

**PREPARED TESTIMONY
TAMARA E. CHRISLER, EXECUTIVE DIRECTOR
OFFICE OF COMPLIANCE**

**HOUSE APPROPRIATIONS
SUBCOMMITTEE ON THE LEGISLATIVE BRANCH**

Madam Chair, Ranking Member Latham, members of the Committee, I am pleased to appear before you as the Executive Director of the Office of Compliance in support of the Office's fiscal year 2009 request for appropriations. Joining me today is Board Member Roberta Holzwarth. Along with us are General Counsel Peter Ames Eveleth, Deputy Executive Directors Barbara Sapin and Sana Shtasel, and Director of Finance and Administration Beth Hughes Brown.

The Subcommittee will note that the Office of Compliance submits, once again, a zero-based budget to support the agency's mission of furthering a safe, healthy, and fair workplace on Capitol Hill. This year's budget request is a minimal increase over our request for appropriations in fiscal year 2008. In fiscal year 2009, the Office is requesting a total of \$4,307,500 for its operations, which is only a 4.9% increase over the agency's 2008 budget request. Because of the across the board recissions and other cuts made to the agency's 2008 appropriations, this year's request contains items that had been requested but not funded in fiscal years 2007 and 2008. It includes approximately \$345,000 to fully fund the authorized level of FTE positions and concomitant salaries; approximately \$134,000 for mandatory cost-of-living adjustments and employee salary increases; and \$156,000 for initiatives that were originally requested in FY 2007 or FY 2008. Setting aside these repeat requests, mandatory COLAs, and the cost of fully funding the agency's current staff complement of 21, the agency's request for new discretionary projects (less than \$300,000) is extremely minimal but necessary to fulfill our mission.

In FY 2009, the Office of Compliance is expanding its effort to communicate and collaborate with its stakeholders. During the past fiscal years, we have achieved much success in our safety and health program through increased communication with the Office of the Architect

of the Capitol in remediating hazards in the utility tunnels. We are realizing success in our education and outreach program through our publications and much utilized web site, as well as the implementation of a comprehensive baseline survey that will inform the Office's focus, to ensure that its programs are of maximum benefit to employing offices and employees on Capitol Hill and in the District and State Offices. In fiscal year 2009, the agency hopes to launch another significant initiative to improve its effectiveness and productivity on Capitol Hill—prevention and reduction.

PREVENT AND REDUCE

The Office plans to establish two new “prevent and reduce” initiatives in FY 2009. The first initiative is anticipated to reduce the number of incidents giving rise to allegations of violations of the Congressional Accountability Act (CAA), which will ultimately save taxpayer dollars. As originally discussed in our House FY 2008 appropriations hearings, similar language to the Notification and Federal Employee Anti-discrimination and Retaliation Act was contemplated and drafted for the legislative branch. Toward the same end of resolving complaints at the lowest possible level and reducing the cost to taxpayers in discrimination and retaliation claims, we received encouragement from a very interested stakeholder to dedicate one or two FTEs toward educating the employing offices of their rights and responsibilities. The Office is delighted to request additional staffing to assist the agencies in preventing violations of the CAA, and encouraging resolution at the lowest possible level. The agency is requesting FTE positions for a trainer and an ombuds person for conflict prevention for this purpose.

The agency also requests an additional FTE for a Fire Safety Engineer to prevent serious fire hazards and to reduce the number of unabated fire safety citations. During FY 2007, the OGC closed 11 of 38 outstanding citations. While progress has been achieved in abating these hazards, several longstanding RAC 1 fire safety citations remain unabated. In June 2007, the AOC provided the Office of Compliance with a detailed plan to abate these outstanding hazards. The AOC also identified specific actions taken to address many additional fire safety deficiencies during 2005 and 2006. The Office of Compliance's General Counsel expressed concern that

under the AOC's proposed abatement plans the most serious hazards involving open stairwells would not be fully abated for an excessive period of time – in one facility, not until 2015, while in other instances, abatement dates were as yet undetermined.

Accordingly, we suggested alternative means for accelerated abatement. After extensive discussions between the parties, the AOC has recently developed, and the OOC has approved, innovative and more efficient abatement plans for the Cannon, Longworth and Russell Office Buildings that resolve the fire safety hazards identified in the 2000 citations involving these three buildings. It is significant that the AOC's abatement plans not only abate the fire safety issues in the citations but do so in a manner that preserves the historic architectural features within those buildings. The agency is committed to working with the AOC and other entities to achieve an acceptable level of fire safety within the other legislative branch buildings, and this requested FTE would support and over time play a leadership role in the Office's ongoing fire safety abatement initiative. This employee would be groomed to assist and succeed an existing contract inspector– a nationally renowned fire safety expert– to allow for continuity in this critical area.

The second initiative is designed to reduce legislative branch agencies' reliance on the OOC's safety and health inspections, and instead empower them to find and remediate their own internal deficiencies. It would fund contracted services for the agency's Zero Accident Initiative, which involves working with employing offices to implement preventive maintenance programs, and training supervisors and employees to follow safe practices. The Office would work with employing offices to analyze accident and injury records to help create policies to prevent future accidents. Together, the two initiatives amount to about half of the newly requested discretionary funding for FY 2009, and both initiatives are designed to save taxpayer dollars.

CONCLUSION

The Office welcomes fiscal year 2009 with enthusiasm for the initiatives we hope to implement. Preventing violations of the CAA and reducing the number of hazards is the

agency's focus for the upcoming year. The Office continues to see itself as a resource on Capitol Hill. Our appropriations request will enable us to continue the progression we have been on over the past several years from a strictly regulatory agency, to an enabling and supportive resource for legislative branch agencies. We are positioned to assist our stakeholders in meeting the requirements of the CAA, be it for safety and health matters, or for making the workplace fair for all employees. Thank you for your support, past and future, of our mission.

I remain available to answer any questions that you have.