

GAO

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Briefing Report to the Chairman,
Subcommittee on Transportation and
Related Agencies, Committee on
Appropriations, U.S. Senate

June 1991

BUDGET ISSUES

RSPA Funding for Fiscal Years 1990 and 1991



144254



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Resources, Community, and
Economic Development Division

B-244121

June 28, 1991

The Honorable Frank R. Lautenberg
Chairman, Subcommittee on
Transportation and Related Agencies
Committee on Appropriations
United States Senate

Dear Mr. Chairman:

In response to your February 6, 1991, request, this briefing report provides certain budgeting and funding information for fiscal years 1990 and 1991 for the Department of Transportation's (DOT) Research and Special Programs Administration (RSPA). Specifically, as agreed with your office, we documented the variances between RSPA's budget estimates as modified by the House and Senate Committees on Appropriations and set out in the conference reports, and obligations/allotments for RSPA's Research and Special Programs appropriations for fiscal years 1990 and 1991. We earlier briefed your office on the results of our review and provided you with drafts of the tables in this report, together with questions proposed for use during your Subcommittee's April 25, 1991, hearings on RSPA's 1992 budget. This is our final report.

In summary, we found that in both fiscal years, RSPA shifted funds that had been recommended by the appropriations committees for program activities to fund additional personnel compensation and administrative expenses. RSPA did not, however, obligate/allot funds in excess of its total appropriations for fiscal years 1990 and 1991. In the absence of specific statutory limitations, RSPA is legally free to move funds within its appropriation.

BACKGROUND

RSPA is responsible for a number of programs involving safety regulation, emergency preparedness, and research and development. Program activities include (1) developing and issuing regulations for the safe transportation of hazardous materials; (2) developing, coordinating, and reviewing policies, plans, and programs for attaining and maintaining

a high state of federal transportation emergency preparedness; (3) collecting and disseminating economic aviation data; and (4) establishing and providing for the enforcement of safety standards for the transportation of hazardous liquids and gaseous materials for pipelines either in or affecting interstate commerce.

FISCAL YEARS 1990 AND 1991 FUNDING

The Senate and House Committees on Appropriations recommended the following funding levels for RSPA to cover personnel compensation and benefits, administrative support, and program activities.

Table 1: Funding Levels for RSPA's Research and Special Programs Funds Recommended by the Appropriations Committees

	<u>Fiscal year</u>	
	<u>1990</u>	<u>1991</u>
Personnel compensation	\$ 8,060,000	\$ 8,970,000
Administrative support	2,045,000	1,079,000
Program activities	<u>5,428,000</u>	<u>4,249,000</u>
Total	<u>\$15,533,000</u>	<u>\$14,298,000</u>

RSPA's Research and Special Programs appropriations for fiscal years 1990 and 1991 were \$15,533,000 and \$14,298,000, respectively. These amounts exclude \$1,625,000 and \$1,535,000 appropriated for fiscal years 1990 and 1991, respectively, for research and development, which will remain available to RSPA until expended.

In fiscal year 1990, RSPA obligated over \$500,000 more for personnel compensation and over \$900,000 more for administrative support than had been recommended by the appropriations committees--about 9 percent of its appropriation. In fiscal year 1991, RSPA allotted over \$1.4 million more for personnel compensation and over \$1.2 million more for administrative support than had been recommended by the appropriations committees--about 18 percent of its appropriation. To fund these additional expenses, RSPA used or will use money originally budgeted for program activities in the Offices of Hazardous

Materials, Emergency Transportation, and Airline Statistics. For example, in fiscal year 1991, the Administrator shifted about \$1.9 million budgeted for the Office of Hazardous Materials programs to fund personnel and administrative costs.

According to RSPA officials, the 1990 and 1991 variances resulted, in part, from organizational changes designed to improve the management of RSPA activities. In 1991, for example, RSPA established, and operated under, a different organizational structure from that used to justify its 1991 budget estimates. RSPA officials disclosed their plans to reorganize during the 1991 budget hearing before the House Subcommittee on Transportation and Related Agencies, but neither RSPA nor the subcommittee adjusted the budget to reflect the estimated expenses of the revised organization. According to RSPA, the reorganization was intended to highlight the hazardous materials and pipeline safety programs, create a Washington focus for the Transportation Systems Center, and provide direction under one associate administrator for programs previously located in five separate offices. To staff the new organization and make other changes, RSPA shifted to other RSPA offices a total of 12 positions that had been budgeted for the Offices of Hazardous Materials, Pipeline Safety, and Airline Statistics and the Transportation Systems Center.

RSPA officials said that former budgeting practices also contributed to the variances. RSPA obligated over \$300,000 in fiscal year 1990 and allotted over \$450,000 in fiscal year 1991 for items that had not been included in its estimated expenses and for which no funds had been budgeted. The expenses were for such things as security checks, a uniform payroll system, civil rights activities, and a Coast Guard clinic. Variances also occurred between amounts budgeted and obligated/allotted for other administrative items. For example, in fiscal year 1991, RSPA allotted \$415,000 for travel and transportation of persons, which exceeded the budgeted amount by over 60 percent, and \$88,000 for equipment and furniture, which exceeded the budgeted amount by over 250 percent. RSPA said that its fiscal year 1992 budget estimates were based on actual experience and reflect RSPA's true operating needs. If these estimates are

approved by the Congress, large-scale reprogramming will not be necessary, RSPA said.

OBJECTIVE, SCOPE AND METHODOLOGY

Our objective was to document the variances between RSPA's budget estimates as modified by the House and Senate Committees on Appropriations and set out in the conference reports, and obligations/allotments for RSPA's Research and Special Programs appropriations for fiscal years 1990 and 1991, excluding the portion for research and development that will remain available until expended. To provide the requested information, we compared fiscal year 1990 obligations, as reported from accounts maintained by RSPA, for personnel compensation, administrative support, and program support with the amounts recommended by the appropriations committees. For fiscal year 1991, we compared amounts allotted by the Administrator, as reported from RSPA accounts, for personnel compensation, administrative support, and program support with the amounts recommended by the appropriations committees. We did not, however, review the disposition of funds available to RSPA from offsetting collections.

Also, for each RSPA office, we compared the positions recommended by the committees with the positions allotted by the Administrator, as reported from RSPA accounts. We interviewed RSPA officials in the Office of Management and Administration. We requested the heads of the Offices of Hazardous Materials, Emergency Transportation, and Airline Statistics to provide written summaries of the impacts of reduced funds on their planned programs. Their responses are included in appendix I.

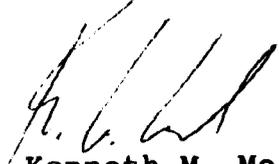
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Our work was conducted from January 1991 through April 1991 at RSPA headquarters in Washington, D.C., in accordance with generally accepted government auditing standards. We discussed the factual information in this briefing report with RSPA officials, and they agreed with the facts. However, as your office requested, we did not obtain official agency comments on a draft of this report.

B-244121

We are providing copies of the report to interested congressional committees; the Secretary of Transportation; and the Administrator, RSPA. Copies will be provided to other interested parties upon request. If you have any questions about this report, please contact me at (202) 275-1000. Major contributors to this briefing report are listed in appendix II.

Sincerely yours,



Kenneth M. Mead
Director, Transportation Issues

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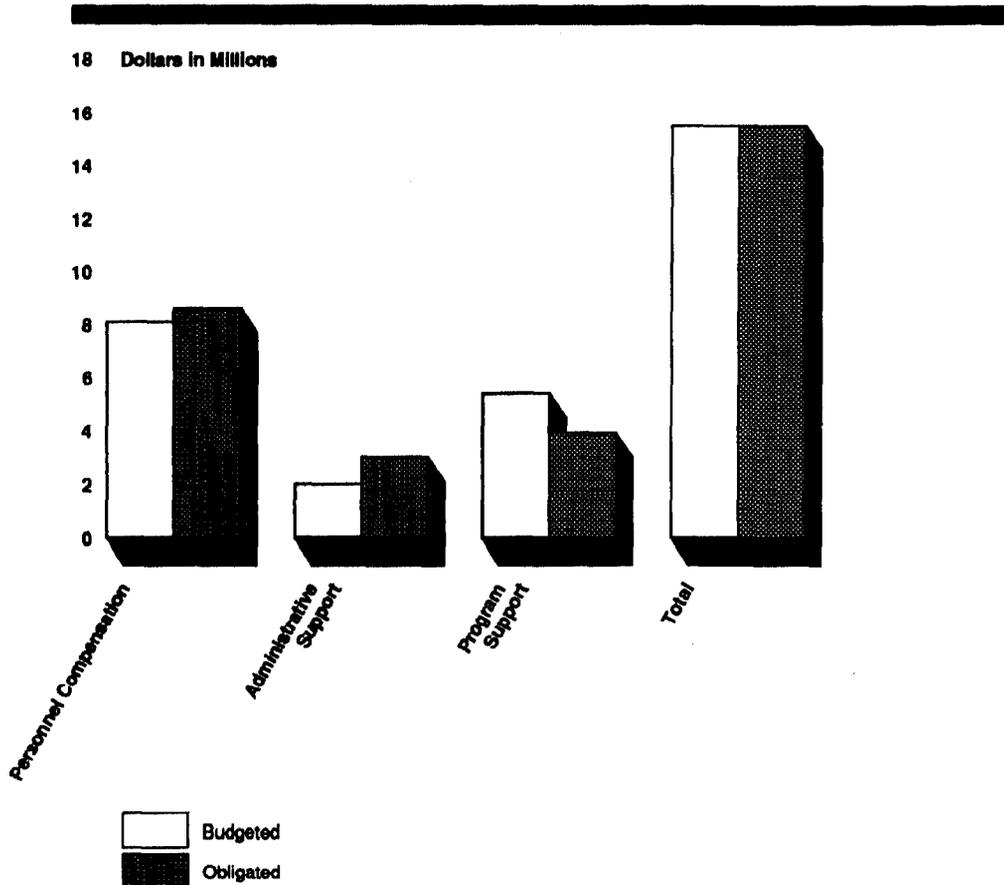
ABBREVIATIONS

DOT	Department of Transportation
GAO	General Accounting Office
RSPA	Research and Special Programs Administration

SECTION 1

VARIANCES BETWEEN RSPA'S APPROVED BUDGET AND
OBLIGATIONS FOR FISCAL YEAR 1990

Figure 1.1: Comparison of Fiscal Year 1990 Research and Special Programs Funds Budgeted and Obligated



Source: GAO presentation of RSPA (Research and Special Programs Administration) data.

- o RSPA's obligations for personnel compensation and administrative support exceeded the amounts recommended by the appropriations committees by about \$557,000 and \$949,000, respectively.
- o RSPA used monies budgeted for program activities to cover the additional personnel and administrative obligations but did not exceed its total appropriation.

Table 1.1: Comparison of Fiscal Year 1990 Research and Special Programs Funds Budgeted and Obligated

<u>RSPA office</u>	<u>Personnel compensation</u>	<u>Administrative</u>	<u>Program^a</u>	<u>Total</u>
Administrator				
Budgeted	\$ 260,000	\$ 11,000	\$	\$ 271,000
Obligated	406,883	61,002		467,885
Difference	146,883	50,002		196,885
Percent of variance	56.5%	454.6%		72.7%
Chief Counsel				
Budgeted	422,000	6,000		428,000
Obligated	529,481	22,878		552,359
Difference	107,481	16,878		124,359
Percent of variance	25.5%	281.3%		29.1%
Management and Administration				
Budgeted	810,000	1,552,000 ^b	134,000	2,496,000
Obligated	1,122,351	2,144,080	139,994	3,406,425
Difference	312,351	592,080	5,994	910,425
Percent of variance	38.6%	38.1%	4.5%	36.5%
Aviation Information Management				
Budgeted	1,188,000	25,000	1,219,000	2,432,000
Obligated	1,286,398	73,930	804,116	2,164,444
Difference	98,398	48,930	(414,884)	(267,556)
Percent of variance	8.3%	195.7%	(34.0)%	(11.0)%
Emergency Transportation				
Budgeted	581,000	24,000	193,000	798,000
Obligated	637,982	84,409	86,970	809,361
Difference	56,982	60,409	(106,030)	11,361
Percent of variance	9.8%	251.7%	(54.9)%	1.4%
Hazardous Materials				
Budgeted	4,337,000	388,000	3,779,000	8,504,000
Obligated	4,298,419	568,100 ^c	2,775,355	7,641,874
Difference	(38,581)	180,100	(1,003,645)	(862,126)
Percent of variance	(0.9)%	46.4%	(26.6)%	(10.1)%
Research and Technology				
Budgeted	462,000	39,000	103,000	604,000
Obligated	335,918	39,970	89,331	465,219
Difference	(126,082)	970	(13,669)	(138,781)
Percent of variance	(27.3)%	2.5%	(13.3)%	(23.0)%
All RSPA offices				
Budgeted	8,060,000	2,045,000	5,428,000	15,533,000
Obligated	8,617,432	2,994,369	3,895,766	15,507,567
Difference	557,432	949,369	(1,532,234)	(25,433)
Percent of variance	6.9%	46.4%	(28.2)%	(0.2)%

^aWhere empty cells appear in this column, no funds were budgeted or obligated.

^bIncludes total amount budgeted for rental payments to GSA; communications, utilities, and miscellaneous charges; and working capital for all RSPA offices.

^cReduced by \$17,765 for obligations reimbursed by others.

Source: GAO presentation of RSPA data.

As table 1.1 shows, the percent of variance between budgeted and obligated amounts differed greatly by RSPA office. For personnel compensation, five RSPA offices incurred obligations greater than the amounts budgeted and two offices incurred obligations lesser than the amounts budgeted. The percent of variance ranged from 56.5 percent more in the Office of the Administrator to 27.3 percent less in the Office of Research and Technology. Obligations incurred for administrative support were greater than the amounts budgeted in all seven RSPA offices. The variance ranged from 454.6 percent in the Office of the Administrator to only 2.5 percent in the Office of Research and Technology.

Further analysis of administrative support shows that RSPA's obligations for equipment and furniture exceeded the budgeted amount by over 350 percent, for printing and reproduction by over 100 percent, and for travel and transportation by over 50 percent. In addition, RSPA incurred more than \$300,000 in obligations for items that were not provided for in the approved budget. The obligations included \$76,000 for a personnel management information system, about \$49,000 for employee training, about \$44,700 for RSPA's prorata share of departmentwide costs of the Office of the Secretary of Transportation (OST reimbursables), and about \$36,000 for equipment support. Table 1.2 provides a detailed comparison of the amounts budgeted and obligated for all administrative support items.

Table 1.2: Comparison of Fiscal Year 1990 Research and Special Programs Funds Budgeted and Obligated for Administrative Items

Item	Budgeted	Obligated	Difference	
			Amount	Percent
Budgeted items				
Travel and transportation	\$ 262,000	\$ 405,235 ^a	\$ 143,235	54.7
Transportation of things	9,000	7,745	(1,255)	(13.9)
Rental of space	1,079,000	950,903	(128,097)	(11.9)
Supplies and materials	38,000	84,945	46,945	123.5
Communications, utilities, and miscellaneous	188,000	275,787	87,787	46.7
Equipment and furniture	38,000	178,677	140,677	370.2
Printing and reproduction	174,000	380,400	206,400	118.6
Working capital	<u>257,000</u>	<u>393,717</u>	<u>136,717</u>	53.2
Subtotal	<u>2,045,000</u>	<u>2,677,409</u>	<u>632,409</u>	30.9
Nonbudgeted items				
Training		48,587	48,587	
Security checks		9,921	9,921	
Building maintenance		12,452	12,452	
Personnel management information system		76,000	76,000	
RSPA financial management system		9,000	9,000	
Uniform payroll system		24,593	24,593	
Employee counsel		2,500	2,500	
OST reimburseables		44,779	44,779	
Equipment support		36,200	36,200	
Drug education		6,965	6,965	
Civil rights		1,613	1,613	
Coast Guard clinic		12,000	12,000	
Miscellaneous		<u>32,350</u>	<u>32,350</u>	
Subtotal		<u>316,960</u>	<u>316,960</u>	
Total	<u>\$2,045,000</u>	<u>\$2,994,369</u>	<u>\$ 949,369</u>	46.4

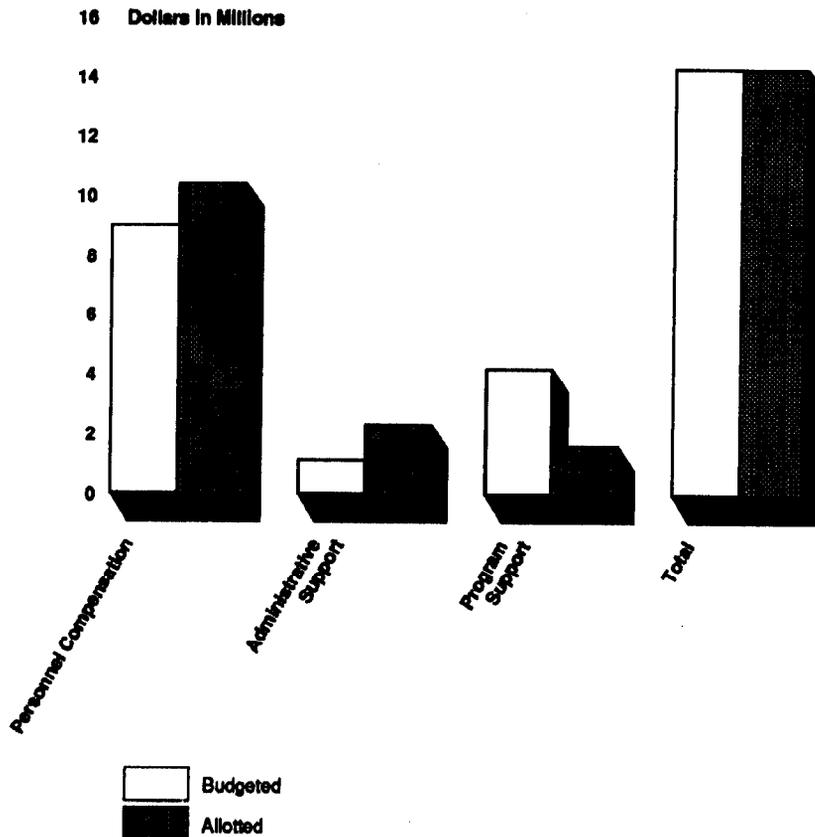
^aReduced by \$17,765 for obligations reimbursed by other.

Source: GAO presentation of RSPA data.

SECTION 2

VARIANCES BETWEEN RSPA'S APPROVED BUDGET AND ALLOTMENTS FOR FISCAL YEAR 1991

Figure 2.1: Comparison of Fiscal Year 1991 Research and Special Programs Funds Budgeted and Allotted



Source: GAO presentation of RSPA data.

- The Research and Special Programs Administration allotted about \$1.4 million more for personnel compensation and about \$1.2 million more for administrative support than was included in the budget recommended by the appropriations committees.
- RSPA shifted money that had been budgeted for program activities to cover the additional allotments for personnel and administration.
- RSPA offices will have to cancel, curtail, and/or postpone program activities because monies were shifted.

Table 2.1: Comparison of Fiscal Year 1991 Research and Special Programs Funds Budgeted and Allotted

<u>RSPA office</u>	<u>Personnel compensation^a</u>	<u>Administrative^a</u>	<u>Program^a</u>	<u>Total^a</u>
Administrator				
Budgeted	\$ 377,000	\$ 12,000	\$	\$ 389,000
Allotted	335,000	27,000		362,000
Difference	(42,000)	15,000		(27,000)
Percent of variance	(11.1)%	125.0%		(6.9)%
Civil Rights				
Budgeted				
Allotted	71,000	12,000		83,000
Difference	71,000	12,000		83,000
Percent of variance				
Chief Counsel				
Budgeted	547,000	14,000		561,000
Allotted	646,000	33,000	35,000 ^D	714,000
Difference	99,000	19,000	35,000	153,000
Percent of variance	18.1%	135.7%		27.3%
Program and Policy Support Staff				
Budgeted				
Allotted	146,000	24,000		170,000
Difference	146,000	24,000		170,000
Percent of variance				
Management and Administration				
Budgeted	1,090,000	43,000	110,000	1,243,000
Allotted	1,413,000	67,000	20,000	1,500,000
Difference	323,000	24,000	(90,000)	257,000
Percent of variance	29.6%	55.8%	(81.8)%	(20.7)%
Research, Technology, and Analysis				
Budgeted				
Allotted	182,000	12,000		194,000
Difference	182,000	12,000		194,000
Percent of variance				
Airline Statistics				
Budgeted	1,222,000	22,000	901,000	2,145,000
Allotted	1,416,000	62,000	300,000	1,778,000
Difference	194,000	40,000	(601,000)	(367,000)
Percent of variance	15.9%	181.8%	(66.7)%	(17.1)%
Emergency Transportation				
Budgeted	448,000	21,000	228,000	697,000
Allotted	700,000	86,000	60,000	846,000
Difference	252,000	65,000	(168,000)	149,000
Percent of variance	56.3%	309.5%	(73.7)%	21.4%
Research Policy and Technology Transfer				
Budgeted	412,000	38,000		450,000
Allotted	536,000	94,000		630,000
Difference	124,000	56,000		180,000
Percent of variance	30.1%	147.4%		40.0%
Hazardous Materials				
Budgeted	4,874,000	383,000	3,042,000 ^C	8,299,000
Allotted	4,803,000	625,000	1,182,000 ^C	6,610,000
Difference	(71,000)	242,000	(1,860,000)	(1,689,000)
Percent of variance	(1.5)%	63.2%	(61.1)%	(20.4)%

<u>RSPA office</u>	<u>Personnel compensation^a</u>	<u>Administrative^a</u>	<u>Program^a</u>	<u>Total^a</u>
Management and Administration- Corporate Accounts				
Budgeted		546,000 ^d		546,000
Allotted	144,000 ^e	1,267,000		1,411,000
Difference	144,000	721,000		865,000
Percent of variance		132.1%		158.4%
All RSPA offices				
Budgeted	\$ 8,970,000	\$1,079,000	\$ 4,249,000 ^f	\$14,298,000
Allotted	10,392,000	2,309,000	1,597,000	14,298,000
Difference	1,422,000	1,230,000	(2,652,000)	0
Percent of variance	15.9%	114.0%	(62.4)%	

^aWhere empty cells appear in this column, no funds were budgeted or allotted.

^bMoney to fund the DOT-wide Honors Attorney Program.

^cIncludes \$750,000 to establish three regional offices.

^dFunds budgeted for communications, utilities, and miscellaneous charges and for working capital are being paid from corporate accounts.

^eMoney allotted for bonuses.

^fTotal was adjusted by \$31,000 to reflect a \$110,000 cut by the appropriations committees for publishing and distributing reports to state and local governments and universities. RSPA had requested \$79,000 for that activity.

Source: GAO presentation of RSPA data.

In fiscal year 1991, RSPA operations were carried out under a different organizational structure from that used to justify its 1991 budget. According to RSPA, the benefits of the new organization included (1) streamlining the reporting within RSPA by reducing the number of individuals reporting directly to the Administrator from 10 to 7; (2) highlighting leadership roles in the Offices of Hazardous Materials and Pipeline Safety; (3) creating a Washington focus for the Transportation Systems Center; (4) providing direction under an Associate Administrator in a new Office of Research, Technology, and Analysis for programs previously located in five offices; and (5) establishing an organizational structure and authority comparable to other Department of Transportation (DOT) operating administrations. Besides establishing the Office of Research, Technology, and Analysis, the new organization established the Office of Civil Rights and the Program Policy and Support Staff. As table 2.1 shows, these offices were allotted \$194,000, \$83,000, and \$170,000, respectively, for personnel compensation and administrative support.

Table 2.1 further shows that the amounts allotted for personnel compensation for five of the remaining seven offices were greater than the amounts budgeted, ranging from \$99,000 for the Office of Chief Counsel to \$252,000 for the Office of Emergency Transportation. The Office of the Administrator was allotted \$42,000 less than had been budgeted and the Office of Hazardous Materials was allotted \$71,000 less. Table 2.1 also shows that all seven of the remaining offices were allotted more for administrative support than had been budgeted, ranging from \$15,000 for the Office of the Administrator to \$242,000 for the Office of Hazardous Materials.

Further analysis of administrative support for fiscal year 1991 shows that the allotments for communications, utilities, and miscellaneous charges; for printing and reproduction; and for travel and transportation exceeded the budgeted amounts by \$235,000, \$214,000, and \$165,000, respectively. Analysis also shows that RSPA allotted \$460,000 for administrative items that had not been provided for in the approved budget. Table 2.2 provides a detailed comparison of amounts budgeted and allotted for all administrative support items in fiscal year 1991.

Table 2.2: Comparison of Fiscal Year 1991 Research and Special Programs Funds Budgeted and Allotted for Administrative Items

<u>Item</u>	<u>Budgeted^a</u>	<u>Allotted</u>	<u>Difference</u>	
			<u>Amount</u>	<u>Percent</u>
Budgeted items				
Travel and transportation	\$ 250,000	\$ 415,000	\$ 165,000	66.0
Transportation of things	6,000		(6,000)	
Supplies and materials	40,000	82,000	42,000	105.0
Communications, utilities, and miscellaneous	180,000	415,000	235,000	130.6
Equipment and furniture	25,000	88,000	63,000	252.0
Printing and reproduction	174,000	388,000	214,000	123.0
Working capital	366,000	411,000	45,000	12.3
Training	<u>38,000</u>	<u>50,000</u>	<u>12,000</u>	<u>31.6</u>
Subtotal	<u>1,079,000</u>	<u>1,849,000</u>	<u>770,000</u>	71.4
Nonbudgeted items				
Security checks		19,000	19,000	
RSPA financial management system		14,000	14,000	
Uniform payroll system		25,000	25,000	
Employee counsel		5,000	5,000	
OST reimburseables		134,000	134,000	
Equipment support		120,000	120,000	
Training support		10,000	10,000	
Civil rights		3,000	3,000	
Coast Guard clinic		14,000	14,000	
Miscellaneous		<u>116,000</u>	<u>116,000</u>	
Subtotal		<u>460,000</u>	<u>460,000</u>	
Total	<u>\$1,079,000</u>	<u>\$2,309,000</u>	<u>\$1,230,000</u>	114.0

^aWhere empty cells appear in this column, no funds were budgeted.

Source: GAO presentation of RSPA data.

IMPACT OF FUND SHIFTS ON PROGRAM ACTIVITIES

To identify the impact of RSPA's shifting of funds from programs to personnel and administrative support, we asked the office heads for Emergency Transportation, Hazardous Materials, and Airline Statistics to explain what adjustments they had made in program activities to accommodate the reduced funding. Their responses are summarized below and reproduced in total as appendix I to this report.

The Office of Emergency Transportation said that their participation in several major emergency transportation training and exercise activities had either been cancelled or severely restrained. These activities included mobilization exercises for the National Defense Executive Reserve and for federal employees and Global War Game-90. Also, the number of training sessions conducted under the National Defense Executive Reserve and the Mobilization Designee training programs was reduced. Plans to upgrade communication capabilities and to purchase secure telephones and facsimile machines were abandoned in fiscal years 1990 and 1991. Also, the purchase of microcomputer and support systems for use by the Regional Emergency Transportation Coordination and DOT Emergency Organization was postponed until fiscal year 1992.

The Office of Hazardous Materials said that it will limit the expansion it had planned for its information systems and curtail, discontinue, or defer a wide range of support activities. Its program for conducting specialized testing of hazardous materials containers will be delayed until fiscal year 1992. Some projects in the prevention and response area will also be deferred, but the Office will continue funding the Hazardous Materials Emergency Response Center--an information data base on hazardous materials incidents and oil spills. Other activities such as the Cooperative Hazardous Materials Enforcement Development Program and some information dissemination efforts in the emergency response area, will be pursued at a reduced level.

The Office of Airline Statistics said that the fiscal year 1991 funds permit it to gather and disseminate only the bare minimum of airlines statistics needed to meet DOT's needs. Work on computer systems maintenance and documentation and some special projects will be limited. The planned computer systems development work will not be accomplished, and all contract work on the modernization project was cancelled.

SECTION 3

VARIANCES BETWEEN POSITIONS RECOMMENDED BY THE APPROPRIATIONS COMMITTEES AND ALLOTTED BY RSPA FOR FISCAL YEARS 1990 AND 1991

- o As of March 11, 1990, RSPA had allotted seven full-time permanent positions differently from the way the appropriations committees recommended. Moreover, RSPA had 10 full-time and 7 part-time employees in other than permanent full-time positions that had not been included in the recommended budget.
- o In fiscal year 1991, RSPA allotted 14 full-time permanent positions differently from the way the committees recommended. As of February 24, 1991, RSPA had three full-time and four part-time employees in other than permanent full-time positions that had not been included in the recommended budget.

1990 STAFFING

A comparison of staffing levels recommended by the House and Senate Committees on Appropriations and allotted by RSPA as of March 11, 1990, shows that seven full-time permanent positions were allotted differently from the way the committees recommended. As table 3.1 shows, one position (deputy administrator) was moved to the Office of the Administrator from the Office of Research and Technology, one position was moved to the Office of the Chief Counsel from the Office of Hazardous Materials, and five positions were moved to the Office of Management and Administration: three from the Transportation Systems Center, one from the Office of Pipeline Safety, and one from the Office of Hazardous Materials.

According to RSPA officials, these changes were made to improve RSPA's management. For example, RSPA moved the deputy administrator position from the Office of Research and Technology to the Office of the Administrator and the procurement function and three positions from the Transportation Systems Center in Cambridge, Massachusetts, to its headquarters' Office of Management and Administration in Washington, D.C. RSPA reported these changes in its 1991 budget submission.

Table 3.1: Fiscal Year 1990 Staffing Levels Recommended by the Appropriations Committees and Allotted by RSPA and Vacancies as of March 11, 1990

<u>Office</u>	<u>Full-time permanent positions</u>			
	<u>Recommended by committees</u>	<u>Total</u>	<u>Budgeted by RSPA^a</u>	
			<u>Filled</u>	<u>Vacant</u>
Administrator	4	5 ^b	5	0
Chief Counsel	9	10 ^c	9	1
Research and Technnology	7	6	5	1
Emergency Transportation	10	10	10	0
Aviation Information Management	22	22	21	1
Hazardous Materials	97	95	84	11
Management and Administration	<u>14</u>	<u>19^d</u>	<u>17</u>	<u>2</u>
Total	<u>163</u>	<u>167</u>	<u>151</u>	<u>16</u>

^aAccording to a RSPA official, the budgeted positions are permanent full-time equivalent positions.

^bDeputy administrator position moved from Research and Technology.

^cOne position moved from Hazardous Materials.

^dThree positions moved from Transportation Systems Center, one position moved from Pipeline Safety, and one position moved from Hazardous Materials.

Source: First RSPA Bi-weekly Ceiling and Vacancy Report prepared in fiscal year 1990.

Further analysis of the staffing of RSPA's offices shows that as of March 11, 1990, RSPA had 17 people employed in other than permanent full-time positions--8 in the Office of Hazardous Materials, 6 in the Office of the Administrator, 2 in the Office of Management and Administration, and 1 in the Office of Research and Technology. These positions were not included in the budget recommended by the appropriations committees. Table 3.2 shows the RSPA offices to which these employees were assigned as well as their titles, grades, and types of position.

Table 3.2: Other Than Permanent Full-time Positions Filled as of March 11, 1990

Office	Other than permanent full-time positions filled			
	Number	Title	GS-Grade	Type
Administrator	1	Consultant		Full-time temporary
	2	Staff assistant	12	Full-time temporary
	1	Administrative services	8	Part-time permanent
	1	Secretary	5	Full-time temporary
	1	Clerk-typist	4	Part-time temporary
Research and Technology	1	Secretary	8	Part-time permanent
Hazardous Materials	1	Writer-editor	11	Full-time temporary
	1	Secretary	5	Full-time temporary
	1	Secretary	5	Part-time permanent
	2	Clerk-typist	4	Full-time temporary
	1	Clerk-typist	3	Full-time temporary
	1	Clerk-typist	4	Part-time permanent
	1	Engineer-technician	5	Part-time temporary
Management and Administration	1	Personnel management specialist	11	Full-time temporary
	1	Personnel actions clerk	5	Part-time permanent
Total	17^a			

^aIn addition, the Office of Emergency Transportation employed four experts who normally work about 30 days each year.

Source: First RSPA Bi-weekly Ceiling and Vacancy Report prepared in fiscal year 1990.

1991 STAFFING

A comparison of the staffing levels recommended by the appropriations committees and allotted by RSPA for fiscal year 1991 shows that 14 full-time permanent positions were allotted differently from the way the appropriations committees recommended. As table 3.3 shows, one position was moved to the Office of Civil Rights (new office) from the Office of Pipeline Safety; one position was moved to the Office of Chief Counsel from the Office of Hazardous Materials; five positions were moved to Program Policy and Support Staff (new office), two each from the Offices of Hazardous Materials and Pipeline Safety and one from the Transportation Systems Center; two positions were moved to the Office of Research, Technology, and Analysis (new office), one from the Office of Airline Statistics and one from the Transportation Systems Center; and three positions were moved to the Office of Management and Administration, two from the Office of Hazardous Materials and one from the Office of Pipeline Safety. In addition, the Office of Emergency Transportation was permitted to keep two positions (one for part of the year) that the committees had eliminated in the approved budget--one was to be moved to the Office of Hazardous Materials and one was to be abolished.

As explained in section 2, RSPA was reorganized in fiscal year 1991 to improve management of its activities. Eight of the 12 positions were moved to staff the new offices created in the reorganization. According to RSPA officials, the other four positions were also moved to improve the management of RSPA activities.

Table 3.3: Fiscal Year 1991 Staffing Levels Recommended by the Appropriations Committees and Allotted by RSPA and Vacancies as of February 24, 1991

<u>Office</u>	<u>Full-time permanent positions</u>			
	<u>Recommended by committees</u>	<u>Total</u>	<u>Budgeted by RSPA^a</u>	
			<u>Filled</u>	<u>Vacant</u>
Administrator	5	4 ^b	3	1
Civil Rights	1 ^c	2 ^d	1	1
Chief Counsel	11	11 ^e	10	1
Program and Policy Support Staff	0	5 ^f	2	3
Research, Technology, and Analysis	2 ^g	4 ^h	3	1
Research Policy and Technology Transfer	6	6	6	0
Emergency Transportation	7	9 ⁱ	9	0
Airline Statistics	22	21 ^j	21	0
Hazardous Materials	100	92 ^k	85	7
Management and Administration	<u>14</u>	<u>17^l</u>	<u>16</u>	<u>1</u>
Total	<u>168</u>	<u>171^m</u>	<u>156</u>	<u>15</u>

^aAccording to a RSPA official, budgeted positions are permanent full-time equivalent positions.

^bNo full-time equivalent position was made available for one position.

^cPosition was approved in budget for Management and Administration.

^dOne position moved from Pipeline Safety.

^eOne authorized position was not allotted a full-time equivalent position and one position was moved to Chief Counsel from Hazardous Materials.

^fTwo positions moved from Hazardous Materials, two positions moved from Pipeline Safety, and one position moved from Transportation Systems Center.

^gTwo positions budgeted under Management and Administration for the Transportation Safety Institute.

^hOne position moved from Airline Statistics and one position moved from Transportation Systems Center.

ⁱOne position was moved to Hazardous Materials in March 1991, and one position will be reassessed or lost not later than September 30, 1991.

^jOne position moved to Research, Technology, and Analysis.

^kTwo positions moved to Management and Administration, two positions moved to Program and Policy Support Staff, and one position moved to Chief Counsel. Three positions had no full-time equivalent positions made available.

^lTwo positions moved from Hazardous Materials and one position moved from Pipeline Safety.

^mIncludes 163 positions budgeted for entire year, 7 positions budgeted for 6 months or less, and 1 position budgeted for entire year or less.

Further analysis of the staffing of RSPA's offices shows that as of February 24, 1991, RSPA had seven people employed in other than permanent full-time positions. These positions were not included in the budget recommended by the appropriations committees. Of these seven positions, two were assigned to the Office of Management and Administration, two to Program Policy and Support Staff, and one each to the Offices of the Administrator; Research Policy and Technology Transfer, and Hazardous Materials. Table 3.4 shows these employees by title, grade, and type of position for each office.

Table 3.4: Other Than Permanent Full-time Positions Filled as of February 24, 1991

Office	Other than permanent full-time positions filled			
	Number	Title	GS-Grade	Type
Administrator	1	Staff assistant	12	Full-time temporary
Program Policy and Support Staff	1	Clerk-typist	4	Full-time temporary
	1	Administrative services	8	Part-time permanent
Research Policy and Technology Transfer	1	Secretary	8	Part-time permanent
Hazardous Materials	1	Secretary	5	Part-time permanent
Management and Administration	1	Clerk-typist	4	Full-time temporary
	<u>1</u>	Personnel actions clerk	5	Part-time permanent
Total	<u>7</u>^a			

^aIn addition, the Office of Emergency Transportation employed four experts who normally work about 30 days each year.

Source: RSPA Bi-weekly Ceiling and Vacancy Report (Feb. 24, 1991).

RSPA OFFICIALS' RESPONSES TO GAO'S QUESTIONS
ON IMPACT OF FUND SHIFTS



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

FEB 20 1991

Mr. Ron E. Wood
Assistant Director
United States General Accounting Office
Washington, DC 20548

Dear Mr. Wood:

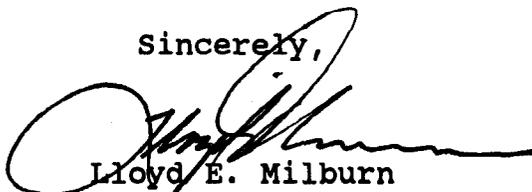
This is in response to your request for information on the Office of Emergency Transportation (OET) program adjustments due to the reduction of operations funds provided by the FY 1991 budget estimates. Based on the submission to the Committee on Appropriations and subsequent Research and Special Programs Administration internal adjustments the following are narrative impacts:

- a. **Training and Exercises.** Participation in several major emergency transportation training and exercise activities was either cancelled or severely restrained. These activities included mobilization exercises for the National Defense Executive Reserve (NDER) and Federal employees; Naval War College sponsored Global War Game-90 (GWG-90); Federal Emergency Management Agency (FEMA) sponsored regional emergency management team training; and National and International level exercises. Funding constraints reduced OET's capability to fully develop and conduct its annual NDER and Mobilization Designee training program, resulting in fewer training sessions, and approximately 300 less people trained than in previous years. OET missed the opportunity to fully benefit from GWG-90 which is a major annual war game with significant civil agency resource management components, that closely relate to current civil transportation issues in support of Operation Desert Storm. Even though several National-level civil readiness exercises were cancelled in FY-90, OET's responsibility for maintaining a high level readiness posture did not diminish. OET is the lead office for development, planning and coordinating civil transportation readiness activities as well as being a major participant in the actual conduct of the exercises. Our reduced operations budget for both Fiscal Years 90-91 resulted in minimizing our internal planning activities and external participation. Thus, we were prepared only to respond to exercise requests coming to the Department from other departments and agencies. OET's limited participation was necessary to maintain the high level status that DOT has enjoyed in the emergency preparedness community.

- b. **Response to Emergency Conditions.** Two of the elements in this program area suffered as a result of the reduction of operation funds.
- (1) **Radiological Emergency Response.** OET had to reduce the level of funding support for participation and training associated with the Regional Assistance Committee (RAC) program. This program provides DOT technical support to FEMA in order to meet regulatory radiological emergency preparedness requirements. The congressional mandate requires conduct of exercises and reviews of civil nuclear power plant's emergency planning and preparedness in the event of a nuclear incident or accident. This reduction of OET's level of funding support cancelled some DOT participation in RAC activities.
 - (2) **Earthquake Exercises.** OET was unable to adequately participate in national and regional earthquake readiness exercises. These exercises are an essential element in developing DOT headquarters and regional competence in the execution of national and regional emergency response plans.
- c. **Continuity of Government Program Enhancement.** Only the very essential elements of this program area could be accomplished. The elements listed below involving communications enhancement could not be done.
- (1) **Secure Communications.** Planned upgrades to OET secure communications capabilities were abandoned in FY 90 and FY 91, due to funding cuts. In past civil readiness exercises, deficiencies were noted in OET's ability to track fast-developing civil transportation requirements to support the military. This was attributed to our dependence on the automated digital information network for secure message traffic. We planned an upgrade of communications capabilities by installing a secure terminal with access to DOD's Worldwide Military Command and Control System (WWMCCS). That planned upgrade was supported by USTRANSCOM, Headquarters Military Airlift Command and others. Acquisition, installation and training for the WWMCCS terminal was postponed. Our experience in Operation Desert Storm is consistent with the deficiencies identified in the readiness exercises. For the most part, priority information gets to us at least 12 hours later than otherwise available through a WWMCCS terminal.

- (2) **Secure Telephones and Facsimile Machines.** Like our experience with the WWMCCS, OET budget cuts forced us to abandon plans for procurement of secure telephones and facsimile machines. We have clearly identified requirements for this equipment. To "make do" for response activities relating to Operation Desert Storm, OET has found it necessary to borrow telephones and facsimile equipment from other offices and agencies within the Department. This is not the best arrangement and impedes the effort of the Office in providing the crisis management support.
- d. **International Activities.** DOT's support to the North Atlantic Treaty Organization and U.S./Canada joint emergency planning activities had to be curtailed. Only the absolute essential participation was accomplished.
- e. **Micro-computer and Support Systems.** The planned purchase of two new computers for use in emergency operations by the Regional Emergency Transportation Coordinators (RETCO) and DOT Emergency Organization was postponed until FY-1992. This limits the capability of the affected RETCOs to be responsible during transportation emergencies because of the restricted capacity of the existing system.
- f. **Database Maintenance.** The OET modal data base update cycle, which is scheduled for every 2 years, had to be postponed. Therefore, no new data will be added to the data base until FY-1992/93. The significant detriment of this lag in current operable data is that 5 to 7 year old data will have to be used for assessing damage and determining capability in responding to emergencies that impact transportation such as earthquakes, hurricanes and other catastrophic and crisis situations. Further, as a result of the lack of funds, the concept of data base development and updating every 2 years was abandoned in favor of less costly development in enhanced software capability. This provided for performance of analytical and graphics operations on existing data.

Sincerely,



Lloyd E. Milburn
Director of Emergency Transportation



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

Memorandum

Date **FEB 20 1991**

Reply to Attn of

Subject **INFORMATION: Response to GAO re Audit**

From *Edward E. Maggullo*
**Alan I. Roberts, Associate Administrator for
Hazardous Materials Safety, DHM-1**

To **Rose McMurray, Associate Administrator for
Management and Administration, DMA-1**

Attached is the HMS response to the request of February 14,
1991, from the General Accounting Office. If any further
information is needed, please contact Dee Dougherty on x64472.

#

Attachment

1. INFORMATION AND ANALYSIS

- a. Maintain/operate automated data systems in support of HM regulatory activities, including office automation, management analysis, trend analyses, and database crosslinks.

HMS planned to encourage an increase in the HMIS usage by introducing operating efficiencies, new data and user-friendly software. Although some of these projects will be initiated, it will be at a lower level in FY 1991 than originally planned. It was also planned that a wide range of support for all program offices would be given, ranging from designing specialized networks and software to training HMS staff in the care and use of the equipment. Some of these activities will be drastically curtailed while others will not be continued or established.

- b. Perform analyses, including cost impacts and risks, to support planning and ongoing program activities.

In its operating plan for FY 1991, HMS planned to continue ongoing analyses of regulations and cost and risk impact studies. Although the funding for this activity is no longer available, HMS plans to do a great deal of this task in-house.

2. RULEMAKING

- a. Evaluate operational controls, packaging performance, classification criteria, and performance standards.

Under this task, HMS is able to obtain technical analyses determining the causes of potential incidents, suggesting preventive measures and indicating costs and benefits of alternative regulatory actions. Additionally, this funding covers technical and economic analysis of comments on rulemakings; enforcement actions vis-a-vis interpretations; evaluation of exemption requests; and proposed changes or development of new international regulations affecting transportation of hazardous materials in the U.S. Funding for these activities was eliminated for FY 1991. Consequently, HMS will endeavor to carry out the more critical of these analyses, wherever possible, with in-house personnel.

- b. Support HM regulation evaluation and revision, including publication of notices and rules in the Federal Register.

Publication in the Federal Register of advance and final rules is mandatory. Because of the publication of significant rulemakings in FY 1991 (HM-181. 201 and 126F) and because costs for publishing were much greater than estimated, HMS will have to find alternative funding to cover its printing expenses.

- c. Support mandatory republication of 49 CFR.

By law, RSPA must annually republish 49 CFR. Because of underfunding of this line item, it will be necessary to look for alternative funds to cover the costs of republication.

3. INSPECTION AND ENFORCEMENT

- a. Acquire, test, and analyze HM containers to determine noncompliance or faulty design specifications;
investigate/analyze HM transportation accidents.

The contract for conducting specialized testing of containers is a vital part of the support needed to carry out the enforcement and compliance programs. Even though HMS requested only about one-third of the funding for the previous year, this program will have to be delayed until FY 1992 funding is approved. HMS does not have the in-house capability to carry out testing of this kind.

- b. Administrative Law Judge, stenographic services and other costs of enforcement proceedings.

Administrative Law Judges and their attendant services provide direct support for enforcement proceedings. It is anticipated that the limited number of administrative hearings can be covered by existing funding.

- c. Support DOT Honors Program for New Attorneys.

Since the Honors Attorney is assigned to the Chief Counsel's office the decision was made to assign this funding to that office for administration.

4. PREVENTION AND RESPONSE

- a. Support the Hazardous Materials Emergency Response Center through the USCG National Response Center with data links to CHEMTREC.

Under various laws and executive order the USCG operates National Response Center to receive reports of all hazardous materials incidents and oil spills. HMS enters into a Reimbursable Agreement with the NRC in order to have access to these records and avail itself of the existing information. Because of the importance of this information, HMS has decided to defer some other projects in its program areas and continue funding the NRC.

- c. Maintain a clearinghouse for hazardous materials transportation safety information.

Funding will maintain and improve the Hazardous Materials Information Exchange. This electronic bulletin board affords information about emergency response planning, training and preparedness and interpretations and is funded jointly by DOT and FEMA. It is free of charge to all interested

persons and can be accessed by anyone with a computer and a modem. It also has a tollfree number from which one can obtain information. HMS has decided to continue base funding for this program and defer planned improvements.

- f. Enhance prevention through support of public/private sector programs to improve HMR compliance/enforcement.

HMS plans to continue the Cooperative Hazardous Materials Enforcement Development (COHMED) program. COHMED has been very successful as an outreach program. However, it was necessary to suspend the Interagency Personnel Act program, guides and seminars designed to reach legislative, judicial and executive branch officials. In addition, the training courses given by the Transportation Safety Institute in Oklahoma City under the existing budgeting would have to be drastically curtailed. However, because of the unique nature of the funding (training fees are collected from States and credited to the account), a small amount of FY 1991 funds and a limited amount of carryover money from FY 1990, the program can be carried out at reduced levels.

- g. Enhance response through export of public/private sector programs to improve HM emergency preparedness and response.

HMS planned to disseminate information to operations-level emergency responders to inform them of the changes in the 1990 edition of the ERG. OHMT intends to address this matter, at a much reduced level, in-house. The issuance of a videotape will have to be delayed, but hard-copy information will be developed for distribution. Management level emergency response

concerns and an update of use-friendly consequence models will have to be delayed until FY 1992. HMS is continuing contact with FEMA for an approach to developing, with reduced funding, curricula for levels two and three as defined in the new Department of Labor standards, 29 CFR Part 1910.



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

Memorandum

Date **February 19, 1991** Reply to Attn of

Subject **INFORMATION: Impact Of Reduction In FY 1991 Funds**

From *Robin A. Caldwell*
Robin A. Caldwell, Director
Office of Airline Statistics, RSPA

To Rose A. McMurray, Associate Administrator
for Management and Administration

The Associate Administrator for Research, Technology, and Analysis asked me to provide, for your action, the attached information on our FY 1991 budget that was requested in GAO's February 14, 1991 letter.

#

Attachment

cc: Mark Dowis, DRA-1
OAS Division Chiefs

Research and Special Programs Administration
Office of Airline Statistics

IMPACT OF REDUCED OPERATING PROGRAM FUNDS IN FY 1991

The reduction of FY 1991 funds allows only the bare minimum airline statistics program needed to meet the Department's needs. We will continue to maintain the timeliness of existing data collections, and meet minimum quality levels for data bases and products. But work on computer systems maintenance and documentation, and special projects for OST and FAA will be limited.

A minimum airline statistics program demands that we use TCC's mainframe computer for "ADP support services," to monitor air carrier reporting and for enforcement, per the FY 1991 budget.

The CAB Sunset Act of 1984 and the Department's program requirements mandate the maintenance of "basic passenger statistics" in the Passenger Origin-Destination Survey and the T-100 System of non-stop segment and market data. Funds must be spent per the FY 1991 budget.

The planned "computer systems development" work will not be accomplished. Only a small amount of the funds needed to begin this project were provided in FY 1990. Our contractor did complete a feasibility study and project plan. But the lack of adequate funds required us to delay almost all of the work on the project. The shortage of FY 1991 funds caused us to cancel all contract work on the modernization project. The project's few FY 1990 funds were used to maintain and analyze critical basic data on the citizenship of international air passengers.

We still need to modernize our reports storage and data distribution systems. Our Form 41 financial data system in particular, and our Reports Reference Room in general, primarily serve DOT staff and public users via paper copies of reports and tabulations. We hope to improve these systems, even though the lack of funds means that improvements will be slower and drawn out up to six rather than three years or less. In FY 1991 we hope to begin a small, limited project using Form 41 financial data and reports, to demonstrate how modernized computer systems coupled with imaging or microform technologies can benefit users' access to data.

The "basic aviation information management (AIM) program" has been scaled back in FY 1991 to coincide with available funds. For example, we have reduced the airline statistics in online disk storage to reduce our TCC bill, but this causes delays for OST users who access the data. Also, we have limited our servicing of ad hoc requests for computer programs and aviation data by OST and FAA, and backlogs develop. Users who cannot wait must either do their own computer programming or use their own funds in lieu of RSPA's funds to pay for contractors.

The lack of FY 1991 funds for "aviation data analysis" work for OST impacts the Department's airline statistics program. First, we must divert funds from other work to accomplish essential and high priority work for OST. For example, computer systems modernization project funds are needed to maintain and analyze international air passengers' citizenship data for OST. Second, OST must either scale back their demands for major projects in view of RSPA's limited staff resources, or find other staff and funds for their projects, major studies, and economic analyses. In FY 1990 RSPA staff was able to support a few major OST projects by reducing the amount of ad hoc user services otherwise available. OST projects included studies of airline competition and airport congestion for the Secretary, and economic studies of various aspects of flight delays at airports. In FY 1991 we will use the same strategy, and OST will again have to limit their requests for support on major projects as well as for ad hoc services.

Funds must be spent for "publication of regulations," including two final rules and several proposed rules, per the FY 1991 budget.

MAJOR CONTRIBUTORS TO THIS BRIEFING REPORT

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(340609)

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