost 5 months in the first half of 2009, compared with less than 3 months in fiscal year 2005.

In addition, GAO is providing testimony at an increased number of congressional hearings. We testified at 304 hearings in fiscal year 2008. This was the second highest number for GAO in the last 25 years.

We expect to continue receiving a high volume of requests related to either the Nation's new challenges, such as the recent developments in the financial markets and economy, or to the many emerging initiatives of the Congress and the administration. Moreover, all Senate committees are required to review programs within their jurisdiction to root out fraud, waste, and abuse in program spending—giving particular scrutiny to issues raised in GAO reports—and develop recommendations for improved government performance. Also, recent changes to House rules require each standing committee or subcommittee to hold at least one hearing on any issue raised by GAO that indicates that Federal programs or operations authorized by that committee or subcommittee are at high risk for fraud, waste, abuse, or mismanagement.

Our January 2009 issuance of the biennial, High-Risk Series: An Update, which identifies Federal areas and programs at risk of fraud, waste, abuse, and mismanagement, as well as those in need of broad-based transformations, identified 30 at-risk Federal programs. Issued to coincide with the start of each new Congress, our high-risk updates have continued to help to focus and sustain attention to these programs so that executive branch officials who are accountable for each program's performance, as well as members of the Congress, have the information needed to complete their oversight responsibilities. The high-risk update report is available on our Web site at http://www.gao.gov.

GAO'S FISCAL YEAR 2010 BUDGET REQUEST

With the increased capacity included in our fiscal year 2010 appropriation request, we can continue to assist the Congress with oversight over a broad range of Federal programs. As a knowledge-based organization, about 80 percent of GAO's budget funds staff compensation and benefits, with much of the balance of our budget funding mandatory operating expenses, such as security services and other critical infrastructure services necessary to support our ongoing operations. For this reason, a significant portion of our requested funding increase is not discretionary.

Our requested increase for fiscal year 2010 of $36.5 million seeks funds to cover
- —mandatory pay increases resulting primarily from annual across-the-board and performance-based increases, as well as pay raises required by the GAO Act, including the annualization of prior fiscal year compensation costs;
- —uncontrollable inflationary increases imposed by vendors as part of the cost of doing business;
- —nonrecurring fiscal year 2009 costs resulting from program improvements, which can offset about one-third of our mandatory and inflationary changes;
- —strengthening our staff capacity to provide timely support to the Congress in confronting the broad array of critical challenges facing the Nation, including
  - —helping to support the Congress's consideration of changes in the regulatory structure of financial markets and institutions,
  - —providing targeted analyses to inform decision makers working to restore the functioning of the mortgage market,
  - —supporting health care reform efforts and the control of health care costs, and
  - —providing assessments of technologies in the context of Federal programs and public policy issues, and
- —program changes supporting critical investments to (1) provide employee development and benefits, (2) implement technological improvements, and (3) strengthen our infrastructure.

TABLE 1.—FISCAL YEAR 2010 SUMMARY OF REQUESTED CHANGES

[Dollars in thousands]

Budget category	FTEs	Amount	Cumulative percentage of change fiscal year 2009 to fiscal year 2010
Fiscal year 2008 actual	3,081	$498,548	
Fiscal year 2009 revised estimate	3,141	531,000	
Fiscal year 2010 requested changes			
Mandatory pay		19,475	3.7
Inflationary cost increases		5,714	4.7
Nonrecurring fiscal year 2009 costs		(8,338)	3.2
Staff capacity	109	16,826	6.3
Program changes		10,407	8.3
Increase in offsetting collections		(7,587)	6.9

TABLE 1.—FISCAL YEAR 2010 SUMMARY OF REQUESTED CHANGES—Continued

[Dollars in thousands]

Budget category	FTEs	Amount	Cumulative percentage of change fiscal year 2009 to fiscal year 2010
Subtotal—requested changes	109	36,497	
Appropriation	3,250	567,497	6.9

Source: GAO.

CONCLUDING REMARKS

I believe that you will find our budget request well-justified as it will ensure that GAO has the necessary staff and resources to strengthen our capacity to provide timely assistance to the Congress to confront the difficult challenges facing the Nation and help improve government for the American people.

With your support of our 2010 budget request, we will continue rewarding the confidence you place in us by maintaining a strong return on this appropriation investment as we help to improve services to the public, change laws, and improve government operations.

We are grateful for the Congress's continued support of our efforts to help improve government performance, accountability, and transparency. GAO remains committed to providing accurate, objective, nonpartisan, and constructive information to the Congress to help conduct effective oversight and fulfill its constitutional responsibilities.

Mr. Chairman and Ranking Member Senator Murkowski, this concludes my prepared statement. I would be pleased to respond to any questions that you or other Members of the subcommittee might have.

GOVERNMENT PRINTING OFFICE

STATEMENT OF ROBERT C. TAPELLA, PUBLIC PRINTER

Mr. TAPELLA. Mr. Chairman, Senator Murkowski, thank you for inviting me today to discuss GPO's appropriation for fiscal year 2010. And I will take your advice and speak very briefly.

First, I would like to express my deep appreciation to the subcommittee for the support we received for GPO's fiscal year 2009 appropriations request. More specifically, I would like to commend your staff, Nancy Olkewicz and Carrie Apostolou, for the time they took to really understand GPO's needs. They asked a lot of tough questions, but at the end of the day, they really helped us to move forward.

The fiscal year 2009 funding eliminates the shortfall in congressional printing and binding, allows us to undertake a number of valuable projects supporting electronic information dissemination to depository libraries and other users, brings FDsys closer to completion, repairs our roof, and begins to renovate our elevators.

Second, now that the shortfall has been repaid, for fiscal year 2010 we are able to request a reduction in appropriations for congressional printing and binding of approximately $3.5 million. For the salaries and expenses of the Superintendent of Documents, we are seeking a modest increase of $2.2 million to continue transforming the program to a predominantly electronic basis.

For our revolving fund, we are seeking an increase of $18.5 million to complete the development of FDsys and to carry out a number of critically important information technology (IT) infrastructure projects. We are also seeking $13.6 million for necessary building maintenance and repairs. I understand there will be limitations on what the subcommittee can recommend for us, and so I am happy to discuss our priorities.

Finally, like many other agencies and many businesses these days, GPO is facing a very different business climate this year, in our case as a direct result of the significant reduction in demand for passports from the Department of State. We are tightening our belt, evaluating all costs and proposed projects, and taking all available measures to ensure we stay within our budget.

I won't kid you. This is going to be a tough year for us. With your understanding and support, our objective is to complete the year on a sound financial basis.

PREPARED STATEMENT

Mr. Chairman, Senator Murkowski, this concludes my remarks, and I am happy to answer any questions you may have.

[The statement follows:]

Prepared Statement of Robert C. Tapella

Chairman Nelson, Senator Murkowski, and Members of the Subcommittee on Legislative Branch Appropriations, it is an honor to be here today to discuss the appropriations request of the Government Printing Office (GPO) for fiscal year 2010.

RESULTS OF FISCAL YEAR 2008

Building on our continuing transformation, GPO recorded another year of positive performance in fiscal year 2008. Much of this was attributable to the production of passports. The State Department's requirement for these documents grew significantly during the year, rising by nearly a third—from an estimated 18 million to approximately 24 million—by year's end. By mid-year fiscal year 2009, however, passport production had decreased significantly due to reduced demand from the State Department.

GPO's support for Congress during fiscal year 2008 was highlighted by work on products required for the Joint Congressional Committee on Inaugural Ceremonies, including invitations, maps, signs, programs, tickets, and other products, most notably secure credentials for law enforcement personnel associated with this event. During the year GPO also began producing the new edition of the U.S. Code, and delivered a number of other important congressional products, including Black Americans in Congress, 1807–2007. For Federal agencies, GPO began procuring work to support the upcoming 2010 Census, built its smart card business to help support State Department and Homeland Security travel documents, and with the Office of Management and Budget GPO coordinated the electronic delivery to Congress of the official version of the Budget of the United States Government for fiscal year 2009, which we authenticated by digital signature.

GPO's electronic transition efforts proceeded apace as we readied our Federal Digital System (FDsys) for its first public release, which occurred in January 2009. This system will replace and improve on the services of GPO Access, which has provided the public with online access to Government information since 1994; funding for FDsys operating costs in the future will be derived from the appropriated funding sources currently supporting GPO Access. FDsys will also serve as GPO's digital platform, with a planned capability to provide for the intake, storage, processing, and output of Government publication content in a variety of forms and formats. With a state-of-the-art search and retrieval capability, FDsys is uniquely positioned to support the new Administration's commitment to providing greater openness and transparency in Government information. During the year GPO also expanded its authentication capabilities. In addition to the Budget, GPO completed work on authenticating selected congressional bills for the 110th Congress and is extending this capability to all bills in the 111th Congress.

Over the past several years, GPO has implemented a variety of green initiatives in its operations: for more than a decade, for example, printing papers used by GPO have met the requirements for recycled content contained in the Resource Conservation and Recovery Act of 1989, as amended, and corresponding Executive Orders. The printing inks used by GPO and its contractors comply with the requirements of the Vegetable Ink Printing Act of 1994. GPO works with the Environmental Protection Agency and the District of Columbia to meet the standards for emissions of volatile organic compounds established by the Clean Air Act.

However, there is more that GPO can do in this field, and during fiscal year 2008 sustainable environmental stewardship was the focus of a concentrated effort at GPO. In my view, the future of sustainable environmental stewardship means being proactive and making changes so that GPO becomes a more efficient operation that makes better use of the resources under our control. During fiscal year 2008, we articulated a vision for the entire lifecycle of what GPO produces, from how we source the raw materials to how we produce our products, to what happens to the products when consumers are done with them.

For GPO, this means a variety initiatives, including development of a plan for moving from web offset presses to digital equipment to reduce paper consumption; accelerating the re-engineering of business processes in production, procurement, documents dissemination, and administration to take advantage of the efficiencies offered by digital technology; conducting energy audits throughout our facilities to reduce our energy demand; using more environmentally responsible paper; reducing hazardous waste through solvent recovery systems, and reducing the total amount of waste generated by our operations; and installing a "green" roof on our building, in targeted areas, to double the life expectancy of the roof and reduce heating demands in the building. During fiscal year 2008, GPO made significant progress in these fields and laid the groundwork for continued sustainability improvements in the coming year.

FISCAL YEAR 2010 APPROPRIATIONS REQUEST

For fiscal year 2010, we are requesting a total of $166,307,000, to enable us to:
—Meet projected requirements for GPO's congressional printing and binding and information dissemination operations during fiscal year 2010;
—Provide investment funds for necessary information dissemination projects in the Federal Depository Library Program;
—Complete the development of FDsys and implement other improvements to GPO's information technology infrastructure; and
—Perform essential maintenance and repairs on GPO's buildings.

CONGRESSIONAL PRINTING AND BINDING

	Amount
Fiscal year 2009 Approved	$96,828,000
Fiscal year 2010 Request	93,296,000
Change	(3,532,000)
Change includes:	
Price level changes	2,362,000
Volume changes	3,273,000
Elimination of shortfall	(9,167,000)

We are requesting $93,296,000 for this account, representing a decrease of $3,532,000 from the level approved for fiscal year 2009.

Funding for fiscal year 2010 congressional printing and binding requirements includes price level changes averaging 2.7 percent that are attributable primarily to existing wage contracts, as well as estimated volume changes in certain workload categories based on historical data. GPO projects an increased volume for the daily Congressional Record, business and committee calendars, miscellaneous printing and binding, hearings, document envelopes and document franks, and Congressional Record indexers. These workload increases will be offset by reductions in volume for committee prints, miscellaneous publications, bills, resolutions, and amendments, committee reports, and other workload categories. The funding provided for fiscal year 2009 eliminated the shortfall in this appropriation that was accumulated in fiscal year 2007 and fiscal year 2008.

SALARIES AND EXPENSES OF THE SUPERINTENDENT OF DOCUMENTS

	Amount
Fiscal year 2009 Approved	$38,744,000
Fiscal year 2010 Request	40,911,000
Change	2,167,000
Change includes:	
Mandatory Requirements	1,094,000
Investment Requirements	1,073,000

We are requesting $40,911,000 for this account, representing an increase of $2,167,000 over the level approved for fiscal year 2009. The increase is to cover mandatory pay and price level changes, and to continue improving public access to Government information in electronic formats by implementing a series of projects and hiring additional program specialists.

As GPO continues to perform information dissemination through the Federal Depository Library Program (FDLP) on a predominately electronic basis, as mandated by the conference report accompanying the Legislative Branch Appropriations Act for Fiscal Year 1996, we need to make continuing investments in this program's technology infrastructure and supporting systems. Included in our request for fiscal year 2010 is funding to cover additional data storage, the migration of legacy applications to updated service functions, miscellaneous materials for digitization projects, survey and data analysis, legacy application integration for the FDLP desktop, and hiring 10 additional full-time equivalents to perform acquisitions, classification, cataloging and indexing, and related requirements.

REVOLVING FUND

	Amount
Fiscal year 2009 Approved	$4,995,000
Fiscal year 2010 Request	32,100,000
Change	27,105,000
Change includes:	
Investments in information technology infrastructure and systems development	18,500,000
Building maintenance and repairs	13,600,000

We are requesting $32,100,000 for this account, to remain available until expended, to fund essential investments in information technology infrastructure and systems development, as well as needed maintenance and repairs to GPO's buildings.

Our request includes $18,500,000 for investments in information technology infrastructure and systems development. The key projects covered under this heading are $8 million to complete the development of FDsys; $9.5 million to replace GPO's automated composition system, implement an automated manufacturing workflow system, continue implementing GPO's Oracle business systems, and fund related projects; and $1 million for continuity-of-operations (COOP) improvements to GPO's presence at the legislative branch alternate computing facility.

The balance of our request is $13,600,000 for necessary repairs and maintenance to GPO's buildings, including continuing elevator replacement and renovation, window replacement for energy conservation, and related projects. Our request includes $1.7 million for various green and environmental initiatives. The funding provided for fiscal year 2009 will pay for a new roof as well as contribute to elevator repairs and FDsys development.

Chairman Nelson, Senator Murkowski, and Members of the Subcommittee, we look forward to working with you, and with your support we can continue GPO's record of achievement. This concludes my prepared statement, and I would be pleased to answer any questions the Subcommittee may have.

CONGRESSIONAL BUDGET OFFICE

STATEMENT OF DOUGLAS W. ELMENDORF, DIRECTOR

Dr. ELMENDORF. Thank you, Chairman Nelson, Senator Murkowski. I appreciate the opportunity to testify today about the CBO's budget request for fiscal year 2010.

As you know, I became CBO Director just 4 months ago. I am honored to have been appointed to that position and to be making the case today for CBO's proposed budget. As you said, Mr. Chairman, our total request is about $46 million, which is a $2 million, or 5.2 percent increase over funding for the current year.

MISSION

Since CBO's launch in 1975, our mission has been to provide Members of Congress and their staffs with the information you need to make effective budget and economic policy. We are committed to providing information that is objective, insightful, timely, and clearly presented and explained.

STAFF

In providing this information, CBO's most important asset has always been its staff. We have about 240 people, mostly with Ph.D.s in economics or master's degrees in public policy. And I can't resist noting that in the competition for good places to work, among the small agency category in which CBO competes—not with our friends and colleagues at GAO, but in the small agency category—CBO was tied for third place among Federal agencies.

And that is important, as Gene Dodaro noted, it helps us to serve you. It helps us to attract the best people and to create an environment in which the people are doing their best work.

PHASED INCREASE

CBO has operated with about 235 people for the past decade, has increased only a little in size since its founding more than 30 years ago. Last year, my predecessor as Director, Peter Orszag, proposed to you a 2-year plan to increase the CBO staff from 235 to about 260, a phased increase of 10 percent.

Peter quantified the increased number of testimonies and the cost estimates that CBO has been asked to provide, as well as the growing amount of informal communication between CBO staff and Hill staff, and he argued in particular that CBO needed to increase its capacity to analyze policy changes regarding healthcare delivery and financing. We are very grateful that you and your colleagues approved the first leg of that increase, and our budget for next year requests additional funding to move closer to that goal.

ADDITIONAL FUNDING FOR HEALTH

As you know, we also have been asked to identify the steps we might take if additional funds were provided immediately to shorten the timetable for providing cost estimates of major health legislation. We have identified several steps, including acquiring additional high-speed computer hardware and software, purchasing actuarial and other expert consulting services, purchasing additional data on prescription drugs, providing additional compensation to certain CBO staff, and increasing the size of CBO staff.

The analysts that we have previously hired in the health area are playing a critical role in our current work. Of course, faced with very intricate proposals to make fundamental changes to one-sixth of the U.S. economy, we are working very hard to analyze the proposals, provide the information that Members of Congress need to make decisions about what to do.

As a result, all of our health analysts are working flat out to meet the demands we face, and still we are always adding to the list of crucial questions that we need to address. Therefore, our budget includes funding for additional staff members in the health area.

FINANCIAL AND HOUSING MARKETS

Our budget also asks for funding for additional staff to analyze the financial system and housing market. The financial crisis and the Government's responses to it have greatly boosted demand for our work. The legislation authorizing the Troubled Asset Relief Program (TARP) requires CBO to review the administration's reports on the TARP.

In addition, our budget projections must include assessments of the cost of the TARP of dealing with Fannie Mae and Freddie Mac and of the dramatically expanded activities of the Federal Deposit Insurance Corporation (FDIC) and the Federal Reserve. More generally, our evaluation of the impact and cost of alternative financial and housing policies requires us to monitor and model the financial system to a degree we have not done before.

SUPPORT REQUIREMENTS

Beyond the health and financial areas, we are also requesting several additional staff in the editorial and information technology functions, which are critical to our ability to produce and disseminate our findings.

I should mention, too, that the additional people will need someplace to sit, as Peter Orszag discussed last year. And we have begun discussions about how to meet that need.

I also want to emphasize that CBO has been responding to rising demands in some areas by shifting positions away from topics that become less central for the Congress. However, our scope for doing so is limited by the breadth of Congress' interests in climate change, in energy policy, in national defense, in discretionary appropriations, in monitoring economic conditions, and much more.

PREPARED STATEMENT

In closing, let me thank the members of the subcommittee for your strong support of CBO's work in the past. Your support of our budget request for next year would help us continue to do our job to the high standard that you and we expect.

Thank you. We will be happy to answer any questions you have.

[The statement follows:]

PREPARED STATEMENT OF DOUGLAS W. ELMENDORF

Mr. Chairman, Senator Murkowski, and Members of the Subcommittee, thank you for the opportunity to present the fiscal year 2010 budget request for the Congressional Budget Office (CBO).

CBO's mission is to provide the Congress with timely, objective, nonpartisan analyses of the budget, the economy, and other policy issues and to furnish the information and cost estimates required for the Congressional budget process. In fulfilling that mission, CBO depends on a highly skilled workforce. Approximately 88 percent of the agency's appropriation is devoted to personnel, with the remaining 12 percent for information technology (IT) and other equipment, supplies, and purchases of other items.

The proposed budget for fiscal year 2010 totals $46,365,000, a $2.3 million or 5.2 percent increase over the funding for fiscal year 2009. The net increase is the result of offsetting factors:

—An additional $2.2 million for rising mandatory pay and related costs for existing staff;

—An additional $1.4 million to expand CBO's staff by 12 full-time-equivalent positions (FTEs), from 242 to 254; and

—A reduction of $1.3 million in nonpay resources, partly because CBO plans to use some of its additional FTEs instead of contractors to analyze the Troubled Asset Relief Program and other government actions in response to turmoil in the financial markets.

GROWING DEMAND FOR CBO'S ANALYSES

The substantial budgetary and economic challenges facing the Nation, both short-term and long-term, and the major policy issues currently before the Congress have created a growing demand for CBO's analyses. Some of the issues—like health care and climate change—are very complicated and require intensive analysis involving many staff members. Often, committees and Members seek CBO's analyses very early in the process of developing legislation and then engage in an iterative process to refine the legislation in light of its projected budgetary impact. For significant legislation, simultaneous work may be required on multiple proposals—for example, ones by both the majority and the minority, the House and the Senate, or multiple committees of jurisdiction.

The 12 additional FTEs (representing a 5 percent increase) that CBO requests for fiscal year 2010 would be used to help meet increased demand for analyses in several areas:

Health Care Issues

Growing costs for health care continue to be a key contributor to the Nation's fiscal imbalance, and major health care legislation is on the agenda for the 111th Congress. However, the agency's current staffing in this area is insufficient to provide all of the analyses sought by the Congress, which are often needed on a very compressed schedule. CBO is increasing its work on options to expand health insurance coverage, long-term trends in the growth of health care costs, and potential areas of cost savings. It anticipates substantial work analyzing the impact on the Federal budget and on health care spending generally of several broad proposals to modify Federal health care programs and the broader health care system—a process that is well under way already. (The CBO staff is currently engaged in an intensive effort in support of the Senate Committees on Finance and on Health, Education, Labor, and Pensions as they begin the process of developing broad health legislation.)

Four of the additional FTEs would continue an expansion of the agency's capabilities to analyze health care issues. That expansion began in fiscal year 2009, but because of the duration of the continuing resolution, CBO was not able to increase its staffing at the rate originally anticipated in the fiscal year 2009 budget request. As a result, CBO is reflecting these FTEs as new in the fiscal year 2010 budget request.

A number of Members of Congress have inquired as to what steps CBO might take to improve its ability to provide timely and accurate estimates to the Congress on major health legislation if additional funding was made available in fiscal year 2009. In response to those inquiries, CBO identified several steps that could be taken to accomplish that objective: acquiring additional high-speed computer hardware and software; purchasing actuarial and other expert consulting services; purchasing additional data on prescription drugs; providing additional compensation to certain CBO staff; and increasing the size of CBO's full-time staff by six more people than the number currently planned. In total, implementing those steps would cost about $2.5 million over fiscal years 2009 and 2010. If such supplemental funding was provided and made available through 2010, there would be no impact on the agency's fiscal year 2010 budget request. If additional funding was provided but made available only through September 30, 2009, the cost of additional staff (about $1 million) would need to be added to the fiscal year 2010 budget request.

Financial and Housing Markets

CBO will continue efforts begun in fiscal year 2009 to analyze the financial and housing markets, including analysis to meet requirements under the Economic Stabilization Act. That law authorizes the Treasury, through the Troubled Asset Relief Program, to acquire or insure up to $700 billion in financial assets. The law stipulates that CBO report semiannually to the Congress with the agency's assessment of reports compiled by the Office of Management and Budget, including a discussion of the costs of purchases and guarantees of troubled assets; the information and valuation methods used to calculate such costs; and the impact on the Federal budget deficit and the debt. In addition, the Federal Reserve, the Treasury, the Federal Deposit Insurance Corporation, Fannie Mae, and Freddie Mac are engaged in a variety of complex financial transactions aimed at stabilizing the financial markets, the banking system, and the housing market. Those transactions involve trillions of dollars, and CBO does not currently have the capacity to fully monitor and assess the impact of those activities.

Analyzing complex financial transactions with a sufficient degree of rigor requires supplementing the agency's current staff with several analysts with expertise in financial modeling, some of whom will probably also have previous experience with institutions in the financial sector. Given the wide array of assets that may ultimately be purchased or guaranteed by the government and the difficulty of attracting highly skilled financial market analysts at government salaries, specialized outside consultants with experience in particular financial markets may also be necessary.

Five FTEs would be devoted to this additional work on the financial and housing markets, including the requirements associated with the Economic Stabilization Act. Some of that work was, of necessity, done by contractors in fiscal year 2009 because of the lead time that it takes to hire experts in the financial arena.

Related Mission Support

CBO's editorial and publications staff are important in making the results of the agency's analyses readily usable by the Congress and the public. With more output, additional staff in this area will be required to maintain the timely production of reports, testimonies, and other published materials. In addition, with the expansion of the agency, additional IT resources are required to meet greater needs for operational support.

Therefore, to support the expanding analytic staff and mission, three additional FTEs would be devoted to providing editorial and publishing services and meeting IT requirements.

CBO'S WORK

CBO assists the Congress in exercising its responsibilities for the budget of the U.S. Government and for other legislation. Under the 1974 Congressional Budget Act, the agency's primary duty is to support the Committees on the Budget of both Houses. The agency also supports the Congressional budget process by providing analyses requested by those committees; the Committees on Appropriations; the House Committee on Ways and Means; the Senate Committee on Finance; other committees; and, to the extent that resources permit, individual Members. In particular, CBO:

—Reports on the outlook for the budget and the economy to help the Congress prepare for the legislative year;

—Constructs baseline budget projections to serve as neutral benchmarks for gauging the effects of spending and revenue proposals;
—Prepares long-term projections of Federal spending and revenues to help the Congress assess the impact of rising health care costs and an aging population;
—Assists the Committees on the Budget in developing the Congressional budget resolution by providing alternative spending and revenue paths and estimating the effects of various policy options;
—Analyzes the likely direct effects that the President's budgetary proposals will have on outlays and revenues, their economic implications, and any effects that those economic changes will have on the budget;
—Provides estimates of the cost of all appropriation bills at each stage of the legislative process, including estimates for numerous amendments considered during that process;
—Reports on all programs and activities for which authorizations for appropriations were not enacted or are scheduled to expire;
—Provides estimates of the cost of many legislative proposals, including formal cost estimates for all bills reported by committees of the House and Senate and detailed explanations of components of cost estimates and the estimating methodology;
—Estimates the cost of intergovernmental and private-sector mandates in reported bills and other legislative proposals;
—Conducts policy studies of governmental activities having major economic and budgetary impacts;
—Provides testimonies on a broad range of budget and economic issues, addressing the agency's budget projections as well as specific issues related to national security, health care and climate change policy, alternative means of financing infrastructure spending, economic and financial conditions, and numerous other program areas;
—Helps the Congress make budgetary choices by providing policy options, but not policy recommendations, for how it might alter Federal outlays and revenues in the near term and over the longer term;
—Analyzes Federal spending and revenue totals each month; and
—Constructs statistical, behavioral, and computational models to project short- and long-term costs and revenues of government programs.

SOME DETAILS OF CBO'S FISCAL YEAR 2010 BUDGET REQUEST

CBO's request would allow the agency to build on current efforts. Specifically, the request would fund the following:
—A workload of roughly 700 formal cost estimates (most of which include both estimates of Federal costs of legislation and assessments of the cost of mandates included in the legislation that would affect state and local governments, Indian tribes, or the private sector) and hundreds of informal estimates, approximately 100 analytical reports along with other publications, and a heavy schedule of Congressional testimony;
—254 FTEs, an increase of 12 (4 to continue the expansion of the agency's capabilities to analyze health care issues; 5 to devote to CBO's additional analyses of the financial and housing markets, including new requirements under the Economic Stabilization Act; and 3 to support the expanded mission of the agency);
—A projected 8 percent (or $2.3 million) increase in base pay, of which $1.1 million would support the 12 new FTEs and the balance of $1.2 million, a combination of across-the-board increases, promotions, performance bonuses, and merit increases for current staff (the across-the-board increase is budgeted at 2.9 percent for staff earning a salary less than $100,000, which is consistent with the pay adjustment requested by other legislative branch agencies);
—A projected 14.7 percent (or $1.3 million) increase in the cost of benefits, of which $0.4 million would go toward the 12 new FTEs and the balance ($0.9 million), toward existing staff and employees who will fill vacant positions;
—The replacement of obsolete office equipment, desktop computers, and network servers, at $0.9 million—a decrease of $154,000, made possible because start-up requirements for the new staff are funded in fiscal year 2009 and do not recur;
—Expert consulting, at $0.7 million—a decrease of $1.3 million, which is made possible in part by shifting from contractor support to full-time staff to meet new requirements under the Economic Stabilization Act and to conduct other analyses in the financial and housing markets;

—Purchases of office supplies and subscriptions, at $0.6 million—a decrease of $138,000, made possible because some costs in fiscal year 2009 are non-recurring;
—A contribution toward the activities of the Federal Accounting Standards Advisory Board at a normal operating level of $0.5 million—an increase of $58,600 based on inflation, as projected by the Government Accountability Office;
—The acquisition of commercial data necessary for CBO's analyses, at $352,000—an increase of $7,000;
—Financial management services, including support for payroll and financial systems, at $318,000—an increase of $39,900, primarily because of anticipated price hikes when renewing option-year contracts;
—IT system development, at $304,000—a decrease of $10,500 based on anticipated requirements;
—Essential software purchases, at $268,000—an increase of $8,000;
—Equipment maintenance, at $237,200—an increase of $2,000 based on current contracting data;
—Travel, at $229,800—an increase of $56,000, including costs to support new FTEs and added training;
—Telecommunications and telephone services, at $203,600—an increase of $8,100;
—Management and professional training, at $170,000—an increase of $21,500, of which $14,000 would be for the new FTEs, with the balance restoring training to roughly the fiscal year 2006 funding level;
—The completion of the redesign of the agency's Web-based information services and platforms, at $125,000—a project to update the agency's obsolete external and internal Web sites to enhance their usefulness, with improvements in content, functionality, and the timely delivery of various work products to the Congress; and
—Independent audit services, at $102,900—an increase of $4,900, which is based on contract award data.

I am pleased to report that CBO received its fifth consecutive clean opinion in the latest audit of its financial statements. The agency's sixth audit (of fiscal year 2008 financial statements) is ongoing.

Finally, I would like to thank the Committee for the funding provided this year, enabling CBO to carry out its responsibilities to provide information and analysis to the Congress as it grapples with the critical issues facing the Nation.

Senator NELSON. Thank you.

Should we do 5 minutes first round here?

LEGISLATIVE BRANCH OSHA ENFORCEMENT PROVISIONS

Mr. Dodaro, at our hearing a couple of weeks ago, we discussed the Office of Compliance's Occupational Safety and Health Administration (OSHA) oversight of the legislative branch as set forth in the Congressional Accountability Act, and we found that perhaps the legislative branch was being held to a higher standard than the executive branch. And while I don't want to be in competition with a race to the bottom, or anything of that sort, it does seem that some parity might make some sense.

Could you explain what you think about the legislative branch enforcement provisions for the OSHA, why they are different from the executive branch? I mean, if there is some justification we don't understand, we would certainly like to pick it up.

Mr. DODARO. My understanding, based on the work that we have done for the legislative branch over the years, is that one of the areas we were asked to look into a few years ago was the Office of Compliance and its management practices. With regard to the OSHA provisions, my understanding is that while the provisions about the type of safety requirements are on par with the executive branch and the private sector standards, the Congressional Accountability Act required a specific timeframe for violations to be fixed and funded that is different and, if you will, a little bit tougher standard than what applies to the executive branch and the private sector.

And I am sure, without speaking for the congressional intent here, it was intended to make sure that the identified deficiencies were rectified over a certain period of time. But it does not provide a lot of flexibility that is provided in the executive branch and the private sector.

So, if you would like, we could look at how to make it on a par with the executive branch and suggest some legislative language for you to consider.

Senator NELSON. That is where I was going to go, and I appreciate your anticipating that because, clearly, we ought not to have tied our hands more than others have tied their hands. Because when addressing the requirements for fixing the defects that the citations reflect, we ought to do it in a rational, reasonable, and appropriate fashion. And so, I would be very anxious to see what kind of language you might recommend for us to consider.

Mr. DODARO. Yes, we will do that.

Senator NELSON. And I think it might also be helpful for us to have some evaluation of the kind of requirements that are being imposed with open staircases in the old, historic buildings, and not just as to the cost, but what this can do to the structure that represents the history of our country.

I don't want us to start seeing fire doors in the middle of these buildings, particularly where we understand in some cases there is a considerable amount of sprinkler systems in place. That if one of our buildings was being treated differently than it would have been treated under the executive branch. We will get you some information on that as well.

Mr. DODARO. Okay. Yes, we would be happy to take a look at that issue. Certainly, the historical character of the Capitol and buildings is a very important issue, and that needs to be balanced with safety issues in place and some creative thinking about how to achieve both within a reasonable cost. We would be happy to take a look at that.

Senator NELSON. Well, we are certainly on the same page, and I appreciate that very much.

GAO'S STRATEGY TO MEET RECOVERY ACT RESPONSIBILITIES

On the stimulus funding, you received $25 million in the stimulus funding to be able to do your oversight. Can you update the subcommittee on what you are doing with those funds and how you are spending them? What you are doing to gear up to provide the oversight?

Mr. DODARO. Yes. The $25 million was provided to us, and it is available through September 30, 2010. There are timeframe parameters on it. We are hiring additional people to help us. We have employed, I believe, a very creative approach to do this because you are never sure that you have the money to sustain those people after that period of time when the funding is available.

So two-thirds of the people we are going to hire are going to be people who have retired from GAO that we are bringing back for specific periods of time. Some of them live in the States that we are evaluating which will save us a lot of travel cost.

We are also bringing back or hiring people on term appointment, so they will be here for a limited period of time. And then the other one-third of the people we are going to hire at the entry level, and we will be able to absorb those people likely through normal attrition over the next couple of years.

So we believe this serves the intent for the limited amount of funding that is available. Our work, given the spend-out rates for the stimulus bill, will extend beyond 2010. We will build that into our normal budget request going forward because most of the money will be outlayed to the localities in 2010, 2011, and some of it goes out a little bit further. But the bulk of the money is in those periods of time.

We think we have got a very good plan to meet our responsibilities under the act and appreciate Congress' support.

Senator NELSON. Thank you.

Senator Murkowski.

Senator MURKOWSKI. Let me follow up on that. The individuals that you have indicated that you are going to be bringing on to be responsive to oversight with the Reinvestment Act, how many of the 109 additional staff that you are looking for in this budget are actually going to be focused on this aspect, on the American Recovery and Reinvestment Act?

GAO'S FTE REQUEST

Mr. DODARO. Very few, if any of the 109 additional FTEs in our 2010 budget request would be for the Recovery Act purposes. Now we might have to supplement the proposed staffing as things progress and new requirements come up because we are beginning to receive requests on the Recovery Act beyond the current statutory requirements. So the additional staff requested could help support those, but it is not intended to do that, Senator Murkowski.

The 109 FTEs are intended to help us in several key areas. First is in the areas of financial markets and community development. As Doug Elmendorf mentioned, the financial system and the housing markets really need a lot of attention. And so, we think we can help Congress tackle some difficult issues there and bring about some needed reforms. But we need additional people.

Also, in the science and technology area, we are being asked to look at more sophisticated weapon systems, satellite systems, and a lot of, as you are well aware, solutions to our environment and energy issues, require the application of technologies. Congress has asked us to do technology assessments in the past. So we plan to bolster staff in these as well as help in a range of other areas. But it is not for the Recovery and Reinvestment Act primarily.

Senator MURKOWSKI. It seemed, as you were going through earlier, you mentioned that it would be to help monitor and follow and produce the reports that are requested under TARP, auditors for Fannie and Freddie for the Bank Insurance Fund, and then the Recovery and Reinvestment Act, and the 2010 census. All of these are, hopefully, short-term initiatives.

You are asking for 109 additional staff. What is the magic in that number? You have indicated that you are at the lowest staffing level that you have been in some time. How much of what you are asking for now is to provide for these very targeted focuses? Will this 109 be here for a period of a couple of years while we work on these projects, or do they become part of the base of the staffing level?

Mr. DODARO. Right. I mentioned the TARP initiatives and the American Recovery and Reinvestment Act as areas of new responsibilities for GAO. They will be limited over time, although I don't know how long the TARP program would be, particularly if the Government procures the toxic assets and holds them to maturity over a period of time. That could go on for an extended period of time, and the American Recovery and Reinvestment Act will be several years.

However, those areas are still relatively a small part of GAO's overall service to the Congress among the 1,200 requests we have. So the 109 FTEs are really intended to be part of the base to address the wide range of issues from all committees in the Congress that we receive, including a lot of the work we do in the defense area on defense capabilities and management and acquisition reform. We do work in cyber security. So everything the Federal Government is involved in, we are doing work on.

The 109 FTEs are intended to help in that work because we can't get to all the requests we receive from the Congress in as timely a fashion as I would like and that many of the committees would like.

Senator MURKOWSKI. Is 1,200 requests from Congress about average? Are we seeing an ever-increasing number of requests?

Mr. DODARO. It has increased since 2005 by about 15 percent, and it has held steady at 1,200. We work with each committee to reprioritize those requests to make sure that we are working on the top priorities.

GAO'S STAFFING LEVEL TRENDS

Senator MURKOWSKI. So if, in fact, you have seen an increase of 15 percent since 2005, what has your staffing level been since 2005?

Mr. DODARO. For 2009, it has only increased by 60 full-time equivalents (FTEs). It actually had been going down. And so, we had a situation where the requests were going up in 2006 and 2007, and the staffing usage was going down. Last year, I asked for a 150 FTE increase. We got about one-third of that, and are now coming back to ask for more.

I firmly believe if the 109 FTEs are addressed, that will be the right size for GAO—assuming there are no further unusual events in our economy, and let us hope not.

Senator MURKOWSKI. Everything is unusual.

Mr. DODARO. Yes, but at this time, I think that is the right level for us to serve the Congress. So I don't see us coming back every year and asking for additional funding. I think this will get us up to a level that we can provide quality service to the Congress across the breadth of committees in a timely fashion.

Senator NELSON. They did call the vote. So we will take about a 10-minute break. Be right back.

The vote has been accomplished. And with any luck and good fortune, we won't have another interruption for a while. So appreciate your forbearance.

GAO'S HIRING STRATEGY

Mr. Dodaro, on the 109 new FTEs, is that a number that is easily absorbed within a year? In other words, within 12 months, or would it be safe to say that you could do it over a 2-year period if you had 50 and 50 or roughly some number?

But is it doable to bring on 109 people conceivably on the first day of the budget if you have an annualized appropriation rather than feathering them in over a period of time?

Mr. DODARO. Mr. Chairman, we have an ongoing recruiting process. Each year, we replace about 10 percent of our organization, which is over 300 people, just to replace normal attrition. That has held pretty steady, although we are down a little bit this year due to the economy. Not everybody is retiring as what they originally planned.

But in the past we have brought in over 400 people in a year. If the Congress acts before the end of the fiscal year and we have a budget going into the fiscal year, rather than have a continuing resolution, we believe we can do that. We can bring in staff to replace attrition, and increase 109 FTEs.

Senator NELSON. And absorb it all at the same time?

Mr. DODARO. Yes, with qualified people.

Senator NELSON. Of course. Of course.

GPO'S BUILDING REPAIRS

Mr. Tapella, you are asking for $13.6 million in fiscal year 2010 to maintain and repair your buildings, but it is my understanding that you are also pursuing the idea of relocating to a smaller building in the near future. And is there an inconsistency in wanting to spend money on a facility that you may be leaving, or is this a facility other than the one that you would be leaving?

Mr. TAPELLA. Thank you for the question, Mr. Chairman.

GPO would like to build a new, modern manufacturing facility on our back lot. We have approximately 7 acres, 5 blocks here from the Capitol, and we have enough land to build a new facility immediately behind our current facility. That is our goal.

And in doing so, we would not only free up the 1.5 million square feet that is currently in our existing facilities, but we would be able to create a modern manufacturing facility on one level. We would be able to meet all of our needs in terms of office space and be able to build an additional 1 million square feet of space that could be available to the legislative branch should it need it, in addition to the 1.5 million square feet that we would be vacating.

In answer to your question about whether it is inconsistent, I don't believe it is, sir. We have been trying to get a new building for 5 years. Prior to my time at GPO, there was a decade where there was a lot of deferred maintenance, and we are now dealing with safety and health issues.

We have got elevators in particular—we are moving material and people up and down eight stories all day long. My highest priority item is elevator repair within that $13.6 million.

Senator NELSON. You have been optimistic in the past with a little bit of deferred maintenance, and now you may not be quite as optimistic about the new building, and so let us take care of the old building, just in case. Is that fair?

Mr. TAPELLA. Well, I don't know that it is necessarily whether it is optimistic or——

Senator NELSON. Oh, I was just having a little fun.

Mr. TAPELLA. Oh, okay. Quite honestly, you can only defer maintenance for so long, and then things die. And at this point, I have got three elevators that are completely out of service because they are not safe to be operated.

GPO SECURITY

Senator NELSON. I understand. I also understand that GPO does some rather complicated security work for us, and you rely on your own police force, and you have contract guards as well. What are the differences in responsibilities of the contract guards versus your own employees who serve as your security?

Mr. TAPELLA. Thank you for that question as well.

We have 52 uniformed police officers, or we are budgeted for 52 uniformed police officers and currently have 8 vacancies. We also run anywhere between 46 and 44 special police officers (SPOs), which are contract officers.

Now, the mission of our police force and the combined security force is actually twofold—one, access control and the other protecting GPO's assets, such as the United States passport and other work in progress.

We are looking at our total security posture, and it is a mixture of the two. The special police officers handle just access control. They are standing at magnetometers, working employee entrances, and greeting employees and visitors.

Our uniformed police force, with the exception of protecting the asset of the United States passport, is there to respond to incidents and other issues. So when an alarm goes off, the uniformed police officers respond.

Senator NELSON. Would there be much difference in the training of these individuals?

Mr. TAPELLA. There is a difference in training. All of our uniformed police officers, which are the Federal officers, go down to Glynco, the law enforcement training center facility down in Georgia, to be fully trained. And they are full police officers.

The special police officers have less training. They have firearms training. They have access control training, crowd control training, and the basic needs that fit what they do.

Senator NELSON. And what about a differential in the cost? Is there a differential? Do you save money by having the two different security forces?

Mr. TAPELLA. Yes. The SPOs are anywhere between one-third and one-half the cost of somebody of the uniformed police branch by the time that we include all of the benefits for the Federal officers.

Senator NELSON. Have you had a study to establish that the level of security that you get from these two security forces is the kind that you truly want? In other words, that there is no diminution of security because some are contracted out versus some are employed?

Mr. TAPELLA. Any time you are talking security, you are looking at two things—cost and risk. And you can always have more security, but you will have an intended cost, and you have to look at what that risk is of an incident occurring.

In fact, GAO just completed a study of GPO's security, and briefed the Appropriations Legislative Branch Subcommittee on the House side as well as our oversight committee. In their report, they said, "GPO generally conforms to key practices in Government facility protection."

I believe that we have the right mix. I am not a security expert. However, I do have security experts on staff that are running our entire security systems. It involves not just our officers. It involves alarms. It involves intrusion detection. It involves cameras and a general presence.

In fact, just last week, the District of Columbia recognized the GPO police force and our security services. They did a 500-foot radius around 732 North Capitol Street, and the amount of crime in that area has been reduced significantly over the last 3 years since we have implemented the combination of uniformed police officers and special police officers.

Senator NELSON. Well, it is hard to believe that the House got ahead of us, but they did. Because I was going to suggest Mr. Dodaro do that very thing in evaluating your police, but for once, the House has gotten ahead of the Senate. So we won't have to ask for that.

Thank you.

SUPPLEMENTAL APPROPRIATIONS BILL

Dr. Elmendorf, the Senate version of the fiscal year 2009 supplemental appropriations bill—we talked about this earlier, but I would like to get it for the record—includes that $2 million for CBO to address Congress' growing demand for work. Would you explain to us how that is going to happen?

And let me say that what my colleague was bringing out, it seems like Congress asked you to do more work and then gives you fits because you want to charge and put in your budget for that work. It doesn't seem quite fair that you get squeezed at both ends. "Give us more. We want to give you less." But maybe you can tell us a little bit about the $2 million?

Dr. ELMENDORF. We appreciate your concern, Mr. Chairman, for that position. When we formulated our budget request for fiscal year 2010 a few months ago, we put forth what we viewed as an important, but modest request for additional funding.

Starting a few weeks ago, some of your colleagues in the Senate became concerned that CBO might be unable to deliver estimates of the effects of health reform proposals as quickly as was desirable. I want to be clear we have delivered a tremendous amount of analysis. We have delivered preliminary estimates of more than 100 specific health reform items to the relevant committees, and we have delivered preliminary estimates of several full-scale reform proposals, overhauls of the insurance system to several committees.

So we have done a tremendous amount. And as I mentioned in my remarks, our health staff is working around the clock. But it is undoubtedly the case that the committees would like more analysis faster. The complexity of the proposals they are considering and the variance on the proposals and the variance on the variance will, indeed, overwhelm our ability to do that.

So we were asked what we might do, if funds were provided immediately, to accelerate the process of providing analysis. I tried to be clear to everybody who has asked or who has to sit and listen, that doing more health analysis does not amount to going down to the temp agency and just checking the box on 12 new people and bringing them back to the office and lining them up, and then new results come out.

On the other hand, we do understand the urgency that Congress feels for these analyses. So we put together a collection of steps we might take with additional funding.

HIGH SPEED COMPUTERS

The supplemental has $2 million for us in it, and the purposes to which we have said we would put that are, first, to acquire high-speed computer equipment, a very basic point. But the proposals we are now analyzing are much more complicated than the ones we have done in the past, and just the computing time is slowing us down. And new computers that we could have in place within weeks of getting the money would accelerate that process. We would spend $300,000 on new computer equipment.

ACTUARIAL AND EXPERT SERVICES

We also propose spending $400,000 to purchase actuarial and other expert services from private agencies. When we estimate, for example, the cost of various health reform proposals, judging the health and, thus, the likely health spending for people in certain pools is an important part of the estimate. And we have some of those skills in-house and can do that ourselves with time, but could do it much more accurately and quickly with outside services.

PRESCRIPTION DRUG DATA

We propose spending $300,000 on data on prescription drugs, so we can better gauge the cost of plans that would provide drug benefits or would change the way Government purchases drug benefits for individuals.

ADDITIONAL COMPENSATION

We would spend $250,000 in additional compensation to CBO staff, people who are working around the clock and, I think, show a great commitment to public service. But I am concerned that weeks and months of this process will drive them into the ground and that we will ultimately lose their services in the future, and this is a way of trying to make up for some of the dislocation of their lives.

ADDITIONAL STAFF

And then we would spend $750,000 to further increase the size of CBO staff, to hire four additional people to work in the health area. As you know, we have hired very aggressively in this area, I think appropriately so. We, of course, need to hire the right sorts of people, and other places in the world are also demanding people with expertise in health. So it is not straightforward, but we have been able to hire.

I think we have been very pleased at our ability to put the people we have hired over the past year to effective work. Obviously, people come with a lot of knowledge, but not with all of the knowledge they need. And we have been concerned about our ability to integrate them. But that has worked out, I think, quite well that we have actually—we are getting immediate value out of or nearly immediate value out of the people we have hired.

And we think with additional funding, we could bring on board more people, and that would enable us to do our jobs more effectively and more quickly.

Senator NELSON. I am sure it must seem like the Finance Committee has its foot on your accelerator, and this committee has its foot on your brake.

Dr. ELMENDORF. No, Senator. A number of committees have their feet on our accelerator, but we do not view you as the brake. We appreciate your support very much.

Senator NELSON. Senator Murkowski.

Senator MURKOWSKI. Well, I appreciate the explanation that you have given, Dr. Elmendorf. I will admit that I looked at the request and the supplemental and said why does this have to be in the supplemental? Why the urgency? But I think you have related it does appear that what has been requested in the supp will be spent within this next year.

Dr. ELMENDORF. As I understand the supplemental, the money is available to us for the rest of this fiscal year and through fiscal year 2010. That is important because we can't hire people in August and not pay them in October. But we do expect to spend the money over that period, and I think we will put it to good use.

Of course, it is your choice whether that is the best available use of the money. But we will put it to use for you, no doubt.

Senator MURKOWSKI. Appreciate you responding to that.

PRIVATE SECTOR REPORTING ON THE RECOVERY ACT

Mr. Dodaro, I had one more question for you. There was an article in the Post this morning about the review, the online review of the spending of the stimulus dollars under the Recovery Act, and it made reference to a Web site that apparently was not the Government's Web site but was actually doing more of what we had hoped than our Web site. Can you give me a little more background on that?

Mr. DODARO. My understanding is that, and I read the article that you talked about, and it is recovery.org rather than dot gov.

Senator MURKOWSKI. Right.

Mr. DODARO. And it seemed to indicate that they were paying people to go through contract documents and public records and things that were done across the country and then taking that information and populating their database with it, as opposed to the approach that will be used by the executive branch, which is to have reports provided by the Federal agencies and then have reports come back from all the recipients that have received Recovery Act funds. They are required to submit quarterly reports.

Now the quarterly reports are not estimated to begin coming into the Federal Government until October. They may have some pilot reports in July. One of the recommendations we made in our first report was to better define the data collection requirements because some of those reports are supposed to outline the number of jobs preserved or created, along with the status of the additional funding.

But the basic difference is that you have a private sector entity that is combing through public records at all levels of Government and putting information together from those sources versus the Federal Government building a Web site from the Federal agencies and then collecting information from State and local and other recipients of the funds.

We have not evaluated the accuracy or completeness of a private sector data source, and we would not have the authority to do that. We do plan to evaluate the Federal Government's Web site.

Senator MURKOWSKI. Which I think is appropriate, and you should be doing. It does make for kind of an awkward comparison, if you will, that, as the Government, we have tasked you to do this and, thus far, there is not much to report, and yet you see that out there in the private sector, they are thumbing through reports and gathering information. It does all come down to the accuracy of it.

Mr. DODARO. Right.

Senator MURKOWSKI. I don't know anything more than what I read in the paper this morning. I hate to get all of my information from the Post, but it is something that I wanted to raise because that question will be asked. Well, why is the Government so slow in responding if private guys can get this information, why are we so slow?

GAO'S INITIAL RECOVERY ACT FINDINGS

Mr. DODARO. Part of the problem is the number of funding streams that are occurring at this level, involving many different Federal agencies and programs. Some of them are flowing directly to localities, bypassing the States. Some are going through the States and then allocated down.

And one of our efforts is to focus at the State and local level and to provide that information. So we are tracking that. The programs have different requirements. Some of the money, for example the Medicaid money, paid States retroactively to October 2008. So some of that funding got out a little earlier than the funding for transportation highways.

The 16 States that we looked at had been allocated about $15 billion. There is only $3.3 billion that was obligated. In that case, the Federal Government and the States had agreed on about 950 projects. Most of them are still in the bidding process. So in April and May, a couple of States, Mississippi and Iowa, had actually awarded contracts and put them in place. And then the State stabilization fund is even more complicated because most of that goes to education, but 18 percent they can use for a wide range of public services.

So we are trying to track this, and it is in varying stages of development. But I think the real question is the accuracy and the completeness of whatever information is collected. And hopefully, we will be in a position for the localities we are at to provide insight into that.

Senator MURKOWSKI. And we appreciate the complexity, most definitely appreciate the complexity. I feel my job, as a legislator, now that that money is either out on the street or getting out there, we are charged with making sure that there is that level of accountability. There is that level of transparency. So we do rely on you for that accurate information.

Mr. DODARO. One of the things I might point out is that one of the recommendations that we made is that the administration clarify the amount of money that the States could use to ensure adequate oversight and accountability of the funds. A number of States, as I am sure you are aware, have cut back, because of their own financial stress, on some of the management functions and the auditing functions that they normally have in place to do that, and that was a concern to us.

And so, we made that recommendation, and hopefully, the administration will act on that. They are beginning to clarify that issue. But I think that is a very important point that needs attention.

Senator MURKOWSKI. Mr. Chairman.

Senator NELSON. Thank you.

GPO'S REVOLVING FUND

Mr. Tapella, GPO is requesting over $32 million in fiscal year 2010 for the so-called revolving fund. Could you explain how the revolving fund works, and which items in this request are the most critical for the success of your agency? If you could, just give us some idea of how this works.

Mr. TAPELLA. Thank you, Mr. Chairman.

Our revolving fund is like a business checking account. This year our budget was originally set at $1.02 billion, of which roughly 12 to 13 percent is direct appropriations from Congress. The remainder we earn by selling products and services to all three branches of the Government, as well as products to the public through the GPO bookstore.

Like any business, we have a checking account, and money comes in and money goes out. For example, the congressional printing and binding fund, when we complete work for Congress, we then bill the appropriation, and the money gets moved from the appropriation account into the GPO revolving fund. And like any business, we keep reserves in our accounts.

In terms of our priorities for our request for the revolving fund, our highest priority is the completion of FDsys, the Federal Digital System, which we released earlier this year, and that is an $8 million request.

The second priority is the composition systems replacement project, which is $2 million. And this project is to replace the system that we use to create all congressional work, plus the work we do for the Office of Federal Register and some other customers.

The total cost of that project is roughly, we are guesstimating, around $5 million. Last year, GPO allocated out of our retained earnings $2 million. We are asking Congress for $2 million to cover the congressional proportion of it, and anything beyond that we will deal with it as we move forward in the project. But we are thinking it could be as much as $1 million or so beyond the $4 million, the $2 million we have allocated and the $2 million we are asking for.

The third item is what we call GBIS, which is our financial system, and it is an Oracle-based financial system. And we are asking for a $3 million investment there. Like any business, we have to bill customers, and that is what we do with the Oracle system.

We also have to phase out our R–22 air-conditioning coolants, and that is a requirement from the EPA this year, and we need to fund that at $200,000. And finally, there is $3 million for elevator repairs. So out of that money we are requesting for the revolving fund for the projects that are a priority is $16.2 million.

PUBLIC PRINTER'S REPRESENTATION FUND

Senator NELSON. What is the Public Printer's representation fund?

Mr. TAPELLA. Most Federal agencies have what is called a "rep fund," which is a representation and reception allowance. And in GPO's case, it is not new appropriated money. In GPO's case, it is an authorization to use up to $5,000 in our revolving fund. We have a limitation by law that we can only spend up to $5,000 in our revolving fund for representation and reception expenses, subject to restrictions on what these funds can be used for.

Now, unlike most other agencies, we are basically a wholly owned Government business, and we have to sell products and services to other agencies. That is our complete marketing budget for representation and receptions. So it is $1 billion enterprise, and our complete marketing budget for these costs is $5,000.

I would like to see, if possible, permission to have that increased up to $7,500. And basically, this past year—I have been Public Printer now 18 months. In the last calendar year, the $5,000 was not enough to meet the needs of the business. And personally, I contributed a little over $20,000 to make certain that GPO could meet its representation and reception needs.

Senator NELSON. If you doubled that or you tripled that, what would it do to your revenues?

Mr. TAPELLA. Well, one, I hope it would help us to continue in new business development. We have seen a revenue line—our revenue trend has been going upward for the last 7 years. We got a significant spike because of the increase in both the type of passport, the new electronic passport, and the number of passports produced.

But all of our other businesses are growing as well. And when we look at the total cost for the Government Printing Office, we have a lot of overhead, which is our IT, our infrastructure, our buildings. If we do not have business opportunities with other agencies, the demands on our appropriations are going to be significantly greater.

I would like to see us put a significant emphasis into new business development. That is mostly in the areas of security and intelligent documents. For example, we now produce for Customs and Border Patrol, the NEXUS and SENTRI cards, which are the cards that are used for border crossings to Canada and Mexico. We also do the FAST card. We just got a contract with the Department of Health and Human Services (HHS) to do the Medicare card for Puerto Rico.

We have these significant capabilities, but we need to be able to make sure we are marketing them as much as we can, including through our representation and reception fund. And in my view, these items are inherently governmental. Security IDs and other secure documents ought to be in a Government-owed, Government-controlled facility rather than sent to a private contractor in the private sector.

Senator NELSON. Thank you.

CHANGES AT GPO

Senator MURKOWSKI. Mr. Chairman?

I appreciate your comments, Mr. Tapella, about kind of where or how the GPO is actually changing in terms of what it is dealing with and basically staying current and looking for those business opportunities. You have mentioned security and intelligent ID. What additional changes might you envision within the next, say, 5 to 10 years in terms of what it is that you are doing?

Mr. TAPELLA. I think it really falls into two buckets. One bucket is in electronic information. GPO currently operates a traditional bookstore. It is on North Capitol Street. We sell tangible books. We also have the authority to sell electronic information products and have had that authority since approximately 1987.

With the release of FDsys, which is our Federal Digital System, which is a repository of authentic Government information and electronic forms, I believe that there are some business opportunities there, particularly in the area of print on demand, as well as in the area of distributing that information in a slightly different way. That is one bucket.

The second bucket is really in the area of secure ID cards. Right now, we produce the passport for the State Department. It has an electronic chip embedded in it. To date, GPO is the single largest chip buyer in the Federal Government. So we have economies of scale.

We are producing and did produce on behalf of the JCCIC, the Joint Congressional Committee on Inaugural Ceremonies, the secure credential card used by 10,000 police officers on the day of the inaugural. And it was a high-tech ID card.

We are in the process of doing the NEXUS and SENTRI cards. We are looking at becoming the backup supplier for the CAC, which is the central access card used by the military, or common access card used by the military.

It also takes advantage of the skilled labor we have at GPO. We are not only a traditional paper and ink manufacturer, we also are in the electronics business. And I would like to see those skills and talents of our employees maximized.

DEMAND FOR PASSPORTS

Senator MURKOWSKI. You have mentioned a couple of different times the collaboration between GPO and the State Department as it relates to the passports with the electronic chip. I understand that we have seen a drop-off in demand in terms of the passports quite noticeably. How has this fluctuation in demand impacted GPO, and are we at the point where the demand for passports has stabilized? Do you see that changing at all? What do you consider there?

Mr. TAPELLA. Last year, because of the significant demand, we produced 24.5 million passports. The State Department originally anticipated this year that the request was going to be 16.5 million passports, and we built a budget around 16.5 million passports.

We got a surprise the week before Christmas, which was at the end of the first quarter of the fiscal year, where they said, "No, no, this year we will only need 10.5 million passports." That represented roughly a $75 million decrease in revenue to the Government Printing Office.

When we originally set our budget, we set roughly $2 million in net income. And that is the money that we use to reinvest in our business. Obviously, we don't have that this year.

And in fact, in December, we were facing a roughly $36 million budget gap between anticipated revenues and what our expenses were for the year. We have now got that cap down to roughly $10 million to $13 million, and over the course of this year, we will end the year, I believe, in the black. But we will probably be lucky if we make $2 or $3 million in net income by the end of this year.

We are at the mercy of our customers, just as we are at the mercy of Congress in terms of what Congress does. In last year's appropriation, we had revenue to pay back GPO's revolving fund from money expended to do congressional work because there wasn't enough money previously allocated for such purposes.

And so, we are at the mercy of our customers. So we make the best guesstimates that we can, like any other business, and we run into that difficulty every now and then.

Senator MURKOWSKI. So what is your forecast for the passports for next year?

Mr. TAPELLA. We have not yet received the forecast from the State Department. I am hoping that it will be larger than this year's. It would be nice if it would get up in the 15 million, 16 million range. We have dedicated nearly 150 employees just to passports, and we have a facility here in Washington, DC. We have a facility in Stennis, Mississippi. I think a lot will have to do with this next deadline for the western hemisphere travel initiative, which goes into effect June 1. That may have an effect.

What we are trying to do is get into new businesses, such as Customs and Border Patrol, the NEXUS, SENTRI cards, to try to make up for potentially less revenue in the passport business.

Senator MURKOWSKI. We have been pushing—we share a border with Canada, and we have been urging Alaskans for the past 18 months to aggressively get your passport now. I think we contributed to some of your business.

But I would imagine that we are probably on that downhill, and I don't know whether it is a stabilization, but I wouldn't expect that we would see a continued increase in requests for passports. I think that the message that we, as lawmakers, were trying to get out, I think they finally got it. And people really did get out, and we saw that bump up. But I wonder whether it is going to continue at that.

Mr. Chairman, I had a question about the facilities issues and the police force, but I understand that you had an opportunity to already ask Mr. Tapella that when I was walking back over here. So I don't have any further questions.

BUSINESS APPLICATIONS AT GPO

Senator NELSON. I don't know that I have any further questions. I guess I would make a comment that maybe that representation fund should be expanded because any business that would be looking at a downturn on one side of their business would be looking for ways to create an upswing on the other side of their business.

And it seems to me that in a day and age when we are looking for more transparency, the data, the information, everything that you have is valuable to countless numbers of groups and others. And it would seem unless you have saturated the market out there already, which I rather doubt it, not with a $5,000 representation fund, that there would be a market that you could go after.

I don't want to turn the United States Government into a business, but certainly there are business applications that would be appropriate for what you are doing. So I certainly wouldn't be against seeing that fund or that number increasing, if you had any thoughts?

Mr. TAPELLA. Well, I would agree with you completely. Essentially, we are a business or we operate like a business. And I actually think it is a good thing. I am not opposed to it.

I think it is important that we be lean and mean like other businesses. And there are a lot of opportunities. There are a number of things that I believe are inherently governmental that are currently being done by private sector vendors that are better served in a Government-owned, Government-controlled facility, particularly as it relates to security and credentials.

One of the areas that if we had the authority to do, which we presently do not have, I would love to be able to use our excess capacity in passport production to produce passports for other countries. In order to do that, we would have to have specific authority or have the State Department host the other countries. But that is an area where, for example, we could provide some great value, and it would keep our folks gainfully employed and fully enabled.

Senator NELSON. Well, if you have got excess capacity, one of the best things that you can do is find a use for it. And perhaps you might think about putting a plan of that sort together. I am more than happy to continue to talk to you about it, and perhaps there is something that could be established to do that very thing.

I don't know whether you—Mr. Dodaro would want to take a look at that as well. Certainly, we ought to maximize whatever capacity we have, particularly in a down economy.

GAO'S PASSPORT WORK

Mr. DODARO. We would be happy to take a look at that. We have looked at the security surrounding the passports, both in terms of being able to get them with falsified documents, as well as the securities of the chips that Bob has been talking about. So we will be happy to look at the demand issue as well for you.

Senator NELSON. And come up with maybe some path forward on what kind of authority would be required. We could take a look at it at the very least.

So, well, I want to thank the witnesses.

Yes, Senator Murkowski?

GPO INFORMATION TECHNOLOGY

Senator MURKOWSKI. I just realized there was one final question that I had not——

Senator NELSON. Sure.

Senator MURKOWSKI [continuing]. Yet asked. I apologize. And this relates, Mr. Tapella, to the information technology request, the $18.5 million. It is my understanding that these initiatives that are contained in this IT request have been requested in prior years, but they haven't been funded.

Can you let me know why is it important that we do them now? What the impact of continuing to defer some or all of these to a future year might be? I just want to understand because $18.5 million is not unreasonable in terms of a technology request. But if you have been able to get by without it, what would be the impact of continued deferral?

Mr. TAPELLA. Number one, as we have looked at prior year requests, we requested typically the amount for the entire project. And what we have done is we have broken those down, and in many ways, we have funded the first phases of these through retained earnings when we didn't receive direct appropriations for the purposes.

As we look at FDsys, the subcommittee previously had been very supportive by allowing us to use prior year unobligated congressional printing and binding funds and salaries and expenses to fund FDsys. And that is the whole reason that we were able to release it this year.

The remaining $8 million we need to complete the functionality of FDsys, to take it from where it is today to the complete functionality, we still have a 2-year roadmap of releases for FDsys. And if we don't have the funding, and particularly in GPO's current financial state, we will not have the retained earnings to fund it out of our revolving fund, as we had in some prior years. So FDsys would probably stop with its existing functionality should we not get the funding levels we need.

As it relates to composition replacement system, that is something that we use for both Congress and for the Federal Register. Those are our prime areas. We have already committed the first $2 million for it from our revolving fund, and it was retained earnings from the products and services we sell to other agencies. We expect the total project to cost $5 million.

Since we use it significantly for congressional products, or at least 50–50, we believe the Congress should be paying for their share of it. And actually under the law, they really should as well because it falls into the Anti-Deficiency Act in terms of using funds for its intended purpose.

That is going to be done in three releases. The first release will be completed about 1 year after the initial award. And we are ready to go out with an RFP probably within the next month or so. And we have got enough money for this first phase. If we don't get the money this year to continue it, it is going to go on hold.

As we look at the Oracle system, we are in an interesting situation for our transformation. The transformation began in 2003 really. We are now 6 years into it, and we have had to replace all of our systems. We were on old mainframe systems. They are legacy systems. They are no longer supported. And this year, we are running in duality. We have our new Oracle system. We are still running some mainframe systems. We have the new FDsys. We are still running GPO Access.

When it relates to our financial systems, if we do not have the funding to continue Oracle, we are going to have to continue basically paying double for our overhead in those related areas, and we will not see the benefits of such a system. And I think that is really critical.

As it is, we are probably looking another year or two in duality just with where we are in funding levels. And if we don't get the funding, it is going to be 4, 5, 6 years, which means at the end of the day, you are still paying for it because we are going to have to charge more for congressional printing and binding if we have significantly greater overhead.

And so, it is sort of a win-win, lose-lose, you pay one way or the other.

Senator MURKOWSKI. Thank you. Appreciate that, Mr. Chairman.

Senator NELSON. Thank you.

I want to thank the witnesses today for attending our hearing.

SUBCOMMITTEE RECESS

The subcommittee will stand in recess until 2:30 p.m. on June 4, 2009, when we will meet to take testimony on the fiscal year 2010 budget requests of the Library of Congress and the Open World Leadership Center.

We are recessed.

[Whereupon, at 4:01 p.m., Thursday, May 21, the subcommittee was recessed, to reconvene at 2:30 p.m., Thursday, June 4.]

LEGISLATIVE BRANCH APPROPRIATIONS FOR FISCAL YEAR 2010

THURSDAY, JUNE 4, 2009

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

The subcommittee met at 2:34 p.m., in room SD–138, Dirksen Senate Office Building, Hon. Ben Nelson (chairman) presiding.

Present: Senators Nelson, Pryor, and Murkowski.

LIBRARY OF CONGRESS

STATEMENT OF HON. JAMES H. BILLINGTON, LIBRARIAN OF CONGRESS

ACCOMPANIED BY:

JO ANN JENKINS, CHIEF OPERATING OFFICER

DR. DEANNA MARCUM, ASSOCIATE LIBRARIAN FOR LIBRARY SERVICES

KURT CYLKE, DIRECTOR, NATIONAL LIBRARY SERVICE FOR THE BLIND AND PHYSICALLY HANDICAPPED

OPENING STATEMENT OF SENATOR BEN NELSON

Senator NELSON. Good afternoon, everybody, and welcome. We meet this afternoon for our fourth and final legislative branch budget hearing for fiscal year 2010. Today, we will hear from the Library of Congress and the Open World Leadership Center.

It is my pleasure to welcome my ranking member—my recovering ranking member here—and good friend, Senator Murkowski. It has been a real pleasure working with her throughout this process this year, as well as with the other members of the subcommittee, Senator Pryor and Senator Tester. And we hope that perhaps they will be able to join us today as well.

And I want to welcome our witnesses today—Dr. James Billington, the Librarian of Congress, and Ambassador John O'Keefe, Executive Director of the Open World Leadership Center. It is good to have both of you gentlemen here this afternoon, and we are looking forward to hearing from you.

We would hope that perhaps you would keep your opening statements as brief as possible, perhaps around 5 minutes, and submit the rest of your testimony for the record.

One thing that we have established at our first three hearings, and I hope it bears repeating, is that we are not eager to increase the overall legislative branch budget this year. And so, we are looking for your guidance in helping us to address your agency's needs in fiscal year 2010, but this is not the year for the "nice to haves."

Senator Murkowski and I look forward to working with you in this regard, and we have been working with the other members of the legislative branch in that regard as well.

First of all, Dr. Billington, I want to welcome you and your Chief Operating Officer, Jo Ann Jenkins. It is an honor to have you here today. On behalf of the subcommittee, I want to wish you heartfelt congratulations on your 80th birthday.

And thank you for your service as Librarian of Congress for these last 22 years, very important years in the development not only of the Library for Members of Congress, but for your efforts to reach out to world leaders and to bring them into the kind of librarian finesse that you have been able to continue to provide for all of us, and we appreciate that.

I know personally, having been with you in Moscow and your close association with Mr. Putin and Mrs. Putin, and what you have been able to do to help them with their library efforts is commendable and makes us all very, very proud. Your service in this capacity is both highly commendable and greatly appreciated, and we can't express enough our appreciation for those efforts.

The Library's fiscal year 2010 request totals $658 million, an increase of $51 million, or 8.5 percent over fiscal year 2009. And I note that a large portion of your increase, about $20 million, has to do with upgrades to the Library's information technology systems. I look forward to hearing from you and discussing this with you just a little later on.

I also want to welcome Ambassador O'Keefe of the Open World Leadership Center. Your budget total is $14.456 million, an increase of $556,000, or 4 percent above the current year.

I want you to know that I strongly support the work of Open World. We are very proud of what you are doing in reaching out and bringing others into the kind of relationship with our country that we all want and we know that the others respect and want to continue.

Your leadership in that area, your role has been tremendous. We are both proud and very supportive of your efforts, and we want those efforts to be able to continue. And we want to work with you in order to make sure that that, in fact, does happen.

And now I would like to turn it over to my friend and ranking member, Senator Murkowski, for her opening remarks.

STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Thank you, Mr. Chairman.

I appreciate how this series of hearings has gone. This is our fourth and our last, as you have noted. But as a new member to the Appropriations Committee and certainly a new member here with this Legislative Branch Subcommittee, there has been a great deal of focus and attention to the real workings of what goes on within the legislative branch, and I appreciate that.

Sometimes this is one of those appropriations subcommittees where things just kind of move forward on status quo, and I think the level of inquiry that we have had in subcommittee with your leadership, it has been appreciated on all ends. And I just wanted to make that comment.

I want to welcome the witnesses before us today. I had an opportunity to do a little sit-down with Dr. Billington and Ambassador O'Keefe. I appreciate that a great deal.

Ms. Jenkins, it is a pleasure to welcome you back, and I know you have got a full team behind you as well. We certainly welcome you to the subcommittee.

There is also an Alaskan today that I want to acknowledge. The Library brings to Washington every year a teacher to work with its Educational Outreach Division. And for the 2008–2009 school year, the Library selected David Miller, who is the library media specialist from Ketchikan High School.

I didn't go to Ketchikan High. I was born there. My parents both went there. So it is nice to have a hometown person associated with our Library. He has worked on several different projects, including an online professional development project, facilitating educator workshops, and developing teacher materials for the Library's Learning Page, which is great.

The Library has had some important events in the last year, including the opening of its new visitor's experience in the Jefferson Building, the launching of the World Digital Library in Paris with partners from 21 countries, and the first full year of operating the state-of-the-art National Audio-Visual Conservation Center in Culpeper, Virginia.

And Dr. Billington, Senator Nelson mentioned your work with Russia, and we know your involvement, very instrumental involvement with the opening of the Yeltsin Presidential Library in St. Petersburg, Russia. These are truly important accomplishments.

Mr. Chairman, you have noted that for fiscal year 2010, the Library of Congress is requesting a budget of $699 million, offset by collections of $41 million, and this is primarily from copyright fees, which is an increase of 8 percent over fiscal year 2009.

There are some large new initiatives included in the budget, such as multiyear information technology enhancements, which total about $15 million annually. This is an area that hasn't received budgetary increases in some time. So I look forward to hearing why an increase of this magnitude is justified, how it ties to an agency-wide digital strategy.

As far as the Open World program, Mr. Chairman, you have clearly noted your support for that program. They are suggesting an increase by 4 percent. I will ask in my questions to you, Ambassador O'Keefe, how and why a foreign exchange program belongs in the legislative branch bill.

I am not questioning whether or not it should continue, but whether this is the right spot for it. I think you have probably had that question before. So I will look forward to your response with that.

With that, Mr. Chairman, I am anxious to hear the comments from those who are here today to present.

Senator NELSON. Well, at the risk of further embarrassing Dr. Billington, I certainly would like to say, Dr. Billington, that so many of us consider you a national treasure in your role in the Library and what you have done to reach out to others in the world.

And certainly, Ambassador O'Keefe, you embody the same spirit. So, with that, Dr. Billington, we would love to receive your testimony.

SUMMARY STATEMENT OF JAMES H. BILLINGTON

Dr. BILLINGTON. Thank you, Mr. Chairman and Senator Murkowski, members of the subcommittee.

It is really an honor to be here to represent the Library of Congress fiscal 2010 budget request.

The Library has been honored to bring our outstanding recent exhibit, Mr. Chairman, commemorating the 200th anniversary of Abraham Lincoln's birth to Omaha as its last stop. Actually, it began in Omaha because Union Pacific funded it and made it possible. So it is only fitting that it had its last stop in that city.

Senator Murkowski, we really appreciated your staff touring the exhibit with Library curators while it was still in the Jefferson Building, and we look forward to your coming to the Library this summer to look at our holdings on Alaska.

It happens that right now a member of our staff, in addition to Mr. Miller, who is with us this year with our Teaching with Primary Sources Program that the Congress has supported so well, is running a teacher training workshop in Anchorage, and she just reported to us that every school district in the State is represented, except for Juneau, where the schools are still in session.

So, anyhow, we look forward to working with you both and with all the members of this subcommittee, and we appreciate your cordial words.

In fiscal 2010, we are requesting a net increase of 8.1 percent, of which 4.6 percent represents funding for mandatory pay and price level increases; 0.4 percent is to sustain continuing projects, and the remaining 3.1 percent—the only major increase this year—is to support a critical investment in updating and enhancing the Library's technical infrastructure.

TECHNOLOGY INFRASTRUCTURE REQUIREMENT

We are, in effect, superimposing a digital world on top of the traditional print world, moving from traditional business systems of personnel, finance, cataloguing, and management of information systems, to taking in and managing the very fast-changing digital formats that include eJournals, eBooks, digital TV, Web sites, digital images, digital audio and visual, and so forth.

Each of our major program areas, the Congressional Research Service, Library Services, the Law Library, the Office of Strategic Initiatives, and the Copyright Office, must now deal with all aspects of digital works—acquiring them, preserving them, and providing access to them.

Over the past 15 years, we have built separate systems, successfully meeting individual program needs as they have been identified to deliver the new services that Congress and the American people have asked of us. Some of these systems are new, like the Copyright Office's online registration system. Others rely on what has now become very dated technology.

The Library has not sought any increase in base funding for the technological infrastructure for all of this for a decade. We now have a pressing need to modernize this infrastructure so that we support our diverse and vastly increased digital activity more efficiently. We must do so with more unified Library-wide systems that can be adjusted and scaled up economically to sustain services and meet new user demands as the technology changes.

SUPPORT FOR DIGITAL TRANSFORMATION

We are now providing far more services and with 1,000 fewer full-time equivalents (FTEs) than we had in 1992, when we had barely begun the Library's digital transformation. Our entire technology request builds upon successful services that we have built incrementally, and unique experiences and feedback that we have gained through a variety of these initiatives.

We are now poised to develop core infrastructure that can be used by all parts of the Library. We recently launched with UNESCO our World Digital Library, which has received extraordinary international acclaim with something online from all 192 members of UNESCO. It attracted 20 million page views in its first 4 days and is proving to be an effective catalyst for building the new technological platform with reusable, scalable, and multimedia components.

FORT MEADE

In conclusion, let me just highlight our Fort Meade request. Having the space to store so much of America's creativity and the world's knowledge in environmentally controlled facilities is critical to sustaining the historic mission of the Library. Publication continues to grow worldwide; has increased by approximately 40 percent since 2000, even as online digital information is expanding. The Fort Meade program has achieved 100 percent retrievability, and is essential for preserving and making accessible our uniquely comprehensive collections for Congress.

Amazon has recently stated that no meaningful solutions for effective long-term collection management can be implemented until more space is created, after inspecting the collections in a recent pro bono visit to the Library. The Library is a unique treasure trove of information, knowledge, and creativity, much of which is not available anywhere else.

PREPARED STATEMENTS

Today, when technology is transforming the way we deliver our services to Congress and the Nation, the Library is renewing and expanding its role in our knowledge-based democracy. We look forward to working with this subcommittee to craft a budget for fiscal 2010, and we thank you and the Congress as a whole for continuing to be the greatest patron of a library in the history of the world.

Thank you, Mr. Chairman.

Senator NELSON. Thank you, Dr. Billington.

[The statements follow:]

PREPARED STATEMENT OF JAMES H. BILLINGTON

Mr. Chairman, Senator Murkowski, and other Members of the Subcommittee, I am pleased to present the Library of Congress fiscal 2010 budget request.

Mr. Chairman, I am deeply grateful to you and the subcommittee for your full support of our fiscal 2009 request. It has heartened and strengthened us at what we know is a time of extraordinary fiscal pressures on the Federal Government. In such a time, I feel a special obligation to stress the importance of what the Library of Congress is doing for America's future.

The Congress of the United States has been, quite simply, the greatest patron of a library in the history of the world. Its creation, the Library of Congress, is the largest and most diverse collection in human history of the world's knowledge in all languages and of the intellectual and artistic creativity of the American people in all its major recorded formats.

The Library's historic mission has been to serve the Congress and the American people by acquiring, preserving and making accessible its unique material and human resources. Its major challenge—and opportunity—in recent years has been to sustain and extend that mission amidst one of the greatest revolutions in history in how knowledge is generated and communicated.

Our task has been, in effect, to superimpose new digital processes and services onto those of traditional artifactual library processes—while preserving and exemplifying the human values of the older book culture that helped create the free, open and knowledge-based democracy that we serve. In the course of meeting this challenge, we have undertaken a far greater range and volume of innovative processes and services than ever before with one thousand less FTEs than in our peak predigital year of 1992.

Congressional vision and support has made it possible to continue to add important new acquisitions and to sustain unique preservation activities. Thanks to the Congress' building a direct passageway from the Capitol Visitor Center into the Thomas Jefferson Building, we have greatly increased numbers of visitors to see an entire new series of interactive exhibits culminating in the centerpiece of the Lincoln bicentennial that displays for the first time in 50 years the key original documents of Lincoln's presidency in his own hand. We were glad to welcome the creation of a Library of Congress Caucus in the course of 2008. And we are pleased to note the steady increase of the use of the Members Room and other Library facilities now that the tunnel directly connects the Library to the Capitol Visitor Center and to the Capitol itself.

Thanks to Congressional support and the unprecedented generosity of David Packard and the Packard Humanities Institute, the magnificent new Packard Campus for Audio Visual Conservation in Culpeper, Virginia is now up and running under its outstanding new director, Patrick Loughney. The Packard Campus is, in essence, a high-capacity digital preservation facility for our massive and largely perishable audio and film collections. We are now able to save many collections that would otherwise have deteriorated and been lost forever.

We are now in the process of hiring 39 new staff, and the Packard Campus is well-launched. The film preservation lab is operational and digital preservation of sound recordings, television, and radio broadcasts preservation work has started.

I am pleased to report that our National Library Service for the Blind and Physically Handicapped is on schedule with the Digital Talking Book program. We have received the first 5,000 machines and are sending them to eight regional libraries for user testing. We will also send the first book cartridges to these regional libraries next week.

On April 21, 2009, the Library, in cooperation with UNESCO, launched our new World Digital Library. Within hours of going online, this multilingual and multi-medial site had attracted 600,000 visits and more than 7 million page views. Our National Digital Library/American Memory site also began with a relatively small number of high quality, one-of-a-kind cultural treasures but has now steadily grown to more than 15 million online primary source files with educational enhancements.

FISCAL 2010 BUDGET REQUEST

We are requesting a total fiscal 2010 budget of $699.4 million, representing a $52.6 million or 8.1 percent increase over fiscal 2009 funding levels. The majority of this increase represents funding for mandatory pay and price level increases totaling $29.8 million or 4.6 percent. Funding adjustments to support ongoing projects, totaling $16.6 million, and non-recurring funding for projects that are ending (−$13.7 million), represent a total of $2.9 million or 0.4 percent. The remaining 3.1 percent or $20 million represents the focus of our fiscal 2010 budget request, seeking support for investment in the Library's technical infrastructure.

MODERNIZING THE AGING TECHNOLOGY INFRASTRUCTURE—$20 MILLION

Infrastructure—$15.4 million

The mandatory pay and price level increases are critical for keeping the Library whole, but our highest programmatic funding priority in fiscal 2010 is an increase in base funding to update and enhance the Library's technology infrastructure, upon which the progress of all service units of the Library depends. The Library requests $15.4 million to modernize our technology. This investment will fund: core technology, content management, and content delivery—three areas that are inextricably linked. We need an updated technology infrastructure before we can construct a foundation for bringing digital content into the Library, managing it so that it can be used by the Congress and the American people, and preserving it for future generations.

Up until now, the Library has benefited from a centralized catalog of print holdings, but the digital projects have been designed and maintained separately. This is entirely understandable in a time of experimentation and transition, but at this stage of our digital maturation, we are now poised to develop core infrastructure that is used by all parts of the Library, and to implement flexible, scalable systems that meet the broad needs of the institution. The launch of the World Digital Library has proven to be a useful catalyst for the development of a new technology platform with reusable and scalable components. This modern form of technical infrastructure will allow us to streamline and make more efficient our workflows and processes throughout the Library.

The 21st century Library is increasingly multi-medial. Our budget request will allow the Library to build sustainable systems to manage digital content of many varieties: video, audio, text, and images. Such technical systems will allow us to manage all of these formats in more cost-efficient, integrated ways. The funding we are requesting will also allow us to make these multi-media materials available to the Congress and other users in the ways they now expect: fast, convenient, and easy-to-use.

Legislative Information System—$1.6 million

One of the Library's key means of providing information to the Congress is through the Legislative Information System (LIS), which was first made available in the 105th Congress. This system provides Members and their staff with online access to the most current and comprehensive legislative information. The LIS has been developed under the direction of the House Committee on House Administration and the Senate Committee on Rules and Administration. It has been a collaborative project of several legislative branch offices and agencies. CRS has responsibility for overall coordination of the retrieval system. The Library is responsible for its technical development and operation.

We are requesting a one-time investment of $1.6 million to update the current LIS so that it can meet growing demands. The new concept of operations will be based on a thorough assessment of the current system and develop an architecture that provides enhancements for users to better perform discovery, navigation, and retrieval across the entire spectrum of legislative content. The new system will take a modular approach to functions such as search and storage, so that they can be independently improved in the future. The Library will reconfigure LIS in consultation with House, Senate, Government Printing Office and CRS data providers.

Targeted User Interactivity—$3 million

Finally, we request an investment of $3 million to support the broad expansion of public access to the Library's collections and services on-site and online through the testing, evaluation, and adoption of emerging new technologies for the K–12 and teacher communities. Successful implementation of the Library of Congress Experience in the Thomas Jefferson Building has dramatically increased public awareness and unleashed the educational potential of the Library and its collections through the creative application of new interactive programs. Visitorship is up nearly 30 percent since its initial launch in April of 2008.

IMPROVING ACCESS, CAPABILITIES, AND SERVICES

Over the past 6 months, the Congressional Research Service has shown its exceptional capacity to serve the Congress under extraordinary and time-sensitive conditions. It provided comprehensive analysis and legislative support during the financial crisis, the auto industry crisis, the fiscal 2009 appropriations bill and the fiscal 2010 budget resolution. It produced more than 100 reports for the American Recovery and Reinvestment Act of 2009 alone. This year it has identified more than 170 active issues for which it will support Congress in every step of the legislative process.

We ask for $1.8 million to enhance access to Congressional Research Service (CRS) expertise by modernizing the technical environment that supports it. These systems govern how CRS manages and supports its research operations, personnel systems, and the systems used to run, maintain, and update the CRS web site for Congress. An additional $500,000 is requested to purchase network storage and switch hardware to improve the IT and emergency backup capability of CRS.

The renewed LIS will also benefit the public THOMAS system. To continue to meet the public's need for legislative information, we request $138,000 to hire a web site manager who will develop a user interface and an improved navigation system for THOMAS users. The THOMAS site has seen a steady increase of inquiries from your constituents, and it is important that we make this web site more user friendly.

We request a one-time $1.1 million increase in offsetting collections authority for the Copyright Licensing Division so that we can secure consulting services to help us convert from a manual to an electronic filing process. Electronic filing is needed to maintain reasonable operating costs in future years and to minimize increases that would be unacceptable to the Congress, copyright owners, and cable system operators.

The Library is requesting $2.7 million to expand the availability and usefulness of legal materials collected and stored in the Global Legal Information Network (GLIN), a database of more than 160,000 laws and related legal materials from 51 jurisdictions in Africa, Asia, Europe, and the Americas. In fiscal 2005, the Law Library launched a major upgrade of the GLIN system that vastly improved functionality and usability, including providing access in 13 different languages. GLIN has since attracted a global audience that has increased tenfold, exceeding its performance target by 800 percent. As the system has improved, new jurisdictions have become members, the size of the database has increased, and the level of use continues to expand. This funding is specifically requested over a 5-year period, to upgrade and refresh the hardware and software to sustain GLIN operations as the program continues to expand in content, usage, and membership. This funding will also further the Law Library's mission to support the foreign law research needs of the Congress, promote the rule of law between and among nations, and support the legal information needs of emerging democracies. The Law Library has created a private GLIN Foundation and will work to attract private financing over the long term. This request will cover the hosting and maintenance of GLIN to ensure the continuity of operations as new members join.

REENGINEERING WORK PROCESSES IN LIBRARY SERVICES

The Library staff increasingly relies on more current technologies to perform the new tasks that are required of them. We are assessing all of the workflows and processes to make the most effective use of present and emerging technologies. For Library Services (LS), where our core library functions are carried out, we are requesting $1 million in contractual support for a 3-year project to document and evaluate operational procedures and information technologies (IT) currently used in the 52 divisions of LS. We anticipate many opportunities to consolidate technology services within LS to create a more robust and integrated architecture and workflows. We will determine which data systems and services should be provided within LS and which should be provided centrally by the Library's Information Technology Services (ITS).

MANAGING AND SECURING COLLECTIONS

We request $1 million to continue the inventory management program that was initiated in fiscal 2002 as a cornerstone of the Library's Strategic Collections Security Plan, when Congress directed the Library to conduct an item-level inventory of its general collections. We have made reasonably good progress with that inventory; however, when we began moving general collections to Fort Meade, we quickly recognized that our most important inventory goal had to be the effective retrieval of materials moved there. Happily, we have achieved a 100 percent success rate in retrieving requested items from that location. Now, as we return to the original objective of conducting an item-level inventory of our general collections, we are working with the commercial sector to explore new technology options for this process. Some of these practices are already in place at Fort Meade. The scope of this effort is unprecedented. We are grateful for Congressional attention and support for this large and complex endeavor.

To ensure that the Library's heritage assets are preserved for use by current and future generations, we are asking for $3.6 million in start up and new operational costs for Fort Meade Storage Modules 3 and 4, which will house our special collections. This kind of housing for the Library's special collections is crucial to the Library's long-term strategy to provide for their security and preservation, as well as to provide sound space management and inventory management. This relocation will dramatically increase the life expectancy of these vulnerable collections.

The operation of Modules 3 and 4 will be more intensive and expensive than the implementation of Modules 1 and 2, involving the expense of new hardware and software, collections protection and preservation, moving, on-site support staff, and facility management, largely because we are moving special format materials to Modules 3 and 4, while Modules 1 and 2 house general collections. This year the Library is absorbing some costs associated with the opening of Modules 3 and 4. Base funding is needed in fiscal 2010 for start-up and operational costs that will allow the Library to meet requirements in the areas of security, preservation, space management, and inventory management. With your support, we also will be able to conduct construction planning for Module 5 and prepare facility designs for Modules 6 and 7. The Architect of the Capitol has included $16 million in fiscal 2010 request for construction of Storage Module 5, which will help alleviate overcrowding on Capitol Hill and address serious concerns about safety, retrieval, and preservation.

The construction of storage modules at Fort Meade has been one of the more significant preservation advances for the Library in decades. In short, this program has ensured that the Library of Congress remains the mint record of America's creativity by allowing continued acquisition of America's creative output and providing optimal storage conditions for our existing works.

ADDITIONAL REQUIREMENTS

We are also asking for $238,000 for collections security on Capitol Hill, for extended reading room security guard services. Other requested funding includes $2 million for the final increment of mandated funding for Capital Security Cost Sharing, $2 million for modernized, environmentally friendly custodial services, $300,000 for facility design services for more complex renovations, and $334,000 for escape hoods for the visiting public.

CONCLUSION

Mr. Chairman, I recognize that difficult choices are necessary in this economic climate. The Library has already recognized the need to sustain our core functions with level or reduced resources. We believe that the key to continued success is to make more effective use of technology. The $52.6 million we are requesting is an investment to ensure that the Library stays current with the new technology in today's Internet-based world while we continue to maintain traditional services. With your support, the Library will continue to perform its historic mission to make its resources available and useful to the Congress and the American people and to sustain and preserve the world's most extensive collection of knowledge and creativity for future generations. I believe that, with the careful investments I have outlined, the Library will continue, renew, and expand its role in our knowledge-based democracy—today and in the days to come. Thank you.

PREPARED STATEMENT OF DANIEL P. MULHOLLAN, DIRECTOR, CONGRESSIONAL RESEARCH SERVICE

Mr. Chairman, Senator Murkowski, and other Members of the Subcommittee: Thank you for the opportunity to present the fiscal year 2010 budget request for the Congressional Research Service (CRS). I would also like to highlight some of the actions and new initiatives undertaken recently that we consider essential elements in fulfilling the mission that Congress established for this agency. But before I discuss our request for next year, I would like to spend a few minutes on the importance of the mission of CRS and to relate that mission to the current challenges facing the Congress.

You, as Members of Congress, are required to resolve issues that are growing more complex and technical and that are becoming increasingly interrelated in both expected and unforeseen ways. This complexity necessitates increased reliance on technical competence, which in turn demands predictability and coherence in issue areas from disciplines that traditionally have been more reliant on projections and probability. But whether determining the impact of changes in financial market regulations, ascertaining a method for equitable State allocations for Federal Medicaid payments, or examining a proposal to balance interests in a contentious region of the world, the well-being of millions of Americans is at stake if data and analysis do not accurately predict actual outcomes.

The elected representatives of the people are able to rely on the expertise of CRS to assess options and anticipate consequences as they undertake critical deliberations. Our work must be authoritative, objective and confidential, and we must offer just what our charter statute instructs us to do, namely, to anticipate the consequences of alternative proposals and in doing so, foresee unintended consequences.

Anticipating the consequences of proposals is becoming ever more difficult. The increased complexity of the problems facing Congress is obvious. Just look at the array of financial instruments that Members must understand and grasp with sufficient confidence to create a regulatory regime that maximizes the benefits of innovation and market competition while curtailing fraud and abuse. Members must rely on specialists in the financial markets, just as they must rely on foreign relations specialists with regional expertise to recognize the political and cultural forces at work in the world today, and health finance experts and health care specialists to understand the factors contributing to growing health care costs.

Congress's reliance on the expertise of others presents a potential risk to representative democracy. Citizens elect Members of the House and Senate to represent their interests and the interests of the Nation as a whole. In effect, your constituents ask you to make decisions on the merits of one form of weaponry over another; on the fairest and most economically sound way to allocate broadband width; on the balance of economic, human rights, labor and environmental interests in a bilateral trade agreement; and on the best investment in alternative energy technologies. No matter how brilliant and wide-ranging the experience of each Member of Congress, he or she must perforce rely on the expertise of others on a whole range of issues to ascertain the best policy course given his or her values and priorities.

Democratic theorists have raised the specter of the polity being run by technocrats and elite bureaucracies that supplant the people's voice and choice in determining the best course in an increasingly complex world. I would submit that an important protection against that vision is the expertise resident within CRS. The Congress has placed a significant investment in the competency and integrity of CRS staff. Members of Congress have all sorts of experts approaching them daily, and they have, of course, hired personal and committee staff with selected expertise or experience. Nonetheless, Members know and rely on Service expertise, not only to assess independently the outside expert opinions advocated before them, but also to complement their own experience and knowledge, and that of their staff, to ensure that the judgments they make are as well informed as possible.

When Members turn to CRS, they can be assured that analysis they receive is authoritative, objective, and confidential. We do not advocate. We make methodologies and sources clear, and we hold legislative needs paramount, including the role of each individual Member in the deliberative processes of the Congress. The Congress's continued investment in CRS is tacit recognition of the need for expertise skilled in multiple disciplines in order that they understand the interactions and consequences of complex issues. The Congress also recognizes its need to have access to expertise that is solely devoted to creating sound underpinnings to inform judgments within the legislative branch.

FISCAL YEAR 2010 BUDGET REQUEST

The CRS budget request for fiscal year 2010 is $115,136,000, with almost 90 percent devoted to pay and benefits for our staff. Significant cost-cutting measures were required in the last fiscal year because the enacted budget was over $6 million less than requested. This necessitated a reduction in our workforce from the previous FTE level of 705 to the current level of 675. This is the lowest staff level in three decades, and CRS will continue to operate with a reduced level of internal support staff and services to sustain our analytic capacity. The lower budget also required reductions in the access to research materials and in the investment in information technology. The current budget constrains funding to support basic operational needs. Therefore it is necessary to request additional funding for enhanced means of accessing CRS analysis and information.

The budget request for fiscal year 2010 includes the mandatory pay increases ($5.2 million) and price-level increases due to inflation ($.3 million) that will maintain the existing level of service. It also requests two program increases totaling $2.3 million that will enhance the analysis available to Congress and the capabilities of the supporting information technology. Included in the $2.3 million request is $1.8 million for a modernization effort to achieve three objectives: (1) improve the quality and usability of the CRS website; (2) reconstruct and standardize Service-wide systems and information resources to form an integrated, interrelated, and interoperable research environment; and (3) revise the way CRS procures, stores, updates, retrieves, and shares the large, multiple, and complex data sets and information systems used in the creation of its analysis. The remaining $500,000 will support three other objectives: (1) provide real-time computer network fault tolerance, data redundancy, and automated fail-over capability in the event the computer network in the James Madison Building is inoperative; (2) increase network speeds to the Alternative Computer Facility and improve performance of critical applications and file transfers, which will reduce the time required to save files and run applications; and (3) increase computer storage capacity to help meet the growing demand to store CRS work products and research information, encompassing the full range of multimedia formats such as video, audio, and podcasts.

ALIGNMENT WITH THE CONGRESS

CRS takes full advantage of its close relationship with the Congress to align its work with evolving congressional needs across the full spectrum of policy concerns that are on the legislative agenda, or are likely to arise.

CRS works in a consultative relationship with Congress so that specific congressional needs are recognized as they relate to evolving circumstances, including changes in world events, advances in government operations, and developments in legislative processes. Members and committees of Congress and their staffs maintain continuing, on-demand access to CRS experts through phone calls, e-mails, personal briefings, confidential CRS memoranda, and by consulting actively maintained CRS research products on our website.

Based on its daily work with the Congress, CRS identifies and analyzes the policy areas in which Congress is actively engaged or is very likely to become engaged. CRS typically identifies between 150 and 175 such issue areas. CRS ensures that it has identified all major issues that might receive legislative attention through discussions with leadership on both sides of the aisle in both chambers. CRS support for these policy areas entails formation of teams of experts who develop common understandings of major policy questions and concerns to ensure that our service for the Congress is fully informed by the most appropriate CRS expertise across disciplines and subject areas. The CRS website provides ready access to key research products and services in each of these policy areas.

SUPPORT FOR THE CONGRESS

Over the past year, the Congress has consistently turned to CRS when in need of expert, objective assistance as it has addressed extraordinarily challenging and enduring problems.

The financial and economic crisis that still dominates domestic and global settings has been the focus of intensive, continuing CRS support for Congress. In this area, congressional concerns that have driven the work of CRS experts include: limiting damage from the disorder in housing markets; restoring functionality to mortgage markets and credit markets generally; ensuring viability of financial institutions and their return to standard business operations; assessing impacts on other credit-sensitive sectors such as autos, home furnishings, and the pursuit of higher education; recognizing structural shifts in the economy accelerated by the downturn; as well as assisting victims of the recession, and mitigating the downturn through oversight and regulatory provisions that will limit the recurrence of destabilizing financial excesses. CRS economists, legislative attorneys, and specialists in American national government, among others, have analyzed a range of proposals from the previous and current administrations, examined actions in other countries, and assisted in assessing evolving economic developments and in identifying and evaluating legislative options. Questions CRS has addressed relate to concerns such as feasibility, effectiveness, constitutionality, unintended consequences, separation of powers, and federalism issues—all in a context of largely unprecedented circumstances.

Other major policy areas facing Congress have also commanded multi-disciplinary support from CRS experts, often on a confidential basis, and with the need for objectivity and independence from executive branch and outside interests. Notable examples of continuing, expert support relate to congressional efforts to ensure appropriate and effective U.S. engagement in Iraq, Afghanistan, Iran, and the broader Middle East; provide for emergency responses to Midwest flooding and Gulf-coast and Mid-Atlantic hurricanes and mitigate needs for future disaster responses; meet energy needs of the Nation with due consideration for both environmental imperatives and ongoing functions of the economy; improve the safety of food, drugs, and other products for American consumers; and limit undue influence of special interests in making and executing policy.

MANAGEMENT INITIATIVES

The past year saw several successful initiatives aimed at making CRS a more efficient and effective organization and enhancing its value to the Congress.

Section Research Managers

During the past year, CRS revamped its first-line management structure, hiring section research managers and integrating them into the management of the organization. They are working to ensure that the Service stays aligned to the legislative challenges facing the Congress through collaboration, multi-disciplinary research and analysis, and by fostering an energetic work environment. They have already succeeded in breaking down barriers that had at times impeded our ability to collaborate and effectively marshal our expertise. Their new thinking on ways to address issues on the legislative agenda and convey CRS's expertise to the Congress brings both immediate and long-term benefits. This corps of section research managers will also serve as a resource for management succession in CRS.

Professional Development Enhancement

CRS developed enhanced performance standards for each position in the Service, as well as performance plans and individual development plans. This large undertaking involved a Service-wide coordinated effort and is part of a commitment to developing a continuous learning culture and to engage fully every individual in his or her own professional development. At the end of 2008, 76 percent of the staff had created and received supervisor approval of their individual development plans for the year.

Authoring and Publishing Reports

CRS has implemented a new process for production and formatting of CRS research products, streamlining preparation, display, and maintenance of these products. CRS undertook this complex effort to create research products for the Congress that more efficiently support PDF and HTML distribution through the CRS website, standardize the presentation format using a uniform and consistent new product design, and facilitate more sophisticated use of graphics.

Tracking Inquiries from Congress

CRS is in the final stages of configuring a new system to track and manage congressional requests from entry to completion. This entails customizing an off-the-shelf customer relations management tool. This system, known as Mercury, will replace the outdated Inquiry Status and Information System (ISIS) and includes additional features to increase responsiveness to congressional needs; support research management; foster collaboration among researchers; and identify Service-wide activity by issue area.

Redesign of the CRS Website

CRS has developed a multiyear, phased plan to make CRS.gov more user-friendly and ensure that Congress has ready access to the full breadth and depth of our analytical and other services. Many congressional and CRS staff provided their views on the strengths and weaknesses of the current site and ideas for enhancements. These views helped to shape our final design. The initial effort this year will begin to provide better organization of material and a more intuitive navigation of the website.

CONCLUSION

In making our fiscal year 2010 budget request of $115,136,000, we are mindful of the formidable challenge you face in weighing budget requests in this period of difficult economic conditions. My managers and I have and will continue to examine every activity and program for efficiencies and eliminate costs where the return on investment is in question. This budget request will provide the resources needed for the talented and dedicated staff of CRS to continue to build on the unique tradition of providing comprehensive, non-partisan, confidential, authoritative, and objective analysis to the Congress. We are proud of our role, and we thank you for your support.

PREPARED STATEMENT OF MARYBETH PETERS, REGISTER OF COPYRIGHTS, COPYRIGHT OFFICE

Mr. Chairman, Ms. Murkowski, and other Members of the Subcommittee: Thank you for the opportunity to present the Copyright Office's fiscal 2010 budget request. Today I would like speak with you about some of the work and challenges the Copyright Office faced in fiscal 2008. In addition, I would like to talk about the Office's Historic Records Project that was funded as part of the fiscal 2009 Budget and our request for additional offsetting authority to complete our Licensing Reengineering effort, which is part of the Copyright Office's portion of the Library's fiscal 2010 budget request.

HIGHLIGHTS OF COPYRIGHT OFFICE WORK

Policy and Legal Activities

On June 30, 2008, the Office presented its Report to Congress on the statutory licenses (Sections 111, 119, and 122 of the Copyright Act) that allow cable operators and satellite carriers to retransmit programming carried on over-the-broadcast television signals. The Report, which Congress requested as part of the Satellite Home Viewer Extension and Reauthorization Act of 2004, analyzed the differences in the terms and conditions of these statutory licenses and considered their continued necessity in light of changes in the marketplace over the last 30 years. The Report has served as the starting point for continuing discussions on legislation to extend the Section 119 statutory license, which is set to expire on December 31, 2009, unless reauthorized by Congress. The Office is working with Senate Judiciary staff and stakeholders on proposed amendments to these licenses.

The Office has worked closely with the Senate Judiciary Committee on other pressing copyright matters. One significant issue has been orphan works, i.e., the situation where a potential user cannot identify or locate the owner of copyrighted works (including literary works, photographs, motion pictures, sound recordings and other creative works). In April 2008, the Senate introduced the Shawn Bentley Orphan Works Act of 2008 (S. 2913) was introduced in the Senate, passed by unanimous consent on September 26, 2008. Due to several unresolved issues in the House, the Office expects to assist the House Judiciary staff on this subject in 2009.

The Office has also worked with Judiciary Committee staff to develop legislation relating to the public performance right for sound recordings in Section 106 of the Copyright Act. The Performance Rights Act (S. 379), introduced in the 111th Congress, would amend the copyright law to expand the public performance right of sound recording copyright owners to include analog audio transmissions. This change would, for the first time, require over-the-air radio stations to make royalty payments to record companies and recording artists.

Another issue that the Office will address in 2009 concerns the copyright treatment of pre-1972 sound recordings. The issue is complicated because these works were not eligible for Federal copyright protection before February 15, 1972; rather, they were governed by State law which, in many cases, is not well-defined. Pursuant to the Omnibus Appropriations Act of 2009, the Office has been directed by Congress to conduct a study on the desirability of, and means for, bringing sound recordings fixed before February 15, 1972, under Federal jurisdiction. The Office's report is due in March 2011.

In 2008, the Copyright Office assisted Federal Government agencies with a number of multilateral, regional and bilateral negotiations and served on many U.S. delegations. Notable among these were meetings of the World Intellectual Property Organization's (WIPO's) General Assemblies and its Standing Committee on Copyright and Related Rights, negotiations regarding a proposed Anti-Counterfeiting Trade Agreement, and negotiations and meetings relating to intellectual property provisions of existing and proposed Free Trade Agreements. The Office also was a key advisor to the United States Trade Representative in a successful World Trade Organization (WTO) dispute settlement proceeding against China relating to intellectual property protection and enforcement in China. The Office expects to continue to play a leading role in the United States delegations to WIPO and in other multilateral and bilateral meetings and to advise other Federal agencies on international and domestic copyright law and policy matters.

Last year, the Office assisted the Justice Department in a number of important court cases, including some involving constitutional challenges to various provisions of the Copyright Act.

In addition to the Office's work on legal and policy issues, fiscal 2008 was an exciting and challenging year for Copyright Office operations.

Reengineering Program

At the end of fiscal 2007, the Copyright Office implemented its reengineering project: redesigned processes, initiation of hands-on training in new operations for the entire staff, established new organizations, launched a new integrated IT system to process registrations, and renovated facilities. In addition, on July 1, 2008, the online registration system Copyright Office (eCO) was released to the public through the Copyright Office website.

The May 19, 2009 Washington Post article containing substantial errors, did highlight the paper application registration backlog issue we are facing. The article did not choose to discuss our continuing efforts to improve operations through staff retraining and realignment, technology system enhancements and reallocation of tasks.

In February 2009 we completed the retraining for all Copyright Registration Specialists, and when compared to May 2008, their productivity per specialist has doubled. In April 2009, we completed the hiring of our first class of new Registration Specialists in over 2 years. The new Specialists are in training and are already productive. Looking ahead we will maintain a continuous improvement initiative focused on identifying and implementing workflow and IT system improvements.

Organization

At the beginning of fiscal 2008, all staff had been reassigned or selected for new positions. Honoring the Register's commitment to ensure all Copyright staff had positions after reengineering, the Office continued its major program to retrain former examiners and catalogers to work in a combined position, Copyright Registration Specialist. The registration specialists use eCO and the redesigned registration process to: examine claims including any related correspondence, complete a registration record, and in many cases, make selections for the Library's collections. Training was conducted in house by Senior Registration Specialists. To date all Registration Specialists with us in August 2007 have received at least 1 full year of appropriate training and a full year of related experience in eCO. Training began in fiscal 2007, extended through 2008, and concluded in February 2009. Targeted training to meet individual employee needs is still provided. As more Registration Specialists completed training and achieved independence, the senior Registration Specialists who served as trainers were able to return to full time registration duties.

During the initial implementation of reengineering, Copyright Office management announced a 1-year suspension of performance requirements, permitting staff sufficient time to gain the requisite training, familiarity, and experience with the new processes and IT system. In August, 2008, Office management and AFSCME Local 2910 (the Guild) representing the affected employees signed an agreement regarding implementation and impact of the new performance requirements As agreed, written performance requirements for individual employees went into effect October 1, 2008. Phased in following a 90-day grace period after each registration specialist reached his/her 1-year anniversary working in the new system, the performance requirements included a productivity rate of 2.5 claims opened per hour and qualitative benchmarks.

With the implementation of new performance requirements, productivity rose in the second quarter of fiscal 2009. For Registration Specialists who are still within the 90-day grace period before the performance requirements take effect, the overall group average is 2.6 per hour. For Registration Specialists who have completed training and for whom the performance requirement is in force, the overall group average is approximately 3.0 per hour. This is double our hourly productivity from where we were in May 2008.

Processes

Through its continuous improvement initiative, the Office further refined the reengineered processes by examining workflows and support systems. On occasion, we adjusted and improved work processes or systems to enhance efficiencies. Throughout the year, we identified issues, developed alternative processes, and tested and implemented the best options. For example, realizing that missing or incorrect fees were slowing workflow in the Registration division, we shifted the fee resolution process to RAC, a much earlier step in the workflow. This improved the registration process time and resulted in a better balance of the staff's workload.

We also examined how to improve eCO's responsiveness. By analyzing how eCO processed data, we were able to implement basic system redesigns, reducing user wait times.

Information Technology

The electronic Copyright Office system has two components: eCO Service, which supports online registration (e-Service) and enables processing of both electronic and hardcopy claim submissions; and eCO Search, which permits searching of more than 20 million registration records dating to 1978.

The Office applies the continuous improvement concept to the ongoing refinement of eCO. Earlier this year the Copyright Technology Office restructured the Copyright Office's systems internal oversight board. The new board is comprised of Office processing divisions' supervisors and staff. The board is responsible for reviewing, evaluating, prioritizing and recommending proposed eCO system improvements. The board gives the employees directly involved with eCO a voice to suggest system improvements to enhance operations. To date, the Office has implemented a large number of incremental enhancements to improve system performance and functionality. As we continue to move into 2009, we expect the process will continue to be effective.

In fiscal 2008, the Office initiated an eCO system Performance Improvement Project (eCO PIP) designed to optimize eCO performance and to develop short-and long-term recommendations for additional system improvements. Following the first round of optimization efforts, system performance improved by 50 percent.

Electronic Submissions.—On July 1, 2008 the Office opened to the public eCO e-Service for basic claims, enabling users to submit via the Internet, copyright applications and certain classes of copyright deposits. Prior to July 2008, e-Service was opened under a limited-access beta test. During the last quarter of fiscal 2008, the Office created 46,118 e-Service user accounts and processed 59,850 e-Service claims. Approximately 43,000 users charged copyright application fees to credit cards or bank accounts and the rest charged fees to existing deposit accounts. Users submitted approximately 35,000 electronic deposit copies; the remaining claims were submitted with hard copy deposits sent in by regular mail. By the end of fiscal 2008, approximately 72,500 individuals and organizations were registered e-Service users. Electronic claims through e-Service now account for well over 50 percent of weekly copyright applications received.

Form CO with 2–D Barcode.—On July 1, 2008, the Office released the new Form CO that incorporates two dimensional (2–D) barcode technology. The first Form CO submissions were received and processed in September. The forms, which are completed online, are intended for applicants who prefer not to transact business over the Internet. When printed out, each form has scannable 2–D barcodes which encode all the data entered in the form. When the Office scans the 2–D barcodes, all fields of the eCO record are populated automatically without the need for manual data entry.

Registration of Copyright Claims, Recordation of Documents, and Deposit of Copies of Copyrighted Works

During fiscal 2008, the Copyright Office received 561,428 copyright claims covering more than 1 million works. Of the claims received, 232,907 were registered and 526,508 copies of registered and unregistered works valued at $24 million were transferred to the Library of Congress for its collections and exchange programs. The Office recorded 11,341 documents which included more than 330,000 titles of works.

There were 231,000 claims in process in eCO 1 year ago; today there are approximately 500,000. The number of copyright claims received in fiscal 2008 is comparable to previous years, but the Office registered fewer than half the number of claims compared to previous years and transferred fewer than half the typical annual number of deposit copies to the Library. These reductions are reflective of the significant challenges the Office faced in the wake of reengineering implementation. There were a number of contributing factors.

—As mentioned earlier, Registration Specialists required extensive training in new processes and the use of eCO. This training impacted productivity in multiple ways: first senior registration specialist needed to learn the system then the senior specialists needed to train junior staff. In effect, the first few months of fiscal 2008, production was significantly limited.

—The Office implemented eCO in August 2007, with electronic claims processing officially opening almost a year later. Processing paper claims electronically proved to be more difficult than originally anticipated, with Optical Character Recognition (OCR) technology being less successful than expected. The paper claims became labor intensive requiring manual data entry into the eCO system before the claim could be examined. Combined with staff retraining, slow processing of paper claims was a contributing factor to the build-up of claims on

hand in fiscal 2008. Public acceptance of e-Service filing, 2–D barcode technology and a fully-trained staff have helped us overcome these issues.
—Some large submitters have been slow to adopt electronic filing; however, there is a strong indication that in the very near future more will move to e-Service.
—As with any large-scale IT implementation, eCO underwent adjustments for usability, efficiency, and stability. The Office has largely resolved the issues.
—Although the Office lost registration specialists through normal attrition, to focus training efforts on existing staff, management made the decision to hold new hiring until 2009. While the decision was necessary, it lead to a temporary staffing shortage, adversely affected production. As April 2009, all Registration Specialists positions are filled.

The Office has taken a number of steps to improve processing time and reduce the number of claims on hand. Subsequently, the production trends are very positive in a number of areas.
—Large bottlenecks of unprocessed works received in the mail have been reduced, by more than 65 percent.
—Paper applications awaiting data entry into eCO have been reduced by more than 85 percent: from a high of 34,000 to under 5,000.
—Unprocessed check batches were reduced from a 6-week lag to real-time processing.
—During fiscal 2008, we closed approximately 40 percent of submitted claims. To date through fiscal 2009, we are at 60 percent closed claims.
—As mentioned earlier, training has concluded for all Registration Specialists who were on board as of August 2007. As a result, registration specialist productivity increased across the board to double that of 1 year ago.
—As more Registration Specialists become fully independent, the number of staff requiring quality assurance reviews of their work declines, allowing Senior Registration Specialists, currently responsible for quality assurance reviews, to focus more time on processing claims.
—The Office recently appointed two new registration specialists in the Visual Arts and Recordation Division and seven new registration specialists in the Performing Arts Division. On April 27, eight new registration specialists started in the Literary Division. These actions address the short staffing situation that contributed to low production and growth in the volume of claims in process.
—The eCO e-Service online registration system was released to the public on July 1, 2008. By the end of fiscal 2008, e-filings reached almost 50 percent of all claims entered. The percentage for fiscal 2009 thus far has been 53 percent. As the volume of e-Service claims increases the volume of paper claims decreases, which has a favorable effect on productivity.
—Registration Specialists have been freed from activities that detracted from reducing the number of claims in process:
  —The Office established a quality assurance program targeting data entry errors during the process of manually keying data from scanned paper applications into electronic records. This action reduced the time spent by Registration Specialists correcting data entry errors.
  —The Office began identifying and routing claims with fee problems to the Accounts Section earlier in the production process. This action dramatically reduced the volume of correspondence that Registration Specialists were required to generate in response to short fees and other fee-related problems.

The volume of paper claims on hand will continue to affect processing times until actions already taken or planned by the Office—eliminating the short staffing in the Registration Divisions, achieving a fully trained staff, implementing strategies to attract more filers to eCO, and upgrading to the newest version of the software application that powers eCO—have taken full effect.

Thus far in fiscal 2009 the Office is experiencing a downturn in the number of claims received, which we believe is related to the current economic environment. At this time, projections indicate a possible fiscal 2009 decline in copyright claims of somewhat over 5 percent compared with fiscal 2008. The Office is taking a cautious approach to managing the fiscal 2009 budget to ensure that we remain within the forecasted revenue base.

Copyright Records Digitization Project

In July 2008, the Copyright Office initiated a study to determine how to approach the digitization of its 70 million pre-1978 copyright records, many of which are sole copy records. The Office is now ready to move beyond the initial planning stages of the project. The objectives of the project are to:
—Provide online access to records of copyright ownership for the years from 1923 to 1977 inclusive.

—Provide online indexes as a finding aid to these records.
—Create preservation copies of the paper records of copyright ownership dating back to 1870.
—Move from microfilm to online digital records.

Earlier this year the Office issued a Request for Information (RFI) targeting vendors with expertise in records digitization. The Office received and reviewed 21 responses to the RFI. In fiscal 2009, we intend to initiate a pilot test of several options for digitization across a representative sample of the copyright record types and formats. Based on the pilot test, we will determine the best alternative and begin full production digitization in fiscal 2010. The project's duration may extend over several years as necessary based on funding availability. However, the plan also calls for flexibility allowing us to seek out partnering opportunities that may both reduce the digitization cost and shorten the project's duration.

Licensing Reengineering

In fiscal 2009, the Licensing Division resumed its reengineering efforts, reviewing its current administrative practices and underlying technology, performing a needs analysis for future operations, and beginning to design its re-engineered systems. The goals of this reengineering effort are to decrease statement of account processing times by 30 percent or more and to improve public access to Office records. The estimated $1.1 million cost of re-engineering will be assessed against royalty funds as soon as the Office is granted the authority to do so. Fiscal 2010 will be challenging for the Licensing Division. The IT system design and implementation must go forward even as changes to the copyright law, particularly §111 and 119, are being considered. Licensing Division staff may also be forced to work through statements of account using the old processing system as the new system is piloted.

Conclusion

Mr. Chairman, I ask you to support the fiscal 2010 budget request including the request for additional offsetting authority to complete the Licensing Reengineering efforts. Fiscal 2008 was a transitional year for the Office; we are hopeful that the measures we implement in fiscal 2009 will help us to overcome many of the reengineering challenges.

I also want to thank the Congress for its past support of the Copyright Office reengineering efforts and our budget requests.

Senator NELSON. Ambassador O'Keefe.

STATEMENT OF AMBASSADOR JOHN O'KEEFE, EXECUTIVE DIRECTOR, OPEN WORLD LEADERSHIP CENTER

Ambassador O'KEEFE. Thank you, sir.

Mr. Chairman, Ranking Member Murkowski, thank you for the opportunity to testify on the Open World Leadership Center's fiscal year 2010 budget.

As the Center's Open World program matures, we see its growing significance for both the American communities and organizations that make it successful and for the participating young leaders from countries of strategic interest to the United States.

With me today is our chairman, Dr. Billington, who, 10 years ago, proposed what Under Secretary of State for Political Affairs William Burns has said is the most effective exchange program of the many he was involved with. In 1999, with strong bipartisan support from Congress, Dr. Billington, Russian academician Dmitry Likhachev, and then-Ambassador to Russia James Collins brought forward a leadership exchange program that has benefited both the United States and new countries born from the breakup of the Soviet Union.

Thanks to Open World, there are scores of Russian nonproliferation experts who now know their American counterparts and have a greater sense of joint purpose. There are anti-human trafficking advocates and officials in Ukraine who have a better understanding of how to track down perpetrators of this crime and assist their victims. And there are mayors and city councilors in Moldova and Azerbaijan who are making local governments more open and responsive to ordinary citizens.

In reviewing this legislative branch agency's effectiveness over the years and our successful expansion beyond our original focus country of Russia to Ukraine, Moldova, the Caucasus, and central Asia, I must give credit to our dedicated staff, the partner host organizations, and volunteer experts and home hosts across the United States. I am honored to serve a program with such broad support in U.S. communities and in countries where we operate.

BROAD DISTRIBUTION OF HOSTING IN U.S.A.

In 2008, we have sent delegates to 355 communities in 44 States. Seven hundred fifty American families home hosted these first-time visitors to the United States. We will attain that same broad geographic distribution in our hosting program this year.

My main disappointment lies in not accommodating all those in the United States who wish to be part of Open World. We have more than twice the number of organizations that want to engage with us than we have participant slots available.

Our request this year reflects the revised strategic goals approved by our board recently. The original plan called for a 20 percent expansion between fiscal years 2007 and 2011.

Even with economies of scale, gifts, and our cost reductions, such a goal would require a substantial budget increase, which the board believed was not feasible at this time. Therefore, our request of $14.456 million is a modest 4 percent increase. This amount will support expansion to Armenia in 2010, as well as other programs.

We have been good stewards of the funds you have given us. Our overhead is 7.1 percent, and for 3 consecutive years, we have received clean audits. This year, the auditor had no comments, no findings, and no discussion points, which is amazing, for those of you who are familiar with audits.

PREPARED STATEMENT

Open World's board and its hosting partners throughout the United States have created a powerful tool for Congress and our Nation to forge human links to the vast and strategically important heartland of Eurasia. I seek your support to continue our efforts in the next fiscal year.

Thank you for your attention.

Senator NELSON. Thank you very much.

[The statement follows:]

PREPARED STATEMENT OF JOHN O'KEEFE

Mr. Chairman, Ranking Member Murkowski, Senator Pryor, and Senator Tester, I appreciate the opportunity to present testimony on the Open World Leadership Center's budget request for fiscal year 2010. The Open World Leadership Center, of which I am the Executive Director, conducts one of the largest U.S. exchange programs for Eurasia, through which some 6,100 volunteer American families in all 50 States have hosted thousands of emerging leaders from former Soviet countries. All of us at Open World are very grateful for Congress's continued support and for Congressional participation in the Program and on our governing board. We look forward to working with you on the future of Open World.

Last year, American volunteers in 44 States and 202 Congressional Districts home hosted Open World participants, contributing a large portion of the approximately $1.8 million given to the Program in the form of cost shares—an amount equal to 20 percent of the Center's fiscal year 2008 appropriation. Even though Open World is an international exchange program, more than 75 percent of Open World's fiscal year 2008 appropriated funds were expended on U.S. goods and services through contracts and grants.

More than 14,000 emerging leaders from Russia, Ukraine, Azerbaijan, Georgia, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan, Lithuania, and Uzbekistan have participated in Open World. Significantly, more than 48 million Muslims reside in countries where Open World is active, and these countries have approximately 2,000 miles of shared borders with Iran and Afghanistan.

In fiscal year 2008, Open World had a 35 percent reduction in appropriated funds, which would have translated into an estimated 37 percent reduction in grants to U.S. organizations. However, through cost shares, staff cuts, contract terminations, an interagency transfer, and withdrawals from Open World trust fund reserves, the Center was able to maintain the quality of the Program and the number of participants at levels consistent with prior-year averages.

The Center's budget request of $14.456 million for fiscal year 2010 is a modest 4 percent increase over the fiscal year 2009 level of $13.9 million, even though the cost of the logistical services contract will rise 6 percent. We will close this gap and maintain a participant hosting level of 1,400 through additional cost shares, with a portion coming from our partners abroad. We estimate that, as occurred with our fiscal year 2008 appropriation, more than 75 percent of the appropriated funds will be spent on U.S. goods and services, including $4.16 million in direct grants to American host organizations. The funds will allow thousands of Americans throughout the United States and their counterparts abroad to generate hundreds of new projects and partnerships and other concrete results.

OPEN WORLD COST-SHARE EFFORTS

The Center actively seeks a wide range of partners to diversify funding and strengthen the Open World Program. In 2008, the Center received interagency funding and direct contributions totaling over $900,000. Cost shares, mainly from American grantees and hosts, added an estimated $1.8 million. We received pledges of $950,000 as gifts (for a 3-year period) directed to programs not supported by appropriated funds. These pledges include a $500,000 commitment (to be spent over 3 years) for our alumni program from Open World Trustee George Argyros, and $450,000 (to be spent over 3 years to host health and education leaders from the Republic of Buryatia) from Senator Vitaliy Malkin of the Russian Parliament. To date, we have received $482,000 of the $950,000 pledged.

An interagency transfer of $530,000 from the National Endowment for the Arts (NEA) to support all the hosting costs of the Russian Cultural Leaders Program represented a 6 percent increase over NEA transfers in previous years.

In 2007, the Center initiated a cost-share reporting requirement for all grantees in an effort to track the generous in-kind support that they and local hosts provide to the Open World Program. The Program received an estimated $1.75 million in donated goods and services from hosts and grantees in 2007—equal to 13 percent of the Center's fiscal year 2007 appropriation. We expect to see a higher share for 2008 when the cumulative figures become available later this spring.

The Open World alumni program is paid for exclusively with nonappropriated funds. Open World has actively sought in-kind opportunities and cost shares in this area as well.

Numerous U.S. judges and legal professionals involved with Open World exchanges make independently financed reciprocal trips to meet with program alumni. In 2008, 61 American jurists involved with Open World's rule of law program made such reciprocal working visits to Open World program countries. Reciprocal visits with alumni help fulfill Open World's mission of strengthening peer-to-peer ties and partnerships.

OPEN WORLD AND CONGRESS

As a U.S. Legislative Branch entity, the Open World Leadership Center seeks to link Congress's foreign policy interests with citizen diplomacy. The Program proactively involves Members of Congress in its programming and strives to make this programming responsive to Congressional priorities. In 2008, nearly one out of four (353) Open World participants met with Members of Congress and Congressional staff, either in Washington, D.C., or in the Members' constituencies.

A majority of the trustees on the Center's governing board are current or former Members of Congress. The Center also regularly consults with the House Democracy Assistance Commission (HDAC), the Commission on Security and Cooperation in

Europe, the Congressional Georgia Caucus, the Congressional Ukrainian Caucus, other Congressional entities, and individual Members with specific interests in Open World countries or thematic areas. Moreover, in 2008, for the first time, the Center partnered with HDAC to provide Open World programming to three Ukrainian and six Georgian parliamentary staffers. The Center hopes to build on this partnership and to continue its success in the coming years.

MEASURES OF SUCCESS

The Open World Leadership Center tracks the results of the Open World Program using eight categories, or "bins," such as partnerships with Americans, alumni projects inspired by the Open World experience, and benefits to Americans. Since launching a results database in August 2007, Open World has identified more than 2,000 results (see attached Results Chart). Some representative results are:

—A Russian alumna was one of seven recipients of the Secretary of State's 2009 International Women of Courage Awards. Accompanied by First Lady Michelle Obama, Secretary Clinton praised the alumna for her "stalwart leadership in seeking justice for the families of bereaved [military] service members."
—Ukrainian alumna Anzhela Lytvenenko and her organization Successful Woman won a $15,000 Democracy Grant for a project to improve government/NGO cooperation on human-trafficking prevention in Ukraine's Kherson Region.
—An Azerbaijani alumnus designed a brochure for recruiting citizen election monitors based on a form for enlisting campaign volunteers that he obtained from Representative John Sarbanes (MD) during an April 2008 Open World visit to the Baltimore area.
—Open World host and Atlanta-Tbilisi (Georgia) Sister City Committee Chairman John Hall partnered with alumni in Tbilisi to organize an economic summit in Atlanta in December 2008.

OPEN WORLD 2010 PLANS AND 2009 ACTIVITIES

In 2010, Open World will carry out the goals of the recently revised Strategic Plan (2007–2011) as approved by the Board of Trustees, focusing on quality control of nominations and U.S. programs. We plan to expand to at least one additional country (Armenia), and we will continue our effort to diversify our funding. We will add more delegates from Central Asia and the Caucasus while proportionally reducing the number of Russian delegates.

We will host additional members of the national legislatures of Open World countries located in Central Asia and the Caucasus, based on reports of the effectiveness of Open World parliamentary hosting received from the U.S. Embassies. The Center will also continue the rule of law programs for participating countries where we are finding substantial cooperation and movement toward an independent judiciary. We will foster sister states/sister cities programs in many locations in the United States, and broaden efforts in the cultural field, where, through our Russian Cultural Leaders Program, we have, for example, benefited museums in the Midwest thanks to our partnerships with the Likhachev Foundation and the American-Russian Cultural Cooperation Foundation.

In cooperation with the Department of State, we plan to intensify our work with women leaders. With funding in 2010 at the requested level, Open World will continue to share America's democratic processes and institutions, send about 1,400 participants to homes throughout the United States, and spread a wealth of American experiences to borders beyond our own.

For 2009, Open World continues to host in thematic areas that advance U.S. national interests, generate concrete results, and support U.S. organizations and communities engaged in these thematic areas. This programming emphasizes and builds on Open World's incremental successes in the fields of governance (emphasizing the legislative branch's role in helping to bring about good governance and affecting public policy), the rule of law, human-trafficking prevention and prosecution, environmental issues, and ecotourism. This year Open World will also increase its non-Russian programming to approximately 45 percent of its total programming (up from 36 percent in 2008 and 23 percent in 2007).

Demonstrating Open World's commitment to supporting existing partnerships and initiatives, an estimated 70 Open World hosting programs (31 percent of all 2009 programming) will be conducted by Americans with established partnerships in Open World countries. For example:

—Freedom House, a nonprofit, nonpartisan organization that serves as a voice for democracy and freedom, will host accountable governance delegates from Kharkiv, Ukraine, in their U.S. sister city of Cincinnati.

—Building on a 15-year-old relationship between Maryland and Russia's Leningrad Region, the Office of the Secretary of State of Maryland will host an accountable governance delegation from the Leningrad/St. Petersburg area in 2009.
—In the area of human trafficking, one of Open World's veteran grantees, the Terrorism, Transnational Crime and Corruption Center, will be hosting some of their Russian partners and colleagues on a program focused on combating child exploitation and trafficking.

Turning to post-visit initiatives for alumni, the Center plans, using private funds, to host two results-oriented 1- or 2-day thematic workshops in Russia, one of which will highlight Open World's nonproliferation program. Another 23 or so half-day events will be held in Russia and other Open World countries on topics proposed by alumni.

OPEN WORLD AND SHARED FUNDING

In response to the language of the Omnibus Appropriations Act, 2009 (Public Law 111–8), Chairman Billington and I have met twice with senior officials of the Department of State and with officials from the Administrative Office of the U.S. Courts to discuss shared funding. The Center has also discussed cost-share arrangements with the Russian Supreme Commercial Court. The Court has tentatively agreed to share the cost of bringing Russian commercial court judges to the United States on Open World for hosting by American judges. We remain committed to working with the Subcommittee and our Board of Trustees to pursue any alternative sources of funding, and we will report back on our findings by no later than May 30, 2009.

FISCAL YEAR 2010 BUDGET REQUEST

The Center's budget request of $14.456 million for fiscal year 2010 is a 4 percent increase over the fiscal year 2009 request of $13.9 million. Funding at this level will enable the Center to continue its proven mission of hosting young political, civic, and cultural leaders from Russia; maintain its important program for Ukraine; and continue smaller but growing programs in the Caucasus and Central Asia. The Board of Trustees believes that maintaining a robust grassroots-based Open World presence in Russia is necessary and important for future U.S.-Russia relations, but programs in expansion countries continue to account for a larger percentage of hosting than in the past.

The budget request maintains hosting and other programmatic activities at a level of approximately 1,400 total participants, which remains far below the limit of 3,000 set in the Center's authorizing legislation. Actual allocations of participant slots to individual countries will be based on Board of Trustees recommendations and consultations with the Subcommittee and U.S. Embassies. The requested funding support is also needed for higher salary costs in fiscal year 2010, as well as for increased logistical costs due to higher airfares and less favorable exchange rates

Major categories of requested funding are:
—Personnel Compensation and Benefits and other operating expenses ($1.43 million)
—Contracts ($8.86 million—awarded to U.S.-based entities)
—Grants ($4.16 million—awarded to U.S. host organizations)

The Center also requests Subcommittee approval of an amendment to its statute. This proposed amendment will enable the Center to improve the Open World Program's administration and to build upon its successful civic and cultural exchange programs by encouraging interaction with and among program alumni, and by extending the cultural program to new countries if approved by the Board.

CONCLUSION

State Department Under Secretary for Political Affairs William Burns said that Open World is the most effective exchange program of the many he was involved with while serving as ambassador to Russia and, earlier, as assistant secretary in the Bureau of Near Eastern Affairs. While Open World's results are often measured in quantitative terms, the Program has a profound impact that is captured in anecdotes and qualitative feedback from participants. The editor of a major Russian regional newspaper told his readers in a post-visit article that, after his Open World program in New Hampshire, he saw no basis for any future U.S.-Russia conflict (Volna, January 29, 2008). An alumna who sits on a Russian regional supreme court wrote an e-mail to Open World organizers stating: "I can say unequivocally that the [Open World] visit not only changed my view of the Russian Federation's judicial system, but also brought about an overall change in my worldview as a whole."

Funding the 2010 Open World Program at the requested level will allow Americans in hundreds of Congressional Districts throughout the United States to engage up-and-coming Eurasian political and civic leaders—such as parliamentarians, environmentalists, and anti-human trafficking activists—in projects and ongoing partnerships. Americans will, once again, open their doors and give generously to help sustain this successful Congressional program that focuses on a region of renewed interest to U.S. foreign policy.

The fiscal year 2010 budget request will enable the Open World Leadership Center to continue making major contributions to an understanding of democracy, civil society, and free enterprise in countries of vital importance to the Congress and the Nation. The Subcommittee's interest and support have been essential ingredients in Open World's success.

OPEN WORLD PROPOSED AMENDMENTS FOR FISCAL YEAR 2010 BUDGET REQUEST

SEC. ______. OPEN WORLD LEADERSHIP CENTER UPDATE.

(a) SHORT TITLE.—This section may be cited as the "Open World Leadership Center Update Act of 2009".

(b) "ACT" DEFINED.—In this section, the "Act" means section 313 of the Legislative Branch Appropriations Act, 2001 (Pub. L. 106–554 1(a)(2) [H.R. 5657], 2 U.S.C. 1151) as amended by the Legislative Branch Appropriations Act, 2003 (Pub. L. 108–7, div. H, title I, § 1401(a)), the Legislative Branch Appropriations Act, 2005 (Pub. L. 108–447, div. G, title I, § 1501) and the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror and Tsunami Relief, 2005 (Pub. L. 109–13, div. A, title III, § 3402(b)).

(c) BOARD MEMBERSHIP.—The Act is amended in subsection (a)—

(1) in paragraph (2)(A) by striking "members" and inserting "Members of the House of Representatives"; and

(2) in paragraph (2)(B) by striking "members" and inserting "Senators".

(d) EXTENSION OF THE CULTURAL PROGRAM TO ELIGIBLE FOREIGN STATES, AND ALUMNI PROGRAM.—The Act is amended in subsection (b) in paragraph (1)—

(1) by striking "cultural leaders of Russia" and inserting "cultural leaders of eligible foreign states"; and

(2) by adding the following sentence at the end: "The Center may also engage with program alumni in educational and professional development activities in eligible foreign states."

(e) GRANT PROGRAM.—The Act is amended in subsection (b) in paragraph (2)—

(1) by inserting "and in eligible foreign states" after "United States"; and

(2) by adding the following new sentence at the end: "The Center may also award grants to program alumni in eligible foreign states to carry out activities directly related to their experience during their Open World visits to the United States."

(f) USE OF FUNDS.—The Act is amended in subsection (b) in paragraph (3)(C)—

(1) by striking "Grant funds" and inserting "Funds";

(2) by striking "and" at the end of item (ii);

(3) by adding a new item (iii): "the costs of program activities conducted with program alumni in eligible foreign states; and"; and

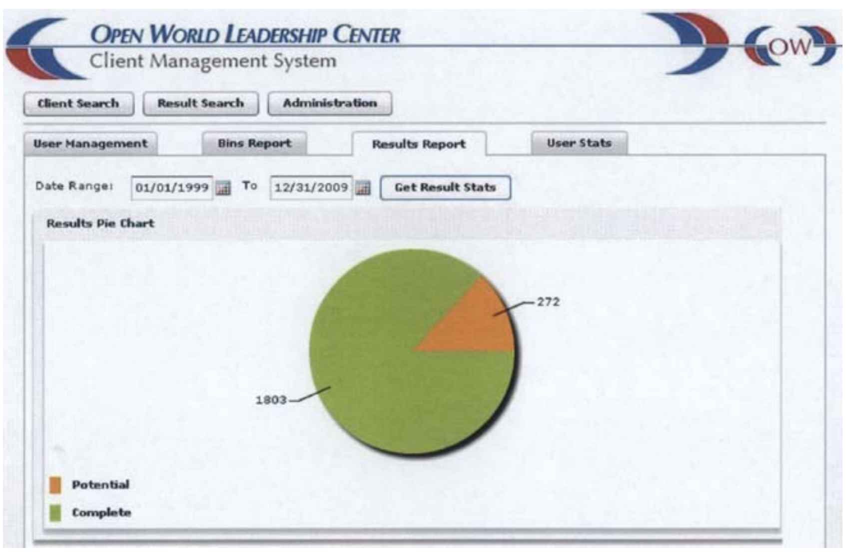
(4) by renumbering item (iii) to "(iv)".

(g) EXECUTIVE DIRECTOR.—The Act is amended in subsection (d) in the first sentence by striking "The Board shall appoint" and inserting "On behalf of the Board, the Librarian of Congress shall appoint".

(h) REEMPLOYMENT OF ANNUITANTS.—The Act is amended in subsection (e) by adding the following new paragraph (3)—

"(3) Notwithstanding the provisions of section 4064 of title 22, United States Code, at the direction of the Board and consistent with the authority provided to legislative branch officials under sections 8344 and 8468 of title 5, United States Code, the Librarian may grant waivers of annuity restrictions upon reemployment of annuitants in Center positions."

(i) EFFECTIVE DATE.—The amendment made by this section shall be effective on the date of enactment of this Act and shall remain in effect for fiscal year 2010 and fiscal years thereafter.



COPYRIGHT BACKLOG

Senator NELSON. Dr. Billington, regarding copyright, I understand that after a fairly significant investment of taxpayer dollars, the new $52 million electronic copyright registration system is experiencing some challenges and that there is a significant backlog in requests for copyrights. In fact, according to a May 19 Washington Post article, since implementing the new system, the time to process a copyright has tripled, growing from 6 to 18 months with further delays expected.

First of all, do we know what our current backlog is and what we might be doing and what we can do to overcome this situation?

Dr. BILLINGTON. Well, Mr. Chairman, we realize that there is an ignorant truth regarding this issue. We are, of course, in the process of transforming from a paper-based system to an electronic system. And already 53 percent of the claims come in the electronic mode. We expect that to increase by about 80 percent by fiscal 2011, so the time required to complete a copyright claim will diminish.

We have thoroughly briefed the subcommittee staff on the extensive program that the Register has developed to deal with the 8-month delay in the paper claims. Part of the problem is the time required to track new registration specialists. They have now accelerated that. They have taken other steps to improve operations, including key entry quality assurance.

In the last 4 months they have hired 17 new people. In the last 2 years they retrained the entire staff. But it isn't simply a simple matter of retraining. It is a matter of retraining both on a new system and new processes. That has been completed. Seventeen new registration specialists are already processing registrations. We expect some improvement.

Perhaps the Register—if you want more detail, we could give it to you now, or we could provide you with detailed account from the Register herself, Marybeth Peters, who is I believe——

Ms. PETERS. Right here.

Dr. BILLINGTON. Yes. Would you like more detail on this? We are certainly conscious of it, and it is a serious problem. The total reengineering of the copyright processes was accomplished on time and was as we had scheduled it. But as with other reengineering projects of massive scope, it comes with challenges.

We could provide you a detailed plan how we are doing with this and the progress that has been made for the record, if that would——

Senator NELSON. That would be helpful. And as part of that for the record, if you would help us understand how you might keep from incurring additional costs in smoothing the process to get on track?

Dr. BILLINGTON. All right. Do you want to hear that now, or should we provide that for the record?

Senator NELSON. Oh, no. For the record.

Dr. BILLINGTON. Yes, sir. We would be glad to.

Senator NELSON. Thank you.

[The information follows:]

The total cost of the Copyright Office's business process reengineering project was approximately $48.8 million, of which $15.5 million was spent on the development of a new electronic Copyright Office registration system, or eCO. As of June 14, 2009, the number of claims in various stages of processing in eCO (including an estimated count of the most recently received unopened/unprocessed mail receipts) was 535,288. The accumulation of such a large number of claims in process is a result of relatively low production following reengineering implementation. Low production was caused by there being insufficient staffing in the key areas of registration, information technology, and in-processing; a massive training effort involving the majority of staff necessitated by the substantially new positions that were created as part of the reengineering effort and implementation of the new IT system; and processing bottlenecks caused by new operations needing further refinement.

In response to these issues, the Office has taken the following actions:

—From late 2008 through the end of April 2009, the Office hired a total of 17 new Registration Specialists (a nearly 20 percent increase in the number of Registration Specialists on staff), and the new hires are already reviewing claims as part of an accelerated training program. In addition, the Copyright Technology Office is preparing to fill several new positions, to bring in the expertise needed for its expanded role in the Office's processing operations; and the Receipt, Analysis and Control Division is also preparing to hire additional staff in the In-Processing Section.
—In accordance with an agreement negotiated with AFSCME Local 2910, the union representing employees in professional job series, all registration employees were given 1 year of training and an additional 90 days to reach written performance requirements. As of February 2009, all employees completed a minimum of 1 year of hands-on training working in the reengineered processing environment, and the additional 90 day period pushed the effective date of the performance requirements into May 2009. In cases where employees are still operating below the minimum performance level, additional training continues.
—Through a continuous improvement program, the Office has initiated workflow adjustments to achieve more efficient processing. For instance, a change to the dispatch procedures whereby the time-consuming task of wanding deposit copies to portable receptacles was dropped, resulting in a significant increase in the volume of copyright deposits dispatched each week and freeing Registration Specialists to spend more time registering claims.
—Incremental enhancements to the IT system, based on feedback from internal and external users, have also improved productivity in the registration area and provided for a better eCO experience for remitters. Examples of enhancements to the IT system include developing better sorting and searching capability in the Registration Specialist's active cases queue so that staff can better organize and monitor pending cases; and extending the maximum time available for uploading electronic files from 30 to 60 minutes for a single session, which provides remitters greater capability to submit large digital files.

TECHNOLOGY INFRASTRUCTURE UPGRADES

Senator NELSON. In your opening statement, you mentioned your fiscal year 2010 request includes approximately a total of $20 million for technology infrastructure upgrades for the Library, and a $20 million increase is very difficult to accomplish in the current fiscal environment. So my question is could this project be funded incrementally over the next, say, 3 to 4 years to flatten down the cost expense of any particular 1 year so as not to bust the budget, if you will?

Dr. BILLINGTON. Well, I think probably some adjustment could be made there, but this is not just a one-time investment.

Senator NELSON. No, no. I know that.

Dr. BILLINGTON. I think in terms of stretching it out a little bit, sure, we would be happy to discuss that with you. By taking an incremental approach, we have been able to learn from our experience. We haven't invested in the technology infrastructure for 10 years now, but at this point, we have really a lot of deferred maintenance, a lot of catch-up to do with the systems.

THE CHALLENGE OF RISING EXPECTATIONS

We are somewhat the victims of our own success, having put 15.3 million items—primary documents of American history—online, mostly with private money that we were able to raise for that purpose. We now find that with the World Digital Library there are enormous expectations, and the educational impact and usage also are multiplying. The number of States that are setting up programs through the Library for training teachers and the educational use of the Internet is increasing.

So the burden is very, very heavy, and we really have, I think, enhanced our programs with the addition of the new electronic offerings. By the way, 10 days ago I was in Russia. The new library system that they have opened in St. Petersburg, which has considerable promise, has borrowed many of the electronic features that we now offer, even working with the same American contractors that we have used.

This system will greatly increase the demands made by Americans all over the country to use Library of Congress content for educational purposes. We have to address our search and discovery capabilities, which were established a long time ago but need to be updated.

Anyhow, we could certainly discuss this matter with your staff and with you.

Ms. JENKINS. I was just going to say that same thing.

Dr. BILLINGTON. Does anybody want to add to that? I think the point is to have an integrated information architecture that can be upgraded, can be developed to accommodate the unpredictable new demands that will be made.

Incidentally, in addition to this, there is a request for GLIN funding, for the Global Library Information Network, whose usage has increased 400 percent just this last year. There are also requests for the legislative information system, involving all of the legislative branch agencies for which we have special responsibility, as well as to enhance the Congressional Research Service (CRS) capacity.

So this is a Library-wide business, and it is a question of establishing a platform for the whole thing now that we have pretty much a full picture of what we are going to do. We see the demand for it. But we would be happy to work with you to try to stretch this out a little bit. I do want to caution that it can't be stretched out too much because we have already stretched programs out for 10 years.

We financed a lot of this because we were saving money by downgrading our mainframe legacy system, and we diverted funds that might have been used for that as we went along. But that really wasn't adequate, and we now think we have done a definitive analysis of needs. And we will follow through in various organizational ways to make sure that this does deliver an integrated system, which will make it possible for us to upgrade with efficiency. There is another approach that many Government agencies and others use, and that is to come up with an ideal system that addresses specific requirements.

But when you have an ideal system, things keep changing. We are now trying to fix it so that we are on a solid basis for future growth and won't have to keep coming back periodically for anything quite as dramatic as this.

Senator NELSON. We appreciate that, and we will be happy to work with you, see what we can do over a rational, reasonable, appropriate period of time.

Thank you very much.

Dr. BILLINGTON. Thank you.

OVERSEAS FIELD OFFICES

Senator NELSON. Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Dr. Billington, let me ask you about the overseas field offices. I understand that there are six different field offices located in our U.S. Embassies in Jakarta, Rio de Janeiro, Cairo, New Delhi, Nairobi, and Islamabad. And it is my understanding that they were originally established to acquire materials in parts of the world that lacked a mature and reliable book trade.

The annual cost of operating these field offices is about $15 million, and I know that there have been questions directed to you as to whether there may be more cost-effective ways of acquiring the publications that the Library gets through these field offices. I understand that there is a study under way that GAO had recommended to look specifically at this.

Can you give me an update as to where that study is and to what extent the study is looking at other means that we might be able to acquire this type of information short of funding additional field offices?

Dr. BILLINGTON. Well, the study that I think you are referring to was begun in January of this year. The Associate Librarian for Library Services, Dr. Marcum—Dr. Deanna Marcum, who controls the 52 different units within Library Services, a very broad span of responsibilities, she formed a small working group to analyze this whole problem of the overseas offices. It is not really a problem. I think it is more an opportunity.

The working group was charged with addressing whether they were acquiring and processing materials that are otherwise unobtainable. Are they being collected? Is what we are collecting the most desirable? Are the overseas operations conducted in a cost-effective manner? And the current operations, are they sustainable over the long and short run?

BREADTH OF INTERNATIONAL COLLECTIONS

The working group will address this in a final report to be delivered to GAO on July 22. In fiscal 2008, our overseas offices acquired almost 300,000 items for the Library's collection. This compares to 443,000 items acquired for the Library's collection from other foreign sources.

SUBSTANTIAL ADDITIONS TO FOREIGN COLLECTIONS

So it is roughly two-thirds of what we have acquired in the continuing quest dating back to Jefferson's Library, which had books in 16 languages and set the precedent for the universality of these collections. Items from the overseas offices are well more than one-half of what we collect from other foreign sources, a total of about 750,000 items from foreign sources acquired for the Library's collections overall.

Now the differential between what the Library of Congress has and what any other institution has is going to increase because in the other major research libraries around America, there has been a sharp reduction in foreign acquisitions because of the economic crisis and endowments and so forth. And it has always been very large.

If you look where the overseas offices are, they happen to be almost uniformly in places where the book trade is not developed. So you don't really have alternative modes of gathering things, for instance, in Islamabad, Pakistan; New Delhi, India; Jakarta, Indonesia; Cairo in Egypt; and Nairobi in Kenya; and then Rio de Janeiro.

It really is a unique source of published material that you won't get anywhere else. No book dealer would have discovered the mimeographed copy in an obscure Afghan town of the autobiography of Osama bin Laden. Nobody even knew that such a thing existed. It was a mimeographed form from the early 1990s, from a very obscure village in Afghanistan.

So these offices have many native employees who fan out and have regular sweeps through precise areas of the world that are of particular concern to us. And so, I think it is a unique resource.

OVERSEAS OFFICE SUBSCRIBERS

Seventy-five other research libraries across America, in 32 States, participate in the program. Anybody who wants to collect foreign language materials from those parts of the world will depend on this source. So it not only benefits the Library of Congress, it benefits other institutions across the country.

We will give you the full report, though, in answer to your question, on July 22.

Senator MURKOWSKI. Do you get any contribution from any other countries? You just noted how everyone else benefits. Is anybody else a participant financially?

Dr. BILLINGTON. There are, I think, some Canadian libraries who are subscribers. Maybe Dr. Marcum would like to fill in a few details on that?

Dr. MARCUM. Oh, I will just speak loud enough for you to hear. There are 75 libraries in 32 States that are participating. These are mostly United States research libraries, but also there are other national libraries that participate. The British library, for example, is one of the participants.

They cover the cost of the materials, and they pay an overhead fee as well that helps us——

Senator MURKOWSKI. The amount that is in this year's budget request is $15 million. What would you anticipate you get from the other participating countries? And I won't hold you to a figure, of course, just off the top.

Dr. MARCUM. Roughly, they cover the costs of the materials, plus about 10 percent overhead.

Senator MURKOWSKI. So what would you anticipate that to be?

Dr. MARCUM. I could get that and get back to you.

Senator MURKOWSKI. If you could, I would appreciate that.

Thank you.

Thank you, Mr. Chairman.

[The information follows:]

Fiscal 2008 receipts from the sale of collection materials by the overseas offices were $3.346 million. Fiscal 2009 receipts are projected to be $3.019 million.

Dr. BILLINGTON. It is an interesting phenomenon that the amount of published material continues to grow. You read things in the popular press about how digitization is going to replace published material and particularly ephemera, things like this essentially mimeographed book by Osama bin Laden. Forms of communication like this, which you would never get from an organized book dealer, but which represent the opinions of smaller groups, groups that may become of great importance.

It was very important that we had collected audiotapes on the Left Bank in Paris because that was the only record we had when the radical Islamist revolution occurred in Iran, and the speeches by the new regime that was coming in, they were first rehearsed there. But more and more, there are more participants, and we are getting access to them and having fruitful conversations as everyone wants to join this World Digital Library and demonstrate the cultural treasures of their own countries around the world.

So the international collection, I think, of the Library of Congress is very unique. It helps everybody else in the country, encourages them, and gives them a reasonable alternative. But we will give a full report to the Government Accountability Office (GAO) on July 22. And any specific questions, further questions Dr. Marcum will be happy to answer for the record on this. As you can see, I am rather positive about these offices overseas. I have visited quite a number of them, and they have very good relations.

CAPITAL SECURITY COST SHARING

One of the reasons that they are costing more is because we have to pay—the State Department now levies a rather substantial charge that is unfortunate, but perhaps necessary, and that is for running them because they have run historically through the Embassies, and they are now charging a substantial fee, which they didn't a few years ago.

Senator NELSON. Senator Pryor.

Senator PRYOR. Thank you, Mr. Chairman.

FORT MEADE MODULES 3 AND 4

I want to thank the panel for being here, and it is good to see everybody again.

I would like to start, if I may, with a storage issue, and that is you requested $3.5 million to implement Fort Meade Modules 3 and 4. And as I understand it, the budget also requests $16 million in funding to begin construction of Module 5.

Tell us, if you can, about this idea of storage when, again, the popular perception is that things are going digital, and we are investing more and more to store physical books at the same time you are asking for money to do more digital. Tell us how that works.

RETRIEVAL, PRESERVATION, AND COLLECTION SECURITY

Dr. BILLINGTON. Well, it isn't solely storage. It is a question of efficient retrieval. It is a question of preservation. It is a question of security.

The two modules that we have fully operational at Fort Meade attained 100 percent retrievability, which is absolutely amazing. So that you can work in the 21 reading rooms we have here on Capitol Hill, you can get in a short space of time, with 100 percent certainty, delivery from these very scientific kinds of semi-automated storage modules—and they are controlled for preservation of these materials.

Most people don't realize that books produced since 1850 in the United States and in most of the world are perishable. Everything on which knowledge and creativity is recorded is degrading, and the Library of Congress has a unique responsibility to preserve a lot of this material.

Now we had Amazon in for a pro bono inspection not long ago to see if there are any alternatives to storage because they have a huge storage and inventory management program, and they said there is no alternative but additional space. You cannot simply put books on the floor. There is no way of retrieving them, and a new plan is being developed.

Modules 3 and 4 will be up and running by July. So there is a request for making them operational. Once we get the building built, it is essential that we move the collections there, and make these modules fully operational. We are 8 years behind on this project, but Modules 1 and 2, which are fully functional, have been extraordinarily successful. To get 100 percent retrieval in any huge library system is amazing.

We get 2, 2.5 million new physical objects and I don't know how many terabytes of digital material every year to add to the inventory. And you have to store this, but you have to be able to preserve it, and you have to do this in environmentally safe and defensible facilities. I have said at times that you have to have Fort Knox to pay for it. But this is Fort Meade.

Now as audio-visual materials have been taken care of with the support of the Congress at our new facility in Culpeper, that whole facility was created by the Packard Humanities Institute at a cost of at least $150 million, more likely at full valuation close to a $200 million donation. So the big capital expense was made by them in partnership with the Congress.

SPECIAL COLLECTION STORAGE REQUIREMENTS

Implementing Modules 3 and 4 is particularly tricky because these are for special collections, not just for books that can be nicely stacked and easily, almost robotically, retrieved in a large facility. These are, for example, maps, many of which require special cases. But this should be the final rounding out of facilities for preserving the special collections, which in the Library include unique and enormous manuscripts, and many kinds of nonprint things. They are all unique formats, but have to be stored properly—so that is rather expensive.

FORT MEADE MODULE 5

Module 5 is in the Architect of the Capitol's budget, of course. But we strongly support that investment. To preserve a comprehensive collection of the world's knowledge is a very expensive and complex undertaking.

We have a network. It is not just the overseas offices that purchase things. It is also exchanges. We exchange Government publications of the United States for important materials. We have exchanges with hundreds, even thousands of institutions internationally.

Senator PRYOR. Dr. Billington, let me interrupt there and just ask one quick follow-up, and then I have another question.

Dr. BILLINGTON. Yes.

STORAGE CAPACITY AT FORT MEADE

Senator PRYOR. And the quick follow-up is how long before you are at capacity with units 4 and 5? How long into the future is that going to carry us?

Dr. BILLINGTON. Well, and I asked——

Senator PRYOR. I am sorry. I said 4 and 5. I mean 3 and 4.

Dr. MARCUM. Modules 3 and 4 will be for special collections materials. These are the maps, the photographs, the manuscripts, rare books, and so on. Those modules will be filled as quickly as we can move materials into them because we are already well beyond capacity here on Capitol Hill. So every square foot is accounted for already in those two modules.

Module 1 is completely filled. Module 2 will be filled with books from the general collections in the next few months.

Senator PRYOR. So it will be at capacity in the next few months?

Dr. MARCUM. Yes, Modules 1 and 2. So it is very important that we have Module 5 to proceed with the books from the general collections. We have books stacked up on the floors. There is no more expansion space here on Capitol Hill.

Senator PRYOR. So if you get I think you said 2, 2.5 million books a year, how long will it take you to fill Module 5?

Dr. MARCUM. It will take—we take in about 1,200 items a day into our collections. That includes both books and special collections. So we could fill modules fairly quickly. It would probably take a couple of years to move things from the collections to modules.

Senator PRYOR. I guess part of what I am asking is does that mean in 2 years you will come back and say we need a new Module 6? Is that——

Dr. MARCUM. We already have a plan for 13 modules over a long period of time. But it is important, I think, for us to say, too, that global book publishing is increasing quite a lot every year. Even though digital is a very important part of our world, book publishing continues to increase. And we are collecting internationally. We have a lot of materials——

LAW LIBRARY, GLIN

Senator PRYOR. And the last question I had—and I am sorry, Mr. Chairman—I did have this one question about the Law Library. There is a budget of $19.9 million, which is a $4 million increase. Some of this is for the Global Legal Information Network. And as I understand it, there is also some interest in the private sector to help pay for some of this, but there may be some legal barriers. Could you tell us about that?

Dr. BILLINGTON. Well, we hope very much that that will develop. We have been working with committees of the American Bar Association and others to discuss this. The Law Library has had a dramatic increase in the use of its global information network.

For instance, the President is just today or just yesterday in Saudi Arabia. The only online resource for information about the laws of Saudi Arabia is in the Global Legal Information Network, that now has 36 member nations. It covers the laws of 51 jurisdictions worldwide. We have to sustain the underlying GLIN technology.

There are other challenges. You have to move, change the classification of a large amount of legal material to make it more easily accessible. We are working on that.

And we are in the process of hiring a new law librarian. We have excellent interim leadership with Ms. Scheeder. Is she there? Oh, right. And she may want to add something to this from the Law Library.

Senator PRYOR. Well, just——

Dr. BILLINGTON. But there are no legal barriers. There have never been legal barriers to receiving funds from private users of the Law Library. We are working closely with the House Administration Committee to add additional gift language to encourage this, and we are also working with some committees, particularly of the American Bar Association, to see if they have often expressed desire to beef up various things in the Law Library, if they might contribute something.

I think there is no question that the world's best collection of international law contributes a great deal to the private practice of law, as well as to the Congress and the judiciary and to the executive branch of our own Government. So we are working as aggressively as we can on that. I can't report sensational results. But we hope this will be a part of what happens in the next year or two.

Senator PRYOR. Thank you.

Thank you, Mr. Chairman.

Senator NELSON. Thank you, Senator Pryor.

DIGITAL TALKING BOOK PROGRAM

I have something that might be a little bit different for you to talk about. Can you tell us a little bit about the digital talking book project? I can get you away from talking about numbers and percentages and things like that. It might be something you might be anxious to tell us about.

Dr. BILLINGTON. Well, I think that the digital talking book program is making pretty good progress. We have already, I think, received the first 5,000 machines, and we are going to get a lot of feedback on their use. But we are proceeding according to schedule.

It is a very important program. As you know, blind people read a lot more than sighted people, and this is a service that is very central to the long-term mission. And I think it is proceeding well. Maybe Dr. Marcum would want to add a word or two about it, but I think it seems to be going well.

We are moving from a traditional analog universe to a digital universe, but it seems to be going well within the multiyear development program. This is another example of how we are moving into the digital universe for one of our most important constituencies.

And of course, this is administered through local libraries everywhere. So it is not something that is dispensed here in Washington. It is a really unique national service.

Dr. MARCUM. I think that is the story. Everything is on schedule. The players are being produced and the books are being produced, and it is exactly as we had planned it.

Senator NELSON. Can you give us some idea of the scale or the size of the project? Is this like everything else that you do there? I am sure it is big. The question is how big?

Dr. BILLINGTON. Well, do you want to——

Dr. MARCUM. Kurt Cylke is here. We are going to have Kurt Cylke answer.

Senator NELSON. We have an awful lot of help going on here. That is okay.

Mr. CYLKE. This project is a $100 million project approximately. There are 800,000 blind and visually handicapped people that are using the program now. Dr. Billington and Dr. Marcum are correct. We shipped the first 5,000 machines out to nine individual libraries and designed a final test to make sure that the machines were working well.

We gave permission to begin production, mass production, to the Shinano/Plextor Company in Japan. Production started on Monday of this week. They will be producing 23,000 machines a month for the first 3 months, 20,000 machines a month after that, and the initial run-up will begin the first week of August.

Senator NELSON. Thank you.

I don't want to leave Ambassador O'Keefe out here now.

Ambassador O'KEEFE. Thank you, sir.

Senator NELSON. I was interested—after you visited my home State and Lincoln in the State of Nebraska with the Open World delegates, apparently they were inspired to start up a program back in their own countries like the 4–H program that we enjoy in America. And yesterday, I must have had my picture taken with 100 or more 4–H-ers from Nebraska.

So I am proud of that program, and it is not limited to our State, but maybe you can explain a little bit how you bring delegates to the various locations in our country and where they come from and how this works?

NOMINATION OF PARTICIPANTS AND PROGRAM PROCESSES

Ambassador O'KEEFE. Yes, sir. Thank you for that question.

We work very closely with host organizations and the hosts themselves. We often follow the enthusiasm. The thing that I am most surprised about—as I mentioned, we went to 44 States in fiscal year 2008—is how broad this enthusiasm is.

In the nomination process, we draw from several sources. We draw from the host countries organizations from the U.S. Embassies and some of the host country institutions: For example, councils of judges. But a substantial number of delegates, over one-third, come from organizations in the States and cities in the United States themselves.

The particular group that came to Lincoln was actually nominated in Russia. And what we look for is shared interests. The individual who came to Lincoln was at a university, and very interested in organizing young people. And not only did he get the 4–H idea, but he also noticed the ramps for people with physical handicaps during his trip to the United States, which were not at his university. On his return, he installed a similar ramp. This is a small thing. But little by little, if you are bringing more than 14,000, it has a cumulative effect.

What we tell our delegates and what I told 50 Russians who came here this morning was that their journey begins when they get back home. What we want to see and what we hope they do is form partnerships. This is what often happens. The person who visited Lincoln could implement the concept of a 4–H-type club because he has people back in the United States with whom he can discuss ideas.

Senator NELSON. Thank you.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Ambassador, I would like to go back to the issue that I raised in my opening remarks, and that is why a foreign exchange program belongs in the legislative branch bill. I understand that our House counterparts have been encouraging you to seek either some or all funding from the State Department and that there has apparently been some kind of a report underway.

Can you give me just an update on what is going on with that report, what you are finding? And just kind of help me understand how you ended up in this particular part of the legislative branch budget.

OPEN WORLD'S PLACEMENT AND ROLE IN LEGISLATIVE BRANCH

Ambassador O'KEEFE. Senator, thank you.

I will just start with saying when I was first approached about becoming Executive Director of Open World, I had the same question you did. Why is this in the legislative branch? And I think, like many converts, I became very enthusiastic.

The board of trustees submitted a report last year around this time addressing that particular question. I don't want to take up too much time, but, in essence, what the board found was that by not being any part of an administration policy, Open World is uniquely placed to operate in all of these countries where relations may go up and down, but we, as part of the legislative branch, are not constrained.

And we also find that by being associated with the legislative branch, we can draw a much broader range of individuals who might not otherwise want to go on an executive branch program.

I think the second thing is that we—as Senator Nelson alluded to, are driven by constituent interests. And so what we try to do is link to people in your States and determine what they are interested in, then find counterparts so we can create these partnerships.

For example, in Alaska, Carolyn Jones, who is in Rotary in Alaska, was our person of the year last year because of her extensive work in working with people from Russia coming to Alaska, especially for those in the Dal'nii Vostok, in the regions that are on the Pacific Rim as is Alaska.

The report which we submitted on May 30 asked us to determine the feasibility of funding from the State Department and from the judiciary. Dr. Billington and I went to the State Department as soon as we saw the portion of the appropriation for 2009 and discussed possibilities with Under Secretary Burns.

FUNDING OPTIONS AND ALTERNATIVE SOURCES OF FUNDING

I had several follow-up meetings and presented a proposal. The proposal was for 50 percent funding from the State Department foreign operations appropriation. I have to be very honest, and I was honest in the report. The feasibility of the State Department funding for fiscal year 2010 is unlikely. It is not completely out of the question, but unlikely.

One of the things that I sought also from the State Department and something which is in process, which might help, is that the Georgia supplemental is moving forward right now. It is $240 million in the House, $200 million in the Senate, I believe. Twenty million dollars of that is designated for democracy programs. We could fit in there.

And should we have our Georgia program funded from that, that would be able to reduce our budget by a like amount for this year. And that decision comes, I presume, in a month or so.

Just so I am clear, we are constantly looking for cost shares. We receive $1.5 million in in-kind contributions, and we received another, let us see, $330,000 in gifts, and a $530,000 grant from the NEA, appropriated money given to us to run a cultural program. We do seek these other sources.

In addition to those sources, as part of the May 30 report, I said that we would submit an action plan on our fundraising external to the appropriation process—in other words, foundations and other donors.

Senator MURKOWSKI. What might you anticipate in, say, 2009 and 2010 then?

Ambassador O'KEEFE. I am no expert in this field, which in a way makes the process a little longer. But in talking to the individuals and then starting to put this together, what we would expect is that whatever we get in 2010, when I come here next spring or next June, those funds would be backed out of our 2011 appropriation.

We have requested $1.3 million from the United States-Russia Foundation. I don't know whether we will get that. I think we may get a portion of it. Should they provide some funding, we will reduce our fiscal year 2011 request.

We will be approaching other foundations. We have a member of our board, former Representative Bud Cramer from Alabama, who has agreed to walk through the door with us. But what he said was before we do anything, whoever we are asking has to be warmed up. He said very warm. We are doing our due diligence because we only have one chance, and we have to do it right when approaching these foundations, especially at a time when their endowments have dropped 30 to 50 percent. It appears that, in general, they are only funding their ongoing commitments, not new ones.

Senator MURKOWSKI. Yes, it is a tough landscape out there. I think we all appreciate that. But I think we also recognize that if you want to do any further expansion that the key is going to be in these partnerships and in these cost-sharing efforts that it sounds like you are pursuing very aggressively already.

Ambassador O'KEEFE. Yes, ma'am. And I will keep you and the chairman informed of the progress. And as I say, I understand that this kind of activity is a long process.

Dr. Billington, of course, is a master at it. So I am trying to learn at his knee.

Senator MURKOWSKI. Thank you, Mr. Chairman.

CHAIRMAN BILLINGTON ON OUTLOOK FOR OPEN WORLD

Dr. BILLINGTON. No one is a master of the financial problems that we are in, but I was going to say I might just add, on behalf of the board, that there is, I think, a feeling that there has been a certain hesitancy of the business community to themselves invest very heavily. But there have been some pioneers and that is including some from Nebraska who have been very imaginative and consistent on this.

And I think the opinion generally is that there is a reasonably good chance that with new presidents in both countries—and I mean, I had a conversation with the president of Russia on this, and he didn't make any promises. But he expressed great appreciation for this program, and it seems to me that just 10 days ago there have been indications that they are thinking about and, at one point, planning to do a parallel program to bring Americans over.

Whether that will materialize or not is not clear. But I certainly think that there is a good chance that more people will be thinking of this as a possible area in which they should become re-interested. So I think this year is rather crucial if we can continue to validate the program.

I think another point about being in the legislative branch is that if you are dealing with countries that are struggling one way or another with the rule of law, which is the main big program in this Open World program, and are legitimizing the importance, independent importance of legislatures and judiciaries, that having something directly approved by the legislative branch of Government is itself something that helps make a kind of statement.

People, I think, understand also the fact that this is not just Russia. We actually—the board increased, at the Congress' recommendation, the allocation to Georgia when they were in some difficulty. And I think, for instance, if it were possible to include part of the Georgia program in this special supplemental, that money would be—that would lower the amount that we would need for this program since the board has voted to double the amount in Georgia to sort of help them out at the same time that we are continuing with the Russian program.

So I think this is kind of a crucial year to try to sustain the program. And I think it is beginning to register seriously that this has been a direct program of the American people and, in fact, through their elected representatives, many of whom have involved themselves one way or another, have been hospitable to and received these delegations when they come through.

OPEN WORLD ALUMNI—TRANSFORMING EXPERIENCE

I have been in Russia to speak at the dedication of this new library system. And it is amazing. I met a great many alumni of the program. They have all been very much impressed. But at the same time, they have all gone back, all 13,000 Russians that have come have gone back. That has never before happened. These are average age 38, one-half of them women. That has never before happened in Russian history.

And this is a transformative thing, and you have 10 percent of the duma, 15 percent of the Supreme Court are alumni of this program. You have a really transformative initiative within the legislative branch, and that, in itself, is something that people comment on.

And that it is a statement of fact that the knowledge-based democracy, if you want to have an accountable, participatory government, they have to have access to knowledge. And so, you have permitted us and sustained us in this digital age to establish a kind of facilitative leadership role without being a dominant overbearing force, and I think this kind of program is separate now from the Library. It is only accidentally linked with me.

But it was conceived and signed in the legislative branch of Government, and it has been sustained. I think it has now registered even at the highest levels in Russia that this is something rather remarkable that the Congress has done. And so, just a thought.

Ambassador O'KEEFE. Madam Senator, if I could just add two quotes, which I think exemplify what we do?

This is from the chairman of the Atlanta-Tbilisi Sister City Committee. And he says, "Through my involvement in the Open World program, I have come to see that in these tough economic times, we must make special effort to nurture personal ties. Personal ties with foreign emerging leaders also strengthen business ties, and business ties strengthen democracies. Open World makes our country and countries like Georgia stronger in many ways. I am grateful to Congress and Open World for fostering such relationships."

And the co-chairman of the Helsinki Commission from the House side noted that Open World has been both "important for and responsive to Congress." We have other quotes, but I just wanted to give you a flavor for what we do for the Congress.

Senator NELSON. Well, I want to thank both of you, and Ms. Jenkins as well and Dr. Marcum for your contributions, and for others who suggested things from back in the audience as well.

It has been very helpful for us to understand the budgetary requests and to understand the programs that you are engaged in, that you are expanding. We appreciate the enlightenment, and we look forward to continuing to work with you. And we want to thank you very much.

ADDITIONAL COMMITTEE QUESTIONS

And I want to thank my colleague and ranking member, Senator Murkowski. We found that we are both very fiscally responsible and at the same time want to make sure that we do the appropriate work in recognizing the needs, but also the limitations that we have. So thank you so very much.

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

QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

Question. Last year, GAO recommended that the Library develop a digital strategy. Does the Library have a digital strategy that GAO has concurred in? In developing the strategy, how did the Library assess the needs of its stakeholders for the different types of digital content planned? How does the digital strategy support the $15 million investment LOC proposes for fiscal year 2010 and future years?

Answer. The Executive Committee of the Library prepared one digital strategy for the Library, taking into consideration the guidance GAO had given us. Each of the Service Unit heads is responsible for bringing the needs of their stakeholders to bear in developing the digital strategic plan. The $15 million budget request for 2010 is to support this digital strategic plan and is outlined in the last chapter of the plan.

Question. Library Services is proposing $1 million to undertake a study of the current use of technology as a first step to developing an enterprise architecture. Yet LOC requests a base increase of $15 million for the Office of Strategic Initiatives to redesign and reconfigure the Library's online delivery infrastructure, among other things. How will the Library Services study will be used and why should the Library proceed with information technology infrastructure investments before the study is completed?

Answer. Library Services is a large and diverse operation with unique requirements. As such, a thorough understanding of the workflow and current use of technology is a part of developing the future IT environment for LS and LC. Documenting the current LS environment feeds into the documentation of future requirements for new software and hardware solutions. This is a typical step in the systems life cycle development methodology.

The requirements gathering work has already started with the initial ten divisions that are currently under review. The $1 million would allow us to complete this stage for the remaining Library Services' Divisions and to start the next phase in the areas that pertain to LS and its Divisions. This work will create the integrated administrative and operational workflow and the standardization of our databases that is unique to LS.

A common architecture is needed for the institution. We do not recommend stopping the work on IT infrastructure improvements while waiting for the completed requirements document. In this way the underlying architecture can be in place and will allow faster progress once the SU requirements are documented. During the ITS refreshment, the ITS staff will be meeting with the Service Units about their plans thereby guaranteeing institutional continuity and integration.

Question. How will the Library use technology improvements to achieve greater efficiencies and potentially less need for physical storage?

Answer. The Library is collecting and creating an increasing amount of digital content, and at some point we fully expect the majority of materials will come to us in electronic forms. The reality currently is that the production of physical materials has not slowed; it has continued to increase. Moreover, there is very little overlap between the physical and the digital. It is not a matter of selecting one over the other. The Library, with funding from the Alfred P. Sloan Foundation, has established a book digitization center, which can create digital copies of physical books at the rate of 1,000 volumes per week. Once digitized, the physical objects are sent to Fort Meade for long term preservation, thus freeing up some space in the stacks. The reality, though, is that the Library receives 1,000 new volumes per day, so digitizing 1,000 older materials each week will not keep pace with the demand. The Library has a unique responsibility as the national library to collect materials in the formats in which they are produced, and we cannot continue to do so without sufficient storage for both physical and digital materials.

Question. What skills are needed to accept, manage, and make available an increasing volume of digital content? Has the Library undertaken workforce planning that would address the changing skill sets needed?

Answer. The Library identified an initial set of basic digital proficiencies that are needed for librarians and curatorial staff across the agency. These include navigating the online public access catalog (OPAC) and staff subscription databases, adapting to the changing role of libraries and librarians, and understanding the increased role of digital resources in the Library. Further, basic digital proficiencies for subject specialist positions were identified and include advanced web searching, working within the various modules of the Integrated Library System (Voyager), understanding emerging licensing issues, and metadata. In addition, the Library's Federal Library Information Center, in consultation with other federal libraries, library associations, and the Office of Personnel Management, developed the "Federal Librarian Competencies." These competencies define the knowledge, skills, and abilities needed in areas such as data preservation and long term access, data authenticity and authorship, and intellectual property. As the Library hires new staff, it reviews existing position descriptions and determines the knowledge, skills and abilities needed for these jobs through a structured job analysis process. Digital competencies and other needed skills are analyzed and reflected in each vacancy posted and drive the selection process. Also, Library Services is developing a "Knowledge Navigators" plan to train staff to work in the 21st century library using their expertise, skills, and talents in a digital environment.

Question. LOC has requested $7 million to continue the Teaching with Primary Sources program. Can this program be used to improve distance learning opportunities for educators in rural areas?

Answer. The Library has requested no additional funding for the Teaching with Primary Sources (TPS) program in 2010. The Library is launching an online database, TPS Direct, on June 30, 2009. TPS Direct will offer any educator, at any time, the ability to customize professional development activities from the TPS program for use at the school, district or state level for delivery in a face-to-face, online or blended format.

Distance learning outreach is already taking place in Alaska through a TPS Regional Grant. Following the TPS workshops that were held in Anchorage the week of June 1, a series of webinars and asynchronous discussion forums will be led by Elizabeth James, Assistant Professor of History, University of Alaska Anchorage professor, and Peggy O'Neill-Jones, who manages TPS regional activity in the Western part of the United States.

Question. CRS is requesting $1.8 million for "enhanced access to CRS expertise" in fiscal year 2010. Please prioritize the elements within the $1.8 million request and the amount of funding that will allow a staged implementation of CRS's enhanced access.

Answer. The $1.8 million in fiscal 2010 would accomplish the following elements:

—$0.9 million to design a framework for CRS information systems and data sets that can provide an integrated, interrelated, and interoperable research environment;

—$0.6 million to procure the software needed to implement the new framework; and

—$0.3 million to customize the software and begin implementation of the plan.

If the software procurement and implementation was delayed 1 year:

—$0.9 million would be required in fiscal 2010.

—The cost in fiscal 2011 would increase from $1.3 million to $1.8 million

  —$0.6 million added for cost of software.

  —$0.1 million in software maintenance costs avoided.

—The cost in fiscal 2012 would increase from $1.0 million to $1.3 million to complete the initial deployment actions.

—The cost of continued services, maintenance, and enhancements would be $1.0 million in fiscal 2013 and beyond.

Question. Please describe the process you use to ensure the quality of your work products, and specifically the process you use to validate the factual accuracy of the information in your reports.

Answer. CRS makes every effort to ensure that its work meets several critical quality criteria: it must be accurate and clearly articulated; authoritative; objective, non-advocative, non-partisan, and without political bias; and must be in conformance with Service standards and client expectations of confidentiality. At the same time, CRS responses to congressional needs must be timely. Requests are often accompanied by tight deadlines that must be met if the information provided is to be of value to the client.

For product quality assurance CRS relies first and foremost on the professional competence of its analysts and researchers. CRS experts form the "first line of defense" against error, but are then backed up by a multi-level review process that is designed to ensure product quality and adherence to CRS standards and policies. This multi-level review starts with scrutiny by Section Research Managers who oversee the work of sections of approximately a dozen analysts assigned by subject matter expertise. Following that review, a research division review (by one of five research divisions) is conducted that "clears" the document to be sent to the Office of Review, overseen by an associate director, for final clearance and delivery to the client. This final review stage addresses primarily matters of policy (focusing on objectivity and balance) but is also a “fail safe” for matters of accuracy, clarity, and authoritativeness. Throughout the process, starting with the author and through the Office of Review examination, emphasis is also placed on peer review and inter-divisional review. Given the multi-faceted and inter-disciplinary nature of CRS work, every effort is made to bring all relevant CRS expertise to bear on the issues addressed. This is in keeping with CRS collaborative research methodologies that start with the author, and is critical to the production of appropriately integrated and comprehensive products for the Congress.

As you know, the high volume of congressional demands places significant pressure on CRS analysts and information specialists. While we believe that the process outlined above minimizes the risk of mistakes, the challenge of avoiding human error is ever-present. When we learn of any errors it is Service policy to respond immediately to any concerns and to take swift action to make any appropriate corrections.

CONCLUSION OF HEARINGS

Senator NELSON. The hearing is recessed.

[Whereupon, at 3:42 p.m., Thursday, June 4, the hearings were concluded, and the subcommittee was recessed, to reconvene subject to the call of the Chair.]

LIST OF WITNESSES, COMMUNICATIONS, AND PREPARED STATEMENTS

SUBJECT INDEX

ARCHITECT OF THE CAPITOL

CONGRESSIONAL BUDGET OFFICE

GOVERNMENT ACCOUNTABILITY OFFICE

GOVERNMENT PRINTING OFFICE

LIBRARY OF CONGRESS

OFFICE OF COMPLIANCE

UNITED STATES CAPITOL POLICE

U.S. SENATE

OFFICE OF THE SECRETARY

SERGEANT AT ARMS AND DOORKEEPER

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